CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

SIXTY-THIRD CONGRESS, SECOND SESSION.

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VOLUME LI, PART VII.

CONGRESSIONAL RECORD,

SIXTY-THIRD CONGRESS, SECOND SESSION.

SENATE.

MONDAY, *April 6, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou art sending us to-day the glad, new message of the springtime, a message of hope and promise, a message that fulfills all Thou hast spoken to us in the past, and that lures us on to the fuller revelation of Thy purpose in life. We pray that our hearts may be attuned to God's great purpose, and that we may have the inspiration of the life that now is as a full promise of the life that is to come. Out of a deep sense of our dependence upon God, with hearts full of gratitude to Thee, may we address ourselves to the tasks of this day as God's stewards. Holding in trust the welfare of a great Nation, may we so apply ourselves as to be guided by the Divine spirit, and may we work faithfully and well for the good and peace and prosperity of all the people. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Saturday last when, on request of Mr. MCCUMBER and by unanimous consent, the further reading was dispensed with and the Journal was approved.

RIVER AND HARBOR IMPROVEMENTS (S. DOC. NO. 462).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of March 25, a detailed statement showing the expenditures for each river and each harbor, geographically arranged by States and Territories, together with expenditures of like character for general and joint improvements not separable by States, and for canals.

Mr. BRISTOW. I should like to have the communication printed at once, as it is supplemental to a document printed about two years ago in response to a resolution which I submitted.

The VICE PRESIDENT. Printed as a public document?

Mr. BRISTOW. Yes.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered. The communication will be referred to the Committee on Commerce.

AUTOMOBILE SERVICE IN EXECUTIVE DEPARTMENTS (S. DOC. NO. 461).

Mr. MARTIN of Virginia. Mr. President, there have on several occasions recently been inquiries made about the automobiles in use under the different departments of the Government, and questions have several times been asked of me as the chairman of the Committee on Appropriations in respect to the matter. I was unable to answer the interrogatories propounded to me on the floor of the Senate and had not felt that it was obligatory for me as chairman of the committee to undertake an investigation of the service.

The inquiries, however, did induce me to write a letter to the head of each executive department and each independent bureau of the Government asking for detailed information. That information has been received, and I am sure it will be very valuable to the committees having charge of the appropriation bills and very valuable to Members of both branches of Congress. I ask unanimous consent that it may be printed as a Senate document.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 13044) to pension widows and minor and helpless children of officers and enlisted men who served during the war with Spain or the Philippine insurrection or in China between April 21, 1898, and July 4, 1902, in which it requested the concurrence of the Senate.

The message also announced that the House disagreed to the amendments of the Senate to the bill (H. R. 10138) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. ADAIR, and Mr. LANHAM managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of sundry citizens of Fairmount, Ligonier, Verhune, Muncie, Indianapolis, Hamilton, Mishawaka, and Bicknell, all in the State of Indiana, and of sundry citizens of Muskegon, Stanton, Detroit, Monroe, Mason, Sturgis, Girard, Fortsville, and Coldwater, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented a memorial of sundry citizens of Pittsburg, Kans., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. NELSON presented a petition of "The Friendly Fellows" of the First Baptist Church, of Worthington, Minn., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented the memorial of H. S. Taylor, of St. Paul, Minn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. PERKINS presented memorials of sundry citizens of San Jose, Cal., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Norwalk, Artisia, Los Angeles, and Pasadena, all in the State of California, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. GALLINGER presented petitions of the congregations of the Baptist Church of Woodstock, the First Baptist Church of Meriden, the First Baptist Church of Troy, and the United Congregational Church of Fremont, all in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. WEEKS presented memorials of sundry citizens of Worcester and Marlboro in the State of Massachusetts, remonstrating against the adoption of an amendment to the Constitution prohibiting the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Fisk Memorial Methodist Episcopal Church, of Natick, Mass., praying for the adoption of an amendment to the Constitution prohibiting the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. WARREN presented a telegram in the nature of a memorial from A. C. Morgan, president of the Mine Workers of Wyoming, remonstrating against the treatment of "Mother" Jones and the existing conditions in the mining district of Colorado, which was referred to the Committee on Education and Labor.

Mr. KENYON presented memorials of sundry citizens of Davenport and Clinton, in the State of Iowa, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Jefferson, Buxton, Guthrie, Clarinda, Battle Creek, and Sheffield, all in the State of Iowa, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a memorial of the Socialist Party of Norwich, Conn., remonstrating against the treatment of "Mother" Jones in the mining district of Colorado, which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Willimantic, Conn., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a petition of Naugatuck Valley Branch, No. 189, National Association of Civil Service Employees, of Derby, Conn., praying for the enactment of legislation to grant pensions to superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. CLAPP presented memorials of sundry citizens of St. Paul, Beaulieu, and Moorhead, all in the State of Minnesota, remonstrating against the adoption of an amendment to the

Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the Epworth League of the Wesley Church, of Minneapolis, Minn., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. LODGE presented memorials of sundry citizens of Springfield, Holyoke, Chicopee, Longmeadow, Palmer, Ludlow, Indian Orchard, and North Chester, all in the State of Massachusetts, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented memorials of sundry citizens of Onaway, Adrian, and Jackson, all in the State of Michigan, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of Monitor Lodge, No. 163, Vasa Order of America, of Ishpeming, Mich., praying that an appropriation be made for the erection of a monument to the memory of Capt. John Ericsson, which was referred to the Committee on the Library.

He also presented a memorial of sundry citizens of Grand Traverse, Mich., remonstrating against the repeal of the exemption clause of the Panama Canal act, which was referred to the Committee on Interoceanic Canals.

Mr. POINDEXTER presented a petition of the Retail Credit Men's Association of Spokane, Wash., praying for the enactment of legislation to limit to $500 the debt-exemption privilege of the postal savings bank act, which was referred to the Committee on Banking and Currency.

He also presented a memorial of Local Union No. 2257, United Mine Workers of America, of Black Diamond, Wash., remonstrating against the treatment accorded miners in the mining district of Colorado, which was referred to the Committee on Education and Labor.

Mr. DU PONT presented petitions of sundry citizens of Wilmington, Marshallton, Huntington, Millville, Middletown, and Harrington, all in the State of Delaware, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. GRONNA presented an affidavit in support of the bill (S. 5149) granting an increase of pension to Charlotte A. Hewitt, which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. ROBINSON, from the Committee on Interstate Commerce, to which was referred the bill (S. 4522) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906, reported it with amendments and submitted a report (No. 407) thereon.

Mr. FALL, from the Committee on Public Lands, to which was referred the bill (S. 2278) granting the El Paso & Rock Island Railway Co. a right of way for its pipe lines and reservoir upon the Lincoln National Forest for the carrying and storage of water for railroad purposes, reported it with an amendment and submitted a report (No. 408) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CUMMINS:

A bill (S. 5156) donating a brass or bronze cannon to the incorporated town of Alden, Iowa; to the Committee on Military Affairs.

By Mr. JONES:

A bill (S. 5157) to provide for the relief of contestants who in good faith have attempted to enter public lands in the exercise of the preference right granted to successful contestants (with accompanying paper); to the Committee on Public Lands.

A bill (S. 5158) granting a pension to William W. Batterton; to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 5159) to authorize the establishment and maintenance of camp and pavilion hospitals for the use and treatment of Indians afflicted with tuberculosis and trachoma; to the Committee on Indian Affairs.

A bill (S. 5160) granting an increase of pension to Jacob D. Cook; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 5161) for the relief of the heirs of Benjamin Spencer, deceased; to the Committee on Public Lands.

A bill (S. 5162) granting an increase of pension to Alice M. Robinson; to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 5163) granting an increase of pension to Harriet M. Case; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 5164) granting an increase of pension to Henry McDevitt (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 5165) granting an increase of pension to George H. Erskine; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 5166) granting an increase of pension to Susan J. Cantrell; to the Committee on Pensions.

By Mr. CRAWFORD:

A joint resolution (S. J. Res. 138) appropriating money for the payment of certain claims on account of labor, supplies, materials, and cash furnished in the construction of the main supply canal, Bellefourche project, South Dakota (with accompanying papers); to the Committee on Irrigation and Reclamation of Arid Lands.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. ROBINSON submitted an amendment proposing to appropriate $100,000 for the erection, equipment, and maintenance of camp and pavilion hospitals for the use of afflicted Indians, and especially for the treatment of Indians afflicted with tuberculosis and trachoma, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. BRISTOW submitted an amendment proposing to appropriate $800 for the building of a bridge across the Chilocco Creek where it intersects the State line of Kansas and the Chilocco School Reservation in Oklahoma, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SUTHERLAND submitted an amendment proposing to appropriate $4,600 for the maintenance of an assay office at Salt Lake City, Utah, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SAULSBURY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

EMPLOYMENT OF STENOGRAPHER.

Mr. O'GORMAN. I submit a resolution which I ask may be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 331) was read, as follows:

Resolved, That the Committee on Interoceanic Canals be permitted to employ a stenographer temporarily on account of the absence, due to illness, of the regular stenographer, and that the pay of said stenographer be at the rate of $100 per month for each day of such employment, not exceeding one month; and be it

Resolved further, That such services be paid for out of the contingent fund of the Senate.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. WILLIAMS subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the foregoing resolution, reported it favorably, without amendment, and it was considered by unanimous consent and agreed to.

MINING ON THE PUBLIC DOMAIN.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day.

The SECRETARY. Motion by the Senator from Montana [Mr. MYERS] to discharge the Committee on Mines and Mining from the further consideration of the bill (S. 4898) to encourage and promote the mining of coal, phosphate, oil, gas, potassium, and sodium on the public domain, and that it be referred to the Committee on Public Lands.

Mr. MYERS. Mr. President, I ask for a vote on the motion. My colleague [Mr. WALSH], the chairman of the Committee on Mines and Mining, stated on the floor upon Saturday, when this matter was up, that he would not resist the motion; that he would not object to it, and that while he would not be present to-day he has no objection to its being acted upon in his absence. I stated at the time that I would not ask for action on it to-day, if he preferred. He protested and stated that he had no objection to its being acted upon to-day.

It is the sense of the Public Lands Committee that the bill ought to go to the Committee on Public Lands, and I think the history of legislation in this body will show that that is correct. All such bills have always gone to the Public Lands Committee of the Senate, and they are now going to the Public Lands Committee of the House. Therefore I ask for a vote on the motion.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. MYERS. When this matter was up on Saturday my colleague [Mr. WALSH], the chairman of the Committee on Mines and Mining, made the following statement in relation to another bill:

I may say, Mr. President, that with it, however, another bill was offered by me, Senate bill 4983. If the bill referred to goes to the Committee on Public Lands, Senate bill 4983 should go likewise to that committee.

My colleague thereby expressed a desire that if one bill goes to the Committee on Public Lands the other should go to the Public Lands Committee. They relate to the same subject, treating it in a somewhat different manner, but very closely allied and akin. In that language my colleague expressed the wish that the two bills should go together. I therefore move that the Committee on Mines and Mining be discharged from the further consideration of the bill (S. 4983) amending sections 2347, 2348, and 2350 of the Revised Statutes of the United States, and that the bill be referred to the Committee on Public Lands. I ask for a vote on the motion at this time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

PANAMA CANAL TOLLS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Secretary read Senate resolution 323, submitted by Mr. POINDEXTER on the 1st instant, as follows:

Whereas the British Embassy to the United States has formally, in writing, admitted that we have a right to exempt our coastwise trade from Panama Canal tolls, and the British minister of foreign affairs has officially, in writing, declared that many of the material provisions of the Hay-Pauncefote treaty do not apply to the Panama Canal, because that canal was constructed under conditions not contemplated by either party at the time the treaty was made; and

Whereas the "particular object" of both the Clayton-Bulwer and the Hay-Pauncefote treaties was the construction of a canal at Nicaragua, and the "general principle" referred to in said treaties contemplated and expressly stated that a treaty should be made with reference to a particular canal, and no such treaty has been made with reference to Panama; and

Whereas the United States acquired the Panama Railway and the Panama Canal wholly from the Republic of Colombia, the French Canal Co., and the Republic of Panama, and not from Great Britain, and that Great Britain had no rights, titles, or claims of any kind whatsoever in or to said Panama Railway or Panama Canal or the country in which the same were built, and never asserted any such claim or interest either to said French Canal Co., the Republic of Colombia, or the Republic of Panama, and has no such interest or legal right now, either by treaty or otherwise; and

Whereas our policy as to canal tolls was settled by act of Congress and by the official statement of the last administration made to the British Government; and

Whereas, notwithstanding the aforesaid formal admissions of the British embassy and the British minister of state for foreign affairs, and notwithstanding after full consideration the question was solemnly settled by both the executive and legislative branches of this Government, the President on the 5th of March last appeared in person before the Congress and "urged with the utmost earnestness of which he was capable," upon the ground of his own "personal responsibility," that the position so deliberately taken by this Government be reversed, and that his request be granted "in ungrudging measure," without "raising the question of whether we were right or wrong," and no reasons are given by the President for his conclusions, and the request is based especially on the ground that he "shall not know how to deal with other matters of even greater delicacy and nearer consequence" unless it shall be granted; and

Whereas no statement has been made to Congress what these matters are, and in order to act advisedly on said request it is essential that the Senate shall be informed thereon, and if they are of such near consequence and great delicacy as to require a surrender to foreign opinion without question as to whether we were right or wrong, the Senate can not properly consider the question submitted and many other vital questions before it without being advised as to the nature and identity of said matters referred to by the President, and it is the desire of the Senate to give thorough consideration to the views of the President: Therefore it is

Resolved by the Senate, That the President is hereby respectfully requested to inform the Senate, in confidence if he so desires, what are the unnamed matters of "nearer consequence and greater delicacy" referred to in said message; and

Resolved further, That action on the bill for the repeal of the tolls exemption clause of the Panama Canal act, and all consideration thereof by the Senate or by the Senate Committee on Interoceanic Canals, be deferred until the information called for by this resolution can be obtained.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. BRANDEGEE. The Senator from Washington I just saw outside the Chamber. I do not know whether he wishes to have the resolution taken up this morning or not. I suggest that it be tabled temporarily, subject to his call when he comes into the Chamber.

Mr. OVERMAN. Let it go over another day.

Mr. BRANDEGEE. Very well.

The VICE PRESIDENT. Is there objection? The Chair hears none; and the resolution will go over until to-morrow, without prejudice.

PROPOSED RULE RELATIVE TO EXECUTIVE SESSIONS.

The VICE PRESIDENT. The Chair lays before the Senate the following resolution, coming over from a preceding day, which will be read.

The Secretary read Senate resolution 327, submitted by Mr. KENYON on the 4th instant, as follows:

Resolved, That it is the judgment of the Senate that all executive sessions shall hereafter be open to the public, except when treaties are considered or when the Senate, by unanimous consent, orders otherwise; and the Committee on Rules is directed to prepare such amendments to the present rules, or to prepare new rules, or both, as may be necessary to carry out the terms of this resolution, and present the same to the Senate for action thereon.

Mr. SMITH of Georgia. Mr. President, I desire to make a point of order upon the resolution. It is an effort to change the rules by a resolution. If the resolution were passed, it would require the Committee on Rules to proceed to prepare, under the direction of the Senate, a new rule. It in effect is a procedure to amend the rules. The rules themselves prescribe the way in which amendments can be made. The rules require that an amendment to the rules must be preceded by a notice from a Senator that it is the purpose of the Senator to tender an amendment to the rules, specifying the rule to be amended and the amendment contemplated. Then on a subsequent day the amendment itself may be presented, and it must be referred to the Committee on Rules.

Mr. BRANDEGEE. I should like to have the resolution read again.

The VICE PRESIDENT. It will be again read.

The Secretary again read Mr. KENYON'S resolution.

Mr. McCUMBER. As the matter when it comes up will require a great deal of discussion, I will ask both the Senator proposing the resolution and the Senator making the point of order if they will not consent that it may go over, and with it the point of order.

Mr. SMITH of Georgia. I have no objection.

The VICE PRESIDENT. Is there any objection?

Mr. KENYON. My attention was diverted. What was the request of the Senator from North Dakota?

Mr. McCUMBER. I did not make a request. I asked if it would not be entirely agreeable to both the Senator from Iowa and the Senator from Georgia that the resolution and the point of order might go over without prejudice.

Mr. KENYON. It is agreeable to me that it may go over without prejudice, so it will not lose any of its rights.

The VICE PRESIDENT. If there is no objection, the resolution goes over without prejudice. The calendar under Rule VIII is in order.

PANAMA CANAL TOLLS.

Mr. McCUMBER. Mr. President, there are three things relating to the address which I shall make to-day which I greatly desire. First, to finish it in the shortest possible time consistent with the magnitude of the subject; second, to bring into the RECORD as many of the evidential facts as are possible within that time; and, third, to present them in their logical order.

Ordinarily I think a running debate with pertinent questions and suggestions is beneficial, but I am certain, with the earnest feeling and conviction manifest on this particular subject, the questioner will not be able to keep himself within the limits of a simple question, and yielding for such purpose would destroy the continuity and improperly lengthen the argument. It is for that reason that I would prefer to reply to any questions or suggestions at the close of the argument.

Mr. President, the President of the United States, in his message delivered to the two branches of Congress on March 5, says:

In my own judgment, very fully considered and maturely formed, that exemption (the exemption of our coastwise vessels from the

payment of tolls) constitutes a mistaken economic policy from every point of view.

In that same sentence the President further declares that this exemption from the payment of tolls—

is, moreover, in plain contravention of the treaty with Great Britain concerning the canal concluded on November 18, 1901.

Now, will the Senate meet the President fairly and honestly on these two issues, and freeing them from all other considerations, from all prejudices, jealousies, and selfish interests, meet him in a calm and judicial discussion of those questions? Or will we, as we have heretofore done, continue to avoid the real merits of those two propositions, and attack them from behind what may be public sentiment in favor of exercising complete sovereignty over a canal owned by us and paid for by us? Will we hide behind the flag while we burglarize the American Treasury for the benefit of the coastwise shipping interest, which has no competitor in the world, and which is to-day diverting the public mind from the real question by playing upon our national pride and sentiment?

If the discussions of the past and the evident purpose of the present are any criterion, I have grave apprehension that there is a purpose not to meet either of those two issues squarely; that we will seek to avoid the real question, and concentrate public attention on the claim that other nations are attempting to dictate our domestic policy, are questioning our sovereignty over our own property, and, backed by a natural sentiment of resentment which every people have against interference of other nations in what they deem their own affairs, hope to obscure the real question of contractual rights and obligations, and the real question of the propriety of exempting our vessels from the payment of tolls as a national policy.

It may be that we will be able to so deceive the people of the country, but I am so certain that the American public wants to adopt a policy that will be just to all the people as a domestic policy, and wants to keep the word of this country good and its honor unstained in the eyes of the world, that I shall vote in accordance with what I believe would be their attitude if the truth were not hidden from them, and accept whatever consequence a righteous vote may bring.

Mr. President, I know how difficult is the effort to get the real question before the country. The question whether we have entered into a contract is a question of cold fact. The question of international interference is always a sentimental and sensational one, and therefore easily gains greater publicity. But in the face of all this sentiment and sensationalism, I shall attempt to rescue the real and only true issues and bring them before the people and before the Senate.

Some of my friends on the other side of this question, with a rather flippant tone and gesture, say to me: "Well, you will find considerable difficulty in convincing the American people generally that we can not do as we please with a canal which we built with our own money. The public is not going to bother themselves about treaty agreements. They know we paid for the land, and we paid for the canal, and they will not allow any other country to question any right incident to complete ownership."

Well, Mr. President, that may end the matter with those whose courage parts company with their convictions whenever these convictions are not supported by a preponderance of public sentiment. From my standpoint it would be a cowardly course to end the matter right there. If the American people do not know that we entered into a solemn agreement as a part of the purchase price of the right to own that land and construct that canal, then I conceive it to be the moral duty of those representatives of the people who do know it, to impart that information to them, rather than conform their own views to square with a sentiment based upon public misinformation. Give the public the truth, and it can always be relied upon to do the right thing and the honorable thing. And one of our most important duties as representatives of the people is to make that truth known to them.

Mr. President, the one great virtue which has placed the name of the immortal Lincoln in the highest niche of political fame is that he never, in all his battles in the political arena, misrepresented the position of his adversary; he never attempted to refute a proposition of his opponent until he had stated that proposition as accurately, as fairly, and as favorably as the proponent himself could have stated it; he never availed himself of any mere temporary or unworthy or questionable weapon of warfare. And we on this side of the chamber, who draw our republican inspiration from such a lofty source, may well emulate the founder of our party in the discussion of these two clearly presented propositions which the President has submitted for our unbiased consideration.

I confess I have little use for that character of debate which substitutes abuse for argument or places an adversary in a false position and then assails that position. Let me say to my Republican friends that in my humble judgment the results of the application of Democratic domestic policies to the industries of this country will give us all the ammunition we shall need for honorable political warfare. And we shall not need to avail ourselves of the bushman's poisoned arrow or the redskin's ambuscade.

Let us treat the President as we should wish to be treated. He has never uttered a sentence that could be fairly construed into the surrender of a domestic right to purchase peace or good will. He has simply stated to the American public that after very full and mature consideration his conclusion is that our treaty of November, 1901, obligates us to treat the vessels of every other nation passing through the canal the same as we treat our own vessels; that every other nation in the world gives that treaty the same construction that he gives it; that in conducting our sometimes delicate diplomatic relations it would be helpful to him if we would place this country right before the eyes of the world—redeem it not only from what he believes is a violation of an international contract, but redeem it also from what he knows is a universal belief that our country is not faithful in the maintenance of its national obligations.

We have no right to cull a mere phrase or portion of a phrase from his message, disconnect it from that which gives it its true color and meaning, and then accuse him of a view clearly contrary to his real intent.

You say the President has declared that we shall surrender our position, whether right or wrong, thereby intending to imply that if the two contentions balance in the scale of reason we should surrender. The President has said nothing of the kind, and we all know he has said nothing of the kind. It is true that he does use the words "right or wrong," but only in relation to a construction where the great weight of conviction is that we are wrong, and the remote possibility of our being right ought not to hold us to our contention. We know that he first declares that the exemption of our coastwise vessels is in plain contravention of our treaty; that everywhere else the language is given an interpretation which precludes the release of our vessels; that we accepted, if we did not originate, the language used in that treaty, and therefore ought not to interpret with too strained a reading of our own language in order to give it a construction favorable to our right; and that under these conditions we ought to reverse our action without questioning whether we were right or wrong in our construction, and so once more deserve our reputation for generosity and for the redemption of every obligation without quibble or hesitation. The true, the only meaning of that entire paragraph is that in the light of his own honest conviction, in the light of the overwhelming consensus of world opinion against our contention, in the light of the fact that we ourselves have differed as to whether we have such a right, we ought not to put ourselves before the world in the position of a country which repudiates its national obligation and stains its national honor.

The President has never asked us to repeal the free-tolls provision of the Panama act through fear of any one power or any combination of powers. On the contrary, acknowledging our full power to do as we please without fear of any nation, using his own words, he declares:

We are too big, too powerful, too self-respecting a Nation to interpret with too strained or refined a reading the words of our own promises just because we have power enough to give us leave to read them as we please.

Do those words signify fear or recognition of weakness, or do they signify a lofty conception of national standards?

Not less unjust has been the press of this city in presenting the attitude of the President on this question. Its presentation has been worse than unfair. Truth has been buried beneath an avalanche of misrepresentation. But as surely as the God of Truth reigns I believe it will yet emerge from this débris of falsehood. Let his position be presented in the press as fairly as the lurid generalities of those who challenge his utterances are presented and his position will stand every test. If when you place in startling headlines occupying a whole sheet of your paper, Speaker CLARK places party pledges above the President's commands, you will print on the other side, President Wilson places national honor above party commands, the President need have no fear from this source when the people have had time to compare the two propositions and to absorb the truth.

Just as a plain American citizen let me say to the President, who is courageously braving assaults while standing by what I know he believes to be our national duty, that he may find some similarity of situation in the history of the Republican

Party. In 1896 our party was tempest tossed on the waves of passion and discord. The crime of 1873, the crime of 1890, the crime of surrendering our country to the money powers, and hundreds of other crimes were poured upon us in unceasing volleys. Had a vote been taken as early as July of that year our party would have been swept bodily from the field of politics. But with the ranks depleted, with vast desertions, we never swerved from our line of duty. We raised the banner of financial integrity and we fought that battle to a successful issue. In those days the Republican leaders did not ask the question Is it popular? but, Is it right? And if they felt that the popular sentiment was the outgrowth of misinformation they were brave enough to meet it and their courage to stand by their convictions generally kept the party in power.

And so I believe that the attitude of the President in raising the banner of national honor, and battling for that honor, will not, when the truth is once known to the people, suffer because of his courageous stand.

About your party platforms I have nothing to say. The President is not the President of the Democratic Party alone. He represents this Government as one of the great world powers, and upon him rests to a very great degree the duty of maintaining the reputation of this country for probity among the other great nations of the world. This is unlike a mere party policy. It is not a policy concerning our domestic relations alone, but one which involves the honor and probity of our Government before the entire world. To maintain our honor in that relation is a duty especially devolved upon the President of the United States; and every true American ought to stand by him if he believes that he is earnest and honest in his convictions.

Mr. President, I wish we could once for all rid ourselves of those ridiculous hallucinations appearing so often in the press, and reflected in some of these petitions, that any portion of the American people ever seek or ever want an alliance, or any other relation with Great Britain different from that existing between this country and every other country in the world. The utter weakness of such an idea ought of itself to place it beyond the scope of any consideration whatever. The vast majority of the population of this country are from ancestry foreign to Great Britain. Certainly their sentiment could not be claimed to be favorable to any alliance or other relation inimical to the interests of the nations from which they sprang. If we then turn to the balance of our population, to those of the old American stock, whose names show their ancestry to have been English, Scottish, or Welsh, we ought to remember that the colonial ancestors of these people fought against Great Britain for seven long years to free themselves from a union with the mother country, and if there is any one people on the face of the earth that believe in the prophetic words of Washington against any entangling alliance it is the old American contingent of our national population. And not only this, but the whole history of this country shows a greater jealousy and rivalry toward Great Britain than any other country on the part of that old element of our nationality.

There is scarcely a political campaign in any State in this Union that is not shaped to meet the special sentiments of this and that hyphenated American element of our own country, but no one ever asks how this ticket or this political plank will look to this American-American. And why? Because we know that he has no special attachment for or animosity against any other nation on this globe. He has no prejudices or attachments outside of this country to appeal to.

Then what becomes of this mere scarecrow of an alliance between English-speaking countries of the world? It has less substance than an idle dream. It is an impossibility. And no man who has any conception of American sentiment need ever entertain the slightest hope or the slightest fear of such an event.

It is but natural, of course, that people who read the same literature, speak the same language, have to a certain extent passed through the same historical conditions, live under the same kind of laws and customs, and engage in the same kinds of commercial enterprises should have views that are akin and should strive alike to speed the day when commerce rather than military rivalry shall engage the thought of mankind. And in that effort for peaceful settlement of international difficulties every nation of the world, great and small, should share and join their efforts.

You charge the President with a desire to purchase peace. Stop a moment to think of that charge. Of all people in the world Great Britain would be the last one to war with this country. We have an advantage over Great Britain which we do not have over any other great nation. We have a population two and a quarter times as great as that of Great Britain. We have a territory one hundred times larger. We have resources compared with which hers are small and meager. Practically all her supplies of food and clothing must come from abroad, and she must keep open the avenues of trade in order that her people may live, while we can raise in this country all we may need for centuries to come, though we were closed out from all the rest of the world. We would find Great Britain vulnerable to attack in a thousand places where we would not be vulnerable at a single point. And more than all, with our enormous population we could in a week lay hold of her greatest dependency—Canada—from which possession we could never be dislodged. Canada is a sure hostage of peace so far as Great Britain is concerned. If we should ever have a war with that country we ourselves would make that war.

I listened with a great deal of interest to the very eloquent address made here the other day by the Senator from Illinois [Mr. LEWIS], and I must say that while I admired it and was charmed with its diction, I can scarcely agree with him that any war clouds on the horizon could in the slightest degree change us from our course. But this very fact of our supreme power and position, the fact that we can with impunity break our word with another nation, ought to make us the more considerate of our international duties and obligations. We are too big in national power to be little in national integrity.

But while we should always keep in mind the prophetic admonition of Washington against entangling alliances with any other nation on this earth, we should give the same consideration to his equally sound and statesmanlike advice:

> Observe good faith and justice toward all nations. Cultivate peace and harmony with all.

His caution against habitual hatred of any other nation is no less forcible than his admonition against the dangers of too ardent an attachment to any other nation. "Both," he says, "make our Nation in some degree a slave."

Mr. President, the President of the United States is actuated by what he knows is right and honorable in this matter. If we make a contract with the mighty Empire of Germany, Russia, France, or Britain, we should keep our word; if we make a contract with little Costa Rica, we should keep it exactly the same. Our national honor should be above reproach by any people in the world. President Wilson speaks truly when he says:

> Whatever may be our differences of opinion concerning this much-debated measure, its meaning is not debated outside the United States. Everywhere else the language of the treaty is given but one interpretation, and that interpretation precludes the exemption I am asking you to repeal. We consented to the treaty; its language we accepted, if we did not originate it; and we are too big, too powerful, too self-respecting a Nation to interpret with too strained or refined a reading the words of our own promises just because we have power enough to give us leave to read them as we please.

The President is right. Every nation in the world construes that contract against the right which we claim. Every nation knows our previous attitude and our previous promises. Every utterance of ours for a hundred years justifies those nations in their belief, and we ought to redeem our obligation "without quibble or hesitation."

Mr. President, I have been waiting and watching to see if a single one of these petitions which have been coming to the Senate daily, and which condemn the repeal of the free-tolls act, would base its conclusion on the proposition which the President lays before the American people, that our agreement prohibits discrimination. The President says that this country entered into an agreement with another country whereby it bound itself to refrain from any discrimination in favor of the vessels of its own citizens in the matter of tolls. Now, not a single one of these petitions meets the proposition laid down by the President: Shall we maintain our national word? On the contrary, every one of them, and every one of the criticisms assume that we have not bound ourselves in any way. And if that assumption be true, so far as our international policy is concerned, these criticisms and petitions are well founded.

If, as the petitioners assume, our control over that canal differs in no respect from our control over our great inland rivers, and there rests upon us no obligation to treat that waterway in any manner other than we might treat a navigable river in the United States, then of course any challenge by any other country of our right to charge whatever tolls we see fit, or release from tolls altogether, would be worse than impertinence. It would be an international affront for which we might very properly demand an apology.

If, however, on the other hand, prior to the beginning of the construction of this canal we had no more right than the French company which started its construction, or any other people or country, to construct and operate an isthmian canal; if, acknowledging that we had no greater right than others, we had

entered into an agreement with another nation, an agreement entered into at our own instance, with a Government which also had coastwise trade and thereby would also have an interest in such canal, that neither Government so interested should own or exercise a controlling interest in such canal; and if after the lapse of 50 years we should conclude that we did desire to own a controlling interest in such canal and applied to the other country to be released from the inhibition contained in that contract, that thereupon the other nation agreed to release us without releasing itself, but did so in consideration that we guarantee that not only the vessels of her people, but the vessels of the whole world should be treated exactly the same in the matter of tolls as the ships of our own people, then I believe that the vast majority of those people who sign these petitions would immediately say we should keep our national word. The fact that not a single one of these petitions mentions the real question at issue, the question of agreement, clearly indicates that this matter has not been brought to the attention of these petitioners. I have had many people speak to me on this subject, assuming just as these petitioners assume, but when I have asked them what we should do if, as a matter of fact, we had promised not to discriminate in favor of our own vessels, the invariable answer has been, we should keep our word. If we have made no such agreement, then I agree entirely with those who oppose free tolls, that we should not only eliminate from the consideration of the subject any suggestion by a foreign power but should resent it as an impertinence.

When we build a canal in the United States we do not make a contract with any other nation. The fact that we did make a contract with another nation concerning the Panama Canal presupposes that we did not have a free hand to do just as we pleased, but that we were compelled to secure certain rights, and that to secure those rights we naturally were compelled to bind ourselves to certain conditions to do something on our part. And what we want to arrive at is what we agreed to do.

So far as the international aspect of the case is concerned, I shall be guided wholly by the simple question: Did or did we not ratify an agreement which prohibits us from discriminating in favor of any of our vessels?

I shall now proceed to consider the legal proposition.

Mr. President, the remission of tolls to our coastwise vessels, or to any other vessels belonging to the citizens of the United States or of any other country, is a clear violation of our international agreement. When the Senate of the United States voted in favor of the Hay-Pauncefote treaty it did so on the clear and unequivocal understanding that this treaty on which it was voting, irrespective of any and all previous utterances and declarations of the Government, and irrespective of whether the old Clayton-Bulwer treaty was alive or dead, did bind this country to treat all vessels of the world on an equality with our own vessels. I will not say that there might not have been some individual Senator who might have carried in the secret chambers of his mind a conviction that he could at some future time, if called upon, give the treaty a different construction. What I do say is that if he had any such conviction he did not publicly disclose it in the debates, and he knew that the Senate as a body and the Committee on Foreign Relations which reported the treaty, as clearly shown in its reports, did understand that the treaty did bind us to this equality of treatment. And while there was a vigorous minority report by Senator Morgan, that minority report took no issue, but confirmed the construction placed upon the treaty by the majority.

With these two reports before the Senate it would be a slander upon both its judgment and its sense of integrity to say that while without a word of protest it voted for this treaty that it nevertheless so voted with a secret conviction that these committee reports, which gave a certain construction to the Hay-Pauncefote treaty—a construction in harmony with the views of Secretary Hay and Lord Pauncefote—could at some future time be repudiated.

I put this question squarely up to Senators on both sides of this Chamber: Admitting that the treaty by its terms does not preclude a construction authorizing us to discriminate in favor of our own vessels, but that both countries understood that it did so, that both Mr. Hay and Lord Pauncefote understood that it did preclude us from discriminating in favor of our vessels, and that the Senate when it confirmed the treaty knew that the parties understood it that way, and the Senate as a whole understood it the same way, would you then declare that, notwithstanding this mutual understanding, we should give it a construction contrary to what was then understood?

Or, putting it in another form, if the contract itself is uncertain as to its intent, but the parties to the contract were agreed as to its intent when they executed it, should or should not each party be morally bound to give the contract a construction in harmony with their intent when they executed it?

President Wilson says:

> The large thing to do is the only thing we can do, a voluntary withdrawal from the position everywhere questioned and misunderstood.

I do not go that far, and I do not need to go that far. What I say is, not that we shall not quibble if we do not agree upon the construction of the contract, but that we shall not violate the obligation which we both understood was the obligation incumbent upon us when we executed that agreement.

GENERAL PRINCIPLE.

Mr. President, to economize in time at this point, I shall omit all the earlier history pertaining to this question, every word of which gives added strength to my contention, and immediately proceed to the conditions surrounding the negotiations of the first and second Hay-Pauncefote treaties, reaching back of that only momentarily to draw from the old Clayton-Bulwer treaty of 1850 only a paragraph always referred to thereafter as the "general principle," and which was the only part of that old agreement retained, in any form, in the new. That "general principle" was expressed in these words:

> And the same canals or railways being open to the citizens and subjects of the United States and Great Britain on equal terms, shall be open on like terms to the citizens and subjects of every other State—

And so forth.

This is our starting point. There is the "general principle"; and while it was reiterated a thousand times thereafter, it has never been reiterated in the sense that it has been modified.

We start right here from this "general principle," which guaranteed equality of treatment to not only vessels of the United States and Great Britain but also to vessels of all other nations. Now, that "general principle" was asserted and reasserted by both parties again and again down to the adoption of the second Hay-Pauncefote treaty. Up to that time it meant equality of treatment of all vessels, including those of the United States. If it is now to have another meaning, that other meaning must be found either in an expressed declaration to that effect, or in a clear inference because of change from individual to Government ownership and control of the canal.

At that time in the discussions in the press of our own country we took the position that the interest upon the investment and the operating expenses should be borne by all vessels passing through that canal. All our estimates for receipts in tolls to repay interest included all our vessels, coastwise and otherwise. That was what we understood on this side of the ocean. It might be well, therefore, to give a brief consideration of the view of the people on the other side of the ocean, who were a party to this contract, as to what was expected in the line of tolls in case this Government should construct the canal. It will be found that there was no disagreement in the understanding of the two nations.

I read the press of the country and I think all the material propositions that were disclosed at that time, and I do not remember finding a single sentence that sought in any way to differentiate our coastwise from our other shipping, or that did not admit that we were to charge all vessels the same.

I wish now to show the understanding of the British people, irrespective of officials, upon the same subject, as evidenced by the editorials in their papers at the time we approached Great Britain for a modification of the Clayton-Bulwer treaty.

I shall quote a portion of a rather lengthy editorial from the Spectator of December 10, 1898, just after President McKinley had sent in his message pertaining to an American-owned canal.

Now, this is most important, in order to get the understanding of the people on the other side as to what we proposed, because that would have its natural influence upon the people who were conducting the negotiations.

This editorial reads as follows:

THE NICARAGUA CANAL.

> We pointed out at the end of last summer that it could not be long before our statesmen would have to bring their minds to bear upon the question of the Nicaragua Canal and the Clayton-Bulwer treaty, and this is exactly what has happened. The assertion by the President of the United States in his message to Congress that "the construction [of the Nicaragua Canal] is now more than ever indispensable and our policy more imperatively than ever calls for its control by this Government," has at once brought the matter within the region of practical politics. We make no claim to any special prescience in the matter. The Americans have always longed for an interoceanic canal, and it was evident that directly they had acquired possessions in the West Indies opposite the coasts of Central America, and also an island empire in the Pacific, they would desire to link them by water communication. A revival of interest in the Nicaragua Canal was thus an

inevitable sequence of the war. But the Americans can not obtain that control over the Nicaragua Canal which they desire unless we are willing to abandon our rights under the Clayton-Bulwer treaty, an instrument under which both powers bound themselves not to obtain an exclusive control over any interoceanic canal. We and the Americans, that is, agreed some 48 years ago that a canal should only be made and controlled by the two powers acting together, and in no case by either power singly. * * * The people of this country have, therefore, to consider whether they will or will not veto the canal. We are glad to see already a good many indications that we do not intend to exercise our right of veto. The Times, in its leading article on the President's message, uses words which will, we believe, be indorsed not only by the Government but by the majority of English people. The Times says, most reasonably, that "if the freedom of the waterway were secured—

Now mark the words—

to ships of all nations, as in the case of the Suez Canal—

Which did not differentiate between Great Britain and any other country—

to ships of all nations, as in the case of the Suez Canal, we do not see what object we should have in standing strictly upon claims which originated when the circumstances were altogether different. Not less statesmanlike has been the tone adopted by the St. James Gazette. It has, however, been suggested by the Daily Mail, on the other hand, that we ought not to give up our rights, and that we should insist upon a joint control of the waterway. We do not think, however, that this contention will, if it is carefully examined, find favor here. Joint control, in the first place, means joint guarantees and joint expenditure, and we do not believe that the people of this country are prepared to spend money in Nicaragua. We have plenty of objects nearer home on which to use our spare cash. When we can get all we want out of an interoceanic canal, controlled by America, why should we burden ourselves in the matter? The United States, as the power most nearly and vitally interested, may think it worth while to construct or help construct the canal, but our interests do not extend so far. All we want is that the canal shall be made, and that when it is made it shall be open and available to our merchant ships and ships of war as freely as to those of the United States or of other powers.

That is the view of the British public.

We merely want an open waterway that no one will be able to tamper with. Now, our contention is that we secure this object better through American control than by any other means. Indeed, if America holds the canal it will be of more use to us in time of war than if we held it ourselves. Supposing the canal ours or merely the property of Nicaragua, a hostile power might block it in the first instance as our property and in the second in defiance of a weak State. If, however, it is controlled by America, we need have no fear of being unable to use it, for it will be in hands strong enough to defend it. Take the case of a war with France, Russia, and Germany and the canal in the hands of the United States. In such a case we might be hard pressed and should find it most convenient to be able to pass our ships through the canal without having to guard its two mouths by protecting squadrons. The canal would be a great neutral harbor with two outlets. Only in the case of war with the United States would American control be anything but a benefit. But even in that case we doubt whether American control would be worse than joint control. The command of the sea would have to be fought out, and the canal would fall to the victor as the prize. We fail, then, to see why we should make ourselves disagreeable to the Americans by vetoing the canal. Rather we hold that we ought to look with the greatest possible satisfaction upon its construction. What is meant by "control" is a matter which requires attention. An able American publicist, Prof. Woolsey, of Yale, in his work on "America's Foreign Policy," recently published by the Century Co., of New York, has argued, and with considerable force and ingenuity, that America would gain nothing by exclusive control, and that she had much better claim no more rights in the canal than those given to any other power. Possibly he is right in theory, but in practice some one power will always have the control of any piece of territory, and so of every artificial waterway * * *.

We come now to the practical side of the question—

Says this editorial—

What answer are we to make to America if, or rather when, she asks us to agree to the abrogation of the Clayton-Bulwer treaty? It has been suggested that we should ask for compensation elsewhere, or try to make a bargain for trade facilities. Possibly the plan might succeed, but we confess we dislike such huckstering between nations, especially when they involve demands upon a nation's internal fiscal policy. We hold that it would not only be more dignified, but also more beneficial to us in the long run, to ask for no payment for giving up what has, as a matter of fact, proved merely a sort of double-barrelled agreement by England and America to play dog in the manger to each other. We would rather abrogate the treaty out of good will and good feeling than for any direct quid pro quo.

We would abrogate the treaty on the following terms: (4) That the canal should be open at all times to all nations at peace with the United States; (5) that the dues charged should be the same in the case of American and other vessels. If the United States were to agree, as we believe they would, to such terms as these, we could have no possible ground for refusing to give up our rights under the Clayton-Bulwer treaty.

That, Mr. President, was the public understanding on the other side of the ocean, as expressed by all their editorials, which were reflected again in similar editorials on this side.

CORRESPONDENCE SHOWING RETENTION OF GENERAL PRINCIPLE OF CLAYTON-BULWER TREATY.

It is equally clear that the representatives of the two Governments understood that the "general principle" of the Clayton-Bulwer treaty was not to be varied because we became the owner of the canal.

In a letter from Lord Lansdowne to Mr. Lowther—you will remember that at that time Lord Lansdowne was foreign secretary of Great Britain and Mr. Lowther was chargé d'affaires of the British Government here—of date August 3, 1901, with great perseverance, the other party to this contract seeks to guard against any possible modification of that "general principle" which related to the equality of treatment of the vessels of all nations. Lord Lansdowne says:

I suggest the renewal of one of the stipulations of article 8 of the Clayton-Bulwer convention by adding to rule 1 the words, "such conditions and charges shall be just and equitable."

In that same letter I believe Lansdowne has proposed the following article to follow article 3:

ARTICLE 3A.

In view of the permanent character of this treaty whereby the general principle established by article 8 of the Clayton-Bulwer convention is reaffirmed, the high contracting parties hereby declare and agree that the rules laid down in the last preceding article shall, so far as they may be applicable, govern all interoceanic communications across the Isthmus which connects North and South America, and that no change of territorial sovereignty, or other change of circumstances, shall affect such general principle or the obligations of the high contracting parties under the present treaty.

In another letter between the same parties, dated September 12, 1901, after Mr. Hay had stated his objections to the previous amendment proposed by Lansdowne, which was designated article 3a, Lansdowne, referring to what Mr. Hay said, states:

Coming to article numbered 3a, which might be called article 4, Mr. Hay pointed out "that the preamble of the draft treaty retained the declaration that the 'general principle' of neutralization established in article 8 of the Clayton-Bulwer convention was not impaired."

That was the claim of Mr. Hay. Proceeding:

To reiterate this in still stronger language in a separate article, and to give article 8 of the Clayton-Bulwer convention what seemed a wider application than it originally had, would, Mr. Hay feared, "not meet with acceptance." If, however, it seemed indispensable to His Majesty's Government that an article providing for the contingency of a change in sovereignty should be inserted, then that it might be stated: "It is agreed that no change of territorial sovereignty or of the international relations of the country traversed by the beforementioned canal shall affect the 'general principle' of neutralization or the obligation of the high contracting parties under the present treaty."

Remember "general principle" always refers to the general principle in article 8 of the Clayton-Bulwer treaty.

This, Mr. President, was the view expressed by Mr. Hay himself, that it was not necessary to reassert that "general principle" because the preamble of the draft treaty retained the declaration that this "general principle" was not impaired.

That is what the preamble says. Could anything be clearer than that both parties intended this "general principle" without impairment to be adopted as part of the Hay-Pauncefote treaty? Would anyone contend that this "general principle" would not be modified, and thereby impaired, if our vessels were released from its provisions? It certainly would not be the same "general principle" established in the Clayton-Bulwer treaty.

This matter, Mr. President, is made doubly clear in the explanation sent by Mr. Hay to the Senate Committee on Foreign Affairs in which he takes up the several objections of Great Britain to the amendment of the first Hay-Pauncefote treaty and gives a concise history of the negotiations.

In that instrument Mr. Hay says—he is talking now to the committee:

The proposed draft of the new treaty was submitted to Lord Lansdowne, and after mature deliberation he proposed on the part of His Majesty's Government only three substantial amendments.

He recognized the weighty importance of the change by which Great Britain was relieved of all responsibility for enforcing the neutrality and maintaining the security of the canal, and that all this burden was solely assumed by the United States. He also appreciated the importance of the other proposed changes in the direction of harmony.

Under this modified aspect of the relations of the two nations to the canal he was not indisposed to consent to the abrogation of the Clayton-Bulwer treaty if—

And these are Mr. Hay's words:

If "the general principle" of neutrality, which was reaffirmed in the preamble in the new treaty as well as of the former one, should be preserved and secured against any change of sovereignty or other change of circumstances in the territory through which the canal is intended to pass, and that the rules adopted as the basis of neutralization should govern, as far as possible—

I will stop right here to emphasize the words "as far as possible," because, as I shall show further in answer to some of the arguments, it was not expected that those portions of the rules pertaining to the Suez Canal which were not applicable should be considered as applicable, although they were taken as a whole and applied—

as far as possible, to all interoceanic communication across the Isthmus. He referred—

I am still quoting Mr. Hay—

in this connection to articles 1 and 8 of the Clayton-Bulwer treaty.

He therefore proposed, by way of amendment, the insertion of an additional article.

This is article 3a, which I will have printed.

Thus, Mr. President, you will see how insistent the other party has been all along in these proceedings, that the "general principle" established in the Clayton-Bulwer treaty should not be abrogated or changed in any degree whatever, or for any cause whatever, whether through change of sovereignty or otherwise.

Then Mr. Hay goes on to say that the President thought that the amendment offered by Lansdowne was unnecessary and might give to the "general principle" of the Clayton-Bulwer treaty a broader significance than was intended in that treaty. He was content that it should have the same significance. But he proceeds to say to the Senate, and I again quote from Mr. Hay:

The President was, however, not only willing but desirous that "the general principle" of neutralization referred to in the preamble of this treaty should be applicable to this canal now intended to be built, notwithstanding any change of sovereignty or of international relations of the territory through which it should pass. This "general principle" of neutralization had always in fact been insisted upon by the United States—

I am still quoting the words of Mr. Hay giving the attitude of the President—

and he recognized the entire justice of the request of Great Britain that if she should now surrender the material interest which had been secured to her by the first article of the Clayton-Bulwer treaty—

That was equality with American ships—

which might result in the indefinite future, should the territory traversed by the canal undergo a change of sovereignty, this "general principle" should not be thereby affected or impaired.

Those are our declarations.

These views were communicated to His Majesty's Government—

Says Hay—

and as a substitute for the article proposed by Lord Lansdowne the following was proposed on the part of the United States.

The provision is that which is now in the treaty, which provides that the change of sovereignty—which means the change of sovereignty from Panama to our own or any other Government—should not affect the "general principle" or the obligations of the high contracting parties.

Thus it will be seen that Great Britain was most insistent that the "general principle" of the Clayton-Bulwer treaty, without modification, should be continued, and this country at that time asserted that that was also its purpose, that it should not be changed or impaired.

In a letter from Lord Lansdowne to Lord Pauncefote, ambassador to the United States, of date February 22, 1901, this determination to agree to a modification of the Clayton-Bulwer treaty only upon condition that this "general principle," just as it appeared in the Clayton-Bulwer treaty, and without impairment, should be continued everywhere finds expression.

That letter is a most enlightening one, as indicating the viewpoint of the other party to the contract, and so clearly explains the matter that I ask to have it inserted in the RECORD.

The VICE PRESIDENT. Without objection, that may be done.

The letter referred to is as follows:

No. 2.

THE MARQUIS OF LANSDOWNE TO LORD PAUNCEFOTE.

FOREIGN OFFICE, *February 22, 1901.*

MY LORD: The American ambassador has formally communicated to me the amendments introduced by the Senate of the United States into the convention, signed at Washington in February last, to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans.

These amendments are three in number, namely:

1. The insertion in article 2, after the reference to article 8, of the Clayton-Bulwer convention, of the words "which convention is hereby superseded."

2. The addition of a new paragraph after section 5 of article 2 in the following terms:

"It is agreed, however, that none of the immediately foregoing conditions and stipulations in sections Nos. 1, 2, 3, 4, and 5 of this article shall apply to measures which the United States may find it necessary to take for securing by its own forces the defense of the United States and the maintenance of public order."

3. The excision of article 3, which provides that—

"The high contracting parties will, immediately upon the exchange of the ratifications of this convention, bring it to the notice of other powers and invite them to adhere to it."

Mr. Choate was instructed to express the hope that the amendments would be found acceptable by Her Majesty's Government.

It is our duty to consider them as they stand and to inform your excellency of the manner in which, as the subject is now presented to us, we are disposed to regard them.

It will be useful, in the first place, to recall the circumstances in which negotiations for the conclusion of an agreement supplementary to the convention of 1850, commonly called the Clayton-Bulwer treaty, were initiated.

So far as Her Majesty's Government were concerned, there was no desire to procure a modification of that convention. Some of its provisions had, however, for a long time past been regarded with disfavor by the Government of the United States, and in the President's message to Congress of December, 1898, it was suggested, with reference to a concession granted by the Government of Nicaragua, that some definite action by Congress was urgently required if the labors of the past were to be utilized, and the linking of the Atlantic and Pacific Oceans by a practical waterway to be realized. It was further urged that the construction of such a maritime highway was more than ever indispensable to that intimate and ready intercommunication between the eastern and western seaboards of the United States demanded by the annexation of the Hawaiian Islands and the prospective expansion of American influence and commerce in the Pacific, and that the national policy called more imperatively than ever for the "control" of the projected highway by the Government of the United States.

This passage in the message having excited comment, your excellency made inquiries of the Secretary of State in order to elicit some information as to the attitude of the President. In reply, the views of the United States Government were very frankly and openly explained. You were also most emphatically assured that the President had no intention whatever of ignoring the Clayton-Bulwer convention, and that he would loyally observe treaty stipulations. But in view of the strong national feeling in favor of the construction of the Nicaraguan Canal, and of the improbability of the work being accomplished by private enterprise, the United States Government were prepared to undertake it themselves upon obtaining the necessary powers from Congress. For that purpose, however, they must endeavor, by friendly negotiation, to obtain the consent of Great Britain to such a modification of the Clayton-Bulwer treaty as would, without affecting the "general principle" therein declared, enable the great object in view to be accomplished for the benefit of the commerce of the world. Although the time had hardly arrived for the institution of formal negotiations to that end, Congress not having yet legislated, the United States Government, nevertheless, were most anxious that your excellency should enter at once into pourparlers with a view to preparing for consideration a scheme of arrangement.

Her Majesty's Government agreed to this proposal, and the discussions which took place in consequence resulted in the draft convention which Mr. Hay handed to your excellency on the 11th January, 1899.

At that time the joint high commission over which the late Lord Herschell presided was still sitting. That commission was appointed in July, 1898, to discuss various questions at issue between Great Britain and the United States, namely, the fur-seal fishery, the fisheries off the Atlantic and Pacific coasts, the Alaskan boundary, alien-labor laws, reciprocity, transit of merchandise, mining rights, naval vessels on the Great Lakes, definition and marking of frontiers, and conveyance of persons in custody. But serious difficulties had arisen in the attempt to arrive at an understanding, and it had become doubtful whether any settlement would be effected.

In reply, therefore, to a request for a speedy answer with regrad to the convention, the Marquis of Salisbury informed Mr. White, the American chargé d'affaires, that he could not help contrasting the precarious prospects and slowness of the negotiations which were being conducted by Lord Herschell with the rapidity of decision proposed in the matter of the convention. Her Majesty's Government might be reproached with having come to a precipitate agreement on a proposal which was exclusively favorable to the United States, while they had come to no agreement at all on the controversy where there was something to be conceded on both sides.

Shortly afterwards Lord Herschell intimated that the difficulties in regard to the question of the Alaskan boundary seemed insuperable, and that he feared it might be necessary to break off the negotiations of which he had hitherto had the charge. Upon this Lord Salisbury informed Mr. White that he did not see how Her Majesty's Government could sanction any convention for amending the Clayton-Bulwer treaty, as the opinion of this country would hardly support them in making a concession which would be wholly to the benefit of the United States, at a time when they appeared to be so little inclined to come to a satisfactory settlement in regard to the Alaskan frontier.

The last meeting of the joint high commission took place on the 20th of February, 1899. Except for the establishment of a modus vivendi on the Alaskan frontier, no progress has been made since that date toward the adjustment of any of the questions which the high commissioners were appointed to discuss.

It was in these circumstances that the proposal for a canal convention was revived at the beginning of last year.

On the 21st of January your lordship reported that a bill, originally introduced in 1899, had been laid before Congress, empowering the President to acquire from the Republics of Costa Rica and Nicaragua the control of such portion of territory as might be desirable or necessary, and to direct the Secretary of War, when such control had been secured, to construct the canal and make such provisions for defense as might be required for the safety and protection of the canal and the terminal harbors.

It was probable that the bill would be passed, and it was clear that additional embarrassment would be caused by an enactment opposed to the terms of the proposed convention, and in direct violation of the Clayton-Bulwer treaty. On the other hand, your lordship's information led to the confident expectation that the convention as signed would, if agreed to by Her Majesty's Government, be ratified by the Senate.

In these circumstances Her Majesty's Government consented to reopen the question, and, after due consideration, determined to accept the convention unconditionally, as a signal proof of their friendly disposition and of their desire not to impede the execution of a project declared to be of national importance to the people of the United States.

Your Excellency stated that the United States Government expressed satisfaction at this happy result and appreciation of the conciliatory disposition shown by Her Majesty's Government.

The convention was forthwith submitted to the Senate for ratification, and on the 9th of March the committee charged with its examination reported in favor of ratification, with the insertion, subsequently adopted, after section 5 of article 2, of a paragraph containing provision that the rules laid down in the preceding sections should not apply to measures for the defense of the United States by its own forces and the maintenance of public order. This alteration was discussed by the Senate in secret session on the 5th of April, but no vote was taken upon it nor upon the direct question of ratification.

The bill empowering the President to construct and provide for the defense of the canal passed the House of Representatives by a large majority on the 2d of May. The Senate, however, postponed consideration of the bill, although favorably reported by the Committee on Interoceanic Canals.

After the recess, during which the presidential election took place, the discussion was resumed in the Senate. On the 20th of December

the vote was taken and resulted in the ratification of the convention with the three amendments which have been presented for the acceptance of His Majesty's Government.

The first of these amendments, that in article 2, declares the Clayton-Bulwer treaty to be "hereby superseded."

Before attempting to consider the manner in which this amendment will, if adopted, affect the parties to the Clayton-Bulwer treaty, I desire to call your Excellency's attention to a question of principle which is involved by the action of the Senate at this point.

The Clayton-Bulwer treaty is an international contract of unquestionable validity, a contract which, according to well-established international usage, ought not to be abrogated or modified, save with the consent of both the parties to the contract. In spite of this usage, His Majesty's Government find themselves confronted by a proposal communicated to them by the United States Government, without any previous attempt to ascertain their views, for the abrogation of the Clayton-Bulwer treaty.

The practical effect of the amendment can best be understood by reference to the inclosed copy of the articles of the treaty, Nos. 1 and 6, which, assuming that the United States Government would undertake all the obligations imposed by article 4 of the treaty, contain the only provisions (printed in italics) not replaced by new provisions, covering the same ground, in the convention.

Under article 1 of the Clayton-Bulwer treaty the two powers agreed that neither would occupy or fortify or colonize or assume or exercise any dominion over any part of Central America, nor attain any of the foregoing objects by protection afforded to or alliance with any State or people of Central America. There is no similar agreement in the convention. If, therefore, the treaty were wholly abrogated, both powers would, except in the vicinity of the canal, recover entire freedom of action in Central America. The change would certainly be of advantage to the United States and might be of substantial importance.

Under the other surviving portion of the treaty (part of article 6) provision is made for treaties with the Central American States in furtherance of the object of the two powers and for the exercise of good offices should differences arise as to the territory through which the canal will pass. In this case abrogation would, perhaps, signify but little to this country. There is nothing in the convention to prevent Great Britain from entering into communication or exercising good offices with the Central American States should difficulties hereafter arise between them and the United States.

The other two amendments present more formidable difficulties.

The first of them, which reserves to the United States the right of taking any measures which it may find necessary to secure by its own forces the defense of the United States, appears to His Majesty's Government to involve a distinct departure from the principle which has until now found acceptance with both Governments—the principle, namely, that in time of war as well as in time of peace the passage of the canal is to remain free and unimpeded, and is to be so maintained by the power or powers responsible for its control.

Were this amendment added to the convention the United States would, it is presumed, be within their rights if at any moment when it seemed to them that their safety required it, in view of warlike preparations not yet commenced, but contemplated or supposed to be contemplated by another power, they resorted to warlike acts in or near the canal—acts clearly inconsistent with the neutral character which it has always been sought to give it, and which would deny the free use of it to the commerce and navies of the world.

It appears from the report of the Senate committee that the proposed addition to article 2 was adopted from article 10 of the Suez Canal convention, which runs as follows:

"Similarly, the provisions of articles 4, 5, 7, and 8 shall not interfere with the measures which His Majesty the Sultan and His Highness the Khedive, in the name of His Imperial Majesty, and within the limits of the firmans granted, might find it necessary to take for securing by their own forces the defense of Egypt and the maintenance of public order. (Article 4 guarantees that the Maritime Canal shall remain open in time of war as a free passage even to the ships of war of belligerents, and regulates the revictualing, transit, and detention of such vessels in the canal. Article 5 regulates the embarkation and disembarkation of troops, munitions, or materials of war by belligerent powers in time of war. Article 7 prohibits the powers from keeping any vessel of war in the waters of the canal. Article 8 imposes on the agents of the signatory powers in Egypt the duty of watching over the execution of the treaty, and taking measures to secure the free passage of the canal.)

"In case His Imperial Majesty the Sultan, or His Highness the Khedive, should find it necessary to avail themselves of the exceptions for which this article provides, the signatory powers of the declaration of London shall be notified thereof by the Imperial Ottoman Government.

"It is likewise understood that the provisions of the four articles aforesaid shall in no case occasion any obstacle to the measures which the Imperial Ottoman Government may think it necessary to take in order to insure by its own forces the defense of its other possessions situated on the eastern coast of the Red Sea."

It is, I understand, contended in support of the Senate amendment that the existence of the above provisions in the Suez Canal convention justifies the demand now made for the insertion of analogous provisions in regard to the proposed Nicaragua Canal.

But the analogy which it has been attempted to set up fails in one essential particular. The banks of the Suez Canal are within the dominions of a territorial sovereign, who was a party to the convention, and whose established interests it was necessary to protect, whereas the Nicaragua Canal will be constructed in territory belonging not to the United States, but to Central American States, of whose sovereign rights other powers can not claim to dispose.

Moreover, it seems to have escaped attention that article 10 of the Suez Canal convention receives most important modification from article 11, which lays down that "the measures which shall be taken in the cases provided for by articles 9 and 10 of the present treaty shall not interfere with the free use of the canal." The article proceeds to say that "in the same cases, the erection of permanent fortifications contrary to the provisions of article 8 is prohibited."

The last paragraph of article 8, which is specially alluded to, runs as follows:

"They [i. e., the agents of the signatory powers in Egypt] shall especially demand the suppression of any work or the dispersion of any assemblage on either bank of the canal, the object or effect of which might be to interfere with the liberty and the entire security of the navigation."

The situation which would be created by the addition of the new clause is deserving of serious attention. If it were to be added, the obligation to respect the neutrality of the canal in all circumstances would, so far as Great Britain is concerned, remain in force; the obligation of the United States, on the other hand, would be essentially modified. The result would be a one-sided arrangement under which Great Britain would be debarred from any warlike action in or around the canal, while the United States would be able to resort to such action to whatever extent they might deem necessary to secure their own safety.

It may be contended that if the new clause were adopted, section 7 of article 2, which prohibits the erection of fortifications, would sufficiently insure the free use of the canal. This contention is, however, one which His Majesty's Government are quite unable to admit. I will not insist upon the dangerous vagueness of the language employed in the amendment, or upon the absence of all security as to the manner in which the words might, at some future time, be interpreted. For even if it were more precisely worded, it would be impossible to determine what might be the effect if one clause permitting defensive measures and another forbidding fortifications were allowed to stand side by side in the convention. To His Majesty's Government it seems, as I have already said, that the amendment might be construed as leaving it open to the United States at any moment, not only if war existed, but even if it were anticipated, to take any measures, however stringent or far-reaching, which, in their own judgment, might be represented as suitable for the purpose of protecting their national interests. Such an enactment would strike at the very root of that "general principle" of neutralization upon which the Clayton-Bulwer treaty was based, and which was reaffirmed in the convention as drafted.

But the import of the amendment stands out in stronger relief when the third proposal is considered. This strikes out article 3 of the convention, under which the high contracting parties engaged, immediately upon the convention being ratified, to bring it to the notice of other powers and to invite their adherence. If that adherence were given, the neutrality of the canal would be secured by the whole of the adhering powers. Without that adherence it would depend only upon the guaranty of the two contracting powers. The amendment, however, not only removes all prospect of the wider guaranty, but places this country in a position of marked disadvantage, compared with other powers which would not be subject to the self-denying ordinance which Great Britain is desired to accept. It would follow, were His Majesty's Government to agree to such an arrangement, that while the United States would have a treaty right to interfere with the canal in time of war, or apprehended war, and while other powers could with a clear conscience disregard any of the restrictions imposed by the convention, Great Britain alone, in spite of her enormous possessions on the American continent, in spite of the extent of her Australasian colonies and her interests in the East, would be absolutely precluded from resorting to any such action or from taking measures to secure her interests in and near the canal.

I request that your excellency will explain to the Secretary of State the reasons, as set forth in this dispatch, why His Majesty's Government feel unable to accept the convention in the shape presented to them by the American ambassador, and why they prefer, as matters stand at present, to retain unmodified the provisions of the Clayton-Bulwer treaty. His Majesty's Government have, throughout these negotiations, given evidence of their earnest desire to meet the views of the United States. They would on this occasion have been ready to consider in a friendly spirit any amendments of the convention, not inconsistent with the principles accepted by both Governments, which the Government of the United States might have desired to propose, and they would sincerely regret a failure to come to an amicable understanding in regard to this important subject.

Your lordship is authorized to read this dispatch to the Secretary of State and to leave a copy in his hands.

I am, etc.,

LANSDOWNE.

Mr. McCUMBER. In that letter, referring to the great desire of the United States Government to free itself from the provisions of the Clayton-Bulwer treaty prohibiting its control of a canal, Lord Lansdowne says—and remember this was addressed to Lord Pauncefote—referring to the President's message:

> This passage in the message having excited comment, your excellency made inquiries of the Secretary of State in order to elicit some information as to the attitude of the President. In reply, the views of the United States Government were very frankly and openly explained. You were also most emphatically assured that the President had no intention whatever of ignoring the Clayton-Bulwer convention, and that he would loyally observe treaty stipulations. But in view of the strong national feeling in favor of the construction of the Nicaragua Canal, and of the improbability of the work being accomplished by private enterprise, the United States Government were prepared to undertake it themselves upon obtaining the necessary powers from Congress. For that purpose, however, they must endeavor, by friendly negotiation, to obtain the consent of Great Britain to such a modification of the Clayton-Bulwer treaty as would, without affecting the "general principle" therein declared, enable the great object in view to be accomplished for the benefit of the commerce of the world.

I again call special attention to the statement which will be confirmed by the correspondence in the office of the Secretary of State that Pauncefote was most emphatically assured that the President had no intention whatever of ignoring the Clayton-Bulwer convention, and that he would loyally observe treaty stipulations; and that for the purpose of obtaining the right to build this canal the United States must proceed by friendly negotiations to obtain the consent of Great Britain to such a modification of the Clayton-Bulwer treaty as would, without affecting the "general principle" therein declared—that is without affecting the "general principle" that both the ships of the United States and those of Great Britain and of all the world should pass through the canal on terms of exact equality—enable the great object to be accomplished for the benefit of the commerce of the world. There is never a suggestion anywhere, Mr. President, that the "general principle" was to have any different meaning because of our purpose to construct the canal,

but everywhere are positive declarations that it should be exactly the same "general principle" as was declared in the Clayton-Bulwer treaty without impairment.

In that same letter Lansdowne inclosed a copy of the Clayton-Bulwer treaty, wherein he italicizes those portions of that treaty relating to the construction of a canal "for the benefit of mankind on equal terms to all." We were a part of mankind at that time.

On April 25, 1901, Lord Pauncefote wrote from Washington to Lansdowne and inclosed a copy of the draft of the second Hay-Pauncefote treaty, which had been drawn by Mr. Hay, for the consideration and advice of his Government.

In a letter of August 3, 1901, Lansdowne, writing Mr. Lowther, acknowledged acceptance of the draft, and proceeds again to make known the views of his Government on several features of the new proposed treaty. Under the sixth subdivision of this letter he says:

The proposal to abrogate the Clayton-Bulwer convention is not, I think, inadmissible if it can be shown that sufficient provision is made in the new treaty for such portions of the convention as ought, in the interest of this country, to remain in force. This aspect of the case may be considered in connection with the provisions of article 1 of the Clayton-Bulwer convention, which has already been quoted, and article 8 referred to in the preamble of the new treaty. Thus, in view of the permanent character of the treaty to be concluded, and of the "general principle" reaffirmed thereby as a perpetual obligation, the high contracting parties should agree that no change of sovereignty or other change of circumstance in the territory through which the canal is intended to pass shall affect such "general principle" or release the high contracting parties, or either of them, from their obligations under the treaty; and that the rules adopted as the basis of neutralization shall govern, so far as possible.

Can any unbiased and fair-minded man contend in the face of these carefully reiterated statements that these parties expected anything but the utmost good faith on the part of the United States in maintaining not a new "general principle" that would apply merely to the balance of the world but the old "general principle" which should apply both to the United States and to the balance of the world?

In view of the suggestion made by one of the Senators the other day that neutralization, as used in the Hay-Pauncefote treaty, related only to conditions pertaining to war, it is proper that I should say here that it could not have had such a restricted meaning, because there is nothing in article 8 of the Clayton-Bulwer treaty that refers in any way to war.

The word "neutralization," as therein used, while it may possibly include, certainly has a very different significance than that suggested. The word "neutral" often carries with it the idea of mere equality. As definitions of "neutralize" we have "to counteract as, to neutralize parties in government; to neutralize efforts, opposition, and so forth. As citations that neutralize each other." This is obviously the broad sense in which that term is used in the treaty. And that sense is not only clearly indicated in the whole context of article 8, but is further evidenced by the whole history of the two countries preceding it, wherein each was taking every possible step to neutralize or counteract the effort of the other; and to have that meaning made certain in the Hay-Pauncefote treaty by clear declaration, that it did mean "equality," that treaty specifically declares that the high contracting parties, desiring to preserve and maintain the "general principle" established by the Clayton-Bulwer treaty, adopt as a basis of such neutralization seven enumerated propositions, the very first one of which pertains to the equality of treatment of all vessels, thereby including equality of treatment in the definition of "general principle of neutralization."

APPLICATION OF THE RULES GOVERNING THE SUEZ CANAL.

But, Mr. President, because the treaty provides that the rules governing the Suez Canal, which were made the basis of the neutralization and which contain the provision that "the canal shall be free and open in time of war as in time of peace, to the vessels of commerce and of war of all nations, on terms of entire equality, so that there shall be no discrimination against any nation or its citizens or subjects in respect of the conditions or charges of traffic, or otherwise," and because some of the provisions governing the navigation of the Suez Canal which are cited, numbered 1 to 7, would not be applicable to a case where the Government itself owns and controls the canal, it is argued, therefore, that the words "vessels of all nations" must have been understood to mean vessels of all other nations. This in no way follows, for several reasons:

First. At the time of the adoption of the treaty—and Senators seem to forget this—it was not known definitely whether the United States or private individuals should construct the canal. Article 1 of the treaty provided that the canal might be "constructed under the auspices of the Government of the United States, either directly at its own cost or by gift or loan of money to individuals or corporations or through subscription to or purchase of stock or shares." If the canal should be constructed by individuals or corporations, though the United States might own the stock, all of the rules numbered 1 to 5 inclusive governing the Suez Canal would be applicable to the Panama Canal. If, on the other hand, it should be constructed by the Government, then the rules would govern so far as applicable to that particular condition. It was eminently proper, therefore, that the statement should be broad enough to cover either exigency. The conditions might be different in some respects, and, therefore, to cover that very difference article 2 provided that the rules "substantially," not absolutely in every instance, should govern.

One of the most common methods of legislation is to declare that some previous legislation shall apply to another condition created by law, so far as applicable. We have in the rules concerning the navigation of the Suez Canal sought the provisions which would be entirely applicable to the Panama Canal if constructed by private individuals or corporations, and "substantially" applicable to that canal if constructed and owned by the Government itself. Undoubtedly, if this canal had been constructed by private individuals our warships passing through would have to pay just exactly the same as British warships passing through the Suez Canal. If the canal is owned by the Government, the payment by us of tolls would be equivalent to taking money out of one pocket and putting it into another, and therefore the rule would not be applicable.

Second. That this was the understanding is clearly shown by the correspondence between the two Governments concerning the modification of the old Clayton-Bulwer treaty.

In a letter of date August 3, 1901, from the Marquis of Lansdowne to Mr. Lowther, which letter was submitted to Mr. Hay, he proposed as follows:

I would therefore propose an additional article in the following terms, on the acceptance of which His Majesty's Government would probably be prepared to withdraw their objections to the formal abrogation of the Clayton-Bulwer convention.

This is the proposed amendment:

In view of the permanent character of this treaty, whereby the general principle established by article 8 of the Clayton-Bulwer convention is reaffirmed, the high contracting parties hereby declare and agree that the rules laid down in the last preceding article (article 3) shall, so far as they may be applicable, govern all interoceanic communications across the isthmus which connects North and South America, and that no change of territorial sovereignty, or other change of circumstances, shall affect the general principle or the obligations of the high contracting parties under the present treaty.

That, Mr. President, was the proffered amendment of the British Government, which amendment was adopted in a modified form, but with the clear understanding of both parties that it meant exactly the same thing. I especially call attention to the fact that those rules were made to govern so far as they might be applicable.

Referring to those rules further on in the same letter, the Marquis of Lansdowne says:

On the other hand—

And this is important—

I conclude that, with the above exception (which relates to fortifications), there is no intention to derogate from the principles of neutrality laid down by the rules. As to the first of these propositions I am not prepared to deny that contingencies may arise when, not only from a national point of view, but on behalf of the commerical interests of the whole world, it might be of supreme importance to the United States that they should be free to adopt measures for the defense of the canal at a moment when they were themselves engaged in hostilities.

There is a construction given by the other party not only showing that the rules were to be applicable only in cases where they could properly be applied but stating the right of our warships to have free access to and to defend the canal.

I especially call attention to the assertion that "there is no intention to derogate from the principles of neutrality laid down by these rules." Those principles, of course, are what were declared to be the "general principles" established by the Clayton-Bulwer treaty. I also call attention to the admission that there might arise cases in which the rules governing the Panama Canal might consistently be varied by the United States to shield and protect this canal for the benefit of the commerce of the world. But substantially under this treaty we are bound to carry into effect its plain intendment to preserve the "general principle" established by the Clayton-Bulwer treaty. We are bound to carry it into effect so far as those rules can be made applicable, and they can be made applicable in the matter of charging all privately owned vessels the same tolls. That would be applying the rules substantially to the Panama Canal.

But it is contended that when we subsequently procured our right to construct a canal across the Isthmus of Panama we agreed to exclude the vessels of Panama from the payment of

tolls, and we could not therefore have understood that we were precluded from discrimination.

Mr. President, have those Senators who use this illustration stopped to consider where it will lead them? If that agreement to release the Panaman Government from the payment of tolls is to have any evidential force whatever to explain the original understanding, then it must prove that we are not bound to refrain from any discrimination between foreign vessels. If that be true, and the Panaman vessels are certainly foreign vessels, it destroys and makes nugatory every sentence in the Hay-Pauncefote treaty relating to equality of treatment even as to foreign vessels. If you are to use it as an evidential fact for one purpose, it becomes so to prove another, and would destroy every important pledge set forth in that treaty.

Of course, that agreement was in violation of the letter of the Hay-Pauncefote convention to treat all vessels of all nations equally, and you all must admit that we did agree to that. Then, why did we violate it? Because it was necessary to secure any right whatever from either the Colombian or the Panaman Government. But why did not the British Government oppose that deviation from the agreement? Because, first, it was conceded to be a part of the purchase price upon which the very right to construct the canal was obtained, and therefore the treaty in relation to that right must rest, because it was a special consideration paid that little nation for a special great privilege extended to this country to construct the canal, which all the world wished to see accomplished. Second, no nation would desire to insist upon its contractual right when it affected such an insignificant thing as the Panaman shipping interest, and when, in addition, the insistence upon the right would deprive the Government insisting of a benefit a thousandfold more valuable to it than the right surrendered. All the nations of the world were desirous of having the canal constructed.

Mr. President, I now want the understanding of those who negotiated and framed those treaties as to whether, at any stage of the discussion, there was ever a single thought that any of our ships, coastwise or otherwise, should not be bound by the general provisions of the treaty. The lips of Hay, Pauncefote, and Salisbury are forever closed. So far as I can ascertain the only two living witnesses who had full knowledge of the understanding of these parties as to the scope and intendment of the words "vessels of all nations on terms of entire equality, so there shall be no discrimination against any nation or its citizens," are Mr. Choate, the then American ambassador to England, and Mr. White, the American chargé d'affaires at London, through whom the treaty was negotiated.

I therefore called upon both of these gentlemen by letter for their evidence of the understanding, if any, upon this great international issue. The letter of Mr. Choate, our ambassador who negotiated the treaty, who was the medium through which Mr. Hay, our Secretary of State, spoke to Landsdowne, and through whom Lansdowne spoke to Hay, is most emphatic and to the point on this great subject. His letter is as follows:

8 EAST SIXTY-THIRD STREET, *March 31, 1914.*

DEAR SENATOR MCCUMBER: I have your letter of March 25, in which you ask me to answer two questions in regard to the negotiation of the Hay-Pauncefote treaty of 1901.

First. Was it understood by the State Departments of the two countries that the words "vessels of commerce and war of all nations" included our own vessels?

Second. Was it understood that these words also included our own vessels engaged in the coastwise trade?

I answer both of these questions most emphatically in the affirmative. The phrase quoted, "vessels of commerce and war of all nations," certainly included our own vessels, and was so understood by our own State Department and by the foreign office of Great Britain. It was understood by the same parties that these words also included our own vessels engaged in the coastwise trade.

It is true, as you intimated in your letter, that the negotiations were conducted for the most part in London by Lord Pauncefote and myself, from the time of his arrival there in August until the terms of the treaty were settled in October, he, of course, acting under the authority and direction of the secretary of state for foreign affairs, Lord Lansdowne, and I under those of our Secretary of State, Col. John Hay.

By the eighth article of the Clayton-Bulwer treaty, for which the Hay-Pauncefote treaty was substituted, it had been agreed that "the parties constructing or owning the same"—that is, the canal or railways—"shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments"—that is, the Governments of Great Britain and the United States—"should approve of as just and equitable, and the said canals or railways, being open to the citizens and subjects of the United States and Great Britain, shall also be open on like terms to the citizens and subjects of every other State which shall be willing to grant thereto such protection as the United States and Great Britain engage to afford."

By article 2, clause 1, of the first Hay-Pauncefote treaty, that of February 5, 1900, it was provided that "the canal shall be free and open in time of war as in time of peace to the vessels of commerce and of war of all nations on terms of entire equality, so that there shall be no discrimination against any nation or its citizens or subjects in respect to the conditions or charges of traffic, or otherwise."

And the language used by article 3, clause 1, of the second Hay-Pauncefote treaty of 1901, that now under consideration, is as follows: "The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation or its citizens or subjects in respect to the conditions or charges of traffic."

When we came to the negotiation of this last treaty, that of 1901, there was no question that, as between the United States and Great Britain, the canal should be open to the citizens and subjects of both on equal terms, and that it should also be open on like terms to the citizens and subjects of every other State that brought itself within the category prescribed. On that point there was really nothing to discuss, and in the whole course of the negotiations there was never a suggestion on either side that the words "the vessels of commerce and of war of all nations" meant anything different from the natural and obvious meaning of these words. Such language admitted of the exemption or exception of no particular kind of vessels of commerce and of war of any nation, whether of vessels engaged in foreign trade or coastwise trade, or of steam vessels or sailing vessels, or of black vessels or white vessels, or of iron vessels or wooden vessels. The parties to the negotiation tried to use terms of the meaning of which there could be no doubt or dispute, and they meant what they said and said what they meant.

It is true that in many treaties there have been specific exceptions of vessels engaged in the coastwise trade, and it would have been easy to insert it here. But nobody ever suggested that there should or could be such an exception or exemption inserted by implication in this treaty.

The exception or exemption of vessels of the United States engaged in the coastwise trade would have excepted or exempted something like five-sixths of the entire shipping of the United States (coastwise, 6,812,532 tons; foreign, 1,017,862—World Almanac for 1914, p. 176), and it is inconceivable, as it appears to me, that we should have intended, without saying a word on the subject, to except or exempt what would thus be approximately the entire shipping of the United States. Any such idea would have made the further negotiation of the treaty impossible and would have wrecked the purpose which both parties had in mind.

Of course, I submitted from time to time as the negotiations proceeded the substance of all our negotiations to our Secretary of State in dispatches and private letters, all of which, or copies of which, are, as I believe, on file in the State Department and are doubtless open to the examination of Senators. And Lord Pauncefote in like manner was in frequent communication with Lord Lansdowne or the foreign office of Great Britain, and, of course, submitted all that was said and done between us to them. So when what you refer to in your letter as the State Departments of the two countries approved and adopted the result of our work and exchanged ratifications of the treaty as it stands, they necessarily intended that the words "the vessels of commerce and of war of all nations" included our own vessels as well as those of Great Britain, and also included our own vessels engaged in the coastwise trade.

There was no kind of vessel that the words used did not include. I am not at liberty to furnish you with copies of my reports made from time to time to Col. Hay of the negotiations, but I have carefully examined them to see whether any suggestion was made on either side of the possibility of the exemption or exception of our vessels engaged in the coastwise trade and find absolutely none.

I trust that this will aid you in your argument in support of the position which I understand you to take, that the provision in the canal bill under debate that no tolls shall be levied upon vessels engaged in the coastwise trade of the United States is a direct and palpable violation of the terms of the treaty.

I have read so far as accessible the arguments made thus far in the House of Representatives on the pending question, and have observed very little discussion of the question what the language of the treaty means. But the whole discussion against the proposed repeal seems to rest upon prejudice and the proposition that we ought not to submit to British dictation on the question, which is very wide of the mark.

It is impossible, in my judgment, to discuss the question fairly on the true interpretation of the treaty and come to any other conclusion than that the repeal of the exemption clause in the act is necessary out of due regard for our national honor and good faith.

Yours, very truly,

JOSEPH H. CHOATE.

HON. P. J. MCCUMBER,
United States Senate.

In a letter to Mr. White, the American chargé d'affaires, I directed my question specially as to any possible understanding which would in any way indicate an inference that our coastwise traffic might be considered outside of the terms of the treaty. His letter therefore deals more particularly with that feature of the case. He says:

1624 CRESCENT PLACE NW.,
Washington, March 23, 1914.

MY DEAR SENATOR MCCUMBER: In reply to your letter of 9th instant, which for reasons known to you only reached me three days ago, I send you the following brief account of my connection with the abrogation of the Clayton-Bulwer treaty and with the negotiations which subsequently took place relative to the Hay-Pauncefote treaties.

In the latter part of December, 1898, being then chargé d'affaires to Great Britain, I received instructions from Mr. Hay, who had left the London Embassy a few months previously to become Secretary of State, to approach the British Government with a view to ascertaining whether, for reasons set forth in his dispatch, it might not be possible to secure such modifications of the Clayton-Bulwer treaty as would admit of our Government's taking action whereby the construction of an interoceanic canal under its auspices might be accomplished.

I, of course, lost no time in seeking an interview with the late Marquis of Salisbury, British secretary of state for foreign affairs and also prime minister, with whom on the 22d of December I had a long and interesting conversation on the subject.

That same afternoon I cabled to Mr. Hay that there seemed to be no indication of opposition, much less hostility, on the part of the British Government to the construction by us of the proposed canal, and if the latter should be available to the ships of all nations on equal terms I felt that there would be no serious difficulty in effecting an agreement satisfactory to both nations.

I should be happy to inclose copies of Mr. Secretary Hay's instructions, of my dispatch in reply, and of my cablegram aforesaid, were it not improper for me to do so without the permission of the Department of State. And, indeed, a detailed account of my interview with Lord Salisbury would unduly extend the dimensions of this letter.

Its substance was, however, that he would be unable to give an official reply to my Government's suggestions until he had given the subject careful consideration and had conferred with the board of trade and other departments of the British Government. But he gave me to understand confidentially that in his opinion it was desirable such a canal be constructed; that a work so colossal could only be carried to a successful issue by a great power, and that the United States was that power. Lord Salisbury intimated, furthermore—also in confidence—that the British Government would not, after due consideration of the question, refuse to modify such provisions of the Clayton-Bulwer treaty as stood in the way of our making the canal, provided the ships of all nations should be guaranteed the use thereof on equal terms—a condition which he strongly emphasized.

You are aware of the negotiations for a new treaty which were entered upon shortly afterwards by Mr. Hay and Lord Pauncefote, and the result thereof was the first Hay-Pauncefote treaty, to certain features of which the Senate refused its approval.

The reasons for the Senate's action were for some time misunderstood in Great Britain and created a certain amount of feeling there, which reacted upon this country and caused a certain amount of tension.

During that period I crossed the ocean several times and had private conversations with a number of the leading men of both countries, with a view to explaining what each really wanted, and to doing away with the misunderstandings which had arisen in that connection. I well remember discussing the questions at issue with several of the leading Senators of that day, of whom none, save Senator LODGE, are now Members of that body; and among the many subjects touched upon I can remember no allusion whatever to the use of the canal without payment of tolls by our vessels engaged in the coasting trade.

Eventually, as you may remember, negotiations were renewed for another treaty to take the place of the one to which the Senate had objected. These negotiations were conducted for the most part in London by Mr. Choate and Lord Pauncefote, who was in England on leave of absence, and whom Lord Landsdowne, the successor of Lord Salisbury as minister of foreign affairs, had deputed to act in his behalf with regard to the details of the proposed arrangement.

I was in constant touch, as secretary of the embassy, with these negotiations; each phase of which Mr. Choate was good enough to tell me of. Indeed I was often present during their discussion of the questions at issue, which took place for the most part at the embassy; and I never heard the exemption of our coastwise shipping from the payment of tolls mentioned in any connection.

I have, furthermore, since the receipt of your letter looked carefully over the many private and confidential letters which Mr. Hay and I wrote to each other from the time that he became Secretary of State until his death. They deal fully with public affairs, both domestic and international, but among the many references to the canal treaties and other questions pertaining thereto I can find no allusion whatever to the exemption of our coastwise trading vessels from the payment of tolls.

Under these circumstances there is but one way in which I can answer the inquiry contained in your letter—"as to the understanding of Mr. Hay and Lord Pauncefote on the question of the use of the canal by vessels engaged wholly in the coastwise trade"—to wit:

(1) That the exemption of our coastwise shipping from the payment of tolls was never suggested to, nor by, anyone connected with the negotiation of the Hay-Pauncefote treaties in this country or in England;

(2) That, from the day on which I opened the negotiations with Lord Salisbury for the abrogation of the Clayton-Bulwer treaty until the ratification of the Hay-Pauncefote treaty, the words "all nations" and "equal terms" were understood to refer to the United States as well as to all other nations, by every one of those, whether American or British, who had anything to do with the negotiations whereof the treaty last mentioned was the result.

Yours, very sincerely,

HENRY WHITE.

Hon. P. J MCCUMBER,
United States Senate.

Here we have the conclusive evidence of what Mr. Hay, Mr. Choate, Mr. White, Lord Pauncefote, Lord Lansdowne, and all those connected with the negotiations understood the treaty to mean. We have the direct assertion of both Lansdowne and Hay that "ships of all nations, on terms of equality without discrimination," was intended to mean just the same in the Hay-Pauncefote treaty that it meant in the Clayton-Bulwer treaty, without impairment.

But so eager are those who desire free tolls for our vessels to find some possible escape from not only the words but the understanding of the parties to the Hay-Pauncefote treaty that, like the proverbial drowning man, they grasp at the slightest straw, and so they try to comfort themselves by the assertion that 11 years after the Hay-Pauncefote treaty Sir Edward Grey, secretary of state for foreign affairs of Great Britain, admitted that the Hay-Pauncefote treaty did not govern our coastwise vessels. There are three conclusive answers to that proposition:

First. The words of the treaty itself, the clear declarations of both Hay and Lansdowne, show beyond question that the inhibition of the Hay-Pauncefote treaty did cover all our vessels, and was so intended, and therefore an understanding of some one else, 11 years afterwards, as to what that treaty meant, could not possibly vary the understanding of those who made the treaty.

Second. Mr. Grey made no such admission whatever. I assume that this claim of admission is based upon the letter of July 8, 1912, delivered by Mr. A. Mitchell Innes to our Secretary of State. In a rather short note Mr. Innes declares as follows:

As to the proposal that exemption shall be given to vessels engaged in the coastwise trade, a more difficult question arises. If the trade should be so regulated as to make it certain that only bona fide coastwise traffic, which is reserved for United States vessels, would be benefited by this exemption, it may be that no objection could be taken. But it appears to my Government that it would be impossible to frame regulations which would prevent the exemption from resulting, in fact, in a preference to United States shipping and consequently in an infraction of the treaty.

There is no admission whatever that our coastwise shipping is not covered by the treaty, but simply that no objection might be taken by the other party if the coastwise trade of the United States, in which no other Government can take part, could be so regulated as to make it certain that only bona fide coastwise traffic would be benefited by the exemption; but, in the opinion of Mr. Innes, it would be impossible to frame regulations which would prevent the exemption from resulting, in fact, in a preference to United States shipping. There can be but one meaning to that statement. The British Government stood upon the plain declaration of the Hay-Pauncefote treaty as to the equality of treatment of vessels. It did not concede that the treaty meant anything else, either as to coastwise or other vessels, but that if the trade could be so regulated that it would not violate that equality of treatment—that is, the admission that it would not violate that equality of treatment—it might be that no objection could be made.

This was but a short note delivered by Mr. Innes to Secretary Knox, and the record appears that Mr. Innes informed Mr. Knox that when the other Government had had time to consider fully the act and the memorandum a further communication would be made. This further communication was made on November 14, 1912, in a lengthy letter, in which Mr. Grey again goes over all of the history of the negotiations, calls attention to the previous agreements and understandings as to what the "vessels of all nations" was intended to mean, and, while evidencing some willingness to not insist upon contractual rights unless there was in fact an injury, he proceeds to point out the reasons why it would be impossible to frame a rule of trade exempting our coastwise vessels, which would not be detrimental to the vessels of other nations, and thereby conflict with the agreement of the parties respecting equality of treatment.

Third. If it is still insisted that the statement in the note of Mr. Innes in any way concedes our right to release our coastwise vessels and that such subsequent statement could have the slightest evidential force in determining what the original contract was, then the declaration of Mr. Gray, in which he contends with great earnestness against any such possible construction, could also be used to establish the fact that we could not so differentiate. The one statement would neutralize the other and thereby destroy the force of both, and I use the word "neutralize" as it was used in article 8 of the Clayton-Bulwer treaty and in no sense as pertaining to war. This letter so fully and fairly explains what both parties had fully understood the treaty to mean, and also concedes every claim which we make concerning the passing of our own transports, and so forth, that I shall ask to have it printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Without objection, that course will be pursued.

The matter referred to is as follows:

[Inclosure 2.]

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS OF GREAT BRITAIN TO AMBASSADOR BRYCE.

[Handed to the Secretary of State by the British Ambassador Dec. 9, 1912.]

FOREIGN OFFICE, *November 14, 1912.*

SIR: Your Excellency will remember that on the 8th July, 1912, Mr. Mitchell Innes communicated to the Secretary of State the objections which His Majesty's Government entertained to the legislation relating to the Panama Canal, which was then under discussion in Congress, and that on the 27th August, after the passing of the Panama Canal act and the issue of the President's memorandum on signing it, he informed Mr. Knox that when His Majesty's Government had had time to consider fully the act and the memorandum a further communication would be made to him.

Since that date the text of the act and the memorandum of the President have received attentive consideration at the hands of His Majesty's Government. A careful study of the President's memorandum has convinced me that he has not fully appreciated the British point of view, and has misunderstood Mr. Mitchell Innes's note of the 8th July. The President argues upon the assumption that it is the intention of His Majesty's Government to place upon the Hay-Pauncefote treaty an interpretation which would prevent the United States from granting subsidies to their own shipping passing through the canal, and which would place them at a disadvantage as compared with other nations. This is not the case: His Majesty's Government regard equality of all nations as the fundamental principle underlying the treaty of 1901 in the same way that it was the basis of the Suez Canal convention of 1888, and they do not seek to deprive the United States of any liberty which is open either to themselves or to any other nation; nor do they find either in the letter or in the spirit of the Hay-Pauncefote treaty any surrender by either of the contracting powers of the right to encourage its shipping or its commerce by such subsidies as it may deem expedient.

The terms of the President's memorandum render it essential that I should explain in some detail the view which His Majesty's Government take as to what is the proper interpretation of the treaty, so as to indicate the limitations which they consider it imposes upon the freedom of action of the United States, and the points in which the Panama Canal act, as enacted, infringes what His Majesty's Government hold to be their treaty rights.

The Hay-Pauncefote treaty does not stand alone; it was the corollary of the Clayton-Bulwer treaty of 1850. The earlier treaty was, no doubt, superseded by it, but its general principle, as embodied in article 8, was not to be impaired. The object of the later treaty is clearly shown by its preamble; it was "to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans by whatever route may be deemed expedient, and to that end to remove any objection which may arise out of the Clayton-Bulwer treaty to the construction of such canal under the auspices of the Government of the United States, without impairing the general principle of neutralization established in article 8 of that convention." It was upon that footing, and upon that footing alone, that the Clayton-Bulwer treaty was superseded.

Under that treaty both parties had agreed not to obtain any exclusive control over the contemplated ship canal, but the importance of the great project was fully recognized, and therefore the construction of the canal by others was to be encouraged, and the canal when completed was to enjoy a special measure of protection on the part of both the contracting parties.

Under article 8 the two powers declared their desire, in entering into the convention, not only to accomplish a particular object but also to establish a general principle, and therefore agreed to extend their protection to any practicable transisthmian communication, either by canal or railway, and either at Tehuantepec or Panama, provided that those who constructed it should impose no other charges or conditions of traffic than the two Governments should consider just and equitable, and that the canal or railway, "being open to the subjects and citizens of Great Britain and the United States on equal terms, should also be open to the subjects of any other State which was willing to join in the guaranty of joint protection."

So long as the Clayton-Bulwer treaty was in force, therefore, the position was that both parties to it had given up their power of independent action, because neither was at liberty itself to construct the canal and thereby obtain the exclusive control which such construction would confer. It is also clear that if the canal had been constructed while the Clayton-Bulwer treaty was in force, it would have been open, in accordance with article 8, to British and United States ships on equal terms, and equally clear, therefore, that the tolls leviable on such ships would have been identical.

The purpose of the United States in negotiating the Hay-Pauncefote treaty was to recover their freedom of action and obtain the right, which they had surrendered, to construct the canal themselves; this is expressed in the preamble to the treaty, but the complete liberty of action consequential upon such construction was to be limited by the maintenance of the general principle embodied in article 8 of the earlier treaty. That principle, as shown above, was one of equal treatment for both British and United States ships, and a study of the language of article 8 shows that the word "neutralization," in the preamble of the later treaty, is not there confined to belligerent operations, but refers to the system of equal rights for which article 8 provides.

If the wording of the article is examined, it will be seen that there is no mention of belligerent action in it at all. Joint protection and equal treatment are the only matters alluded to, and it is to one or both of these that neutralization must refer. Such joint protection has always been understood by His Majesty's Government to be one of the results of the Clayton-Bulwer treaty of which the United States was most anxious to get rid, and they can scarcely, therefore, believe that it was such joint protection that the United States were willing to keep alive, and to which they referred in the preamble of the Hay-Pauncefote treaty. It certainly was not the intention of His Majesty's Government that any responsibility for the protection of the canal should attach to them in the future. Neutralization must therefore refer to the system of equal rights.

It thus appears from the preamble that the intention of the Hay-Pauncefote treaty was that the United States was to recover the right to construct the trans-Isthmian Canal upon the terms that, when constructed, the canal was to be open to British and United States ships on equal terms.

The situation created was, in fact, identical with that resulting from the boundary waters treaty of 1909 between Great Britain and the United States, which provided as follows:

"The high contracting parties agree that the navigation of all navigable boundary waters shall forever continue free and open for the purposes of commerce to the inhabitants and to the ships, vessels, and boats of both countries equally, subject, however, to any laws and regulations of either country, within its own territory, not inconsistent with such privilege of free navigation, and applying equally and without discrimination to the inhabitants, ships, vessels, and boats of both countries.

"It is further agreed that so long as this treaty shall remain in force this same right of navigation shall extend to the waters of Lake Michigan and to all canals connecting boundary waters and now existing, or which may hereafter be constructed on either side of the line. Either of the high contracting parties may adopt rules and regulations governing the use of such canals within its own territory, and may charge tolls for the use thereof; but all such rules and regulations and all tolls charged shall apply alike to the subjects or citizens of the high contracting parties, and they * * * shall be placed on terms of equality in the use thereof."

A similar provision, though more restricted in its scope, appears in article 27 of the treaty of Washington, 1871, and your excellency will no doubt remember how strenuously the United States protested, as a violation of equal rights, against a system which Canada had introduced of a rebate of a large portion of the tolls on certain freight on the Welland Canal, provided that such freight was taken as far as Montreal, and how in the face of that protest the system was abandoned.

The principle of equality is repeated in article 3 of the Hay-Pauncefote treaty, which provides that the United States adopts as the basis of the neutralization of the canal certain rules, substantially as embodied in the Suez Canal convention. The first of these rules is that the canal shall be free and open to the vessels of commerce and war of all nations observing the rules on terms of entire equality, so that there shall be no discrimination against any such nation.

The word "neutralization" is no doubt used in article 3 in the same sense as in the preamble, and implies subjection to the system of equal rights. The effect of the first rule is therefore to establish the provision, foreshadowed by the preamble and consequent on the maintenance of the principle of article 8 of the Clayton-Bulwer treaty, that the canal is to be open to British and United States vessels on terms of entire equality. It also embodies a promise on the part of the United States that the ships of all nations which observe the rules will be admitted to similar privileges.

The President in his memorandum treats the words "all nations" as excluding the United States. He argues that, as the United States in constructing the canal at its own cost on territory ceded to it, it has, unless it has restricted itself, an absolute right of ownership and control, including the right to allow its own commerce the use of the canal upon such terms as it sees fit, and that the only question is whether it has by the Hay-Pauncefote treaty deprived itself of the exercise of the right to pass its own commerce free or remit tolls collected for the use of the Canal. He argues that article 3 of the treaty is nothing more than a declaration of policy by the United States that the canal shall be neutral and all nations treated alike and no discrimination made against any one of them observing the rules adopted by the United States. "In other words, it was a conditional favored-nation treatment, the measure of which, in the absence of express stipulations to that effect, is not what the country gives to its own nationals, but the treatment it extends to other nations."

For the reasons they have given above His Majesty's Government believe this statement of the case to be wholly at variance with the real position. They consider that by the Clayton-Bulwer treaty the United States had surrendered the right to construct the canal, and that by the Hay-Pauncefote treaty they recovered that right upon the footing that the canal should be open to British and United States vessels upon terms of equal treatment.

The case can not be put more clearly than it was put by Mr. Hay himself, who, as Secretary of State, negotiated the Hay-Pauncefote treaty, in the full account of the negotiations which he sent to the Senate Committee on Foreign Relations (see S. Doc. No. 746, 61st Cong., 3d sess.):

"These rules are adopted in the treaty with Great Britain as a consideration for getting rid of the Clayton-Bulwer treaty."

If the rules set out in the Hay-Pauncefote treaty secure to Great Britain no more than most-favored-nation treatment, the value of the consideration given for superseding the Clayton-Bulwer treaty is not apparent to His Majesty's Government. Nor is it easy to see in what way the principle of article 8 of the Clayton-Bulwer treaty, which provides for equal treatment of British and United States ships, has been maintained.

I notice that in the course of the debate in the Senate on the Panama Canal bill the argument was used by one of the speakers that the third, fourth, and fifth rules embodied in article 3 of the treaty show that the words "all nations" can not include the United States, because, if the United States were at war, it is impossible to believe that it could be intended to be debarred by the treaty from using its own territory for revictualing its warships or landing troops.

The same point may strike others who read nothing but the text of the Hay-Pauncefote treaty itself, and I think it is therefore worth while that I should briefly show that this argument is not well founded.

The Hay-Pauncefote treaty of 1901 aimed at carrying out the principle of the neutralization of the Panama Canal by subjecting it to the same régime as the Suez Canal. Rules 3, 4, and 5 of article 3 of the treaty are taken almost textually from articles 4, 5, and 6 of the Suez Canal convention of 1888. At the date of the signature of the Hay-Pauncefote treaty the territory on which the Isthmian Canal was to be constructed did not belong to the United States; consequently there was no need to insert in the draft treaty provisions corresponding to those in articles 10 and 13 of the Suez Canal convention, which preserve the sovereign rights of Turkey and of Egypt, and stipulate that articles 4 and 5 shall not affect the right of Turkey, as the local sovereign, and of Egypt, within the measure of her autonomy, to take such measures as may be necessary for securing the defense of Egypt and the maintenance of public order, and, in the case of Turkey, the defense of her possessions on the Red Sea.

Now that the United States has become the practical sovereign of the canal, His Majesty's Government do not question its title to exercise belligerent rights for its protection.

For these reasons His Majesty's Government maintain that the words "all nations" in rule 1 of article 3 of the Hay-Pauncefote treaty include the United States, and that in consequence British vessels using the canal are entitled to equal treatment with those of the United States, and that the same tolls are chargeable on each.

This rule also provides that the tolls should be "just and equitable." The purpose of these words was to limit the tolls to the amount representing the fair value of the services rendered, i. e., to the interest on the capital expended and the cost of the operation and maintenance of the canal. Unless the whole volume of shipping which passes through the canal, which benefits all equally by its services, is taken into account, there are no means of determining whether the tolls chargeable upon a vessel represent that vessel's fair proportion of the current expenditure properly chargeable against the canal; that is to say, interest on the capital expended in construction and the cost of operation and maintenance. If any classes of vessels are exempted from tolls in such a way that no receipts from such ships are taken into account in the income of the canal, there is no guaranty that the vessels upon which tolls are being levied are not being made to bear more than their fair share of the upkeep. Apart altogether, therefore, from the provision in rule 1 about equality of treatment for all nations, the stipulation that the tolls shall be just and equitable, when rightly understood, entitles His Majesty's Government to demand, on behalf of British shipping, that all vessels passing through the canal, whatever their flag or their character, shall be taken into account in fixing the amount of the tolls.

The result is that any system by which particular vessels or classes of vessels were exempted from the payment of tolls would not comply with the stipulations of the treaty that the canal should be open on terms on entire equality, and that the charges should be just and equitable.

The President, in his memorandum, argues that if there is no difference, as stated in Mr. Mitchell Innes's note of the 8th of July, between charging tolls only to refund them and remitting tolls altogether, the effect is to prevent the United States from aiding its own commerce in the way that all other nations may freely do. This is not so. His Majesty's Government have no desire to place upon the Hay-Pauncefote treaty and interpretation which would impose upon the United States any restriction from which other nations are free, or reserve to such other nation any privilege which is denied to the United States. Equal treatment, as specified in the treaty, is all they claim.

His Majesty's Government do not question the right of the United States to grant subsidies to United States shipping generally or to any particular branches of that shipping, but it does not follow, therefore, that the United States may not be debarred by the Hay-Pauncefote treaty from granting a subsidy to certain shipping in a particular way, if the effect of the method chosen for granting such subsidy would be to impose upon British or other foreign shipping an unfair share of the burden of the upkeep of the canal or to create a discrimination in re-

spect of the conditions or charges of traffic or otherwise to prejudice rights secured to British shipping by this treaty.

If the United States exempt certain classes of ships from the payment of tolls, the result would be a form of subsidy to those vessels which His Majesty's Government consider the United States are debarred by the Hay-Pauncefote treaty from making.

It remains to consider whether the Panama Canal act in its present form conflicts with the treaty rights to which His Majesty's Government maintain they are entitled.

Under section 5 of the act the President is given, within certain defined limits, the right to fix the tolls, but no tolls are to be levied upon ships engaged in the coastwise trade of the United States, and the tolls, when based upon net registered tonnage for ships of commerce, are not to exceed $1.25 per net registered ton nor be less, other than for vessels of the United States and its citizens, than the estimated proportionate cost of the actual maintenance and operation of the canal. There is also an exception for the exemptions granted by article 19 of the convention with Panama of 1903.

The effect of these provisions is that vessels engaged in the coastwise trade will contribute nothing to the upkeep of the canal. Similarly vessels belonging to the Government of the Republic of Panama will, in pursuance of the treaty of 1903, contribute nothing to the upkeep of the canal. Again, in the cases where tolls are levied, the tolls in the case of ships belonging to the United States and its citizens may be fixed at a lower rate than in the case of foreign ships, and may be less than the estimated proportionate cost of the actual maintenance and operation of the canal.

These provisions (1) clearly conflict with the rule embodied in the principle established in article 8 of the Clayton-Bulwer treaty of equal treatment for British and United States ships, and (2) would enable tolls to be fixed which would not be just and equitable, and would therefore not comply with rule 1 of article 3 of the Hay-Pauncefote treaty.

It has been argued that as the coastwise trade of the United States is confined by law to United States vessels the exemption of vessels engaged in it from the payment of tolls can not injure the interests of foreign nations. It is clear, however, that the interests of foreign nations will be seriously injured in two material respects.

In the first place the exemption will result in the cost of the working of the canal being borne wholly by foreign-going vessels, and on such vessels, therefore, will fall the whole burden of raising the revenue necessary to cover the cost of working and maintaining the canal. The possibility, therefore, of fixing the toll on such vessels at a lower figure than $1.25 per ton, or of reducing the rate below that figure at some future time, will be considerably lessened by the exemption.

In the second place, the exemption will, in the opinion of His Majesty's Government, be a violation of the equal treatment secured by the treaty, as it will put the "coastwise trade" in a preferential position as regards other shipping. Coastwise trade can not be circumscribed so completely that benefits conferred upon it will not affect vessels engaged in the foreign trade. To take an example, if cargo intended for a United States port beyond the canal, either from east or west, and shipped on board a foreign ship could be sent to its destination more cheaply, through the operation of the proposed exemption, by being landed at a United States port before reaching the canal, and then sent on as coastwise trade, shippers would benefit by adopting this course in preference to sending the goods direct to their destination through the canal on board the foreign ship.

Again, although certain privileges are granted to vessels engaged in an exclusively coastwise trade, His Majesty's Government are given to understand that there is nothing in the laws of the United States which prevents any United States ship from combining foreign commerce with coastwise trade, and consequently from entering into direct competition with foreign vessels while remaining "prima facie" entitled to the privilege of free passage through the canal. Moreover, any restriction which may be deemed to be now applicable might at any time be removed by legislation or even perhaps by mere changes in the regulations.

In these and in other ways foreign shipping would be seriously handicapped, and any adverse result would fall more severely on British shipping than on that of any other nationality.

The volume of British shipping which will use the canal will in all probability be very large. Its opening will shorten by many thousands of miles the waterways between England and other portions of the British Empire, and if on the one hand it is important to the United States to encourage its mercantile marine and establish competition between coastwise traffic and transcontinental railways, it is equally important to Great Britain to secure to its shipping that just and impartial treatment to which it is entitled by treaty and in return for a promise of which it surrendered the rights which it held under the earlier convention.

There are other provisions of the Panama Canal act to which the attention of His Majesty's Government has been directed. These are contained in section 11, part of which enacts that a railway company, subject to the interstate commerce act of 1887, is prohibited from having any interest in vessels operated through the canal with which such railways may compete, and another part provides that a vessel permitted to engage in the coastwise or foreign trade of the United States is not allowed to use the canal if its owner is guilty of violating the Sherman antitrust act.

His Majesty's Government do not read this section of the act as applying to or affecting British ships, and they therefore do not feel justified in making any observations upon it. They assume that it applies only to vessels flying the flag of the United States, and that it is aimed at practices which concern only the internal trade of the United States. If this view is mistaken and the provisions are intended to apply under any circumstances to British ships, they must reserve their right to examine the matter further and to raise such contentions as may seem justified.

His Majesty's Government feel no doubt as to the correctness of their interpretation of the treaties of 1850 and 1901, and as to the validity of the rights they claim under them for British shipping, nor does there seem to them to be any room for doubt that the provisions of the Panama Canal act as to tolls conflict with the rights secured to their shipping by the treaty. But they recognize that many persons of note in the United States, whose opinions are entitled to great weight, hold that the provisions of the act do not infringe the conventional obligations by which the United States is bound, and under these circumstances they desire to state their perfect readiness to submit the question to arbitration if the Government of the United States would prefer to take this course. A reference to arbitration would be rendered unnecessary if the Government of the United States should be prepared to take such steps as would remove the objections to the act which His Majesty's Government have stated.

Knowing, as I do, full well the interest which this great undertaking has aroused in the New World and the emotion with which its opening is looked forward to by United States citizens, I wish to add before closing this dispatch that it is only with great reluctance that His Majesty's Government have felt bound to raise objection on the ground of treaty rights to the provisions of the act. Animated by an earnest desire to avoid points which might in any way prove embarrassing to the United States, His Majesty's Government have confined their objections within the narrowest possible limits and have recognized in the fullest manner the right of the United States to control the canal. They feel convinced that they may look with confidence to the Government of the United States to insure that in promoting the interests of United States shipping nothing will be done to impair the safeguards guaranteed to British shipping by treaty.

Your excellency will read this dispatch to the Secretary of State and will leave with him a copy.

I am, etc.,

E. GREY.

Mr. McCUMBER. Mr. President, I have stated that the Committee on Foreign Relations understood this exactly the same way, and I purpose to show that beyond any possible doubt.

COMMITTEE VIEW.

Let us see how the Committee on Foreign Relations of the Senate construed the Hay-Pauncefote treaty, remembering that it was upon that construction without question that the Senate voted its adoption.

To fully comprehend the construction given to the Hay-Pauncefote treaty by the Committee on Foreign Relations which reported it, it is proper, though not at all necessary, to quote the portion of the old Clayton-Bulwer treaty, which by the terms of the Hay-Pauncefote treaty are carried into the latter, and the two or three paragraphs that were considered by the committee in making its report. I quote a portion of the old Clayton-Bulwer treaty at this point, only because it is continued in the Hay-Pauncefote treaty and becomes a part of it by specific words.

Article 8 of the treaty signed in Washington on the 19th day of April, 1850, provides:

ART. 8. The Governments of the United States and Great Britain having not only desired, in entering into this convention, to accomplish a particular object, but also to establish a general principle—

Keep those two in mind—

they hereby agree to extend their protection, by treaty stipulations, to any other practicable communications, whether by canal or railway, across the Isthmus which connects North and South America, and especially to the interoceanic communications, should the same prove to be practicable, whether by canal or railway, which are now proposed to be established by the way of Tehuantepec or Panama. In granting, however, their joint protection to any such canals or railways as are by this article specified—

Now, here comes the general principle:

It is always understood by the United States and Great Britain that the parties constructing or owning the same shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments shall approve of as just and equitable; and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other State which is willing to grant thereto such protection as the United States and Great Britain engage to afford.

I only stop here to call your attention to the fact that the parties entering into that agreement desired not only to "accomplish a particular object," but also to establish a "general principle." There were two things in the minds of the contracting parties—a "particular object" and a "general principle." Now, what was the particular object to be accomplished? That particular object, Mr. President, was that neither of the two countries should construct, control, or govern an isthmian canal. Not only the treaty itself, which declares that "the Governments of the United States and Great Britain hereby declare that neither the one nor the other will ever obtain or maintain for itself any exclusive control over the said ship canal," but the entire history of all the negotiations, which indicate that each country was suspicious that the other might secure such control to the detriment of its citizens, left no question as to the object to be accomplished, namely, that neither the one nor the other should have a monopoly over any connecting highway between the oceans. That was the first thing to be established by the Clayton-Bulwer treaty, the "particular object to be accomplished."

But, Mr. President, in addition to that, the treaty was entered into to "establish a general principle." Now, what was that general principle? Here, again, we are not left to inference. That general principle is set out in clear, distinct terms in article 8, namely:

It is always understood by the United States and Great Britain that the parties constructing or owning the same—the interoceanic communication—shall impose no other charges or conditions of traffic thereupon than the aforesaid Government shall approve of as just and equitable, and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other State.

In other words, the general principle was that this passage should be as free as though nature had cut the waterway, with the exception that the reasonable expenses of constructing and operating it should be borne equally by all vessels using it. This was the general principle which was carried forward into the Hay-Pauncefote treaty.

The preamble of the Hay-Pauncefote treaty declares that the two parties to the convention—this was our last treaty, now—

being desirous to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans, and, to that end, remove any objection which may arise out of the convention of April 19, 1850, commonly called the Clayton-Bulwer treaty, to the construction of such canal under the auspices of the Government of the United States without impairing the general principle of neutralization established in article 8 of that convention, have for that purpose appointed as their plenipotentiaries—

And so forth.

I have already called your attention to the discussion in which the British Government asked that we put in a special clause to mean that, and Mr. Hay answered:

It is not necessary, because, under this declaration in the preamble, we can not impair those general principles.

I will pause here just long enough to call your attention to the fact that this preamble to the convention is to remove any objection to the construction of such canal under the auspices of the United States. It is not to remove the objection to the construction by the Government of Great Britain. In other words, only one party is released from that previous understanding and that is Great Britain. She surrendered a mighty right there and demanded only fair and equal treatment for her shipping in consideration of the surrender of that right. Under that contract, as I construe it, she could not construct a canal across the Isthmus of Panama although we could do so.

I also call your attention to the fact that this new agreement is to be without impairing the general principle established in article 8 of the Clayton-Bulwer treaty.

The next provision to which the report of the committee is directed, which I purpose to bring before the Senate, is paragraph 1 of article 2, which reads as follows:

1. The canal shall be free and open, in time of war as in time of peace, to the vessels of commerce and of war of all nations, on terms of entire equality so that there shall be no discrimination against any nation or its citizens or subjects in respect of the conditions or charges of traffic or otherwise.

I confess I can not see how it is possible for anyone reading these provisions to seriously contend that it was not the intention of the framers of those treaties that the words "vessels of all nations on terms of entire equality" did not include vessels of the United States. That meaning was so clear in the terms of the two treaties, which were then carefully scanned by the Senate, that there was no thought of challenging that conclusion arrived at by the committee and explained and defended on the floor of the Senate by the learned chairman, Senator Davis, and the critical and analytical mind of Senator Morgan.

The Senate presupposes, it sometimes seems to me, that the Senate at that time did not consider any of these questions. Mr. President, they considered every one of them, and they fought every one of them out on the floor wherever a question was raised.

Senator Davis in his report answers every contention that was made on the part of those who desired to free our vessels from tolls when the matter was up for consideration. He declared in concise language and asserted boldly that the United States was to obtain no other privilege than those granted to the nations of all the world. Let me quote his language:

No American statesman—

He says—

speaking with official authority or responsibility, has ever intimated that the United States would attempt to control this canal for the exclusive benefit of our Government or people. They have all, with one accord, declared that the canal was to be neutral ground in time of war, and always open, on terms of impartial equality, to the ships and commerce of the world.

What could the Senate have understood by these words: "No American statesman, speaking with official authority or responsibility, has ever intimated that the United States would attempt to control this canal for the exclusive benefit of our Government or people"?

If we control it for the exclusive benefit of our coastwise trade without equality, that is a monopoly, so far as that feature of a monopoly is to be distinguished.

Remember, he was giving a construction to that treaty, and an answer to those, few in number, who at that time wanted a free hand to do as we might wish in the matter of tolls and charges.

They have all, with one accord, declared that the canal was to be always open on terms of impartial equality to the ships and commerce of the world.

Those are the words of Mr. Davis.

Could any Senator have misinterpreted the meaning of those words, "ships and commerce of the world"? Are not coastwise ships ships of the world? Are not all our ships ships of the world?

To make this doubly clear he asserts:

Special treaties for the neutrality, impartiality, freedom, and innocent use of the two canals—

He is speaking now of both—

that are to be the eastern and western gateways of commerce between the great oceans are not in keeping with the magnitude and universality of the blessings they must confer upon mankind. The subject rather belongs to the domain of international law.

He meant to contend that that waterway should be as free as though it had been a strait in the place of a canal.

"The subject belongs to the domain of international law," says Senator Davis, not domestic law; "and any other view," he declares, "taken by us is not in keeping with the magnitude and universality of the blessings they must confer upon mankind."

His report is not a mere declaration, but an argument in favor of the declaration. He then proceeds:

The leading powers of Europe recognized the importance of this subject in respect of the Suez Canal, and ordained a public international act for its neutralization that is an honor to the civilization of the age. It is the beneficent work of all Europe, and not of Great Britain alone.

Notice the analogy:

Whatever canal is built in the Isthmus of Darien will be ultimately made subject to the same law of freedom and neutrality as governs the Suez Canal, as a part of the laws of nations, and no single power will be able to resist its control.

The Senator in that report especially calls attention to our agreement to abide by the rules governing the Suez Canal, and those rules bind Great Britain, the controlling stockholder in that canal, exactly as they bind every other nation. "Whatever canal is built in the Isthmus of Darien," he asserts, "will ultimately be made subject to the same law of freedom and neutrality as governs the Suez Canal, as a part of the law of nations, and no single power will be able to resist its control."

Let us not forget that Great Britain has her Asiatic interests and possessions; but, notwithstanding her great interests on the Asiatic side, though she and her citizens own the controlling stock, she and her citizens have to pay tolls for their shipping that goes through there the same as every other vessel of the world.

Again he declares in unequivocal words—this is again the statement of Mr. Davis:

The United States can not take an attitude of opposition to the principles of the great act of October 22, 1888, without discrediting the official declarations of our Government for 50 years on the neutrality of an isthmian canal and its equal use by all nations without discrimination.

I especially call your attention to his declaration that the United States can not take an attitude of opposition to the equal use of this proposed Panama Canal by all nations without discrimination. Can anyone imagine Senator Davis, the soul of fairness, honor, and integrity, making these declarations, voicing the construction by his own Committee on Foreign Relations, carrying a secret view that all nations did not include the United States? It was so simple, so easy to put that question at rest by a simple statement; and if he had so thought or if he had believed that any member of the committee so thought, my acquaintance with Senator Davis is sufficient to justify me in the assertion that he would have brought such views to the front and had them debated out and acted upon before that treaty would have passed.

I do not think, Mr. President, that there is anyone who will contend that the treaty does not affect our coastwise trade, who can not with equal reason also contend that it does not affect our vessels engaged in foreign commerce. As a matter of fact, when the toll bill first came to the Senate in 1912 it remitted the tolls to all of our vessels, irrespective of the character of the commerce in which they were engaged. In other words, if that view were correct, we could have a monopoly so far as our own trade was concerned. Let the further declaration of that report, the foundation of all of our argument before the Senate, answer that assumption. Again he says:

To set up the selfish motive of gain by establishing a monopoly of a highway that must derive its income from the patronage of all maritime countries would be unworthy of the United States if we owned the country through which the canal is to be built.

What did he mean by the words "by establishing a monopoly" if he did not mean to negative the idea that we could release our vessels from the payment of tolls?

But, Mr. President, the report declares that the income of this great connecting waterway must be derived through the patronage of all maritime countries, and it would be unworthy of the United States to establish such a monopoly.

But, Mr. President, we have been so in the habit of assuming to dominate the affairs of this Western Continent, and especially those of our southern Republics, that we sometimes forget their sovereign rights. And lest we might so forget them in this Hay-Pauncefote treaty and the construction that should be placed upon it, the committee report calls our attention to the fact that we must deal not only with Great Britain but with the country through whose territory the canal must be constructed and operated.

I am now coming to a most vital matter in the construction of this treaty. At the time that treay was before us Nicaragua and Costa Rica were the particular countries over whose territory we expected to pass. And in the report the chairman calls attention to the fact that, independent of our treaty with Great Britain, these other countries may have treaty relations with other countries—with Great Britain, for instance—which might negative the right of even Nicaragua or Costa Rica to grant our ships of commerce an extraordinary privilege of transit through the canal. As a matter of fact, my remembrance is that Great Britain did have such treaties with these countries as prohibited them from granting privileges to vessels passing through any contemplated ship canal across their territories that would not apply also to her own ships. So that if we were to claim a construction of that treaty that would allow special privileges to our own vessels, we would at the same time make the other parties to the agreement—the other South American countries—violate their treaties in order to conform to our construction.

On this subject the report further states:

> But the location of the canal belongs to other governments, from whom we must obtain any right to construct a canal on their territory, and it is not unreasonable, if the question was new and was not involved in a subsisting treaty with Great Britain, that she should question the right of even Nicaragua and Costa Rica to grant to our ships of commerce and of war extraordinary privileges of transit through the canal.

Great Britain was in a position to say to these other countries, "You can not modify your agreements with me which I already have."

Nor did the chairman of the Committee on Foreign Relations or his report leave that matter to mere conjecture. He further declared—and this is what we had before us when we voted—

> It is not reasonable to suppose that Nicaragua and Costa Rica would grant to the United States the exclusive control of a canal through those States on terms less generous to the other maritime nations than those prescribed in the great act of October 22, 1888; or if we could compel them to give us such advantages over other nations, it would not be creditable to our country to accept them.

That was our position. Stop and think of the significance of that sentence. Think of Senator Davis saying that it would not be creditable to exact such advantage if the treaty under consideration gave us that advantage. Think of him asserting that the very thing we were doing would not be creditable.

That is the reasoning and the logic you will have to apply to it.

Not only does this report make it clear, as clear as it would be possible, it seems to me, to indicate a purpose, but the chairman declares that any other construction would not be creditable to our country.

No Senator ever challenged that view when it was uttered in 1900.

Mr. President, there has been a great deal said about the sentiment of the American people upon this question. They say that the sentiment is overwhelmingly in favor of free tolls. That is not true, but it is true that the sentiment of the people generally favors our right to do as we wish with a canal which we have built with our own money and which we must maintain with our own money.

The sentiment is in favor of the right; that is all. The sentiment does not ask us to break our word to maintain a right. We can get it in another way.

Very naturally the people of the United States, and especially those whose attention has not been called to the consideration which we paid for our right, would reason thus: We built that canal; we furnished every dollar that went into its construction; we must maintain it; we must protect it against all assault or interference; we practically own the territory over which it is constructed. Then, why should we not operate it in whatever manner we see fit, as freely and as fully as an individual could use his own property? That is a most natural sentiment, and we must admit that that is the prevailing sentiment of the people. But, Mr. President, that is a very different sentiment from one which would wish us to violate a great international agreement. I have enough confidence in the natural innate integrity and sense of honor of the American people to believe that whenever and wherever this country has entered into an agreement and they fully understand that we have bound ourselves they wish us to maintain the sacred honor of the country. I believe that the people would impose upon the Government the same rule of international integrity as it would upon people in their relations with each other. The great trouble is that this matter has never come fairly and fully before the public. Those who have read the treaties, those who have closely followed the arguments, are, in my opinion, overwhelmingly of the opinion that we are bound by contractual obligations to either charge all vessels of all the world exactly the same or free them exactly the same from the payment of tolls. But the very fact that the majority of the people might not understand this question and might not understand why a country owning and operating this canal should have its will impaired in any degree by the claim of any other nation ought not to deter me, who does understand the obligation that we imposed upon ourselves, for no one else imposed it upon us, from voting to uphold our national word.

But this question of rights, incidental to ownership, was fully met and explained in that same report. It is not new; it was fought out there and decided there. It was not a new question which came up after the adoption of the Hay-Pauncefote treaty. It was argued out on the floor of this Senate and voted out on the floor of the Senate.

On the question of the canal being built with our own money and any special right to be derived from that fact, this report further states, and I ask Senators to listen to the words:

> That our Government or our people will furnish the money to build the canal presents the single question whether it is profitable to do so. If the canal, as property, is worth more than its cost, we are not called on to divide the profits with other nations. If it is worth less and we are compelled by national necessities to build the canal, we have no right to call on other nations to make up the loss to us. In any view it is a venture that we will enter upon if it is to our interest, and if it is otherwise we will withdraw from its further consideration.
>
> The Suez Canal makes no discrimination in its tolls in favor of its stockholders—

Notice the analogy—

> and, taking its profits or the half of them as our basis of calculation, we will never find it necessary to differentiate our rates of toll in favor of our own people in order to secure a very great profit on the investment.

There, Mr. President, is the foundation upon which we based our belief at that time that we should bind ourselves to accord the same treatment to our vessels as we should accord to the vessels of the world. Before us at that time was a schedule of rates of toll that could be charged, an estimate of the number of vessels, including our vessels engaged in foreign trade and our coastwise vessels, which would make use of the canal, and upon that we made our estimate of the value of the canal. With that explanation Senator Davis said we were to treat every nation the same as we treated our own and to rely for our compensation for our investment upon the tolls and upon the special benefit of being brought closer to our sea possessions.

Senator Davis declared in that report before the Senate that we furnished the money to build that canal as a venture; that we took the chance of whether it would be profitable or unprofitable; that we were not compelled to divide our profits with the nations of the world if it were profitable, nor to call upon the nations of the world if it did not prove a success. We believed that it would prove a success. The reports that had been made to us upon the basis of one-half of the tolls of the Suez Canal assured us that it would be a success. That calculation took into consideration tolls on our coastwise vessels.

What could the Senate have understood? What could any Senator have understood by the words: "We will never find it necessary to differentiate our rates of toll in favor of our own people in order to secure a very great profit on the investment."

Let me ask Senators candidly: Did or did not those words mean that this treaty prohibited us from differentiating between our own vessels and the vessels of other nations? If it did not so mean, then what on earth did it mean; and what did Senator Davis mean when he used those words? Can you make a declaration of construction stronger or more emphatic than these words make that construction?

No, Mr. President, we all understood; Mr. Hay understood, Lord Pauncefote understood, and the Senate of the United States understood that under the terms of this treaty we could not differentiate between our own ships and the ships of foreign countries. That declaration was the keynote of the eloquent address that was made by Senator Davis. I can not pass from

his declaration without inserting his final eloquent tribute to this great project:

In time of war, as in times of peace, the commerce of the world will pass through its portals in perfect security, enriching all the nations, and we of the English-speaking peoples will either forget that this grand work has ever cost us a day of bitterness, or we will rejoice that our contentions have delayed our progress until the honor has fallen to our grand Republic to number this among our best works for the good of mankind.

For the good of mankind was our glorious boast in 1900. For the special good of ourselves and mankind be damned is the construction we seek to place upon that treaty in 1914.

I can not but feel that in our thoughtless haste the Senate, the vast majority of whom had not been Members of this body when this treaty was adopted, and without a careful consideration of the understanding of the parties to it at that time, and influenced more by a desire to voice their sentiment as to whether we should allow any other nation to challenge any right which we might desire to exercise in relation to the canal, rather than upon the question whether we had actually contracted to do so, voted their sentiment in favor of free tolls. The real question you did not consider; we know it was not considered. It was impossible at that time to get the Senate to consider the real merits of our contractual obligation. I know that, and every other Senator knows that.

There are abundant reasons for requiring every vessel that passes through that canal, no matter by whom owned, to pay its fair proportion of the tolls, independent of any treaty stipulation, so that those who do not agree with me upon the treaty could well afford upon the general principle to compel all vessels to pay their proper proportion of the cost of maintaining this canal. But, as this feature of my argument is directed toward the international obligation, I proceed further in the matter of the understanding of the Senate as to the proper construction to be placed upon that treaty.

Senator Morgan, as I have stated, submitted a minority report; and although he differed with the majority upon certain questions, that eminent scholar and historian agreed entirely with the report of the majority when he said:

The treaty under consideration is for the avowed purpose of removing any objection that may arise out of the convention of April 19, 1850, commonly called the Clayton-Bulwer treaty, to the construction of such canal under the auspices of the United States, without impairing the general principle of neutralization established in article 8 of that convention.

That general principle, as it is modified or specially defined in this treaty, is all that is left of the Clayton-Bulwer treaty, as now being in continuing force.

There was no misunderstanding as to what that general principle was.

All that is left of this general treaty—

Says Senator Morgan in his report—

is the general principle provided in article 8 of the Clayton-Bulwer treaty. That is, that the vessels of all nations using the canal should be treated with exact equality, without discrimination in favor of the vessels of any nation.

Again, Senator Morgan says:

Then this convention, in article 2, proceeds to define and formulate into an agreement, intended to be world-wide in its operation, "the general principle of neutralization," established in article 8 of the Clayton-Bulwer treaty on the basis of the treaty of Constantinople of October, 1888, relating to the Suez Canal.

Nothing is given to the United States in article 2 of the convention now under consideration, nor is anything denied to us that is not given or denied to all other nations.

That was the understanding with those who followed Senator Morgan in his views, and you will see how they explain and fit in with the views of those who opposed Senator Morgan's contention. You will notice how the words used by him in relation to the general principle dovetail with the words used in the treaty itself and in the old Clayton-Bulwer treaty, "on the basis of the treaty of Constantinople of October, 1888, relating to the Suez Canal," and those tolls were the same to every other nation, no matter what the ownership of the canal might be.

I have already quoted to you the words in the treaty, that the high contracting parties adopted as the basis of such neutralization the following rules, substantially as embodied in the convention between Great Britain and certain other powers, signed at Constantinople, October 20, 1888, for the free navigation of the Suez maritime canal—that is to say:

The canal shall be free and open in time of war as in time of peace to the vessels of commerce and of war of all nations, on terms of entire equality, so that there shall be no discrimination against any nation or its citizens or subject in respect of the conditions or charges of traffic or otherwise.

We adopted the Suez Canal regulations, which prohibited favoritism on account of coastwise or other trade.

There was inserted in the RECORD last year an article written by Mr. Feuille regarding tolls on the Panama Canal, in which he asserts that the word "neutralization" used in the Hay-Pauncefote treaty and in the Clayton-Bulwer treaty had reference only to its freedom of use and protection from warlike acts rather than tolls. And his whole argument was based upon that false assumption, because the "general principle of neutralization" established in article 8 of the Clayton-Bulwer treaty was not left to any false construction, but the Hay-Pauncefote treaty declares what was intended by those words, and sets forth seven specific propositions that are included in the words "general principle of neutralization," the very first of which is the declaration that there shall be no discrimination against any nation or its citizens or subjects in respect of the conditions or charges of traffic or otherwise. We all know that the rules provided for the operation of the Suez Canal do not exempt the shipping of any owner or stockholder, and when we adopted the Suez regulations we knew we could not claim an exemption as owner.

I have presented, Mr. President, this much of the proceedings in the Senate at the time of the adoption of the Hay-Pauncefote treaty to demonstrate beyond any possible contention that the Senate as a whole, those who listened to the debate or took part in it, did comprehend, and clearly comprehend, that the treaty was being pressed for adoption upon the theory of construction that it bound the United States to claim no privileges for its own vessels of any kind that it did not accord to other vessels. Thus we have the positive, certain declarations, as set forth in the report, to establish that view beyond contention. But we need not stop there; we have the negative action of the Senate supporting the same view.

Mr. President, I was present, I think, during all of the debates on the treaty. I can not be certain that I was in the Senate Chamber every moment, but I do not now recall being absent. It was my first year in the Senate; this was a great question. I took a deep interest in it at that time, and all of the proceedings are impressed upon my mind more indelibly than anything that has happened since. And yet I never heard during all of that debate, either upon the original treaty when it first came before us or upon the modified treaty, which was afterwards agreed to by Great Britain and which came before us the second time, any contention on the floor of the Senate that the construction placed upon it by the authors of the treaty, the committee to which it was referred, were not borne out by its words. With my strong views against the remission of tolls to our vessels, either coastwise or others, I am certain that I never should have voted for that treaty had I supposed that it would have at any time been given a different construction by the Senate or the Congress of the United States. I should have insisted that it be made certain.

We not only failed to make any such claim, but by a vote of 43 to 27 we declared against the policy of freeing any of our own vessels from these tolls. Senator Bard, who represented a constituency whose great cities would be benefited by a provision for free tolls for our coastwise vessels, introduced an amendment for that purpose, as follows:

Strike out all of article 3 and substitute the following:

"ART. 3. The United States reserves the right in the regulation and management of the canal to discriminate in respect to the charges of traffic in favor of vessels of its own citizens engaged in the coastwise trade."

When he proposed that amendment did he believe this agreement gave us the authority without that amendment?

Mr. WILLIAMS. Right there, I do not know whether my memory is at fault or not, but it seems to me that either Senator Morgan or Senator Money, of Mississippi, one or the other, made the objection to the treaty directly and explicitly that it did not permit us to exempt our coastwise vessels, and that, in order that it should, the third amendment must be adopted.

Mr. McCUMBER. Mr. President, can you imagine that that amendment could come up without being debated or without anything being said about it? Is it possible that the Senate did not debate that question? They did debate it, and they contended that it ought not to be a part of the treaty. That was the reason it was stricken out.

We were considering a solemn obligation between two of the greatest countries in the world—an obligation between two countries which had made louder proclamations and more persistent assertions in favor of national integrity than any other countries in the world. If we were honest it was incumbent upon us at that time to prevent either of these countries getting into a position in their contractual relations with each other where either they or the other great nations of the world could challenge their sense of national honor. If there was a misunderstanding it was the duty of every Senator, under my code of ethics, to have so declared in the open Senate and to have

attempted, so far as he was able to do so, to free the instrument from any uncertainty.

Suppose I were drafting a private contract with the Senator from Colorado and there were within that contract a certain clause, and he asked me what I understood that clause to mean and I told him what I understood it to mean, and he said, "That is just what I understood it to mean, and with that understanding we will sign it." In what position would I be to come around 10 years afterwards and say, "Though we agreed as to what the construction should be, nevertheless it is open, according to its real words, to some other construction, and therefore I propose to give it a different construction"?

Believing that it was certain, Senator Bard introduced his amendment. That amendment was voted down by a vote of 43 to 27. By that vote we renounced forever a claim that we could remit these tolls.

I am well aware that some time after Senator Bard had left the Senate, and in the debates of about a year ago, some Senator introduced a letter from ex-Senator Bard, in which he stated, in substance, as I now remember it, that he thought that there were votes against his amendment on the ground that we had the right to remit the tolls without this amendment. I am very certain that he did not say that anyone ever said so, but that he thought it was voted down on that theory.

I can not believe that there were many Senators who took that position. Certainly none in the open debate, and every Senator knew that it was contrary to the general understanding of the Senate.

With the construction that was placed upon the treaty by those reporting it, it would have seemed to have been our duty, if we had had a different view, to have voted for the Bard amendment so as to make that question certain. We must either say that we did not think so, or else we must admit that we were carrying in our minds a secret conviction that we could violate that provision of our treaty, knowing that the other party to the contract held a different view. Such action on our part would, according to my view, be very far from proper international as well as individual ethics.

Mr. President, every man in the Senate to-day recognizes not only the clear legal mind of Senator Bacon but also his absolute candor in debate. He voted for the Bard amendment. He has left in no unmistakable terms what was understood by that vote. While I was discussing that question in the Senate in 1912 Senator Bacon asked permission to interrupt in support of my contention. The RECORD discloses the following:

Mr. BACON. If the Senator will permit me, I think he could state it a little stronger than he did when he used the word "renounced."

I had stated that we renounced our claim of a right to eliminate our coastwise trade from the operations of the treaty.

Then he says:

We were then engaged in the making of a new treaty with Great Britain, and, of course, if Great Britain would have agreed to that arrangement it would have been a legitimate contract and covenant between the two. What the Senate of the United States then did was to decline even to make that demand upon Great Britain. We declined to say that we would contend for that. We not only by that action, in fact, recognized that there was an obligation of that kind under the Clayton-Bulwer treaty, but we declined to contend that that should be surrendered by Great Britain and that a new contract should be made, to which they would not have agreed.

I wish to say, if the Senator will pardon me a moment, in this connection, as I am one of those recorded as voting in favor of the Bard amendment, that my idea at that time was not that any part of the merchant marine of the United States should have free transportation or free right of passage through the canal, but I was standing simply upon the ground that I thought the United States should have the right to control whatever tolls were imposed and discriminate in favor of our own citizens if we saw fit to do so.

There was an honest statement of what he meant.

I do not wish myself to be considered as being committed by that vote to the principle of free passage for American ships in the canal.

Mr. MCCUMBER. I think the vote was clearly a declaration of our intent and purpose not to demand free tolls for our own coastwise trade. That is all that I am citing it for.

Mr. BACON. That would be true; and further than that, not to discriminate, that even if we charged tolls we would charge no greater tolls for the ships of foreign countries than for the ships of our own country.

Mr. Bacon gave the full truth of what the understanding of the Senate was when we voted upon the Bard amendment.

And so both affirmatively in debating the treaty and negatively in voting down an amendment to release our coastwise vessels from the payment of tolls have we declared our purpose to maintain the policy of nondiscrimination which has been the continuous policy of this country for nearly a hundred years.

Remember that the South American nations have rights here as well as Great Britain and the United States. They must necessarily have more or less of a coastwise trade.

In agreeing to the Hay-Pauncefote treaty it was the purpose of the United States to place itself exactly in the same position it would have been in had the canal been constructed by France, by Nicaragua, or by any other Central American State. We claimed no special privileges, because the money represented our investment. It was believed that the tolls charged and the benefits derived specially by the United States would compensate us for the investment.

Senator Davis, in his report on the Hay-Pauncefote treaty, declared this its purposes in concise language, and asserted boldly that the United States was to obtain no other privileges than those granted to the nations of the world.

CONSIDERATION.

Back of the claim of right to free our own ships from the payment of tolls and the real basis of the claim is that we paid for the canal with our own money; that we own it and ownership should carry with it the right to do as we please. Yes; we do own it. But we bought the right to construct that canal on foreign territory, and the purchase price for the right to build and operate that canal was that we should forever maintain its neutrality and guarantee equality of treatment to the vessels of all nations. Can we now honorably claim the right and repudiate the consideration?

The importance and validity of this consideration and our moral duty to fulfill its obligations will be made more apparent as we view the conditions which preceded it. Prior to the Clayton-Bulwer treaty of 1850, two great powers were the sovereigns of all the territory of North America, except Alaska, north of the Mexican border. The proportionate importance of Canada and the United States was less striking than it is to-day. The Atlantic and Pacific coast line of Canada was even greater than that of the United States. In addition to this great British possession north of us, that country had her Caribbean possessions, the Bermudas, the Bahamas, British Guiana, British Honduras, and other islands. She also exercised a protectorate over a vast stretch of country on the eastern shore of Central America known as the Mosquito Coast. She was then in possession of the entrance to what was then regarded as the only feasible canal route across the Isthmus. Both the United States and Great Britain were interested in a communication between the two oceans for the benefit of their respective coast lines. The United States beheld Great Britain in possession of that territory which seemed to be the key to an isthmian canal. We feared, and justly feared, the control of such a connecting waterway by any foreign Government; and, therefore, the United States, not Great Britain, asked audience to the end, not that we should obtain an advantage over British rights in any canal that might connect the two oceans, but that Great Britain should not hold an advantage over us. That diplomatic audience was granted at the solicitation of our Government, and we secured just what we asked for and conceded to the other party all the rights which we asked for ourselves. That general idea of neutral rights, equality of rights, has been maintained by both nations, down until after the adoption of the Hay-Pauncefote treaty.

POSITION OF PREVIOUS STATE DEPARTMENT.

I am not unmindful of the position of our State Department, nor the delicacy of the situation in that department after Congress had declared for free tolls. Our Government can only speak through Congress. That body expresses and must express the supreme will of the Nation, and the State Department is the instrument through which that will must operate, so far as it relates to international matters. If we do not keep our international agreements, Congress alone is resopnsible. Hence I rather looked for this plea in abatement, which in law we call a dilatory plea, a plea that says to the other party to the contract: "While we may have violated the clear letter of the contract we have not violated its spirit, because in adjusting the tolls we have made them upon a computation which includes our coastwise vessels. We have, therefore, assumed as a national obligation the tolls which our own coastwise vessels should pay, and have added no burden to your ships, and until an injury follows the result of our action there is nothing to go to a court of arbitration. A breach of contract without injury is not actionable."

Mr. President, I do not agree with the Secretary's view upon that subject. Under modern jurisprudence we can always appeal to prevent an openly declared breach of a contract. We do not have to wait until we have suffered an injury and then depend upon collecting the damages caused by it.

Mr. President, I for one do not want to see Congress force our State Department into adopting a diplomacy which may be called shiftiness. Turkey in her desperate state may be excused if she diplomatically spars for time. A great, powerful country like this never ought to do so, and never ought to be forced to do so. We released our coastwise vessels from tolls without releasing the coastwise vessels of other nations, on the grounds that we were not bound to recognize a corresponding

right of release. That was the position of Congress. That is the only position it could take as a basis for its action. And if the other party to the treaty had not protested we should have claimed an interpretation in accordance with our views by acquiescence. The thinking American people who wish us to keep our honor unassailed and unassailable do not want us to dodge the issue, but to meet it squarely.

INAPPLICABILITY TO WAR VESSELS.

Mr. President, the two countries which joined in the Hay-Pauncefote convention had for so many years declared their respective policies toward the freedom and impartial use of any ship canal, had so made that policy a part of their political history, that it was thought by both nations that the mere reiteration of that policy was sufficient to insure its continuance without going into the details of all cases which it might cover and which it might not. It was the spirit of the policy that was to govern. The rules of the Suez Canal were known by both nations, and when they declared that the rules governing the Suez Canal should govern the Panama Canal both felt that they had sufficiently particularized. That meant that war vessels of the United States or of Great Britain passing through the Panama Canal should occupy the same status as though the war vessels of those two nations should pass through the Suez Canal. It was not necessary to specifically exempt our war vessels, even though both countries knew that the spirit of the agreement would not be abrogated by allowing our own war vessels to pass without tolls, because the payment of tolls would be but idle ceremony, the taking of money from one pocket and putting it into another, so that no intelligent nation could make complaint that we did not make the actual transfer from one pocket to the other.

In the letter of Lansdowne of August 3, 1901, in the diplomatic exchange of ideas upon the proposed treaty, he says:

> I am not prepared to deny that contingencies may arise when, not only from a national point of view, but on behalf of the commercial interests of the whole world, it might be of supreme importance to the United States that they should be free to adopt measures for the defense of the canal at a time when they were themselves engaged in hostilities.

The Hay-Pauncefote treaty, like any other contract which is couched in quite general terms, will cover those cases that naturally fall within its spirit and intendment, and the fact that because of its generality war vessels which are owned by the party owning the canal might pass through without the payment of tolls, the changing of money from one pocket to another, would not at all open it to the construction that all vessels of our citizens might do so.

PANAMAN EXEMPTION.

It has also been stated that we have authorized the Panaman coastwise vessels to pass through this canal free of tolls, and that the other party to this contract has made no complaint. That would signify nothing. The question whether the other party to the contract does or does not make a complaint against any immaterial infringement of the contract does not make that contract read any differently. First, that was a part of the purchase price, and well might be waived. Second, the Panaman trade is so insignificant, so immaterial, that any country in the world might waive, if they saw fit, the breach of the contract in favor of that country. Mr. President, while I believe it to be a breach of the letter of the contract it is a very unimportant one, and properly waived when we consider that without it we could not construct a canal. Third, the benefits of the favor were far more valuable than the right waived in that case; but as a matter of fact it never was expressly waived, unless you can say the failure to protest was a waiver.

Mr. President, I have shown as conclusively as language can possibly show—

First. That wholly irrespective of any preceding treaties or conventions, wholly irrespective of whether the Clayton-Bulwer treaty was or was not still in force, the Hay-Pauncefote treaty did bind us to give no preference rights to our own shipping, coastwise or foreign.

Second. That this was the construction placed upon that treaty by the Committee on Foreign Relations reporting it to the Senate, and was understood by the Senate to be the construction that the other party was placing upon it.

Third. That all of our preceding diplomatic and other national declarations pointed directly toward this construction.

Mr. President, we ought not to attempt any shifty method of getting rid of our obligations. There is always a straightforward and honorable way to do so. The changing conditions of the great countries of the world compel them for their own interest to modify their agreements. They have a right to say to the other nation to a contract: While this contract appeared to be for our interest at the time we entered into it, conditions in the world and conditions at home have so changed that we must ask for a modification of this contract or for its annulment. Then if we can not secure the annulment, if we deem that we are justified in annulling the previous contract, we have a right to say to the country that for the reasons which we have given we have abrogated the contract.

That is the way two individuals would settle the matter. That is the way that two honorable nations ought to settle the matter. While I have not changed my conviction as to the propriety of compelling all our own vessels to pay the same rates of toll that are charged to the vessels of other nations; while I do not concede that we have any moral right to evade the true meaning of a contract, we have the right of abrogation, but that abrogation should be upon due and timely notice and approached in a spirit of amity and friendliness. If we want to abrogate the Hay-Pauncefote treaty within 13 years after it has been entered into, let us proceed in the orderly and proper way to do so, just as we did when we abrogated the Clayton-Bulwer treaty. I believe if we should do that we would have no difficulty in arriving at a conclusion in reference to our coastwise vessels that would be entirely satisfactory to both nations.

Mr. President, the atmosphere about me seems to be surcharged with the element of political expediency. Personally I hate the word; but whatever justification there may ever be for deviating from the line of conviction in our ordinary political battles, the element of partisanship should never enter into our international relations. When the war drums call to arms in the defense of our national life, we should know no party. When the Commander in Chief calls upon us to uphold our national honor, party expediency is a cowardly and dastardly word, and I for one should forever refuse to follow it.

REMISSION OF TOLLS A MISTAKEN ECONOMIC POLICY.

Mr. President, with these statements I shall proceed to discuss the two propositions submitted by the President, the first of which is that the remission of tolls is a mistaken economic policy from every point of view. It had been my intention at one time to give all of the history preceding the Clayton-Bulwer treaty, but that I shall leave for some other time.

Mr. President, for the second time the question of free tolls for our coastwise ships is before Congress for consideration. It is, however, before us for the first time on its merits. At least I hope, since the President has asked the Congress to consider it on its merits, we will give some earnest, honest thought to that feature of the subject, disentangled from any international question. The vote in the previous Congress was not a vote as to whether as an economic policy we should exempt our coastwise vessels from the payment of tolls, but a vote to declare and put ourselves on record by that declaration that we should not concede the right of any other nation to question our authority to do so. Our vote was the declaration of Congress in answer to the protest of Great Britain that, having built the canal with our own money, we ought to exercise all the rights incident to complete ownership without hindrance or limitation. It was impossible in that debate to secure any serious consideration of the merits of the question of tolls or no tolls or to focus the thought on just what we had agreed to do. We were rather searching for a loophole of escape than for the understanding of the parties to the treaty. President Wilson has asked the Congress to consider the merits of this case. He asks the question, Why should we grant the only legally created monopoly in the United States a special privilege that is not accorded to other American shipping interests? We ought to answer that question on the merits.

While I do not for one moment concede that we were not bound under the terms of the Hay-Pauncefote treaty to extend to the coastwise trade of all other nations, whether in North or South America, the same treatment in reference to tolls that we accorded to our own coastwise vessels; while in the discussion of that treaty the report of the chairman of the Committee on Foreign Relations left no other possible inference; while not a single Senator took the position at that time that the construction given by the department and by the chairman of the Committee on Foreign Relations was in any way incorrect; while a motion to modify that treaty so as to authorize us to free our own vessels engaged in coastwise trade from the payment of tolls without freeing the vessels of other nations was voted down, and voted down because at that time it had never occurred to us that we wished to reverse our ancient policy and declarations with reference to an isthmian canal, nevertheless, for the purpose of avoiding that feature of the case at this point, we may admit, if you please, that we have a right to free both our coastwise vessels and our vessels engaged in foreign commerce from tolls; and, of course, if we have the right

in one instance we have it in both. I now want one single, solitary, sound, economic reason why our coastwise vessels should be freed from the payment of tolls and our other vessels charged tolls.

No greater injustice can be done by law than the injustice of inequality. I say that in answer to those who preach that we ought to do justice to both, and if we can not do justice to both we ought to do it at least to one. By doing what you call justice to one, however, you exaggerate and increase the injustice to the other, and that is far worse than leaving them in the positions which they previously occupied.

I want some valid reason, then, why the vessels which have and can have no competition with any foreign vessels whatever should be voted a subsidy while the vessels which have to compete with all the world, and under most keen competition, should be left to struggle on alone.

To-day, because of this monopoly, and because we have declared that there shall be no competition with the outside world in our coastwise trade, we have all of the vessels which the coastwise commerce of the country demands, and their numbers will increase as the coastwise trade is given an impetus by the opening of the canal. On the other hand, because our vessels must compete with the more cheaply constructed and more cheaply operated vessels of other countries, less than one-tenth of all our vast foreign trade is carried in American vessels. Now, why should we extend our favors to those vessels which need no favor, while we persistently refuse to extend any support whatever to the vessels which do need it? If we are to indulge in charity at all, why should we not indulge in it in a way that will help those who are in need of it?

The reason why we have done this is plain. The vote of the Senate in the remission of tolls to our coastwise vessels did not reflect in any sense the careful discrimination between these two classes of vessels which ought to have governed us. But its very purpose was to bring the question of the construction of that treaty to the front, and, before the canal should be opened, to give the treaty a construction so that all nations would understand before the opening of the canal that we would maintain the position that the words "the vessels of all nations," used in that treaty, should not include our own vessels. That is what we said. We wanted to see if such a claim would be resisted.

But independent of that keen desire to give the treaty such a construction was the fact that the American people had evidenced great hostility against any ship subsidy. That sentiment had been so powerful that for years Congress had defeated every subsidy bill before it.

So it was thought by many that we might obtain this special benefit by an indirect method, that though the people would not allow us to grant ship subsidies, they might allow us to accomplish indirectly what they would not allow us to do directly; and so back of this sentiment for undisputed right of control we worked out a subsidy scheme for the vessels that did not need a subsidy.

Do the American people understand to-day that by the law which we lately passed remitting tolls to our vessels engaged in coastwise trade they have been tricked into granting a subsidy, not to American ships that need protection, but to the coastwise ships that have no competition and therefore can not possibly need it?

Secretary Knox stated that the remission of these tolls was a subsidy pure and simple, and it is a subsidy pure and simple, to be paid by the American people. And for whose benefit? For the benefit of this great American monopoly. No one claims or can claim that the people generally will be benefited by this free gift of millions of dollars to the only legalized monopoly in the United States.

If the Government were to build a railroad from New York to San Francisco and enter into any agreement with the Pennsylvania Railroad Co. that it would keep that road in perpetual repair and order, maintain all necessary terminals at its own expense, and turn it over to the use of the Pennsylvania Railroad Co. free of all rent or charge, but that no other railway company which might desire to take shipments from coast to coast would be allowed to run a train over it without paying the interest and maintenance cost, the country would be shocked. And yet that is just exactly what we are proposing to do for the benefit of the coastwise shipping corporations.

Of course, I can understand why a few ambitious cities on the coast would like to have special advantages in freight rates over all the interior points. In other words, I can understand how they would like to have the Government pay the freight for their special benefit and tax the rest of the people to pay for it. And I can understand the pressure brought to bear upon Senators who represent those cities, and that they naturally imbibe the sentiment of the people whom they represent. But I certainly can not understand how those who represent the vast interior, which would receive no benefit whatever, but, on the contrary, must suffer not only for the benefit of a few coast cities in the payment of extra taxes to maintain the canal, but must necessarily suffer in the end in higher intermediate freight rates which will be necessary to make up the losses which the great transcontinental lines will suffer in the reduction of through rates to compete with water transportation from one ocean to the other, should desire free tolls.

The only reason that I have heard in favor of the domestic policy of freeing our coastwise vessels from the payment of tolls is that they may, with no cost to themselves, force the transcontinental lines into making lower freight rates from ocean to ocean; that we shall pay that cost. We might make the same deal with one transcontinental road, and for just as good a reason.

The first question which naturally arises is this: Is it necessary for us to purchase indemnity from improper freight charges if they exist? Does this great Government, which has complete control over transcontinental freight rates, have to ransom itself from piracy? The Senator from Kansas thinks it does. I do not.

The Senator from Iowa says my contention that the Interstate Commerce Commission has sufficient power to insure just rates would justify me in a view that all the great lines of railways might be properly consolidated. It leads into no such conclusion. Of course, naturally, competitive lines would relieve the Interstate Commerce Commission from the same degree of diligence that otherwise might be required of it in maintaining reasonable rates. But the Interstate Commerce Commission has the power, full and complete, and therefore the Government does not hire a competitor.

Section 15 of the act to regulate commerce provides:

> That whenever * * * the commission [Interstate Commerce Commission] shall be of opinion that any individual or joint rates or charges whatsoever demanded, charged, or collected by any common carrier or carriers subject to the provisions of this act for the transportation of persons or property * * * are unjust or unreasonable or unjustly discriminatory, or unduly preferential or prejudicial, or otherwise in violation of any of the provisions of this act, the commission is hereby authorized and empowered to determine and prescribe what will be the just and reasonable individual or joint rate or rates, charge or charges to be thereafter observed in such case as the maximum to be charged.

Congress has the power to compel every road doing an interstate business to be fair, just, and reasonable in its charges. Is there a single Senator who denies that power? Congress has created a great commission whose sole duty is to investigate the question of freight rates and charges and to compel every transcontinental road to make its rates reasonable and fair. Has the Interstate Commerce Commission failed to perform its duty? If so, wherein has it failed? Are the rates at the present time from New York to San Francisco excessive? If they are, then that great commission is not performing its duty. If they are, then it is the duty of any person having knowledge of that fact to bring it to the attention of this great commission. I have a right to assume that no one expects that any of these great lines shall run its business, carrying freight from any one point to another point, at a loss. I assume, further, that everyone here is willing that such companies should have reasonable profit on their shipment from any one point to another point. I assume that the Interstate Commerce Commission has the power, and has exercised that power, and will continue to exercise it, to compel every such railway to conform to those just charges. If that is true, and I challenge any Senator to deny it and to bring to the attention of the Senate and to the attention of the Interstate Commerce Commission any instance in which it is not true, then why it is necessary for the Government to spend millions of dollars to hire another company using an all-water route to act as a check against immoderate transcontinental freight charges? The position to me is not less ridiculous than it would be for the Government to build a railroad, as I have suggested, for the Pennsylvania line, equip it, and operate it free of expense so as to allow that line to run trains from New York to San Francisco, and to charge such freights as would compel all other lines to reduce their rates.

Mr. President, every Senator here knows that this unequal, unjust, almost ridiculous method is not at all necessary. He further knows that even with a toll of $1.25 per measured ton railroad transportation can not compete with water transportation on most lines of merchandise from ocean to ocean.

The ocean-carrying toll of $1.25 a ton will carry everything that they can carry properly from one ocean to the other, and the transcontinental lines will be compelled to carry those things which the great ocean freighters can not as well carry.

But, suppose by the remission of tolls to the coastwise trade vessels you succeed in compelling the transcontinental lines to lower freight rates between coast cities on the Atlantic and on the Pacific. What would be the result upon freight rates in all the intermediate points? A railroad must be operated so as to pay all of its expenses in labor, salaries, repairs, interest on bonds, and a reasonable dividend on its stock. It is the duty of the Interstate Commerce Commission to see that it is so operated. Now, the earnings to pay those expenses and dividends must come from its business, and it must come out of all of its business from one end of the line to the other, must be paid by the people all along its line. And if you reduce its earnings on its shipments from coast to coast to any extent, it must make up those earnings upon its interior shipments by advancing its freight rates between all interior points. In fact, it would be invited to do that. Thus not only must the people in the interior pay in the first instance the taxes for the maintenance of this ship canal used without charge by coastwise vessels, but it must in addition pay a higher price upon every article freighted from one interior point to another.

Senators can not be unaware of the Atlantic seaboard cases which were submitted to the Interstate Commerce Commission for arbitration some dozen years ago. This case involved freight charges from what is known as the Chicago district, which would take in the greater portion of the States immediately surrounding Chicago and the terminals of New York, Philadelphia, Boston, and Baltimore. This case was most important, because for the first time the commission was called upon to determine the propriety and feasibility of a mileage tariff rate. The commission soon found that to be wholly impracticable, and so they entered an order compelling the rates either to be raised at one of these terminals or lowered at another, the purpose being to balance the shipments over all of the lines so as to give each one what the commission considered its proper proportion of the carrying trade under all the circumstances. The case is of special importance, because of the reasons which were given for the decision. The chairman of the commission, speaking for that body, in substance stated that not only were the terminals—the Chicago district and these Atlantic cities—interested in the question, but that every little town along every line of those railways was also as deeply interested; that freight rates must necessarily depend upon the volume of business; and that if rates from Chicago to Baltimore over the shorter route were sufficiently low to take all of the shipments of grain or meat or other merchandise for export, it would so decrease the volume of business on the other roads as to add to the cost per ton of transportation; and if the other roads, which were compelled to haul a longer distance, were also compelled to meet the Baltimore rate, they would have to make it up in the intermediate business by charging higher rates between intermediate points. And so the commission arrived at the only conclusion that it could arrive at, that these roads must be so operated as to do justice to themselves and to all of the people served by them along the entire route.

By this proposition to free the coastwise vessels of all toll charges, Congress is attempting to do that very thing which the Interstate Commerce Commission ruled could not be done without injustice to all the people of the interior. An analogy is sought to be drawn between the free use of our ports and harbors and navigable rivers, paid for by the people generally, and the free use of the canal connecting the oceans at the Isthmus of Panama, some two or three thousand miles distant. While there is no analogy whatever, the assertion of the analogy kills the argument in favor of free tolls. Our harbors are free to the shipping of the whole world. Our harbors are free to both our coastwise and foreign trade vessels. We do not discriminate between any vessels. To charge our vessels engaged in foreign trade for using our ports and giving free use of them to our coastwise vessels would be the same wrong and unjust discrimination you are committing by granting our coastwise vessels free tolls. There might be some justification for discriminating in favor of our vessels engaged in foreign commerce which must compete with the carrying trade and subsidized vessels of the world, but never in favor of those vessels which have no foreign competition. They should all be free alike, or they should all pay alike.

Mr. President, in closing I can not but feel, and deeply feel, that this is not a mere question of dollars and cents. The matter of the payment of these tolls is a bagatelle; but we can not measure national integrity in dollars and cents. We can throw our dollars to the winds, but we can not throw national character to the winds. The President of the United States has taken a lofty stand in this case, and no matter whether we be Democrats or Republicans we ought to stand by him in his effort to uphold the national integrity of this Government in the eyes of the whole world.

You talk to us about our surrendering our authority over our domestic concerns. Mr. President, we never make an agreement with any other nation that we do not surrender some of our domestic rights. The reason for entering into an agreement is that one nation has rights which the other nation desires it should not exercise, and in consideration of that there is requested of the other nation that it yield some of its authority over its own domestic concerns.

We are surrendering nothing more than we surrender when we make an agreement that gives to the trade of one nation the same rights in our country that we give to the others. Every "favored-nation" clause in our treaties is yielding a domestic right; we are surrendering a right over our internal affairs. Every reciprocity agreement made in relation to tariffs or any other matter is an agreement whereby for a just and valuable consideration we in turn surrender some other consideration—some domestic right.

I can not imagine, Mr. President, how any Senator in this Chamber who will read the history that precedes the Clayton-Bulwer treaty, who will read the Clayton-Bulwer treaty following our declarations, and who will then read the declarations of this Government in all its statements from that time down to 1901, can for one moment question our great national policy of equality of treatment of all vessels which might use that canal. Then when we come down to the conditions, the views of both Governments at the time we entered into the great obligation known as the Hay-Pauncefote treaty, when we stop and read the declaration of the British press and the declaration of the American press that coincide exactly, showing that the views of the two nations have never changed in the slightest degree, when we follow that up with the declaration of our negotiators that I have given you here to-day, in which they declare over and over again that the general principles of neutrality enunciated in the Clayton-Bulwer treaty should not be violated or impaired by this Government, and when we follow that up by the declarations that are shown in the letters which I have asked to have printed as a part of this record—I say I can not conceive the possibility of any man's mind being so everlastingly prejudiced that he will close it to all this clear unmistakable evidence of what they and we all understood this treaty to mean, and insist that notwithstanding all this we can read the treaty another way. Our duty is to read that treaty the way the parties understood it to mean when they signed it.

The President of the United States, after due deliberation, and it may be contrary to his first view, has come to a conclusion, and a conclusion that he could not escape, that the honor and integrity of this country before the civilized world is at stake; and it is the duty of the American people to stand by him and keep that Old Flag flying without one single stain of dishonor. I for one purpose to stand by him. [Applause in the galleries.]

The VICE PRESIDENT. The rule of the United States Senate prohibits manifestations of approval or disapproval upon the part of occupants of the galleries. They must not be repeated or the galleries will be cleared.

During the delivery of Mr. McCUMBER's speech,

The PRESIDING OFFICER (Mr. KENYON in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. Senate resolution 156, relative to expenditures for telegrams sent by Senators.

Mr. McCUMBER. I ask unanimous consent that the unfinished business may be temporarily laid aside until I complete this address.

Mr. WILLIAMS. Let it be laid aside until the Senator from North Dakota finishes his address.

The PRESIDING OFFICER. Without objection, it is so ordered.

After the conclusion of Mr. McCUMBER's speech,

AFFAIRS IN MEXICO.

Mr. THOMAS. Mr. President, in yesterday's edition of the New York Times there appeared an article from the pen of Prof. Albert Bushnell Hart, entitled "Huerta not entitled to recognition." It gives a great many facts and, to my mind, a great many arguments in support of the position taken by the administration in Mexican affairs. I ask unanimous consent to have it incorporated as a part of the RECORD without reading.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

[From the New York Times, Sunday, April 5, 1914.]

HUERTA NOT ENTITLED TO RECOGNITION, SAYS PROF. HART—NOTED PROFESSOR OF GOVERNMENT AT HARVARD TAKES ISSUE WITH COL. GEORGE P. HARVEY ON THE MEXICAN SITUATION AND STRONGLY SUPPORTS THE PRESIDENT.

(By Prof. Albert Bushnell Hart, of Harvard University.)

Three years have passed since the Mexican volcano began to rumble and to steam and to quake, preparatory to one of its old-fashioned eruptions. Then came an explosion which blew the existing Diaz Government into kingdom gone. Another crash pulverized the Madero régime.

Forthwith lava began to flow from the northern craters of Chihuahua and Juarez. The nations of the earth crowded out upon their housetops to see the sublime spectacle, and red-hot stones fell even across the Texan border.

The lives and property of foreigners were not respected by this lawless eruption. American citizens and American investments have perished, and the American people feel that something ought to be done to check the lava and soothe the earthquake. Why have we such solid national institutions as an administration, a State Department, and a North American Review, if American mines and oil tanks can be destroyed and American citizens be massacred?

And for the last 12 months a chorus has been rising with the force and steadiness of "We Want Teddy!" at a Progressive convention. That cry is "Recognize Huerta! Recognize Huerta! Recognize Huerta!" Col. Harvey, as chief of the cheering section, still waves and gives in undertone: "Put the umpire out."

He assures us that the umpire is a well-meaning man, whose only defect of character is that he does not read the morning papers. But who knows how long Col. Harvey can restrain the American people from marching to the White House, doing the grapevine all the way, to the cadence of "Recognize Huerta! Recognize Huerta! Recognize Huerta!"

MANY FROM MISSOURI.

There is, however, a considerable section of the American people who occupy neither of the two responsible positions of chief magistrate or chief journalist who feel that a situation so difficult and so tense as that in Mexico can not be defeated by a patent war cry.

This common people is made up of Missourians, who not only want to be shown, but demand to be shown. They ask why the recognition of a particular despot should save Mexico, when the recognition of 20 of his predecessors did not stop the anarchy and misrule of that unhappy country. They suspect that the trouble is bigger than Huerta or Madero or Diaz, that it lies in the character of those whom Col. Harvey so fitly describes as "the grief-stricken people of bleeding Mexico."

A critical point which Col. Harvey overlooks is that the Mexicans were grief stricken and bleeding long before Huerta was born.

In the 93 years since the Mexican Nation first appeared, in 1821, there have been at least 200 so-called revolutions, mostly local, and 30 violent overthrowals of the national Government. Never but twice, once in the fifties and again in 1911, has there been any appeal to a general popular election, with an unrestricted use of the ballot by those who chose to vote. The present situation of Mexico is not abnormal, not something to be set aside by diplomacy or tact or proclamations or a brilliant magazine article, or by shouting "Recognize Huerta!" This is the normal condition of Mexico, which is likely to continue decades after Huerta is gathered to his victims.

The plain uninstructed American public objects to the misconception on this point caused by the 30 years of apparent peace, order, and good government under Diaz. That man came to power by the usual process of murder and treachery. His régime was one of military despotism. He had genius which showed itself in several first-class governmental conceptions. One was that of hiring the brigands as "rurales"; another that of building railroads which could carry troops to the scene of revolts; another that of sharing on a pro rata basis with some of the foreign concessionaires. We admire him as we admire Boss Croker or Louis Napoleon or Abdul Hamid—not as models for American voters, but as crude elemental forces, as men who sincerely believe that the best government in the world is that in which they ride on horseback over the bodies of their fellow men.

DIAZ'S SHORTCOMINGS.

Diaz understood that a quiet, thriving country was best for those who handled its finances. But what did he do to raise the conditions or standards of his people? Did he raise as many millions for public schools as went into his private fortune? Did he teach ideas of economy and saving? Did he attack the inhuman system of peonage? Did he gradually lead the Mexican people to share in their own Government? Did he encourage able men to take responsibility in public affairs?

On the contrary, anybody who chooses may satisfy himself that Diaz kept himself in power only by silencing those who ventured to criticize his Government. Important men were banished or reduced to impotence; less significant men went to prison, and some literally went to the wall. The most that can be said for Diaz's Government is that he returned to the public a larger fraction of its annual contribution for the support of Government than was given by most of his predecessors. He was not so greedy as Santa Ana nor so cruel as Iturbide, but he made a lot of money out of his Mexican business.

The American public has an unconquerable belief that dictators, self-appointed and supported by paid armies, have never in the history of mankind furnished a genuinely good government. The tyrants of ancient Syracuse, the podestas of medieval Italian cities, the Sultans of Persia, the Czar of all the Russias, have lived and apparently flourished; but the despot is a vampire who must always have fresh blood.

WHY HUERTA?

"What was your complaint of the Ottoman Government?" I asked a few months ago of a Bulgarian gentleman who as a boy had lived under the Turkish dispensation. "What was our complaint? That they crushed us to the earth; that whenever a young man arose who might conceivably become the leader of his people, that young man was rooted out." Woe to the country in which the ruler's policy is that of the East Indian monarchs, each of whom as he succeeded to the throne began by putting out the eyes of his younger brothers.

"Recognize Huerta?" What are the guaranties that if recognized Huerta will bear himself as a ruler? Has past experience prepared him? The uninstructed public believes that Gen. Huerta is too little of a general and too much of a cutthroat. He first appears in history as a military officer in the army of Diaz, without any reputation as a statesman or a military man, or a power in the community, that leaked outside the boundaries of his own country. He came forward in the campaign northward from Torreon to Juarez February 18, 1913, as a leader of the armies of President Madero. Then he used his authority over part of the troops to depose and imprison President Madero, who had given him his dignity and opportunity. At once he applied for diplomatic recognition, which was accorded by most of the powers of Europe. The next mark of surpassing greatness was the murder of his former friend and principal.

The tale of that transaction as related by this powerful chieftain, so brave, so magnanimous, so patriotic, is that he sent his predecessor, who was a helpless captive in his hands, from one prison to another at night, with an escort so slender that when the cortege was attacked it was unable to protect its prisoner, and he was consequently shot by his friends. The "strong man," the fighter, the leader for 15,000,000 people, takes refuge from the obvious charge of murder behind the plea that he was so inept an administrator and so timorous a commander that he could not secure the safety of a state prisoner nor obedience to his orders by his most trusted troops within a mile of his own palace.

The next evidence of statesmanship was in October, 1913, when a senator of the Mexican Republic, who at least had gone through the forms of popular election, was seized by the orders of the head of that State, who was so powerful that he felt his Government could not survive a public criticism by a fellow citizen. Then he imprisoned 110 members of congress because his policy was so clearly for the interest and happiness of his country that he could not allow any of the 110 to express his mind in opposition.

Somehow the uninstructed American public looks upon Huerta as a legitimate descendant of 20 previous dictators of Mexico—false to his friends, cruel to his enemies, and cowering before the fear that his countrymen might be aroused to depose him. Even such men frequently have the animal attribute of personal belligerency and the willingness to risk their lives for the defense of their rule. Santa Ana, one of the most slippery and contemptible of all Mexican tyrants, commanded two armies which measured swords with the American forces; but where has Gen. Huerta been during the fierce campaigns in the north? Town after town under his protection has been taken by forces of Mexicans which were little better than organized brigands; and Gen. Huerta has remained serenely in his capital.

In the last four days the city of Torreon, the gateway to the City of Mexico, has been besieged and battered, and the military President of the Republic has not stirred to animate his own troops or to share their danger. Cæsar, Frederick the Great, Napoleon, Bolivar, found time in the intervals of statecraft to lead armies to victory. Somehow the uninstructed think President Huerta as a roi fainéant, one of the kind of military commanders who send others where they dare not go.

Every such dictator in Mexico has always had to suffer from the counter dictators who have felt that they possessed the same gifts of superb courage, ability to attract the unquestioning support of the country and patriotic character which enables them to dispense with ordinary humanity.

DAMNATION OR PERDITION?

Huerta is confronting the usual opposition to Presidents of Mexico. Between the federals and the constitutionalists the American people perceive only the chance offered to his congregation by the colored minister: "Oh, my hearers, do you realize that there is stretching before you at this moment two roads? One of those roads leads to eternal damnation and the other to everlasting perdition. Oh, my hearers, which road will you choose?"

The principal rival chieftain to Huerta is Carranza, who to the ordinary observer seems to be animated with Huerta's desperate determination that other men shall fight and die, and who never gets into the thick of the fight, or even into the thin of the fight for that matter. He has left the conduct of the campaign to Gen. Villa—a man who combines the lofty qualities of a professed bandit and train robber, a safe breaker, and a captor of a nunnery; a man who habitually, deliberately, and in cold blood kills fellow Mexicans who have opposed him, musket in hand like men, and who have surrendered.

There is no use in mincing words. In international law, in ordinary morals, in the sight of Almighty God, that shocking business is nothing else but plain, despicable murder—murder without any military advantage; murder for the sake of killing. One of his latest achievements has been to order the homicide of 200 men who had thrown down their arms, on the plea that unless he shot them they would form up again, automatically arm themselves, and attack him in the rear.

Villa's plea is that of the bulldog, that he must eat the rabbit because otherwise that animal will bite his tail off. He has as much capacity for civilized government as a bull in a ring. The plain American people have just the same aversion for Villa that they have for Huerta, or for any other man who seizes upon power in order that he may benefit himself and massacre his enemies.

A SAFE RULE.

In international law it is a safe rule that every government which actually represents a nation is entitled to recognition and to diplomatic intercourse. But amid the dust and gore of Mexico it is difficult to distinguish a figure which seems to deserve official recognition by the United States of America.

The personal character of Huerta or of Villa is a factor in forming a judgment as to the realities of the Mexican situation, but ought not to be a determining reason for refusing to recognize one or the other. Our Government has never been oversolicitous about the private character of the heads of other Governments. In 1846 the eel-like Santa Ana was given a safe conduct back into Mexico so that he might make himself dictator again. King Peter of Servia was recognized by the United States, though he could qualify for the finals in a contest for a cup to the most depraved sovereign. Possibly he set an example to Huerta, since he came to the throne by murdering his predecessor.

The palpable and sufficient reason for not recognizing Huerta as President of the Mexican Republic is that he has never given evidence of being President of the Mexican Republic or that he is the choice of the Mexican nation for any office or dignity. Who declared him to be "provisional President" on February 19, 1913? Gen. Victoriano Huerta. Who proclaimed him to be "provisional but constitutional President" on February 27? Gen. Victoriano Huerta. How did the vacancy occur in the office of constitutional President? Through the assassination of President Madero and Vice President Suarez, while in the custody of men acting under the orders of Gen. Victoriano Huerta. Who profited by this crime, and thereby made himself at best (or at worst) an accessory after the fact? Victoriano Huerta. Who has arrested people who questioned his title, imprisoned, banished, or executed, right and left? Victoriano Huerta. Who dissolved the co-

ordinate legislative branch of the Mexican Government? Victoriano Huerta. By whose direction have taxes and forced loans been made? That of Victoriano Huerta. If the question were that of recognizing a newly created nation of Victoriano Huerta, by its sister power the United States of America, the case would be absolutely complete; every person, corporation, entity, and unit of Government, comprehended within the broad term "Victoriano Huerta," is unanimous in placing the entire public authority in the hands of Victoriano Huerta.

Hence, the only question of international law and practice which the Department of State has been called upon to decide is whether the man who calls himself President of Mexico is either de jure or de facto the President of Mexico. Geographically, he is plainly not the President of all Mexico, for at least a third of its area is outside of his authority. From a military point of view he is not the head of the Mexican Republic, because his forces have been defeated by rebel armies in every pitched battle for many months. Constitutionally he is not President of Mexico, for he should be flanked by a Congress chosen in an open election. As the wielder of supreme authority for the time being he is not entitled to recognition, because he is visibly afraid to leave his capital even to defend his Government against armed enemies.

He makes the plea that all he needs to secure his power is recognition by the United States. What better proof could there be that his power is feeble, unstable, and temporary? The United States of America in 1781 did not need the recognition of our neighbor Spain to assure it of continuance; it was independent because it was really independent. From 1821 to 1826 Mexico lacked the recognition of Great Britain, yet was undoubtedly independent. When Louis Napoleon became Emperor of the French in 1861 he was not dependent on the recognition of Austria, but on the acceptance of his rule by France, which clearly wanted him, whatever his character and whatever the misfortune into which he later plunged his country.

HAGENBECK FOR MEXICO.

As against the heroes of the north, there is something to be said for the hero of the south as an organizer. The most frequent plea for the recognition of Huerta is that he is "the strong man," who, if recognized by the United States, will bring about order and good government. Of course, if he is not strong enough to recover the north, it is hard to believe that he will long hold the south. And what do people mean by "a strong man" in Mexico? To the uninstructed mind the phrase recalls Porfirio Diaz.

The success of Diaz's methods at their best is to be judged by the final outcome of his régime. What is the use of a strong man who, with all his army and finances and prestige, is at last obliged to flee his native country because he has taught his countrymen to abominate him? If by a strong man we mean one who can by brute force compel 15,000,000 people to obey him against their will, the man for President of Mexico is evidently not Huerta, but Hagenbeck, the lion tamer, with his whip and a revolver to encourage his loving subjects.

Doubtless many people are led to believe that Huerta is the Government of Mexico, because he occupies the national capital, gives orders to an army, and is supported by his troops so long as he is able to pay the price. After Gen. Miramon in 1858 became "President substitute" and was recognized by most of the European powers, Secretary Cass instructed Minister McLean that possession of the Mexican capital was not an essential condition of the recognition of the Government; that he should recognize no Government unless it was "obeyed over a large majority of the country, and the people, and was likely to continue." President Buchanan thought that since Miramon "was himself a military usurper, having expelled the constitutional President from office, it would have been a lasting disgrace to the Mexican people had they tamely submitted to the yoke."

WHY RECOGNIZE ANYBODY?

The truth is that there is no constitutional or international reason why anybody must be recognized in Mexico. It would have been well had earlier administrations been less hasty in recognizing dictators whose career was destined to be short. If there are two organizations in Mexico, neither of which can show any proof that it is desired by the Mexican people, the obvious common-sense course would seem to be to recognize neither of them. As Lincoln said in his famous speech in Chicago about slavery:

"I protest now and forever against that counterfeit logic which presumes that because I do not want a negro woman for a slave, I do necessarily want her for a wife. My understanding is that I need not have her for either; but as God made us separate, we can leave one another alone, and do to one another much good thereby."

Is there a Mexican people? Is there a popular will? Is there any known means of determining that will? That is, of course, the radical issue for Mexico and the Mexicans. The prospect of a genuinely popular government is discouraging. Apparently most of the Mexican people would accept a just and moderate Government which was once firmly seated, but, with the single exception of Diaz, the "strong men" have never furnished anything approaching a just and moderate government, certainly not Huerta.

Our American despots are satisfied with the actual control of conventions, legislatures, governors, and parties; but the Mexican wants all that and, in addition, a cocked hat, saber, presidential palace, and bullet-proof automobile. We are not too far from the ordinary habits of Mexican life; bandits have recently attacked railroad trains in Massachusetts and Illinois, and a candidate for the governorship of a Southwestern State seems to rest his claims on the fact that he served a term in prison for being captain of brigands. But the American people have the habit of accepting a defeat in a political election, cordially recognizing the candidates elected by the other party, and then organizing to defeat them at the next election. Such patience and forbearance seem lacking in the Mexican character; with them it is rule or ruin. So long as recognition waits upon the existence of a stable government, it may have long to wait.

And there is a positive and pressing need for official understanding with some authority in Mexico, because the property and lives of foreigners, including many American citizens, are in daily danger. Some of that property arises from questionable dealings with defunct governments; much of it is fairly and honestly won against great difficulties. Most of the Americans who have established themselves in Mexico did so under a government which seemed likely to retain its authority and keep the peace. Our Government owes to those people moral support at all times, and protection in case of need. Of course, that protection can be offered without recognition of this or that Mexican Government, and it is difficult to see how a constitutional president who can not defend the lives and property of his own adherents in the north, could, by recognition, become suddenly powerful enough to defend Americans.

The main difficulty is not dependent on recognition, nor even on the weakness of Mexican government, but in an instability of Mexican character, which seems to make good government impossible. Leaving the Diaz administration out of account, no government in Mexico has ever been much aided by American recognition, or much marred by the lack of it.

WHAT IS TO BE DONE?

Then, what is to be done? How is the United States to protect its nationals, or to make effective those claims for millions of dollars which will soon come pouring in and which in the last resort will have to be paid by the Mexican taxpayer? Failing recognition, intervention has been demanded. If by intervention is meant the military occupation of Mexico, with a view to the pacification of the country and then the withdrawal of troops, there have been some experiences that seem like precedents. A military force was sent to Paraguay in 1859 and to China in 1900. But Buchanan vainly sought from Congress in 1859 authority to send an army into Mexico to break up the Miramon government, and thus open the way for the Juarez government. Even when the French were in Mexico, no American troops ever crossed the border.

It seems tolerably clear that any American expedition would forthwith bring about some approach to a real national government by making every decent Mexican ready to meet the Americans, as Tom Corwin put it in 1846, "to welcome them with bloody hands to hospitable graves." For, strange as it may seem, the Mexicans, who have never learned how to develop the resources of their country or to give it dignity among nations, have an inveterate love of their own land, a furious hatred of those who attempt to diminish their territory, and a willingness to die in its defense, which, among more highly organized nations, might be called patriotism.

Allowing that intervention should begin, when and how is it to end? That is a question of more significance to us than to the Mexicans. Excellent military authorities think that a force of 200,000 men would not be too large for the purpose, which would be by far the largest army ever moved from one country to another in America. And when would that country be ready to take care of itself again? Sixteen years we have been civilizing the Filipinos up to the point where they are unanimous only on one thing, namely, that they want us to leave. Nothing less than a similar experience of education in language, science, and self-government would much affect the disposition of the Mexican people.

WE HAVE ENOUGH TROUBLE NOW.

Supposing that our physical means are sufficient for the task of holding down Mexico, have we not sufficient race and color questions already? Are we so far advanced in the amalgamation of European races, much nearer to us than the Mexicans are in culture and standards, that we can undertake a similar task at long range upon an unwilling people? Is Cuba so certain to remain a dependency instead of to become an integral part of the United States that we can undertake a problem many times more difficult? Have we been so successful in the fair treatment and civilization of our own 300,000 Indians that we wish to be responsible for 14,000,000 more? Is the government of Boston, New York, and Philadelphia so firmly established on principles of truth and righteousness that we can now transfer our energies to the uplift of Tampico and Mazatlan and the City of Mexico?

Von Moltke used to say that he had worked out three different detailed plans for the invasion of England by a German army, but he never could contrive a plan for getting the army back again. A stroke of the pen can send an army into Mexico. How many strokes of the sword will be needed to keep it there?

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10138) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BRYAN. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. SHIVELY, Mr. BRYAN, and Mr. MCCUMBER conferees on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 13044, an act to pension widows and minor and helpless children of officers and enlisted men who served during the War with Spain or the Philippine insurrection, or in China, between April 21, 1898, and July 4, 1902, was read twice by its title and referred to the Committee on Pensions.

DISPOSAL OF COAL LANDS.

Mr. SHAFROTH. I ask leave to introduce a bill for reference to the Committee on Public Lands.

The bill (S. 5167) to regulate the quantity of coal lands which may be entered or controlled by associations or corporations was read twice by its title and referred to the Committee on Public Lands.

Mr. SHAFROTH. It is a short bill, and I should like to have it published in the RECORD. I ask that it be read.

Mr. BRANDEGEE. Let it be printed in the RECORD.

The VICE PRESIDENT. It can be printed in the RECORD.

Mr. SHAFROTH. Very well.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That any association composed of persons now qualified by law to enter coal lands, or any corporation, incorporated under and by virtue of the laws of any State, shall upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States not otherwise appropriated or reserved by competent authority, not

exceeding 2,560 acres, upon payment to the receiver of not less than $10 per acre for such lands where the same shall be situate more than 15 miles from any completed railroad and not less than $20 per acre for such lands as shall be within 15 miles of such railroad, but at a price equal to their fair value to be fixed by the Secretary of the Interior.

No such association or corporation shall own coal lands entered after the passage of this act in excess of said area, at any one time, nor be interested, directly or indirectly, in any other coal lands or coal taken therefrom, and no member of such association or corporation, or stockholder of such corporation, shall own any other coal lands or be interested, directly or indirectly, in any other coal lands, or coal taken therefrom, or in any other association or corporation owning or controlling any coal lands.

SEC. 2. Any association, corporation, member of such association or stockholder of such corporation, who violates any of the foregoing provisions shall, upon conviction thereof, be deemed guilty of a felony and punished by a fine of not exceeding $10,000 or by imprisonment in the penitentiary for a period of not exceeding 10 years, or both.

SEC. 3. If any of such coal lands, entered after the passage of this act, shall be owned, leased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form part of or in any way effect any combination, or are in any wise controlled by any combination in the form of an unlawful trust, or the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by individuals, copartnership, association, corporation, mortgage, stock ownership, or control in excess of 2,560 acres, the title thereto shall be forfeited to the United States of America by proceedings instituted by the Attorney General in the courts for that purpose.

SEC. 4. That of the moneys received for the lands so entered all above the said minimum price shall be paid to the State in which such lands are situate.

THE HAY-PAUNCEFOTE TREATY.

Mr. BRANDEGEE. Mr. President, out of order I desire to have a short resolution printed and lie over until to-morrow. Let the Secretary read it.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 330), as follows:

Resolved, That the President is hereby requested, if not incompatible with the public interest, to cause to be transmitted to the Senate all information, papers, correspondence, and records in the Department of State relative to the negotiation and ratification of the so-called Hay-Pauncefote treaty signed November 18, 1901.

The VICE PRESIDENT. The resolution will lie over under the rule.

EXECUTIVE SESSION.

The VICE PRESIDENT. The unfinished business, which was temporarily laid aside, is Senate resolution 156.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 10 minutes spent in executive session the doors were reopened and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Tuesday, April 7, 1914, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 6, 1914.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF PORTO RICO.

Harvey M. Hutchison to be associate justice of the Supreme Court of Porto Rico.

JUDGE OF THE MUNICIPAL COURT.

Milton Strasburger to be a judge of the municipal court of the District of Columbia.

MEMBER OF THE EXCISE BOARD.

Cotter T. Bride to be a member of the excise board for the District of Columbia.

UNITED STATES ATTORNEY.

Richard Evelyn Byrd to be United States attorney, western district of Virginia.

William Woodburn, jr., to be United States attorney, district of Nevada.

DISTRICT ATTORNEY OF THE CANAL ZONE.

William K. Jackson, jr., to be district attorney of the Canal Zone.

UNITED STATES MARSHAL.

John G. Saunders to be United States marshal, eastern district of Virginia.

Thomas B. Martin to be United States marshal, district of Idaho.

T. G. Burch to be United States marshal, western district of Virginia.

APPRAISER OF MERCHANDISE.

John K. Sague to be appraiser of merchandise in the district of New York.

COLLECTOR OF CUSTOMS.

Norman R. Hamilton to be collector of customs for the district of Virginia.

COLLECTOR OF INTERNAL REVENUE.

Richard C. L. Moncure to be collector of internal revenue for the second district of Virginia.

John M. Hart to be collector of internal revenue for the sixth district of Virginia.

Vincent H. Riordan to be collector of internal revenue for the twenty-eighth district of New York.

RECEIVER OF PUBLIC MONEYS.

Edward J. Hughes to be receiver of public moneys at Dickinson, N. Dak.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

To be captains in the Medical Corps.

First. Lieut. Henry C. Michie, jr.
First Lieut. Lauren S. Eckels.
First Lieut. Albert P. Clark.
First Lieut. Charles E. McBrayer.
First Lieut. Eugene G. Northington.
First Lieut. Harley J. Hallett.
First Lieut. Sanford W. French.
First Lieut. Thomas J. Flynn.
First Lieut. George E. Pariseau.
First Lieut. Danied F. Maguire.
First Lieut. Edward C. Register.
First Lieut. John M. Willis.
First Lieut. Joseph L. Siner.
First Lieut. William Denton.
First Lieut. Joseph O. Walkup.
First Lieut. John J. Reddy.
First Lieut. Herbert H. Sharpe.
First Lieut. Lloyd A. Kefauver.
First. Lieut. William T. Cade, jr.
First Lieut. John R. McKnight.

POSTMASTERS.

ARKANSAS.

W. G. Williamson, Helena.

CALIFORNIA.

Clarence M. Burnett, Tulare.
W. H. Comstock, Folsom City.
Rosalia A. Crandall, Etna Mills.
S. H. Hawkins, Ione.
I. W. Hays, Grass Valley.
Cleon Kyte, Arroyo Grande.

GEORGIA.

Julia Fleming, Sparta.

KANSAS.

J. F. Bottorff, Mound Valley.
Charles R. Havens, Wellington.
Hugh N. Jones, Lebo.
J. E. Johnson, Geneseo.
John M. Winter, Manhattan.

IDAHO.

Peter M. Davis, Boise.
Edna West Keyes, Challis.

INDIANA.

Charles Roy Morris, Salem.
Gordon N. Murray, Nappanee.
Clinton Rogers, Markle.
William A. Service, Greenfield.
Frank E. Watson, Corydon.

IOWA.

Henning L. Holmquist, Sioux Rapids.
Peter McCallum, Iowa Falls.

MAINE.

James B. Clark, Wiscasset.
Vivian E. Howe, Presque Isle.

MASSACHUSETTS.

Luther W. Clark, South Deerfield.
Thomas J. Drummey, East Pepperell.
John M. Johnson, Lenox.
Elmer E. Landers, Oak Bluffs.
John H. McDonald, Andover.
Henry L. Pierce, Barre.

MICHIGAN.

Andrew B. Goodwin, Carson City.
Harvey E. Kidder, Ionia.

MINNESOTA.

Martin J. Casey, Jordan.
Everett W. Davis, Detroit.
W. H. Lake, Jasper.
Stephen M. Quigley, Wabasha.

NEBRASKA.

Stephen C. Lynde, Hartington.
Joseph E. Newsom, North Bend.
Thomas A. Sharp, Stanton.
E. D. Wright, Tecumseh.

NEW JERSEY.

Henry Bell, Ramsey.
George E. Borden, Little Silver.
Albert C. Derby, Little Falls.
Daniel M. Fox, Westville.
Martin A. Madden, Morris Plains.
Edward W. Sharps, Oxford.

NEW YORK.

W. H. Lovell, Elmira.
W. Cooke Oille, North Tonawanda.

NORTH CAROLINA.

William L. Arendell, Morehead City.
R. G. Morisey, Clinton.

OHIO.

J. R. Alexander, Zanesville.
Charles P. Dunn, Springfield.
W. H. Gates, Ashland.

OREGON.

Ada H. Haley, Sumpter.

PENNSYLVANIA.

David Burke, Bangor.

SOUTH DAKOTA.

F. B. Boyle, Corsica.
Mathew F. Cummins, Wilmot.
Nathan H. Miller, Lemmon.
Sigurd E. Olsen, Frederick.

TENNESSEE.

B. H. Moore, Halls.

TEXAS.

W. H. Rand, Sulphur Springs.
W. H. Reaves, Lometa.
Horton L. Robertson, Archer City.
E. B. McDougald, Kemp.
J. H. Washburne, Port Arthur.

VERMONT.

Henry D. Allen, Wilmington.
L. H. Crosier, Readsboro.
Robert H. Royce, Johnson.

VIRGINIA.

William M. Calvert, Woodstock.
Snyder B. Downing, Front Royal.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 6, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art from everlasting to everlasting, our God and our Father, our light, our strength, our refuge amid all the changing scenes of life, quicken our susceptibilities, strengthen our good resolutions, and guide us by Thy counsels that we may walk worthy of the vocation wherewith we are called to-day and all subsequent days. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Saturday, April 4, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 10138) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon and had appointed Mr. SHIVELY, Mr. BRYAN, and Mr. MCCUMBER as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4968. An act for the relief of Hyacinthe Villeneuve.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The Clerk will call the first bill on the Calendar for Unanimous Consent.

PATENTS TO PUBLIC LANDS IN CERTAIN CASES.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 1651) to authorize the issue of absolute and unqualified patents to public lands in certain cases.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I suppose the gentleman from Colorado does not desire to pass the House bill.

Mr. TAYLOR of Colorado. No. There is a Senate bill (S. 474) introduced by Senator GRONNA, which is a duplicate of the House bill. It is on the calendar and I would like to have that passed.

Mr. MANN. Let the gentleman ask unanimous consent.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the Senate bill, the duplicate of the House bill, be considered in lieu of the House bill.

The SPEAKER. The gentleman from Colorado asks unanimous consent that a similar Senate bill be considered instead of the House bill. Is there objection? [After a pause.] The Chair hears none. Is there objection to the consideration of the Senate bill?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed in cases where patents for public lands have been issued to entrymen under the provisions of the acts of Congress approved March 3, 1909, and June 22, 1910, reserving to the United States all coal deposits therein, and lands so patented are subsequently classified as noncoal in character, to issue new or supplemental patents to such entrymen, conveying to them the absolute and unqualified title to the lands so previously entered, patented, and thereafter classified as noncoal.

The following committee amendment was read:

Strike out all of said bill after the word "patents," in line 10, and insert in lieu thereof the following: "without such reservation."

Mr. STAFFORD. Mr. Speaker, I would like to have some explanation of this amendment. I find nothing in the report of the committee on the House bill in reference to it.

Mr. MONDELL. Will the gentleman from Colorado yield to me?

Mr. TAYLOR of Colorado. Certainly.

Mr. MONDELL. I called the attention of the committee after they reported the bill to the fact that the Government did not issue such a thing as an absolute and unqualified patent. All patents to land in the western country contain certain reservations, like the right to construct canals, the recognition of water rights. All that is desired here was to have a patent issued in the usual form without the coal reservation, and I suggested the amendment, which simply provides for the issuance of a patent in the usual form.

Mr. STAFFORD. Will the gentleman inform the committee as to the scope or limit of the patent that we issue where the Government reserves the coal deposit and the mineral deposit? I notice in the report that they have difficulty in transferring a limited title where they have merely a surface right granted.

Mr. MONDELL. The gentleman realizes the fact that landowners prefer to have a fee title; a limited title with a reservation of coal is, in a way, a cloud on the title, even though there is no coal there. In these cases where the Government has decided that there is no coal there would seem to be no reason why there should be a reservation of coal in the patent.

Mr. MANN. They get a fee title in these lands.

Mr. MONDELL. Yes; with a reservation.

Mr. STAFFORD. Is it regarded as an incumbrance because others may have the right to go upon the land and prospect for mineral rights, and so forth?

Mr. MONDELL. That is one reason. As a matter of fact, it is not a surface right. The rights people receive are very excellent rights. They are, in fact, as the gentleman from Illinois just said, a fee with a reservation of the coal. They

are very good titles, but they are not as satisfactory as they would be if there was not this reservation.

Mr. STAFFORD. Mr. Speaker, the explanation is entirely satisfactory.

Mr. MANN. Mr. Speaker, I would like to ask the gentleman from Wyoming or the gentleman from Colorado a question in reference to the amendment which the committee has reported—to strike out the language as to the absolute and unqualified title. I agree with the committee in being in favor of the amendment, but it looks to me as though it was a little reflection on the Department of the Interior, which on April 23, 1912, reported on the bill in favor of having an absolute and unqualified title to the lands. Is it true that the Land Office officials in the Department of the Interior have not discovered that the Government does not give absolute and unqualified titles to land?

Mr. TAYLOR of Colorado. I may say, as the gentleman will observe, I had a similar favorable report upon my bill from the last administration.

Mr. MANN. I am not speaking of administrations one way or the other. While these reports are signed by the Secretary or Assistant Secretary, they are made up by clerks, I suppose. Do not the clerks in the Interior Department know what kind of title the Government of the United States issues? Does it have to be left to the distinguished gentleman from Wyoming to inform the present Land Office how the Government issues a title and what kind of a title it issues?

Mr. TAYLOR of Colorado. I can not answer the gentleman positively. Possibly that may be true in this case. I was looking to see if the report on the Senate bill made any mention of it, but I do not observe that it does.

I feel that the amendment, however, is eminently proper, and it seems to me, whether it has been overlooked or not, that it ought to be adopted.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. MURDOCK. What does the bill in its present form, the Senate bill with the amendments, really provide?

Mr. TAYLOR of Colorado. Mr. Speaker, a number of years ago the Interior Department withdrew very large tracts of land that was supposed to be coal land from all forms of entry for investigation and classification. In the State of Colorado they just made a blanket withdrawal of about 9,000,000 acres of land, and much of it was 20 to 50 miles from any coal land. Last year, after examination, they restored almost 2,000,000 acres of that land to entry as noncoal. There was no coal in the country, but in the meantime the gentleman from Wyoming [Mr. MONDELL] with the assistance of some of us passed a bill allowing homesteaders and desert-land entrymen to take surface titles to these coal lands.

Mr. MURDOCK. With a reservation as regards the coal?

Mr. TAYLOR of Colorado. Yes. After the Government made the examination through the Geological Survey, and found there was no coal in the country at all, it left a lot of farmers with only what is called a surface title to their lands. It was really a title with a reservation of coal, but this reservation has been a great nuisance to the people, and they have to put the reservation in leases and deeds and mortgages, and they do not look upon it as a good title. The people in the United States are accustomed to wanting to own the land from the sky above to the center of the earth.

Mr. MURDOCK. But it is a perfectly good title, nevertheless?

Mr. TAYLOR of Colorado. It is not so considered. It is a cloud on the title, and depreciates the value of it, for this reason: There is always a reservation there, and the Government could at any time allow somebody to go and prospect for coal, when there is no coal within 50 miles of the land.

Mr. MURDOCK. Does this bill apply only to those 2,000,000 acres to which the gentleman has referred?

Mr. TAYLOR of Colorado. Oh, no; it applies to other States.

Mr. MURDOCK. It only applies to those lands where withdrawal has been canceled?

Mr. TAYLOR of Colorado. Yes; and afterwards classified as noncoal by the department. It simply directs the Secretary of the Interior Department to issue to these people a title as if the reservation had not been there at all. There will still be a reservation of a right of way for ditches, and so forth.

Mr. MURDOCK. If subsequently a man who has a title under this bill discovers coal on his land, the coal is his?

Mr. TAYLOR of Colorado. Yes; but they are very careful about that. There is not any land that is restored that is anywhere near any coal. My report on this bill describes the objects and purposes of the measure, and I desire to call attention to it as follows:

This bill is identical in language with H. R. 23238, of the Sixty-second Congress, upon which the Public Lands Committee of the House made a unanimous and favorable report, No. 603, second session Sixty-second Congress. The bill is also identical in terms with Senate bill S. 6402 of the Sixty-second Congress, which passed the Senate on February 7, 1913. But neither the Senate bill nor House bill were reached upon the calendar of the House before the adjourning of the Sixty-second Congress on March 4, 1913.

This bill was again submitted to the Department of the Interior of the present administration for report, and the Secretary has reported thereon as follows:

DEPARTMENT OF THE INTERIOR,
Washington, August 26, 1913.

Hon. SCOTT FERRIS,
Chairman Committee on the Public Lands,
House of Representatives.

SIR: In response to your request therefor I have the honor to report on H. R. 1651, as follows:

The bill proposes to authorize the issuance of new or supplemental patents conveying the absolute and unqualified title in cases where patents for public lands have been issued, under the provisions of the acts of March 3, 1909 (35 Stat., 844), and of June 22, 1910 (36 Stat., 583), reserving to the United States all coal deposits therein in instances where the lands so patented are subsequently classified as noncoal in character. This department knows of no reason why this bill should not be enacted.

A similar report was made April 27, 1912, on Senate bill 6402, Sixty-second Congress, identical in terms with this bill, and said bill was passed by the Senate February 7, 1913.

Senate bill 474, present session, identical in terms with this bill, is pending in the Senate, upon which favorable report has been made.

Respectfully,

A. A. JONES, *Acting Secretary.*

The report filed upon this bill in the Sixty-second Congress by the present author gives the reasons for the enactment of the law very clear and specific, as follows:

"Prior to and since the passage of the acts of Congress approved March 3, 1909, and June 22, 1910, large tracts of land throughout the Western States have been withdrawn from entry as coal land. The withdrawals were many of them made in rather a hasty manner and without any opportunity of investigating the character of a large portion of the land withdrawn, and necessarily a very large part of the land withdrawn as coal land was found afterwards, upon investigation, to contain no coal whatever. In many cases nearly whole counties were withdrawn, and afterwards upon investigation found to be noncoal land, and have been so classified. There are large tracts of land now withdrawn for examination for coal, and when they are examined will be found to contain no coal, and will be restored to entry under the public-land laws. But in the meantime, and while the land is withdrawn, and before it is classified as noncoal, the acts above referred to have been in operation, and thousands of homestead entries have been made of the surface right of the land, and surface patents have been issued to the entrymen, reserving to the Government the coal contained therein.

"Everyone recognizes that where there is no coal to reserve a restricted patent and the consequent conditional or limited title is wholly unnecessary and leads to possible violation of contracts, litigation, and uncertainty, and consequent hardships, expense, and losses. The people owning these limited titles are quite insistent upon there being some provision whereby the Government can grant them an unconditional and unqualified title. Reservations in a title are always ground for disputes and are not only a cloud upon the title, but very largely a perpetual nuisance to the owner. So wherever those conditions can be avoided it is deemed best to do so.

"In fact, many people do not feel that they have a good title where they can only obtain a quitclaim deed to the surface or where in every mortgage or lease or conveyance or other instrument affecting the property they must employ a skilled lawyer to put in the necessary reservations to preserve them from liability. It therefore depreciates the value of the property and promotes litigation and is invariably a cause of dissatisfaction. And while the homesteaders have been compelled to take limited surface titles to those lands that were at one time withdrawn as possible coal land, at the same time, where the lands have since been officially and carefully inspected and examined and learned to contain no coal whatever, it is believed that there is no good reason why the Government should not grant an absolute and unqualified title to the land.

"This bill has been prepared and introduced for that purpose. It has met with the hearty and unqualified approval of the Interior Department, as will be shown by their report given below, and your committee believes that the bill should be passed without amendment:

"DEPARTMENT OF THE INTERIOR,
"Washington, April 23, 1912.

"Hon. JOSEPH T. ROBINSON,
"Chairman Committee on the Public Lands,
"House of Representatives.

"SIR: I am in receipt of your request for a report on H. R. 23238, which proposes to authorize the issuance of patents conveying 'absolute and unqualified titles to lands' which have been classified as noncoal in character after the issuance of patents containing a reservation of the coal in the lands patented.

"In reply you are informed that this department knows of no reason why this bill should not be enacted.

"Very respectfully,

"SAMUEL ADAMS,
"First Assistant Secretary."

Since the preparation of that report the reasons for the enactment of this legislation have become much stronger and more apparent and conclusive. There are a very large number of entrymen upon the public domain of the West who settled upon withdrawn coal lands, and almost every month large portions of those withdrawn lands are declared to be noncoal in character and thrown open to unconditional agricultural entry under the public-land laws. In the State of Colorado alone recently 2,000,000 acres of the 9,000,000 that had been withdrawn for more than six or eight years was, after exhaustive examination by the Geological Survey, declared by the Secretary of the Interior to have no coal in it whatever, and was released from that withdrawal and thrown open to agricultural entry. In many cases there are adjoining farms

where one man has an absolute and unconditional title from the Government, while his neighbor has only a surface right. This is an entirely unwarranted hardship and cloud upon the title of the surface entrymen. His land is not worth nearly as much, because he has at best only deficient and defective title. The Department of the Interior fully recognizes this injustice, and has always been favorable to the enactment of this relief measure. The homestead entrymen holding these limited surface titles are vitally interested in having this cloud removed, and are very naturally and justly exceedingly anxious to have this bill passed.

Your committee believes that the bill should expeditiously pass without further amendments.

Mr. BURKE of South Dakota. Mr. Speaker, if the gentleman from Colorado will yield, I would like to make a statement for the benefit of the gentleman from Kansas. In the Lemmon land district, in South Dakota, a few years ago the department withdrew practically all of the land in the district on the supposition that there was coal underneath the surface. It practically paralyzed that section of our State, and those who had homestead entries were unable to make final proof; and the gentleman, coming from a Western State, knows what the effect is on a community where that condition obtains. Congress, in order to relieve the situation, passed a law providing that they might make proof and acquire title to the surface.

Mr. MURDOCK. Yes.

Mr. BURKE of South Dakota. In this section of South Dakota to which I refer an examination was made by the Geological Survey later, and out of a million or more acres of land they found about one section, or at most a part of one township, that did have some lignite coal underneath the surface. That was classified as coal land and the balance of the tract was classified as nonmineral in character. In the meantime many patents had issued for the surface to entrymen, and they desire, in view of the fact that their land is the same as other nonmineral land, the same kind of a patent.

Mr. MURDOCK. What is the practical difficulty in transferring land with this reservation in the title?

Mr. BURKE of South Dakota. It is the same as any qualification in a title, and affects to some extent its marketability. There are those who decline or rather object to taking titles with any reservation such as this in the title.

Mr. MURDOCK. If there is no coal there, the matter of coal can not enter into the embarrassment—that is, its presence or nonpresence.

Mr. BURKE of South Dakota. It presumes that possibly there may be, and that somebody is going to trespass on the land for the purpose of prospecting.

Mr. MURDOCK. Then the whole matter does hinge on the embarrassment that would come from trespassing?

Mr. BURKE of South Dakota. Certainly.

Mr. MURDOCK. That is all there is to it?

Mr. BURKE of South Dakota. That, I think, is sufficient in itself to justify the passage of this bill.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

Mr. MONDELL. Mr. Speaker, I move to amend the title by striking out the words "absolute and."

The SPEAKER. Without objection, the title will be amended to accord with the text.

There was no objection.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

MINE RESCUE STATION AT M'ALESTER, OKLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3988) for the purchase of a building and lot as a mine rescue station at McAlester, Okla.

The SPEAKER. Is there objection?

Mr. CLARK of Florida rose.

Mr. MANN. Mr. Speaker, I reserve the right to object. I see the gentleman from Florida, the chairman of the Committee on Public Buildings and Grounds, is on his feet. Does the bill come from his committee?

Mr. CLARK of Florida. It does; yes.

Mr. MANN. I see the reference was changed. How many of these bills have been reported for mine rescue stations?

Mr. CLARK of Florida. I think only two. I think one at Pittsburgh and this one are the only ones I can remember just now.

Mr. MANN. How many are pending before the committee?

Mr. CLARK of Florida. I do not recall another one. There may be, and it seems to me there was one in Tennessee and one in West Virginia, but I do not think they are pending before the committee just now.

Mr. MANN. I have the impression—I may be wrong——

Mr. CLARK of Florida. I think those two were reported in the last general omnibus bill.

Mr. MANN (continuing). That quite a number of these bills have been introduced for mine rescue stations all over the United States; maybe some in Canada.

Mr. CLARK of Florida. They have not been considered by the committee at all.

Mr. MANN. Well, does the gentleman think we ought to pass bills of this character by unanimous consent without having defined what the policy of the Government is in reference to this matter?

Mr. CLARK of Florida. I think we ought to pass this particular bill, because if the gentleman will read the report——

Mr. MANN. I have done the committee the honor to read the report and the report gives no information whatever—only one page long and two-thirds of it is quotations with not much information.

Mr. CLARK of Florida. There is not much about it. The only information offered our committee is this: That some mine workers and operators out in Oklahoma bought this property and constructed this building, or they bought the building, rather, and they failed to pay for it, and there is about $5,500 left unpaid. Dr. Holmes, who was before the committee, said the property is admirably suited for this purpose, and the property is undoubtedly worth $10,000, and these mine workers and operators now propose to turn the property over to the Government if the Government will pay the residue of $5,500. That is all there is to it. Dr. Holmes, in whom the committee has great confidence, states that this rescue station is needed. There was an opportunity for the Government to make at least $4,500 by the transaction and get the property, which he says is admirably suited to the purpose in view. Believing that, and that the property would probably be lost to the Government unless steps are taken now to secure it, the committee saw fit to report it. Of course, if the gentleman wants to object, it is entirely within his right to do so.

Mr. MANN. Well, here is a case where certain gentlemen concluded they wanted a mine rescue station and they would superintend it. They were going to pay the money; it was for their benefit. Finally they got started on the enterprise and they flunked on it, and now they are proposing that we ought to pay for this. They selected the place, they started the project, and now they say to the Government, You pay for it or it will be lost. I do not put such a great deal of confidence in such a proposition.

Mr. CAMPBELL. Will the gentleman yield?

Mr. CLARK of Florida. Certainly.

Mr. CAMPBELL. The situation in Oklahoma in the mining country is very much like the situation in the mining country in my district. We have a mine-rescue car that is stationed in that section of the country, and it is necessary to have these rescue stations in order to carry out the work that is laid out by the department in case of mine accidents; and it is necessary that there shall be Federal control of that rescue station because the work of the station is by the Federal Government. The rescue station is part of the policy we adopted here some five years ago, and this is simply to carry out the work that was authorized and directed to be done——

Mr. MANN. Authorized and directed by whom?

Mr. CAMPBELL. By the Government of the United States.

Mr. MANN. About this station?

Mr. CAMPBELL. Oh, this station, as I say, is an incident to the work that was directed to be done by the Federal Government in connection with accidents in mines.

Mr. MANN. Dr. Holmes does a great work; I have no doubt about that. He is the most enterprising and pushing man connected with any government in the world in the way of extending the jurisdiction of his own bureau. No one else can hold a candle to him for one moment in pushing. He is doing good work; but I doubt very much the desirability of letting him, without asking Congress anything about it, where mine-rescue stations are located through private arrangement, say to Congress, "Here, you pay the bill." I think we are fully able to determine those matters for ourselves.

Mr. CAMPBELL. In this case the mine-rescue station will be located at the place designated by Dr. Holmes if we have been contemplating such a site for such a station.

Mr. CLARK of Florida. Yes; if the gentleman will permit me, we are paying $480 a year rent for this particular place now. We are paying $40 a month, or $480 a year.

Mr. MANN. We are paying rent for a great many buildings in Washington and elsewhere, I will say to the gentleman; on a great many buildings——

Mr. CLARK of Florida. Yes; we are.

Mr. MANN (continuing). Throughout the country, but I have not yet discovered the fact we pay rent is a conclusive argument in favor of building the building.

Mr. CLARK of Florida. Not at all. The gentleman admits that this a good work. Here is a mine rescue station which has been established with the consent of the persons charged with that duty, and the Government is paying $40 a month, or $480 a year, rent, and for $5,500 we can get a property worth $10,000 and save the payment of that rent. We have either got to do that or we will construct a building at that same place at a much greater expense.

Mr. MANN. I have discovered this: That when Dr. Holmes is driving the team every Member of Congress can put on the brakes and then it will go ahead faster than any other team in the Government service.

Mr. CLARK of Florida. Mr. Speaker, if my friend wants to take the responsibility of objecting to his kind of work——

Mr. MANN. That does not bother me at all. I object. That brings it to a head.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects, and the Clerk will report the next bill.

TERMS OF COURT AT STEUBENVILLE, OHIO.

The next business on the Calendar for Unanimous Consent is the bill (H. R. 5849) to amend section 100 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. BRUMBAUGH. Mr. Speaker, reserving the right to object——

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to have the bill read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 100 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same is hereby, amended so as to read as follows:

"SEC. 100. The State of Ohio is divided into two judicial districts, to be known as the northern and southern districts of Ohio. The northern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Ashland, Ashtabula, Cuyahoga, Carroll, Columbiana, Crawford, Geauga, Holmes, Lake, Lorain, Medina, Mahoning, Portage, Richland, Summit, Stark, Tuscarawas, Trumbull, and Wayne, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of Auglaize, Allen, Defiance, Erie, Fulton, Henry, Hancock, Hardin, Huron, Lucas, Mercer, Marion, Ottawa, Paulding, Putnam, Seneca, Sandusky, Van Wert, Williams, Wood, and Wyandot, which shall constitute the western division of said district. Terms of the district court for the eastern division shall be held at Cleveland on the first Tuesdays in February, April, and October, and at Youngstown on the first Tuesday after the first Monday in March; and for the western division, at Toledo on the last Tuesdays in April and October. Grand and petit jurors summoned for service at a term of court to be held at Cleveland may, if in the opinion of the court the public convenience so requires, be directed to serve also at the term then being held or authorized to be held at Youngstown. Crimes and offenses committed in the eastern division shall be cognizable at the terms held at Cleveland or at Youngstown, as the court may direct. Any suit brought in the eastern division may, in the discretion of the court, be tried at the term held at Youngstown. The southern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Adams, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Highland, Lawrence, Miami, Montgomery, Preble, Scioto, Shelby, and Warren, which shall constitute the western division; also the territory embraced on the date last mentioned in the counties of Athens, Belmont, Coshocton, Delaware, Fairfield, Fayette, Franklin, Gallia, Guernsey, Harrison, Hocking, Jackson, Jefferson, Knox, Licking, Logan, Madison, Meigs, Monroe, Morgan, Morrow, Muskingum, Noble, Perry, Pickaway, Pike, Ross, Union, Vinton, and Washington, which shall constitute the eastern division of said district. Terms of the district court for the western division shall be held at Cincinnati on the first Tuesdays in February, April, and October; and for the eastern division at Columbus on the first Tuesdays in June and December, and at Steubenville on the first Tuesdays of March and October: *Provided*, That suitable rooms and accommodations for holding court at Steubenville shall be furnished free of expense to the Government until the completion of the Federal building: *And provided further*, That terms of the district court for the southern district shall be held at Dayton on the first Mondays in May and November. Prosecutions for crimes and offenses committed in any part of said district shall also be cognizable at the terms held at Dayton. All suits which may be brought within the southern district, or either division thereof, may be instituted, tried, and determined at the terms held at Dayton."

Also the following committee amendment was read:

On page 3, line 15, strike out the colon after the word "October" and insert in lieu thereof a period and the following:

"Grand and petit jurors summoned for service at a term of court being held at Columbus may, if in the opinion of the court the public convenience so requires, be directed to serve also at the term being held or authorized to be held at Steubenville. Crimes and offenses committed in the eastern division shall be cognizable at the terms held at Columbus or at Steubenville, as the court may direct. Any suit brought in the eastern division may, in the discretion of the court, be tried at the term held at Steubenville."

The SPEAKER. Is there objection?

Mr. BRUMBAUGH. Mr. Speaker, reserving the right to object, the gentleman from Ohio [Mr. FRANCIS] is not present, and if this matter is to be gone into I desire to have read a letter written by Federal Judge John F. Sater in reply to a letter from Mr. FRANCIS relative to this matter.

Mr. MANN. Mr. Speaker, I suggest to the gentleman that he have the letter read, and then, in the absence of his colleague, ask to have the bill passed over.

Mr. MURDOCK. Why would it not be a good plan to have the letter read at the time of the consideration of the measure?

Mr. MANN. We can have it read for information.

The SPEAKER. The gentleman from Illinois [Mr. MANN] suggests that the letter be read.

Mr. BRUMBAUGH. Mr. Speaker, I ask unanimous consent that this letter, which is written in reply to an inquiry made of the judge by Representative FRANCIS, be read.

The SPEAKER. From whom does the letter come?

Mr. BRUMBAUGH. The Federal judge, Mr. Sater.

The SPEAKER. Without objection, the Clerk will read the letter.

Mr. MURDOCK. Now, Mr. Speaker, will the gentleman yield? Are you to take this bill up now or pass it over?

Mr. BRUMBAUGH. If it is to be taken up now, I want the letter read. If it is to be passed over, I do not want it read.

The SPEAKER. It is up now, and there is nobody asking to have it passed over.

Mr. BRUMBAUGH. I object, Mr. Speaker, and will withdraw the letter until the matter is taken up. I ask unanimous consent that the bill be passed without prejudice. I want to be fair to Mr. FRANCIS.

Mr. MANN. I want to hear the letter.

Mr. MURDOCK. I can not see any point in reading the letter now when the matter is not to be taken up for consideration.

Mr. MANN. Does not my friend from Kansas think he can remember for two weeks?

Mr. MURDOCK. Not a letter.

The SPEAKER. The Clerk will read the letter. The gentleman from Ohio [Mr. BRUMBAUGH] asks unanimous consent that the bill be passed without prejudice.

Mr. MANN. Now, I ask to have the letter read, while reserving the right to object; that is, if it is not a long letter. I do not want to detain the House.

The SPEAKER. Without objection, the letter will be read. [After a pause.] The Chair hears no objection. The Clerk will read.

The Clerk read as follows:

UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF OHIO,
JUDGE'S CHAMBERS,
Columbus, March 9, 1914.

Hon. W. B. FRANCIS, *Washington, D. C.*

MY DEAR SIR: Your letter of March 3 was on my desk on my return from Cincinnati, where I have been holding court. The clerk also handed me your letter to him in reference to the bill now pending in Congress entitled H. R. 5849, relative to the establishment of a Federal court at Steubenville, Ohio.

It is a judge's duty to perform his allotted task and if additional court centers are created I shall endeavor to meet requirements imposed. Your letters call for an expression of my views and I shall therefore give them after having, with the aid of the clerk, gathered the information sought by you.

I am just about to close 7 years of service on the bench, in which 14 terms of court have been held at Columbus. In those 14 terms there have appeared on the civil trial dockets as originating in Jefferson, Belmont, Monroe, and Harrison Counties but 35 cases. Of that number 27 were settled without a trial. Only 8 were tried. This gives an average of 2¼ a term; the number actually tried is slightly over 1 a year. In addition to those which were formally placed upon the trial docket there were 3 injunction cases that were tried and disposed of soon after the filing of the bills. Two of these were strike cases and one involved an oil lease. This brings the total number of cases actually tried in 7 years up to 11. In the same 7 years 26 indictments have appeared on the criminal docket. Of this number only 6 cases went to trial. In all of the others there was either a plea of guilty or for some other reason the cases fell by the wayside without coming to trial. The net result of trials, therefore, in 7 years from the above-named counties is 17. There have been a few cases brought—usually personal-injury cases—which have been settled before they were placed upon the trial docket.

The above indicates the small amount of business coming to the Federal court from the four mentioned counties, and that if a court were established at Steubenville it would involve great expense to the Government and little benefit to litigants or others concerned.

I appreciate that the distance from Steubenville to Columbus is considerable, and that at times it involves some hardship to the parties, their counsel, and witnesses to try a case in the Federal court at Columbus. On the other hand, to construct a court room with other suitable conveniences necessary to the operation of a court—such as offices for the clerk, marshal, and district attorney; chambers for the judge, grand and petit jury rooms and witness rooms—means a large expenditure for the Government. The mere opening of a term of court also involves quite an expenditure. Almost all of those connected with the court are allowed, and properly so, their traveling expenses and

some of them a per diem for living expenses. Their compensation is such that they could not be induced to accept a position which requires much traveling about if they were to pay out of their own funds on the several trips their railroad fare and living expenses. Jurors are allowed a mileage and $3 per day. To say nothing of the interest on the investment for proper quarters for the conduct of the business of a court, the operating expense is great.

The question therefore is: Shall the United States bear the burden incident to the cost of such quarters and to the maintenance of a court which, if history repeats itself, will have so little to do? If it be conceded that there will be come increase in business resulting from the establishment of a court, I dare say it will not be seriously contended that it will come from either Monroe or Harrison County, for the reason that the employment of the people of such counties is not of the character which brings litigation to any appreciable extent into the Federal courts.

The history of the effort to maintain a court at Dayton ought to be helpful. That is a much larger city than Steubenville and, reckoning such city and the country tributary, the population is much greater from which business may be drawn than that of the four counties named in your letter. Personally I have endeavored to satisfy those who do or would do business in the Federal court at Dayton. It is fair to them to say that some of the cases originating in Dayton or adjoining territory have been tried at Cincinnati, but they have been pressed by counsel for trial at that place instead of Dayton. This in itself is a significant fact. The largest number of cases ever tried at Dayton at one term was three. There were but four cases on the docket at that term. There have been terms at which there were none for trial. On one occasion I did all the business that was offered or could be done within 20 minutes, adjourned the term of court, and took the next train home. As a jury had been brought in and was entitled to its mileage and per diem, the court officers to their costs, and the Government employees to their mileage and maintenance, those 20 minutes were quite expensive. I finally last fall declined to allow a jury to be called when there was but one case on the docket for trial. This was on account of the abnormal expense which would be incurred in the trial of that one case. It was subsequently placed on the Cincinnati February docket for trial and soon after the opening of the term was settled. In the course of time, on account of the importance and continued growth of Dayton, Springfield, Xenia, and minor towns in the vicinity of Dayton, with their large manufacturing interests, there will be an increased business, but it will be a long time, in my judgment, before it will assume importance.

I am of the opinion that the business in the four counties named in your letter, to wit, Jefferson, Belmont, Monroe, and Harrison, is insufficient to warrant the establishment of a court at Steubenville, and that the locating of a court there will be a costly and disappointing experiment.

If a court should be established there, there should be no October term. There are now seven terms of court to be met by the judges in this district, and frequently both of them are working at the same time on the docket. There are terms in February, April, May, June, October, November, and December. The February term usually laps well into March. Last month my juries were working just about 20 full days, and we got rid, in one way or another, of 29 cases. There is practically a full month's work yet on that Cincinnati term, but I was compelled to suspend temporarily on account of work here and in the circuit court of appeals, while Judge Hollister is going on with equity work. He will take the April term at Cincinnati, which usually runs until about the 1st of July, while I take the May term at Dayton, which this year will have a few cases, and the June term here, the jury work of which has sometimes run quite well into July, but is usually finished late in June. The equity work is ordinarily cleared up in the summer months. The October term at Cincinnati is the big term of the year. Usually one judge works the law side and the other the equity side. The November term at Dayton has sometimes fallen down entirely, but more frequently has had one or two, but never more than three cases for trial. The December term here more frequently runs into January than otherwise. The business in this eastern division has grown in volume and importance greatly since the location of a judge at this point most of the year. If there is to be a court at Steubenville, the terms should be in March and September, and even then there is danger of a conflict as regards the March term and the February term at Cincinnati.

I can not quite understand why you should want in your bill the last two sentences. I can not believe that you appreciate their significance. They were embodied verbatim or in substance in the original bill establishing a court at Dayton, and it was the subject of careful consideration by my late associate, Judge Thompson, and myself. Under those clauses, your clients in Steubenville, Bridgeport, Bellaire, or elsewhere along the Ohio River, if the act is to be literally construed, can be dragged all the way to Dayton to try their cases—can be forced to pass through Columbus, where a court is in session the greater part of the year, and be forced into trials at the still more remote point of Dayton. Citizens of Ironton, Portsmouth, Lancaster, Newark, and Cincinnati may be compelled to go to Dayton to have their cases tried, even though in so doing they are compelled to pass through other points in the district which are much nearer and at which courts are sitting almost continuously. Your clients thus called upon to try cases at Dayton have no protection except such as a trial judge may in the exercise of a possible discretion afford. Instead of giving the litigants the opportunity of trying their cases at the nearest point to their homes, they may be taken in many instances the greatest distance possible within the district. Instead of perpetuating such an anomalous situation, would it not be well entirely to eliminate it from the law?

In the foregoing I have made no mention of bankruptcy matters, for the reason that it is only occasionally a contest arises in a bankruptcy proceeding which calls for a hearing before a district judge. The referee in bankruptcy works out successfully almost all cases.

Yours, very truly,

——— ———.

The SPEAKER. The gentleman from Ohio [Mr. BRUMBAUGH] asks unanimous consent that this bill be passed without prejudice. Is there objection. [After a pause.] The Chair hears none, and it is so ordered.

ANNUITIES TO MEDAWAKANTON AND WAHPAKOOTA SIOUX INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11246) for the restoration of annuities to the Medawakanton and the Wahpakoota (Santee) Sioux Indians, declared forfeited by the act of February 16, 1863.

Mr. STEPHENS of Nebraska. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the next bill.

BRIDGE ACROSS MISSISSIPPI RIVER AT BATON ROUGE, LA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13985) to authorize the construction of a bridge across the Mississippi River at or near the city of Baton Rouge, La.

Mr. ADAMSON. Mr. Speaker, I ask if the gentleman from Illinois [Mr. MANN] has satisfied himself in regard to this bill, which was passed over at his suggestion two weeks ago?

Mr. MANN. I believe I have.

Mr. MOORE. Mr. Speaker, is this merely an extension of the time for the construction of this bridge?

Mr. ADAMSON. That is, generally, the effect of it; but the bill was rewritten in order to eliminate one provision of the old bill.

Mr. MANN. They desire to disagree to the committee amendment, I will say to the gentleman.

Mr. ADAMSON. We want to pass the bill as originally introduced.

Mr. MOORE. The amendment is disposed of?

Mr. ADAMSON. I want to take the amendment out.

Mr. BRYAN. Mr. Speaker, may I ask the gentleman from Georgia a question?

Mr. ADAMSON. Certainly.

Mr. BRYAN. The purpose of the arrangement is, as I understand, to establish a toll system. It is to make possible the charging of tolls?

Mr. ADAMSON. It is a proposition for a bridge and terminal company—a proposition, I believe, to accommodate several railroads.

Mr. MANN. I will say to the gentleman that practically under the existing law tolls are a matter for settlement by the Secretary of War. The provision of the law is that the tolls shall be reasonable and just, and the Secretary of War determines them. This bill, as they desire to pass it, provides that reasonable tolls may be charged and received. That would be allowed under the general law; and then they go on and provide that "no rate for passage of a single passenger on a railroad train shall exceed 25 cents." Of course, the Secretary of War could not allow a higher rate of toll than 25 cents. He could make a lower rate of toll than 25 cents, I think, under the existing law, regardless of the passage of this bill.

Mr. BRYAN. Will it be provided that there shall be no free tolls to the railroad itself that builds the bridge, as in the case of the Panama Canal? [Laughter.]

Mr. ADAMSON. I do not care to take the time to grow facetious on this matter. If the gentleman desires, I will send him an almanac that will answer his question. [Renewed laughter.]

Mr. MANN. I believe that under the general bridge law it is provided that all railroads shall be treated on equal terms. The question as to whether or not the railroad that built the bridge will have to pay tolls itself has not been discussed, but will be determined by the Secretary of War.

Mr. BRYAN. Has the gentleman obtained that information out of an almanac? [Laughter.]

Mr. ADAMSON. I do not think that grade of humor will be found in any almanac.

The SPEAKER. Does anybody want to explain this bill?

Mr. ADAMSON. I think it is fully explained, Mr. Speaker.

Mr. MANN. Let us have the bill read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13985) to authorize the construction of a bridge across the Mississippi River at or near the city of Baton Rouge, La.

Be it enacted, etc., That the Baton Rouge Bridge and Terminal Co., a corporation organized under the laws of the State of Louisiana, its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at or near the city of Baton Rouge, La., at a point suitable to the interests of navigation, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided, however*, That reasonable rates of toll may be charged and received and no rate for passage of a single passenger on a railroad train shall exceed 25 cents.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. MOORE. Mr. Speaker, I would like to ask the gentleman from Georgia if he can tell how long this bridge is to be? What is to be its total length?

Mr. ADAMSON. I do not know that I can give it to you exactly.

Mr. MOORE. It is something over 100 miles from New Orleans, north, and it is upon that point on the Mississippi River where there must be a very heavy flow of water, particularly in flood times. I want to ascertain about how long the bridge would be and what the span would be through which navigation is to pass.

Mr. ADAMSON. It is to be built under the terms of the general bridge act. We leave that to the War Department, you know.

Mr. MOORE. Yes; the gentleman always falls back—and properly, I presume, on the general bridge act.

Mr. ADAMSON. It is not a matter of "falling back." The general bridge law is for a general purpose, so that we would not have to make provision for each case in a special act. We put it in the discretion of the War Department, so that the War Department, which has charge of the improvement of rivers, would see to it that the construction of the bridge would not interfere with the work on the river.

Mr. MOORE. It appears that there is 100 miles or more of navigable water below this bridge to New Orleans, and thence over a hundred miles to the Gulf. One of the great troubles with the Mississippi River arises from floods, and those floods would probably make a tremendous impact against this bridge, so near the mouth of the river. Therefore the question of the width of the span becomes one of very great importance, because in the recent floods in the Ohio River the bridges were swept away, perhaps on account of faulty construction, or perhaps due to the lack of engineering foresight when they were constructed. If the gentleman from Georgia is satisfied that under the general bridge act all these precautions will be taken in a matter of this consequence, I suppose that is sufficient.

Mr. ADAMSON. Mr. Speaker, there is much wisdom in the observations of the gentleman from Philadelphia, as usual, and the Secretary of War and the Chief of Engineers have been imbued with a great deal of the same wisdom. We have delegated to them the administration of the general bridge act, and I think they are keenly alive to the very ideas that the gentleman so aptly expresses.

Mr. MOORE. I thank the gentleman for thus introducing the cooperation of the engineers into this subject.

Mr. ADAMSON. It is their job. They are there to do that work.

Mr. MOORE. I would like to ask the gentleman if actual construction has commenced upon this bridge?

Mr. ADAMSON. It has not.

Mr. MOORE. Then the right of this company to build this bridge is to be extended, because it has not commenced operations at all at this point?

Mr. ADAMSON. I will say to the gentleman that the bridge company was unable to finance the scheme, particularly under the old bridge proposition, where the community had insisted on making it also a public highway bridge; but the community afterwards withdrew that insistence and now consents to making it a railroad bridge.

Mr. MOORE. When we are considering a proposition extending the time for the building of a bridge, the question again arises whether it is expedient to build a bridge of this magnitude. The Baton Rouge Bridge & Terminal Co. want more time. They want from one to three years more time in order to construct a bridge. They had time under the original bill granting them the right to construct the bridge. The gentleman from Georgia says they are not prepared to finance it. Will they be equipped eventually to begin the construction, or is the privilege being granted to them to keep somebody else from building a bridge at that point? What are the facts?

Mr. ADAMSON. Mr. Speaker, they have no privilege. They have never had any. We granted the consent of Congress in order that they could exercise whatever franchise they had under the local law, provided it was done under the guidance and approval of the Chief of Engineers of the United States, charged with the duty of preserving navigation. I have not stated that they are unable to finance this bridge. They failed under the old one, but they can now finance this bridge, and the proposition is to grant consent to build this bridge under the approval and guidance of the Chief of Engineers.

Mr. MOORE. The gentleman is satisfied with that arrangement, and satisfied that this company is as well qualified as any other to build this bridge?

Mr. ADAMSON. I will say to the gentleman that if this one fails and another applies I would favor considering it. I do not want to obstruct navigation with too many bridges.

Mr. MOORE. If the gentleman from Georgia is satisfied, I am.

Mr. ADAMSON. The gentleman and I entirely agree at heart. The gentleman expresses it better than I can; that is all.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. Without objection, the title will be amended.

Mr. ADAMSON. It does not need any amendment. We voted down the amendment.

The SPEAKER. Very well.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PUBLIC BUILDING, MEMPHIS, TENN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11747) to increase the limit of cost for the purchase of a site and the construction of a public building in Memphis, Tenn.

The bill was read as follows:

Be it enacted, etc., That the provisions of the public building act approved March 4, 1913, authorizing the acquisition of a site of a new subpost-office building in Memphis, State of Tennessee, be, and the same is hereby, amended so as to change the limit of cost heretofore fixed for said object from an aggregate of $40,000 to a limit of cost of $100,000 for said site; that any unexpended balance of the appropriation heretofore or herein made for said site and building are hereby made available for both land and building; and that the sum of $60,000 is hereby appropriated, under said new limit, to be immediately available, said sum, or as much of said sum as may be necessary, to be used for the enlargement of the present site.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McKELLAR. Mr. Speaker, I want to offer——

Mr. STAFFORD. Mr. Speaker, reserving the right to object——

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] reserves the right to object.

Mr. STAFFORD. Mr. Speaker, the very brief report that accompanies this bill shows that of the six offers of sites only one of them was beyond the $100,000 limit, namely, one for $181,000; that the respective offers were as follows:

No. 1, $56,000; No. 2, $73,000; No. 3, $181,000; No. 4, $70,000; No. 5, $70,000; No. 6, $90,000.

The sum of $40,000 is at present available, but the committee recommends an additional appropriation of $60,000.

It has been my experience, limited as it may be, that when we increase appropriations for sites the landowners generally accommodate the Government by raising their prices to the maximum amount allowed. Here we have four available sites under $73,000, and yet the committee recommends an appropriation of $100,000. I should like to inquire of the chairman of the committee the justification for increasing the limit away beyond that which would be necessary to acquire one of these four sites.

Mr. CLARK of Florida. The gentleman will observe that the bill provides that any balance left over is to be used toward the construction of the building to be provided for hereafter. The gentleman will see that one site runs up to $181,000.

Mr. STAFFORD. Yes; and I assume that that site is beyond contemplation.

Mr. CLARK of Florida. Yes; undoubtedly; but the best information the committee could get was that a suitable site could be purchased for something around $100,000. These bids are already in. These people, of course, can not charge any more for these particular sites.

Mr. STAFFORD. It is customary, when the appropriation is not adequate, as the gentleman knows, to reject the bids and then readvertise for new proposals.

Mr. CLARK of Florida. Certainly. That will be done, and there will be no difficulty in getting a site for around $100,000—for about that much.

Mr. STAFFORD. I assume that the committee and the department considered that these four or five sites offered at less than $73,000 were suitable sites.

Mr. CLARK of Florida. No; I think not. I do not think they considered that all of them were suitable sites at all.

Mr. STAFFORD. I will call the attention of the gentleman to the opinion of the department on that.

Mr. CLARK of Florida. Does it say that they are all suitable sites?

Mr. STAFFORD. It says:

Proposals have been received for 24 sites, and the prices asked for the 6 which have been recommended as desirable range from $56,000 to $181,000.

So these four sites, offered for less than $73,000, are considered by the department as desirable sites. Why should we increase the appropriation beyond that amount which is needed for a desirable site?

Mr. CLARK of Florida. Does the gentleman believe that the department is going to pay any more than it thinks is absolutely necessary?

Mr. STAFFORD. As I said in my preliminary statement, I have known cases where an inadequate amount was recommended in one public-building appropriation bill, and a higher amount was subsequently recommended two or four years afterwards and the property owners raised the price to the amount of the increased appropriation.

Mr. CLARK of Florida. I wish to say this to the gentleman——

Mr. STAFFORD. I do not wish to do anything to prevent the gentleman from Tennessee [Mr. MCKELLAR] from obtaining adequate money to go ahead with his building proposition, but I think we should be on guard, and should not give any bonus to these property owners.

Mr. CLARK of Florida. I want to say to the gentleman that this committee has done the very best it could in all these matters. In the matter of the gentleman himself the committee did the best it could.

Mr. STAFFORD. I do not question that at all.

Mr. CLARK of Florida. And the committee were largely guided in their action by the statement of the gentleman himself as to conditions in his own community.

Mr. STAFFORD. Yes.

Mr. CLARK of Florida. And the committee in acting upon this bill acted largely upon what the gentleman from Tennessee [Mr. MCKELLAR] said about conditions in his own community. We have investigated the whole matter. We are not to have any omnibus bill, and we are only presenting to this House those matters which appear to us to be urgent and in the nature of emergencies. Now, if the gentleman thinks he knows more about it than the committee which has thoroughly investigated it, and the department which has reported upon it, and the gentleman from Tennessee [Mr. MCKELLAR] who comes from that community, and if the gentleman from Wisconsin desires to object to these bills upon that ground, all right.

Mr. STAFFORD. Oh, well, as to that, permit me to say that I have no apologies to make to this House for having pressed upon the attention of the Public Building Committee a bill that had the recommendation of two Assistant Secretaries of the Treasury. The limited amount carried in that bill was the amount recommended by those Secretaries. The chairman of the committee and the members of the comittee treated me very considerately in that matter——

Mr. MANN. And therefore you have no right to have an opinion on anything else.

Mr. CLARK of Florida. The gentleman certainly has a right to an opinion on something else.

Mr. STAFFORD. Here we have no report except a brief excerpt from the statement of the Treasury Department. In the report accompanying the bill which I favored there were two reports of the Secretary of the Treasury. I am perfectly within my rights in calling the attention of the House to this condition and in asking for information. I do not think the chairman of the committee is called upon to intimate that I was particularly captious or inconsistent in making these queries, which are entirely within my rights. Now, I am still seeking information.

Mr. CLARK of Florida. Just one moment. I want to ask the gentleman if he does not think that a committee of this House ought to rely considerably upon the statement of the Member of Congress coming from the community, acting upon his oath as a Member before the committee, as to conditions existing in his community?

Mr. STAFFORD. There is no question about what the gentleman says.

Mr. CLARK of Florida. We acted here upon what the gentleman from Tennessee said.

Mr. STAFFORD. In reply to the gentleman, I should like to say that there is nothing in the report of the committee to show that the gentleman from Tennessee [Mr. MCKELLAR] came before the committee and made a statement as to the conditions there.

Mr. CLARK of Florida. Here are the hearings.

Mr. STAFFORD. There is nothing in the brief report that will justify any semblance of that statement. Now I am inquiring for information that not only the House but the country ought to have.

Mr. CLARK of Florida. The hearings were had and printed, and the gentleman could get them, if he desired.

Mr. MANN. May I humbly ask my friend from Florida a question, at some risk to myself? [Laughter.]

Mr. CLARK of Florida. Not the slightest risk to the gentleman.

Mr. MANN. The gentleman has been taking heads off so fast that I did not know whether he would allow anyone to question an act of the committee or not. He says that the committee acted on a report from the department and the statement of the gentleman from Tennessee [Mr. MCKELLAR]. The report on the bill fails to include any statement whatever concerning the report from the department or the statement of the gentleman from Tennessee. Does not the gentleman from Florida think that in making a report to the House the House is entitled to some of the information that comes before the committee?

Mr. CLARK of Florida. Absolutely.

Mr. MANN. Why do we not get it?

Mr. CLARK of Florida. Does the gentleman think that in reporting on a bill of this kind, in addition to having the hearings printed at great expense——

Mr. MANN. They are not printed at great expense and they are not accessible to Members of the House.

Mr. CLARK of Florida (continuing). That we ought to include in that report the information we get from the department in full——

Mr. MANN. I think so absolutely.

Mr. CLARK of Florida (continuing). And reprint the hearings?

Mr. MANN. The gentleman knows that I do not ask that.

Mr. CLARK of Florida. The printed hearings are there, and if any gentleman on the floor desired to get a copy of those hearings he could get it. I do not understand it to be the business of the chairman of the committee to furnish all the Members of the House with copies of the printed hearings.

Mr. MANN. No; but I do understand it to be the duty of the committee, in reporting a bill, to give some information in the report upon which the committee acts and not come into the House and say, "We have had hearings and you can send and get the hearings." The report is made for the purpose of furnishing information to the House. Members of the House are not required or supposed to hunt the committee rooms asking for hearings; it is the duty of the committee to furnish information to the House. The gentleman from Florida takes exception to some one questioning a bill reported from the committee and says it had a report from the Secretary of the Treasury, which is not in the report, and says it had a statement of the gentleman from Tennessee, which is not in the report of the committee. We are entitled to information and there is none in this report. I have noticed that most of the reports from this committee do not contain information of any value; then when we ask a question on the floor of the House we are told that it is none of our business; that the committee has passed on this matter and we can obtain the hearings.

Mr. MCKELLAR. Mr. Speaker, I am the Member from Tennessee referred to, and I will take the greatest pleasure in explaining the entire bill to the House. The Congress at the last session provided $40,000 for the purchase of a substation post-office site near the Union Depot in Memphis. The crowded condition of the main post office at Memphis made it absolutely necessary, in the opinion of the department, which is set out in full in the hearings, that some such step should be taken. It is pointed out in the hearings that it will be an immense saving, fully $6,000 a year to the Post Office Department, if such an arrangement can be made. The committee of the House, and the House afterwards, took that view of it, and they did appropriate $40,000, which was supposed to be enough to buy the site.

When the Treasury Department advertised for sites a number of bids were handed in, but none of them were within the $40,000 limit. The lowest was $56,000, and I think one of $70,000, one of $73,000, and one of probably $90,000, and one more than $100,000. Now, under that situation the Treasury Department reported that there was not sufficient money to buy the site that ought to be bought. A bill was introduced to appropriate $60,000 additional for a site.

Answering the very proper question of my friend from Wisconsin [Mr. STAFFORD], I say that the reason $100,000 was fixed was because the limit of $40,000 before fixed was too small, and if we appropriated enough to make exactly $73,000, the department might conclude that they wanted an $80,000 or a $90,000 site instead of the $56,000 site; they might conclude to take the $73,000 site, so it was deemed best by the committee

to fix the limit at $100,000, so that they could get the site that they wanted. If they wanted the $56,000, the extra money could be used in constructing the building. By the way, they recommended a much larger site, indeed, about four times as many square feet as at first was deemed necessary. If there is any surplus that surplus is to be added to the building fund. Eighty thousand dollars has been appropriated for the building, and this surplus would simply be added to the $80,000.

It is something that is very much needed down in Memphis, and if there are any other questions about the proposition I will gladly answer them to the best of my ability.

Mr. STAFFORD. Will the gentleman inform the House whether he has any personal acquaintance with the respective sites where the offers were under $73,000?

Mr. McKELLAR. I have not a personal acquaintance so as to fix a particular lot. I am familiar with the whole situation around the station. There are a number of lots, I think the one at $56,000 is not in front of or between the stations. I am not certain about this. We have two brand-new Union Stations. One half of the railroads joined together and built one station and the other half of the railroads built another Union Station about a block and a half away. There are about 16 railroads, I believe, centering in Memphis. The department considers the best site for a post-office building one of those mentioned in their report and near the two stations. My recollection is that the $56,000 site is a little distance away, and therefore farther removed from the new station. The other three sites are more nearly in front of the two stations. The Government should have as wide a choice as possible.

Mr. STAFFORD. These sites are available and desirable, as the department suggests in a letter to you, which is not printed in full in the report. What is the need of appropriating $27,000 more than the highest price for which these lot owners offered to dispose of the property? Does not the gentleman believe if we should carry an additional appropriation of $35,000, making available $75,000, or even $40,000, making available $80,000, he would have sufficient money to obtain a desirable site?

Mr. McKELLAR. It is possible that it might be so, and if the House feels that that should be done, there can be no objection on my part. I have done the best I can. I believe that the other way is best. Unquestionably it will take more than $80,000 to build the building which is to be put on the site. The site is to be larger than first contemplated and desired by the department.

Mr. STAFFORD. Do I understand that these sites are, in the opinion of the gentleman, desirable for the purposes which the department has in mind?

Mr. McKELLAR. I am inclined to think they are.

Mr. STAFFORD. The gentleman knows nothing to the contrary?

Mr. McKELLAR. I could not say anything positively about any particular site. I do not know the exact location of any particular site mentioned in the bids.

Mr. STAFFORD. The gentleman did not state anything to the contrary in the hearings before the committee.

Mr. McKELLAR. No; I did not. I will say this: That in that condition of the building fund I would be very glad indeed to have the additional $20,000 or $10,000 or $25,000 added, if there should be such a surplus from the site fund, for the benefit of the building fund, and that is what will be the result of this bill.

Mr. STAFFORD. I do not wish to be captious about this——

Mr. McKELLAR. I am sure the gentleman is not.

Mr. STAFFORD. I have no objection to increasing the allowance for the building, but I have had some little experience, limited, it is true, where landowners raised the price of their lands after having made one bid to meet the increased allowance made by a subsequent appropriation, and I am trying to guard against that. I do not want to deprive the gentleman in any way at all of the proper building site for his post office.

Mr. McKELLAR. I will say this: That if that were done—that is, if the price were raised over a former bid—the department ought certainly to decline to accept any such bid.

Mr. STAFFORD. Oh, whether it ought to or not, we know that it is done on occasions.

Mr. McKELLAR. I should object to their accepting a bid which increased the price if it were called to my attention.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. McKELLAR. Yes.

Mr. MANN. As I understand it, there has been an appropriation for the site?

Mr. McKELLAR. Yes.

Mr. MANN. And another appropriation for the building?

Mr. McKELLAR. Yes; $40,000 appropriated for the site, and $80,000 for the building.

Mr. MANN. Of course we know these technical bills are often prepared by the department. Did the department prepare the original draft of this bill?

Mr. McKELLAR. No; I did it myself, and I have got to offer an amendment to it.

Mr. MANN. The gentleman having drafted the bill himself, I will ask him what is the meaning of the expression "aggregate of $40,000" in the following language:

So as to change the limit of cost heretofore fixed for said object from an aggregate of $40,000 to a limit of cost of $100,000 for said site.

Mr. McKELLAR. The words are unhappily chosen, and I think they should go out.

Mr. MANN. May I ask the gentleman if he is responsible for the grammar in the bill? Does the gentleman think it proper to say:

That any unexpended balance of the appropriation * * * are hereby made available.

Mr. McKELLAR. No; it is not. I want to say this, that I believe I am grammarian enough to write a sentence in a grammatical manner, and I think this must be a typographical error. I am obliged to the gentleman for his suggestion in respect to the aggregate of $40,000.

Mr. MANN. It should be $40,000?

Mr. McKELLAR. Yes.

Mr. MANN. And the word "balance" should be "balances"?

Mr. McKELLAR. Yes.

Mr. MANN. That should read:

That any unexpended balances of the appropriations heretofore made—

And so forth.

That really brings me to the question I was about to ask—$40,000 is available for the site and $80,000 for the building?

Mr. McKELLAR. Yes.

Mr. MANN. That makes $120,000, and there is $60,000 added here, which makes it $180,000?

Mr. McKELLAR. That is right.

Mr. MANN. And it is all made available for the purchase of a site?

Mr. McKELLAR. Oh, no.

Mr. MANN. Oh, yes.

Mr. McKELLAR. Then if it is I will say it ought to be changed so as to make only $100,000 available for the purchase of a site.

Mr. MANN. There are various bids. One is $56,000, and they run from that on up to $181,000. How does the gentleman know they will not take the $181,000 bid and spend that much money for a site, and then the gentleman will be put through another course here getting further appropriations for the building?

Mr. McKELLAR. Then he will change that right now to prevent that.

Mr. MANN. Here is an authorization to expend $180,000, under this bill, for a site.

Mr. McKELLAR. That is not the intention of the act, and if that construction can be placed on it we want to change it.

Mr. MANN. The bill reads:

That any unexpended balances of the appropriation heretofore or herein made for said site and building are hereby made available for both land and building.

That makes it all available for the building.

Mr. McKELLAR. The words "and building" should be stricken out.

Mr. MURDOCK. No; that would not fix it.

Mr. MANN. Then that would make it all available for the land. I do not see the purpose of putting in the expression—

That any unexpended balances of the appropriation heretofore or herein made for said site and building are hereby made available for both building and land.

The $40,000 which has been appropriated for the land is now available for the site; and, if you add $60,000 to that, that makes $100,000 for the site.

Mr. McKELLAR. I think the gentleman is correct about that.

Mr. MANN. Of course, what the gentleman wants to do is to make any unexpended balance of the $100,000 for the site available for the building.

Mr. McKELLAR. That is precisely what I have in mind.

Mr. MANN. As I said before—and I am very fond of the gentleman from Tennessee—when it comes to drawing a technical bill like this, it is quite advisable sometimes to consult the technical department instead of sitting down and dictating it to a stenographer.

Mr. McKELLAR. That might be all right ordinarily, but when the gentleman from Illinois is here I am always delighted to have his assistance in arranging the matter. He is the best expert I know. The committee is not to blame at all for the verbal inaccuracies in this bill. The errors are all mine.

Mr. MANN. I would like to say that in calling attention to these defects in the bill I have no desire at all to take any chance of being jumped on by a committee which has unanimously reported this bill. [Laughter.]

Mr. McKELLAR. Are there any other questions?

Mr. STAFFORD. Mr. Speaker, I would like to ask the gentleman in regard to one further matter. I notice the last line of the bill says "to be used for the enlargement of the present site."

Mr. McKELLAR. That is to be stricken out. I already have an amendment for that purpose.

Mr. STAFFORD. Is the site already acquired?

Mr. McKELLAR. I say that is to be stricken out.

Mr. STAFFORD. Does not the gentleman think this bill had better be passed over without prejudice for two weeks?

Mr. McKELLAR. I greatly prefer, if the gentleman will permit, to offer these amendments now and that the bill be passed to-day. There is no time like the present, when it is all fresh in our minds.

Mr. STAFFORD. Will the gentleman be willing to accept an amendment making the limit of cost $75,000 instead of $100,000?

Mr. McKELLAR. I will be glad if the gentleman will make it larger than that, say, make it $90,000.

Mr. STAFFORD. But the report shows there are four sites under $73,000 already available.

Mr. McKELLAR. There is one at $90,000, and I suggest the gentleman allow the department that, at any rate. The chairman of the committee calls my attention to the fact that Mr. Newton, the Assistant Secretary, recommended an appropriation of $60,000, and I am inclined to think that the site can be bought, say, for $90,000. I think the department ought to be given that much latitude.

Mr. STAFFORD. Would that be entirely satisfactory to the gentleman, and would it conflict with any statement which he has made before the committee in pressing this bill.

Mr. McKELLAR. I do not think so——

Mr. CLARK of Florida. I suggest the gentleman did state before the committee that the Assistant Secretary recommended $60,000 additional, and that was what was wanted, and that was required, and that is why we recommended it.

Mr. McKELLAR. That is true, and that is the amount wanted, but rather than not pass the bill to-day I will accept the suggestion of the gentleman from Wisconsin.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, do I understand the gentleman from Tennessee strikes out "$100,000" and inserts "$90,000"?

Mr. McKELLAR. I do not say that I am willing, but rather than have the matter go over I will do so. I would like to get the matter passed on now.

Mr. STAFFORD. I know the chairman has given careful consideration to the bill, and I would like——

Mr. CLARK of Florida. Mr. Speaker, I want to say one thing before we get too far in this matter. I want to state I have not said that no one had the right to criticize the committee or to criticize the chairman. I have not said anything of the sort or anything that tended in that direction. What I do say is that gentlemen contend that this committee ought to report the hearings. If we had reported the letter of the Secretary in full, then some gentlemen would have wanted to know why we did not report the statement in full. It is easy, you know, to pick out little things here and there in order to be contentious about these things; but I do not think—I stated it a while ago and I state it now—I do not think it is the duty of this committee, after having the hearings printed, so any Member could get them if he desired them, if they were interested enough to ask for them or call for them, that it is the duty of the committee to set out the hearings in full in the report. Now, we did not report this letter in full, but we did report the meat of the letter. We reported all there was in it that was worth anything to the House or anyone else in reaching a conclusion. Now, I want to say further that our committee rely very largely upon gentlemen in a little matter of this kind. We take it that they know what they are talking about when they go into the merits of a proposition in their own locality. The gentleman who introduced the bill stated this morning certain corrections had to be made in the bill. He has discovered it, and we were prepared to make those corrections in the bill, and these gentlemen have not discovered so many wonderful things as they imagine they have. I am not willing myself to reduce this amount. I think that the committee has acted with all the evidence before them, and I do not believe the Treasury Department is going to spend one cent more than necessary to buy this site. We took it that when sites range from $56,000 to $181,000 that $100,000 is a very fair compromise upon which to secure the site, and especially when it is provided that any balance left over is to go to the building. I can not see where the Government could lose anything and why the amount ought to be changed; but if the gentleman who introduced the bill is anxious to have it done, then the committee will make no objection to it.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, there is an understanding with the gentleman who has introduced this bill, and therefore I shall make no objection with the amendments he is going to offer.

The SPEAKER. Is there objection?

Mr. MURDOCK. Mr. Speaker, what is the understanding?

Mr. STAFFORD. The gentleman would have heard him state it had he been paying attention.

Mr. MURDOCK. No; this was a secret caucus, and I did not get in.

Mr. STAFFORD. There was no secret caucus at all. It was that $90,000 would be recommended——

Mr. MURDOCK. I have been paying attention, but I could not hear the caucus between the gentleman from Wisconsin and the gentleman from Tennessee.

Mr. STAFFORD. The gentleman is always fearful of a caucus——

Mr. MURDOCK. I certainly am.

Mr. STAFFORD. When it relates to just a change of phraseology.

Mr. MURDOCK. I am suspicious of a caucus.

Mr. STAFFORD. The gentleman conjures up too many idle, wild fears.

Mr. MURDOCK. I conjure them up in my own rights in this case. What is the understanding the gentleman from Tennessee had with the gentleman from Wisconsin?

Mr. McKELLAR. I will be glad to read it to the gentleman:

That the same is hereby amended so as to——

Mr. LOBECK. Is this a conference?

Mr. McKELLAR. No, sir; it is a conference in the House.

That the same is hereby amended so as to change the limit of cost heretofore fixed for said object from $40,000—

Striking out the words "an aggregate of"—

to a limit of cost of $100,000 for said site.

Mr. MURDOCK. In part. The gentleman from Wisconsin wanted it $75,000. But go ahead.

Mr. McKELLAR (reading):

That any unexpended balance of this appropriation for said site is hereby made available for the building; and that the sum of $50,000 is hereby appropriated, under said new limit, to be immediately available, said sum, or as much as may be necessary, to be used for the enlargement of the present site.

Mr. MURDOCK. That was the agreement?

Mr. McKELLAR. That was the agreement.

The SPEAKER. Is there objection? This bill is on the Union Calendar.

Mr. McKELLAR. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Tennessee [Mr. McKELLAR] asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill for amendment.

Mr. McKELLAR. Mr. Speaker——

The SPEAKER. Is there a committee amendment?

Mr. McKELLAR. No; it is an amendment which I am offering on the floor. Mr. Speaker, I move to strike out, in line 8, page 1 of the bill, the words "an aggregate of."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 8, strike out the words "an aggregate of."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. McKELLAR. Now, Mr. Speaker, I move to strike out, in line 9, on page 1, the figures "$100,000" and insert in lieu thereof the figures "$90,000."

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

Mr. McKELLAR. Then, in line 10, page 1, I move to strike out the word "the" and insert in lieu thereof the word "this."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 10, after the words "balance of," strike out the word "the" and insert in lieu thereof the word "this."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKELLAR. And in the same line strike out the words "heretofore or herein made."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 10, strike out the words "heretofore or herein made."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKELLAR. And in line 11, page 1, strike out the words "and building are" and the words "for both" and insert after the word "site" the word "is."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 11, strike out the words "and building are"; and at the end of the line strike out the words "for both"; and after the words "site," in the same line, insert the word "is," so that the line as amended will read:

"Said site is hereby made available."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. McKELLAR. And in line 12, on page 1, strike out the words "land and" and insert in lieu thereof the words "for the."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 12, strike out the words "land and" and insert in lieu thereof the words "for the."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKELLAR. And in the same line, on page 1, strike out the figures "60,000" and insert in lieu thereof the figures "50,000."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 12, strike out the figures "$60,000" and insert in lieu thereof "$50,000."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKELLAR. And in line 3, page 2, strike out the comma after the word "necessary" and place a period in lieu thereof, and strike out the words "to be used for the enlargement of the present site."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, strike out all after the word "necessary," which is the following language: "To be used for the enlargement of the present site."

Mr. MANN. What goes in there?

Mr. McKELLAR. The amendment is to strike it out entirely at the end of the sentence.

Mr. MANN. That leaves it this way:

To be immediately available, said sum, or as much of said sum as may be necessary.

We have appropriated $50,000 to be immediately available, or as much of said sum as may be necessary.

Mr. McKELLAR. The $40,000 is already available.

Mr. MANN. You had better strike out all after the word "limit." "To be immediately available" is not necessary.

Mr. McKELLAR. I will accept the amendment. I move to strike out all of the words after the word "limit," in line 1, page 2, and the rest of the paragraph.

Mr. MANN. That will give you an appropriation of $50,000 in addition to what you already have, which can be used for the building if there is anything left for the site.

Mr. McKELLAR. That is right.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, lines 1, 2, and 3, after the word "limit," strike out the following: "to be immediately available, said sum, or as much of said sum as may be necessary, to be used for the enlargement of the present site."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. MURDOCK. Mr. Speaker, inasmuch as there has been so much trouble in making up this bill, had we not better have the bill read a third time instead of by the title?

Mr. MANN. I ask unanimous consent to have it read.

Mr. MURDOCK. I ask unanimous consent to have it read as amended.

The SPEAKER. The gentleman from Kansas asks unanimous consent to have the bill as amended read. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amended bill.

The Clerk read as follows:

A bill (H. R. 11747) to increase the limit of cost for the purchase of a site and the construction of a public building in Memphis, Tenn.

Be it enacted, etc., That the provisions of the public building act approved March 14, 1913, authorizing the acquisition of a site of a new subpost-office building in Memphis, State of Tennessee, be, and the same is hereby, amended so as to change the limit of cost heretofore fixed for said object from $40,000 to a limit of cost of $90,000 for said site; that any unexpended balance of this appropriation for said site is hereby made available for the building; and that the sum of $50,000 is hereby appropriated under said new limit.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. McKELLAR, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. MANN. Mr. Speaker, I am inclined to think—I do not know that it is necessary—that we ought to insert after the word "appropriated," in line 1, page 2, the words "out of any moneys in the Treasury not otherwise appropriated."

Mr. McKELLAR. That is the usual language unquestionably; but I do not believe it can be done now, can it?

Mr. MANN. It can be done by unanimous consent. It should come in after the word "appropriated."

Mr. MURDOCK. The bill has been engrossed.

Mr. McKELLAR. Mr. Speaker, it has been suggested that the usual words, "out of any moneys in the Treasury not otherwise appropriated," should be inserted after the word "appropriated" in line 1 of page 2. I ask that that amendment be made.

Mr. MANN. I suggest to the gentleman that he ask that the bill be recalled from second reading and that that amendment be made.

The SPEAKER. The gentleman from Tennessee [Mr. McKELLAR] asks that all the proceedings touching this bill back to the amending period be vacated. Is there objection?

There was no objection.

The SPEAKER. Now the gentleman can offer his amendment.

Mr. McKELLAR. Mr. Speaker, in line 1, of page 2, after the word "appropriated," I move to insert the words "out of any moneys in the Treasury not otherwise appropriated.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 1, after the word "appropriated," insert the words "out of any moneys in the Treasury not otherwise appropriated."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. McKELLAR, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DISPOSAL OF CERTAIN LANDS, FORT BERTHOLD RESERVATION, N. DAK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4988) to provide for the disposal of certain lands in the Fort Berthold Indian Reservation, N. Dak.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 4988) to provide for the disposal of certain lands in the Fort Berthold Indian Reservation, N. Dak.

Be it enacted, etc., That the lands in the Fort Bertholdt Indian Reservation, N. Dak., which on account of their containing coal were reserved from allotment and other disposition under the act of June 1, 1910, entitled "An act to authorize the survey and allotment of lands embraced within the limits of the Fort Berthold Indian Reservation, in the State of North Dakota, and the sale and disposition of a portion of the surplus lands after allotment, and making appropriation and provision to carry the same into effect," shall be subject to disposal under the provisions of said act: *Provided*, That patents issued for such lands shall contain a reservation to the United States of any coal that such lands may contain, but any entryman shall have the right at any time before making final proof of his entry, or at the time of making such final proof, to a hearing for the purpose of disproving the classification as coal land of the land embraced in his

entry, and if such land is shown not to be coal land a patent without reservation shall issue.

SEC. 2. That the coal deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal-land laws in force at the time of such disposal. Any person qualified to acquire coal deposits or the right to mine and remove the coal under the laws of the United States shall have the right at all times to enter upon the lands selected, entered, or patented, as provided by this act, for the purpose of prospecting for coal thereon, upon the approval by the Secretary of the Interior of a bond or undertaking to be filed with him as security for the payment of all damages to the crops and improvements on such lands by reason of such prospecting. Any person who has acquired from the United States the coal deposits in any such land, or the right to mine or remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining and removal of the coal therefrom, and mine and remove the coal, upon payment of the damages caused thereby to the owner thereof, or upon giving a good and sufficient bond or undertaking in an action instituted in any competent court to ascertain and fix said damages: *Provided*, That the entryman or the owner under such limited patent shall have the right to mine coal for use upon the land for domestic purposes at any time prior to the disposal by the United States of the coal deposits.

SEC. 3. That the President of the United States shall appoint a commission consisting of three persons to inspect, classify, appraise, and value all of the lands described in section 1 of this act that shall not have been allotted in severalty to said Indians, or granted or reserved by the terms of this act, said commission to be constituted as follows: One of the commissioners shall be a person holding tribal relations with said Indians, one a representative of the Interior Department, and one a resident citizen of the State of North Dakota. That within 20 days after their appointment said commissioners shall meet and organize by the election of one of their number as chairman. The said commissioners shall then proceed to personally inspect and classify and appraise, in 160-acre tracts, all of the remaining lands described in section 1 of this act, except section 16 and section 36. In making such classification and appraisement, said lands shall be divided into the following classes: First, agricultural land of the first class; second, agricultural land of the second class; third, grazing land; fourth, timberland; fifth, mineral land, if any. That said commissioners shall be paid a salary of not to exceed $10 per day each while actually employed in the inspection and classification of said lands, and necessary expenses, exclusive of subsistence, to be approved by the Secretary of the Interior, such inspection and classification to be completed within six months from the date of the organization of said commission.

SEC. 4. That for the purpose of carrying into effect the provisions of this act the sum of $10,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think this is a rather important bill, and deserves some explanation before it should be put on its passage.

Mr. NORTON. I quite agree with the gentleman from Wisconsin that it is an important measure.

Mr. STAFFORD. Mr. Speaker, I would like to have some special explanation of the proviso in the first section, and also of that provision in the second section which authorizes any person to enter upon these lands and prospect as to coal and pay therefor certain damages to the owners of the surface.

Mr. NORTON. Mr. Speaker, this bill is for the purpose of opening to homestead settlement the surface rights on certain lands on the Fort Berthold Indian Reservation which, by Executive order, were withdrawn from entry under the coal-land provisions of the statutes. As shown in the letter from the Assistant Secretary, dated February 27, 1914, which appears in the committee's report on this bill, at the present time there is no existing law whereby the surface rights of these coal lands can be entered on under the homestead laws, or, for that matter, under any other land laws. No entry can be made on the surface of these lands. The surface of this land is most suitable for agricultural purposes.

Mr. MURDOCK. How extensive is this tract?

Mr. NORTON. Answering the gentleman from Kansas, I will say that, as shown by the report which accompanies this bill, the lands to be opened embrace about 115,000 acres—from 115,000 to 125,000 acres. The settlers on the surrounding lands are very desirous that these lands should be opened to settlement. There is no reason whatever that I can think of or that has been presented to me by anyone why the surface rights to these lands should not be now opened to homestead settlement.

Mr. STEPHENS of Texas. Mr. Speaker, I will state that this bill is exactly on all fours with the bill that was passed with reference to the segregation and disposition of coal lands in Oklahoma.

Mr. STAFFORD. I will ask the gentleman from North Dakota if he is seeking in the bill to dispose only of the surface rights or is seeking to dispose of the coal deposits as well?

Mr. NORTON. Only the surface rights. The bill does not affect in any way whatever the disposal of the coal in these lands.

Mr. BURKE of South Dakota. Mr. Speaker, will the gentleman yield to me for a moment before he leaves the first section?

Mr. NORTON. Yes; I shall be glad to.

Mr. BURKE of South Dakota. I will call the gentleman's attention to line 10, page 2, to the word "reservation," as I did in private conversation with him a moment ago. I suggest that the word "coal" should be inserted.

Mr. NORTON. I had intended to offer that or a like amendment.

Mr. BURKE of South Dakota. I will ask the gentleman if his language is not rather indefinite? It states that any entryman shall have the right at any time before making final proof of his entry to a hearing for the purpose of disproving the classification as coal land of the land embraced in his entry, and if such land shall be shown not to be coal land a patent for that without reservation shall issue. Does not that go so far as to mean that a man would be entitled to a patent if he could at any time before making the final proof of his entry to a patent disprove that the land did not contain any coal?

Mr. NORTON. Oh, I think that would be a very strained construction to put upon that sentence.

Mr. BURKE of South Dakota. Is not that what it says?

Mr. NORTON. No; I do not think it is. That provision there is the same provision that now applies under the general homestead laws to the lands containing coal and that are not included in Indian reservations.

Mr. MANN. Oh, no. We just passed a bill to correct that this morning.

Mr. MONDELL. Mr. Speaker, will the gentleman yield to me?

Mr. NORTON. Yes.

Mr. MONDELL. I will say to the gentleman that if there is any question in regard to that, it could easily be remedied by placing a period in place of the comma in line 9 after the word "entry," and striking out the balance of that language. It is superfluous. I question whether the construction that the gentleman from South Dakota [Mr. BURKE] has suggested could properly be placed upon it; but it is superfluous in any event.

Mr. NORTON. What is the gentleman's suggestion?

Mr. MONDELL. To insert a period instead of the comma after the word "entry," in line 9 of page 2, and strike out the balance of line 9 and all of line 10.

Mr. NORTON. I would be willing to agree to that. I think that that amendment would not change the effect of the bill in the least.

I want to reply to the gentleman from Illinois [Mr. MANN], who is in nearly every case right, but in the statement that he made that we had passed a law to correct this provision this morning he is altogether in error.

Under the existing land laws, when a homestead entryman proceeds to make proof on his land included in any coal-land withdrawal order, if he requests a hearing to disprove the coal classification, he has a right to such a hearing, and he gets it; but the chief trouble has been that this hearing is secured usually only after many, many months of waiting, on the part of the entryman, for the Interior Department to issue the necessary order for the hearing. If at the hearing the entryman disproves the allegations of the Government that the land is coal land, then, under the existing homestead laws, he has the right to an unlimited patent to the land; that is, unlimited as far as the reservation to the Government of any coal right to the land is concerned.

Mr. STAFFORD. Can the gentleman inform the House whether there is any coal, to any extent, on these lands, and what is the character of the deposits?

Mr. NORTON. The only coal in these lands is lignite coal. It is not at present of very great commercial value. There are a few tracts of land on this reservation that contain lignite coal that is of commercial value, but of this 125,000 acres, I dare say, there are not to exceed a few sections of land that contain lignite coal of any considerable commercial value.

Mr. STAFFORD. Has there been a survey by the Geological Survey to determine the character of the coal?

Mr. NORTON. Yes. I understand that the United States Geological Survey has had an examination made of these lands.

Mr. BURKE of South Dakota. Before the gentleman proceeds further, in order that he may explain two or three provisions in the bill, I will call his attention to them. In section 3 there is a provision for the appointment of a commission, and they are to value all of the lands described in section 1 of this act. I should like to know whether they are to appraise them as to their surface value or whether they are to appraise them as to their value including any coal that the lands may contain?

Then I should like to ask the gentleman this further question. This bill requires of the commission that—

In making such classification and appraisement said lands shall be divided into the following classes: First, agricultural land of the first class; second, agricultural land of the second class; third, grazing land; fourth, timberland; fifth, mineral land, if any.

As I understand it these lands were reserved by the act of June 1, 1910, because of their mineral character, and I do not know just what you mean when you say you propose to classify them now into five different classes, one of which being mineral land.

And then I want to call attention to section 4 and to ask the gentleman if this bill is to be enacted into law should not the $10,000 which is appropriated be reimbursable out of the proceeds received from the sale of the lands to be disposed of, or moneys that may be in the Treasury to the credit of the Fort Berthold Indians from the sale of other lands on the reservation that have already been disposed of?

Mr. NORTON. Replying to the questions of the gentleman from South Dakota, I will say that I had prepared an amendment to offer to section 4, providing that this appropriation be reimbursable to the United States, and be paid out of any funds derived from the sale of these lands or any money in the Treasury belonging to the Indians on the reservation. I think it is only just and fair that that should be done.

In regard to the classification this bill provides only, and its purpose is only to permit homestead entry on the surface rights of these lands that were withdrawn from entry on account of their alleged coal character. In line 10, on page 4, it is provided that the classification shall be:

> First, agricultural land of the first class; second, agricultural land of the second class; third, grazing land; fourth, timberland; fifth, mineral land, if any.

I believe that in line 12 the words "fifth, mineral land, if any," might well be stricken out. These words are superfluous, and such classification of these lands is unnecessary.

Mr. STEPHENS of Texas. I think the words "if any" should be stricken out, but not the words "mineral land."

Mr. MURDOCK. That does not make it apply to grazing land.

Mr. MONDELL. Will the gentleman yield for a question?

Mr. NORTON. Certainly.

Mr. MONDELL. There are no minerals on any of these lands, are there?

Mr. NORTON. Not as far as I know.

Mr. MONDELL. Not as far as you know, except coal?

Mr. NORTON. No.

Mr. MONDELL. Is it generally understood that most of the land which has been withdrawn does contain coal of merchantable quantity?

Mr. NORTON. A very little of it contains coal.

Mr. MONDELL. A very little of it. Then, as a matter of fact, about the first thing that ought to be done is to have a further investigation made, with a view of making a nonmineral or noncoal report as to the lands which do not contain coal in fact; or do you assume that all of these lands are to be considered coal lands?

Mr. NORTON. All of this 125,000 acres is now by the order of withdrawal considered coal land.

Mr. MANN. Will the gentleman yield for a question?

Mr. NORTON. Certainly.

Mr. MANN. In this classification and appraisement under this bill is it intended to classify and appraise anything except the surface?

Mr. NORTON. That is all.

Mr. MANN. Ought it not to be so stated? The bill as it stands provides for the classification and appraisement of all lands described in section 1. That is in section 3. And then further on it provides that the classification shall include mineral lands. Manifestly I take it that is not intended to include mineral lands, because of coal deposits. I do not know what may be under the surface, but the classification and appraisement, as I take it, is intended to cover only the surface.

Mr. NORTON. That is correct.

Mr. MANN. And this commission is not to determine whether there is coal under the surface or not?

Mr. NORTON. Not at all.

Mr. MANN. That will be left to the department through the Geological Survey or through the entryman himself.

Mr. BURKE of South Dakota. Will the gentleman let me call his attention to line 2, page 2, where the bill provides that the lands shall be subject to disposal under the provision of said act; that is, the act that provided for the sale of lands other than the mineral lands. The purpose of the provision is to fix the price at which these lands are to be disposed of to the homestead settlers. Consequently, on page 3, line 18, after the word "value" there should be inserted the words "the surface of all the lands described." I presume that is what is desired.

Mr. MONDELL. Will gentlemen let me make this suggestion. Gentlemen talk about surface rights; they are very much more than surface rights, and unless the gentleman wants to change the character of the patent, unless he wants to change the title which these people are to receive, the word "surface" ought not to appear in the bill. It should be some such language as "exclusive of the coal"; some such words to that effect would be more to the point than the word "surface."

Mr. MANN. I take it that in valuing the lands the commission, not knowing whether there is coal under them or not, are not going to increase the value of the lands on the supposition that there may be coal there; all they will value will be the surface.

Mr. MONDELL. I think the matter could be provided for by an amendment, after the word "shall," in line 9, page 4, by inserting the words "without regard to the coal they may contain."

Mr. NORTON. If the gentleman will yield, I would suggest, if he desires to be so very precise and very accurate in the matter, that after the word "value" should be inserted the words "for agricultural purposes."

Mr. MONDELL. You could hardly say that in view of the fact that you are describing some lands as timber lands and some as grazing lands.

Mr. NORTON. There are no timber lands there.

Mr. MANN. I supposed that grazing was an agricultural pursuit.

Mr. MONDELL. And I suppose timber growing is an agricultural pursuit.

Mr. MANN. The forest reserves are in the Agricultural Department.

Mr. MONDELL. Yes; by accident.

Mr. MANN. No; by design. The gentleman from Wyoming ought not to repudiate his own child.

Mr. FERRIS. Mr. Speaker, reserving the right to object, I want to ask three or four questions about this bill. What does the act of June 1, 1910, provide that the price shall be, and what will the classified lands sell for under that act?

Mr. NORTON. The price was fixed by the commission, and the highest price of these lands, as I recall it, was $6.50 an acre.

Mr. FERRIS. Was not there a maximum limitation in that act?

Mr. NORTON. No; I do not think so.

Mr. FERRIS. As I recall, there is a graduated price fixed for these lands.

Mr. BURKE of South Dakota. Not by this act. As I recall, that provided the lands should be classified just as this bill proposes to classify them, into lands of the first, second, and third class, and so forth; and the price was to be fixed by the commission. That was the price that the homesteader obligated himself to pay when he made an entry on these lands, and it was payable in annual installments.

Mr. NORTON. I have here the act of June 1, 1910 (35 Stat., 455), providing for the classification and appraisement of these lands on this reservation. I will read section 7 of the act:

> SEC. 7. That the President of the United States shall appoint a commission, consisting of three persons, to inspect, classify, appraise, and value all of the lands described in section 1 of this act that shall not have been allotted in severalty to said Indians or granted or reserved by the terms of this act, said commission to be constituted as follows: One of the commissioners shall be a person holding tribal relations with said Indians, one a representative of the Interior Department, and one a resident citizen of the State of North Dakota. That within 20 days after their appointment said commissioners shall meet and organize by the election of one of their number as chairman. That said commissioners shall then proceed to personally inspect and classify and appraise, in 160-acre tracts, all of the remaining lands described in section 1 of this act, except section 16 and section 36. In making such classification and appraisement said lands shall be divided into the following classes: First, agricultural land of the first class; second, agricultural land of the second class; third, grazing land; fourth, timberland; fifth, mineral land, if any, but the mineral and timber lands shall not be appraised. That said commissioners shall be paid a salary of not to exceed $10 per day each while actually employed in the inspection and classification of said lands and necessary expenses, exclusive of subsistence, to be approved by the Secretary of the Interior, such inspection and classification to be completed within six months from the date of the organization of said commission.

Mr. FERRIS. Is not there a provision in that act fixing the maximum price at which these lands are to be sold?

Mr. NORTON. No; section 9 of the same act of June 1, 1910, provides for the disposal of these lands, and reads as follows:

> SEC. 9. That said lands shall be disposed of by proclamation under the general provisions of the homestead and town-site laws of the United States and shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the time when and the manner in which the lands may be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, or enter any of said lands except as prescribed in said proclamation: *Provided*, That the rights of honorably discharged Union soldiers and sailors of the late

Civil and Spanish Wars and Philippine insurrection, as defined and prescribed in sections 2304 and 2305 of the Revised Statutes, as amended by the act of March 1, 1901, shall not be abridged: *Provided further*, That the price of said agricultural lands shall be the appraised value thereof as approved by the Secretary of the Interior, and the agricultural lands shall be disposed of under the homestead law and shall be paid for in accordance with the rules and regulations to be prescribed by the Secretary of the Interior upon the following terms: One-fifth of the purchase price to be paid in cash at the time of entry and the balance in five equal installments, to be paid in two, three, four, five, and six years, respectively, from and after the date of entry. In case any entryman fails to make the annual payments, or any of them, when due, all rights in and to the land covered by his entry shall cease, and any payments theretofore made shall be forfeited and the entry canceled, and the lands shall be again subject to entry under the provisions of the homestead law at the appraised price thereof.

Mr. FERRIS. Is it not true that that act provides that each of the classifications shall sell for a specified sum?

Mr. NORTON. No; it does not.

Mr. FERRIS. Some of the Dakota lands have been sold in that way.

Mr. NORTON. But this act of June 1, 1910, does not so provide.

Mr. FERRIS. Mr. Speaker, just a word. Of course, the rule here is quite an old one—so old that it is almost axiomatic—that in South Dakota and North Dakota and in many of the States Indian lands are always sold for the appraised price, the act providing for the expense of a commission to appraise and providing for different methods of arriving at their true value. In our State it has been uniform that Indian lands have been invariably sold under competitive bids. I do not like to object to this bill, but still the time ought to come when the same rule would prevail for the disposition of Indian lands in all States. If it is good to sell lands in one State by competitive bids, it ought to be good to sell them in that way in other States. I have made but one objection since I have been in Congress, and that was where they were diverting some of the irrigation funds.

I do not like to object to this, but it is a common thing to hear in our State constantly that we sit here and let Indian lands be sold everywhere except in our own State on the appraised plan, providing jobs and commissions for those who appraise them, whereas in our State we auction them off at competitive bids. I think the House may as well know that by competitive bids the land nearly always brings more, which, of course, is more in the interest of the Indian. There are times when the bidders overbid themselves, and bid more than they should, and we have bills here from my State and other States which would seem to prove that the competitive bidding system is not the best way, but it seems to me that in the sale of Indian lands—it has never been followed anywhere on lands that are not Indian lands—there ought to be a well-defined method of disposing of them, and that method ought to be applicable in different States alike, so that criticism might not spring up with reference to the different methods of disposing of these lands. For instance, section 3 of the bill has a provision for an extravagant and expensive commission to go on and appraise the land. That would be avoided if they were sold at competitive bids. Section 1 sells coal land under the same provision that the original agricultural entries were sold.

Mr. NORTON. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. NORTON. If these lands were to be sold at competitive bids, would it be necessary, and if not necessary, would it not be a good business proposition, one that would be followed, to have the value of these lands appraised for the benefit of the Indians before the sale? In that way that same expense would be incurred.

Mr. FERRIS. In some cases that has been followed. They appraised the segregated coal lands in my State. Here is an identical case with our own State. It has been quite a good deal of expense and trouble to appraise those lands. I doubted the advisability of it at the time it was passed, but there were those who were unwilling to let them sell the lands without appraisement. They were finally appraised, but the appraisement did not fix the value at which the purchaser should get them, but was there only as a safety valve upon which the lands would always be sold at competitive bids; and the surface lands soon to be sold in our State—every acre, every town lot, and every square foot—will be sold at competitive bids.

Mr. BURKE of South Dakota. Mr. Speaker, the gentleman will, of course, distinguish between the disposition of lands to homestead entrymen and selling lands outright to purchasers.

Mr. FERRIS. Yes.

Mr. BURKE of South Dakota. The gentleman knows that in his State the Secretary of the Interior disposed of some lands in the Kiowa and Comanche Reservations to the highest bidder, where the purchaser was required to comply with the homestead law?

Mr. FERRIS. Yes.

Mr. BURKE of South Dakota. And we have to legislate repeatedly in granting extensions to those people because of the fact that they paid too much for the lands. This tract of land, as it so happens, has no coal that is of any great commercial value. It is lignite coal, and, personally, I would prefer to have seen the coal, whatever it is, go with the land; but the gentleman, I think, will acknowledge that it is rather impracticable to dispose of lands under the homestead laws by disposing of them to the highest bidder. Where you are selling lands outright, it is a different proposition, and all this bill proposes to do is to open these lands for homestead entry and fix a price by appraisement as to what the settler will pay, and, in my opinion, I do not believe they will be able to dispose of the lands at the price the commission will put upon them. I would like to ask the gentleman who introduced the bill whether or not the lands have been filed upon to any considerable extent—the lands which were authorized to be disposed of under the act of 1910?

Mr. NORTON. The larger part of the lands appraised and open for homestead entry under the act of June 10, 1910, has been filed on. There is some of this land that was not filed on at the time the land was opened for entry and is not now filed on, apparently for the reason that the appraised price of the land was higher than anyone cared to pay for it.

Mr. BURKE of South Dakota. Mr. Speaker, I would like to ask the gentleman if it is not true that a great many of the lands that were filed upon have been abandoned because of the high price, and whether or not the gentleman is being importuned by those who are still upon the land requesting some relief by legislation, either reducing the price or giving them their original homestead rights?

Mr. NORTON. To that I must answer in the affirmative. The price placed on some of this land by the appraisers is nearly as high a price as the title in fee simple to land of similar character can be bought for in that part of the country.

Mr. FERRIS. Again, on page 2, let me call the gentleman's attention——

Mr. NORTON. Just a moment. I take it that the gentleman in making his statement simply defines a principle that he believes should be followed.

Mr. FERRIS. Yes and no; but I have something besides that, too.

The SPEAKER pro tempore. Is there objection?

Mr. FERRIS. Mr. Speaker, reserving the right to object, on page 2 it is discovered by gentlemen on that side of the House—it is not a new discovery to me—beginning line 4, page 2, it says:

But any entryman shall have the right at any time before making final proof of his entry, or at the time of making such final proof, to a hearing for the purpose of disproving the classification as coal land of the land embraced in his entry, and if such land is shown not to be coal land a patent without reservation shall issue.

Now, that, of course, is a broadside invitation for every man who goes on and initiates a title by reason of purchase of surface rights to begin a campaign that he owns from the heavens clear down to the center of the earth. As soon as he gets a surface title he will then besiege the Land Office, under that language on page 2, lines 5 to 10, for a hearing for a second time and a third time, and finally he would appeal from the local office to the Land Office, and from the Land Office to the Interior Department, which may make an interminable amount of litigation thrown on the Land Office. Again, in section 4, appears, as also has been discovered on the other side of the House, and it is not a new discovery to me, there is an appropriation of $10,000 for the sale of Indian lands, which is not made reimbursable.

Mr. NORTON. I have an amendment which I shall offer providing for that.

Mr. FERRIS. All right.

Mr. NORTON. Now, replying to the criticism of the gentleman from Oklahoma with regard to lines 3 to 10, inclusive, I desire to say that under existing law, and under the existing rules and regulations of the Department of the Interior, a homesteader whose land is included under a coal-land withdrawal order has a right to make at the time of submitting his proof a protest against an unlimited patent and to ask for a hearing to show that his land does not contain valuable coal deposits. If he makes such a showing and proves his contention, he is entitled to an unlimited patent to the land without any coal reservation to the Government. Now, we passed a bill a short time ago, the first bill on the calendar, which bill has been passed by the Senate and has been reported favorably by the House Committee on the Public Lands, to the effect that if a limited patent has been issued to a tract of land to a homesteader,

and subsequently he is able to prove by proper evidence that the land is not coal land in fact, then he is entitled to an unlimited patent to the land.

Mr. FERRIS. From the phraseology of the bill the effect is that these people who first bought surface rights will attempt to control the situation. I do not desire to prevent the bill being considered in any way, and I am not going to object; but there are four or five important questions in this bill—surface rights, separation from the coal, and so forth—which seem to me to be of importance.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. NORTON. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. The gentleman from North Dakota asks unanimous consent to consider the bill in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Clerk will read the bill.

The Clerk began the reading of the bill.

Mr. MANN. Mr. Speaker, this bill was read before, and I ask unanimous consent that it may be in order to offer amendments without reading the bill further, in order to expedite business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. NORTON. The committee amendments are to be read.

The SPEAKER pro tempore. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 14, after the word "disposal," insert the following:
"And the proceeds arising from the disposal of such coal deposits or from the leasing or working thereof shall be deposited in the Treasury of the United States and shall be applied in the same manner as the proceeds derived from the disposition of the lands embraced in the Fort Berthold Indian Reservation."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Page 4, line 6, after the word "thirty-six," insert the following:
"Such rules and regulations as the Secretary of the Interior may prescribe."

The question was taken, and the amendment was agreed to.

Mr. NORTON. Mr. Speaker, I offer the following amendment: On page 2, line 9, after the word "entry," strike out the comma and insert a period and strike out the words "and if such land is shown not to" and strike out all of line 10, page 2.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 9, after the word "entry," strike out the comma and insert a period and strike out the remainder of the paragraph, as follows:
"And if such land is shown not to be coal land, a patent without reservation shall issue."

The question was taken, and the amendment was agreed to.

Mr. NORTON. Mr. Speaker, to meet the objection of some of the gentlemen of the House to section 3, to show that only the surface rights or the agriculture value of the land may be appraised, I offer the following amendment: On page 4, in line 9, after the word "shall" insert the following: "without regard to the coal they may contain."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 9, after the word "shall," insert the words "without regard to the coal they may contain."

The question was taken, and the amendment was agreed to.

Mr. BURKE of South Dakota. Mr. Speaker, I will call the gentleman's attention to section 3, line 19, after the word "act," "that shall not have been allotted in severalty to said Indians or granted by the terms of this act." I desire to ask the gentleman if it is not surplusage. There is nothing in this act which reserves or grants any lands, and lands were not allotted; and consequently, it seems to me, those words might go out.

Mr. NORTON. I think they should be stricken out.

Mr. MONDELL. Let me suggest to the gentleman from South Dakota [Mr. BURKE], that after the word "Indians" the words "or granted or reserved by the terms of this act" should come out.

Mr. NORTON. Line 20, page 3, after the word "Indians," strike out "or granted or reserved by the terms of this act."

The SPEAKER pro tempore. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 3, lines 20 and 21, after the word "Indians," in line 20, strike out the following:
"Or granted or reserved by the terms of this act."

The SPEAKER pro tempore. The question is on agreeing to the amendment of the gentleman from North Dakota.

The question was taken and the amendment was agreed to.

Mr. NORTON. Mr. Chairman, I offer the following amendment: On page 4, line 12, after the word "timberland," strike out the semicolon and insert in lieu thereof a period; and strike out the words, "fifth, mineral land, if any."

The SPEAKER pro tempore. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 12, after the word "timberland," strike out the semicolon and insert a period; and strike out the words, "fifth, mineral land, if any."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from North Dakota [Mr. NORTON].

The amendment was agreed to.

Mr. NORTON. Mr. Chairman, I offer the amendment now which I have sent to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from North Dakota offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 16, after the word "appropriated," strike out the period and insert a colon and add the following:
"*Provided*, That the said appropriation shall be reimbursed to the United States from the proceeds received from the sale of lands described herein or from any money in the Treasury belonging to said Indian tribe."

Mr. MONDELL. Mr. Speaker, a parliamentary inquiry. To what line does the gentleman's amendment apply?

The SPEAKER pro tempore. As it was reported it said "line 16."

Mr. STEPHENS of Texas. It is at the end of the bill, as I understand it.

Mr. MONDELL. The gentleman evidently desires to offer his amendment at the end of the bill.

Mr. NORTON. Yes.

Mr. MONDELL. Then modify your amendment.

The SPEAKER pro tempore. Does the gentleman from North Dakota ask unanimous consent to modify his amendment?

Mr. NORTON. I ask unanimous consent to do so.

The SPEAKER pro tempore. Without objection, it is so ordered. And, without objection, the Clerk will again report the amendment as modified.

The Clerk read as follows:

Page 4, line 23, after the word "appropriated," strike out the period and insert a colon and add the following:
"*Provided*, That the said appropriation shall be reimbursed to the United States from the proceeds received from the sale of lands described herein or from any money in the Treasury belonging to said Indian tribe."

Mr. BURKE of South Dakota. I suggest, instead of "said Indian tribe," it be amended to read "the Indians of Fort Berthold Indian Reservation." The words "said Indians" do not appear anywhere here.

Mr. NORTON. Mr. Speaker, I ask unanimous consent that that amendment be agreed to.

The SPEAKER pro tempore. The gentleman from North Dakota [Mr. NORTON] asks unanimous consent to modify his amendment as follows, which the Clerk will report.

The Clerk read as follows:

Change the last line of the amendment to read as follows:
"Or from any money in the Treasury belonging to the Indians of the Fort Berthold Indian Reservation."

Mr. FERRIS. I want to inquire, either of the gentleman from North Dakota or the chairman of the committee, if this is the usual reimbursement provision? I do not have it before me.

Mr. NORTON. That is the language that is contained in the act of June 1, 1910.

Mr. FERRIS. I think it ought to be uniform.

The SPEAKER pro tempore. Is there objection to the modification requested? [After a pause.] The Chair hears none. The question now is on the amendment of the gentleman from North Dakota [Mr. NORTON] as modified.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be read a third time, was read a third time, and passed.

On motion of Mr. NORTON a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. FITZHENRY. Mr. Speaker, a day or two ago the governor of Illinois issued a proclamation providing for the observance of April 15 as "Good Roads Day," and in this connection I want to ask unanimous consent to extend my remarks in the RECORD and insert the proclamation, together with a brief address of the First Assistant Postmaster General in reference to post roads and good roads day celebration.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. FITZHENRY] asks unanimous consent to extend his remarks in the RECORD by printing the matter indicated. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I have a vague recollection that there was an address delivered by the First Assistant Postmaster General on good roads, heretofore incorporated in the RECORD. Now, can the gentleman inform the House whether this address is the same as the former one?

Mr. FITZHENRY. This is not the same address. I will say to the gentleman that this is an address that was delivered at the convention of second and third class postmasters on October 21, 1913.

Mr. STAFFORD. I understand from my colleague, the gentleman from Connecticut, that that has already been incorporated.

Mr. FITZHENRY. No; I understand from Mr. Roper, the First Assistant Postmaster General, that this address has never been published. Similar addresses have been.

Mr. STAFFORD. With that statement, of course, Mr. Speaker, I have no objection.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. FITZHENRY]? [After a pause.] The Chair hears none.

PUBLIC BUILDING, MANDAN, N. DAK.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11254) to increase the limit of cost for the erection and completion of the United States Post Office Building at Mandan, N. Dak.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That to enable the Secretary of the Treasury to erect, complete, and furnish the post-office building at Mandan, State of North Dakota, provided for in existing legislation, the limit of cost heretofore fixed by Congress be, and the same is hereby, increased in and by the sum of $60,000, and the Secretary of the Treasury is hereby authorized to enter into contract for the erection and completion of said building within the limit of cost herein established.

Also the following committee amendment was read:

Amend, in line 7, page 1, by striking out "$60,000" and inserting in lieu thereof "$11,000."

Mr. FOSTER. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from North Dakota [Mr. NORTON], of what material is this building to be erected?

Mr. NORTON. What material? Why, I anticipate that it will be built of limestone.

Mr. FOSTER. Entirely?

Mr. NORTON. Well, yes; I so understand. I will say to the gentleman from Illinois that this appropriation is for the purpose of supplying a sufficient fund to erect the building according to the plans that have already been drawn. The plans for this building were drawn something like a year ago, and the bids were advertised for last fall on two different occasions. The bids that were submitted were approximately $10,000 in excess of the amount available for the construction of the building.

The Supervising Architect in the Treasury Department was of the opinion that $60,000 additional should be provided for the Federal building at this place, and that the plans should be changed so as to provide a building of larger dimensions to meet the future needs of that town. But the people there are anxious to have the building constructed at the earliest possible time, and in a public meeting, I am advised, they decided that they would prefer to have this building, of the dimensions proposed, constructed at once rather than be obliged to wait three or four years for a larger building.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. NORTON. I should be glad to.

Mr. MANN. Where does the information come from in reference to the Treasury Department wanting $60,000 more? Where does that information come from?

Mr. NORTON. I make that part of the statement on my own account, based on consultation and conversation with Mr. Wenderoth, the Supervising Architect, and his assistant. If the gentleman will read the letter——

Mr. MANN. Oh, I have read it. It does not agree with that statement.

Mr. NORTON. It supplies evidence which I believe in part corroborates the statement I have made.

Mr. MANN. Let us see. I do not question the gentleman's statement, although I never think it advisable to repeat an oral conversation had with any executive officer.

Mr. NORTON. I shall cheerfully bear that suggestion in mind in the future.

Mr. MANN. That is right. It is advisable to remember it, because you may be assured that people do not stand up to all statements which conflict with written statements that they make. The Secretary of the Treasury in his estimate states:

It is estimated that the building as designed can be built, provided the limit of cost be increased in the amount of $20,000, but it would not provide for all branches of the service, nor is the area sufficient to provide for reasonable future growth.

There is no statement that anybody has been able to extract, except the oral statement of the gentleman, about the $60,000.

Mr. NORTON. I realize that fully. I will say to the gentleman from Illinois that probably I am violating the good advice that he just gave me by saying that a letter was prepared by Mr. Wenderoth's office, recommending that an appropriation of $60,000 be granted; but for the reason that it would delay the construction of the building, and for the reason that I was advised that the people of Mandan desired that the building be constructed at once, I asked that that recommendation be withheld. I have urged the Committee on Public Buildings and Grounds to recommend an amount sufficient to construct the building according to the plans now drawn.

Mr. MANN. Let us see. For this building they now have $43,000 left out of the appropriation of $55,000. Is that correct?

Mr. NORTON. That is correct.

Mr. MANN. Then they cut it down to $39,000 by deducting funds for equipment and contingencies; but including the amount available for those things they have $43,000. They have bids for construction in the sum of $44,400, which is $5,400 more than the amount that is available?

Mr. NORTON. Yes, sir.

Mr. MANN. Now, why do they need $20,000, or even $11,000, much less $60,000?

Mr. NORTON. The bid of $44,400 was made on the basis of the present plan being cut down or revised, and part brick construction supplied instead of stone.

Mr. MANN. I do not know how that may be. Here is a statement in the letter:

The work was placed on the market in August, 1913, and but one bid was obtained, in amount $48,995, which was rejected on account of its being in excess of the amount available.

Now, that was the bid invited on the first plans prepared, $48,995, or practically $49,000. Then they advertised for bids again, on the same basis as before, and received a bid of $44,400. They strike off $5,400 on readvertisement. I do not know, but possibly if they had advertised it the third time they could have built it within the limit of the appropriation.

Mr. NORTON. Probably stone is getting a little cheaper.

Mr. MANN. There is no change in the plans?

Mr. NORTON. There is no change of plans, but I suggest that probably stone and labor are a little cheaper in the later bid.

Mr. STAFFORD. It says so. There was cheaper construction. The second bid was $49,400, but with the alternative of cheapening the construction at $44,400. There was only $39,000 of the $44,400 for construction proper available, and if you are going to build it for $49,000 it would require at least $10,000 for the desired building.

Mr. MANN. Well, let us find out about it. The gentleman from North Dakota [Mr. NORTON] introduces a bill to increase the limit of cost $60,000. Do I understand that the gentleman in the bill intended to increase the limit by $60,000, or to raise it up to $60,000?

Mr. NORTON. I intended to increase it $60,000.

Mr. MANN. There was a difference of only $5,400 between the bid and the appropriation. The committee very generously on the one side cut the gentleman down from $60,000 to $11,000 and raised the amount that would be available from the difference between $44,400 and $39,000, or $5,400, to $11,000. Which does the gentleman propose now to take?

Mr. NORTON. The gentleman proposes now to take—and will be very grateful for it—an amount sufficient to build the building under the plans now drawn for its construction.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

Mr. MANN. And how much is that, if I may inquire?

Mr. NORTON. I think it should be $15,000 at least. We are getting in this bill, as amended by the committee, only $11,000.

Mr. MANN. We have had four sums proposed—$60,000, $15,000, and $11,000, and I have suggested the difference between the existing appropriation and the bids, $5,400.

Mr. NORTON. Is the gentleman willing to add them up and take an average?

Mr. MANN. Well, we are not a jury, and we do not do it that way.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). Is there objection?

Mr. FOSTER. Mr. Speaker, just a moment. I have been listening to the colloquy between the gentleman from Illinois and the gentleman from North Dakota, and have not had an opportunity to interrogate them. Was there a change of material proposed to be made in this bill?

Mr. NORTON. There was—the second time it was advertised in the alternate plans.

Mr. FOSTER. Were the advertisements made for both kinds of material—brick and stone, or for stone only?

Mr. NORTON. I could not inform the gentleman accurately as to that. I think, though, that the plans provided for stone construction or brick construction.

Mr. FOSTER. For both kinds of construction?

Mr. NORTON. Yes; I am inclined to think that is true.

Mr. FOSTER. And this difference is called for in order to make it stone? Is that it?

Mr. NORTON. This difference is called for in order to construct the building under the lowest bid that was made on the original plans.

Mr. FOSTER. The lowest bid under the last advertisement was for a building of brick and stone, was it not?

Mr. NORTON. I understood that the bid of $48,995, or approximately $49,000, was for a construction of limestone.

Mr. FOSTER. Instead of brick and stone?

Mr. NORTON. Yes.

Mr. FOSTER. How large a place is Mandan?

Mr. NORTON. Mandan is a place of about 5,000 people. It is a railroad division point, and within the last few years two lines of railroad have been built leading out of that town, one running about 100 miles north and the other running about 120 miles south.

Mr. FOSTER. Does not the gentleman think that a building could be constructed out of stone and brick that would answer the needs of that community, so far as post business is concerned?

Mr. NORTON. Why, they are getting along now with part of a building constructed of brick. They have gotten along for more than 30 years with very poor building accommodations. I think they are now entitled to a first-class modern post-office building of the very best construction.

Mr. FOSTER. There is nothing but a post office to be located there, is there?

Mr. NORTON. There is a Government experimental station located there.

Mr. MANN. And a store or two. [Laughter.]

Mr. NORTON. And, as the gentleman from Illinois so wisely remarks, a store or two, and then some.

Mr. FOSTER. And I think they change the time there from central to western time. I have been through Mandan, I will say to the gentleman.

Mr. MANN. Then what more does the gentleman want to *know*? [Laughter.]

Mr. NORTON. If the gentleman from Illinois has been through Mandan, I am sure he will support an amendment for an increase of the amount of the appropriation as recommended by the committee.

Mr. FOSTER. I will say that I went through as quickly as I could. [Laughter.]

The SPEAKER. Is there objection?

Mr. FOSTER. I do not believe that a stone building is absolutely necessary. I think they can get along with one of brick and stone.

Mr. STAFFORD. I hope the gentleman is not going to object.

Mr. MANN. Reserving the right to object, let me suggest this to the gentleman: There are a number of these bills on the calendar increasing the limit of cost of public buildings. These bills have been reported by the Committee on Public Buildings and Grounds. If the committee brought in an omnibus bill, which is the usual method of legislating in regard to these public buildings, it would pass without difficulty, and probably the increases would be considerably larger in the main than they are when brought in in individual bills. Now, it is perfectly manifest that the House itself, sitting as the House, can not differentiate between these bills. In the hurry of the moment, in the consideration of the Unanimous Consent Calendar, we have not the facilities for determining whether one bill increasing the limit of cost $100,000 or more for a public building is proper and another bill doing the same thing is improper. We have either got to leave that to the Committee on Public Buildings and Grounds in the main, or else, in my opinion, we can not pass any more of these bills. In other words, if the committee follows its present custom, which is new so far as my term of service is concerned, in reporting individual bills for increasing the limit of cost instead of an omnibus bill, we have got to settle what our practice is going to be. The omnibus bill is always passed when it is reported. Sometimes there are kicks about it. I have noticed that some gentlemen who do not have anything in it sometimes kick, but never effectively. I think they never try to kick very effectively. Now, shall we object to the consideration of these individual bills and force the committee, if it wants to get action, to bring in an omnibus bill that will carry a great deal more than the individual bills, or shall we take our chances in following the committee on the individual bills?

Mr. CLARK of Florida. Mr. Speaker, will the gentleman permit me just a moment?

Mr. MANN. Certainly.

Mr. CLARK of Florida. I want to say to the gentleman——

Mr. MANN. I hope what the gentleman says will be pleasant. I am defending his committee just now. I was not defending it a while ago.

Mr. CLARK of Florida. I hope it will be pleasant. I was about to remark that I am very glad the gentleman has just made that statement. If we brought in an omnibus bill here, as the gentleman has just stated, these items would, of course, be much larger, and almost anything would go through. The gentleman understands that.

It was understood that at this session of Congress there would be no omnibus bill. A number of gentlemen, like the gentleman from North Dakota [Mr. NORTON], have been before us with emergency matters, and the committee has done the best it could to sift out those that were not urgent, and to treat with those alone that we considered urgent and which ought to be passed at this time. The committee may make mistakes, and undoubtedly has and will; but in this case, for instance, I think $20,000 was recommended here as the increase; but the subcommittee that had the bill in charge went into it thoroughly and came to the conclusion that $11,000 would be ample to complete it, and the full committee accepted their recommendation.

It seems to me that if gentlemen want to object to these bills, it is going in the end to cost the Government a great deal more money than it will if they accept the bills as they are. If this matter goes along, it may be that this building will cost the United States Government several times $11,000 before they get through with it. Of course, my friend from Illinois——

Mr. MANN. Of course, as far as objecting is concerned, we are entitled to object.

Mr. CLARK of Florida. I understand you are entitled to object.

Mr. MANN. I was trying to see if we could get some understanding as to what we would do about these bills.

Mr. CLARK of Florida. I have no interest in it, and no pride of opinion as to any of these bills. If these gentlemen want to object, they can do it.

Mr. HUMPHREYS of Mississippi. I should like to ask the gentleman just what is meant by his statement that it may cost the Government several times $11,000 if this bill is not passed?

Mr. MANN. They are asking for $60,000, and this proposes to give them $11,000. They insist they ought to have $60,000.

Mr. NORTON. And we will get it, if we have to wait until the next Congress.

Mr. CLARK of Florida. If it is not done under this arrangement and goes over until next winter when we have an omnibus bill, the probability is that $50,000 or $60,000 will be found in the bill for this project and everybody will vote for it because everybody will have "a finger in the pie." That is the whole story, and we might as well be plain about it.

Mr. HUMPHREYS of Mississippi. Does the gentleman from Florida think that this $11,000 is necessary?

Mr. CLARK of Florida. Yes.

Mr. HUMPHREYS of Mississippi. Upon what theory would the committee proceed that next year they would give $60,000?

Mr. CLARK of Florida. I am not discussing on what theory the committee might proceed, I am simply telling the gentleman

what his experience in Congress should have taught him will happen, and it is true.

Mr. MANN. The joke of this is that a member of the River and Harbor Committee should ask such a question. [Laughter.]

Mr. NORTON. I will answer the gentleman from Mississippi. The appropriation of $11,000 in this bill contemplates the construction of a building under the plans now drawn. In the letter which is signed by Secretary McAdoo personally, after being carefully considered by his assistant, it is suggested that this building as now planned will not and does not provide for all branches of the service, nor is the area sufficient to provide sufficiently for the future growth of the town. As suggested by the gentleman from Florida, if the construction is delayed a year or two we will certainly ask Congress for a larger building.

Mr. FOSTER. Oh, no; the gentleman will then be asking for a public building for some other place, and he will forget about this.

Mr. HUMPHREYS of Mississippi. Not in any spirit of controversy, but asking for information which I have not yet received, I want to ask if the building ought to be larger and to cost $60,000, how does the gentleman think he can get along with $11,000? And if they ought to have $60,000 and you only appropriate $11,000, what is there to prevent their getting $60,000 in the future?

Mr. NORTON. Sixty thousand dollars would provide for a larger building and for the future growth and needs of the town; but it would delay the construction of the building. If that appropriation was made, it would place the building on the delayed list, and would probably postpone the construction three or four years.

Mr. HUMPHREYS of Mississippi. Eleven thousand dollars is not going to give the building that they ought to have and that the service requires.

Mr. NORTON. My best judgment is that they should have a larger building; but their commercial club held a meeting, and they concluded that they would prefer to have this building constructed as now planned at the earliest date possible, because they are in urgent need of more room for the post office, rather than wait three or four years for a larger building.

Mr. FOSTER. Mr. Speaker, I hope it is not the intention of the gentleman, or that he is not possessed with the hope in his own mind that he might get $49,000 put on in another body connected with this.

Mr. NORTON. No; I have had so much trouble and worry thus far with this bill as amended that I have not gone into that realm of speculation.

Mr. FOSTER. It seems that the building was to be built of brick and stone, and now with $11,000 it is to be of stone alone. I do not understand where the bids come in on the brick and stone building combined. It is not revealed by anything in the report. My colleague spoke of the matter of taking these bills as they come from the committee. I have a great deal of respect for the Committee on Public Buildings and Grounds, but I do not know that we should take the reports of the committee on matters of this kind. I realize what it is to have the importunities of Members trying to get an increase of appropriation, and that they are sometimes hard to withstand. Each Member thinks that he has a good case and puts it up to the committee the best he can. The committee is not always acquainted with the facts, and they do the best they can. It is a hard-worked committee and endeavoring to do the best thing possible for the public good, except sometimes when they slip in a public building that ought not to be authorized.

Mr. ASHBROOK. Mr. Speaker, I want to say that I happen to be a chairman of one of the subcommittees of the Committee on Public Buildings and Grounds. I know that every subcommittee is working to keep out all of these bills possible at this session and only report those that are known to be strict emergency propositions. We had a meeting of my subcommittee a few days ago, and some seven Members appeared before it. Each one had a proposition that he thought came within the rule, but the committee only reported one bill and a small amount at that. I know that is true of the other subcommittees. Not one bill in twenty gets a favorable report.

Mr. FOSTER. I am not complaining of the committee at all. I hope the gentleman from Ohio does not understand me that way at all. I know that the committee is rendering conscientious service in these individual cases. Still I might not agree to all the reports, not being acquainted with all the facts of the case. Mr. Speaker, I am going to withdraw any objection in this case with the hope that there will not be anything added to this more than to make up the $60,000.

The SPEAKER pro tempore. Is there objection?

Mr. DONOVAN. Mr. Speaker, I would like to ask a question from some one familiar with this case. I see that the chairman of the committee does not know anything about it. I will ask the gentleman from North Dakota what is the total cost of the building, and what has been expended, and what is asked for now?

Mr. NORTON. I will be glad to inform the gentleman. Under the original bill authorizing the construction of this building the expenditure was limited to $55,000 for building and site. The site has been purchased for $12,000, leaving a balance of $43,000. Of this amount $39,000 is available for the construction of the building. With the appropriation recommended by the committee, that would make $50,000 for the building.

Mr. DONOVAN. How much was paid for the site?

Mr. NORTON. Twelve thousand dollars.

Mr. DONOVAN. It is in Mandan, N. Dak.?

Mr. NORTON. Yes.

Mr. DONOVAN. I understood the gentleman to say that the population of the place was about 5,000?

Mr. NORTON. Between 5,000 and 6,000.

Mr. DONOVAN. The census report makes it 3,800. What are the total receipts of the office?

Mr. NORTON. Approximately $15,000 yearly.

Mr. DONOVAN. Less or more?

Mr. NORTON. More.

Mr. DONOVAN. The postal books make it less. Does not the gentleman think that this ought to be passed over and have some one here who knows more about the facts of the case? As I say, the post-office report makes it less than $15,000 and the population is only 3,800. The Committee on Public Buildings and Grounds does not seem to know much about it. Why should they? They are only here about half of the time; they spend more of their time going away here and there and everywhere else, but don't seem to attend much to business. [Laughter.]

The reason for that is that it is understood there shall be no public building appropriations for this session. I think that is probably the reason they have not attended to their business. I suggest now to the gentleman, to avoid an objection, that he allow this matter to pass over without prejudice, and get the necessary information, for, so far, I have not heard a single statement made that is true. All of them are exaggerated. Here is the reason for this, here is what is going on in that country all the time in the public building line. I had no idea this committee had an itch of that sort. There has been nearly half a million dollars expended in four places in that country, and the total population combined of the four places is less than 10,000. Here is a little place of 3,800 inhabitants. I can not, for the life of me as a Member of this body, understand the gall, so to speak, that prompts anyone to ask for such an appropriation for such a small place.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. DONOVAN. I will be delighted to yield to the gentleman from Wisconsin.

Mr. COOPER. The gentleman spoke of the population being 3,800 according to the census?

Mr. DONOVAN. Yes.

Mr. COOPER. That census is four years old.

Mr. DONOVAN. It will take a great many more four years to help out some of those little localities in population.

Mr. COOPER. There have been some new railroads built there, as I understand.

Mr. DONOVAN. I will say to the gentleman from Wisconsin this, that nearly half a million dollars have been expended for four buildings in four different towns in that locality, and the total population of the four towns is less than 10,000. That is public building construction gone mad.

Mr. COOPER. Of course, I assume what the gentleman says is correct——

Mr. DONOVAN. Oh, I can refer the gentleman to a very intelligent Member from that country, Mr. MONDELL. It is in his territory, and he will tell you what I say is true.

Mr. COOPER. I will say to the gentleman from Connecticut, if his statement is true, that because some improvident appropriations have been made in other places would not affect the merits of the proposition now before the House.

Mr. DONOVAN. The gentleman realizes that no information has yet been given to the House.

Mr. NORTON. Mr. Speaker, will the gentleman yield?

Mr. DONOVAN. Yes.

Mr. MANN. We have been giving information here for half an hour or more.

Mr. DONOVAN. The gentleman from Illinois made an observation from his seat. He is always in order; I did not think he would do that. I would like to know what he has to say?

Mr. MANN. I say that we have been giving information to the gentleman for an hour. I am sorry the gentleman did not hear.

Mr. NORTON. Mr. Chairman, I would like to answer the gentleman's question and give him all of the information that can be given. I live right near Mandan, and I have been very well acquainted with the town for a number of years. I do not think there is anything about the place concerning which I am not informed. I will say that Mandan is a division point on the main line of the Northern Pacific Railroad. It is just across the Missouri River from Bismarck, the capital of my State.

Mr. DONOVAN. Oh, we do not care anything about that, brother. What we want to know is its receipts and its population, to determine whether this is a business transaction or a foolish expenditure.

Mr. NORTON. I will say to the gentleman that I consider it a good business transaction to construct this building at this time.

Mr. DONOVAN. The gentleman evidently does not know the population. The population, according to the census, is 3,800, and he says it is 5,000. He does not know the receipts, because he exaggerated them. I suggest that he ask that this bill be passed over without prejudice.

Mr. NORTON. I trust the gentleman will not object to this bill, because I very much desire that it be passed at this time.

Mr. DONOVAN. I make that suggestion to the gentleman so that we may wait until he gets some information.

Mr. NORTON. I will say to the gentleman that I shall be very glad to give him all the information he desires, and give it to him now. Mandan is a rapidly growing western town. The gentleman must remember that towns in North Dakota are different from towns in Connecticut. There is no doubt that within a year Mandan will increase in population at least a thousand. This increased population will be largely due to the settling up of the farm lands north of there on the line of the new railroad that was built out of Mandan last summer.

Mr. DONOVAN. How do we know the gentleman is familiar with that situation when he does not know the census, when he does not know what any child ought to be able to get hold of? How are we going to guess?

Mr. NORTON. I have the census of Mandan as given in 1910.

Mr. DONOVAN. What was it in 1910?

Mr. NORTON. It was 3,873; about 3,800, as the gentleman said.

Mr. DONOVAN. Why did the gentleman say 5,000?

Mr. NORTON. I know the population is now more than 5,000. They have an Elks' lodge there now, and this order in my State requires that a town have a population of at least 5,000 before a charter for a lodge is granted to it.

Mr. DONOVAN. Are we putting up public buildings for the Elks?

Mr. NORTON. No, not exactly that; but the Elks get mail the same as other people. I want to say that Mandan is a good, live, hustling, rapidly growing little city. The town and its citizenship are in every way worthy of the recognition that will be accorded them by the construction of the post-office building, for which the plans have already been drawn. The authorization for an increased appropriation provided for in this bill is necessary so that a contract for the construction of the building according to the present plans may be let at an early date. In asking for this small increased appropriation we can not be charged with being other than modest in our demands. The gentleman should not object to this bill, and I trust that he will not, and that the bill will be passed at this time.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. NORTON. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. CLARK of Florida. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That to enable the Secretary of the Treasury to erect, complete, and furnish the post-office building at Mandan, State of North Dakota, provided for in existing legislation, the limit of cost heretofore fixed by Congress be, and the same is hereby, increased in and by the sum of $60,000, and the Secretary of the Treasury is hereby authorized to enter into contract for the erection and completion of said building within the limit of cost herein established.

With the following committee amendment:

Page 7, strike out the figures "$60,000" and insert in lieu thereof the figures "$11,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. NORTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMENDING ACT, RIVERS AND HARBORS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14331) to amend section 19 of an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved March 3, 1899.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. WATKINS. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. MOORE. Mr. Speaker, reserving the right to object, I would like to know why we should not put this bill back on the regular calendar for consideration in the usual way. I want to say to the gentleman frankly there are questions involved here that ought to be considered in some other way than by unanimous consent.

Mr. WATKINS. Well, it is on the regular calendar, the Union Calendar, and probably will be called up next Wednesday, and that is the reason I asked to pass this bill without prejudice.

Mr. MOORE. I suggest to the gentleman that this involves more, perhaps, than the gentleman has in mind. It takes in bays and sounds apart from the rivers and other streams which the gentleman mentions in the bill, and it seems to me to be a bill that can not be passed by unanimous consent.

Mr. WATKINS. I anticipated there would be objection, and that is one reason I have asked unanimous consent that it be passed over.

Mr. MANN. If the gentleman from Pennsylvania will permit me, what are those questions that attracted the gentleman's attention? I ask for future reference, saying to the gentleman, unless he is familiar with it, there are only three words inserted in this bill that are different from existing law.

Mr. MOORE. Then I do not know just why the bill comes in if it is the same as existing law.

Mr. WATKINS. I can explain to the gentleman.

Mr. MANN. The only thing the bill does is to insert in the existing law "logs, merchantable timber."

Mr. MOORE. If that is all, then I was not familiar with it.

Mr. MANN. I did not know whether the gentleman was or was not.

Mr. MOORE. There are cases of derelicts, and the sinking of vessels by collisions or otherwise, in the bays and sounds. I would like to know as to them.

Mr. MANN. I will say to the gentleman those are already in the existing law, and the only thing this bill does is to add in three places to the existing law the words "logs, merchantable timber." That is all there is to it.

Mr. MOORE. May I ask why a bill like this, pertaining to navigation, should not be referred in the regular way to the Committee on Rivers and Harbors, which has jurisdiction?

Mr. MANN. The Committee on Rivers and Harbors does not have jurisdiction; that is the trouble with some gentlemen. The Committee on Rivers and Harbors does not have jurisdiction of legislation concerning rivers. It only has jurisdiction in regard to the improvement of harbors. I am not interested in the bill.

Mr. MOORE. What is the request the gentleman from Louisiana made?

Mr. WATKINS. The request I made was that the bill be passed over until the next regular call on the calendar without prejudice.

Mr. MOORE. That will give us an opportunity to look into it, and I will not object.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to pass this bill without prejudice. Is there objection? [After a pause.] The Chair hears none.

PUBLIC BUILDING AT PENDLETON, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13819) to increase the limit of cost of the Federal building at Pendleton, Oreg.

The Clerk read as follows:

Be it enacted, etc., That to enable the Secretary of the Treasury to erect and complete the post-office building at Pendleton, State of Oregon,

provided for in existing legislation, and to provide therein accommodations for the United States courts and court officials and other Government offices, the limit of cost heretofore fixed by Congress be, and the same is hereby, increased in and by the sum of $60,000, and the Secretary of the Treasury is hereby authorized to enter into contract for the erection and completion of said building within the limit of cost herein established.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, may I inquire of the gentleman in charge of the bill, I do not know who, if at the time the court was located at Pendleton, Oreg., the plans were made for this building?

Mr. SINNOTT. If the plans were made? Yes; the court was located there when the plans were made, but the court was not located there when the original act was passed authorizing an appropriation of $70,000 for the securing of the site and the building at the limit of cost of $70,000. That was in 1908. In 1909 the terms of the Federal court were established at Pendleton. Mr. Speaker, by the act of May 30, 1908, a post-office building only was authorized at Pendleton, Oreg., the building and grounds to cost not over $70,000. The act of March 2, 1909, established terms of the Federal court at Pendleton. The grounds were purchased for $8,000, leaving available for the building, designed for post-office and court purposes, $62,000. In October, 1911, proposals were received for the construction of the building; the bids averaged $81,000; these were for a nonfireproof building. The new design contemplates a fireproof building, which will require, in the opinion of the Assistant Secretary of the Treasury Department, an additional authorization of $60,000.

I believe this bill presents a real emergency, both on account of the present poor post office facilities, as is shown in the report of the committee filed with the bill, and especially on account of the needs of the Federal court, which now meets in the county courthouse by the courtesy of the county court of Umatilla County. I believe an examination of the committee's report filed with the bill will demonstrate to the most exacting stickler for economy the merits of this bill as an emergency measure. While the letter—dated February 12, 1914—of the Assistant Secretary of the Treasury, copied in the report, shows $62,000 available for the building, in a letter to me of date March 31, 1914, he writes that after setting aside amounts sufficient for lock boxes, lamp standards, vault shelving, and so forth, and contingencies that generally arise during the construction of a building, it would not be safe to award a contract in excess of approximately $57,000. While the census does not show Pendleton to be a large town in the way you look at towns in the East, yet it has stores and banks which would compare favorably with any of those in Washington. It is the home of the greatest show on earth, the Pendleton "round-up," where some 60,000 people from all over the United States gather every year to witness cowboy feats and exhibitions of horsemanship and Indian life, a show fit to be staged in the Colosseum in the palmy days of the Roman Empire.

Mr. FOSTER. Is this increase asked for solely on account of the Federal court being located there?

Mr. SINNOTT. Well, and on account of the inadequacy of the allowance to build the building. The original amount was $70,000. Eight thousand dollars was expended for the site, and the Secretary of the Treasury reports that when the bids were let the general average of the bids were $81,000 for the building; that there really was available for the building itself about $57,000.

Mr. FOSTER. If this increase were made, it would permit them to build a building that would better take care of the post office and the Federal court. I understand there is a postal division there.

Mr. SINNOTT. Yes; a postal division.

Mr. FOSTER. I think it is all right.

The SPEAKER. Is there objection?

Mr. DONOVAN. Mr. Speaker, let me ask the gentleman—I did not hear—what is the population of this town?

Mr. SINNOTT. Four thousand four hundred and sixty, according to the Census of 1910. The patrons of the post office number 6,500.

Mr. DONOVAN. What are the gross receipts?

Mr. SINNOTT. Twenty-four thousand dollars.

Mr. FOSTER. I will say to the gentleman the receipts 10 years ago were $10,500 and they are now $24,000, and the Federal court is now located there.

Mr. DONOVAN. Is this money for the building or the building and site?

Mr. SINNOTT. This money is to build the building.

Mr. DONOVAN. The site is already furnished?

Mr. SINNOTT. The site was acquired four years ago.

Mr. DONOVAN. What is the total amount altogether for it?

Mr. SINNOTT. This will make a total of $130,000.

Mr. DONOVAN. Well, I must say you people are liberal. Why did not you put it half a million dollars? Why do you limit it to this certain amount?

Mr. MANN. Would my friend from Connecticut [Mr. DONOVAN] permit me to call his attention to the fact that apparently they were quite economical when they bought a site and paid only $8,000 for it.

Mr. PAYNE. Does not the gentleman think that such economy ought to be rewarded?

Mr. MANN. I think it is entitled to consideration.

Mr. PAYNE. I understand the gentleman to say that when they originally contemplated this building and fixed the first limit it was simply for a post office. Since then there has been a court established there, and this is for a courthouse and post office, both.

Mr. SINNOTT. Yes.

Mr. PAYNE. And naturally that would cost more money.

Mr. DONOVAN. Is there any member of the Committee on Public Buildings and Grounds here?

Mr. STAFFORD. The gentleman from Florida [Mr. CLARK] is in the Chamber.

Mr MANN. There are several members of the committee here.

Mr. CLARK of Florida. What is the question?

The SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] wanted to propound a question to some member of the committee

Mr. DONOVAN. What is the gross amount of the appropriation? What will it amount to?

Mr. CANTRILL. About $130,000; and I desire to say to the gentleman from Connecticut——

Mr. DONOVAN. Let me ask you one more question, and you can answer both at the same time. Is it the purpose of the Committee on Public Buildings and Grounds to give $130,000 buildings for every four or five thousand population throughout the country? Now, I wait for an answer.

Mr. CANTRILL. That is not the purpose.

Mr. DONOVAN. That is what you do, is it not?

Mr. CANTRILL. If the gentleman will permit me, I think I can answer his question satisfactorily. I desire to say in reference to this proposition that it is in strict accord with all the rules under which the Committee on Public Buildings and Grounds is operating. The amount appropriated is in accordance with the rules to cover such propositions throughout the country in towns of this size; that is, the amount. Now, the gentleman will evidently see that it is a question of economy to cover the branches of this Government into one building. The appropriation has been made for the post-office building. Since then the Federal court has been established, and the Federal court to-day is being held in the county courthouse there, and the gentleman can readily see that it is a matter of economy and good business, while this bill is pending, to add a sufficient amount so that all the branches of the Federal Government can be concentrated into the one building.

Mr. DONOVAN. Let me ask the gentleman. I made the statement a moment ago that nearly half a million dollars was appropriated by Congress for four buildings in four different localities the total population of which was less than 10,000. Now, is it the purpose of this committee to throw money wildly away in localities of that character? For instance, we just voted an appropriation in a town called Mandan, N. Dak.—$12,000 for a lot. It is a little place of 1,300 inhabitants.

Now, it is a rule in my section that the localities and towns are willing to give a lot on which to erect a building. Now, are you people being buncoed, or what is it? What causes you to give such an appropriation? What causes you to waste money in that way? That is the point. There is no business there to remunerate the Government in putting up a building of that character.

Mr. CANTRILL. In answer to that, Mr. Speaker, I will say if the gentleman will read the report he will find that the Treasury Department estimates that this is the amount required to construct this building, and I do not think the gentleman's statement that there is no business there will hold good, because the postal receipts there show there is a considerable business, and the fact that there is a Federal court established there shows there is considerable business of the Federal Government transacted. This is to put them all in one building.

Mr. DONOVAN. The public business in a town or State of that character can be done in a few days of the year. It does not take much space. There is more in the name than there is

in the business. The fact remains that you are tossing money away as if it were dry leaves in localities of that character. This may have some advantages as compared to some of them, but when the amount reaches $500,000 for 10,000 population, divided amongst four towns, it is public building going mad. It is bribery of the community pure and simple.

Mr. ASHBROOK. Mr. Speaker——

Mr. DONOVAN. This gentleman rises, and he wants to tell me something. [Laughter.]

Mr. ASHBROOK. Before the gentleman is seated, I would like to ask him a question. I would like to ask the gentleman where those four items that he has been criticizing were put in—in the House or in the Senate?

Mr. DONOVAN. They were an act of Congress.

Mr. ASHBROOK. But they were Senate items.

Mr. DONOVAN. They were an act of Congress. They go through here. The four towns are in the State of Wyoming. Where is this gentleman that knows it all? [Laughter.]

Mr. ASHBROOK. We know about the Wyoming propositions, and you know how they got in there, and you ought not to criticize the House committee.

Mr. DIES. I want to ask the gentleman if he realizes that this bill can not pass unless every Member of Congress gives his consent to it?

Mr. DONOVAN. I think that is a little bit overdrawn. We come in here and think we are independent, and we think we have something to say; but who has anything to say? I would like to know who has anything to say?

Mr. DIES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DIES. Under the rules, can not the gentleman from Connecticut [Mr. DONOVAN] object and stop the passage of this bill?

Mr. DONOVAN. The gentleman can not get the floor with a parliamentary inquiry and interrupt me in that way. [Laughter.]

The SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] is entirely correct on that proposition.

Mr. DONOVAN. Mr. Speaker, I want to finish my reply to the gentleman from Texas [Mr. DIES]. Now, the inference is that it is my fault, perhaps. Ah, as to my distinguished friend from Texas, we have listened to him for hours at a time; but, just the same, when a bill comes along affecting Texas, he is wearied with well-doing. [Laughter.]

The SPEAKER. Is there objection?

Mr. DIES. Mr. Speaker, my parliamentary inquiry was addressed to the Chair for the benefit of my friend from Connecticut [Mr. DONOVAN]. He said the bill was entirely worthless and a waste of money, and I thought, in view of his statement, that he ought to know that he could stop the bill by objecting to it if he wanted to.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. [Laughter.] This bill is on the Union Calendar.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oregon [Mr. SINNOTT] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read as follows:

A bill (H. R. 13819) to increase the limit of cost of Federal building at Pendleton, Oreg.

Be it enacted, etc., That to enable the Secretary of the Treasury to erect and complete the post-office building at Pendleton, State of Oregon, provided for in existing legislation, and to provide therein accommodations for the United States courts and court officials and other Government offices, the limit of cost heretofore fixed by Congress be, and the same is hereby, increased in and by the sum of $60,000, and the Secretary of the Treasury is hereby authorized to enter into contract for the erection and completion of said building within the limit of cost herein established.

The SPEAKER. Before the Chair puts the question on the passage of the bill, he wants to state to the gentleman from Connecticut [Mr. DONOVAN] and to the gentleman from Texas [Mr. DIES] and to everybody else that the gentleman from Connecticut was right when he claimed that the Chair ought not to have recognized the gentleman from Texas to make a parliamentary inquiry, thereby taking him off the floor.

Mr. DIES. Mr. Speaker, I had the floor, and the gentleman rose in order that he might answer a question in my time.

The SPEAKER. Then the gentleman from Texas was right to make the parliamentary inquiry.

Mr. DIES. Decidedly so. [Laughter.]

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CANTRILL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RELIEF OF SETTLERS WITHIN A LAND GRANT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5890) for the relief of settlers within the limits of the grant to the New Orleans, Baton Rouge & Vicksburg Railroad Co.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that that bill be passed over without prejudice.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next one.

CARIBOU NATIONAL FOREST RESERVE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4544) to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 4544) to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve.

Be it enacted, etc., That the following-described lands, to wit, the east half of section 23 and all of sections 26 and 35, township 11 south, range 45 east, base meridian; also sections 1 and 2, east half of section 10, sections 11 to 14, inclusive, east half of section 15, east half of section 22, sections 23 to 26, inclusive, east half of section 27, and sections 31 to 36, inclusive, township 12 south, range 45 east, base meridian; also sections 1 to 5, inclusive, north half of section 10, north half of section 11, and north half of section 12, township 13 south, range 45 east, base meridian, be, and the same are hereby, reserved and withdrawn from entry and made a part of and included in the Caribou National Forest Reserve.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Amend, page 1, line 3, by striking out the word "east" and inserting in lieu thereof the word "west."

Amend, page 1, line 5, by striking out the word "base" and inserting in lieu thereof the ward "Boise."

Amend, page 1, line 11, by striking out the word "base" and inserting in lieu thereof the word "Boise."

Amend, page 1, line 14, by striking out the word "base" and inserting in lieu thereof the word "Boise."

Amend, page 2, line 3, by striking out the period following the word "Reserve" and inserting a comma and adding the following words: "subject to all prior valid adverse rights."

Mr. FOSTER. Mr. Speaker, reserving the right to object, I beg to call attention to one important item in this report which I am very much gratified to see, and that is that they have at last found in the western country some land in the public domain that is forest land. It has been stated so often here that all of this public domain is barren and a tree could not grow on it.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Washington?

Mr. FOSTER. I can not yield now. It is too important a matter. [Laughter.] The statement has been made here repeatedly that all the public domain open to settlement is barren of trees and of such a character that trees could not grow on it, and I beg to call the attention of the House to this illuminating report, showing that here we have a piece of public domain that is, indeed, forest land.

Mr. FERRIS. Mr. Speaker, I know that my good friend from Illinois speaks facetiously, but the real point in the situation here is that the little town of Montpelier, Idaho, needs this tract for a watershed, and they are not really able to pay for it even at the rate of $1.25 an acre. It is segregated land, rocky and uneven, without much value. All they desire to have done is to cover it into a forest reserve, so that it may be subject to some sort of sanitation and supervision as a means of water supply.

Mr. MANN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Oklahoma yield to the gentleman from Illinois?

Mr. FERRIS. Yes.

Mr. MANN. Perhaps the gentleman from Oklahoma may be able to give me some information.

Mr. FERRIS. I confess I do not know as much about this matter as does the gentleman from Idaho [Mr. SMITH], but I will answer to the best of my ability.

Mr. MANN. It is proposed here to reserve a little over 17,000 acres and make it a part of a forest reserve in order to furnish a water supply to a town in Idaho?

Mr. FERRIS. That is right.

Mr. MANN. Among the land reserved is a school section that has been assigned by the Government to the State of Idaho, and if this reservation be made, then the State of Idaho would have the right to take some lieu land somewhere else of more value than the section reserved by this bill. Does not the gentleman from Oklahoma think that that is asking a good deal of Congress, first, to reserve a school section that belongs to Idaho, instead of letting the State of Idaho reserve it for the benefit of its own community, and then after reserving it giving Idaho a better piece of land than we take from her, for the benefit of her community and not for our benefit?

Mr. FERRIS. It seems to me at first blush—and I am not so familiar with it as the gentleman from Idaho [Mr. SMITH]—that the gentleman from Illinois may be assuming as a fact something that is not correct. This bill simply covers into the forest reserves 17,000 acres of land.

Mr. MANN. It covers a school section.

Mr. FERRIS. Precisely. That adjoins the forest reserve. Mr. Galloway, the Assistant Secretary of Agriculture, says it will be no additional expense to take care of it and police it and protect it, and it seems to me that would not be an onerous request for us to grant and so aid their city in that way.

Mr. MANN. Here they are asking us to give our land practically for the benefit of the community out there. There is a good deal of reasonableness about that; but, having done that, giving the land that we already have, then they want us to take 640 acres that practically belong to the State of Idaho and reserve it for the benefit of one of her communities, and then give to the State of Idaho in place of the 640 acres that we thus reserve land worth a good deal more than the 640 acres that we reserve. I take it that this is not valuable land?

Mr. FERRIS. No; it is very inferior land, and the report so shows.

Mr. MANN. When Idaho selects her lieu lands for it she will not take very inferior lands.

Mr. FERRIS. She probably will not have the opportunity to get any very good lands.

Mr. MANN. Is all of the public domain of Idaho so very inferior?

Mr. FERRIS. Every day we have complaints from States and other parties having the right to make lieu selections who do not do it because they can not get as good land as they now have and can not get it when they are forced to make lieu selections.

Mr. SMITH of Idaho. I will say to the gentleman from Illinois that there are hundreds of thousands of acres of school lands in Idaho that have not been exchanged and probably never will be exchanged, because there is not sufficient land of equal value for which to make the exchange. In any event it seems to me this is a case which should appeal to the House, because of the necessity of protecting the water supply of a town of about 2,000 people. This town lies very close to the mountainside, and it is simply intended that a strip of land along the west side of the reserve shall be brought within the forest reserve in order that stock may be kept off of it by the forest rangers.

Mr. STAFFORD. As I understand from the report, this bill seeks to enlarge the Caribou National Forest now existing?

Mr. SMITH of Idaho. That is the purpose of the bill.

Mr. STAFFORD. Will the gentleman inform the committee what contamination of the water supply at the base of this mountain is feared by the inhabitants?

Mr. SMITH of Idaho. The mountainside is used for grazing purposes, and during the spring and summer the sheepmen drive their stock up into that section, and of course the rains wash down the refuse into the water supply of the town.

Mr. STAFFORD. How far distant is this range from the town itself?

Mr. SMITH of Idaho. It is about 1 mile to the base of the mountain.

Mr. STAFFORD. How far is the farthermost part of the forest reserve from the town?

Mr. SMITH of Idaho. Several miles.

Mr. STAFFORD. There must be more than one township included in this proposal. What is the amount that is proposed to be included in this present forest reserve?

Mr. SMITH of Idaho. It comprises parts of several townships, as you will see from the description in the bill.

Mr. STAFFORD. The letter from the First Assistant Secretary of the Interior says 1,700 acres, but the report says 17,000 acres. Which is correct?

Mr. MANN. It is undoubtedly 17,000 acres. Seventeen hundred acres would take in less than 4 sections.

Mr. BOOHER. Less than 3 sections.

Mr. STAFFORD. Can the chairman of the committee inform the House whether the letter of the First Assistant Secretary is correct, or whether the almost invariably infallible report of the chairman of the committee is correct?

Mr. FRENCH. I can inform the gentleman. The 1,700 acres and the 17,000 acres are confused because of the circumstance that the 17,000 acres refer to the area proposed to be embraced in the addition to the reserve. The 1,700 acres come in by being the amount of acreage in private ownership or owned by the State. That is the reason both figures have been used.

Mr. STAFFORD. So the proposal is to increase the existing forest reserve by 17,000 acres?

Mr. FRENCH. Yes; less the 1,700 acres.

Mr. FERRIS. Less the privately owned land.

Mr. FRENCH. Now, I may suggest another idea in connection with this exchange of land. It has been suggested that this land will be surrendered by the State and that very valuable lands would be received in lieu thereof. During the last year or so the State of Idaho and the Federal Government have been attempting to arrange an exchange of lands so that the State of Idaho could have her lands en bloc and the Government its lands en bloc, without the State lands being interspersed throughout the lands owned by the Government. The basis of that exchange was that lands of approximately equivalent value should be exchanged. The State of Idaho furnished cruisers who went right along by the side of the cruisers of the Government, and they examined about 450,000 acres of land. The estimates of values of land and of timber were taken into consideration, and the exchanges were arranged upon the basis that the land surrendered by the State should be of equivalent character and value to the lands surrendered by the Government in the exchange. Now, I take it that that same condition would obtain here, and it could easily be written into the law, if it needs further legislation, that the exchange of land shall be for land of an approximately equivalent character.

Mr. MANN. Will either of the gentlemen from Idaho yield for a question? If this reservation be made, and this land be included in the forest reserve under the conditions named, what use can the Government make of the land?

Mr. FRENCH. About half of this land is regarded by the forestry officials as potential forestry land, and I imagine that it could be reforested.

Mr. MANN. Oh, well——

Mr. FRENCH. The other half of the area is not of forest character, and probably would remain rather a desert. And it would seem to me that the very highest use to which the land could be put would be in the protection of the water supply of the people of this town.

Mr. MANN. Now, let us see. Here you are asking the Government to give up, for the benefit of a community in Idaho, over 16,500 acres of land, which it is now renting or can rent, and assuming that the State of Idaho itself is too little or too mean to give up the use of 640 acres for the same purpose. Do you not think that is rather going the limit?

Mr. SMITH of Idaho. In what way could the Government rent this land? It is a part of the public domain.

Mr. MANN. The Government could rent it. I do not know whether there is any law for the renting of the public domain.

Mr. SMITH of Idaho. There is no law under which public land can be rented.

Mr. FRENCH. If it were within the forest reserve, it would probably be rented or leased under the present laws.

Mr. MANN. The gentleman said the purpose of this bill was to prevent its use for grazing purposes. I suppose they might graze it.

Mr. FRENCH. Undoubtedly whatever grazing might be permitted would be handled under restrictions.

Mr. MANN. Why should we give up 16,500 acres of domain of the General Government when the State of Idaho itself refuses to give up as much as 640 acres and wants us to pay them for this land?

Mr. SMITH of Idaho. According to the report of the Secretary of the Interior, this is not tillable land and can not be utilized in any way.

Mr. MANN. Our land is just as valuable as the one section.

Mr. SMITH of Idaho. It is worth nothing in that regard.

Mr. MANN. If it is worth nothing, why should we give to Idaho another 640 acres for her 640 acres?

Mr. SMITH of Idaho. As I previously stated, the State of Idaho has hundreds of thousands of acres of school lands which it can not exchange, because it can not get land more valuable.

Mr. MANN. Here is the statement that the school land is worth nothing, and therefore we should reserve it and at the same time buy it.

Mr. BOOHER. Will the gentleman who has the floor yield to me for a question?

Mr. MANN. I do not know that I have the floor, but any one of us will yield.

Mr. BOOHER. I want to inquire what is the meaning of the phrase in the last paragraph of the report?—

The Agricultural Department reports that approximately one-half of the area is potential forest land and that the remainder is generally valuable for grazing, only a small percentage of the same being tillable.

What is the meaning of "potential forest land"? It is new language to me.

Mr. MANN. That means that if they can get an appropriation they can spend $100 to get $10 worth of forest. [Laughter.]

Mr. BOOHER. Now, I want to get a little more information. How many extra officials, rangers, clerks, and so forth, will be employed to take care of these 17,000 acres?

Mr. SMITH of Idaho. According to the Secretary of Agriculture no additional expense will be incurred.

Mr. BOOHER. I have heard the Department of Forestry say that so often that I do not like to take the statement now. There will not be less than 50 forest rangers, with a corps of clerks added, and this will only add to the deficit in the Forestry Service in the next report. We will be several thousand dollars further behind than we are now.

Mr. SMITH of Idaho. It seems to me that the Secretary of Agriculture can be relied upon when he makes that statement.

Mr. BOOHER. Does the gentleman mean to say that you can add 17,000 acres to a forest reserve and not have more people to look after it?

Mr. STAFFORD. Where does it say in the report that there will be no additional caretakers?

Mr. SMITH of Idaho. In the last paragraph.

Mr. BOOHER. Did I understand the gentleman to say that they wanted it in the forest reserve so as to prevent its being pastured?

Mr. SMITH of Idaho. So that the water supply of this town can be protected by keeping the stock off the land in certain seasons of the year.

Mr. BOOHER. By putting it in the forest reservation you keep the stock off the land?

Mr. SMITH of Idaho. Yes; they regulate the use of it.

Mr. BOOHER. They do not rent the Government land on the outside of the forest reservation?

Mr. SMITH of Idaho. No.

Mr. BOOHER. What is to prevent the community from regulating it? Nobody would have a right to establish a nuisance so as to destroy the water, and you can abate a nuisance at any time.

Mr. SMITH of Idaho. It would require help to police it, which would be expensive.

Mr. BOOHER. And you want the community to avoid the expense of caring for it by making the Government do it?

Mr. SMITH of Idaho. The rules of the forestry department would be observed by the stockmen under existing law. They would not go on to a forest reserve without authority.

Mr. BOOHER. Is the gentleman willing to say that if this 17,000 acres is added to the forest reserve there will not have to be employed more clerks and forest rangers than we had before?

Mr. FERRIS. The Agricultural Department says that.

Mr. BOOHER. I know; but the Forestry Bureau has said it so often, when it did not prove to be correct, that I want other authority.

Mr. FERRIS. I know there are among Members of the House some that think the forest reserves are too large, and many gentlemen that think they ought not to have been established. But, gentlemen, the fact is that here is a little town trying to protect its water supply. They do not ask for a patent or a title to any part of the land; they only ask that it be covered into a forest reserve, so that adverse claimants may not take it up and then practice extortion against the town if it needs the land. I know the parliamentary situation is such in the House that gentlemen should not inject a big question like the forestry question into a little question like this, where a city needs water badly and wants to protect that water supply.

Mr. BOOHER. As I understand, it is said that this land is practically of no value.

Mr. FERRIS. Certainly; but at any time it might be taken up by a homesteader.

Mr. BOOHER. Why does not the community purchase it?

Mr. FERRIS. There is no law under which they can purchase it.

Mr. BOOHER. Why not amend the bill, then, so as to give them the right to purchase it?

Mr. FERRIS. I think that this is much preferable.

Mr. BOOHER. My idea is that the bill would better provide for a square donation of these lands than to put it in a forest reserve and then have to look after it for them.

Mr. FERRIS. I think the gentleman from Missouri knows that there would be a dozen objections to anything of that kind. The gentleman has the same interest in this I have. I have looked into it enough to know that this little town of 2,000 people ought to have this right granted to them.

Mr. BOOHER. Could not the bill be so worded that this little community would pay the extra expense of any forest rangers and clerks?

Mr. FERRIS. Clearly that would be impracticable, to say that we might have a dual administration in the forest reserve.

Mr. BOOHER. It would be easy enough to say that the community should contribute so much toward the care of it.

Mr. FERRIS. I do not know of a precedent for anything of that kind.

Mr. FOSTER. I want to say to the gentleman from Missouri that this is a matter affecting the public health. They are not able to buy this piece of land.

Mr. SMITH of Idaho. I have a certificate from the State sanitary inspector, who certifies over his signature the necessity of protecting the water supply of this village, and also a resolution of the city council and a resolution of the Gem of the Mountain Club, of Montpelier, urging this legislation, which I submit as part of my remarks:

DEPARTMENT OF FOOD, DRUG, AND HOTEL INSPECTION,
Boise, April 23, 1913.

To Senators W. E. Borah and James H. Brady and Representatives Burton L. French and Addison T. Smith, Washington, D. C.

GENTLEMEN: In the interests of public health and for the protection of the people of Montpelier in the use of the waters of Montpelier Creek for domestic purposes, I earnestly indorse the recommendations embodied in the attached resolution, adopted by the honorable mayor and city council of Montpelier April 16, 1913. I have made two official inspections of this water supply, the last inspection having been made April 15, 1913, and know that the relief they petition for is just and proper. With this protection the insanitary and dangerous conditions that now threaten the health of that community will be minimized.

Respectfully submitted.

JAMES H. WALLIS,
State Sanitary Inspector.

—

CITY OF MONTPELIER, EXECUTIVE DEPARTMENT,
Montpelier, Idaho, April 26, 1913.

Hon. ADDISON T. SMITH, *Washington, D. C.*

MY DEAR MR. SMITH: You will find inclosed herewith resolutions and recommendations pertaining to the Montpelier Creek watershed. Senator BORAH is familiar with the details of this matter, and I am writing him somewhat fully and inclosing a petition to our Senators and Representatives in this matter.

Mr. SMITH, this is a matter of very great importance to the people of our city, and we hope to have your best and immediate efforts in securing for us this relief. If the Senators and Representatives are fully advised of the situation, I don't think any of them will object to an immediate consideration of the bill for such purpose.

Yours, very truly,

A. B. GOUGH, *Mayor.*

—

Resolution.

Whereas a considerable portion of the Montpelier Creek watershed in Bear Lake County, Idaho, is now included in the Caribou National Forest Reserve, and it is practicable for that portion of said watershed not included therein to be attached thereto and made a part thereof; and

Whereas the lands of said watershed not now included in said reserve are not suitable for agricultural purposes, and are particularly described as follows, to wit: E. ½ sec. 23 and all of secs. 26 and 35, T. 11 S., R. 45 E., B. M.; also, secs. 1 and 2, E. ½ sec. 10, secs. 11 and 14, inclusive, E. ½ sec. 15, E. ½ sec. 22, secs. 23 to 26, inclusive, E. ½ of sec. 27, and secs. 31 to 36, inclusive, T. 12 S., R. 45 E., B. M.; also secs. 1 to 5, inclusive, N. ½ sec. 10, N. ½ sec. 11, and N. ½ of sec. 12, T. 13 S., R. 45 E., B. M.; and

Whereas large herds and bands of sheep, cattle, and other animals are herded, grazed, dipped, and bedded on that portion of said watershed not now included in said reserve, and many carcasses of dead animals are permitted to decay in said creek and on the above-described lands, and the waters of said creek are for said reason polluted and contaminated to such an extent as to render the use thereof for domestic purposes dangerous to human life; and

Whereas the city of Montpelier, Bear Lake County, Idaho, owns and operates a municipal waterworks system, and from which the inhabitants thereof are supplied with water for domestic use; and

Whereas said system is supplied with water from said creek, it being the only practical source of supply therefor; and

Whereas, by reason of the pollution and contamination of the water of said creek as aforesaid, the use thereof by the inhabitants of said city is a great menace to their health, and if the use thereof for domestic purposes is continued epidemics of typhoid and other diseases are likely to occur: Now, therefore, by reason of the foregoing facts, be it

Resolved by the mayor and council of the city of Montpelier, Bear Lake County, Idaho:

First. That our Senators and Representatives from Idaho in the United States Congress be, and are hereby, requested to use every possible effort to secure the immediate passage of a law through Congress attaching said above-described lands to and making them a part of the said Caribou National Forest Reserve, and that the honorable Secretaries of the Interior and Agriculture be requested to cooperate with our Senators and Representatives in this matter.

Second. That a copy of this resolution be forwarded to each of our Senators and Representatives from Idaho in Congress, and to the honorable Secretaries of the Interior and Agriculture.

STATE OF IDAHO,
County of Bear Lake, City of Montpelier, ss:

I, Thomas Barrett, clerk of the city of Montpelier, Bear Lake County, Idaho, hereby certify that the above and foregoing instrument is a true and correct copy of a resolution unanimously passed by the city council of the said city on the 16th day of April, 1913, and the whole thereof.

In witness whereof I have hereunto set my hand and affixed the official seal of said city this the 17th day of April, 1913.

[SEAL.] THOMAS BARRETT, *City Clerk.*

—

Resolution.

Whereas the grazing of sheep and cattle in large numbers on the lands included within the Montpelier Creek watershed in Bear Lake County, Idaho, is a serious menace to the health of the inhabitants of the city of Montpelier, Idaho, nearly all of whom are supplied with water from said creek through the city water system; and

Whereas it is practicable for the lands included in said watershed to be attached to and made a part of the Caribou National Forest Reserve: Therefore be it

Resolved by the Gem of the Mountain Club of the city of Montpelier, Idaho, That our Senators and Representatives in Congress from the State of Idaho be, and are hereby, requested to use their best efforts and influence to secure the immediate passage of a law through Congress placing the Montpelier Creek watershed in Bear Lake County, Idaho, in the Caribou National Forest Reserve; and be it further

Resolved, That a copy of this resolution be forwarded to each of our Senators and Representatives in Congress from Idaho at Washington, D. C.

The foregoing resolution was unanimously adopted at a meeting of the Gem of the Mountain Club, of Montpelier, Idaho, at a meeting thereof held on the 16th day of April, 1913.

Mrs. JOSEPH J. TAYLOR, *President.*
Mrs. E. A. PEASE, *Secretary.*

Mr. BOOHER. I have no doubt that it would be a nice thing for the village. It would appeal to me more strongly, knowing the forestry reservation and the administration of it, if we donated this land right square out.

Mr. SMITH of Idaho. We do not want it in that way.

Mr. BOOHER. Certainly not; you do not want to take care of it. It is to get the Government to take care of it.

Mr. DIES. Why do they not want it?

Mr. SMITH of Idaho. It simply means the expense of taking care of it. There will be no expense incurred by the Government in taking care of it, but there would be if the town authorities had to police it.

Mr. FERRIS. Mr. Speaker, all sorts of insidious insinuations would be charged to these men if they wanted a grant of the land. Ordinarily when we come in here and ask for grants to land we are harpooned and assailed for asking to give people something, but when these gentlemen come in and ask modestly, not that it be given to them, but that the Government put it into the forest reserve and hold it there, then the gentleman says that we ought to pursue the other policy.

Mr. BOOHER. Does not the gentleman know that there was a deficit in the forest reservation last year of nearly $3,000,000?

Mr. FERRIS. I do.

Mr. BOOHER. Does not the gentleman know that it is growing larger every year?

Mr. FERRIS. Perhaps that is true.

Mr. BOOHER. And does not the gentleman know that the larger the reservation the greater the deficit will be every year?

Mr. FERRIS. Much of the gentleman's reasoning is very good, and I opened my remarks by saying that good men and great men and clear-headed men differ as to the method to be pursued in respect to forestry matters, but they should not inject a national question into the discussion of a little local community question like this.

Mr. BOOHER. But the gentleman ought not to get a local-community question in here when it involves a national question. I am not going to object to the bill, but I want to say now that next year you will find that you have had to employ, and your reports will show it, extra rangers and extra clerical force to look after this forest reservation to which you have added this grant.

Mr. FERRIS. They say not.

Mr. BOOHER. I just ask the gentleman to put a mark on that and see whether or not that is the result.

Mr. FERRIS. I agree there are too many jobs, as well as too many jobless; still this little water-supply bill is no place to fight out questions of that sort.

The forestry questions and the excess of employees in the Government would consume the time of an entire Congress and can not be settled here.

We can settle this little water-supply bill and not lose an acre of ground or cost an additional dollar, and we ought to do it.

Mr. MANN. Mr. Speaker, reserving the right to object, I will ask the gentleman from Idaho whether he is willing to have this bill amended so as to strike out the school section.

Mr. FERRIS. I suggest that the gentleman strike it out.

Mr. MANN. I am not willing to consent that the General Government shall buy from the State of Idaho a school section in order to benefit one of her local communities. I suggest that the word "thirty-six," in line 10, on page 1, be changed to the word "thirty-five." Is the gentleman willing to accept that amendment? If so, I shall not object to the consideration of the bill.

Mr. SMITH of Idaho. But "thirty-six" is not mentioned.

Mr. FRENCH. It is not described.

Mr. MANN. The difficulty with the gentleman is that they are not accurate about it.

Mr. FRENCH. The description has been checked over and verified by the department.

Mr. MANN. It says "sections 31 to 36, inclusive." Now, section 36 is a school section.

Mr. SMITH of Idaho. Then I suggest that we simply eliminate "thirty-six."

Mr. MANN. That is what I say—change "thirty-six" to "thirty-five."

Mr. SMITH of Idaho. Yes. I do not think there will be any objection to that.

Mr. FRENCH. There would be no objection to that.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Idaho asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Amend, page 1, line 8, by striking out the word "east" and inserting in lieu thereof the word "west."

Amend, page 1, line 5, by striking out the word "base" and inserting in lieu thereof the word "Boise."

Amend, page 1, line 11, by striking out the word "base" and inserting in lieu thereof the word "Boise."

Amend, page 1, line 14, by striking out the word "base" and inserting in lieu thereof the word "Boise."

Amend, page 2, line 3, by striking out the period following the word "Reserve" and inserting a comma and adding the following words: "subject to all prior valid adverse rights."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. MANN. Mr. Speaker, I move to amend, on page 1, line 10, by striking out the word "thirty-six" and inserting in lieu thereof the word "thirty-five."

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SMITH of Idaho, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting some papers which I have here.

The SPEAKER. The gentleman from Idaho asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ASSAY OFFICE, NEW YORK CITY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13296) for the enlargement, etc., of the Wall Street front of the assay office in the city of New York.

The Clerk read the bill, as follows:

Be it enacted, etc., That all unexpended balances of appropriations heretofore made under the authority contained in the acts of Congress approved March 4, 1911, and August 26, 1912, for the enlargement,

etc., of the Wall Street front of the assay office in New York City, and for vaults therefor, and architectural, engineering, and other technical services in connection therewith, are hereby reappropriated and made available for the erection of a new fireproof building on said Wall Street front, in continuation or extension of the present assay office building fronting on Pine Street, together with suitable vaults for use of said assay office and the adjoining Subtreasury, and, if necessary, an entrance from or connection with said Subtreasury for access therefrom, at a total limit of cost of not exceeding in the aggregate the present limits of cost for building, vaults, connection with the Subtreasury, and the architectural, engineering, or other technical services in connection therewith of $607,408.

SEC. 2. That the authority heretofore given to the Secretary of the Treasury, to employ, in his discretion, such architectural, engineering, or other technical services as he may deem necessary in connection with the enlargement, remodeling, or extension of the portion of the assay office in New York City fronting on Wall Street, and to pay for such services from the unexpended balance of the appropriation from which the rear portion of said assay office was constructed, is hereby continued with respect to said new building, payment therefor within the limit heretofore fixed to be made from the amounts herein reappropriated.

SEC. 3. That the Secretary of the Treasury be, and he is hereby, further authorized to employ, in connection with the Supervising Architect's Office, and without regard to the civil-service laws, rules, or regulations for service, either within or without the District of Columbia, such other specially skilled technical, engineering, consulting, and superintending services as he may deem necessary, all such specially skilled technical, engineering, consulting, and superintending services to be exclusively employed in connection with the plans and specifications for said vaults and the foundations of said building and vaults. And the Secretary of the Treasury is hereby authorized to pay for such services mentioned in this paragraph such compensation and such actual necessary traveling and subsistence expenses in connection with such work as he may deem reasonable, from the amounts herein reappropriated, all such additional services and traveling expenses hereinbefore authorized to be in addition to and independent of the authorizations and appropriations for personal services and traveling expenses in said office otherwise made.

And in razing said Wall Street front the Secretary of the Treasury may dispose, by gift or otherwise, of the façade of said present building with a view to the preservation of said façade: *Provided*, That the United States shall not be put to any expense beyond that for said razing.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 10, strike out the words "reappropriated and" and insert the words "authorized to be."

Page 2, line 17, strike out the word "reappropriated" and insert the word "authorized."

Page 3, line 8, strike out the word "reappropriated" and insert the word "authorized."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. SINNOTT. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

IMMIGRATION STATION AT BALTIMORE, MD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11625) to increase the appropriation for the erection of an immigration station at Baltimore, Md.

The Clerk read as follows:

Be it enacted, etc., That section 29 of the public building act approved March 4, 1913, providing for an immigration station at Baltimore, Md., is hereby amended so as to increase the limit of cost from $280,000 to $550,000.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, which I expect to do, this immigration station at Baltimore has given a good deal of discussion and this is the third time it has been on the floor. I think the first time it permitted an authorization, the next time an increase of the limit of cost, and another time again increasing the limit of cost, $270,000, and I think that Baltimore ought to get along with less expense, and I therefore object.

The SPEAKER. The gentleman from Illinois objects and the bill will be stricken from the calendar.

Mr. LINTHICUM. Mr. Speaker, I ask the gentleman whether he will not allow it to be passed without prejudice.

Mr. FOSTER. I have no objection to that.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I see no good that will come in having this bill continue on the calendar when Members here believe that objection should be entered against it, and I think the bill ought to be disposed of, and I shall object.

Mr. MANN. Reserving the right to object, I would like——

The SPEAKER. The gentleman from Wisconsin has already objected.

Mr. STAFFORD. I will reserve the right to object; I have no objection to the gentleman making a statement.

Mr. MANN. I would like to make a suggestion to the gentleman. This is the fourth public buildings bill we have had here. Now, we have just passed one a moment ago authorizing the expenditure of $600,000 for a purpose a little different from what it was originally appropriated for. Not a word was said, no objection was made, nobody took the floor. The gentleman who introduced the bill was absent. My distinguished friend from Maryland is present, and I suggest if he can get this restored to the calendar another time that he stay away, and probably the gentleman from Illinois, the gentleman from Connecticut, and the gentleman from Wisconsin will not object.

Mr. DONOVAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DONOVAN. To reserve the right to object, in order to correct the gentleman from Illinois. As a rule he is correct in his statements, but I do not like to see a gentleman at his time of life commit errors. [Laughter.] The bill which just passed did not appropriate a dollar——

Mr. MANN. Well, I did not say it did.

Mr. DONOVAN (continuing). But provided for an expenditure. If the gentleman wants to interrupt me, he must get permission of the Chair; he must obey the rules.

The SPEAKER. The gentleman refuses to yield.

Mr. DONOVAN. Mr. Speaker, I do not refuse to yield, but the gentleman must get permission through the Chair. He must conform to parliamentary usage. [Laughter.] The bill provided for an unexpended-balance appropriation, no new appropriation; that is all. I withdraw my objection.

Mr. MANN. Mr. Speaker, reserving the right to object, I did not state that the bill just passed carried an appropriation. I stated it provided for a use of money in a different manner from the use provided for in the original appropriation. So I did not make a mistake in that respect. But the gentleman from Connecticut is right, I made an error in the statement I made a few moments ago when I said that no gentleman rose to object to the bill. The gentleman from Connecticut did rise, but was pulled down by his coat tails. [Laughter.]

The SPEAKER. Is there objection?

Mr. LINTHICUM. Mr. Speaker, I ask the gentleman from Wisconsin to withhold his objection for a moment.

Mr. STAFFORD. If it will accommodate my genial friend from Baltimore that this bill remain on the calendar two weeks and have some gentleman object to it again, I have no objection to having it passed over for two weeks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland that this bill go over without prejudice? [After a pause.] The Chair hears none.

SHELBYVILLE (TENN.) POST OFFICE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13415) to increase the limit of cost of public building at Shelbyville, Tenn.

The Clerk read as follows:

Be it enacted, etc., That the limit of cost of the United States postoffice building at Shelbyville, Tenn., be, and the same is hereby, increased $5,000.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, if it is not considered improper I would like to ask the committee what was the authorization in the first place for this building? I see it is not stated in the report.

Mr. CANTRILL. I will state to the gentleman from Illinois that the original authorization was for $55,000.

Mr. MANN. And they want $5,000 additional?

Mr. CANTRILL. It is a very simple proposition. The Treasury Department finds the building can not be constructed for $55,000, and they want $5,000.

Mr. MANN. I would just like to inquire whether any member of the committee fell over in a faint when he received the modest request of an increase in cost from $55,000 to $60,000?

Mr. CANTRILL. I did not hear the gentleman.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

YOSEMITE NATIONAL PARK PROTECTION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12533) to amend section 1 of an act of Congress approved April 9, 1912 (37 Stats., p. 80), entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes."

The Clerk read as follows:

Be it enacted, etc., That section 1 of an act of Congress approved April 9, 1912 (37 Stats., p. 80), entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes," be, and the same is hereby, amended to read as follows:

"SECTION 1. That the Secretaries of the Departments of Interior and Agriculture, for the purpose of eliminating private holdings within the Yosemite National Park and to preserve intact timber along and adjoining the roads in the scenic portion of the park on patented lands, are hereby empowered, in their discretion, to obtain for the United States a complete title to any and all patented lands within the boundaries of said park by the exchange of timber or timber and lands within the Yosemite National Park and the Sierra and Stanislaus National Forests for timber on patented lands or for such lands and the timber thereon within the park."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Speaker, I understand that there is a Senate bill——

Mr. RAKER. Mr. Speaker——

The SPEAKER. This bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from California asks unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Now, Mr. Speaker, the same bill has passed the Senate with the committee amendment. The committee of the House unanimously requested that the chairman be authorized to call up the Senate bill (S. 4943) and it was laid on the desk for a week, and by some reason it went over to the committee. The papers are now on the Speaker's table, and if there is no objection I ask unanimous consent that the House bill be laid aside and the Senate bill be taken up in its place.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent that a Senate bill of like tenor be considered in place of the House bill.

Mr. MANN. Reserving the right to object, the gentleman says that the Senate bill is on the Speaker's table. I do not know how it reached there. It can not be there theoretically, although it may be there practically.

The SPEAKER. It can not be there as a matter of rule, but it is here as a matter of fact.

Mr. MANN. That is all right.

Mr. RAKER. I saw the chairman of the committee, and saw the Speaker, and understood it could be done by unanimous consent. I want to say to the gentleman from Illinois——

Mr. MANN. The gentleman means to infer that it is in the House.

Mr. RAKER. Yes, sir.

Mr. MANN. I have no objection.

The SPEAKER. Is there objection?

Mr. MANN. What is the request?

The SPEAKER. The request is to substitute the Senate bill for a House bill of a like tenor.

Mr. MANN. First get the committee discharged by unanimous consent.

Mr. RAKER. I ask unanimous consent that the Committee on the Public Lands be discharged from further consideration of the bill.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent that the Committee on the Public Lands be discharged from further consideration of the bill, and that the Senate bill of like tenor be submitted for the House bill. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. I think we should have the Senate bill read first. I reserve the right to object.

The SPEAKER. The Chair was going to do that. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 4943) to amend section 1 of an act of Congress approved April 9, 1912 (37 Stat., p. 80), entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes."

Be it enacted, etc., That section 1 of an act of Congress approved April 9, 1912 (37 Stat., p. 80), entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes," be, and the same is hereby, amended to read as follows:

"SECTION 1. That the Secretaries of the Departments of Interior and Agriculture, for the purpose of eliminating private holdings within the Yosemite National Park and to preserve intact timber along and adjoining the roads in the scenic portion of the park on patented lands, are hereby empowered, in their discretion, to obtain and accept for the United States a complete title to any and all patented lands within the boundaries of said park by the exchange of timber or timber and lands within the Yosemite National Park and the Sierra and Stanislaus National Forests for such lands and the timber thereon within the park, necessary conveyances of park and national forest timber or timber and lands to be made by said Secretaries, respectively. That the Secretaries of the said departments may, and are hereby authorized to, acquire title in fee by the exchange of lands of the United States for patented lands not exceeding 640 acres in the Sierra and Stanislaus National Forests, adjacent and contiguous to the Yosemite National Park, and when such patented lands are thus acquired said lands shall become a part of the Yosemite National Park and be subject to all the provisions of the act of October 1, 1890, entitled 'An act to set apart certain tracts of land in the State of California as forest reservations.'"

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was read a third time and passed.

On motion of Mr. RAKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. Without objection, the House bill will be tabled. [After a pause.] The Chair hears no objection.

The Clerk will report the next bill.

RELIEF OF HOMESTEADERS.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 117) to amend the act of June 23, 1910, entitled "An act providing that entrymen for homesteads within the reclamation projects may assign their entries upon satisfactory proof of residence, improvement, and cultivation for five years, the same as though said entry had been made under the original homestead act."

The bill was read, as follows:

Be it enacted, etc., That the act of June 23, 1910 (Public, 243; 36 Stats., p. 592), entitled "An act providing that entrymen for homesteads within reclamation projects may assign their entries upon satisfactory proof of residence, improvement, and cultivation for five years, the same as though said entry had been made under the original homestead act," is hereby amended by adding the following proviso:

"*Provided*, That any assignment made between June 23, 1910, and January 1, 1913, of which the assignor has submitted satisfactory final proof and the assignee purchased with the belief that the assignment was valid and under the act of June 23, 1910, are hereby confirmed, and the assignee shall be entitled to the land assigned as under the act of June 23, 1910, notwithstanding that said original entry was conformed to farm units and that the part assigned was canceled and eliminated from said entry prior to the date of assignment and prior to the date of final proof: *Provided further*, That such assignee shall in other respects comply with all of the provisions of the act of June 23, 1910."

Also the following committee amendment was read:

1. Strike out all of page 2 and substitute therefor the following:

"*Provided*, That any assignments made between June 23, 1910, and January 1, 1914, of all or portions of homestead entries upon which the assignors have submitted satisfactory final proof and the assignees purchased with the belief that the assignments were valid, are hereby confirmed, notwithstanding the original entries were conformed to farm units and the portions assigned canceled or eliminated from the entries prior to the dates of assignment or prior to submission of final proof: *Provided further*, That all entries so assigned shall be subject to the limitations, terms, and conditions of the reclamation act and acts amendatory thereof or supplemental thereto, and all of said assignees whose entries are hereby confirmed shall, as a condition to receiving patent, make the proof heretofore required of assignees: *And provided further*, That this act shall not apply to any lands canceled and eliminated from any such entry and which have been embraced in any valid settlement or homestead entry of another."

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, when this bill was under consideration some weeks ago I asked the gentleman from California [Mr. RAKER] if he knew where these tracts were located that it is proposed to validate. At that time the gentleman was not informed. Has he that information now?

Mr. RAKER. Well, I have some of it. I have a letter here from the First Assistant Secretary of the Interior, Mr. Jones, and I will read it for the benefit of the House. It is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, March 30, 1914.

Hon. JOHN E. RAKER,
House of Representatives.

MY DEAR MR. RAKER: I am in receipt of your letter of March 17, 1914, transmitting a copy of bill H. R. 117 and a report thereon from the Committee on Irrigation of Arid Lands, and requesting a list of the parties affected by this bill, for the use of the committee when the matter comes up again on the calendar, March 30, 1914.

In reply, I have to advise you that the Commissioner of the General Land Office reports that he does not have a list of the parties affected by the proposed legislation, in as much as assignments of reclamation homestead entries are not kept separately in his office, and that to furnish you the list requested it would be necessary to withdraw from the files of his office all of the reclamation homestead entries for projects upon which farm units have been established and examine each case

individually, to ascertain whether or not it was affected by the proposed legislation. To accomplish this would require the services of three or four clerks for probably two months. The commissioner reports that the number of entries affected by this legislation is small. Regardless of the condition above described, the commissioner will procure the desired data if you consider it necessary.

Respectfully,

A. A. JONES,
First Assistant Secretary.

In response to that I advised the Secretary that I felt that the House with that letter presented would not require three or four clerks working to present all of the entries involved in this bill when, as a matter of fact, there appeared to be but a few. There are several cases, and one in particular, the case of O. P. McCartney, Montrose, 01068, in which the facts are as follows: McCartney made proof August 23, 1911. His land has been conformed. On May 8, 1910, he was allowed to assign the canceled portion. That is just what we are trying——

Mr. MONDELL. He was allowed what?

Mr. RAKER. He was allowed to assign the canceled portion, as I stated before; and I have gone over it fully this time. The final proof in this case was made upon the whole tract, but before the final proof was made or assignment made, which, of course, could not be under any circumstances until after final proof, the Secretary of the Interior required a conformation—that is, to conform to the farm unit. Now, again in the case of John Mohrherr, the entryman submitted final proof on July 22, 1911. His land had been conformed March 23, 1910. His assignment of the canceled entry was rejected. Since the department itself did not construe the act similarly in various cases, it is not to be wondered that individuals throughout the country, believing the act would have a broad construction, made assignments of canceled portions of entries. One example can be given in the case of John Mohrherr, who assigned a portion of his entry to Lucy E. Komall. I suppose the gentleman is familiar with it. Lucy E. Komall purchased from John Mohrherr, who made final proof and assigned a part of his entry that he could not hold, because it did not conform to the farm unit. In other words, another 80-acre tract, the canceled portion of his homestead entry at Glasgow, 03734. This was purchased by Lucy E. Komall in entire good faith for the sum of $2,500. Seven hundred dollars of this she borrowed from the bank at Fairview, Mont., which bank passed upon the loan and approved it.

The $1,800 represented her total wealth, the earnings of a lifetime. She has three children, all under the age of 6 years, and absolutely no resources but the earnings from the land to support herself and her children. Now, that is one case, and the department is holding that up now. Relief should be granted. I will state the situation as to "first" and "second" form withdrawals as it applies to cases involved under this bill and then a case or so showing the operation of this bill for relief upon such cases. There is no disposition to criticize the department in any way. They held as they believed the law to be. But where parties acted in good faith and purchased the tract eliminated by reason of the entryman conforming to the farm unit the purchaser from such entryman should not suffer if the transaction was founded in good faith and paid value.

A first-form reclamation withdrawal is a withdrawal on the part of the executive authority of the Government of land absolutely from all forms of appropriation, and it has been held by the courts that this sort of a withdrawal cuts off even the settlement of an occupant upon the public domain. (U. S. *v.* Hanson, 167 Fed., 881.) In other words, the appropriation by the withdrawal is for use by the Government and not for the use by individuals. It is upon the first-form withdrawal that the United States erects the permanent reclamation improvements.

The second form of withdrawal is a withdrawal of the land from any form of disposition under the public-land laws except under the reclamation act; that is, under the homestead act as it applies to reclamation projects. At the present time, until the land is ready for irrigation, persons are not allowed to file applications and make entries.

Consequently, we have the situation that there are numbers of projects in which the entrymen were upon the lands for years at a time without the Government's delivering water to the land, and Congress was compelled to pass for the relief of these persons the act of June 23, 1910 (36 Stat., 835), in the future withholding from entry lands within a project until public notice of water being supplied to the lands. And, further, by the same act Congress excused entrymen from residence upon such lands until the date of the public notice. (Roberts *v.* Spencer, 40 L. D., 306.)

THE ACT OF JUNE 23, 1910.

The reason why the act of June 23, 1910, was passed, according to the recollection of Mr. MONDELL, is stated in the debate of March 16, 1914, RECORD, page 5250. The manner in which it worked out was that persons were upon land for several years prior to the public notice, and often were allowed to make proof of residence and improvements. The proof of cultivation and reclamation was made later when the water was delivered; but a person was not required, after living upon the land for five years, to continue to live until the water was delivered after having made the five-year proof. It was therefore clear that after a person had made five-year proof prior to public notice that he would often be cut down and would lose the land upon which he had made improvements.

In the case of Henry D. Holbrook, Montrose, Colo, No. 01325, the principal improvements of Mr. Holbrook were upon the land eliminated from his entry. The object of the act of June 23, 1910, was immediately the relief of settlers and homesteaders who had come upon the land, lived upon it for five years, and had improved the same, but were brought face to face with the order of the department upon public notice to cut down the land upon which they had made a proof. When a man has made final proof, provided everything is regular, he has the right to assign. Therefore all the act of June 23, 1910, does is to make an assignment valid which might by a subsequent act of the department in conforming the land make the assignment invalid. After the passage of the act of June 23, 1910, in many instances confirmation was made prior to the issuing of public notice. This differed from the published and announced practice.

A single instance of this is in the case of the Uncompahgre project, as shown in the case of Henry Holorook, Montrose, Colo., 01325, where Holbrook's entry was conformed to 40 acres prior to the issuance of public notice and in advance of distributing water to his lands.

The act of June 23, 1910, was administered unevenly, in the opinion of many, for in the case of O. P. McCartney, Montrose, 01068, the facts are as follows:

McCartney made proof August 23, 1911. His land had been conformed May 18, 1910. He was allowed to assign the canceled portion.

In the case of John Mohrherr, the entryman submitted final proof July 22, 1911. His land had been conformed March 23, 1910. His assignment of the canceled portion was rejected.

Since the department itself did not construe the act similarly in various cases, it is not to be wondered at that individuals throughout the country, believing the act would have a broad construction, made assignments of canceled portions of entries.

The decision of the First Assistant Secretary of the Interior, Adams, in the case of Lucy E. Komoll, decided against the right of assignment although the facts were fully in the record at the time, and in the case of O. P. McCartney, Montrose, 01068, the First Assistant Secretary having none of the same circumstances before him decided in favor of the right of assignment. The equities in the case of Lucy E. Komoll were overwhelmingly in her favor as compared to the equities in the case of O. P. McCartney.

OTHERWISE ASSIGNABLE.

The meaning of the letter of the Secretary is clear, although the language might be improved; that is, that various persons made homestead entries within reclamation projects and made final proofs, but prior thereto their areas had been cut down, but notwithstanding the fact that the cases were not strictly within the act of June 23, 1910, it was believed that an assignment could be made such as is well illustrated in the case of Lucy E. Komoll where she not only purchased in good faith, putting all of her money into the purchase, but the local bank composed of shrewd business men believed that the only risk was an ordinary credit risk, and that the assignment gave Lucy E. Komoll the right to the land. The law is not intended to benefit anyone who assigned prior to the making of proof. It is an amendment of the act of June 23, 1910, but does not change the act in that respect. It is only to remedy the cases where an entryman having made final proof assigns a portion of the land originally within his entry, but which has been conformed prior to the making of his proof, and also only in cases where the purchaser bought believing in good faith that the assignment was within the act of June 23, 1910.

The act is for the relief of purchasers and not of entrymen.

Mr. MONDELL. As near as I am able to judge from the reading of those letters and the rather incomplete statement of the case, they are cases where the department has held that though an entryman had made final proof as contemplated by the act of June 23, 1910, that inasmuch as the party had been called upon to conform prior to that time, the department holds, as I understand it, that the entryman is not entitled to the benefits of that act.

Now, if the gentleman's idea and the thought of the committee was to remedy that condition of affairs, it is simply remedying a condition of affairs that arises out of an erroneous construction of the law by the department, as I understand it, and there could be no possible objection to it. This proposition, however, comes as near to being a proposition to compound a felony as we are ever likely to find in a proposition for legislation.

Mr. RAKER. Let me answer the gentleman. The original bill was drawn by the department, and the department drew that substitute, with one slight difference of wording.

Mr. MONDELL. Well, the department officials are mortals, like everybody else, and they are likely to fall into error, as we all are, and others may understand these matters as well as the man who drew the bill. Without regard to what the intent of the committee was, and without regard to what the intention of the department was—and the intentions of both parties, I am sure, were proper, sound, and reasonable—the act itself, I repeat, would allow the confirmation of what comes pretty near being a felony.

The gentleman said a moment ago that of course no one could assign until after he had made final proof. The gentleman has not read the bill.

Mr. RAKER. Oh, yes; I have read the bill. I have gone over it and given it lots of consideration, and I say again emphatically, if there is any objection on the other ground I can not help it, because no man can make an assignment nor can the assignee obtain any right until after the final proof has been made.

Mr. MONDELL. He can not under the law.

Mr. RAKER. And he can not under this bill.

Mr. MONDELL. What, then, do the words in the act mean which I will read for the gentleman's benefit, after reading the proviso——

Mr. RAKER. On what line?

Mr. MONDELL. On page 2. It is not necessary to read anything else until we reach the words on line 25—

Are hereby confirmed—

That is the confirmation—

notwithstanding the original entries were conformed to farm units and the portions assigned canceled or eliminated from the entries prior to the dates of assignment and prior to submission of final proof.

What does the gentleman understand that to mean? If the intent of the committee is——

Mr. RAKER. Let me say this to the gentleman: There is no use in taking the time of the committee in words. If the gentleman thinks that the language on line 3 of page 3—"or prior to submission of final proof"—means what he contends, I am more than willing to strike them out, if the gentleman thinks there will be any objection. I am more than willing to do that, and I will ask to amend the bill by striking it out.

Mr. MONDELL. Well, that is not the only objection. Another objection is that this bill confirms entries where the parts assigned were actually eliminated from the entry before assignment and before the submission of final proof. In other words, this is what might occur under this law: That at a given date the department ordered an entry to be reduced and made to conform to the farm unit. Thereupon, that was accomplished, perhaps, by a relinquishment on the part of the entryman to all claim to the excess. At any rate, it was accomplished, and it ceased to be a part of the entry. It was no more the land of that entryman than it was the land of my friend from California; but notwithstanding the fact that those lands had been eliminated from his entry and ceased to be a part of his entry, he proceeded to assign these lands to other parties.

Now, he had no right to do that. He had no claim whatever to that land. It was not his. He was assigning something that did not belong to him. While I have no doubt but that there are some cases that ought to be relieved—the class of cases that the gentleman refers to seems to me, under a proper interpretation of the law of 1910, to come under it, but if the department is holding——

Mr. RAKER. No; the ruling is the other way.

Mr. MONDELL. If the department is simply holding that these assignments can not be made because they had ordered the conformation prior to a certain time, although the party did go in good faith and make the final proof covering the entire area, then the gentleman ought to draw a bill in different form from the bill before us, because certainly this bill will validate cases that ought not to be allowed. It will validate cases where the entryman had given up all notion that he had any claim to the excess land. Later, after the entry has been confirmed, he concludes to assign those lands to some one else, either before or after he has presented final proof. And here is the curious part of this whole proposition. It is not illuminated by the report. It is not illuminated by the letter of the department. How could an entryman have submitted approved, satisfactory proof on the entire entry when a part of the entry prior to that time on the records of the Land Office had been eliminated and separated from the entry and restored to the public domain?

Mr. RAKER. There is the crux of the whole thing, and the gentleman from Wyoming will not permit his mind to receive the facts as they actually exist and as this bill applies. I hope he will listen to me for just a moment, because I do not want to take up much time.

This bill does not affect the entryman, and the gentleman ought not to insist on that before the House. It affects the assignee, the bona fide party who has obtained this land, that has been relieved by virtue of an order—the man who has expended his money and made improvements upon the land. The original entryman can snap his fingers and say it makes no difference to him what becomes of the man who purchased from him.

Now, let me call the gentleman's attention to this fact: When the party is ordered to conform to the homestead unit of that project he does not do it all at once. Many of them have done so. Possibly some did not. Some did not do it and made final proof. Such a man did not relinquish his entry. The order was made for him to conform. He went and made final proof, and it may be he had the right to do it; but whether he did or not, the record does not show anything against him. He makes his final proof. It is accepted for the 80 acres or for the whole 160 acres. He then sells to an innocent party, who believes he has an absolute right to obtain that assignment and then go upon the land and improve it, obtain the water right, cultivate it, and then eventually get a patent by conforming to the act of June 23, 1910. Now, clearly that innocent party ought to be given relief.

Mr. MONDELL. The gentleman insists on stating a case which, while it might come within the provisions of this statute under the interpretations of the department, really and in fact comes under the provisions of the act of June 23, 1910, without any remedial legislation.

Mr. RAKER. The department holds that it does not. That is the difference.

Mr. MONDELL. The difficulty with the gentleman's legislation is that it includes classes of cases in which parties who have ceased to have any right, title, or interest in lands have sold them.

Mr. RAKER. Oh, no; it does not affect the original party at all. I have said that repeatedly, and I trust the gentleman will not confuse the issue by claiming that the original homesteader is affected by this bill. Far from it. It is the assignee. It is the one in possession. It is the one who paid his money for the land. It is the one living upon the land and improving it to-day, and applying for the water right, and complying with the law, and trying to build up a home; and it does not apply to the original entryman in any way, shape, or form.

Mr. MONDELL. If all the gentleman wants to do is to establish some sort of a homestead right on the part of these people who have been foolish enough to buy something from individuals that those individuals did not own, then entirely different legislation from that before the House ought to be brought here for our consideration.

Mr. RAKER. I think that if——

Mr. MONDELL. If the gentleman has a good case where innocent parties have been unfortunately imposed upon, and if he wants to relieve those people to a certain extent, that can be accomplished, because these parties are in possession of these lands in any event. All in the world they have to do now is to continue to live upon them and cultivate them and pay for them. What the bill proposes to do is to validate and confirm a certain transaction which was not only contrary to law, but contrary to good morals.

Mr. RAKER. Oh, nonsense. That is improperly stating the case.

Mr. MONDELL. Oh, well, it is easy enough for the gentleman to say that.

Mr. RAKER. It is. The department has gone over this bill, it has made its report upon it, and the gentleman's theory and argument do not apply to the case at all.

Here is an innocent party who has gone on the land, purchased it, lived there, and the gentleman from Wyoming knows and knows well, because he has been on the Public Lands Committee and the Committee on Irrigation, that this party is in possession by virtue of a transfer, and if he loses that right he may not have a right to file on the land again. He may be disqualified to file on a homestead. Now, when they have spent $2,500 on these lands that they believed to be valid, which ap-

peared to them to be valid and which the department in a different way held to be valid, why should not the parties be given relief?

Mr. MONDELL. We had a case here the other day in a bill introduced by me of a somewhat similar character in regard to a homestead entry. A party had purchased a tract that had been covered by a homestead entry. He discovered that the proof was contested by the Government and the tract was held for cancellation. All we attempted to do was to give the party who lived upon the land the right to make a homestead entry. There would be no objection to giving these people the right to make homestead entries if any are not qualified homesteaders. Here are outside parties, speculators to a certain extent, parties who do not want to live on the land. If they do want to live on the land we ought to give them the opportunity to do so and get title. The difficulty with the bill is that it puts the stamp of approval on transactions which are fraudulent.

Mr. RAKER. That is absolute nonsense.

Mr. MONDELL. It is putting the stamp of approval on acts that involve moral turpitude.

Mr. RAKER. The department in the first case that I have referred to granted the right to obtain a patent.

Mr. MONDELL. Well, if they think that is the right thing to do, let them do it.

Mr. RAKER. The party I referred to here is a woman and not qualified as a homestead entryman. She may have a husband who is away and who will not come back. It may be he is worthless. You would be willing to beat her out of a homestead, her money and her home, where she is trying to protect her children; you would deprive her of that by some little legal technicality. I know the gentleman does not mean that.

Mr. MONDELL. Oh, the gentleman can not make that kind of an appeal to a Representative from a woman-suffrage State [laughter] on the theory that I am to be led away from the main proposition by a hypothetical case. If there is a woman in the case and her condition is as the gentleman suggests, she can make a homestead settlement.

Mr. RAKER. Not with her husband living.

Mr. MONDELL. Yes.

Mr. RAKER. Unless he absolutely abandons her she can not make a homestead entry.

Mr. MONDELL. Any woman whose husband has abandoned her and is not caring for her can make a homestead entry. A woman who is in such an unfortunate condition—or fortunate condition perhaps, because a man that will leave a woman under those circumstances is not worthy of her, and she is lucky to have him go—can make a homestead entry.

We have been legislating on public lands a good many years, and some gentlemen have thought that I was liberal in my views in regard to public lands, but I never knowingly have approved a bill that provided for the confirmation of an illegal act. I do not believe that we ought to begin to do it now.

Mr. RAKER. There is no provision in the bill for that, and it is a thousand miles from it.

Mr. FOSTER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. FOSTER. I would like to inquire if the gentleman from Wyoming and the gentleman from California are getting any nearer an agreement. [Laughter.]

Mr. MONDELL. The gentleman from California is not enlightening me in this matter sufficiently to remove my doubts in regard to what the bill proposes to do, or will allow to be done at least. I am quite sure that the bill provides for the validation of certain transactions that were illegal, and it ought not to be done.

Mr. RAKER. I want to ask the gentleman from Wyoming if he was not a member of the committee that reported the act of June 23, 1910? He certainly was, and every one of those confirmations were against existing law. The gentleman from Wyoming has passed on a desert act in the Committee on Public Lands where the party who entered knew that he violated the law and could not prove up his claim. I remember one from the gentleman's State where the department said that it reeked with fraud.

Mr. MONDELL. What case does the gentleman refer to?

Mr. RAKER. We passed it last year. I will get it and call it to the gentleman's attention. It was a case where a man had a mineral entry and it was a violation of law. The gentleman showed that he had expended his money, and said that he ought to be given the money because he ought not to be punished for what the entryman had done before him. Here is a case where innocent parties to a transfer ought not to be punished any more than the man in Wyoming who had purchased from somebody else who had made the entry and violated the law.

Mr. MONDELL. Perhaps the gentleman refers to the Mathene case, which I have already referred to. All we did there was to give him the right of homestead. I have no objection to allowing anyone who has lived in good faith upon a piece of reclamation land the right to homestead it.

Mr. RAKER. That is what they are doing in this case. They have paid their money and got their homes.

Mr. MONDELL. Oh, not at all. You do not require compliance with the homestead law with regard to residence.

Mr. RAKER. Oh, yes; we do.

Mr. MONDELL. Oh, no; the gentleman knows better than that.

Mr. RAKER. Residence has been complied with.

Mr. MONDELL. Residence would have been complied with, providing the other party had complied with it, providing the other party had complied with the law, and had retained his right to the land up to the time he made proof and made his assignment.

Mr. RAKER. Let me call the gentleman's attention to this fact, that the law requires, if this bill passes, that there must be cultivation, there must be improvement, there must be a water right obtained and full value paid for it. Now, because the original party made a mistake when he made this final proof and sold to the innocent third party, that third party ought not to be punished, but ought to be given the right to obtain patent if he complies with all of the law.

Mr. MONDELL. He did more than make a mistake. He committed a fraud. He might have been prosecuted and sent to jail for it.

Mr. RAKER. Oh, no; the act of June 23, 1910, relieved those people who had been doing the same thing, who were honestly in good faith.

Mr. MONDELL. But the act of June 23, 1910, is not retroactive. It applies to the future.

Mr. FERRIS. Mr. Speaker, is the gentleman from Wyoming going to object?

The SPEAKER. Is there objection?

Mr. MONDELL. I object.

The SPEAKER. The gentleman from Wyoming objects, and the bill is stricken from the calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

SECOND HOMESTEAD AND DESERT-LAND ENTRIES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1657) to authorize the allowance of second homestead and desert-land entries.

The Clerk read the bill as follows:

Be it enacted, etc., That where any person otherwise duly qualified to make entry of public lands under the homestead or desert-land laws has heretofore made or may hereafter make entry under said laws, and has forfeited or abandoned the same, such person may be permitted to make another entry upon showing to the satisfaction of the Secretary of the Interior that the prior entry was made in good faith, was forfeited or abandoned because of matters beyond his control, and that he has not speculated in his right nor otherwise committed a fraud or attempted fraud in connection with such prior entry—

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That any person, otherwise duly qualified to make entry of public lands under the homestead or desert-land laws, who has heretofore made or may hereafter make entry under said laws, and who, through no fault of his own, may have lost, forfeited, or abandoned the same, or who may hereafter lose, forfeit, or abandon same, shall be entitled to the benefits of the homestead or desert-land laws as though such former entry had never been made: *Provided*, That such applicant shall show to the satisfaction of the Secretary of the Interior that the prior entry or entries were made in good faith, were lost, forfeited, or abandoned because of matters beyond his control, and that he has not speculated in his right nor committed a fraud or attempted fraud in connection with such prior entry or entries, and that he has not relinquished his former entry or entries for a valuable consideration in excess of his filing fees."

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Colorado [Mr. TAYLOR] if he thinks many homestead entrymen would be able to make a second entry under the provisions of a statute that would require that he shall prove that his first entry was lost, forfeited, or abandoned because of matters beyond his control?

Mr. TAYLOR of Colorado. Is that the end of the question?

Mr. MONDELL. That is one of the questions.

Mr. TAYLOR of Colorado. I will say to the gentleman that as the report shows in this case there are six or eight bills pending now before Congress providing for second homestead desert-land entries, one introduced by the gentleman himself, one by the gentleman from Colorado [Mr. RAKER], one by the gentleman from Idaho [Mr. FRENCH], besides one by myself, and one

by the Senator from Utah [Mr. SMOOT], and another by the Senator from North Dakota [Mr. GRONNA]. This bill was taken up before the Public Lands Committee, together with all of the other bills that I have mentioned, and all of them were referred to the Department of the Interior. We obtained reports upon them, and then made the best composite bill that we could get out of the committee. I think the bill is a good bill, except the last clause that is contained in the last line and a half. I do not like that. At the same time, it was put in there by Mr. LENROOT, and the committee accepted it.

Mr. MONDELL. The last line and a half is similar to the law now on the statute books.

Mr. TAYLOR of Colorado. I understand.

Mr. MONDELL. And there is no special objection to it, but the difficulty with the legislation is this, that it holds out a hope that never can be realized. I can not think of any condition of affairs that will arise in connection with a homestead entry or in connection with many homestead entries where the loss or forfeiture or abandonment is due to matters beyond the control of the entryman.

Mr. TAYLOR of Colorado. Oh, yes; there are a great many.

Mr. MONDELL. There might be.

Mr. TAYLOR of Colorado. There is sickness and all sorts of failure of crops, and everything of that kind, that the entryman has nothing to do with, that are beyond his control.

Mr. MONDELL. Those things make it difficult for the entryman, but they are not beyond his control.

Mr. TAYLOR of Colorado. Drought is beyond his control, and the death of his wife and children and a great many other things are beyond his control. They do not affect his good faith. I may say that the committee, since the gentleman ceased being a member of it, has given this matter a great deal of study. The department is desirous of having a general law that will apply to the future as well as to the past. The numerous bills which the gentleman and I have helped to pass have been to correct conditions as they went along, to take up a few years at a time. Now, the department felt they ought to have a bill to cover the future as well as past entries, and this is as favorable, under existing conditions, as we could all agree to. It is very drastic, I admit, but it is better than nothing; it is better than the present law. We felt, and I feel, that if you will permit the consideration of this measure, considering the rulings which they are now making upon those few people who are trying to get a second entry when they have lost one through casualties and hardships and misfortunes entirely beyond their control and when they are in the utmost good faith, we feel you ought not to prevent the enactment of this measure.

Mr. MONDELL. We have on the statute books to-day a law allowing those, who, prior to February 3, 1911, through any cause, lost, forfeited, or abandoned their homestead entries, to make another entry and all they are required to do is to furnish description of the former entry and to prove that it was not relinquished for a valuable consideration, and so forth.

Mr. TAYLOR of Colorado. Yes.

Mr. MONDELL. Now, that statute is useful and helpful but——

Mr. TAYLOR of Colorado. The way it is construed now it is not very useful.

Mr. MONDELL. Well, if they can construe a statute of that kind so that it is not helpful what benefit can there be from a statute which says first that the entryman must prove that the entry was lost or abandoned through no fault of his own.

Mr. TAYLOR of Colorado. They do hold it.

Mr. MONDELL. Second, he must prove it occurred because of matters beyond the entryman's control. Further than that, I am very much opposed to the department's idea of making this a law for the future as well as for the past. In my opinion that would be a very great mistake. It is said that as we pass from time to time laws allowing those who prior to the passage of these acts have lost or abandoned their entries to make new entries, that we should provide a permanent statute under which entrymen may make a second entry. I do not know but what he could make a third or a fourth under this law, providing he will prove certain things. Now, that is, in my opinion, very objectionable. The right to make homestead entries might become a matter of barter and trade——

Mr. TAYLOR of Colorado. There are not so many of them.

Mr. MONDELL. Well, the gentleman says no; that is his opinion. It is one thing to say that those who have heretofore lost or abandoned their homesteads and have been guilty of no fraud—have received nothing for the relinquishment—may make another entry, but quite another thing to say that for the future anyone can go upon a homestead entry with the understanding that the entry can be abandoned and another entry taken. We ought not hold out any such hope as that to a homestead entryman, particularly if we do not in fact really provide reasonably for the second entry.

Mr. TAYLOR of Colorado. If the gentleman will pardon me. If he goes on he has got to lose it by matters beyond his control. Goodness alive, he has to bring himself within this very drastic law before he can get in again.

Mr. MONDELL. There are two objections to the bill. In the first place, it lays down a new theory in regard to a homestead, that a man may hope and expect when he makes an entry to have another under certain conditions.

Mr. TAYLOR of Colorado. He gets no benefit out of that.

Mr. MONDELL. And, second, it denies that hope and expectation to him when he attempts to realize upon it. You lay down conditions so difficult that there will not be one entryman out of a hundred who can by any possibility come within them. Where an entryman lost a homestead or abandoned a homestead or failed to make proof upon a homestead there is not one case out of ten where he could prove to the satisfaction of an exacting department that it occurred through no fault of his own, that it was due to matters beyond his control.

Why, the department may say, and still be within the law, that though a man may have had sickness in his family he still could have held his homestead if he desired to do it. Even though death had occurred in his family he still could have held his homestead if he desired to do it, the Land Office might hold; even though he may have failed to raise crops, he might still have adhered to his land, remained upon it, and held it if he had desired to do it, would be the holding under this bill. Few of these things for which men abandon homesteads are matters entirely beyond their control so far as the act of abandonment is concerned, because it is optional with a man so long as he is alive and able to get about at all to stay upon a tract of land. You may say that would not be a fair interpretation, but it would be the interpretation followed, I fear. If you are going to give the right of second entry, give it under conditions that will be of some value after you have done it. And while I regret very much to oppose a law that presumes or pretends to give a right of second entry, I do not think I would be justified in approving the passage of an act which, as a matter of fact, would help very few, if any. It would simply hold out a hope to many entrymen that never could be realized.

Mr. TAYLOR of Colorado. Will the gentleman permit me to make a suggestion? Let me suggest to the gentleman from Wyoming that if anybody goes out on a piece of land with the expectation of losing his first chance to a homestead and with the hope of getting another one under this law he must have knowledge of the conditions under which he has got to get it, has he not?

Mr. MONDELL. Yes.

Mr. TAYLOR of Colorado. And he must have knowledge that it would be almost an utter impossibility for him to get a second one, if the gentleman is correct.

Mr. MONDELL. The only man under such a law as this that would have that hope before him would be a man with a sufficiently easy conscience that he would not hesitate to make any kind of an affidavit as to conditions under which he abandoned. It would not help the honest homestead settler at all.

Mr. TAYLOR of Colorado. Let me suggest, if you will wait a moment, that I can not conceive of why a man would want to take a first homestead and then be compelled to show that he got no benefit out of it whatever. Why would he take the first when he could not get any benefit out of it? He must simply lose it all in order to take the second one.

Mr. MONDELL. The gentleman is familiar with the customs in the western country.

Mr. TAYLOR of Colorado. It is entirely reasonable.

Mr. MONDELL. Assuming that there is any possibility of getting a second entry under this law, and you must assume that, or there is no reason for passing the law——

Mr. TAYLOR of Colorado. Why would he get it, then?

Mr. MONDELL. Wait a moment. The gentleman well knows there are reasons why men might be inclined to make a homestead entry to temporarily hold a piece of land for some one else or for some purpose other than the purpose of making a home upon it, with the idea of later reliquishing it.

Mr. TAYLOR of Colorado. Is not that a very remote contingency?

Mr. MONDELL. I think it would be entirely remote if the man had read this law, but if he simply had understood that there was a law under which he could make a second entry if he had not received any consideration for his first, then I can understand how many men might do that very thing. But the

trouble is that the honest entryman who really was compelled to abandon would not, I fear, get any benefit under this statute.

Mr. NORTON. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. NORTON. In that case the entry would have been made in good faith, and under this provision he would be entitled to a second entry, of course.

Mr. MONDELL. It is necessary for him to prove it is in good faith; that he lost or abandoned it through no fault of his own; that it was due to matters entirely beyond his control. When you came to the issue comparatively few people, if any, would secure the benefit of the act. And that is the objection to it. First, it holds out a hope to a homestead entryman that he can make a second entry. He should go on his entry charged with the fact that he must examine it carefully and conclude that it is a tract of land that he can live upon.

Mr. TAYLOR of Colorado. We try to.

Mr. MONDELL. As matters now stand when persons make a homestead entry they do it with the thought that one homesteady entry exhausts their right. One result of that is that you do not have these speculative entries that you would have if there was some hope held out that a second entry could be made, whether or no.

As a matter of fact, however, you have made the bill so drastic that few, if any, could make a second entry, whether honest or dishonest. You hold out a hope that should not be held out to the entryman when he goes upon the land. Then the honest entryman who, by reason of crop failure and sickness or other matters, is compelled to leave his land would secure no benefit, because the department under it would, without violating its spirit, lay down a set of rules under which it would be practically impossible for anyone to make a second entry.

Mr. TAYLOR of Colorado. The gentleman is talking about a homestead all the time. This bill applies to desert lands as well as homesteads. Does the gentleman think a man would pay $1.25 an acre on a desert entry and go to work upon it simply with the intention to lose it?

Mr. MONDELL. The gentleman knows that some men have done that.

Mr. MANN. Would not a man who took up a claim have a greater chance of quitting if he knew he had a second chance held out to him?

Mr. TAYLOR of Colorado. He has got to do a dollar's worth of work on an acre each year. He has got to make that expenditure. I do not see why you would deliberately wish to throw that away.

Mr. MANN. If a man became somewhat discouraged, as often happens, would he not be more likely to abandon his desert or homestead claim if he knew he had the right to renew it somewhere else? In other words, is it not somewhat like marriage and divorce, where a man and woman agree to live together during the lives of both? Suppose you had under the law provided, however, that whenever either one made an affidavit that he or she was tired of the other they could take a new husband or wife?

Mr. TAYLOR of Colorado. They would have to do more than merely make an affidavit. I can not conceive of a case where people would deliberately go and abandon the results of all their work and have to make as drastic a showing as the gentleman complains of. It is true it is a very drastic showing, in order to get effective results; but the committee thought this would reach a good many cases which the present law does not reach, especially applying to the desert lands, where it would help in building up the West.

Mr. MONDELL. The law now on the statute books embraces both the homestead and desert entries.

Mr. NORTON. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Colorado yield to the gentleman from North Dakota?

Mr. TAYLOR of Colorado. Yes.

Mr. NORTON. I am very anxious to see enacted into law a second homestead act, but I must confess that this does not nearly conform to my idea of what the law should be. I will ask the gentleman from Colorado if he will not agree to an amendment here by striking out the words in lines 12 and 13, as follows:

> Were lost, forfeited, or abandoned because of matters beyond his control—

So that it would read:

> *Provided*, That such applicant shall show to the satisfaction of the Secretary of the Interior that the prior entry or entries were made in good faith, and that he has not speculated in his right nor committed a fraud or attempted fraud in connection with his prior entry.

Mr. TAYLOR of Colorado. Well, I will say that I would like to see the law made more liberal than this. I do not think these drastic provisions are necessary, but the committee thought so, and the department seems to think so. The Senate bills that are coming over from the Senate are much more liberal than this, but I do not believe they can be passed. In my judgment this law was better than nothing. That is all there is to it. I do not like it any more than the gentleman does, but I think it is an improvement over the present drastic law.

Mr. MANN. Mr. Speaker, I ask for the regular order.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask that the bill be allowed to retain its place upon the calendar.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. MONDELL. Reserving the right to object, Mr. Speaker——

Mr. FERRIS. Mr. Speaker, I do not think this debate ought to be allowed to go on any further. There are 40 or 50 other bills requiring consideration.

The SPEAKER. Is there objection?

Mr. MONDELL. I reserve the right to object.

Mr. MANN. I asked for the regular order, Mr. Speaker. I do not like to cut off my friend from Wyoming [Mr. MONDELL].

The SPEAKER. But that does cut off the gentleman from Wyoming.

Mr. TAYLOR of Colorado. Does the gentleman want to move an amendment to the bill?

Mr. NORTON. The gentleman asks that it be passed over.

The SPEAKER. Does the gentleman from Colorado desire that the bill be passed over?

Mr. TAYLOR of Colorado. Mr. Speaker, I ask that the gentleman from North Dakota [Mr. NORTON] offer his amendment. I ask that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. It is not necessary to consider it in Committee of the Whole.

Mr. MONDELL. Mr. Speaker, I reserve the right to object.

The SPEAKER. The gentleman reserves the right to object to what?

Mr. MONDELL. I reserve the right to object to the consideration of the bill.

The SPEAKER. The Chair put that question three times. That is the Chair's recollection.

Mr. MONDELL. Why, I could not reserve the right to object until the Chair asked if anyone did object.

Mr. TAYLOR of Colorado. I suggest to the gentleman from Wyoming that he offer the amendments he desires to offer, and let us go ahead.

Mr. PAYNE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PAYNE. Is there any provision in the rule which permits gentlemen to reserve the right to object, and then go on and make long speeches every time?

The SPEAKER. There is not. The House has just drifted into the practice.

Mr. MONDELL. If certain amendments were adopted, I should not object; but the gentleman has not shown any disposition to accept those amendments.

Mr. TAYLOR of Colorado. Those amendments are not going to be accepted unless we have a quorum here. This bill has been gone over very carefully by the Committee on the Public Lands, and we do not propose to extend the provision with reference to second homestead entries any further, and the gentleman ought not to ask it.

Mr. MONDELL. The committee has gone too far.

The SPEAKER. This bill is up for consideration. The Clerk will read the bill for amendment.

Mr. MANN. Not yet, Mr. Speaker. It is a Union Calendar bill, is it not?

The SPEAKER. No; it is not a Union Calendar bill. It is on the House Calendar, although the Chair is rather of the opinion that it ought to be on the Union Calendar, if anybody had raised the point.

Mr. MANN. I shall have to make the point of order——

Mr. FOSTER. It is too late to make the point of order.

Mr. MONDELL. I had reserved the right to object, and I understood I had that right.

The SPEAKER. This is the situation about that: After this debate had been running for something like an hour, the gentleman from Illinois [Mr. MANN] demanded the regular order. The regular order was to put the question whether there was objection or not, and the Chair put it three different times, and there was no objection at any time.

Mr. MONDELL. I reserved the right to object.

The SPEAKER. There must be an end to all things some time.

Mr. MONDELL. Mr. Speaker, the gentleman from Colorado [Mr. TAYLOR] asked that the bill go over without prejudice.

The SPEAKER. That request was not submitted to the House.

Mr. TAYLOR of Colorado. I did feel that we ought to bring it to a close in some way pretty soon.

Mr. MONDELL. I think I still have the right to object, Mr. Speaker.

The SPEAKER. The right to object to what? The Chair can not understand what it is that the gentleman is objecting to.

Mr. MONDELL. To the consideration of the bill.

The SPEAKER. The Chair put that question three times.

Mr. MURDOCK. And the gentleman did not object.

Mr. MONDELL. Does the Chair hold that it is too late to object?

The SPEAKER. Certainly, the Chair holds it is too late. When the gentleman from Illinois [Mr. MANN] demanded the regular order, it was the business of the Chair to put the question whether or not there was objection, and the Chair put it, and nobody objected; and thinking perhaps the gentleman from Wyoming did not hear it, the Chair put it again, and there was confusion, and he put it the third time.

Mr. TAYLOR of Colorado. Go ahead and offer your amendments.

The SPEAKER. The question is on the amendment, which the Clerk will report.

The Clerk read as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That any person otherwise duly qualified to make entry of public lands under the homestead or desert-land laws, who has heretofore made or may hereafter make entry under said laws, and who, through no fault of his own, may have lost, forfeited, or abandoned the same, or who may hereafter lose, forfeit, or abandon same, shall be entitled to the benefits of the homestead or desert-land laws as though such former entry had never been made: *Provided*, That such applicant shall show to the satisfaction of the Secretary of the Interior that the prior entry or entries were made in good faith, were lost, forfeited, or abandoned because of matters beyond his control, and that he has not speculated in his right nor committed a fraud or attempted fraud in connection with such prior entry or entries, and that he has not relinquished his former entry or entries for a valuable consideration in excess of his filing fees."

The SPEAKER. The question is on agreeing to the amendment.

The affirmative vote was taken.

Mr. MONDELL. Mr. Speaker, I desire to offer an amendment to the amendment.

The SPEAKER. The gentleman from Wyoming offers an amendment, which the Clerk will report.

Mr. MONDELL. I desire to amend the amendment on page 2 by striking out, in line 5, the words "or may hereafter make."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 5, strike out the words "or may hereafter make," so that the line will read:

"Who has heretofore made entry under said laws."

Mr. FERRIS. Mr. Speaker, I very much hope the House will not adopt this amendment. This bill has been considered very carefully by the department and by the committee, and to strike out those words will change the whole purport and intention of the bill, and will make it necessary to come in and pass bills of this sort every year. This bill ought not to be amended and torn up and extended. It would be far beyond what was intended. Especially it ought not to be done by unanimous consent, and I hope the amendment will be voted down. The committee was somewhat reluctant to grant this relief, and now to try and extend the scope to allow every professional in the relinquishment business to take claim after claim is too much.

Mr. MANN. The gentleman does not mean that he hopes the committee amendment will be voted down.

Mr. FERRIS. No; it is the amendment offered by the gentleman from Wyoming. The custom has been every year to come in with a bill and allow every former homesteader to have a new homestead entry up to that time. This is sought to be obviated by this bill. We want to pass this bill to make rules and reasonable regulations, so that in the future an entryman who loses his right under no fault of his own and no fault of the Government may be given another homestead entry. The words are necessary and should not be stricken out.

Mr. MONDELL. The gentleman talks about not wanting the bill broadened. The trouble with the language which I seek to strike from the bill is that it does broaden the bill, and broadens it in an improper way. It lays down an altogether new and dangerous rule relative to homestead entries. The rule heretofore has been that one homestead entry exhausted the right. Congress from time to time relieved the entryman after an entry was lost under certain conditions. But to lay down a rule under which when an entryman makes an entry he can have the hope of making another entry, and still another for aught I know, is dangerous. I do not note anything in the law that would prevent him from making a third entry if this is passed. It is only a hope, however, for, in fact, under the conditions imposed, few could ever make a second entry.

The SPEAKER. The question is on the amendment offered by the gentleman from Wyoming.

The question was taken; and on a division (demanded by Mr. Mr. MURDOCK) there were 9 ayes and 30 noes.

So the amendment was rejected.

Mr. MONDELL. Mr. Speaker, I offer another amendment, to line 6, page 2, to strike out the words "through no fault of his own."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 6, strike out the words "through no fault of his own."

Mr. MONDELL. Mr. Speaker, the difficulty with that language is that, interpreted as it is sure to be interpreted, there will be very few homestead entrymen who will secure the right to a second entry. The department will hold that the entryman must prove some condition entirely separate and apart from any fault of his own. Homestead entrymen abandon their entries in the main because they become discouraged; they have a dry season or two; conditions are not as they expected them to be; they may have sickness in the family and become discouraged, and in that way abandon their interest. But the land offices would hold that it is the entryman's fault if he leaves his entry. There is nothing in the conditions, as they ordinarily arise, absolutely compelling him to leave, and so the department would hold that the right of second entry did not apply.

Mr. MANN. Will the gentleman from Wyoming yield?

Mr. MONDELL. Certainly.

Mr. MANN. That language "through no fault of his own," where it occurs in line 6, is descriptive in a way of a certain class of entry. Below in the proviso it is stated what the entryman shall show. Does the gentleman think, in addition to the requirements in the proviso, an entryman would have to show anything else? The first language is descriptive merely, and then it says:

Provided, That such applicant shall show to the satisfaction of the Secretary of the Interior that the prior entry or entries were made in good faith, were lost, forfeited, or abandoned because of matters beyond his control, and that he has not speculated in his right nor committed a fraud or attempted fraud in connection with such prior entry or entries, and that he has not relinquished his former entry or entries for a valuable consideration in excess of his filing fees.

Now, I would like to know whether the entryman would be supposed to show anything in addition to the requirements of the proviso.

Mr. MONDELL. The words contained in lines 13 and 14, page 2, "matters beyond his control," relate back to the descriptive language in line 6, "through no fault of his own." He is compelled to show that he abandoned on account of matters beyond his control.

Mr. MANN. Personally I should think the bill would be identically the same with the language which the gentleman proposes to strike out in or out. I do not think it changes the meaning of the bill one iota.

Mr. MONDELL. The gentleman from Illinois will admit that in passing on the language in lines 13 and 14—"matters beyond his control"—the department will take into consideration the language which I have asked to have stricken out.

Mr. MANN. I do not think so.

Mr. MONDELL. If they did not, there is no reason why it should be in.

Mr. MANN. No special reason why it should be in, and there is no good reason for striking it out. It is intended to be descriptive. I suppose the object in putting it into the amendment was so that the entryman would not think that anybody could get a homestead entry. But when it comes to making application for a second entry, then you fix the requirement; it does not refer back to the descriptive matter, in my judgment.

Mr. MONDELL. The department would certainly interpret the language in the latter part of the bill in the light of the words I have referred to.

Mr. BRYAN. Mr. Speaker, I would like to call the gentleman's attention to the fact that there are two classes of entrymen mentioned here, those who have heretofore made an entry and those who may hereafter make an entry, and that those who hereafter make an entry are not subjected at all to the clause which the gentleman moved to strike out—"through no fault of his own."

It reads in this way:

That any person otherwise duly qualified to make entry of public lands under the homestead or desert-land laws, who has heretofore made or may hereafter make entry under said laws, and who, through no fault of his own, may have lost, forfeited, or abandoned the same—

That, Mr. Speaker, is one class. Then the bill sets forth the other class, as follows:

Or who may hereafter lose, forfeit, or abandon same, shall be entitled to the benefits of the homestead or desert-land laws as though such former entry had never been made.

Those who may hereafter lose are not limited or required to lose through fault of their own. They may lose in the future for any reason, and on farther down in the bill it is provided that the consideration received in selling out must not be in excess of his filing fee. In other words, a man may simply abandon his entry or actually make an agreement with some one that he will abandon it if that other person will pay him his filing fees, and that is not under the ban of this bill.

Mr. TAYLOR of Colorado. Oh, the gentleman is mistaken.

Mr. NORTON. Mr. Speaker, will the gentleman yield?

Mr. BRYAN. Yes.

Mr. NORTON. By what kind of reading does the gentleman from Washington get from the provisions of this bill that one who makes entry on land under the homestead laws hereafter will not come under the provisions contained in the bill where it says "through no fault of his own"?

Mr. BRYAN. If the gentlemen of the committee think that that is not a correct reading, there is no use to take up further time of the committee; but it seems to me perfectly plain that the provision "through no fault of his own" applies to one who has before the enactment of this measure lost his entry through no fault of his own, but that those who shall lose, quit, or sell out for filing fees after the passage of this act do not have to come under the provisions of "through no fault of his own" in order to have the right of a second entry. As I said before, the final proviso in the statute says that the consideration for selling out and quitting must not be in excess of his filing fees, and that actually gives legislative sanction to anybody giving up a first entry if he can get back his filing fees, and when he does get back his filing fees he then has abandoned it under conditions entirely beyond his control and through no fault of his own, so far as this act establishes such a requirement. I notice that the letter from Secretary Lane says he incloses a form of a bill which will be satisfactory to the department. It would help me greatly to see what kind of a bill the Secretary inclosed. That part of his letter is not published, and his letter thus becomes of slight value.

The SPEAKER. The question is on the amendment offered by the gentleman from Wyoming.

The question was taken, and the amendment was rejected.

Mr. MORGAN of Oklahoma. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 18, after the word "fee," strike out the period and insert the words "and a reasonable value of the improvements he has placed thereon."

Mr. MORGAN of Oklahoma. Mr. Speaker, I shall not object to the passage of this bill as it is, but I am very much in favor of the amendment which I have offered. I desire to commend the committee for bringing forward so favorable a bill to homesteaders as this is, and yet I think it would be improved by the amendment which I have offered. In lines 16, 17, and 18 it provides that a man may make his second entry providing he has not relinquished for a consideration in excess of his filing fees. I do not know why we should simply take that little $14 as the standard and say that if a man did not get any more for his claim than that that he could make a second entry, when another man who pays $14 for his entry and then goes on to the claim, lives there for two or three or four years, puts four or five years of hard work on it, puts a thousand dollars' worth of improvements upon it, and then perhaps loses his health or is confronted with other unfortunate circumstances and is compelled to leave the claim, and sells the claim for $500, he could not make a second entry. There is no justice in that.

In the administration of the law there is nothing impracticable in the proposition to give a man some allowance for the actual expenditure that he has put on the claim. Furthermore, in this day and age of the world, under the existing conditions of our public lands, when it is so difficult for a man to go out into the West on the lands which are now open to homestead entry and establish a homestead home and comply with the law, at a time when we ought to give every inducement possible for the men in the East to go out and help subdue the remaining public lands, and when that is the policy of the department and the National Government, as I understand it, to encourage the settlement of the western country, why should we not broaden the provision to give a man a second entry when he has lost his entry and has received no consideration above the value of his improvements? I say this amendment would be proper, and I hope the committee will accept it. I recognize how well the chairman of the committee understands such conditions, how men have spent money in his own country to improve claims and then have lost them. Good faith is a factor in all matters pertaining to the public lands. The man who enters a claim and does nothing but pay the filing fees has not proven even his good faith; but you allow him a second entry, even though he sold out for the pittance of the fees he has expended. But the man who goes upon a claim and puts substantial improvements on a claim has by this act proven his good faith. As long as he does not accept a consideration in excess of the money he has expended in improvements, it is consistent with justice and right that he should be allowed a second entry.

Mr. FERRIS. Mr. Speaker, I shall not consume the time of the committee longer than a moment to say that this amendment should not be adopted under any circumstances. If you allow the entryman to get back, first, his filing fees, and, second, the price of his improvements, that will mean a squeezing into the trade of the whole performance, for he will be able to sell one relinquishment right after another. The relinquishment business is always frowned upon by the Government, and this will encourage it and cause it to thrive. This is a bad amendment and should by all means be rejected. The committee has traveled as far as possible already with second homesteads as they can go. The professional homesteader who speculates in relinquishments should not be aided. My genial and warm-hearted friend from Oklahoma [Mr. MORGAN] has allowed his kind heart to outstrip his judgment. He knows and I know, and every other man knows who has lived in a land-office town that the relinquishment business is the one business that has always to be carefully guarded, because it is just a system of one man going on and speculating in one claim and selling out and taking another, and so on until there will be no end. I think the amendment ought to be voted down.

The SPEAKER. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MORGAN].

The question was taken, and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. MORGAN of Oklahoma) there were—ayes 11, noes 20.

So the amendment was rejected.

Mr. MORGAN of Oklahoma. Mr. Speaker, I desire to offer another amendment.

Mr. MANN. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order there is no quorum present.

LEAVE OF ABSENCE.

By unanimus consent, leave of absence was granted as follows:

To Mr. SLAYDEN, indefinitely, on account of illness.

To Mr. STOUT, for five days, on account of important public business.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 42 minutes p. m.) the House adjourned to meet to-morrow, Tuesday, April 7, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting draft of a bill amending the sundry civil act approved June 23, 1913, relating to residence for quarantine officer to be erected at Fort Monroe, Va. (H. Doc. No. 884), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. VOLLMER, from the Committee on Claims, to which was referred the bill (H. R. 5079) for the relief of Mary Abel, reported the same with amendment, accompanied by a report (No. 508), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WILSON of Florida: A bill (H. R. 15397) to provide for the erection of a public building at Chipley, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. PAYNE: A bill (H. R. 15398) to increase the limit of cost for the post-office site at Lyons, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. COX: A bill (H. R. 15399) to increase the limit of cost for a site for a post office at Salem, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. McGILLICUDDY: A bill (H. R. 15400) providing for the erection of a statue to the memory of Gen. John I. Sullivan; to the Committee on the Library.

By Mr. PALMER: A bill (H. R. 15401) to prohibit the use of the name of any church, religious denomination, society, or association for purposes of trade and commerce; to the Committee on the Judiciary.

By Mr. KEATING: A bill (H. R. 15402) to pension the survivors of certain Indian wars from 1865 to January, 1891, inclusive, and for other purposes; to the Committee on Pensions.

By Mr. PALMER: A bill (H. R. 15403) revising and amending the statutes relative to trade-marks; to the Committee on Patents.

By Mr. McCOY: A bill (H. R. 15404) to authorize the appointment of shorthand reporters for the district courts of the United States, to fix the manner of their appointment, their duties and compensation, and for other purposes; to the Committee on the Judiciary.

By Mr. McKELLAR: A bill (H. R. 15405) to authorize the President to build and complete the Mississippi River levees, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. J. R. KNOWLAND: Resolution (H. Res. 459) requesting the Secretary of State to transmit to the House of Representatives copies of all diplomatic and other correspondence and memoranda in the State Department relating to the Hay-Pauncefote treaty with respect to its bearing upon the right to exempt or impose tolls upon vessels belonging to the Government of the United States or its citizens, or belonging to the Republic of Panama or its citizens, or to prohibit the operation of railroad owned or controlled ships through said canal, or in any way relating to the rights of the United States on the Isthmus of Panama; to the Committee on Foreign Affairs.

By Mr. PALMER: Joint resolution (H. J. Res. 245) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 15406) granting an increase of pension to Andrew J. Hunter; to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 15407) granting a pension to William Kier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15408) granting an increase of pension to Sarah E. Vaughn; to the Committee on Invalid Pensions.

By Mr. BAILEY: A bill (H. R. 15409) granting a pension to Martha P. Clingerman; to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: A bill (H. R. 15410) granting an increase of pension to Susan M. Lampkin; to the Committee on Pensions.

By Mr. BRITTEN: A bill (H. R. 15411) granting an increase of pension to Edward A. Bigelow; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 15412) granting an increase of pension to Sanford C. Wilhoite; to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 15413) to remove bar of the statute of limitations and pay to Napoleon Van de Bogert a sum of money as pension because of disabilities incurred in service; to the Committee on War Claims.

By Mr. DERSHEM: A bill (H. R. 15414) for the relief of David Mowen; to the Committee on Military Affairs.

By Mr. FERRIS: A bill (H. R. 15415) granting a pension to Catherene Barnhart; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 15416) granting an increase of pension to E. Z. Williams; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 15417) granting an increase of pension to Maranda E. Fisher; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 15418) authorizing Maj. Clyde S. Ford, Medical Corps, to accept and wear the decoration tendered him by the Ottoman and Bulgarian Governments for services rendered in the Balkan wars; to the Committee on Military Affairs.

Also, a bill (H. R. 15419) authorizing the restoration of Maj. Clyde S. Ford, Medical Corps, to his former position in the list of majors of the Medical Corps, United States Army; to the Committee on Military Affairs.

By Mr. PAIGE of Massachusetts: A bill (H. R. 15420) granting a pension to Elizabeth A. Saunders; to the Committee on Invalid Pensions.

By Mr. PATTON of Pennsylvania: A bill (H. R. 15421 granting an increase of pension to Joshua Folk; to the Committee on Invalid Pensions.

By Mr. REILLY of Wisconsin: A bill (H. R. 15422) granting an increase of pension to Mary Older; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15423) granting an increase of pension to Charles T. Owen; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 15424) granting an increase of pension to Thomas M. Barton; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 15425) granting an increase of pension to Mary A. Gorman; to the Committee on Invalid Pensions.

By Mr. STAFFORD: A bill (H. R. 15426) for the relief of Gertie Foss; to the Committee on Claims.

By Mr. WHITE: A bill (H. R. 15427) granting an increase of pension to James Quigley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15428) granting an increase of pension to Miller H. Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15429) granting an increase of pension to Joseph D. Heston; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Indiana and Michigan, protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Missouri, favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Missouri, favoring House bill 5308, providing for tax on mail-order concerns; to the Committee on Ways and Means.

Also (by request), petition of the Farmers' Grain Dealers Association of Illinois, favoring enactment of a law to regulate and standardize the weighing of grain; to the Committee on Coinage, Weights, and Measures.

By Mr. ASHBROOK: Petition of 28 citizens of Utica, Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

Also, resolutions adopted by the Y. P. B. of Fredericksburg, Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of sundry citizens of Altoona and Johnstown, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Mary E. Woolley and others, relative to appropriations to prevent diseases and accidents; to the Committee on Appropriations.

By Mr. BALTZ: Petition of sundry citizens of the twenty-second Illinois congressional district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BEALL of Texas: Papers to accompany bill for relief of Mary A. Daniel; to the Committee on Pensions.

By Mr. BURKE of South Dakota: Petition of the board of directors of the Farmers' Cooperative Association of South Dakota, favoring investigation of conditions of grain markets; to the Committee on Agriculture.

Also, petitions of sundry citizens of Blunt, Hughes County, S. Dak., protesting against the passage of the Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petitions of various business men of Lane, S. Dak., favoring passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

By Mr. CALDER: Petitions of sundry citizens of Kings County, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. CARR: Petition of 44 citizens of Rockwood, Somerset County, Pa., protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, providing for nation-wide prohibition of the manufacture, sale, and importation of alcoholic beverages; to the Committee on the Judiciary.

Also, petitions of sundry citizens of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. CARY: Petitions of Wm. Ruester, of Milwaukee, Wis., and J. W. Burns, of Jersey City, relative to House bill 12056, to regulate the hours of labor in continuous working plants of the United States; to the Committee on Labor.

Also, petition of the Bay View Baptist Church, of Milwaukee, Wis., against House bill 12928, relative to compensatory time to postal employees; to the Committee on the Post Office and Post Roads.

By Mr. COOPER: Petitions of Martin Sorensen, and others, of Racine, Wis., protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens and churches of the State of Wisconsin favoring national prohibition; to the Committee on the Judiciary.

By Mr. CURRY: Petition of 22 residents of Lodi, San Joaquin County, Cal., in favor of Dudley-Doolittle farm credit bill; to the Committee on Banking and Currency.

By Mr. DALE: Memorial of the Pottery, Glass and Brass Salesmen's Association of America, favoring passages of House bill 5139, relative to retirement of Government employees; to the Committee on Reform in the Civil Service.

By Mr. DANFORTH. Petition of 35 citizens of Rochester and 1 of Syracuse, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce of Rochester, N. Y., protesting against expansion of the parcel post; to the Committee on the Post Office and Post Roads.

By Mr. DIXON: Petition of 500 citizens of fourth congressional district of Indiana, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Memorial of Garfield Post, No. 25, Department of Kansas, Grand Army of the Republic, protesting against any change in the American flag; to the Committee on the Judiciary.

Also, petition of sundry citizens of the State of Kansas, favoring bill for bureau of farm loans (H. R. 11755); to the Committee on Banking and Currency.

By Mr. EAGAN: Petition of Ellsworth Camp, No. 32, Sons of Veterans, of Union Hill, N. J., favoring increase in pay to letter carriers; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Papers in support of a bill (H. R. 15360) granting a pension to Emeline Risley; to the Committee on Invalid Pensions.

By Mr. GARNER: Petitions of sundry citizens of the State of Texas, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GILLETT: Petitions signed by many citizens of Springfield, Mass., protesting against the passage of resolutions providing for nation-wide prohibition of the manufacture, sale, and importation of alcoholic beverages; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Memorial of the Philadelphia Maritime Exchange, favoring passage of Senate bill 2337, relative to creating coast guard; to the Committee on Interstate and Foreign Commerce.

By Mr. HELVERING: Petition of sundry citizens of Kansas, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Garfield Post No. 25, Department of Kansas, Grand Army of the Republic, against changing the United States flag; to the Committee on the Judiciary.

By Mr. HINEBAUGH: Petition of the Methodist Episcopal and Congregational churches of Mazon, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of various members of Local Union No. 1529, United Mine Workers of America, favoring investigation of trouble in the mines of Colorado; to the Committee on Rules.

By Mr. HULINGS: Petition of sundry citizens of Warren County, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Papers relative to privileges given to trusts; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Memorial of the United States Supply Co., of Omaha, Nebr., favoring passage of House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

By Mr. KIESS of Pennsylvania: Papers to accompany a bill (H. R. 14784) for relief of Melinda Rogers; to the Committee on Invalid Pensions.

Also, petition of sundry citizens of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Williamsport, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. KONOP: Petition of Akley Grange, No. 593, of Wisconsin, relative to Moss-Fletcher bill; to the Committee on Banking and Currency.

By Mr. LEVY: Petition of the Chamber of Commerce of Milwaukee, Wis., and Kaufman & Strauss Co., of New York, against national prohibition; to the Committee on the Judiciary.

Also, petition of Thomas Williams, of New York City, relative to increased pay for Government employees; to the Committee on Reform in the Civil Service.

Also, petition of the International Association of Master House Painters and Decorators of the United States and Canada, against the Bartlett-Bacon anti-injunction bill (H. R. 1873); to the Committee on the Judiciary.

Also, petition of R. F. Keahn, of New York City, relative to House bill 7217, making changes in the customs service; to the Committee on Ways and Means.

Also, petition of the Pottery, Glass, and Brass Salesmen's Association of America, favoring House bill 5139, being the civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, memorial of the Merchants' Association of New York, relative to trust bills; to the Committee on the Judiciary.

Also, petition of the Association of Passenger Steamboat Lines, of Chicago, Ill., relative to seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. LIEB: Petitions of Jacob M. Harlem, Isaac Wolf, G. V. Menzies, George T. Thomas, David Rosenbaum, D. C. Klien, Herman Rosenbaum, Jacob Rosenbaum, William Espenscheid, Jacob A. Behrich, Andrew Wasem, Oliver N. Fretageot, Louis Wasem, G. G. Bateman, Aaron Hartung, Mike Hartung, E. B. Schenk, C. R. Gerth, Joseph Miller, and Frank J. Alles, all of Mount Vernon, Ind., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of the board of health of Shreveport, La., favoring Government tabulation of mortuary statistics in such manner as to keep figures for white race and colored race separate; to the Committee on the Census.

Also, petition of M. J. Moriarty and other citizens, of South Manchester, Conn., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MAPES: Petition of sundry citizens of the United States, relative to the Pere Marquette Railroad; to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN: Petition of the Thursday Club of Deadwood, S. Dak., relative to Senate bill 136; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the board of directors of the Farmers' Cooperative Association of South Dakota, relative to Government ownership of warehouses for storage of grain; to the Committee on Agriculture.

Also, petition of the Farmers' Marketing Conference of Minneapolis, Minn., relative to rural credit legislation; to the Committee on Banking and Currency.

Also, petition of the Order of Railway Conductors of Aberdeen, S. Dak., against workmen's compensation bill; to the Committee on Labor.

Also, petition of the South Dakota Federation of Women's Clubs, relative to House bill 12864, relative to remedial agencies for tuberculosis; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGUIRE of Nebraska: Petitions of sundry citizens of the first congressional district of Nebraska favoring the machinists' wage bill (H. R. 12740); to the Committee on Labor.

By Mr. MURRAY of Oklahoma: Petitions of sundry citizens of Johnston and Cool Counties, Okla., relative to payment of $200 to Indians out of their tribal funds; to the Committee on Indian Affairs.

Also, petitions of sundry citizens and churches of Oklahoma, favoring national prohibition; to the Committee on the Judiciary.

By Mr. O'LEARY: Petitions of sundry citizens of the State of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. PATTON of Pennsylvania: Petition of sundry citizens of the county of Center, Pa., favoring the passage of the national farm-land bank bill; to the Committee on Banking and Currency.

Also, petition of sundry voters of the State of Pennsylvania, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Pennsylvania Child Labor Association, favoring passage of Federal child-labor bill; to the Committee on Labor.

By Mr. RAKER: Letter from A. P. Redding, of San Francisco, Cal., protesting against House bill 12928, relative to guarantees in the Post Office Department; to the Committee on the Post Office and Post Roads.

Also, resolutions from the Ontario (Cal.) Chamber of Commerce, favoring House bill 12292, the Federal child-labor bill; to the Committee on Labor.

Also, letters from E. A. Granger, of Nevada City, Cal., and Rector Bros., Nevada City, Cal., protesting against House joint resolution 168, relative to national prohibition; to the Committee on the Judiciary.

Also, resolutions from the Victor Valley Chamber of Commerce, Victorville, Cal., favoring Victor Valley (Cal.) reclamation project; to the Committee on Irrigation of Arid Lands.

By Mr. REED: Petition of sundry citizens of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of New Hampshire, against national prohibition; to the Committee on the Judiciary.

By Mr. ROUSE: Petition of sundry voters of the sixth congressional district of Kentucky, favoring passage of the machinists' wage bill (H. R. 12740); to the Committee on Labor.

By Mr. SCULLY: Petitions of B. A. Reidy and others, of New Jersey, favoring passage of House bill 12056, to regulate the hours of labor in continuous working plants of the United States; to the Committee on Labor.

Also, petitions of the First Presbyterian Church of Metuchen, N. J., and citizens of Kingston, N. J., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Retail Merchants' Association of New Brunswick, N. J., favoring passage of the anticoupon bill; to the Committee on Ways and Means.

By Mr. J. M. C. SMITH: Petition of sundry citizens of Michigan, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SAMUEL W. SMITH: Petitions of sundry citizens of the State of Michigan, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. STAFFORD: Memorial of the Ministerial Association of Milwaukee, Wis., favoring passage of House bill 14894, relative to day of rest in the District of Columbia; to the Committee on the District of Columbia.

By Mr. STONE: Petition of sundry citizens of Illinois, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Illinois, against national prohibition; to the Committee on the Judiciary.

By Mr. VOLLMER: Petition of Riverside Grange, No. 2051, in favor of the standardization of barley; to the Committee on Agriculture.

By Mr. WALTERS: Petitions of sundry citizens of Johnstown and Windber, Pa., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. WHITE: Resolution adopted by the Merchants' Association of Zanesville, Ohio, H. Serkowich, secretary, favoring an increase of the rates on freight transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIS: Petition of D. V. Disney and 143 other citizens of Delaware, Ohio, asking adoption of legislation to extend the jurisdiction of the United States Government over nonnavigable streams; to the Committee on Rivers and Harbors.

Also, petition of the board of directors of the Cleveland Chamber of Commerce, of Cleveland, Ohio, against Senate bill No. 120 and in favor of legislation to provide for national supervision of grain inspection; to the Committee on Agriculture.

Also, petition of Leonard McEvoy and 35 other citizens of Wyandot County, Ohio, against the adoption of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of J. M. Baldwin, of Kenton, Ohio, in favor of the adoption of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

By Mr. WINSLOW: Petition of the United Divisions of the Ancient Order of Hibernians, Worcester, Mass., against repeal of free tolls; to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON of New York: Memorial of the Pottery, Glass, and Brass Salesmen's Association, favoring passage of House bill 5113, relative to retirement of Government employees; to the Committee on Reform in the Civil Service.

SENATE.

TUESDAY, *April 7, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast put into the hearts of Thy children a deep sense of honor and justice, and Thou dost stand guard over the rights of all Thy children with sanctions of the Divine law. Thou hast given to us conscience to respond to the appeals of right, and Thou hast given to us Thy law to guide our steps in the right. We pray that this day, with glad response to Thy will, we may discharge our duties as in Thy sight and in Thy fear, and that we, as the stewards of God in the discharge of the great duties of this place and office, may have regard for the rights of all men and may so discharge them as that justice and judgment shall prevail in all the land. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 4943) to amend section 1 of an act of Congress approved April 9, 1912 (37 Stat., p. 80), entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes."

The message also announced that the House had passed, with amendments, the bill (S. 474) to authorize the issuance of absolute and unqualified patents to public lands in certain cases, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4544. An act to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve;

H. R. 4988. An act to provide for the disposal of certain lands in the Fort Berthold Indian Reservation, N. Dak.;

H. R. 11254. An act to increase the limit of cost for the erection and completion of the United States post-office building at Mandan, N. Dak.;

H. R. 11747. An act to increase the limit of cost for the purchase of a site and the construction of a public building in Memphis, Tenn.;

H. R. 13296. An act for the enlargement, etc., of the Wall Street front of the assay office in the city of New York;

H. R. 13415. An act to increase the limit of cost of public building at Shelbyville, Tenn.;

H. R. 13819. An act to increase the limit of cost of Federal building at Pendleton, Oreg.; and

H. R. 13985. An act to authorize the construction of a bridge across the Mississippi River at or near the city of Baton Rouge, La.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 10523) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1915, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PAGE of North Carolina, Mr. SISSON, and Mr. DAVIS managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERLEY, Mr. WHITE, and Mr. CALDER managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a petition of the congregation of the Sunday school and the Young People's Society of Christian Endeavor of the First Baptist Church of Laconia, N. H., and a petition of the congregation of the Sunday school and the Young People's Society of Christian Endeavor of the First Baptist Church of Lebanon, N. H., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. McCUMBER presented a memorial of Local Union No. 639, Brotherhood of Locomotive Firemen and Enginemen, of Dickinson, N. Dak., remonstrating against the enactment of legislation to provide compulsory compensation for injuries re-

ceived, which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Tyner and Hunter, in the State of North Dakota, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of General John A. Logan Camp, No. 2, Division of Minnesota, Sons of Veterans, of Fargo, N. Dak., remonstrating against the naming of a fort at the Atlantic coast terminal of the Panama Canal in honor of Robert E. Lee and the naming of a fort on the Pacific coast terminal of the same waterway in honor of John T. Morgan, which was referred to the Committee on Interoceanic Canals.

Mr. CLARK of Wyoming presented a memorial of Local Union No. 488, United Mine Workers of America, of Sublet, Wyo., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union, of Wheatland, Wyo., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. NELSON presented the petition of Louis A. Hudrlik, of Owatonna, Minn., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of St. Paul, Minn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. KERN presented petitions of sundry citizens of Kokomo, South Bend, Bourbon, Indian Springs, Huntingburg, Wabash, Waldron, Dale, and Lincoln City, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Mount Vernon, Ind., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a petition of Logen Enighet, No. 42, International Order of Good Templars, of South Manchester, Conn., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. SHERMAN presented memorials of the Local Unions, United Mine Workers of America, in the State of Illinois, remonstrating against labor conditions in the mining district of Colorado, which were ordered to lie on the table.

He also presented petitions of Bele Lodge, No. 17, Independent Order of Vikings, of Chicago; of Vikingarne Lodge, No. 1, Independent Order of Vikings, of Chicago; and of Grand Lodge, Independent Order of Vikings, of Chicago, all in the State of Illinois, praying that an appropriation be made for the erection of a monument to the memory of Capt. John Ericsson, which were referred to the Committee on the Library.

He also presented memorials of sundry citizens of Joliet, Duquoin, and Chicago, all in the State of Illinois, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a memorial of Local Division No. 2, Ancient Order of Hibernians, of East St. Louis, Ill., remonstrating against an appropriation for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on Foreign Relations.

He also presented a petition of Loyal Orange Institution, Grand Lodge of Illinois, praying that an appropriation be made for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on Foreign Relations.

He also presented petitions of the congregations of the German Methodist, English Lutheran, Baptist, English Methodist, and Presbyterian Churches, of Nokomis; the Methodist Episcopal Church of Mount Carmel; the First Baptist Church of Urbana; of the Christian Bible School, of Canton; of the Ogle County Sunday School Association, of Polo; of the Woman's Christian Temperance Union of Illinois; of the Wardens and Vestrymen of St. Barnabas Parish, of Chicago; and of sundry citizens of Wabash County, all in the State of Illinois, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of Local Union No. 239, United Brewery Workmen, of Quincy; of Local Union No. 738, International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers, of Chicago; and of sundry citizens of Belleville, Chicago, Peru, Spring Valley, La Salle, Oglesby, Tonica, Seatonville, and Quincy, all in the State of Illinois, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SMITH of Michigan presented a memorial of 47 citizens of Traverse City, Mich., remonstrating against the repeal of the exemption clause of the Panama Canal act, which was referred to the Committee on Interoceanic Canals.

He also presented memorials of Jackson Typographical Union, No. 99, of Jackson; of the Pontiac Brewing Co., of Pontiac; and of sundry citizens of Adrian, Oxford, Grand Rapids, Orion, Royal Oak, Rochester, and Pickerell, all in the State of Michigan, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Methodist Protestant Church of Britton; of the Friends Church of Lupton; of the Maybee Congregational Church, of Maybee; and of the First Congregational Church of Dundee; of the Men's Class of the First Methodist Episcopal Church of Menominee; of the congregations of the Methodist Episcopal Church of Weston, the Seventh-day Adventist Church of Urbandale, the Methodist Episcopal Church of Shelby, and the Methodist Episcopal Church of Marcellus; of the Young Men's Christian Association of Pontiac; of the Congregational Church of Baroda; the Evangelical Church of Marcellus; of the Joint Grange of Shelby; of the Mendon Grange, of Mendon; and of sundry citizens of Jenison, Shelby, and Lawrence, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Jenison and Harris, in the State of Michigan, remonstrating against the enactment of legislation to compel the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented memorials of Jewell Post, No. 63, Grand Army of the Republic, of Cedar Springs; of Pleasanton Relief Corps, No. 258, of Ironwood; and of the Federation of Women's Clubs of Detroit, all in the State of Michigan, remonstrating against any change being made in the American flag, which were referred to the Committee on the Judiciary.

He also presented petitions of Sauble River Grange, of Free Soil; of Little River Grange, No. 1439, of Wallace; of Brown Grange, No. 581, of Norwalk; of Birch Run Grange, of Birch Run; of Grange No. 1016, of Hope; and of Clover Leaf Grange, Colfax, all of the Patrons of Husbandry, in the State of Michigan, praying for the adoption of a system of rural credits, which were referred to the Committee on Banking and Currency.

He also presented a petition of A. J. Babcock Camp, No. 20, United Spanish War Veterans, of Flint, Mich., praying for the enactment of legislation granting pensions to widows and minor children of soldiers and sailors who served in the Spanish-American War, which was referred to the Committee on Pensions.

Mr. SHIVELY presented a memorial of sundry citizens of East Chicago, Ind., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Pierceton, Goodland, Indianapolis, South Bend, Frankfort, Whiting, Clinton, Laporte, Clinton County, Goshen, Syracuse, and Attica, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of Archer Post, No. 28, Grand Army of the Republic; of Gibson Camp, No. 228, Sons of Veterans; and of Archer Post Auxiliary, Woman's Relief Corps, in the State of Indiana, remonstrating against any change being made in the American flag, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Chamber of Commerce of Terre Haute, Ind., remonstrating against the enactment of legislation to provide for the appointment by the President of clerks to the district courts of the United States, which was referred to the Committee on the Judiciary.

Mr. WARREN presented a memorial of Local Union No. 2361, United Mine Workers of America, of Glencoe, Wyo., remonstrating against the arrest of "Mother" Jones by the military authorities of the State of Colorado, which was referred to the Committee on Education and Labor.

He also presented a memorial of Local Union No. 488, United Mine Workers of America, of Sublet, Wyo., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. CRAWFORD presented memorials of sundry citizens of Sully and Hughes Counties, in the State of South Dakota, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. WEEKS presented petitions of sundry citizens of Shelburne, Holyoke, Worcester, and Deerfield, all in the State of Massachusetts, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Springfield, Mass., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. OLIVER presented a petition of the Woman's Club of Donora, Pa., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Local Branch No. 108, Catholic Mutual Benefit Association, of Mount Oliver, Pa., and a memorial of Local Branch No. 40, Catholic Mutual Benefit Association, of Crafton, Pa., remonstrating against the enactment of legislation to provide a literacy test for immigrants to this country, which were ordered to lie on the table.

He also presented a petition of Washington Lodge, No. 852, Patriotic Order Sons of America, of Aleppo, Pa., and a petition of Washington Camp, No. 394, Patriotic Order Sons of America, of Wissinoming, Pa., praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of the local unions, United Mine Workers of America, of the State of Pennsylvania, praying for an investigation into the conditions existing in the mining districts of Colorado, which were ordered to lie on the table.

Mr. DU PONT presented petitions of sundry citizens of Greenwood, Holly Oak, Laurel, and Magnolia, all in the State of Delaware, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

WOMAN SUFFRAGE.

Mr. THOMAS. From the Committee on Woman Suffrage I report back favorably without amendment the joint resolution (S. J. Res. 130) proposing an amendment to the Constitution of the United States. I ask that the joint resolution may go to the calendar.

Mr. SMITH of Georgia. Mr. President, I desire to raise the point of order as to whether a measure which has been considered at one session of Congress and acted upon is subject to consideration again at the same Congress. But, reserving that point, I do not object to the joint resolution going upon the calendar.

The VICE PRESIDENT. What is the point of order?

Mr. SMITH of Georgia. My point is that Congress can not at the same session reconsider a measure in the shape of a bill or joint resolution that has already been acted upon at that session of Congress.

The VICE PRESIDENT. The Chair is not advised as to the terms of the resolution so as to enable it to rule upon the point of order.

Mr. SMITH of Georgia. I am not asking for any ruling at present, because I have not objected to the joint resolution going upon the calendar. I think really it might have been made when the joint resolution was first introduced. I expect to raise it when an effort is made to bring up the joint resolution for consideration.

The VICE PRESIDENT. It does not call for a ruling now. The joint resolution will be placed on the calendar.

CAPT. HAROLD L. JACKSON.

Mr. DU PONT submitted a report (No. 409) to accompany the bill (S. 3768) to restore Capt. Harold L. Jackson, retired, to the active list of the Army, heretofore reported by him.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLIS:

A bill (S. 5168) for the relief of the King Theological Hall, and authorizing the conveyance of real estate to Howard University; to the Committee on the District of Columbia.

By Mr. SHAFROTH:

A bill (S. 5169) granting an increase of pension to Thomas H. Muchmore; to the Committee on Pensions.

By Mr. OVERMAN (for Mr. CHILTON):

A bill (S. 5170) authorizing the restoration of Maj. Clyde S. Ford, Medical Corps, to his former position in the list of majors of the Medical Corps, United States Army (with accompanying papers); to the Committee on Military Affairs.

By Mr. KENYON:

A bill (S. 5171) granting an increase of pension to Ola Jorgenson; to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 5172) to remove the charge of desertion from the record of Andrew B. McIntire; to the Committee on Military Affairs.

By Mr. SHIVELY:

A bill (S. 5173) granting an increase of pension to Josephine E. McSwyney; and

A bill (S. 5174) granting an increase of pension to Rebecca Brown (with accompanying paper); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 5175) granting a pension to Arthur M. Clark; to the Committee on Pensions.

By Mr. CATRON:

A bill (S. 5176) creating the National Park of the Cliff Cities; to the Committee on Public Lands.

By Mr. DU PONT:

A bill (S. 5177) granting an increase of pension to John H. Weaver; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 5178) granting a pension to Charles B. Wemple; to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 5179) granting a pension to Alexander M. Clark; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. TILLMAN submitted an amendment proposing to appropriate $1,800 for the salary of an assistant clerk to the Senate Committee on Naval Affairs intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. WEEKS submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. SMITH of Michigan submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to be printed, and, with accompanying papers, referred to the Committee on Commerce.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. JONES submitted an amendment proposing to increase the appropriation for freight on bullion and coin, by registered mail or otherwise, between mints and assay offices from $10,000 to $30,000, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $29,600 for 23 stenographers hereafter allowed to Senators, at the rate of $1,200 each, for Senators having less than three employees in connection with their official work, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. MARTINE of New Jersey submitted an amendment proposing to increase the salary of the chief engineer in the office of the superintendent of the State, War, and Navy Department Building from $1,400 to $1,600 per annum, intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to be printed, and, with accompanying papers, referred to the Committee on Appropriations.

He also submitted an amendment proposing to increase the appropriation for horticultural investigations, etc., from $56,320 to $61,320, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

WITHDRAWAL OF PAPERS—EMELIA M'NICOL.

On motion of Mr. NELSON, it was

Ordered, That the papers filed with the bill S. 808, Sixty-third Congress, granting a pension to Emelia McNicol be withdrawn from the files of the Senate, no adverse report having been made thereon.

MONUMENT TO PRESIDENT JOHN TYLER.

Mr. SWANSON submitted the following concurrent resolution (S. Con. Res. 22), which was referred to the Committee on the Library:

Whereas the Government of the United States has erected a monument in Hollywood Cemetery at Richmond, Va., over the grave of President John Tyler; and

Whereas exercises will be held very soon to unveil the said monument, and it being considered very appropriate that the Senate and House of Representatives should be properly represented on this occasion: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That a committee of 10 Members be appointed, 5 by the President of the Senate and 5 by the Speaker of the House of Representatives, to represent the Congress of the United States to attend said ceremonies, and authority is hereby given to expend $250 from the contingent fund of the Senate and $250 from the contingent fund of the House of Representatives to defray the expenses of said committee, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate and the Committee on Accounts of the House of Representatives, respectively.

ADMINISTRATION OF PHILIPPINE AFFAIRS.

Mr. HOLLIS. I ask unanimous consent that a letter addressed by the Anti-Imperialist League to the Governor General of the Philippine Islands, a short letter of only one page, be inserted in the RECORD without reading.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE ANTI-IMPERIALIST LEAGUE,
Boston, March 18, 1914.

Hon. FRANCIS BURTON HARRISON,
Governor General of the Philippine Islands.

DEAR SIR: We have only refrained from writing to you before because of the fact that our organization, however unjustly, is branded as political, while your high office must be beyond even unjust suspicion of partisanship.

But as citizens of the United States, we feel that we are at liberty to express the opinion of a large group of like-minded persons who have admirably appreciated the success of your difficult and responsible administration of Philippine affairs. We know something of the complicated nature of the situation—the opposition of these interests which were counting upon the drift toward permanent colonialism as a guaranty of their investments or their business operations; the bureaucracy which had grown to be such a dangerous and powerful element; the American press in the islands hostile and bitter enemy of every concession made to the Filipinos; the powerful missionary influence exerted to prevent interference with proselytism in a Roman Catholic country; and the natural jealousies and discordances, though so wonderfully insignificant, among the Filipinos. Back of all we recognize the temporary annoyance caused by the malevolence of a portion of the American press, directly or indirectly subsidized by large financial interests, eager to disseminate and to magnify every element of doubt or uncertainty in the progress toward the promised Philippine independence.

You have conducted your high office, however, with calmness and dignity, but with an inflexible purpose to carry out the instructions of the Executive, while the succession of events has entirely justified your action and contradicted calumnies set afloat even before they had time to receive currency. We believe that with us you are looking toward the legislative promotion of the course being pursued toward the Philippine Islands which is soon to follow.

We are confident that you have engraved your name deeply upon the hearts of the Filipinos, and that it will be preserved as that of him who has done the largest practical part in carrying on to its fulfillment one of the greatest acts of the national atonement and restitution recorded in history. We are,

Your obedient servants,

MOORFIELD STOREY, *President.*
ERVING WINSLOW, *Secretary.*

CAPT. TEMPLIN M. POTTS.

Mr. TILLMAN. Mr. President, it is likely the Senate itself will have before it shortly the case of Capt. Templin M. Potts, United States Navy, who was plucked last year. In order that the Senate may be informed when the case reaches it, I ask unanimous consent for the publication in the RECORD, and also as a public document, of the matter I send to the desk. It is in the nature of a hearing before the Committee on Naval Affairs in regard to this case.

Mr. SMOOT. Let it be printed as a public document or printed in the RECORD, whichever the Senator prefers, but not both. I do not believe it ought to be published in the RECORD and also as a document. Which would the Senator prefer?

Mr. TILLMAN. Let it be printed in the RECORD, then, and not as a document.

There being no objection, the matter referred to was ordered to be printed in the RECORD as follows:

TEMPLIN M. POTTS.

[Hearing before the Committee on Naval Affairs, United States Senate, 63d Cong., 2d sess., on S. 3804, a bill for the relief of Templin Morris Potts, captain on the retired list of the United States Navy.]

WEDNESDAY, MARCH 11, 1914.

UNITED STATES SENATE,
COMMITTEE ON NAVAL AFFAIRS,
Washington, D. C.

The committee met at 10.30 o'clock a. m. pursuant to the call of the chairman.

Present: Senators Tillman (chairman), Thornton, Bryan, Chilton, O'Gorman, Perkins, Clapp, Smith of South Carolina, Page, and Lodge. Also Capt. Templin M. Potts, Rear Admiral Osterhaus, Admiral Richard Wainwright, and Rear Admiral Victor Blue.

The CHAIRMAN. The committee has assembled for the consideration of Senate bill 3804, as follows:

[S. 3804, 63d Cong., 2d sess.]

A bill for the relief of Templin Morris Potts, captain on the retired list of the United States Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby authorized to appoint Templin Morris Potts, now a captain on the retired list of the United States Navy, to the active list of rear admirals of the United States Navy, to take rank next after Rear Admiral William B. Caperton, United States Navy: *Provided*, That the said Templin Morris Potts shall be carried as an additional number in the grade to which he may be appointed under this act or at any time thereafter promoted.

The CHAIRMAN. The committee will first hear Capt. Potts.

STATEMENT OF CAPT. TEMPLIN M. POTTS, UNITED STATES NAVY.

Capt. POTTS. On the 26th of March, 1913, a vacancy occurred in the grade of rear admiral owing to the statutory retirement of Admiral Mertz, and in accordance with the law as senior captain I was ordered before a board of naval examiners to establish my fitness for promotion to the grade of rear admiral. This board was composed of Rear Admiral Osterhaus, late commander in chief of the Atlantic Fleet, and Rear Admirals Vreeland and Howard, late division commanders in the Atlantic Fleet—all three officers of wide experience.

On March 24, two days before I appeared before the board, the Secretary of the Navy addressed a letter to the board to the effect that the board would carefully scrutinize the records of all officers appearing before it, to determine beyond a shadow of a doubt whether they had had adequate sea service to perform all the duties at sea in the grade to which they were to be promoted. This order did not specifiy any fixed amount of sea service, but simply that the sea service should be adequate. I beg to call attention here to the fact that this special precept of the board was issued only two days before I appeared before it, and revoked a previous order of the Navy Department to the effect that it was not the function of the board to inquire into the character of service performed by an officer, but simply to carry out the law, which stated that the board would establish "the mental, moral, and professional qualifications of an officer to perform all the duties at sea and on shore in the next higher grade." The record which the board was called upon to scrutinize consists of reports of fitness submitted to the department semiannually by seniors upon juniors. These reports consist of a series of questions which the reporting officer is required to answer and to use only prescribed terms, as "excellent," "very good," "good," etc. The five most important questions in these reports are (1) ability to command, (2) professional ability in general, (3) manner of performing duties, (4) is this officer qualified to perform the duties of his grade? and (5) is this officer qualified to perform the duties of the next higher grade? My record was made up of reports by the Admiral of the Navy, Rear Admiral Leutze, Rear Admiral Wainwright, and Rear Admiral Vreeland. In answer to the first three of the above-mentioned questions, the mark assigned was "excellent," the highest mark attainable. The answer of these officers to the other two questions was "yes."

The board, after carefully considering my record and from their personal knowledge of me, covering a period of 40 years, reported that I was fully qualified to perform all the duties of a rear admiral at sea and on shore, and recommended me for promotion.

On the 10th of April I was ordered to sea again as a captain to command the battleship *Louisiana*, and on the same date the Secretary of the Navy addressed a letter to the president of the examining board stating that in the opinion of the department I had not had adequate sea service to demonstrate my fitness for promotion, and that I would be ordered to further duty afloat until such time as my sea experience demonstrated my fitness for promotion, when I would be given my commission of the original date of March 26, 1913. While in this probationary state I was selected for retirement by the so-called plucking board and placed on the retired list as a captain.

In spite of the report of the board of naval experts, which testified under oath that I was in every respect fitted to perform all the duties of a rear admiral at sea and on shore; in spite of the fact that four of the oldest, most experienced of the officers of the Navy have testified in my reports of fitness that I possess all the qualifications and was in every respect fitted to be a rear admiral in the Navy, the Secretary of the Navy, who had been in office about one

month, and necessarily as a civilian, nonprofessional man, was unacquainted with the records of officers, their standing in the service, and the standing of the officers who composed the examining board, refused to accept the verdict of naval experts and ordered me to sea again to acquire further experience.

During the 50 years that the laws governing promotion in the Navy have been in force, this is the first instance that an officer has been deprived of merited promotion when he had been found qualified in accordance with law, regulation, and custom.

In spite of the fact that the Secretary informed the president of the examining board that my promotion was only deferred, I was subjected to a further injustice when my name was allowed to be placed before the plucking board for scrutiny. As the report of the board of examiners had inferentially been approved, except in so far as further sea experience was deemed necessary, I contend that I was in the position of a rear admiral subject to confirmation, and that my status as such should have removed me from the scrutiny of the so-called plucking board. My contention in this matter is borne out by the fact that Commander Philip Andrews, whose promotion to captain was denied him on account of insufficient sea service, is borne on the official register of the Navy Department of date of January 1, 1914, as a captain subject to confirmation.

Further, I beg to point out the statement of one member of the plucking board that I was retired because I have had insufficient sea service does not seem logical when I had more sea service in the aggregate than three of the five members of the board. I qualified for promotion under all laws and regulations of the Navy Department, under which I have served for nearly 41 years, and it seems unjust that I should have been deprived of my promotion on account of an order of the Secretary of the Navy, issued only two days before I was examined and three weeks after he had assumed charge of the Navy Department.

I contend that no precedent will be established by my restoration to the active list of the Navy. No such case has ever arisen in the Navy, and it is more than improbable that any officer of a good record, who came up for promotion within three weeks after a change of Secretaries, and who had obeyed all the orders, could be deprived of his promotion by an order, which, in my case, is ex post facto in effect.

Further, it would seem that if the Congress of the United States finds that an injustice has been done to an officer in the Navy through a change of Secretaries and their divergent ideas, that it would be the best precedent in the world to establish for the efficiency of the Navy that Congress should declare itself in favor of justice and equity.

I beg leave to call the attention of the committee to the fact that the table of sea service submitted by the department was incorrect. The department has removed from my record the two years that I was governor of the island of Guam, which, under a law several years old, was to be credited as sea service, and for years hundreds of officers who have served in the Philippines, Guam, Samoa, Cuba, and Porto Rico have been so credited. The order of the present Secretary revoking this order was not in effect when I was examined for promotion.

Further, the department has failed to show that while governor of Guam I was also in command of a seagoing vessel of the Navy in active commission; that I had assumed command of this vessel at Mare Island and commanded her on her passage to Guam, via Honolulu, and that I have never been relieved from the command of this ship and from all responsibility attached thereto for nearly two years, when I was ordered home.

Further, I was not only responsible for the safety of this ship, but for her condition, and in every respect was in the same category as a commanding officer of any other ship.

The CHAIRMAN. The committee will now hear Rear Admiral Wainwright.

STATEMENT OF REAR ADMIRAL RICHARD WAINWRIGHT, UNITED STATES NAVY, RETIRED.

Admiral WAINWRIGHT. I am personally responsible for the orders detaching Capt. Potts from sea duty.

I have known Capt. Potts practically all his life, and he has always been considered one of our best officers. His reputation is higher than can be shown in mere efficiency records. His services as navigator of a battleship during the Spanish War, and afterwards as governor of Guam, and then as senior officer in command of several of our ships in Haitian waters during a revolution are well worthy of note.

When I was detached from the fleet and became the aid for operations, I found the office of Director of Naval Intelligence was vacant. As the director was my senior assistant and I needed an officer in whom I could place full confidence, I requested the Secretary of the Navy to order Capt. Potts to that position. He had commanded my flagship for 10 months and had fully demonstrated his ability for high command. Capt. Potts performed his new duties with characteristic ability and energy.

I beg leave to point out the importance of the Secretary's last letter to the board that examined Capt. Potts. [Capt. Potts here read the letter.] This letter is a qualified approval of the examination and definitely states that he will be promoted without loss of numbers. It seems to me that this letter removed Capt. Potts from the class of captains subject to the action of the "plucking board," as no one above the rank of captain can be selected out.

The cases presented by Admiral Blue are not parallel with that of Capt. Potts, as in no case would the officer have been raised above the grade of captain had he been confirmed in his new grade; and all were still liable, under the law, to the acts of the "plucking board."

I am firmly of the belief that the best interests of the naval service require the passage of the bill under consideration, and that the Government should have the advantage of Capt. Potts's knowledge and ability on the active list. His case can not be used as a precedent for other cases, as no one who had passed his examination for rear admiral has been selected out, and all officers have had due warning as to sea-service requirements.

The CHAIRMAN. The committee will hear Rear Admiral Osterhaus.

STATEMENT OF REAR ADMIRAL H. OSTERHAUS, UNITED STATES NAVY, RETIRED.

Admiral OSTERHAUS. The board gave due consideration to the department's instructions regarding the examination of officers as to sea service, and after such consideration and examination of Capt. Potts's record—and its knowledge of his efficiency in command of a battleship of the fleet—all the members of the board having been associated in the fleet with him while performing such duty, were satisfied, without a doubt, that he was qualified for promotion, though he had but 10 months' service in command.

No period of sea service requisite to promotion for his or for any grade was fixed by the department.

There was no evidence before the board that Capt. Potts at any time sought to avoid sea duty.

Having commanded successfully and efficiently for 10 months, it could not be assumed that he would fail in a longer period, or could it be fairly doubted that Capt. Potts was qualified for promotion.

The CHAIRMAN. We will now hear from Rear Admiral Blue.

STATEMENT OF REAR ADMIRAL VICTOR BLUE, CHIEF OF THE BUREAU OF NAVIGATION.

Admiral BLUE. In representing the department in the case of Capt. Potts, now under consideration by the committee, it is my intention to show clearly that there is not now and never has been any personal animus or malice toward Capt. Potts in this matter and that every act of the department regarding the case has been in accordance with law and well-established precedents, as well as for the best interests of the naval service. Many adverse criticisms have been directed toward the department for its attitude in this case, as in many others where personal friends of the officers concerned actively interested themselves in their behalf. It is believed, however, that these criticisms have been principally due to a misunderstanding of the facts in the case and of the motives actuating the department. Heretofore no reply has been made, but advantage will now be taken of the opportunity given by this committee to set forth the department's position in its true light.

It is a fact generally well known that some officers of the Navy, either by favor or otherwise, have spent long and repeated tours of duty on shore, with correspondingly little active duty at sea. This practice had been developed by some officers to such an extent and in a sufficient number of instances to make it evident that it was exerting a most pernicious influence on the efficiency of the Navy, as well as causing dissatisfaction and discontent among the great majority of officers who take their "trick at the wheel," and who bear the burden and the heat of the day in keeping the fleet up to a high standard of efficiency.

When Mr. Daniels became Secretary of the Navy he began to look into this condition with a view to correcting the growing evil which was undermining not only the discipline but the efficiency of the Navy itself. Evidently if it could be made plain to the service that officers could not expect promotion in a seagoing profession unless they had adequate experience at sea, these adverse conditions could no longer continue. A firm stand had to be taken to accomplish the purpose.

Sections 1492–1510, Revised Statutes, provide that:

"All officers of the Navy, to be eligible for promotion, shall pass such professional, moral, mental, and physical examination as the Secretary of the Navy shall from time to time prescribe."

Under these statutes the Secretary acted; and if by so doing he changed the requirements for qualification of officers which had existed for 40 years—as claimed by Capt. Potts—there is hardly anyone who would seriously contend that it was not for the best interests of the Navy, or that the Secretary was not fulfilling a plain duty placed upon him by Congress.

The old adage that experience is the best teacher applies particularly to the qualifications of officers of the Navy, who, while commanding battleships or fleets, are responsible not only for the lives of those under their command and the enormous value of the public property intrusted to their charge, but also for the honor of the Nation in time of war.

If there is any grade in the Navy which should require the closest scrutiny of the qualifications of officers before promotion thereto, it certainly is the grade of rear admiral. It may be stated without fear of contradiction that the practice in vogue for the last 40 years—as referred to by Capt. Potts—permitted of making rear admirals by routine from officers who had arrived at the head of the captains' list. No sea-service qualifications were required, notwithstanding the fact that the Navy is essentially a seagoing profession and that Congress had intrusted to the Navy Department the responsibility of determining the fitness of officers for promotion. What has been the result? While it may be true that a number of officers of great ability, eminently qualified to lead the fleet into action, have reached in the past the grade of rear admiral without adequate sea service under the practice existing at the time, it is perhaps fortunate for the country that these same officers, or some of them, were not called upon to prove their fitness by the test of war under modern conditions. Unfortunately, there are others, as every officer in the Navy knows, who under the past system have reached the grade of rear admiral without adequate sea service, whom no Secretary of the Navy would feel justified in placing in important command afloat in time of war.

Our retired list, containing a number of rear admirals promoted to their grades under the practice advocated as proper by Capt. Potts, is a source of frequent complaint by Congress, and yet the present Secretary of the Navy is criticized adversely for changing, under the authority granted him by Congress itself, a practice admittedly wrong in principle and productive of inefficiency and increased expense to the Government. For all these years examining boards have been hampered in reaching their conclusions by the standards previously established. Woe to the members of any examining board who would violate the "inherent rights" of the senior captain by turning down his promotion to rear admiral unless there was something in his record distinctly to his discredit and for which they could not be assailed for rejecting him. Therefore, under the system in vogue for "40 years," as claimed by Capt. Potts, the examining boards could not be blamed entirely for passing to rear admiral captains whose fitness had not been thoroughly tried and proved by actual experience at sea.

With a view to improving conditions under the authority vested in him, the Secretary addressed the following letter to the examining board.

NAVY DEPARTMENT,
Washington, March 24, 1913.

From: The Secretary of the Navy.
To: President examining board for the promotion of commissioned officers.
Subject: Sea-service qualification for promotion.

In accordance with sections 1493–1510, Revised Statutes (see Navy Regulations, 1913, ch. 31, art. 3331), the Secretary of the Navy from time to time prescribes the examinations for promotion of officers.

The Secretary wishes to inform the members of the examining board that he requires that officers coming up for promotion shall have had sufficient sea service in the grades from which they are to be promoted to insure beyond doubt that they are fully qualified and experienced at sea to perform the sea duties of the next higher grade.

JOSEPHUS DANIELS.

On March 26, 1913, Capt. Potts appeared before the board for examination for promotion to the grade of rear admiral, being due by

seniority as the senior captain to fill a vacancy made on that date by the retirement of Rear Admiral Mertz.

The report of the board in the case is given below:

"The board having deliberated on the evidence before it, decided that the mental, moral, and professional fitness of the candidate to perform all his duties at sea has been established to its satisfaction. In arriving at its conclusion as to the professional fitness of the candidate, the board noted that this officer has had but 10 months' sea service, but, as his record shows, that (he) has the mental, moral, and professional qualifications to perform efficiently all the duties, both at sea and on shore, of the grade to which he is to be promoted, and recommend him for promotion."

The board disregards the question of sea service except to note "that this officer has had but 10 months' sea service."

Section 1496, Revised Statutes, provides that—

"No line officer below the grade of commodore and no officer not of the line shall be promoted to a higher grade on the active list of the Navy until his mental, moral, and professional fitness to perform all his duties at sea have been established to the satisfaction of a board of examining officers appointed by the President."

Section 1502, Revised Statutes, provides that the findings of the examining board, together with the whole record in the case, shall be presented to the President for his approval or disapproval.

It is evident that the President is the final reviewing authority of the findings of an examining board, and that the findings are not complete until approved by him. In other words, the examination of an officer for promotion is not complete until the President has acted thereon, and in accordance with the law an officer is not qualified for promotion until his fitness has been established, not only to the satisfaction of the examining board but also to the satisfaction of the President as the final reviewing authority.

The records of the department show that during a period of 14 years immediately preceding the date of his examination, March 26, 1913, Capt. Potts had only 3 years of sea duty. Of this, he had 1 year and 5 months in the grade of lieutenant commander, 9½ months in the grade of commander, and 9½ months in the grade of captain, which sea duty terminated in December of 1909. The above includes 2½ months' sea duty credited to Capt. Potts while taking the station ship *Supply* out to Guam from California. This was inadvertently omitted in my oral statement before the committee, and I am glad of the opportunity to make the correction at this time. Some years ago it was customary for the governor of Guam to be in command of the station ship, although his residence was at Agana, 4 miles away from the anchorage. When Capt. Potts was ordered to Guam as governor the station ship *Supply* was at Mare Island. He accordingly assumed command of her on December 18, 1905, and took her to Guam, arriving March 2, 1906. The next day he went ashore and assumed the duties of governor. This gave him the 2½ months sea duty referred to, making a total sea duty of 3 years out of 14 years. While governor he was also in command of the station ship, although his habitual residence was at Agana, 4 miles away. When the station ship made periodical trips at sea she went under the command of Lieut. Commander Bitler, Capt. Potts remaining in Guam. Under these conditions it can not well be contended that sea duty should be credited to Capt. Potts for the period when he was governor of Guam and in command of the station ship. Such a construction placed upon the definition of sea duty would be stretching the meaning of the term to its elastic limit.

The average length of sea duty of officers reaching the head of the captain's list during the past year, excluding one officer whose physical disability prevented his going to sea, was 6 years and 10 months for the preceding period of 14 years. This average is 10 months more than twice the amount Capt. Potts had for a like period of 14 years. While, of course, it is incumbent on every officer to obey orders and accept assignments to duty, it must be assumed that an officer who stood in so high favor with the authorities that he could obtain the most desirable shore billets for long periods of time could also, if he so desired, obtain a billet at sea.

Owing to the great responsibilities that necessarily fall upon an officer of the rank of rear admiral in command of a fleet, squadron, or division, and to the lack of experience of Capt. Potts at sea, the President withheld his approval of the findings of the examining board until such time as Capt. Potts's experience at sea would be sufficient to demonstrate his qualifications.

The following letter, which explains itself, was then sent to the president of the examining board, and Capt. Potts was shortly afterwards ordered to command the battleship *Louisiana:*

NAVY DEPARTMENT,
Washington, April 9, 1913.

From: The Secretary of the Navy.
To: Rear Admiral Hugo Osterhaus, United States Navy, president Naval Examining Board.
Subject: Report of examining board in the case of Capt. Templin M. Potts, United States Navy.

Referring to the report of the examining board, of which you were president, in the case of Capt. Templin M. Potts, United States Navy, in which the board notes the small amount of sea service of this officer since he entered the grade of captain, the department desires to inform the board that it does not consider a period of 10 months' sea service as a captain sufficient to establish the professional qualifications of an officer to perform efficiently all the duties of the grade to which he is to be promoted.

Capt. Potts will therefore be detailed to duty afloat until such time as his experience at sea is sufficient to demonstrate his qualifications, when he will receive his commission, bearing date of March 26, 1913, in the grade for which he has been examined.

JOSEPHUS DANIELS.

There are numerous precedents of record in the department wherein the President withheld his approval of favorable findings of examining boards in cases of officers coming up for promotion. There are even cases in which approval has been withheld for years for one reason or another, and in every case the officer concerned retained the rank of the grade in which he was serving at the time he became due by seniority for promotion until his case was finally settled and his commission in the higher grade confirmed by the Senate. In the meantime his name has been carried in the Navy Register for convenience of reference in a position on the list of officers where his original seniority placed him with a notation indicating his status.

The point made by Capt. Potts that the name of Philip Andrews, whose case is similar to his own, is now carried on the Navy Register in the captains' list is not well taken. There are other officers carried in the same manner in grades to which they will eventually be commissioned when their qualifications, physical and otherwise, have been determined and their commissions confirmed by the Senate. Until such confirmation takes place, however, these officers continue to hold the rank they held before coming due for promotion. This practice is so old and so well known that it hardly seems necessary to refer to it here. It is only mentioned because Capt. Potts made a point of it to show that if his name had been carried on the list of rear admirals he would not have been available for selection out.

The act of Congress of March 3, 1899, provides as follows in section 9:

"That should it be found at the end of any fiscal year that the retirements pursuant to the provisions of law now in force, the voluntary retirements provided for in this act, and casualties are not sufficient to cause the average vacancies enumerated in section 8 of this act, the Secretary of the Navy shall, on or about the 1st day of June, convene a board of five rear admirals, and shall place at its disposal the service and medical records on file in the Navy Department of all officers in the grades of captain, commander, lieutenant commander, and lieutenant. The board shall then select, as soon as practicable after the 1st day of July, a sufficient number of officers from the before-mentioned grades, as constituted on the 30th day of June of that year, to cause the average vacancies enumerated in section 8 of this act. Each member of said board shall swear or affirm that he will, without prejudice or partiality, and having in view solely the special fitness of officers and the efficiency of the naval service, perform the duties imposed upon him by this act. Its finding, which shall be in writing, signed by all the members, not less than four governing, shall be transmitted to the President, who shall thereupon, by order, make the transfers of such officers to the retired list as are selected by the board: *Provided*, That not more than five captains, four commanders, four lieutenant commanders, and two lieutenants are so retired in any one year. The promotions to fill the vacancies thus created shall date from the 30th day of June of the current year: *And provided further*, That any officer retired under the provisions of this section shall be retired with the rank and three-fourths the sea pay of the next higher grade, including the grade of commodore, which is retained on the retired list for this purpose."

This act created the board of selection for retirement, which is sometimes spoken of as the "plucking board." It will be noted that when first enacted it provided for selecting an officer from one grade and placing him upon the retired list in the next higher grade. This provision, however, was modified by the act of August, 1912, which provided that the officer concerned should be retired in the grade from which selected and not in the next higher grade.

When the time came to appoint this board the Secretary gave directions that the members should be selected from widely separated localities, and that none of them should in any way be identified with the administration of the Navy Department. This was done for obvious reasons. There had previously been criticisms of the board's action in certain cases owing to the fact that members of the board were also on duty in the Navy Department.

The board was appointed as follows: Rear Admiral Ward, from New York; Read Admiral Southerland, recently from the Pacific Fleet; Rear Admiral Knight, commander in chief of the Atlantic Reserve Fleet at Philadelphia; Read Admiral Winslow, commanding, second division, Atlantic Fleet; Rear Admiral Fletcher, commanding, third division, Atlantic Fleet. Commander Pollock, who had recently come from sea to duty at the Naval Observatory, was made recorder.

The board met on June 2, and addressed the following letter to the Secretary of the Navy:

NAVY DEPARTMENT,
Washington, June 2, 1913.

From: President board of selection for retirement.
To: Secretary of the Navy.
Subject: Name of officer at head of list of captain, commander, lieutenant commander, lieutenant, and junior lieutenant.

The board requests to be informed what officers are legally at present, for the purposes of the board, the senior officer on the list of captains, commanders, lieutenant commanders, lieutenants, and junior lieutenants.

AARON WARD.

On the same day the department forwarded to the board a letter giving the names of the officers in the various grades and their status. Letter follows:

NAVY DEPARTMENT,
Washington, June 2, 1913.

To: President board on selection for retirement.
Subject: Name of officer at head of list of captain, commander, lieutenant commander, lieutenant, and lieutenant (junior grade).
Reference: Letter of 6/2/13.

At present the senior officers in the grades referred to in letter of June 2, 1913, are as follows:

Capt. T. M. Potts. (Is slated for promotion to rear admiral from March 26, 1913, but has not yet been commissioned.)

Commander Philip Andrews. (Is slated for promotion to captain from March 26, 1913, but has not yet been commissioned.)

Lieut. Commander C. C. Fewel. (Is slated for promotion to commander from March 26, 1913, but has not yet been commissioned.)

Lieut. E. H. Dodd. (Is slated for promotion to lieutenant commander from March 26, 1913, but has not yet been commissioned.)

Lieut. C. R. Train. (Is slated for promotion to lieutenant commander from March 26, 1913, but has not yet been commissioned. He is No. 2 on the list of lieutenants, as C. P. Huff has been commissioned lieutenant commander from February 13, 1913.)

Lieut. H. W. Osterhaus. (Is slated for promotion to lieutenant commander from March 30, 1913, but has not yet been commissioned. Is No. 3 on list of lieutenants.)

In this connection attention is invited to the lists of officers in the grades referred to, shown in the corrected copies of the 1913 Navy Register furnished the board by the Bureau of Navigation. All captains, commanders, lieutenant commanders, and lieutenants—the grades considered by the board in making its selections—are indicated therein and appear in lineal standing.

F. D. ROOSEVELT.

It will be noted that the head of each grade was due by seniority for promotion but had not been commissioned pending the establishment of his qualifications.

The board on June 7 forwarded a letter to the department asking specifically if Capt. Potts was legally available for selection.

Letter follows:

NAVY DEPARTMENT,
Washington, D. C., June 7, 1913.

To: Secretary of the Navy.
Subject: Re status of Capt. Templin M. Potts.

Referring to the board's letter of June 2, 1913, and the department's reply 1303–114 of the same date:

The board requests to be informed whether Capt. Templin M. Potts, who has passed his examination for promotion to the grade of rear admiral, United States Navy, the record being still in the hands of the President, and who is "slated for promotion to rear admiral from March 26, 1913, but has not yet been commissioned," is legally available for selection by this board from the grade of captain, United States Navy, for compulsory retirement in that grade under the provisions of section 9 of the Navy personnel act of Congress, approved March 3, 1899, as modified by the act of Congress of August 22, 1912.

AARON WARD.

The department replied with the following letter:

NAVY DEPARTMENT,
Washington, June 7, 1913.

From: Secretary of the Navy.
To: Rear Admiral Aaron Ward, United States Navy, president board of selection for retirement, Navy Department (through Bureau of Navigation).
Subject: Re status of Capt Templin M. Potts.
Reference: Your letter 6–7–13.

1. The status of the above-named officer is that of a captain on the active list of the Navy, not an extra number; he is therefore "legally available for selection" by the board "from the grade of captain, United States Navy, for compulsory retirement in that grade" under the provisions of law in your letter.

JOSEPHUS DANIELS.

The statement in this letter that the status of Capt. Potts was at the time that of a captain has so long been borne out by practice and precedents as well as by judicial decision that it is deemed unnecessary to dwell further on the point.

As to the question whether or not he was "legally available for selection" by the board "from the grade of captain," the conclusion follows naturally from the premises. If his legal status was that of a captain, then he was "legally available for selection from the grade of captain." In as much as both Admiral Wainwright, who appeared before your committee as counsel for Capt. Potts, and Capt. Potts himself have held high positions in the administration of the Navy Department and are presumably familiar with its previous rulings in similar cases, it is surprising that they should contend to the contrary view before this committee as they did in their oral statements at the time of the hearing. Furthermore, in 1911, Admiral Wainwright himself was aid for operations in the Navy Department and also president of the board for selection for retirement, which selected for retirement J. H. Rowen from the list of lieutenant commanders. Lieut. Commander Rowen had become due for promotion to commander on May 19, 1911. He had been examined, found qualified, and recommended for promotion by the examining board. The findings of the board had been approved by the President, making the entire proceedings complete in determining the fitness of this officer for promotion. All that remained to be done to make him a full-fledged commander was, in the ordinary routine of business, to send his name to the Senate for confirmation. Yet while this was pending Mr. Rowen was selected for retirement in the status of a lieutenant commander. On June 30, 1909, Lieut. Commander Glennie Tarbox, who had become due for promotion to commander more than six months previously, and the establishment of whose qualifications was pending, was selected for retirement in the status of a lieutenant commander. Admiral Wainwright was a member of the board in this case also, as he was in other cases of officers who made their numbers for the next higher grade shortly before, or about the time, they were selected for retirement as in the status of the lower grade.

Admiral Wainwright is referred to in connection with these cases only for the purpose of showing that he is presumably cognizant of precedents previously established by the department. There is no question as to the legality of the proceedings in any of the cases referred to.

If Rowen was legally available for selection from the grade of lieutenant commander, surely Capt. Potts was legally available for selection from the grade of captain. If, as Admiral Wainwright claimed before the committee, there is a difference between the two cases, the difference is in Rowen's favor, as the findings and recommendation of the examining board in his case had been approved by the President. The act of the President completed all legal requirements for establishing his qualification for promotion. This was not so in the case of Capt. Potts, as the President had withheld his approval of the findings and recommendation of the board.

The fact that Rowen was retired in the next higher grade does not alter the case, as the law in force at the time expressly so provided. The only modification of the law was made in August of 1912, and this was to the effect that officers would be retired in the grade from which selected. The law as modified was in operation when Capt. Potts was retired, hence his retirement in the grade of captain.

Naturally there is much disappointment for all officers whose careers are cut short by their being selected for retirement. There is, however, no greater disappointment for an officer who has reached the rank of captain to have his career terminated than there is for one who has reached the rank of commander or lieutenant commander. Perhaps, on the other hand, the officer who reaches the rank of captain before retirement should consider himself even more fortunate than those who fall by the wayside as commanders or lieutenant commanders.

ORIGIN OF THE BOARD OF SELECTION FOR RETIREMENT.

The method of promotion in the Navy is by seniority, subject to examination, in accordance with laws quoted above. Prior to the year 1899 this had resulted in causing officers to pass through the grades of commander, captain, commodore, and rear admiral in a few years' time. Many of them reached the grade of rear admiral just in time to retire at the age of 62 without remaining long enough to go to sea. The net result was a retired list overburdened with rear admirals, some of whom did little or no duty as such before retirement. Another result was the advanced ages at which officers reached the upper grades, and the rapidity of passing through them with a corresponding loss of efficiency of the service. To correct these conditions Congress passed the act of March 3, 1899, section 9 of which, quoted above, created the board.

Some means of elimination of officers is necessary if the Navy is to be efficient and if the retired list is to be guarded against an unnecessary overload of rear admirals.

As long as the present law governing such matters is on the statute books it is the plain duty of the Navy Department to enforce its provisions in regard to all officers concerned. This has been consistently done by every administration since the enactment of the law. During one administration the President even went so far as to veto a bill enacted by Congress reinstating to the active list two officers who had been retired in accordance with the above-mentioned law.

Probably every officer retired under its provisions has a grievance, fancied or real, which could easily excite the sympathy of his friends and cause them to believe that injustice had been done. To restore one of these officers to the active list would weaken the hands of the department in the enforcement of the law, as well as set a precedent which would most likely be far-reaching in its effects and unfavorable to the efficiency of the service.

STATEMENT OF CAPT. TEMPLIN M. POTTS WITH REFERENCE TO STATEMENTS OF REAR ADMIRAL VICTOR BLUE, CHIEF OF THE BUREAU OF NAVIGATION, BEFORE THE SENATE NAVAL COMMITTEE WEDNESDAY, MARCH 11, 1914.

Admiral Blue states as follows:

"Sections 1492–1510, Revised Statutes, provide that—

"'All officers of the Navy, to be eligible for promotion, shall pass such professional, moral, mental, and physical examination as the Secretary of the Navy shall from time to time prescribe.'

"Under these statutes the Secretary acted; and if by so doing he changed the requirements for qualification of officers which had existed for 40 years (as claimed by Capt. Potts) there is hardly anyone who would seriously contend that it was not for the best interests of the Navy, or that the Secretary was not fulfilling a plain duty placed upon him by Congress."

I beg leave to call the attention of the committee to the fact that no such statute as quoted above exists, and, further, that under the Revised Statutes no authority whatever is vested in the Secretary of the Navy to change or make requirements for the qualification of officers for promotion.

Section 1496, Revised Statutes, provides that—

"No line officer below the grade of commodore and no officer not of the line shall be promoted to a higher grade on the active list of the Navy until his mental, moral, and professional fitness to perform all his duties at sea have been established to the satisfaction of a board of examining officers appointed by the President."

This statute is perfectly clear, that the establishment of the professional fitness of officers is vested in a board of naval experts appointed by the President. The letter of the Secretary of the Navy to the president of my examining board fixing requirements as to sufficient sea service is, in my opinion, not sanctioned by law, but contravenes it. It is true that reports of examining boards must be submitted to the President of the United States for his approval or disapproval. In my case the President has not disapproved the report of my examining board, but, according to a letter addressed to the president of my board by the Secretary of the Navy, a qualified approval was given, namely, that I was to be promoted without further examination after having performed a further period of duty afloat.

The tenor of the statements of Rear Admiral Blue with regard to my promotion is to the effect that I ought not to be competent, whilst my entire record and the report of the board of examiners prove beyond a shadow of a doubt that I am, and was on March 26, 1913, fully qualified to perform all the duties of a rear admiral, afloat or ashore.

NAVY DEPARTMENT,
Washington, December 30, 1908.

PRESIDENT NAVAL EXAMINING BOARD,
Mills Building, Washington, D. C.

SIR: In reply to your letter of the 4th ultimo regarding the case of Commander Henry C. Gearing, United States Navy, you are informed that the department does not consider that the naval examining board should take cognizance of the character of "sea service" of an officer as shown in the Navy Register, or that it should consider to his detriment the fact that an officer may have been assigned to duty by the department that might necessitate his continuing on duty on shore during the whole period of a commission.

The board is required under the law to satisfy itself as to whether or not an officer "has the mental, moral, and professional qualifications to perform efficiently all the duties, both at sea and on shore, of the grade to which he is promoted." Under this law the examining board may submit an officer to such examination as it sees fit in order to determine the question of fitness.

Respectfully,

TRUMAN H. NEWBERRY,
Secretary.

—

BUREAU OF NAVIGATION, *January 7, 1914.*

A true copy from the records of this bureau.

BRITTAIN, *Assistant to Bureau.*

PANAMA CANAL TOLLS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Secretary read Senate resolution 323, submitted by Mr. POINDEXTER on the 1st instant, as follows:

Whereas the British Embassy to the United States has formally, in writing, admitted that we have a right to exempt our coastwise trade from Panama Canal tolls, and the British minister of foreign affairs has officially, in writing, declared that many of the material provisions of the Hay-Pauncefote treaty do not apply to the Panama Canal, because that canal was constructed under conditions not contemplated by either party at the time the treaty was made; and

Whereas the "particular object" of both the Clayton-Bulwer and the Hay-Pauncefote treaties was the construction of a canal at Nicaragua, and the "general principle" referred to in said treaties contemplated and expressly stated that a treaty should be made with reference to a particular canal, and no such treaty has been made with reference to Panama; and

Whereas the United States acquired the Panama Railway and the Panama Canal wholly from the Republic of Colombia, the French Canal Co., and the Republic of Panama, and not from Great Britain, and that Great Britain had no rights, titles, or claims of any kind whatsoever in or to said Panama Railway or Panama Canal or the country in which the same were built, and never asserted any such claim or interest either to said French Canal Co., the Republic of Colombia, or the Republic of Panama, and has no such interest or legal rigat now, either by treaty or otherwise; and

Whereas our policy as to canal tolls was settled by act of Congress and by the official statement of the last administration made to the British Government; and

Whereas, notwithstanding the aforesaid formal admissions of the British Embassy and the British minister of state for foreign affairs, and notwithstanding after full consideration the question was solemnly settled by both the executive and legislative branches of this Government, the President on the 5th of March last appeared in person before the Congress and "urged with the utmost earnestness of which he was capable," upon the ground of his own "personal responsibility," that the position so deliberately taken by this Government be reversed, and that his request be granted "in ungrudging measure," without "raising the question of whether we were right or wrong," and no reasons are given by the President for his conclusions, and the request is based especially on the ground that he "shall not know how to deal with other matters of even greater delicacy and nearer consequence" unless it shall be granted; and

Whereas no statement has been made to Congress what these matters are, and in order to act advisedly on said request it is essential that the Senate shall be informed thereon, and if they are of such near consequence and great delicacy as to require a surrender to foreign opinion without question as to whether we were right or wrong, the Senate can not properly consider the question submitted and many other vital questions before it without being advised as to the nature and identity of said matters referred to by the President, and it is the desire of the Senate to give thorough consideration to the views of the President: Therefore it is

Resolved by the Senate, That the President is hereby respectfully requested to inform the Senate, in confidence if he so desires, what are the unnamed matters of "nearer consequence and greater delicacy" referred to in said message; and

Resolved further, That action on the bill for the repeal of the tolls exemption clause of the Panama Canal act, and all consideration thereof by the Senate or by the Senate Committee on Interoceanic Canals, be deferred until the information called for by this resolution can be obtained.

Mr. POINDEXTER. Mr. President, in view of the fact that the Senator from California [Mr. WORKS] has given notice that he intends to address the Senate this morning upon the tolls question, I do not desire to occupy the time of the Senate in speaking upon this resolution. In fact, I do not know that at any time I will speak upon it, because the questions involved in the measure which has come over from the House to which this resolution refers are so vital and concern the fundamental economic interests of the Pacific coast so especially and to such an extent that it would be perfectly futile to undertake to discuss them during the morning hour.

Furthermore, Mr. President, I am very much in hopes that what this resolution calls for, leaving out the facts recited in the preamble, will be conceded. I hope the resolution itself will not be objected to. The message of the President calls for very unusual action. It calls for the reversal of the position which this country has deliberately taken. That must be conceded, whether we agree with the correctness of that position or not. It has been taken after a political campaign in which the issues were discussed when they were made up by planks in the platforms of the several parties. They were thoroughly understood, and they have been debated by lawyers in Congress and out of Congress. When the President asked Congress to reverse that attitude because of the existence of certain important reasons which he intimates exist, without saying what they are, I take it for granted that if the President himself is asked in respectful terms by Congress to state what those reasons are he will not object. I apprehend that the President will be glad to give to Congress these reasons. I myself should like to know whether the reasons which he refers to relate to the international affairs of the country or whether they relate to transportation problems.

I should like to know, and I think Congress ought to know, whether the desire to impose tolls on American shipping going through this canal, which is an object very much desired by the railroads of the country, for obvious reasons, because it limits the effects and the results of putting into operation this new means of transcontinental transportation, as a regulator of railroad rates, when every competing canal that has been constructed by this country has been, as we have learned by experience, a regulator of railroad rates—I should like to know whether the desire to put this obstacle in the way of the free operation of the canal comes from the same motive that has been stated as coming from the White House in connection with the nomination of Mr. Daniels as a member of the Interstate Commerce Commission—that he "did not want to destroy business," that it was time to "let up on the railroads," and such statements as that.

I should like to have the President given an opportunity, by a respectful request from Congress, to state to Congress whether these reasons relate to the foreign affairs of the country or whether it is a desire to relieve the railroads in what seems to be considered a stress in their affairs from the full competition of a waterway which must have the effect of reducing their rates, while a number of them have applications pending before the Interstate Commerce Commission for an increase in rates—an application said to be favored by the administration.

Of course, Mr. President, if this question is to be decided upon the same grounds that I have heard argued so much in the Senate, and out of the Senate by Members of the Senate in statements made elsewhere, that we must support the repeal of the toll-exemption clause in order to keep the Democratic Party together; that we must vote for this measure because the President asks for it—if that is to be the controlling principle in the action of Congress upon this matter, I admit that this resolution is perfectly futile, because it would make no difference what the reasons are so long as the President says that there are good and sufficient reasons.

Mr. President, there is not a court in the United States of the humblest character that would be called upon to decide the most trivial case between two private litigants that would not demand, before it rendered its judgment, to know the facts upon which it was asked to decide.

The President of the United States has made, I am very frank to say, a most enviable record in a great many of the important measures with which this administration has had to deal during the brief period since it has had control of the affairs of the Government; I have not hesitated to support the administration with my vote here when the reasons adduced seemed to be sufficient to convince me that it was right and to express my approval of its action not only here but everywhere I was called upon to express it; but it seems to me, Mr. President, that if the decision of Congress upon this question is to be confined to the proposition that the administration desires this legislation, if the President is to use his power to control not only the executive but the legislative branches of this Government, it is time that we consider some new disposition in the relation of these two great branches of the Government.

If we are to decide this tolls question merely upon the request of the President, without knowing the reasons which impel him to make that request, then I say that the form of the Government ought to be so modified that the President will take his seat here with us and match reason with reason and leadership with leadership. If the President is to become a part of Congress, if our system is to merge the different branches of the Government and do away with what we have all been taught from infancy was one of the fundamental principles—the division between the executive, legislative, and the judicial departments—we can not make that change and carry it on successfully under the Constitution as it now exists. If the President is to exercise that power, then it would behoove us to consider some fundamental changes and to inquire whether or not the President should not be chosen from among the membership elected by the people into their great legislative body.

It is a strange thing that the entire reputation of this administration is based not upon an executive administration, not upon a record of the performance of executive duties, but upon a legislative record. It is based upon what has been accomplished in Congress. I should like to see the effect upon this country if the President would turn his attention for a little while away from the duties and functions of Congress and exercise his great abilities in the performance of the functions of the President, the greatest official in the world.

The Czar of Russia has but little power compared with him, because the Czar is a part of an official family, surrounded by factotums who tell him what to do. The King of England is largely a formal dignitary, a sort of social leader, though the place may be a balance-wheel, as it were, in the constitutional machinery of the country. The Kaiser of Germany has more power, perhaps, than any other monarch in Europe, but he is surrounded and hedged in by constitutional limitations, by customs, and the necessity of consulting officials before he acts. Whom does the President have to consult? He is absolute within the great range of his powers; and yet he apparently neglects the exercise of the great discretion that is vested in him, and bases his reputation and the record of his administration upon what Congress may do. If the President should for one day exercise the power that he has to enforce the law against the great violators of the law it would clear up the social and the political atmosphere of this country like an electrical storm.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Iowa?

Mr. POINDEXTER. I yield to the Senator from Iowa.

Mr. CUMMINS. The Senator from Washington has just made a very interesting statement; but I ask if it is not true that there is in nature a law that requires a moving body to always choose the path of least resistance? Is it not possible that the President of the United States finds it easier to command Congress than to perform his executive duties?

Mr. POINDEXTER. I was interrupted at the close of the Senator's question. I heard the first part of it but I did not hear its conclusion.

Mr. CUMMINS. I ask if it is not possible that the President is simply obeying a law of nature, namely, choosing the path of least resistance, and that he occupies his time in legislative work because he finds it easier to command Congress than to perform his executive functions?

Mr. POINDEXTER. Evidently, Mr. President, that is the case; and I think the evolution of society and the evolution of politics are subject to that law of following the line of least resistance, the same as is the development of the material world.

I did not intend to go into this phase of this question at this time, but one thing leads to another, and for that reason I hesitated to say a word this morning, because I prefer to discuss this great question when it is really before the Senate for action. Some time ago I referred to a statement made by one of the distinguished Senators from Louisiana [Mr. THORNTON] because of the weight of his opinion. He later on appeared in the Senate and corroborated the statements which were attributed to him by the press, which were to the effect that after having visited the President he had found that there were such reasons in existence, such reasons presented to him by the President, as to cause him to reverse the attitude which he himself had taken upon this great question and to announce that he would vote to support the President in his request for the repeal of the tolls-exemption clause. The Senator from Louisiana, however, in that statement failed to take the Senate or the country into his confidence and to tell us what reasons the President whispered into his ear or told him in the privacy of his interview, but they were sufficient to control his action. If we knew them, they might be sufficient to control ours. Why not pass this resolution and give the President an opportunity, in a formal, constitutional way, to tell us what he told the Senator from Louisiana?

Mr. THORNTON. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Louisiana?

Mr. POINDEXTER. I yield.

Mr. THORNTON. Mr. President, inasmuch as the Senator from Washington has seen fit to allude to myself in this matter, I will say that the statement which I incorporated in my answer given to him on the 10th day of March, as I now remember, embodied my reasons for my change of view—not my change of view as to the legal right of the United States to exempt coastwise trade from the payment of tolls if it chose to exercise that right, but my reasons for sustaining the President at this time in his wish to have the exemption clause repealed. Most certainly I did not say what special, particular reasons in the way of diplomatic secrets or matters of that kind had been given to me, because none had been given to me. I set up in that answer the reason why I had changed. The President of the United States, however, has not whispered in my ear, as the Senator says, and I object to such an allusion. I said that the entire correspondence between us had been in writing; that because of my illness, not being able to call on the President, I had taken the initiative in the matter and had asked him in writing to state to me whether or not he considered that the public interest required that the toll-exemption clause should be repealed; and I gave as my conclusion in the matter that on account of what he had answered me in that letter—and I gave substantially his language in the letter—I had changed my views and felt it my public duty to support the President in this matter.

As a matter of course, I never presumed to ask the President as to any secret diplomatic knowledge that he had in the matter. That would have been entirely presumptuous, in my opinion, on my part. It was enough for me for the President of the United States to say to me "he felt absolutely sure that the repeal of the exemption clause would greatly strengthen his hand in carrying to a successful conduction the foreign policy of this Government"; and his word for that was sufficient for me.

Mr. POINDEXTER. Mr. President, that simply serves——

Mr. LIPPITT. Mr. President——

Mr. POINDEXTER. If the Senator from Rhode Island will pardon me, that simply serves to deepen the mystery. What the Senator from Louisiana has just said corroborates in every way the impression which I had formed, that there were reasons—evidently mysterious ones, because there is difficulty in finding out what they are—which were sufficient to control the action of the Senator from Louisiana; or I may perhaps infer that the Senator from Louisiana is satisfied not to inquire into reasons for his vote upon important matters in the Senate other than that the President desires it.

The President says that there are some diplomatic reasons which are sufficient; and the Senator from Louisiana deems it an impertinence, he says, to inquire of the President what those reasons are. I suppose he would deem it an impertinence to use his own judgment as to whether or not they were sufficient. Perhaps it would be deemed an impertinence for the Senate of the United States, which is asked here to take action upon this question, to inquire what these reasons are or to use its judgment as to whether or not they are sufficient to cause this Nation, in the face of a foreign demand, to change its attitude upon this great question.

I remember one of the statements made by the Senator from Louisiana that seemed significant to me—although I may have attached too much importance to it—to the effect that while we might have a right to exempt our coastwise trade, there was a difference between having a right and being able to enforce that right.

Mr. THORNTON. Mr. President, will the Senator permit me to say that I never used the language "being able to enforce it." I said, "and the enforcement of it," "and to enforce it."

Mr. POINDEXTER. I am willing to accept the amendment, but it seems to me that the effect of the language is just the same. The difference between having a right and the enforcement of the right is a new doctrine in America. There never was such a difference between having a right and the power to enforce the right in 1776 or in 1812 or at any other time when the vital interests of this country came into conflict with the demands of a foreign nation. The right and the power to enforce the right in the history of this country have usually, have always, heretofore gone hand in hand, and we are not ready to accept this new doctrine announced in this mysterious way by this administration, that we have a right which we may not enforce.

I have in my hand, Mr. President, another statement of which I am reminded by the statement of the Senator from Louisiana. It bears on its face the appearance of having been carefully prepared, probably in writing, by Representative A. MITCHELL PALMER. I only give it for what it is worth, because I have not undertaken to verify it, and I do it because all of these gentlemen are in the city and can make any correction which may be necessary if there is any error. He says:

> The one big, vital issue which furnishes the Democrats who will support the President an impregnable position—

Now, you would think that he was going to proceed to state some great fundamental reason why the Democrats should support the President; why they should take this new position in defiance of their platform and campaign pledges upon this question, but what does he say—and I think it illustrates generally the attitude of the Democratic Party? He says:

> * * * lies in the international aspect of the case. The sentiment of the country will not be formed either on the interpretation of the treaty—

He apparently, like the Senator from Louisiana [Mr. THORNTON] and the Senator from Oklahoma [Mr. OWEN], who assumed to be spokesman for the administration in this matter, is ready to admit that there is nothing in the treaty which prevents us from favoring our own coastwise vessels, if we see fit, but there is something in the international aspect, and he says:

> The sentiment of the country will not be formed either on the interpretation of the treaty or as to whether the exemption constitutes a ship subsidy. It will center around the fact that the President, charged by the Constitution with the guardianship of our international relations, has said that he can not perform his office in this respect unless the obstacle reared by the tolls-exemption clause is wiped out.

There is one great fundamental reason, he says; and what is it? That the President has said that it must be wiped out.

Mr. President, in view of the fact that other Senators have given notice of their intention of speaking upon this question, and in view of the fact that a number of Senators will not readily agree to the recitals of facts contained in this resolution—which, however, I will say in passing I have very carefully verified, and at the proper time I shall undertake to demonstrate that they are correct statements of fact—I regard them as unimportant, so far as the purpose of the resolution is concerned, and would ask leave to substitute in place of the resolution simply the resolving part of it, leaving out entirely the preamble.

Mr. BRANDEGEE. Mr. President, this resolution, with the preamble stricken out, reads:

Resolved by the Senate, That the President is hereby respectfully requested to inform the Senate, in confidence if he so desires, what are the unnamed matters of "nearer consequence and greater delicacy" referred to in said message; and

Resolved further, That action on the bill for the repeal of the tolls-exemption clause of the Panama Canal act, and all consideration thereof by the Senate or by the Senate Committee on Interoceanic Canals, be deferred until the information called for by this resolution can be obtained.

Mr. President, I am familiar with the President's message on this question. The matter in this resolution in quotation marks—to wit, the words "nearer consequence and greater delicacy"—is a quotation from the message of the President. Those matters he describes as being of great delicacy. The President is the head of the executive branch of this Government and is the official spokesman for the Nation in reference to our foreign affairs.

I should like to know, if it could be properly divulged, exactly what the President had in mind when he used this language which has been quoted, exactly what the delicate situation is, and what the foreign relations involved in this question are; but I appreciate perfectly that in the President's opinion it might not be proper for him to state what they are at this time, and to the entire Senate. The possible preservation of the secrecy of the executive business of the Senate is not quite so reliable as it used to be; and although the resolution states that the revelation, if it comes, is to be made in confidence if the President so desires, I do not know whether every Senator would deem himself bound by the confidence reposed in him if he should take it into his head that some great principle to which he had consecrated himself required that the public should be taken into his confidence.

The Committee on Interoceanic Canals, which have this whole matter under consideration at present, met this morning, and they decided that on Thursday they would hear the authors of the various bills pending before them in relation to the modification of the existing law upon this subject if the authors of the bills desired to be heard, and that later on they would grant hearings, at least for 15 days, to other parties. This resolution, if adopted by the Senate, would hold up——

Mr. SIMMONS. Mr. President——

Mr. BRANDEGEE. I yield to the Senator.

Mr. SIMMONS. I do not think the Senator correctly states the action of the committee. I understood the Senator to say that the committee would first hear the authors of the several bills, beginning on Thursday, and that afterwards the committee would give 15 days' hearings to other persons. The determination of the committee, I think, was that we would begin hearings on Thursday, and would conclude them at the end of 15 days.

Mr. BRANDEGEE. Mr. President, I did not so understand it, but I stand corrected if the fact is so. What I understand is that we meet Thursday, at which time the various bills before the committee, of which there are six or eight, will be taken up and considered, and that the authors of those bills may be heard if they desire to be heard; and that then, at later hearings, to be held as quickly as possible, we will hear other parties in interest.

Mr. SIMMONS. No; the resolution——

Mr. BRANDEGEE. It is perfectly immaterial, however. I yield to the Senator.

Mr. SIMMONS. The resolution was that the hearings should begin on the 9th of April and end in 15 days after that time. The Senator is correct in all other particulars.

Mr. BRANDEGEE. My opinion is still the same, though of course I freely accord to the Senator the right to have his understanding in the matter. Just as the committee adjourned I stated to the chairman of the committee, the junior Senator from New York [Mr. O'GORMAN], that that was my understanding, and I understood him to agree with me; but it is perfectly immaterial so far as the point I now desire to make is concerned.

We have decided to have hearings at least for 15 days, or so much of that time as may be required, commencing on the 9th of April—day after to-morrow. This resolution, if adopted by the Senate, will prohibit the committee to which the Senate has referred these matters for consideration from even entering upon their consideration until the President complies with the request for this information. Suppose the President should advise us that, in his opinion, it is incompatible with the public interest to disclose whatever motives he had in his mind, or whatever communications, confidential or otherwise, he may have had from foreign powers, involving perhaps their relations with each other and with us. It seems to me the operation of this resolution would be to hold up the entire project until the President complies with our respectful request, the penalty of denying which is "nothing doing."

As I say, I should like to know all that the President knows about this matter, and I hope he can disclose something to us; but I shall not ask him to do so and do not want him to do so if in his judgment it is not in the interest of the public, if it brings our foreign relations into any peril or is calculated to make any trouble for us of an international character or to furnish any ground for any nation to claim that the President of the United States has done anything indiscreet or undiplomatic or anything lacking in international delicacy or courtesy or consideration for other nations.

Therefore, in view of these things, I move that the resolution be referred to the Committee on Foreign Relations.

Mr. LIPPITT. Mr. President, I was not aware that this question was to be brought up this morning. I am trying to decide on which side I shall stand when it comes to a final vote on the Panama tolls question. In studying the matter, my mind constantly comes back to this address of the President and to what seems to me the very extraordinary language which he has used in that paper.

I desire to read the last two clauses of it. Speaking of the tolls question, he says:

> We ought to reverse our action without raising the question whether we were right or wrong, and so once more deserve our reputation for generosity and for the redemption of every obligation without quibble or hesitation.
>
> I ask this of you in support of the foreign policy—
>
> I emphasize the word "the"—
>
> of the administration. I shall not know how to deal with other matters of even greater delicacy and nearer consequence if you do not grant it to me in ungrudging measure.

It seems to me, Mr. President, that no more extraordinary language was ever submitted to this body; for we are asked to do something whether it is right or wrong. Even if we are in the right there is some reason of so much importance in connection with this matter, in the President's opinion, that it is necessary for us to reverse our action, although we have the right to perform it, for the purpose of accomplishing some other result. That other result, he says, is "the foreign policy of the administration."

I do not understand that in our relations with other nations there is any such thing as "the" policy. Our relations with the nations of the world are very complicated. They include a very large number of questions. On each one of those questions we must have such a thing as a policy. The language implies that there is only one policy. It leaves us entirely in the dark as to what the particular question is in respect to which the word "policy" is used.

We have one policy in regard to the Mexican question. We have one policy in regard to Japanese questions. We have one policy with reference to the tolls question. The whole effect of the language of the President therefore is to involve this subject in an air of mystery and secrecy.

I want, and I feel that every Member of this body should want, to give the most respectful consideration to the opinions and desires of the President of the United States in regard to foreign matters. I have no desire, in connection with this question, to be governed by its relations to our partisan domestic politics. I think it should be decided on broader grounds. I can not, however, pursue my own processes of thought to a conclusion on this matter unless I know what in the world the President means by the language he has used in this message.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Idaho?

Mr. LIPPITT. I do, with pleasure.

Mr. BORAH. Would the Senator be willing to reverse our position whether we are right or wrong, regardless of what the foreign policy may be? Does the Senator mean to say that he is in a frame of mind that a foreign situation would lead him to vote to sacrifice the interests of the American people, if he looked at the matter in that way, simply because of a strained situation abroad. If the Senator is satisfied that we clearly had the right to pass the statute, that under the treaty we had the right to exempt, and that economically it was a wise thing to do, what difference does it make what the foreign situation is, unless the Senator is prepared to say that he will yield the rights of the American people because some foreign power demands it? I was opposed to this resolution, because I do not care what the foreign situation is, if we are wrong we should recede and repeal the law, if we are right we should maintain our position regardless and, if need be, in defiance of all foreign powers.

Mr. LIPPITT. Mr. President, I would not yield up the rights of the American people because some foreign power

demanded it; but there might be various circumstances in which I would yield up a right that the American people had. The relations of nations are not different from the relations of men. It frequently happens in negotiations between individuals that an occasion arises in which one of the negotiators has a right, and knows it is his right, and has no intention of putting himself in any position where he denies that he has that right; but nevertheless, for the purpose of conciliation, for the purpose of good fellowship, for various reasons that are satisfactory to himself, he decides to yield up the powers he may have under that right, not necessarily because it is demanded, but perhaps because he wants to retain the good opinion of the parties with whom he is dealing.

Mr. BORAH. Mr. President——

Mr. LIPPITT. Mr. President, I should like to be allowed to go on. The Senator simply asked me whether there was any occasion on which I might be in favor of this country giving up a right. Yes; I will say categorically that there are such occasions. Whether or not there is anything in this matter that would induce me to give up our rights is exactly what I am trying to discover. It is exactly what the President of the United States ought to tell us in the frankest language.

We should not be left in the dark in this matter. Great questions of public policy can not be decided without the facts being in the possession of those whose duty it is to decide them. It is our duty to decide what course the Senate is going to take on this question; and unless we have the facts given to us in the fullest confidence, and so that we can thoroughly understand them, we are in no position to do it. As I have said, I desire to decide this question as correctly as I can, according to my convictions about the matter as they may come from extended consideration of it.

Mr. O'GORMAN. Mr. President, will the Senator permit an inquiry?

Mr. LIPPITT. In just a moment. The very first thing that I am brought up against is the very extraordinary position which the President of the United States has taken, and which I can not get by, if I am going to accord to him the respect and confidence I wish to accord to the man at the head of this Nation.

I now yield to the Senator from New York.

Mr. O'GORMAN. I was much impressed by the statement of the Senator from Rhode Island that under certain circumstances he would be prepared to surrender American rights at the behest of a foreign power.

Mr. LIPPITT. I did not say that, Mr. President. I distinctly said that I would not do it as the result of a demand. I said there might be circumstances and conditions in which I would. I was not referring to this question.

Mr. O'GORMAN. Very well. Then may I ask the Senator whether he can conceive of any circumstances that would induce him to agree to the surrender of rights of sovereignty of the American Nation?

Mr. LIPPITT. I do not know exactly what the Senator means.

Mr. O'GORMAN. What I mean is, would the Senator consent to a surrender of national rights, the attributes of sovereignty? There may be a difference between the rights of nations——

Mr. LIPPITT. That is such a general question that I am not prepared to answer it. We are talking about a definite thing, and I can not make a statement of what I might do on some question I do not understand. I will say this, though, that, looking at our relations in the broadest way, a nation is not weak when it voluntarily concedes to another friendly nation something that that nation wants as an act of friendship, although it might have the right to refuse it. One of the greatest attributes of power is to be so powerful that you do not fear to be generous.

Mr. O'GORMAN. May I ask the Senator another question? Does he think that the Senators of the United States, the accredited representatives of the American people, clothed with a sacred trust to safeguard the rights of all the American people, have the right to be generous with the rights of the people? Should not their generosity be confined to individual and private possessions?

Mr. LIPPITT. I do not know, Mr. President, that I want to go into those metaphysical questions just at this moment. They are very broad questions and I should want to consider them carefully before taking a stand.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Ohio?

Mr. LIPPITT. I yield.

Mr. POMERENE. If I may be permitted to make a suggestion to the Senator from Rhode Island, there is certainly a distinction between rights of sovereignty and claimed rights of sovereignty or disputed rights of sovereignty.

Mr. LIPPITT. I am aware of the distinction to which the Senator refers.

Mr. MARTINE of New Jersey. I should like to ask the Senator from Rhode Island a question.

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from New Jersey?

Mr. LIPPITT. I always yield with pleasure to my friend from New Jersey.

Mr. MARTINE of New Jersey. I should like to ask the Senator if he does not think it would be better that this great body of representatives of the people should first be just to the people before it is generous to the English people?

Mr. LIPPITT. It might be, Mr. President, that being generous would at some times on some occasion be the greatest and the best way of being just, but——

Mr. MARTINE of New Jersey. I would rather reverse the proposition.

Mr. LIPPITT. I do not want to discuss these metaphysical questions. What I have been trying to say and to impress upon the Members of this body is that I am very anxious, not for partisan purposes, but for the purposes of a proper and correct solution of this question upon which I at this moment am in doubt as to what side I shall stand on, to have outside light thrown upon this matter.

The President goes on to say:

> I shall not know how to deal with other matters of even greater delicacy and nearer consequence if you do not grant it to me in an ungrudging measure.

When he says this I presume he means that he and his advisers, his administration, do not know. I suggest that when a person says he does not know how to deal with a question it means he feels himself incompetent. A man does not know how to do a thing because he has not the ability to do it or he has not the knowledge to do it. It seems to me that if this is a question of that kind, and the President and his advisers have not the ability to decide it, no better solution of the question could be made than to ask the advice and consent of the Senate in regard to how this question should be decided, or these questions—I do not know whether they are one or many.

Sometimes a man is not able to decide a question because he fears something in regard to its solution. It has been intimated in reference to this very language of the President that there are some complications of such a nature that he fears the consequences. I think if that is the underlying fact in regard to it, this body should know what it is and to what he fears. We are not a nation of such small consequence that such a matter as fear should be allowed to enter into the solution of any question. Yet this language implies that there are complications the results of which the President is afraid.

Mr. President, the President of the United States on this question is reversing a policy which he has advocated very generally before the people. He is reversing in this message another policy which he advocated no less broadly and frequently, and upon which he went to the American people for their verdict, and on which they supported him. I wish to read from an address of his which was published in his book called The New Freedom, saying "Let there be light." What he says there is so perfectly apposite to the position he has taken in the latter part of his message that I think the two things should be considered in conjunction with each other. He says:

> In the first place, it is necessary to open up all the processes of our politics. They have been too secret, too complicated, too roundabout. They have consisted too much of private conferences and secret understandings.

Then he goes on to say:

> What are the right methods of politics? Why, the right methods are those of public discussion.

Again, he says:

> If there is nothing to conceal, then why conceal it? If it is a public game, why play it in private? If it is a public game, then why not come out into the open and play it in public?

Then he announces his position on these matters:

> I, for one—

He says—

> have the conviction that government ought to be all outside and no inside. I, for my part, believe that there ought to be no place where anything can be done that everybody does not know about. * * * The very fact that so much in politics is done in the dark, behind closed doors, promotes suspicion.

Certainly that language is clear and broad enough to cover almost any question that can be brought up. Nevertheless, the President of the United States puts this great question up to the United States Senate and up to the American people and involves it in such secrecy and in such darkness that, although it

is now some five weeks since that message was delivered, I have not been able to find any man anywhere who knows what in the world the President is talking about. I have asked people who were in a position generally to know what this administration has in its mind and what that language referred to, and I have not been able to get any light upon the situation at all. This message is too important to be allowed to sink out of sight. It is the language of the President of the United States, the head of the Nation, dealing with our relations with other people of great consequence.

I hope, Mr. President, that the gentlemen on the other side of this Chamber, who are responsible for what this body does, will give this request of the Senator from Washington very careful consideration. I do not know about the particular language in his resolution, but I am talking about the principle of it.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Washington?

Mr. LIPPITT. I yield.

Mr. POINDEXTER. If the Senator will permit me, while he is speaking upon that point, I ask leave to present a substitute for the resolution, in order to reduce it to its simplest form and confine it to the one condition which the Senator is now speaking about. I send to the desk the following modification and ask that it be read.

The VICE PRESIDENT. The Senator from Washington submits a modification of his resolution, which will be read.

The Secretary read as follows:

Resolved, That the President be respectfully requested to inform the Senate, in so far as not incompatible with the public interest, in confidence if he so desires, what "other matters of even greater delicacy and nearer consequence" are referred to in the President's message of March 5, 1914, and to so inform the Senate what connection such matters have with the proposed repeal of the toll-exemption provision of the Panama Canal act of August 24, 1912.

Mr. LIPPITT. Mr. President, when the Senator from Washington interrupted me, I was going on to say I did not know whether the particular language used in his resolution of inquiry was the best language to use or whether there was some other form of putting the general principle which is involved in his resolution that will be more acceptable to the President of the United States and to his advisers; but I do think that in some form the President of the United States should be asked by this body to plainly state what he means by the language of his message. I believe, sir, that he is on record in the most positive way by the language which I have read here from his addresses not to do things in secret and in the dark. He has involved this whole question in a mystery which, so far as I am concerned, it is impossible to penetrate. He is not doing himself justice, and he is not doing this body justice, and he is not doing the American people justice unless while we have this question in our minds for decision we are given all the facts on which to decide it.

A great many years ago I did a foolish thing because a man told me that unless I did it then I never could obtain certain results, and I made up my mind as the result of that experience that I was not going at any other point in my life to take any action because somebody threatened me with some mysterious consequence. I am brought here face to face with a threat of some mysterious involved circumstance about which I can not find out anything, and I am told that I must do this thing, even if I have a right to do something else, because something will happen to the Nation which I represent if I do not.

Gentlemen of the Democratic Party, it is not a fair condition for the President of the United States to involve this question in, and I hope that he will be requested by this Senate to take us into his confidence and to take the American people into his confidence, that we and they may decide it with as full knowledge of the facts as he thinks he possesses.

The VICE PRESIDENT. The question is, Shall the resolution be referred to the Committee on Foreign Relations?

Mr. CLARK of Wyoming. Mr. President, I do not see the Senator from Connecticut [Mr. BRANDEGEE] here, but the reason that Senator gave for referring the resolution to the Committee on Foreign Relations seems to have been removed by the modification made of the resolution. I see that the Senator from Connecticut is now here.

Mr. SMITH of Georgia. I wish to ask the Senator from Wyoming if he thinks it is possible to submit any information to the entire United States Senate in confidence?

Mr. CLARK of Wyoming. I do not care whether the President submits this information in confidence or not, it is information the Senate of the United States is entitled to have, because the President of the United States has removed this question from the economic policies of the Nation.

Mr. SMITH of Georgia. Was not the Senator referring, though, to the additional words, "in confidence, if he so desires"?

Mr. CLARK of Wyoming. Not at all. I was referring to the words which the Senator from Connecticut [Mr. BRANDEGEE] urged as an objection to the resolution being passed in the present form, where the resolution prohibits the Committee on Interoceanic Canals from taking any action whatever. That objection is removed.

Mr. SMITH of Georgia. The Senator's face was turned in the other direction and I did not catch exactly what he said. I misunderstood him.

Mr. CLARK of Wyoming. The Senator from Connecticut, however, has returned to the Chamber.

The VICE PRESIDENT. The question is on the motion of the Senator from Connecticut, to refer the resolution to the Committee on Foreign Relations.

Mr. BRANDEGEE. The motion is pending, and I have nothing to say.

Mr. POINDEXTER. I ask for the yeas and nays on the motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON], who is absent from the city. I do not know what position he takes on this question, and I will withhold my vote.

Mr. KERN (when his name was called). I transfer my pair with the senior Senator from Kentucky [Mr. BRADLEY] to the senior Senator from West Virginia [Mr. CHILTON] and vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my general pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Virginia [Mr. MARTIN] and vote "yea."

Mr. SMITH of Michigan (when his name was called). I am paired with the junior Senator from Missouri [Mr. REED]. I take the liberty of transferring that pair to my colleague [Mr. TOWNSEND] and will vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I am paired with the senior Senator from Arkansas [Mr. CLARKE], who is absent. On that account I withhold my vote.

Mr. THOMAS (when his name was called). I am paired with the senior Senator from New York [Mr. ROOT]. I understand that he would vote "yea" if he were here, and I will therefore vote. I vote "yea."

Mr. WARREN (when his name was called). I am paired with the senior Senator from Florida [Mr. FLETCHER]. I therefore withhold my vote.

Mr. WEEKS (when his name was called). Has the junior Senator from Kentucky [Mr. JAMES] voted?

The VICE PRESIDENT. He has not.

Mr. WEEKS. I have a general pair with the junior Senator from Kentucky and therefore withhold my vote.

Mr. WILLIAMS (when his name was called). Transferring my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Oklahoma [Mr. OWEN], I vote "yea."

The roll call was concluded.

Mr. CLARK of Wyoming. I have a general pair with the senior Senator from Missouri [Mr. STONE], who is absent on account of illness. I therefore withheld my vote. I now transfer that pair to the junior Senator from Maine [Mr. BURLEIGH] and vote "nay."

Mr. DU PONT. I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. I transfer my pair with that Senator to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote. I vote "nay."

Mr. SMOOT. I desire to announce that the senior Senator from Vermont [Mr. DILLINGHAM] is absent on account of official business and that he has a general pair with the Senator from Maryland [Mr. SMITH].

I also desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY]. As has been stated, he has a general pair with the Senator from Indiana [Mr. KERN].

Mr. MYERS. I am paired with the Senator from Connecticut [Mr. MCLEAN]. I transfer that pair to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. SHEPPARD. I wish to announce for the day the absence of my colleague [Mr. CULBERSON] who is paired with the Senator from Delaware [Mr. DU PONT].

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from West Virginia [Mr. CHILTON] on ac-

count of sickness in his family. This announcement may stand for the day.

Mr. SMITH of Georgia. I wish to announce the unavoidable absence of the junior Senator from South Carolina [Mr. SMITH]. He is paired with the junior Senator from South Dakota [Mr. STERLING].

Mr. SMITH of Michigan. I desire to announce the unavoidable absence of my colleague [Mr. TOWNSEND] on official business. He has a general pair with the junior Senator from Missouri [Mr. REED]. If my colleague were present he would vote "nay."

Mr. SAULSBURY. I was requested to announce the necessary absence of the Senator from Alabama [Mr. BANKHEAD] and the junior Senator from West Virginia [Mr. GOFF], who are paired.

The result was announced—yeas 35, nays 27, as follows:

YEAS—35.

Borah	Lodge	Pomerene	Swanson
Brandegee	McCumber	Robinson	Thomas
Bryan	Martine, N. J.	Saulsbury	Thompson
Burton	Myers	Shafroth	Thornton
Gore	Oliver	Sheppard	Tillman
Hollis	Overman	Sherman	Walsh
Johnson	Page	Shively	West
Kern	Perkins	Simmons	Williams
Lee, Md.	Pittman	Smith, Ga.	

NAYS—27.

Ashurst	Crawford	Jones	Poindexter
Brady	Cummins	Kenyon	Ransdell
Bristow	du Pont	Lane	Smith, Mich.
Catron	Fall	Lippitt	Smoot
Chamberlain	Gallinger	Nelson	Vardaman
Clapp	Gronna	Norris	Works
Clark, Wyo.	Hitchcock	O'Gorman	

NOT VOTING—33.

Bankhead	Goff	Owen	Sterling
Bradley	Hughes	Penrose	Stone
Burleigh	James	Reed	Sutherland
Chilton	La Follette	Root	Townsend
Clarke, Ark.	Lea, Tenn.	Shields	Warren
Colt	Lewis	Smith, Ariz.	Weeks
Culberson	McLean	Smith, Md.	
Dillingham	Martin, Va.	Smith, S. C.	
Fletcher	Newlands	Stephenson	

So Mr. POINDEXTER's resolution was referred to the Committee on Foreign Relations.

PROPOSED RULE RELATIVE TO EXECUTIVE SESSIONS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Secretary read the following resolution (S. Res. 327), submitted by Mr. KENYON on the 4th instant, as follows:

Resolved, That it is the judgment of the Senate that all executive sessions shall hereafter be open to the public, except when treaties are considered or when the Senate, by unanimous consent, orders otherwise; and the Committee on Rules is directed to prepare such amendments to the present rules, or to prepare new rules, or both, as may be necessary to carry out the terms of this resolution, and present the same to the Senate for action thereon.

Mr. KENYON. There is a point of order pending relative to the resolution, Mr. President.

The VICE PRESIDENT. The Chair is impressed with the idea that the point of order is not well taken. The resolution does not propose an amendment to the rules at all, but is simply a proposition to test the sense of the Senate upon the question of instructing the Committee on Rules to report a new rule. So the point of order is overruled.

Mr. KERN. Mr. President, I move that the resolution be referred to the Committee on Rules.

The VICE PRESIDENT. The question is on the motion to refer the resolution to the Committee on Rules.

Mr. KENYON. Mr. President, I do not know whether that is a debatable motion, but I merely wish to say that the motion is, of course, entirely illogical, because the resolution is to direct the Committee on Rules to do certain things if the sense of the Senate be so and so; and it seems to me we might as well test this question right out on the resolution and ascertain whether the Senate is or is not in favor of getting rid of secrecy as to certain phases of executive sessions.

Mr. BRANDEGEE. Mr. President, I agree with the Senator from Iowa [Mr. KENYON]. I do not think it is of any use to refer the resolution to the Committee on Rules. If that is an illogical motion, I will make a motion which I think is logical. I move that the resolution be laid on the table.

Mr. KERN. I am unable to see anything illogical about the motion to refer the resolution to the Committee on Rules.

The VICE PRESIDENT. The question is on the motion of the Senator from Connecticut, to lay the resolution on the table, which is not debatable. [Putting the question.] The ayes seem to have it.

Mr. KENYON. I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. BRISTOW. Will the Chair please state the question upon which we are now to vote?

The VICE PRESIDENT. The Senator from Indiana [Mr. KERN] moved to refer to the Committee on Rules the resolution which the Chair laid before the Senate and which was read by the Secretary. The Senator from Connecticut [Mr. BRANDEGEE] has moved to lay the resolution on the table, which motion, in the opinion of the Chair, has precedence. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. KERN (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BRADLEY], and therefore withhold my vote.

Mr. KENYON (when Mr. LA FOLLETTE's name was called). I desire to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent from the city. Were the Senator from Wisconsin present he would vote "nay."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. SAULSBURY (when his name was called). I again transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Virginia [Mr. MARTIN] and vote "yea."

Mr. SMITH of Michigan (when his name was called). I again announce my pair with the junior Senator from Missouri [Mr. REED]. In the absence of my colleague [Mr. TOWNSEND], I take the liberty of transferring my pair with the Senator from Missouri to him and vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I again announce my pair with the Senator from Arkansas [Mr. CLARKE]. On account of his absence, I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT], and therefore withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. JAMES]. On this question he would vote "yea." I will therefore take the privilege of voting. I vote "yea."

Mr. WILLIAMS (when his name was called). Transferring my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from West Virginia [Mr. CHILTON], I vote "yea."

The roll call was concluded.

Mr. DU PONT. I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. I transfer that pair to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote. I vote "yea."

The result was announced—yeas 31, nays 30, as follows:

YEAS—31.

Brandegee	Johnson	Pomerene	Swanson
Bryan	Lee, Md.	Ransdell	Thornton
Catron	Lippitt	Robinson	Tillman
Clark, Wyo.	Lodge	Saulsbury	Warren
du Pont	McCumber	Shields	Weeks
Gallinger	Myers	Shively	West
Gore	Oliver	Simmons	Williams
Hitchcock	Overman	Smith, Ga.	

NAYS—30.

Ashurst	Cummins	Nelson	Sherman
Borah	Fall	Norris	Smith, Mich.
Brady	Gronna	O'Gorman	Thompson
Bristow	Hollis	Page	Vardaman
Burton	Jones	Perkins	Walsh
Chamberlain	Kenyon	Poindexter	Works
Clapp	Lane	Shafroth	
Crawford	Martine, N. J.	Sheppard	

NOT VOTING—34.

Bankhead	Goff	Newlands	Smoot
Bradley	Hughes	Owen	Stephenson
Burleigh	James	Penrose	Sterling
Chilton	Kern	Pittman	Stone
Clarke, Ark.	La Follette	Reed	Sutherland
Colt	Lea, Tenn.	Root	Thomas
Culberson	Lewis	Smith, Ariz.	Townsend
Dillingham	McLean	Smith, Md.	
Fletcher	Martin, Va.	Smith, S. C.	

So Mr. KENYON's resolution was laid on the table.

THE HAY-PAUNCEFOTE TREATY.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Secretary read Senate resolution 330, submitted by Mr. BRANDEGEE on the 6th instant, as follows:

Resolved, That the President is hereby requested, if not incompatible with the public interest, to cause to be transmitted to the Senate all information, papers, correspondence, and records in the Department of

State relative to the negotiation and ratification of the so-called Hay-Pauncefote treaty signed November 18, 1901.

Mr. BRANDEGEE obtained the floor.

Mr. SHIVELY. Mr. President, I move——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Indiana?

Mr. BRANDEGEE. I wish, first, to make a few brief remarks and then I will yield to the Senator.

Mr. President, yesterday the Senator from North Dakota [Mr. MCCUMBER] made an extremely interesting and able address on the proposition to repeal the provision of law which exempts coastwise shipping from the payment of tolls through the Panama Canal, and in the course of his address he quoted somewhat from documents which he said he had had the privilege of inspecting—I assume he meant in the Department of State. I understand that the Secretary of State has appeared at least once before the Committee on Foreign Relations, and I think in relation to this matter. I may be mistaken about that, for I am not a member of the committee; but, whether he has done so or not, the Senator from North Dakota has had access to these records in the State Department, and I do not know whether they extend that courtesy to Senators other than those upon the Foreign Relations Committee. I think that I would like the privilege of inspecting the papers to which the Senator from North Dakota alluded and from which he quoted to some extent, and possibly other Senators would also like that privilege. I do not want in any way to have anything revealed that is improper for the entire public to know about the history that led up to the adoption of the Hay-Pauncefote treaty; but, in as much as the construction of that treaty is one of the vital questions involved in the discussion of the pending legislation to repeal the exemption clause of the Panama Canal act, I should like all the information I can get upon its history, with the idea that it may throw some light upon the construction of the treaty.

Mr. LODGE. Mr. President——

Mr. BRANDEGEE. Just a moment, and I will yield to the Senator. I do not want to embarrass the Senate or the State Department or anybody else in this matter, and so I have put in the usual provision that this information be transmitted, if not incompatible with the public interests. If the information is here already in any publication, I do not care to insist upon action this morning, and in any event I had at the time I introduced the resolution and still have the idea that it should go to the Committee on Foreign Relations, and I desire to make the motion that it be referred to that committee.

Mr. LODGE. Mr. President, if the Senator will allow me, I merely desire to say that so far as my knowledge goes the Secretary of State has never appeared before the committee in regard to any of this correspondence. I think the correspondence has been largely printed in the volumes of foreign relations. As to that I will not be sure, but it seems to me it ought to be printed. I can not see any possible objection to printing now all the correspondence that led up to the two Hay-Pauncefote treaties, so that we shall have all the negotiations from the beginning. I can see no possible objection to it, and unless the acting chairman of the committee desires otherwise I can see no reason for a reference. I should think the resolution might be adopted now.

Mr. BRANDEGEE. Mr. President, in view of what the Senator has said I wish to say that this resolution was drawn by me very hurriedly in lead pencil at the time the Senator from North Dakota [Mr. MCCUMBER] was making his speech, and construed literally I do not think it would include the Hay-Pauncefote treaty which was first submitted to the Senate and which was withdrawn and another one, which is actually in existence to-day, afterwards prepared.

Mr. LODGE. The negotiation of the first treaty is a part of the negotiation that led up to the second one.

Mr. BRANDEGEE. It is part of the negotiation of the second one, and while, as I say, I do not insist upon action this morning, neither do I insist upon delay if the Foreign Relations Committee do not consider it a matter to which they care to give any private consideration. Therefore if they have no objection I am willing that the resolution shall be acted upon this morning.

Mr. SHIVELY. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Indiana.

Mr. SHIVELY. The Senator from Massachusetts is quite right in saying that the Secretary of State has not been before the committee in relation to this matter. The statement is likewise correct that substantially all, if not all, of these documents and records have been published. A long series of them was published in the RECORD over a year ago. They are matters that I can see no objection to republishing. There is no occasion to refer the resolution to the Committee on Foreign Relations. I am quite willing that it be adopted in the form presented without reference.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Kansas?

Mr. BRANDEGEE. I do.

Mr. BRISTOW. I should like to inquire if the resolution will also include the correspondence between Secretary Knox and the British Embassy in regard to the interpretation of the treaty, had two years ago? Is that included?

Mr. LODGE. It is all here now.

Mr. WORKS. All of the matter that Senators are talking about has been published, and I expect to comment upon it if I get an opportunity.

Mr. BRANDEGEE. If the Senator is correct about that, there would be no use in passing the resolution. If he is incorrect, there would be some use.

I wish to call the attention of the Senate to the fact that this resolution does not cover simply letters—correspondence; it calls for all information, papers, correspondence, and records, in the State Department. If the Senator has examined those matters in the State Department and compared them with what is in print in the document room, I do not question that he is right.

Mr. WORKS. I have no objection to the resolution being passed, if it is the pleasure of the Senate.

Mr. BRANDEGEE. I simply want to have it complete here. If it is not complete, if the resolution is agreed to it will be made complete, if not incompatible with the public interest.

Mr. CUMMINS. Mr. President, I desire to ask the Senator from Connecticut a question. Would his resolution cover the Clayton-Bulwer treaty and the communications between the United States and Great Britain between the time of that treaty and the Hay-Pauncefote treaty?

Mr. BRANDEGEE. Oh, no. It is designed to put into my possession, and that of other Senators, all the information to which the Senator from North Dakota [Mr. MCCUMBER] alluded yesterday, and anything more the State Department may have concerning the Hay-Pauncefote treaty and the negotiations which led up to it. I would not consider that the language of the resolution would go back to the negotiations which led up to the Clayton-Bulwer treaty.

Mr. LODGE. Everything relating to that is in print, and has been for years.

Mr. CUMMINS. I am asking about the Clayton-Bulwer treaty, and the correspondence between the two countries relating to the latter treaty.

Mr. BRANDEGEE. The Senator from Massachusetts says that is all in print.

Mr. CUMMINS. That treaty and the communications between the two countries have very much to do, I think, with the Hay-Pauncefote treaty and its proper interpretation.

Mr. LODGE. This resolution, as I understand, will cover all the correspondence relating to the Clayton-Bulwer treaty as the origin of the negotiations for the Hay-Pauncefote treaty. It will not take in the correspondence of 1850. That has been put in print since then.

Mr. CUMMINS. I do not mean that. I mean the correspondence since 1850, relating to the meaning of the Clayton-Bulwer treaty, and the conduct of the countries which were parties to it.

Mr. LODGE. That will cover it all.

Mr. BRANDEGEE. Mr. President, replying to the Senator from Iowa, I will say that it seems to me the question he asks should be answered in the affirmative, for this reason: The Clayton-Bulwer treaty was in existence at the time the negotiations commenced for superseding and supplanting it by the existing treaty. Therefore I hardly see how the correspondence to get rid of the Clayton-Bulwer treaty and adopt the Hay-Pauncefote treaty could be sent to us without its covering the information suggested by the Senator from Iowa.

Mr. LODGE. Mr. President, if the Senator will allow me, of course the negotiations for the first Hay-Pauncefote treaty, which was followed by the second ratified treaty, started with the wish of our Government, expressed to the British Government, to get rid of the Clayton-Bulwer treaty. It all started with that, of course. I think the Senator's resolution covers all that.

Mr. BRANDEGEE. I understand we were the initiators and the makers of the request for the new treaty.

Mr. LODGE. We were.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

LOCATION OF FEDERAL RESERVE BANKS.

Mr. RANSDELL. Mr. President, in the city of New Orleans last Saturday, the 4th of April, a monster mass meeting was held for the purpose of protesting against what they deemed to be the unfair location of Federal reserve banks and the injection of politics into the national banking system. A copy of the resolutions adopted at that meeting has been sent to me by the mayor of the city, presiding at the meeting, and a number of telegrams have also been sent to me urging that I read the resolutions to the Senate. I have risen for that purpose; and if there be any objection to their being read at the desk, I will read them in my place.

Mr. SMITH of Georgia. Mr. President, I ask for the regular order.

Mr. RANSDELL. Mr. President, I am asked to read these resolutions. I have a right to speak in my place here as a Senator. That has been repeatedly ruled, and it was ruled that way the other day. I will therefore read these resolutions. They are very brief.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from California?

Mr. RANSDELL. I do.

Mr. WORKS. I had given notice that I should speak to-day on the Panama Canal tolls question. I have waited very patiently to secure the opportunity to go on with my address. Unless I can proceed within a very few minutes my opportunity to speak to-day will be gone. I insist upon my right to proceed under my notice.

Mr. WILLIAMS. Mr. President, has the Chair announced that morning business is closed?

The VICE PRESIDENT. It has not.

Mr. WILLIAMS. Then the point of order made by the Senator from Georgia is perfectly good. The regular order is the consideration of business on the calendar, if we are through with resolutions and reports and bills.

Mr. RANSDELL. Mr. President, the Chair ruled the other day that when a Senator got on his feet in the morning hour and began to talk he had a right to talk on anything he pleased.

The VICE PRESIDENT. The Senator from Louisiana is mistaken as to the ruling of the Chair. The Chair ruled the other morning that when a matter was pending before the Senate, and a Senator was recognized by the Chair, he could talk about anything he pleased, but he must be talking to some question pending before the Senate.

Mr. RANSDELL. I did not so understand the ruling.

The VICE PRESIDENT. That was the ruling of the Chair. The Chair has ruled so often on that question that it is one thing about which the Chair is sure.

Mr. RANSDELL. I will ask, then, that these resolutions may be printed in the RECORD. I understand that the Senator from Georgia wishes to have a refutation printed at the same time. I have no objection to that. I simply wish this matter to come before the country.

The VICE PRESIDENT. Is there any objection?

Mr. SMITH of Georgia. Mr. President, I shall be ready to-morrow morning to print an answer, but I am not ready this morning to print an answer. I have not it in shape to print. If the Senator will wait until to-morrow morning and then present the resolutions, I shall not object to their going into the RECORD; and I shall be ready then to print, immediately after them, the reply.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Louisiana to print in the RECORD the resolutions referred to by him?

Mr. BRANDEGEE. Does the Senator from Georgia object?

Mr. SMITH of Georgia. Yes.

Mr. BRANDEGEE. Then that settles it.

Mr. WILLIAMS. Mr. President, a parliamentary inquiry. Did the Senator from Georgia object, or not?

The VICE PRESIDENT. He did.

Mr. WILLIAMS. Very well.

Mr. RANSDELL. I wish to announce that if I can get the floor I desire to read these resolutions this afternoon. I am sure the Senator from Georgia ought not to object, since he has gotten this bank which my people thought they were entitled to have. The resolutions have already been read on the floor of the House of Representatives. The Senator surely does not object to having the statement of the people of Louisiana laid before the Senate and before the American people; and if he is not ready to answer it, he ought to be ready.

Mr. SMITH of Georgia. Mr. President, when the subject of oral discussion is in order, when we may all speak, I shall be ready; and when the Senator reads the resolutions, if a subject is before the Senate that allows debate, I shall present an answer at once, with ease.

[Some routine business was transacted, which appears under appropriate heading.]

ORDER OF BUSINESS.

The VICE PRESIDENT. Morning business is closed. The calendar under Rule VIII is in order.

Mr. WORKS obtained the floor.

Mr. WALSH. Mr. President, will the Senator from California yield for a moment?

Mr. WORKS. Mr. President, I have been yielding pretty much all the morning.

The VICE PRESIDENT. It is proper for the Chair to state that the Chair understood the Senator from Mississippi to call for the regular order.

Mr. WORKS. As I understand the rule of the Senate, where a notice is given by a Senator it is always respected.

The VICE PRESIDENT. There is no rule of the Senate that authorizes any Senator——

Mr. SMITH of Georgia. Then I withdraw the call for the regular order so far as the speech of the Senator from California is concerned.

The VICE PRESIDENT. This was from the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, my sole object in making the point of order was that I hoped we would get to the calendar and use the time before the expiration of the morning hour in the consideration of business on the calendar. I had no desire to prevent the Senator from California going on after that; but as it is now within six minutes of the expiration of the morning hour we could not dispose of anything anyhow. I shall hereafter insist, however, that until the morning hour has expired neither notices nor anything else except unanimous consents of the Senate, or conference reports, or other privileged matters, shall interfere with the consideration of the calendar.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. The Senator from California has the floor. Does the Senator from California yield to the Senator from Montana?

Mr. WORKS. I yield to the Senator.

Mr. WALSH. Mr. President, I ask unanimous consent of the Senate that Senate bill 4405——

Mr. WORKS. Mr. President, I am not going to yield for a motion to take up some other matter.

Mr. WALSH. I desire to ask that this bill be set down as a special order for Thursday next.

Mr. WORKS. That will undoubtedly involve discussion, Mr. President. I can not yield for that purpose.

Mr. WILLIAMS. What bill is that?

Mr. WALSH. The bill to encourage the production and mining of radium. I have heretofore endeavored to impress the Senate with the idea that our radium lands in the West are being rapidly absorbed by locators——

Mr. WILLIAMS. I am familiar with that bill.

Mr. WALSH. And they are going away from us every day at the rate of a hundred locations a month in many localities. Unless we get this matter under consideration some time in the near future every vestige of our lands containing this valuable metal will have passed away from us, and we will have no control at all over them.

Mr. WORKS. Mr. President, I must decline to yield at the present time under the circumstances. I should be glad to oblige the Senator from Montana, but the conditions are such that I must decline to yield.

Mr. WALSH. I desire to say to the Senator from California that of course I should not have asked him to yield on any matter that was going to create any discussion. I asked him to yield merely that I might inquire whether, by unanimous consent, this bill might be set down as a special order for Thursday next. Of course, if the Senator declines to permit the inquiry whether that can be done or not——

Mr. WORKS. That would involve a calling of the roll to bring a quorum into the Senate.

TREATY RELATIONS WITH GREAT BRITAIN AND PANAMA CANAL TOLLS.

Mr. WORKS. Mr. President, the bill to repeal the clause of the Panama Canal act that exempts our coastwise ships from the payment of tolls presents a very simple question. It is a question of right or wrong, a question of national integrity and honor.

In 1901 we entered into a treaty with Great Britain which had in contemplation the construction of a canal across the Isthmus connecting the two great oceans, the Atlantic and the Pacific. That treaty provided for the construction of a canal by the United States. We built the canal with our own money,

on our own territory. We assumed the whole responsibility of maintaining and operating the canal for all time to come. We had no aid of any kind from any other nation. Under those circumstances we believed we had the right to allow our own coastwise ships to pass through our own canal without the payment of tolls.

Another false and spurious issue has been brought into this controversy, however. The President has asked Congress to repeal this clause in the statute whether we were right or wrong in enacting it. In other words, he asks us, as the representatives of this Nation, to waive trial, to plead guilty to having violated a solemn treaty made with a foreign nation, and to having defrauded that nation of its rights.

It is a humiliating request to present to an American Congress. If we were wrong in passing the statute, we should have the moral courage to set that wrong right by any means that may be necessary to accomplish that result. On the other hand, if we were right in granting this privilege to our own people, we should have the courage, the manhood, and the patriotism to stand by that right in the face of all the world.

There is another issue which has been presented here that is quite as humiliating as the other. The platform of the Democratic Party declares explicitly in favor of exemption from tolls. The President of the United States has repudiated that plank in the platform, and insists that it was an error on the part of Congress and the then President of the United States to have passed the statute at all.

Mr. President, what has the Democratic platform to do with the question of the proper construction of a treaty made between this country and a foreign nation? What has the politics of any political party to do with our obligations under that treaty? What have the power and the influence of the President of the United States to do with the obligation of a United States Senator in dealing with this question under the oath he has taken? The Constitution and laws of this country are above all political platforms. The oath of a Senator is higher and more binding than any pledge he can make to his political party.

As I said in the beginning, this is a very simple question. It is one that should be determined wholly and entirely upon its merits. I have no disposition to criticize the President for having repudiated or violated his party platform. If he believed it to be his duty as President of the United States to take the course he has taken in this matter, notwithstanding the plank in his party platform, it does him honor that he has had the courage of his convictions and has presented the question to the consideration of the Congress of the United States.

But, sir, in a matter of this kind the platform of a political party should have its proper influence. Every officer elected upon a platform declaring certain principles should be morally bound by that platform, unless his official duties and obligations call upon him to violate it. If the President has, by the course he has taken, violated his party platform, and is not able to give good reasons therefor, he should be held accountable to the party that elected him to his great office.

But, sir, I am not concerned in this discussion about politics or party platforms. I am not concerned with the convictions of the President, unless those convictions are so presented to me as to appeal to my reason and judgment. What I want to know, what I have been trying to find out, and what I propose to submit to the consideration of the Senate is whether we were right or wrong in exempting our coastwise ships from the payment of tolls for passing through our canal. If we were right in extending that privilege to our own people, I shall never consent to surrender it to any foreign nation upon its demand.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. Senate resolution 156, relative to expenditures for telegrams sent by Senators.

Mr. WILLIAMS. I ask unanimous consent that the unfinished business be laid aside temporarily, the consideration of it to be resumed immediately upon the completion of the remarks of the Senator from California.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Senator from California will proceed.

Mr. WORKS. Mr. President, reference has been made here and great reliance has been placed by some Senators who have discussed this question upon two previous treaties made before the Hay-Pauncefote treaty. One of them is the treaty which was made between the British Government and the Governments of Turkey, Egypt, and others, relating to the control of the Suez Canal, commonly known as the treaty of Constantinople. The other is the treaty so often referred to, known as the Clayton-Bulwer treaty. Almost every argument that has been made in support of the British contention in this matter has been founded upon the conditions and the principles that are alleged to have been declared by those earlier conventions between the several Governments I have mentioned. But I undertake to say that neither one of those treaties has any more to do with this question than a chapter in the Bible. So far as the principles of the treaty of Constantinople and the Clayton-Bulwer treaty are concerned, no principle of either one of those conventions is brought into this matter except by the express terms of the Hay-Pauncefote treaty. There is no bringing in of those treaties or any principle they have declared by a reference to the treaty making it a part of the Hay-Pauncefote treaty. What was done was simply to refer to those former treaties and to declare an intention to set out in this treaty the principles that were contained in the earlier treaties. If you will examine and compare these treaties, you will find that the Hay-Pauncefote treaty contained, in terms, all the provisions necessary to carry out the principles of the earlier treaties, so far as those principles were applicable to the conditions prevailing at the time of the execution of the Hay-Pauncefote treaty.

So I say to the Senate that this whole question is dependent upon the provisions of the Hay-Pauncefote treaty, and nothing else. It is impossible that the principles of the Clayton-Bulwer treaty as they are set forth in article 8 of that treaty should apply to the conditions that prevail under the Hay-Pauncefote treaty. Under that treaty the two Governments, Great Britain and this country, practically entered into a partnership by which they agreed and bound themselves in the first instance to use their endeavors to induce somebody else to construct the canal. They bound and obligated themselves to protect jointly not only the canal that was to be constructed in that way, but those who had taken upon themselves, whether a government or private individuals, the obligation of constructing the canal.

Under that treaty it was provided that these two nations should stand upon an exact equality, and why should they not? Their obligations were precisely the same. Their interest in the canal was the same. They were involved in exactly the same obligations toward it. Therefore, it was agreed between them that they should stand upon an equality with respect to the control of the canal and the free use of it for their ships.

That treaty was applicable to the conditions as they existed at that time. But they went further than that. They provided upon what terms other nations might participate in an equal way in the benefits of the canal. What was the condition upon which they were to be allowed to use it? It was the condition that these other nations should do just what Great Britain and the United States had done—make themselves responsible for the protection and care and maintenance of the canal. Whenever another nation came into this compact by accepting the terms which had been imposed by the two parties who had made the agreement, they were entitled to exactly the same consideration in the use of the canal as the parties to the treaty, because they had placed themselves upon an equal footing with the other two nations. Under that treaty nobody could participate in the use of the canal on equal terms unless they complied with the condition requiring them to become protectors of the canal jointly with the two nations which had originally made the treaty.

The principle which prevailed and controlled with respect to that particular treaty was the principle of equality of use of the canal and neutrality. There was every reason for making that principle. The principle was applicable to that condition of things. But now, by bringing in the Clayton-Bulwer treaty as a support for their contention in dealing with this newer treaty, they insist that by reference in the Hay-Pauncefote treaty the terms or the conditions of that former treaty were brought into the latter one.

Now, how could it be? The conditions were entirely different. Great Britain had relieved herself absolutely of any responsibility for the canal in any form whatever. She was no longer bound by the Hay-Pauncefote treaty to contribute toward it in the way of protection or in any other way. She had no right to say anything about what rates should be fixed, as was done in the other instance, because she had no greater interest in the canal than any other nation. Therefore the principle which prevailed with respect to the other treaty could not apply to this one because the conditions were different. In this case the Government of the United States had under the terms of the treaty obligated itself, unless it could secure the construction of the canal by some one else, to enter upon the performance of the obligation that rested upon it and took upon itself alone and unaided the expense and the risks of constructing the canal. Nobody else had any participation in that obligation. Nobody had any right to claim anything in respect to it because of anything that another nation was

doing or had promised to do. It not only did that, but it made itself liable for the future maintenance and control of the canal, and no other nation was responsible for it. Instead of providing in the Hay-Pauncefote treaty as they did in the Clayton-Bulwer treaty that Great Britain and the United States should fix these rates and make them reasonable and just, it was left to the United States, the owner of the canal, to fix the rates as it might believe them to be just and reasonable, and instead of giving other nations the right to participate in the canal on the condition that they should participate in its protection they are permitted by the Hay-Pauncefote treaty to participate in the use of the canal upon the observance of the conditions and regulations imposed by the United States.

Mr. President, what principle in the Clayton-Bulwer treaty could be appealed to under any circumstances to support the claim of Great Britain of the right that she is insisting upon under the Hay-Pauncefote treaty? I have been unable to discover any ground upon which either of the two old treaties can be brought into this controversy in aid of the claims of the British Government. I think you will find, if you compare the several treaties, that after making the statement in the preamble that it was the intention or purpose to carry out the principles of the Clayton-Bulwer treaty, they proceeded at once to do that very thing by the provisions contained in the Hay-Pauncefote treaty itself. They did not leave it to be determined by a reference to the Clayton-Bulwer treaty, but the parties to the new treaty set out in that treaty what their understanding was of the principles that were contained in the Clayton-Bulwer treaty, and you will find it embodied in the provisions of the latter treaty.

So at last this country and Great Britain must contest this question upon the face of the Hay-Pauncefote treaty and nothing else.

Mr. President, I heard it remarked by a Member of this body yesterday that everything possible had been said with relation to this question, and that everything which would be said about it from this time on would be mere repetition. He made the remark that everything relating to it had been put in print so that any Senator could see it. That same Senator had this morning a resolution calling upon the State Department to furnish him the information he said he had. If I were a schoolteacher, I should ask every Senator who has studied carefully the several treaties and the diplomatic correspondence which took place between the two nations when the Hay-Pauncefote treaty was under negotiations and after that treaty had been ratified to hold up his hand, and I imagine not very many hands would be raised. I think the Senator who made this statement would hide his hands under his desk.

I know Senators have investigated this matter. Some of them have investigated it very carefully. I have undertaken to do so myself. I have studied these treaties with the utmost care; I have gone back and studied the correspondence that preceded them; I have studied the Davis report that has been talked about here so much in undertaking to establish the claim of the English Government; I have studied carefully all the correspondence between the two nations with respect to the validity of the particular clause we are now asked to repeal, and I want to say, and say it in all seriousness, that I believe there is not the slightest foundation for the claim of Great Britain that we have in any way violated this treaty by any act we have done.

I want to go a little further. I want to say that the British Government has never claimed that we have violated the treaty by the passage of this statute. That claim has been made on the floor of the Senate in the interest of Great Britain by Senators representing the United States. They have out-Britished the British in the claims that they are making against their own country and in favor of that Government.

I have undertaken to prepare with some little care an analysis of the two treaties, the Clayton-Bulwer treaty and the Hay-Pauncefote treaty, and the British claims, for the purpose of bringing them together to endeavor to ascertain what are the distinctive differences between the two treaties and to illustrate what I have attempted to show here, that there is absolutely no connection between the earlier treaties and the one under which we are now acting. That analysis is as follows:

CLAYTON-BULWER TREATY.

1. *Clayton-Bulwer treaty, founded on joint protection without ownership by either Government.*
   a. Provides—article 1—that neither of the contracting parties shall own or control or exercise any control over any Government or territory over which the canal may be constructed.

The effect of that was to sever these two Governments entirely from the act of constructing or managing the canal and to put them in a position where neither of them could have any superior claim on account of any territory entered or claimed by them. That provision in the Clayton-Bulwer treaty was violated openly and continually by the British Government for 10 years after the treaty was made.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from California yield to the Senator from Idaho?

Mr. WORKS. I yield.

Mr. BORAH. Is the Senator going to discuss more in detail the question of the violations to which he has referred? I think that is a very important point, and I ask the Senator whether he proposes to cover it?

Mr. WORKS. No, Mr. President. I think I shall leave that branch of it to the Senator from Idaho.

Mr. BORAH. I was seeking information.

Mr. WORKS. Mr. President, I am entering upon a discussion of a legal question, and I should like to make it as connected and logical as I can. It would oblige me very much for that reason if Senators would not interrupt me while I am discussing this phase of the question.

   b. Article 3 provides for joint protection by the contracting parties of whoever may construct the canal.
   c. By article 4 they agree to use their joint influence to induce some one to construct the canal.
   d. Article 5 provides for their joint protection of the canal when built, but authorizes both or either to withdraw such protection if the canal is not properly managed.
   e. Article 6 engages the contracting parties to use their efforts to induce other nations to join in the obligation of protection and share in the benefits of the use of the canal.
   f. By article 7 the obligation of help and protection is extended to any party who has already proceeded toward the construction of such a canal.
   g. Article 8—

I hope Senators will notice particularly this article in the Clayton-Bulwer treaty, because it is this particular article in the treaty which, it is claimed, is brought in some mysterious way into the Hay-Pauncefote treaty upon which most of the argument is founded in an attempt to establish the claim of the British Government:

   g. Article 8 provides:
      1. That the general principle of the convention should apply to any other communications whether by canal or railway across the Isthmus which connects North and South America.
      2. That the party constructing the canal shall charge only such rates as the *contracting parties shall agree upon as just and equitable.*

Under that provision, as I have stated, these two Governments had a perfect right to say that they should stand upon equal terms, because they were equally obligated under this treaty for the protection of the canal in presenting an inducement to somebody to construct it, and they had determined for themselves that they would fix the amount of the rates that were to be charged and make them equitable and fair. Now, can you bring that principle into the Hay-Pauncefote treaty? The conditions are absolutely different. The rights of the parties are entirely different. There is absolutely no basis for the claim of Great Britain that she has a right on account of the newer treaty that was made to participate in any way whatever in the fixing of the rates or the determination as to whether they are just and reasonable or not.

      3. That such canal or railway shall be open to the citizens and subjects of the contracting parties on equal terms.

That is founded upon the same mutual obligation between the two Governments.

      "4. That such canal or railway should be open on like terms to citizens and subjects of other nations *that shall join the United States and Great Britain in the obligation to protect the canal as provided in the treaty.*"

It is impossible to apply that principle to the conditions that exist under the Hay-Pauncefote treaty, because the right to participate in the use of the canal does not depend upon any nation coming in and helping to protect the canal. There is no obligation to the part of the United States, morally or otherwise, to extend any privileges to any nation except upon the terms that are imposed by this Government under the Hay-

Pauncefote treaty, namely, the regulation the United States is authorized to make and impose as a condition of its use.

4. That such canal or railway should be open on like terms to citizens and subjects of other nations *that shall join the United States and Great Britain in the obligation to protect the canal as provided in the treaty.*

So every right to the use of the canal by the parties to the convention or any other nation was for a consideration, namely, the obligation to protect the canal, and no nation not entering into that obligation was entitled to insist upon just and equitable rates.

HAY-PAUNCEFOTE TREATY.

The Hay-Pauncefote treaty was founded on ownership of and sovereignty over the canal by the United States.

a. This of itself was a complete abandonment of the previous treaty.

The former treaty was founded upon the joint obligation and liability of the two Governments. This one transferred all the responsibility to the Government of the United States, and therefore Great Britain was relieved of all further obligation or liability. That Government had no right left under the Clayton-Bulwer treaty, because her only rights in the case depended upon what she should do under the treaty, and by the new treaty she was absolutely relieved from any and all liability with respect to the operation or maintenance of the canal or its construction. Therefore, I repeat that the mere making of this new treaty by which their relations were changed was of itself a complete abrogation of the Clayton-Bulwer treaty.

b. The recital in the preamble that to remove any objection to the construction of the canal by the United States without impairing the "general principle" of neutralization established by the previous treaty is only the statement of a *reason* for making a new treaty and can not vary or modify its terms.

c. Besides, the "general principle" of neutrality declared in the first treaty was not that of neutrality of or justice to all nations, but only such as joined in the promise of protection of the canal, and therefore for a consideration.

d. This general principle is not applicable to the construction and ownership of the canal by the United States without guaranty of protection by Great Britain or any other nation.

e. The last treaty by article 1, in express terms, supersedes, and therefore abrogates, the Clayton-Bulwer treaty without excepting any of its terms or any "general principle" involved in it.

f. This treaty does not bring into it any part of the Clayton-Bulwer treaty or the treaty of 1828 affecting the Suez Canal. Both are referred to, but the principles of both as the contracting parties understood them are embodied in the Hay-Pauncefote treaty. Therefore, nothing is provided by reference to other treaties, but the terms of the new treaty alone control.

g. Article 2 gives the United States the right to build the canal and to regulate and manage it subject to the provisions of the present treaty, and nothing else.

It is not subject to any previous treaty, not subject to any principles that are involved in any other treaty, but it is said in plain, explicit terms that it shall be governed subject to the provisions of this particular treaty.

1. This abrogates the right of Great Britain to say what shall be "just and equitable" charges as provided in the Clayton-Bulwer treaty. These rules embody the "general principles" referred to in the preamble as the contracting parties understood those principles. They were not left to reference to the old treaties or either of them, but were embodied in the new. Therefore the Hay-Pauncefote treaty is the only one to look to in determining our rights and obligations. They are:

Rule 1. a. That the canal shall be free and open to the vessels of *all nations observing the rules on terms of equality.*

b. There shall be no *discrimination* against any nation, its citizens or subjects, as to conditions or charges of traffic.

c. Such conditions or charges of traffic shall be just and equitable.

This obligation to "all nations" observing the rules is, by the *United States, the owner of the canal*, made on condition that the rules and regulations made by this Government shall be observed by other nations using our canal. To say, under such circumstances, that "all nations" includes the nation owning the canal making the rules and regulations, and having complete ownership and control over it is absurd.

Rule 2. Provides against blockades or hostilities, but gives the United States the right to maintain military police to protect the canal against lawlessness and disorder.

Rule 3. Forbids vessels of war of a belligerent nation revictualing or taking on stores in the canal except in case of strict necessity, and provides for speedy passage through the canal.

If the words "all nations" applied to the United States, this rule would preclude this country from revictualing her own vessels of war or taking on stores, as *vessels of war* are included in the "all nations" clause.

Rule 4. Forbids belligerents embarking or disembarking troops or munitions of war or warlike materials in the canal.

This rule, too, as applied to the United States is absurd.

Rule 5. Includes adjacent waters within 3 miles of either end of the canal as within the rules.

Rule 6. Includes the plant establishments, buildings, and all works as part of the canal.

h. Article 4 provides that no change of territorial or international sovereignty shall affect the general principle of neutralization or the obligation of the high contracting parties under this treaty.

That the principles of neutralization mentioned in this and the former treaty did not extend to or include the matter of fixing rates or charges, but was used in the ordinary sense of the word, is apparent:

Neutral is defined as follows: "Not engaged on either side. Not taking part with or assisting either of two or more contending parties. Specifically, of a State or power lending no active assistance to either or any belligerent."

This is precisely what the United States did in this treaty; made its canal neutral as between contending belligerent nations just as it might maintain its own neutrality under like circumstances.

A belligerent is one who is carrying on war. So, the principle of neutrality applies only in this treaty when other nations are at war.

Now, mark you, one of the principles that is insisted upon by Great Britain was contained in the eighth article of the Clayton-Bulwer treaty—upon which they rely—is this principle of neutrality; and for the first time in the correspondence after this statute of which they are now complaining had been passed, that Government insisted that the principle of neutrality extended to the fixing of the rates, and equal treatment in the matter of rates and passage through the canal. The previous correspondence will show distinctly that they were dealing solely and exclusively with the question of neutrality in its ordinary sense; no other claim was ever made for it by the British Government.

What necessity is there, I ask the Senate, to appeal to the Clayton-Bulwer treaty for any principle of neutrality? Those principles are specifically set out in the Hay-Pauncefote treaty; there is no necessity for going anywhere else. This new treaty provides exactly what the rules of neutrality shall be and the principles that shall control with respect to it. It goes further than that. It deals specifically with the question of rates and the treatment that shall be extended to other nations in the use of the canal. There is no necessity, therefore, for us to go to the earlier treaty for the purpose of determining what the rights of Great Britain, or what the rights of any other nation, are in the use of the canal, or how they shall be treated by us.

I have also made a very brief statement of what the claims of Great Britain are under this treaty in respect to the use of the canal.

The claims are:

1. Great Britain does not claim that exemption of coastwise vessels from payment of tolls is in violation of the treaty, but only—

a. That such vessesl may do other than coastwise business.

The claim of Great Britain is that by our statute we are extending this right to coastwise vessels that may do a foreign business, and thereby come in conflict with the English Government in the transaction of its business as a foreign carrier; but that does not affect the validity of the statute. The statute only extends this privilege to our coastwise trade, and no shipowner has a right to claim the benefits of it if he is engaged in foreign trade. Therefore it is a question of fact which must be determined in the future, not whether the United States has violated the treaty, but whether its vessels which are doing business have violated both the treaty and the statute which we have enacted.

b. That relieving coastwise traffic from such tolls may increase tolls on ships doing a foreign business.

That is the utmost claimed by the British Government; and I will show the Senate before I am through that it claimed only that it was necessary in fixing the rates that we should "take into account" the coastwise shipping in determining what would be a reasonable rate to be charged for the use of the canal. I shall show, further, that this is precisely what has been done in fixing the rates to be charged vessels for passing through the canal. The President, under the authority given him, has taken into account the business and the shipping of the coastwise trade, and that has been included as part of the business in determining what the rate of tolls should be. So, Mr. President, we are able to meet every claim that has been made by Great Britain by the very terms upon which they are allowed to use the canal under this treaty.

I know I am now going to weary the patience of the Senate, for I am going to take upon myself the labor of going carefully through the correspondence that took place between this Government and Great Britain in dealing with this question. I think I am justified in taking up so much of the Senate's time, because this is a great and important question about which we ought to learn everything possible there is to know before we act upon it as representatives of this Government.

Let me, before going into that, call the attention of the Senate to the fact that the Hay-Pauncefote treaty was twice before the Senate for ratification. When it was first presented there were a number of amendments offered to it as tending to protect the rights of our own country. Most of those amendments were defeated; but in order that you may understand the correspondence that took place, to which I am going to refer directly, it is necessary that you should understand what were the proposed amendments which were imposed upon the treaty by the Senate as tending to protect our interests. The following amendments were made in the Senate:

The first amendment is:

Insert at the end of section 5 of article 2 the following:
"It is agreed, however, that none of the immediately foregoing conditions and stipulations in sections Nos. 1, 2, 3, 4, and 5 of this article shall apply to measures which the United States may find it necessary to take for securing by its own forces the defense of the United States and the maintenance of public order."

That related exclusively to the question of neutrality and simply extended the right of the United States to the protection of the canal and the policing of it by its own forces.

The second amendment is:

In article 2, after the word "convention," insert the words "which convention is hereby superseded."

This was intended to abrogate the Clayton-Bulwer treaty. In the draft finally agreed upon, and which has now become the existing treaty between the two nations, that treaty was superseded, not by reference to it in parentheses but in express terms.

So that, while there was a great deal of correspondence with respect to what form they should take, both of these amendments were finally accepted by the British Government.

The third amendment is:

Strike out article 3.

Article 3 thus stricken out was as follows:

The high contracting parties will, immediately upon the exchange of the ratifications of this convention, bring it to the notice of the other powers and invite them to adhere to it.

The British Government accepted that amendment, and the reason for their doing so is perfectly apparent. It was an attempt to bring in other nations and make them practically parties to the treaty itself. The United States insisted that the control and management of the canal should be left to this Government; that it should be allowed to determine what the conditions for the use of the canal should be, and therefore that particular portion of the treaty was stricken out and does not now appear in the treaty which is in existence.

Before I go to the correspondence I want to call the attention of the Senate to an amendment which was offered but rejected by the Senate, commonly known as the Bard amendment. Strange as it may seem, after all that has been said upon the subject by Members of the Senate who were here at that time, to the effect that the Bard amendment was defeated because everybody believed it was wholly unnecessary, Members of this body still insist upon using it for the purpose of establishing against their own Government an estoppel in favor of the British Government. This is the Bard amendment:

ART. 3. The United States reserves the right in the regulation and management of the canal to discriminate in respect of the charges of traffic in favor of vessels of its own citizens engaged in the coastwise trade.

When that amendment came up it was said on all sides by the leading Members of the Senate that it was unnecessary; that it was impossible that there should be any discrimination against Great Britain or any other nation by granting free passage to our coastwise vessels, because none of the other nations of the world could participate in coastwise traffic.

My distinguished colleague [Mr. PERKINS], who, I am sorry to say, is in such condition of health that he is unable to speak upon this question, will confirm what I say when I tell the Senate that he was in close connection and was advising with Senator Bard, who was then his colleague, and that it was generally understood and accepted by Senator Bard that it was unnecessary that this amendment should be inserted in the treaty, and for that reason and for no other it was defeated.

Mr. PERKINS. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from California yield to his colleague?

Mr. WORKS. I yield.

Mr. PERKINS. Mr. President, I will state to my colleague that the champion of American shipping and American navigation at that time was Senator Frye, and he took the position that my colleague has now stated; that it was unnecessary to adopt such an amendment, as the vessels of foreign nations could not participate in the coastwise trade anywhere in the United States.

Mr. WORKS. And it is suggested, Mr. President, by the senior Senator from Michigan [Mr. SMITH] that Senator Frye was at that time the chairman of the Committee on Commerce.

Mr. PERKINS. Yes; he was.

Mr. WORKS. And the ranking member of the Committee on Foreign Relations.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Michigan?

Mr. WORKS. I yield.

Mr. SMITH of Michigan. If it will not disturb the Senator, I will say the amendment of his predecessor, Senator Bard, which he is now discussing, was offered when the first Hay-Pauncefote treaty was under discussion, not the second. The first Hay-Pauncefote treaty was a vastly different instrument from the second. When the second treaty came up there was apparently no amendment necessary to exempt coastwise vessels, and none was proposed or suggested or offered by any Senator. The Bard amendment was thought to be necessary in the first treaty, as the regulations were to be agreed upon by the two countries, but was thought to be wholly unnecessary in the second, as the United States was specifically authorized to make needful regulations for the government of the canal.

Now, I propose, Mr. President—I am sorry that it becomes necessary in this body—to prove by the declarations of various Senators who were here at that time and participated in the discussion which took place that what my colleague has said with respect to it is true, and that the amendment was defeated on the ground I have stated.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the gentleman from California yield to the Senator from Utah?

Mr. WORKS. I yield.

Mr. SUTHERLAND. Before the Senator passes from that subject—he may have stated it, but if so it escaped my attention—I desire to call attention to the difference between the original draft of the Hay-Pauncefote treaty, which was submitted to the Senate, and the second draft, which was finally ratified and became a binding obligation. There was another, to my mind, very significant difference. The original draft contained the language, "The high contracting parties adopt the following rules." Then it proceeded to set them out, showing the participation of Great Britain, at least to that extent, in formulating the rules; but the second draft of the treaty, as it is now in force, provides that "the United States adopts the following rules," putting the United States in the absolute control so far as the adoption of the rules is concerned.

Mr. WORKS. The Senator from Utah is correct about that. I had stated that in substance, but not so clearly as the Sena-

tor has stated it, and I am obliged to him for piecing out what I have failed to say on the subject.

Now, Mr. President, I want to call attention to the declarations that have been made by various Senators who were here at that time to the effect that the Bard amendment was defeated on the ground I have stated. I quote from the statement of the Senator from Massachusetts [Mr. LODGE], taken from the CONGRESSIONAL RECORD of July 17, 1912. He says:

The second Hay-Pauncefote treaty, as Senators will remember, embodied in substance the amendments which the Senate had made to the first Hay-Pauncefote treaty. England had refused to accept those amendments, and then the second treaty was made embodying in principle all for which the Senate had contended.

When I reported that treaty my own impression was that it left the United States in complete control of the tolls upon its own vessels. I did not suppose then that there was any limitation put upon our right to charge such tolls as we pleased upon our own vessels, or that we were included in the phrase "all nations."

I read further from the CONGRESSIONAL RECORD:

Mr. BRANDEGEE. I do not desire to intrude upon the Senator's time, for I know he is in a hurry. But I intended, at the close of the speech of the Senator from North Dakota [Mr. MCCUMBER], to call the attention of the senior Senator from Georgia to page 4 of the views of the minority in the House report on the House bill, where the following is stated:

"With further reference to the Bard amendment, we have been granted authority to quote from a letter recently written by Senator Bard, in the course of which he states:

"'When my amendment was under consideration it was generally conceded by Senators that even without that specific provision the rules of the treaty would not prevent our Government from treating the canal as part of our coast line, and consequently could not be construed as a restriction of our interstate commerce, forbidding the discrimination in charges for tolls in favor of our coastwise trade, and this conviction contributed to the defeat of the amendment.'"

He states there that "it was generally conceded by Senators that even without that specific provision the rules of the treaty would not prevent our Government from treating the canal as part of our coast line."

Mr. O'GORMAN. That is in accord with the recollection of the Senator from Massachusetts.

* * * * * * *

Mr. WORKS. The Senator from Connecticut has anticipated what I was about to say by reading from the records a statement made by Senator Bard with respect to his amendment and the reason why it was voted down.

I simply wish to say that I have in my hand the original letter of Senator Bard making that statement—that the reason for voting down his amendment was that it was generally regarded by the Senate as unnecessary, and that that construction should be placed upon the treaty irrespective of any amendment of that kind.

Mr. CLAPP. Will the Senator yield to me for a moment?

Mr. O'GORMAN. Yes.

Mr. CLAPP. In answer to the suggestions of the Senator from Vermont [Mr. PAGE], I will say that I think it was quite generally understood then that the reason for voting down the proposition to authorize the fortification in express terms was that under the treaty we had the right to fortify without that particular provision. I know I was here at the time, although I do not recall all of the speeches. But while some of us voted insisting in some instances that these things should be explicit and in others voting with the majority upon the ground that they were covered anyhow, I believe, both with reference to the coastwise trade and especially with reference to the question of fortification, that many of the votes cast against those express provisions were cast upon the theory that without them we nevertheless had the right to do them.

Mr. O'GORMAN. That the provisions were unnecessary?

Mr. CLAPP. Yes; that they were unnecessary.

Senator LODGE says further:

I voted against the Bard amendment. I voted against it in the belief that it was unnecessary; that the right to fix tolls, if we built the canal or it was built under our auspices, was undoubted. I know that was the view taken by the then Senator from Minnesota, Mr. Davis, who was at that time chairman of the committee. I certainly so stated on the floor. * * * I had that same view in regard to this treaty. I was familiar with the work that was done upon it in London at the time when it was concluded there and finally agreed to, and I was very familiar with it here. Although, as the Senator from Georgia correctly said, the question was not raised at that time, I personally have never had any doubt that the matter of fixing the tolls must necessarily be within our jurisdiction; and when I referred to our going to The Hague as useless I did not mean because our case was not a good one. I meant because in the nature of things we could by no possibility have a disinterested tribunal at The Hague. It would be for the interest of every other nation involved to prevent our fixing the tolls according to our own wishes.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Ohio?

Mr. SMITH of South Carolina. I yield.

Mr. POMERENE. The Senator from Massachusetts has just expressed a reason for his vote against what was known as the Bard amendment. Can the Senator inform us as to whether that was the general sentiment prevailing at that time among the Senators?

Mr. LODGE. I can only say, Mr. President, that that was the view of the chairman of the Committee on Foreign Relations, and it was my view; and, while I may be mistaken, I think on that vote the majority of the Senate followed the Committee on Foreign Relations.

Mr. SMITH of South Carolina. As I understand, the vote was something like 27 to 43.

Mr. LODGE. Yes.

Mr. SMITH of South Carolina. The question of the Bard amendment, to which the Senator refers, was brought up; and on account of its being in executive session and the debates not being available, I was unable to find any record showing what was the sentiment in that respect.

Mr. LODGE. There is no record that will show that, of course; but I know that was my opinion and the opinion of the chairman of the Committee on Foreign Relations at the time.

[From the CONGRESSIONAL RECORD, August 6, 1912.]

Mr. PERKINS. I wish to state that Senator Davis, of Minnesota, was at that time chairman of the Committee on Foreign Relations. He was, as is conceded by all, an authority on international law, and took the view stated by the Senator from New York and that stated by the Senator from Washington. There is no question about it, that the rules we did make were to govern other nations than ourselves.

Mr. JONES. Mr. President, it seems to me it would be a great reflection upon the intelligence and patriotism of Senators who voted against those amendments to accept any different construction.

Ex-Senator Foraker:

According to my recollection, this very question (of right to discriminate in favor of our own ships was raised by an amendment offered to the treaty, which amendment was voted down overwhelmingly, because it was though unnecessary to specify that a provision of such a character did not apply to us who were building the canal, and were to have with respect to it the usual rights of ownership and all the rights of regulation.

And for the further reason that to exempt one class of ships would imply that other classes were not exempt.

Hon. Marion Butler, ex-Senator from North Carolina:

I can not agree with the position of those who contend that the "free-tolls" law is in violation of the spirit or the letter of the treaty. I remember that when the first section of the third article of the treaty was under consideration, which provides that the canal shall be open to the vessels of all nations on the same terms, that several Senators suggested the propriety of adding a provision expressly exempting our domestic commerce done through coastwise vessels.

The prompt response to this proposition on the part of the Senators having the treaty in charge was that such an amendment was unnecessary, because the treaty was so understood by the contracting parties.

Hon. George Turner, ex-Senator from Washington:

My recollection of the view taken in the Senate at the time of the ratification of the Hay-Pauncefote treaty is substantially similar to that of Senators Lodge, Bard, Clapp, Perkins, Davis, and others. I am certain the treaty would not have been ratified if there had been doubt in the mind of anybody that the treaty limited the United States in the use which it might make of its own canal for its own purposes. The fact that the canal was to be the exclusive property of the United States and under its absolute control for all purposes of war and peace, subject, of course, to fair dealing as between all other nations, was the controlling factor in the ratification of the treaty. Of this there can be no doubt.

Hon. Thomas Kearns, ex-Senator from Utah:

I am in thorough accord with the views of Senators Lodge, Bard, Clapp, Perkins, Davis, and others, and, was I fortunate enough to be a Member of the Senate at the present time, I would certainly support the idea of favoring our coastwise trade. I think it is a piece of imposition on the part of Great Britain to attempt to dictate what, if anything, we should charge for canal tolls to our own war vessels, transports, or coastwise ships.

Hon. William J. Deboe, ex-Senator from Kentucky:

I remember Senator Bard's amendment to the Hay-Pauncefote treaty. It has always been my understanding that under that treaty the United States had the right to regulate canal tolls. My best recollection is the Bard amendment to the Hay-Pauncefote treaty was defeated because Senators were of the opinion that the amendment did not confer any right that the treaty did not grant to the United States.

I have here also a letter from ex-Senator Beveridge, of Indiana, on the same subject, in which he makes the same statement. I ask to insert it in my remarks without reading.

The PRESIDING OFFICER. Without objection, that course will be pursued.

The matter referred to is as follows:

WASHINGTON, D. C., *March 28, 1914.*

Hon. JOHN I. NOLAN,
House of Representatives.

MY DEAR MR. NOLAN: Answering your letter of inquiry just received, I was in the Senate when both of the Hay-Pauncefote treaties were considered. My recollection is as follows:

When the first Hay-Pauncefote treaty was under discussion several Senators gave as reasons for voting against Senator Bard's amendment that it was unnecessary, because, under the treaty, even as it then stood, we had a perfect right to exempt our coastwise shipping from payment of tolls.

I voted for Senator Bard's amendment, not because I had any doubt upon the subject, but because the fullest possible American rights over the canal could not be stated too strongly for me.

When the second Hay-Pauncefote treaty came up for consideration, so unanimous was the opinion of Senators that under the treaty our right over tolls was undoubted, that Senator Bard did not even propose or offer his amendment again. Instead, he himself voted for the resolution advising the ratification of the treaty without amendment, which carried almost unanimously. The second Hay-Pauncefote treaty is the one now under consideration.

From my recollection of the matter, I think it certain that the Senate would not have advised ratification if it had been seriously contended that the treaty denied us the right to favor our own coastwise vessels.

Trusting that I have answered your question fully, I am,

Very sincerely,

ALBERT J. BEVERIDGE.

Mr. WORKS. Mr. President, it is amazing to me that Members of this body, after that kind of showing, should insist that by defeating the Bard amendment their Government has estopped itself to claim the construction that we are placing upon this treaty. I have never heard a single Member of this body who was here at that time raise his voice to dispute the facts I have stated and that are confirmed by these various Senators.

The British Government has not made any such claim. That Government knew perfectly well the details of what took place. These proceedings were made public at least so far as that nation was concerned. It knew that we had defeated the Bard amendment; but that Government has never claimed, during all of the correspondence, that we were estopped by its defeat or that it militated in the least against our contention.

I have here what is entitled "A Brief History of the Amendments Proposed and Considered Since the Action of the Senate on the Former Canal Treaty with Great Britain, and Which Have Resulted in the Treaty Now Submitted."

The "treaty now submitted" was the Hay-Pauncefote treaty, which is now in force. I read from this statement coming from the State Department, as follows:

The Senate's amendments to the former treaty required (first) that there should be in plain and explicit terms an express abrogation of the Clayton-Bulwer treaty; (second) that the rules of neutrality adopted should not deprive the United States of the right to defend itself and to maintain public order; and (third) that other powers should not in any manner be made parties to the treaty by being invited to adhere to it.

For a better understanding of the scheme of the new treaty, it may be well briefly to advert to the objections suggested by Great Britain to these several amendments.

AS TO THE ABROGATION OF THE CLAYTON-BULWER TREATY.

Lord Lansdowne's objections were as to the manner of doing this and as to the substance. It was insisted that in the negotiations which led to the making of the former treaty no attempt had been made to ascertain the views of the British Government on such complete abrogation, and that the Clayton-Bulwer treaty being, as it claimed, an international compact of unquestionable validity, could not be abrogated without the consent of both parties to the contract.

There was in this connection an apparent misconception on the part of His Majesty's Government in respect to the proper function of the Senate in advising the ratification of a treaty with amendments proposed by it. It seemed to be regarded as an attempt on the part of the Senate to accomplish by its own vote, as a final act, the abrogation of an existing treaty, without an opportunity for full consideration of the matter by the other party. It was overlooked that the Senate was simply exercising its undoubted constitutional function of proposing amendments to be communicated to the other party to the contract, to ascertain its views upon the question; and it was hoped by the President—and the hope was expressed in submitting the treaty, as amended by the Senate, to the British Government—that the amendments would be found acceptable by it. Failing this, there was a full opportunity for His Majesty's Government, by counter propositions, to express its views on this and the other amendments, and so by a continuous negotiation to arrive, if possible, at a mutually satisfactory solution of all questions involved. Nevertheless, in view of the great importance of the Senate's amendments, taken together, it was deemed more expedient by Lord Lansdowne to reject them, but to leave the door open for fresh negotiations which might have a more happy issue; and he earnestly deprecated a final failure of the parties to agree, and emphatically expressed the desire of his Government to meet the views of the United States on this most important matter.

The principal substantial objection to the Senate's amendment, completely superseding the Clayton-Bulwer treaty, was that if this were done the provisions of article 1 of that treaty, which had been left untouched by the original Hay-Pauncefote treaty, would be annulled and thereby both powers would, except in the vicinity of the canal, acquire entire freedom of action in Central America, a change which Lord Lansdowne thought would certainly be of advantage to the United States and might be of substantial importance.

AS TO THE RIGHT OF THE UNITED STATES, NOTWITHSTANDING THE NEUTRAL RULES ADOPTED BY THE TREATY, TO DEFEND ITSELF BY ITS OWN FORCES, AND TO SECURE THE MAINTENANCE OF PUBLIC ORDER, COVERED BY WHAT WAS GENERALLY KNOWN AS THE DAVIS AMENDMENT.

His Majesty's Government criticized the vagueness of the language employed in the amendment, and the absence of all security as to the manner in which its ends might at some future time be interpreted, but thought that, however precisely it might be worded, it would be impossible to determine what might be the effect if one clause permitting defensive measures and another clause (which has now been omitted) prohibiting fortification of the canal were allowed to stand side by side in the same convention.

This amendment was strenuously objected to by Great Britain as involving a distinct departure from the principle of neutrality which had theretofore found acceptance by both Governments, inasmuch as it would, as construed by Lord Lansdowne, permit the United States in time of peace as well as in time of war to resort to whatever warlike acts it pleased in and near the canal, which would be clearly inconsistent with its intended neutral character and would deprive the commerce and navies of the world of the free use of it.

I want the Senate to bear in mind, while I am calling attention to these different negotiations, that never once during all of the negotiations that took place between the two Nations on this question was it claimed that the principle of neutrality was anything more than neutrality in its ordinary and accepted sense. There was no claim made that that term or that principle of neutrality extended to the rates that were to be charged.

It was insisted that by means of the amendment the obligation of Great Britain to respect the neutrality of the canal under all circumstances would remain in force, while that of the United States, on the other hand, would be essentially modified, and that this would result in a one-sided agreement, by which Great Britain would be debarred from any warlike act in or near the canal, while the United States could resort to any such acts, even in time of peace, which it might deem necessary to secure its own safety.

It will be remembered that the modification of this provision came about, and is in the treaty that is now in existence, to the effect that the Government of the United States should have the right to protect the canal by its own forces.

Moreover, it was insisted that by this amendment, in connection with the third amendment, which excluded other powers from becoming parties to the contract, Great Britain would be placed at a great disadvantage as compared with all other powers, in as much as she alone, with all her vast interests in the commerce of the world, would be bound under all circumstances to respect the neutrality of the canal, while the United States, even in time of peace, would have a treaty right to interfere with the canal on the plea of necessity for its own safety, and all other powers not being bound by the treaty could at their pleasure disregard its provisions.

AS TO THE AMENDMENT STRIKING OUT THE ARTICLE IN THE TREATY AS SUBMITTED TO THE SENATE, WHICH PROVIDED FOR AN INVITATION TO THE OTHER POWERS TO COME IN AND ADHERE TO IT.

This was emphatically objected to, because if acquiesced in by Great Britain she would be bound by what Lord Lansdowne described as the "stringent rules of neutral conduct" prescribed by the treaty, which would not be equally binding upon the other powers, and it was urged that the adhesion of other powers to the treaty as parties would furnish an additional security for the neutrality of the canal.

In the hope of reconciling the conflicting views thus presented between the former treaty as amended by the Senate and the objections thereto of the British Government, the treaty now submitted for the consideration of the Senate was drafted.

The substantial differences from the former treaty are as follows:

First. In the new draft of treaty *the provision superseding the Clayton-Bulwer treaty as a whole*, instead of being parenthetically inserted, as by the former Senate amendment, was made the subject of an independent article and presented as the first article of the treaty. It was thus submitted to the consideration of the British Government in connection with the other substantial provisions of the treaty which declared the neutrality of the canal for the use of all nations on terms of entire equality.

Second. *By a change in the first line of article 3, instead of the United States and Great Britain jointly adopting as the basis of the neutralization of the canal, the rules of neutrality prescribed for its use as was provided by the former treaty, the United States now alone adopts them.*

This was regarded as a very radical and important change and one which would go far toward a reconciliation of the conflicting views of the two Governments.

It relieves Great Britain of all responsibility and obligation to enforce the neutrality of the canal, which by the former treaty had been imposed upon or assumed by her jointly with the United States, and thus meets the main stress of the objection which seemed to underlie or be interwoven with her other objections to the former Senate amendments. The United States alone as the sole owner of the canal, as a purely American enterprise, adopts and prescribes the rules by which the use of the canal shall be regulated, and assumes the entire responsibility and burden of enforcing, without the assistance of Great Britain or of any other nation, its absolute neutrality.

It was also believed that this change would be in harmony with the national wish that this great interoceanic waterway should not only be constructed and owned, but exclusively controlled and managed, by the United States.

Third. The next important change from the former treaty consists in *the omission of the words "in time of war as in time of peace" from clause 1 of article 3.*

No longer insisting upon the language of the Davis amendment—which had in terms reserved to the United States express permission to disregard the rules of neutrality prescribed, when necessary to secure its own defense, which the Senate had apparently deemed necessary because of the provision in rule 1, that the canal should be free and open "in time of war as in time of peace" to the vessels of all nations—it was considered that the omission of the words "in time of war as in time of peace" would dispense with the necessity of the amendment referred to, and that war between the contracting parties, or between the United States and any other power, would have the ordinary effect of war upon treaties when not specially otherwise provided, and would remit both parties to their original and natural right of self-defense and give to the United States the clear right to close the canal against the other belligerent, and to protect it and defend itself by whatever means might be necessary.

Fourth. *In conformity with the Senate's emphatic rejection of article 8 of the former treaty, which provided that the high contracting parties would, immediately upon the exchange of ratifications, bring it to the notice of other powers and invite them to adhere to it, no such provision was inserted in the draft of the new treaty.*

It was believed that the declaration that the canal should be free and open to all nations on terms of entire equality (now that Great Britain was relieved of all responsibility and obligation to enforce and defend its neutrality) would practically meet the force of the objection which had been made by Lord Lansdowne to the Senate's excision of the article inviting the other powers to come in, viz, that Great Britain was placed thereby in a worse position than other nations in case of war with the United States.

The proposed draft of the new treaty was transmitted to Lord Lansdowne, and after mature deliberation he proposed on the part of His Majesty's Government only three substantial amendments.

He recognized the weighty importance of the change by which Great Britain was relieved of all responsibility for enforcing the neutrality and maintaining the security of the canal, and that all this burden was solely assumed by the United States. He also appreciated the importance of the other proposed changes in the direction of harmony.

Under this modified aspect of the relations of the two nations to the canal, he was not indisposed to consent to the abrogation of the Clayton-Bulwer treaty if the "general principle" of neutrality, which was reaffirmed in the preamble of the new treaty as well as of the former one, should be preserved and secured against any change of sovereignty or other change of circumstances in the territory through which the canal is intended to pass, and that the rules adopted as the basis of neutralization should govern, as far as possible, all interoceanic communication across the Isthmus. He referred in this connection to articles 1 and 8 of the Clayton-Bulwer treaty.

He therefore proposed, by way of amendment, the insertion of an additional article, on the acceptance of which His Majesty's Government would be inclined to withdraw its objection to the formal abrogation of the Clayton-Bulwer treaty.

The amendment thus proposed by him was in the following language, viz:

"In view of the permanent character of this treaty, whereby the general principle established by article 8 of the Clayton-Bulwer treaty is reaffirmed, the high contracting parties hereby declare that the rules

laid down in the last preceding article shall, so far as they may be applicable, govern all interoceanic communication across the Isthmus which connects North and South America, and that no change of territorial sovereignty or other change of circumstances shall affect such general principle or the obligations of the high contracting parties under this treaty."

This proposed article was regarded by the President as too far-reaching for the purpose in view, and as converting the vague and indefinite provisions of the eighth article of the Clayton-Bulwer treaty, which contemplated only future treaty stipulations when any new route should prove to be practicable, into a very definite and certain present treaty, fastening the crystallized rules of neutrality adopted now for this canal upon every other interoceanic communication across the Isthmus, and as perpetuating in a more definite and extended form, by a sort of reenactment of the eighth article, the embarrassing effects of the Clayton-Bulwer treaty, of which the United States hoped to be relieved altogether.

Fifth. *The next change from the former treaty is the omission of the provision in clause 7 of article 3, which prohibited the fortification of the canal, and the transfer to clause 2 of the remaining provision of clause 7, that the United States shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.*

The whole theory of the treaty is that the canal is to be an entirely American canal. The enormous cost of constructing it is to be borne by the United States alone. When constructed, it is to be exclusively the property of the United States and is to be managed, controlled, and defended by it. Under these circumstances, and considering that now by the new treaty Great Britain is relieved of all the responsibility and burden of maintaining its neutrality and security, it was thought entirely fair to omit the prohibition that "*no fortification shall be erected commanding the canal or the waters adjacent.*"

Sixth. It will be observed that, although the words "in time of war as in time of peace" had been omitted from clause 1 of article 3 upon the theory that the omission of these words would dispense with the necessity of the Davis amendment, and that war between the United States and any other power would have the ordinary effect of war upon treaties and remit both parties to their natural right of self-defense—the same words are retained in the sixth clause of article 3, which provides that the plant, establishment, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed part of it for the purposes of this treaty, and "in time of war as in time of peace" shall enjoy complete immunity from attack or injury by belligerents and from acts calculated to impair their usefulness.

It was considered that such specific provision was in the general interest of commerce and of civilization, and that all nations would regard such a work as sacred under all circumstances.

It was hoped that the changes above enumerated from the former treaty would practically reconcile the conflicting contentions of the two Governments and would lead to the much-desired result of an entire concurrence of views between them.

With the exception of these changes care was taken in the draft of the new treaty to preserve the exact language, which had passed both the Senate and the British Government without objection, and, as is believed, without criticism.

The hope that the changes thus made had effectually met the British objections to the former treaty as amended by the Senate was almost realized.

He believed that now that a canal is about to be built at the sole cost of the United States for the equal benefit of all nations, it was sufficient for the present treaty to provide for that one canal, and that it was hardly within the range of possibility that the United States would ever build more than one canal between the two oceans.

The President was, however, not only willing but desirous that the "general principle" of neutralization referred to in the preamble of this treaty should be applicable to this canal now intended to be built, notwithstanding any change of sovereignty or of international relations of the territory through which it should pass. This "general principle" of neutralization had always, in fact, been insisted upon by the United States, and he recognized the entire justice of the request of Great Britain that if she should now surrender the material interest which had been secured to her by the first article of the Clayton-Bulwer treaty, which might result in the indefinite future should the territory traversed by the canal undergo a change of sovereignty, this "general principle" should not be thereby affected or impaired.

These views were communicated to His Majesty's Government, and as a substitute for the article proposed by Lord Lansdowne the following was proposed on the part of the United States:

"It is agreed that no change of territorial sovereignty or of the international relations of the country or countries traversed by the before-mentioned canal shall affect the general principle of neutralization or the obligations of the high contracting parties under the present treaty."

Upon a full exchange of views, this article proposed by the United States was accepted by Great Britain and becomes article 4 of the treaty now submitted. It is thought to do entire justice to the reasonable demands of Great Britain in preserving the general principle of neutralization and at the same time to relieve the United States of the vague, indefinite, and embarrassing obligations imposed by the eighth article of the Clayton-Bulwer treaty.

During the discussions upon this article it was suggested that, although no particular route was mentioned in the proposed treaty as the route to be traversed by the canal, yet as the canal had been so commonly mentioned as the "Nicaragua Canal" and the intended treaty as the "Nicaragua Canal treaty," it might possibly be claimed that the treaty did not apply to a canal by the Panama route or by any other possible route. But it had always been intended by the President that the treaty should apply to the canal which should be first constructed, by whichever or whatever route, and to remove the apprehension referred to and to exclude all possible doubt in the matter it was agreed that the preamble should be amended *by inserting in the preamble, after the word "oceans," the words "by whatever route may be considered expedient."*

His Majesty's Government at first strenuously objected to the absence from the treaty of any provision for other powers coming in, so as to be bound by its terms. It protested against being bound by what it regarded as stringent rules of neutrality which should not be equally binding upon other powers.

Lord Lansdowne accordingly proposed the following amendment, viz:

"To insert in rule 1 of article 3, after the word 'nation,' the words 'which shall agree to observe these rules,' and in the following line, after the word 'nation,' the words 'so agreeing,' so as to make the clause read:

"'1. The canal shall be free and open to the vessels of commerce and of war of all nations *which shall agree to observe these rules* on terms of entire equality, so that there shall be no discrimination against any nation so agreeing,' etc."

The President, however, could not consent to this amendment, because he aprehended that it might be construed as making the other powers parties to the contract and as giving them contract rights in the canal, and that it should thus practically restore to the treaty the substance of the provision which the Senate had struck out as article 3 of the former treaty. He believed also that there was a strong national feeling against giving to the other powers anything in the nature of a contract right in an affair so peculiarly American as the canal; that no other powers had now any right in the premises or anything to give up or part with as consideration for acquiring such a contract right; that they are to rely on the good faith of the United States in its declaration to Great Britain in this treaty; and that it adopts the rules and principles of neutralization there set forth. These rules are adopted in the treaty with Great Britain as a consideration for getting rid of the Clayton-Bulwer treaty, and the only way in which other nations are bound by them is that they must comply with them if they would use the canal.

It was also apparent that the proposed amendment, if accepted, would make rule 1 more objectionable than the third article of the former treaty, which was stricken out by the Senate's amendment, for that only invited other powers to come in and become parties to the contract *after ratification*, whereas the proposed provision would rather compel other powers to come in and become parties to the contract *in the first instance* as a condition precedent to the use of the canal by them.

Upon due consideration of these suggestions, and at the same time to put all the powers upon the same footing, viz, that they could use the canal only by complying with the rules of neutrality adopted and prescribed, an amendment to Lord Lansdowne's amendment was proposed and agreed upon, viz:

"To strike out from his amendment the words 'which shall agree to observe' and substitute therefor the word 'observing,' and, in the next line, to strike out the words 'so agreeing' and to insert before the word 'nation' the word 'such.'"

This made the clause as finally agreed upon and found in the treaty as now submitted for the consideration of the Senate:

"*The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation,*" and so forth.

Thus the whole idea of contract right in the other powers is eliminated, and the vessels of any nation which shall refuse or fail to observe the rules adopted and prescribed may be deprived of the use of the canal.

One other amendment proposed by Lord Lansdowne was regarded by the President as so entirely reasonable that it was agreed to without discussion. This was the insertion, at the end of clause 1 of article 3, the words: "*Such conditions and charges of traffic shall be just and equitable,*" and the word "convention," wherever it occurs, has been changed to "treaty."

It is believed that this memorandum will put the Senate Committee on Foreign Relations in full possession of the history of all changes in the treaty since the action of the Senate on the former amendment.

I think it will be seen, Mr. President, that really the only matter of controversy between the two Governments in dealing with the question was the simple one of neutrality, and that alone. In order to show what the view of the British Government was, not from the mere statement of our own representatives but from what has been said by Lord Lansdowne himself in connection with it, I will read some extracts from letters that were exchanged between Lord Lansdowne and others.

I will read, first, some extracts from a letter from Lord Lansdowne to Lord Pauncefote, in which he says:

On the 21st of January your lordship reported that a bill, originally introduced in 1899, had been laid before Congress, empowering the President to acquire from the Republics of Costa Rica and Nicaragua the control of such portion of territory as might be desirable or necessary, and to direct the Secretary of War, when such control had been secured, to construct the canal and make such provisions for defense as might be required for the safety and protection of the canal and the terminal harbors.

It was probable that the bill would be passed, and it was clear that additional embarrassment would be caused by an enactment opposed to the terms of the proposed convention, and in direct violation of the Clayton-Bulwer treaty. On the other hand, your lordship's information led to the confident expectation that the convention as signed would, if agreed to by Her Majesty's Government, be ratified by the Senate.

In these circumstances Her Majesty's Government consented to reopen the question, and, after due consideration, determined to accept the convention unconditionally, as a signal proof of their friendly disposition and of their desire not to impede the execution of a project declared to be of national importance to the people of the United States.

Your excellency stated that the United States Government expressed satisfaction at this happy result and appreciation of the conciliatory disposition shown by Her Majesty's Government.

The convention was forthwith submitted to the Senate for ratification, and on the 9th of March the committee charged with its examination reported in favor of ratification, with the insertion, subsequently adopted, after section 5 of article 2, of a paragraph containing provision that the rules laid down in the preceding sections should not apply to measures for the defense of the United States by its own forces and the maintenance of public order. This alteration was

discussed by the Senate in secret session on the 5th of April, but no vote was taken upon it nor upon the direct question of ratification.

The bill empowering the President to construct and provide for the defense of the canal passed the House of Representatives by a large majority on the 2d of May. The Senate, however, postponed consideration of the bill, although favorably reported by the Committee on Interoceanic Canals.

After the recess, during which the presidential election took place, the discussion was resumed in the Senate. On the 20th of December the vote was taken, and resulted in the ratification of the convention with the three amendments which have been presented for the acceptance of His Majesty's Government.

The first of these amendments, that in article 2, declares the Clayton-Bulwer treaty to be "hereby superseded."

Before attempting to consider the manner in which this amendment will, if adopted, affect the parties to the Clayton-Bulwer treaty, I desire to call your excellency's attention to a question of principle which is involved by the action of the Senate at this point.

The Clayton-Bulwer treaty is an international contract of unquestionable validity, a contract which, according to well-established international usage, ought not to be abrogated or modified, save with the consent of both the parties to the contract. In spite of this usage, His Majesty's Government find themselves confronted by a proposal communicated to them by the United States Government, without any previous attempt to ascertain their views, for the abrogation of the Clayton-Bulwer treaty.

A misunderstanding seemed to exist in the mind of Lord Lansdowne, which you will remember is noticed by the Secretary of State in commenting on this matter. We were not attempting on our own part to amend the treaty, but were simply exercising the right of the Senate to propose amendments to be submitted to the British Government. He says further:

The practical effect of the amendment can best be understood by reference to the inclosed copy of the articles of the treaty, Nos. 1 and 6, which, assuming that the United States Government would undertake all the obligations imposed by article 4 of the treaty, contain the only provisions not replaced by new provisions, covering the same ground, in the convention.

Under article 1 of the Clayton-Bulwer treaty the two powers agreed that neither would occupy or fortify or colonize, or assume or exercise any dominion over any part of Central America, nor attain any of the foregoing objects by protection afforded to or alliance with any State or people of Central America. There is no similar agreement in the convention. If, therefore, the treaty were wholly abrogated, both powers would, except in the vicinity of the canal, recover entire freedom of action in Central America. The change would certainly be of advantage to the United States, and might be of substantial importance.

Under the other surviving portion of the treaty (part of article 6) provision is made for treaties with the Central American States in furtherance of the object of the two powers and for the exercise of good offices should differences arise as to the territory through which the canal will pass. In this case abrogation would perhaps signify but little to this country. There is nothing in the convention to prevent Great Britain from entering into communication, or exercising good offices, with the Central American States, should difficulties hereafter arise between them and the United States.

The other two amendments present more formidable difficulties.

The first of them, which reserves to the United States the right of taking any measures which it may find necessary to secure by its own forces the defense of the United States, appears to His Majesty's Government to involve a distinct departure from the principle which has until now found acceptance with both Governments—the principle, namely, that in time of war as well as in time of peace the passage of the canal is to remain free and unimpeded, and is to be so maintained by the power or powers responsible for its control.

Were this amendment added to the convention the United States would, it is presumed, be within their rights, if at any moment when it seemed to them that their safety required it, in view of warlike preparations not yet commenced, but contemplated or supposed to be contemplated by another power, they resorted to warlike acts in or near the canal—acts clearly inconsistent with the neutral character which it has always been sought to give it, and which would deny the free use of it to the commerce and navies of the world.

* * * * * * *

The situation which would be created by the addition of the new clause is deserving of serious attention. If it were to be added, the obligation to respect the neutrality of the canal in all circumstances would, so far as Great Britain is concerned, remain in force; the obligation of the United States, on the other hand, would be essentially modified. The result would be a one-sided arrangement under which Great Britain would be debarred from any warlike action in or around the canal, while the United States would be able to resort to such action to whatever extent they might deem necessary to secure their own safety.

It may be contended that if the new clause were adopted, section 7 of article 2, which prohibits the erection of fortifications, would sufficiently insure the free use of the canal. This contention is, however, one which His Majesty's Government are quite unable to admit. I will not insist upon the dangerous vagueness of the language employed in the amendment, or upon the absence of all security as to the manner in which the words might, at some future time, be interpreted. For even if it were more precisely worded, it would be impossible to determine what might be the effect if one clause permitting defensive measures, and another forbidding fortifications, were allowed to stand side by side in the convention. To His Majesty's Government it seems, as I have already said, that the amendment might be construed as leaving it open to the United States at any moment, not only if war existed, but even if it were anticipated, to take any measures, however stringent or far-reaching, which, in their own judgment, might be represented as suitable for the purpose of protecting their national interests. Such an enactment would strike at the very root of that "general principle" of neutralization upon which the Clayton-Bulwer treaty was based, and which was reaffirmed in the convention as drafted.

I wish to call attention to the fact that throughout this entire correspondence it is not claimed by the British Government that any principle which is supposed to have been contained in the Clayton-Bulwer treaty is adopted in this treaty, but every reference to it made by Great Britain and by our own Government is to the effect that the principle is carried into the new treaty, as I insisted in the beginning.

But the import of the amendment stands out in stronger relief when the third proposal is considered. This strikes out article 3 of the convention, under which the high contracting parties engaged, immediately upon the convention being ratified, to bring it to the notice of other powers and to invite their adherence. If that adherence were given, the neutrality of the canal would be secured by the whole of the adhering powers. Without that adherence it would depend only upon the guaranty of the two contracting powers. The amendment, however, not only removes all prospect of the wider guaranty, but places this country in a position of marked disadvantage, compared with other powers which would not be subject to the self-denying ordinance which Great Britain is desired to accept. It would follow, were His Majesty's Government to agree to such an arrangement, that while the United States would have a treaty right to interfere with the canal in time of war, or apprehended war, and while other powers could with a clear conscience disregard any of the restrictions imposed by the convention, Great Britain alone, in spite of her enormous possessions on the American Continent, in spite of the extent of her Australasian colonies and her interests in the East, would be absolutely precluded from resorting to any such action or from taking measures to secure her interests in and near the canal.

Mr. President, I think it is perfectly evident from this whole correspondence that the British Government was contending for one thing and one only with respect to the provisions that should be inserted in the treaty and the amendments which were proposed to be made, and that was the principle of neutrality in its ordinary sense; and it was conceded by the British Government throughout that this question of neutrality was to be covered not by anything which appeared in the Clayton-Bulwer treaty, but it was to be determined by the provisions of the Hay-Pauncefote treaty which they were negotiating about. That treaty was made to satisfy both Governments with respect to any principle that might affect the relations between the parties in the future.

There is another significant fact respecting this correspondence, not on account of what it contains but on account of what is omitted. It has been argued here very strenuously that we are obligated to the British Government to allow it what it claims, because by giving up the Clayton-Bulwer treaty it surrendered the right which existed before to own land over which the canal might pass and thereby obtain for itself and hold control of the situation. Do you find any claim of that kind made by the British Government? Has it made any claim throughout all this correspondence that it has given up anything that is of value to it or that the Government of the United States was under obligation to it, morally or otherwise, because of anything that it had given up? Not at all. That is another position which is taken by Members of this body that never was taken by the British Government.

THE DAVIS REPORT.

Now, I come to another phase of this question that has been commented upon in connection with that very claim which was made, and that is what is known as the Davis report. It is contended that the Davis report shows that certain rights existed on the part of the British Government by virtue of the Clayton-Bulwer treaty and that we were anxious to secure this new treaty in order to relieve ourselves from the right the British Government had to deal with this question of constructing the canal and controlling it after it was constructed.

It should be a sufficient answer to this contention that the British Government voluntarily surrendered all its rights under the Clayton-Bulwer treaty and that it has made no claim under it since, and this claim made by Senators in this body against our own Government is a claim that the British Government has never made.

The Davis report is an able argument in favor of the enactment of the Hay-Pauncefote treaty. One of the principal objects of it is to magnify the condition that existed detrimental to this country under the Clayton-Bulwer treaty, endeavoring to induce this Government to enter into a new treaty because of the obligations of the old one. I think the distinguished Senator from Minnesota, in making this report, has made out a good deal stronger case for the British Government than was justified or that could be maintained by that Government itself.

I think it is only fair in the discussion of this question to lay before the Senate the arguments which were made by Senator Davis, then chairman of the Committee on Foreign Relations, upon which our opponents in this discussion so much rely. I shall trespass further upon the patience of the Senate by calling attention to that report and reading somewhat extensively from it in showing what was the attitude of the Committee on Foreign Relations at that time. It is very largely a history of the various canals and canal treaties and the rela-

tions of the different Governments toward the canal. He says, for example:

Shortly afterwards Mr. Squire negotiated a treaty of like import with Honduras, which was suppressed by the United States to make way for the Clayton-Bulwer negotiation. Nevertheless, Mr. Clayton held these treaties in the State Department and made use of them as a means of inducing the British Government to negotiate the Clayton-Bulwer treaty.

In a letter to Mr. Clayton, dated September 25, 1849, Mr. Rives, our minister to France, states an interview he had with Lord Palmerston, in which he said "that there was one question which, unless great prudence and caution were observed on both sides, might involve the two Governments, unwittingly, in collision."

That question was the support given by Great Britain to the claim of "ownership and sovereign jurisdiction by the Mosquito Indians of the mouth and lower part of the river San Juan de Nicaragua." He said that "the United States were necessarily parties to this question in their own right.

"That citizens of the United States had entered into contract with Nicaragua to open a communication between the Atlantic and Pacific Oceans by the river San Juan and the Nicaragua Lake.

"That the Government of the United States, after most careful examination of the subject, had come undoubtedly to the conclusion that upon both legal and historical grounds the State of Nicaragua was the true territorial sovereign of the river San Juan as well as of Nicaragua Lake, and that it was therefore bound to give its countenance and support by all proper and reasonable means to rights lawfully derived by their citizens under a grant from that sovereign.

"* * * That the United States sought no exclusive privilege or preferential right of any kind in regard to the proposed communication, and their sincere wish, if it should be found practicable, was to see it dedicated to the common use of all nations on the most liberal terms and a footing of perfect equality for all."

That language is dwelt upon by those who are insisting we have violated the principle that controlled the negotiations in the making of the treaty between the two nations; that we were then insising the canal should be kept free and open to all nations on terms of equality. We have never denied that. The treaty under consideration here provides for it in express terms. There never has been any disposition on the part of the Government of the United States to exclude other nations from the use of the canal, and the only condition which was imposed upon other nations in using the canal under the treaty which is now in existence is that they shall observe the rules and regulations laid down by the United States.

That the United States would not, if they could, obtain any exclusive right or privilege in a great highway which naturally belonged to all mankind.

That while they aimed at no exclusive privilege for themselves, they could never consent to see so important a communication fall under the exclusive control of any other great commercial power.

We thus initiated and explained our fixed policy as to a canal through the Isthmus of Darien.

Again he says:

This paper—

Referring to the one that he has mentioned—

This paper was submitted to the British Government.

It was an explicit and peremptory demand for an agreement that would give to Nicaragua the freedom of exit to the sea through the San Juan River for a ship canal that should be open to all nations on equal terms and protected by an agreement of perfect neutrality.

In the origin of our claim to the right of way for our people and our produce, armies, mails, and other property through a canal which our citizens had contracted with Nicaragua to build, we offered to dedicate the canal to the equal use of mankind. We offered to make it neutral ground, and denied to our Government the exclusive right to use and control it.

We went further and, with a treaty in our hands in which Nicaragua had granted us exclusive rights and powers for building and owning a canal, we refused to ratify it, but laid it before Great Britain as an argument to induce that Government to withdraw her protectorate over the Mosquito Indians, who then claimed to hold the mouth of the San Juan de Nicaragua in lawful and independent sovereignty under the protection of Great Britain.

As to neutrality and the exclusive control of the canal and its dedication to universal use, the suggestions that were incorporated in the Clayton-Bulwer treaty came from the United States and were concurred in by Great Britain.

In no instance has the Government of the United States intimated an objection to this treaty on account of the features of neutrality and its equal and impartial use by all other nations. Nor has this Government ever proposed to Great Britain to cancel, amend, or annul the entire treaty or any separate part of it until the present negotiation, which resulted in the convention now before the committee for consideration.

It should be borne in mind now that this report is made upon the first proposed Hay-Pauncefote treaty, and not the last one, that was signed and became effective.

The earliest declaration against the exclusive military control of an isthmian canal was made by Mr. Cass, August 24, 1857. Replying to a letter of Lord Napier, which suggested the plan of a joint protectorate of any transoceanic canal through the Isthmus of Darien by Great Britain, France, and the United States, Mr. Cass said:

"It is important that they (the canals) should be kept free from the danger of interruption by the governments through whose territories they pass, or by hostile operations of other countries engaged in war.

"While the rights of sovereignty of the local governments must always be respected, other rights also have arisen in the progress of events involving interests of great magnitude to the commercial world, and demanding its careful attention and, if need be, its efficient protection.

"In view of these interests and after having invited capital and enterprise from other countries to aid in the opening of these great highways of nations, under pledges of free transit to all desiring it, it can not be permitted that these Governments should exercise over them (the canals) arbitrary and unlimited control, and close them or embarrass them without reference to the wants of commerce or the intercourse of the world.

"Equally disastrous would it be to leave them at the mercy of every nation which, in time of war, might find it advantageous for hostile purposes, to take possession of them, and either restrain their use or suspend it altogether."

Mr. KENYON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson	Perkins	Sutherland
Borah	Jones	Pittman	Thomas
Brady	Kenyon	Poindexter	Thompson
Bristow	Kern	Ransdell	Thornton
Bryan	Lodge	Robinson	Vardaman
Burton	Martin, Va.	Saulsbury	Walsh
Chamberlain	Martine, N. J.	Shafroth	Warren
Clark, Wyo.	Nelson	Sheppard	Weeks
Crawford	Norris	Sherman	West
Fall	O'Gorman	Simmons	Williams
Gallinger	Oliver	Smith, Ga.	Works.
Gronna	Overman	Smith, Mich.	
Hitchcock	Page	Smoot	

Mr. PAGE. I was requested to announce that the Senator from Montana [Mr. MYERS], the Senator from Oregon [Mr. LANE], and the Senator from Minnesota [Mr. CLAPP] are absent upon official business of the Senate.

Mr. SMITH of Michigan. My colleague [Mr. TOWNSEND] is unavoidably absent on official business.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present.

Mr. WORKS. I understand that there was a unanimous-consent agreement to go into executive session at 4 o'clock to-day. If that be so, I am quite willing to suspend what I am saying at this time with notice that I shall continue my remarks to-morrow morning immediately after the conclusion of the morning business.

ISSUE OF PATENTS TO PUBLIC LANDS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 474) to authorize the issuance of absolute and unqualified patents to public lands in certain cases, which were, in line 10, to strike out all after "patents" down to and including "noncoal," line 13, and insert "without such reservation," and to amend the title so as to read: "An act to authorize the issuance of unqualified patents to public lands in certain cases."

Mr. GRONNA. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

FORTIFICATIONS APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BRYAN. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. BRYAN, Mr. CHAMBERLAIN, and Mr. PERKINS conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Buildings and Grounds:

H. R. 11254. An act to increase the limit of cost for the erection and completion of the United States post-office building at Mandan, N. Dak.;

H. R. 11747. An act to increase the limit of cost for the purchase of a site and the construction of a public building in Memphis, Tenn.;

H. R. 13296. An act for the enlargement, etc., of the Wall Street front of the assay office in the city of New York;

H. R. 13415. An act to increase the limit of cost of public building at Shelbyville, Tenn.; and

H. R. 13819. An act to increase the limit of cost of Federal building at Pendleton, Oreg.

H. R. 4988. An act to provide for the disposal of certain lands in the Fort Berthold Indian Reservation, N. Dak., was read twice by its title and referred to the Committee on Indian Affairs.

H. R. 13985. An act to authorize the construction of a bridge across the Mississippi River at or near the city of Baton Rogue, La., was read twice by its title and referred to the Committee on Commerce.

CARIBOU NATIONAL FOREST RESERVE.

The bill (H. R. 4544) to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve was read twice by its title.

Mr. BORAH. Mr. President, on March 12 the Senate passed, with a very slight amendment, a bill similar to this one. Instead of passing the Senate bill the House has passed their bill on the same subject and sent it over to us. Therefore, I ask unanimous consent for the immediate consideration of the House bill.

Mr. WILLIAMS. Mr, President, there is unfinished business which was temporarily laid aside, its consideration to be resumed at the conclusion of the remarks of the Senator from California [Mr. WORKS], but I understand unanimous consent has been given to go into executive session this afternoon. I therefore ask that the unfinished business may be again temporarily laid aside. Then I will yield to the Senator from Idaho [Mr. BORAH] and after that the Senator from Indiana [Mr. KERN] can move that the Senate proceed to the consideration of executive business.

The VICE PRESIDENT. In the absence of objection, the unfinished business is temporarily laid aside.

Mr. BORAH. I ask unanimous consent for the present consideration of the bill (H. R. 4544) to reserve certain lands and to incorporate the same and make them a part of the Caribou National Park Reserve.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BORAH. I enter a motion to reconsider the votes by which the bill (S. 1739) to reserve certain lands and to incorporate the same and make them a part of the Caribou National Park Reserve was ordered to a third reading and passed.

The VICE PRESIDENT. The motion to reconsider will be entered.

Mr. BORAH. I move that the Secretary request the House of Representatives to return the bill to the Senate.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After two hours spent in executive session the doors were reopened, and (at 6 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 8, 1914, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate April 7, 1914.

UNITED STATES ATTORNEY.

Richard H. Mann, of Petersburg, Va., to be United States attorney, eastern district of Virginia, vice D. Lawrence Groner, resigned.

POSTMASTERS.

ARKANSAS.

O. D. Bareing to be postmaster at Magnolia, Ark., in place of C. E. Shumaker. Incumbent's commission expired February 21, 1914.

Henry R. Bowers to be postmaster at Imboden, Ark., in place of George W. Wells, resigned.

Clarence E. Butler to be postmaster at Osceola, Ark., in place of David F. Taylor. Incumbent's commission expired February 4, 1914.

Hermon Carlton to be postmaster at Lake Village, Ark., in place of J. E. Kevil. Incumbent's commission expired January 26, 1914.

Sam R. Carpenter to be postmaster at Arkadelphia, Ark., in place of Thomas A. Tennyson. Incumbent's commission expired February 4, 1914.

James F. Hurst to be postmaster at Clarendon, Ark., in place of William L. Jefferies. Incumbent's commission expired February 22, 1914.

Harry L. Kelley to be postmaster at Holly Grove, Ark., in place of Thomas Mull. Incumbent's commission expired February 7, 1914.

Emmet H. McMurry to be postmaster at Marianna, Ark., in place of Jacob Shaul. Incumbent's commission expired February 4, 1914.

John A. Marr to be postmaster at Prescott, Ark., in place of Jack Grayson. Incumbent's commission expired February 7, 1914.

W. L. Newton to be postmaster at Camden, Ark., in place of James C. Russell. Incumbent's commission expired February 1, 1914.

Albert S. Snowden to be postmaster at Paragould, Ark., in place of John H. McPherson. Incumbent's commission expired January 25, 1914.

James H. Stack to be postmaster at Brinkley, Ark., in place of Milton R. Stimson. Incumbent's commission expired February 15, 1914.

GEORGIA.

Frank M. Meaders to be postmaster at Dahlonega, Ga., in place of W. H. C. Tate. Incumbent's commission expired February 1, 1914.

Emmett A. Speir to be postmaster at Wadley, Ga., in place of Charles W. Moxley. Incumbent's commission expired February 16, 1914.

ILLINOIS.

Joel E. Cory to be postmaster at Jerseyville, Ill., in place of William P. Richards, removed.

Asa B. Fagan to be postmaster at St. Charles, Ill., in place of Frank Rockwell. Incumbent's commission expires May 4, 1914.

John B. Henry to be postmaster at Lewistown, Ill., in place of Francis M. Love. Incumbent's commission expired April 5, 1914.

J. P. Lawrence to be postmaster at Steger, Ill., in place of Michael Knudson. Incumbent's commission expired March 8, 1914.

Matthew N. Price to be postmaster at Zion City, Ill., in place of George E. Wiedman. Incumbent's commission expired December 11, 1911.

INDIANA.

Mortimer Castle to be postmaster at Lowell, Ind., in place of William C. Nichols, deceased.

Sell S. Doty to be postmaster at Delphi, Ind., in place of Robert J. Hay. Incumbent's commission expires May 6, 1914.

Edward C. Schultz to be postmaster at Brazil, Ind., in place of O. E. Adams. Incumbent's commission expires April 20, 1914.

IOWA.

Harvey E. Southern to be postmaster at Collins, Iowa. Office became presidential January 1, 1914.

James J. Stansell to be postmaster at New Virginia, Iowa, in place of John T. Strock. Incumbent's commission expired January 26, 1914.

KANSAS.

Edgar G. Forrester to be postmaster at Wamego, Kans., in place of Zenas R. Detwiler. Incumbent's commission expires May 31, 1914.

Louis A. Hamner to be postmaster at Belpre, Kans., in place of Walter L. Colyer. Incumbent's commission expires May 31, 1914.

C. F. Hoefer to be postmaster at Inman, Kans., in place of Peter L. Hyde. Incumbent's commission expires April 28, 1914.

L. L. O'Meara to be postmaster at Onaga, Kans., in place of Benjamin B. Fox. Incumbent's commission expires May 17, 1914.

Harry V. Paxton to be postmaster at Greensburg, Kans., in place of Georgia E. Brown. Incumbent's commission expires April 15, 1914.

LOUISIANA.

Andrew J. Brewer to be postmaster at Mooringsport, La. Office became presidential January 1, 1914.

Julius P. Hebert to be postmaster at Morgan City, La., in place of J. R. Jolley, jr. Incumbent's commission expires April 20, 1914.

MAINE.

Josiah H. Hobbs to be postmaster at Camden, Me., in place of Frank J. Wiley. Incumbent's commission expired March 15, 1914.

Joseph A. Linscott to be postmaster at Farmington, Me., in place of J. C. Tarbox. Incumbent's commission expired February 21, 1914.

Clarence Mantor to be postmaster at Skowhegan, Me., in place of George E. Durrell, removed.

Benjamin F. Pierce to be postmaster at Mars Hill, Me. Office became presidential January 1, 1914.

MARYLAND.

Victor F. Cullen to be postmaster at State Sanatorium, Md. Office became presidential January 1, 1914.

MASSACHUSETTS.

John L. Markham to be postmaster at Ayer, Mass., in place of O. P. Robinson. Incumbent's commission expired April 5, 1914.

Daniel M. O'Brien to be postmaster at Rockland, Mass., in place of Walter N. Beal. Incumbent's commission expires April 11, 1914.

MINNESOTA.

William G. Stewart to be postmaster at Pine River, Minn. Office became presidential January 1, 1914.

Charles A. Tullar to be postmaster at Warren, Minn., in place of John P. Mattson. Incumbent's commission expires April 21, 1914.

MISSOURI.

W. T. Newman to be postmaster at Desloge, Mo., in place of John T. Dinkins. Incumbent's commission expired April 5, 1914.

MONTANA.

John W. Hogan to be postmaster at Mondak, Mont. Office became presidential January 1, 1914.

NEBRASKA.

G. W. Campbell to be postmaster at Wymore, Nebr., in place of Sanford D. Cole. Incumbent's commission expired March 11, 1914.

C. C. Carrig to be postmaster at Kearney, Nebr., in place of Mentor A. Brown. Incumbent's commission expired January 31, 1914.

Robert Dunlay to be postmaster at Orleans, Nebr., in place of O. K. Olmstead. Incumbent's commission expired January 31, 1914.

George W. Gilliland to be postmaster at Bradshaw, Nebr., in place of George V. Dorsey. Incumbent's commission expired January 31, 1914.

Keene Ludden to be postmaster at Osceola, Nebr., in place of Samuel G. Pheasant. Incumbent's commission expired December 13, 1913.

William McMichael to be postmaster at Maywood, Nebr., in place of Jasper T. Twiss. Incumbent's commission expired January 12, 1914.

I. M. Rice to be postmaster at Valentine, Nebr., in place of Delbert E. Sherman. Incumbent's commission expired January 31, 1914.

NEW JERSEY.

Francis French to be postmaster at Tuckerton, N. J., in place of James W. Kelley. Incumbent's commission expired February 4, 1914.

Valentine Gleckner to be postmaster at Carteret, N. J., in place of De Witt C. Winchell. Incumbent's commission expired March 16, 1914.

NORTH CAROLINA.

Walter Dunn La Roque to be postmaster at Kinston, N. C., in place of James F. Parrott. Incumbent's commission expires May 31, 1914.

Frank A. Moseley to be postmaster at Snow Hill, N. C., in place of F. W. Faircloth. Incumbent's commission expired March 7, 1914.

James E. Muse to be postmaster at Carthage, N. C., in place of O. D. Wallace. Incumbent's commission expired April 4, 1914.

A. H. Patterson to be postmaster at Kings Mountain, N. C., in place of G. F. Hambright. Incumbent's commission expires May 24, 1914.

OHIO.

M. A. Baldwin to be postmaster at Blanchester, Ohio, in place of George Hudson. Incumbent's commission expired April 6, 1914.

David W. Cockburn to be postmaster at Shiloh, Ohio, in place of Joseph W. Page. Incumbent's commission expired April 6, 1914.

R. W. Grandle to be postmaster at Leesburg, Ohio, in place of Charles E. Hixson. Incumbent's commission expires April 15, 1914.

Stephen D. McDowell to be postmaster at Prairie Depot, Ohio, in place of Theodore E. Frisbie. Incumbent's commission expires April 7, 1914.

OKLAHOMA.

B. A. Clark to be postmaster at Arnett, Okla., in place of Gurney W. Schultz, resigned.

Ernest V. Schrimsher to be postmaster at Collinsville, Okla., in place of Arthur E. Leap, removed.

approved.

METHOD OF FILING PETITIONS.

PENNSYLVANIA.

James A. Cooper to be postmaster at Brockwayville, Pa., in plice of John W. Johnson. Incumbent's commission expires April 25, 1914.

Bernard Doherty to be postmaster at Clifton Heights, Pa., in place of William B. Palmer, removed.

John T. Kennedy to be postmaster at Sharon, Pa., in place of Joseph L. Roberts. Incumbent's commission expired March 8, 1914.

John A. Ketterer to be postmaster at Wampum, Pa., in place of Christmas E. Fitch, deceased.

John J. McAllister to be postmaster at Bryn Mawr, Pa., in place of I. Warner Arthur. Incumbent's commission expired April 1, 1914.

James C. McDowell to be postmaster at Rosemont, Pa., in place of J. Clayton Whitby. Incumbent's commission expired December 20, 1913.

John J. Remaly to be postmaster at Bath, Pa., in place of Asa S. Beers. Incumbent's commission expired March 10, 1914.

RHODE ISLAND.

John Reynolds to be postmaster at Harrisville, R. I., in place of Edward Reynolds, resigned.

SOUTH DAKOTA.

Charles S. Eastman to be postmaster at Hot Springs, S. Dak., in place of John S. Stanley. Incumbent's commission expired January 31, 1914.

TENNESSEE.

A. W. Ashton to be postmaster at Hohenwald, Tenn., in place of T. B. Lomax. Incumbent's commission expires May 31, 1914.

Rufus R. Doak to be postmaster at Lebanon, Tenn., in place of Robert Cox. Incumbent's commission expires April 21, 1914.

Frank K. Mountcastle to be postmaster at Johnson City, Tenn., in place of James A. Vines. Incumbent's commission expired April 4, 1914.

W. T. Strother to be postmaster at Clinton, Tenn., in place of A. L. Demarcus. Incumbent's commission expired February 21, 1914.

TEXAS.

T. S. Hamilton to be postmaster at Italy, Tex., in place of Berry McGee. Incumbent's commission expired February 18, 1914.

UTAH.

Lake E. Young to be postmaster at Helper, Utah, in place of Robert N. Morrison. Incumbent's commission expired March 17, 1914.

Parley P. Willey to be postmaster at Bountiful, Utah. Office became presidential April 1, 1914.

VIRGINIA.

G. A. Sullivan to be postmaster at East Radford, Va., in place of Howard T. Jenkins, deceased.

WASHINGTON.

Clifton A. Battles to be postmaster at Wenatchee, Wash., in place of Terry L. Ross. Incumbent's commission expires April 20, 1914.

James Doherty to be postmaster at Olympia, Wash., in place of W. T. Cavanaugh. Incumbent's commission expires April 20, 1914.

WEST VIRGINIA.

Lawrence M. Rowan to be postmaster at White Sulphur Springs, W. Va., in place of William B. Hines, resigned.

WISCONSIN.

Noel Nash to be postmaster at Two Rivers, Wis., in place of Frank E. Riley. Incumbent's commission expires April 7, 1914.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 7, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, infinite Spirit, our heavenly Father, that under Thee we are the architect of our own fortune, a stupendous responsibility yet a precious boon we would not relinquish. To think, to will, to act, to carve out our own destiny, is glorious beyond compare. Yet, O Father, forsake us not lest we forget that without Thee we could not think, we could not choose, we could not act. Uphold, sustain, and guide us that we may choose to work in Thee, with Thee, for Thee, and build for ourselves a character which will redound to our everlasting good under the leadership of the world's great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and

Mr. MURDOCK. Mr. Speaker, I desire to make an inquiry about the RECORD. In the filing of petitions, as you will note on page 6314, two methods are followed. I want to inquire in regard to the practice in backing petitions and their entry in the RECORD. The Speaker will notice that in some instances the petition filed is specific; that is, a petition is recorded as

coming from the people of a certain section of the State. In other instances, the petitions are grouped, as, for instance, "A petition of sundry citizens of Kansas, favoring national prohibition; referred to the Committee on the Judiciary." Now, yesterday I filed a number of such petitions separately. Is it the practice of the House to bunch separate petitions and include them under one head for printing in the RECORD, or are entries of them printed separately? What is the custom? I do not know, and therefore I am inquiring.

The SPEAKER. The custom is, as followed by the bill clerk as to petitions, that if a Member writes on the back of a petition what he wants done with it, it goes. It is not like a bill. Sometimes they file them by request and sometimes they do not. Now, the right of petition, of course, was settled in the days of John Quincy Adams so that it will never be overthrown.

Mr. MURDOCK. My inquiry does not go to that. I understand that; but is a separate entry made in the RECORD of each separate petition filed?

The SPEAKER. Each separate petition filed?

Mr. MURDOCK. Is a separate entry made in the RECORD? That is the nature of my inquiry.

Mr. BARNHART. Will the gentleman yield?

The SPEAKER. The Speaker has never paid any particular attention to that——

Mr. MURDOCK. I never have, either. I never discovered it until this morning.

The SPEAKER (continuing). Except so far as it affects him. Now, the rule is, if somebody sends a petition from my home district, I file it just like any other Member would and write across it, "Mr. CLARK of Missouri"; but if somebody sends me a petition from outside I do not care about, in my official capacity, I file it "By the Speaker, by request, under the rule."

Mr. MURDOCK. If the Speaker should receive several petitions from Missouri—say, one from Jackson County and one from Pike County—ought those petitions to be recorded separately in the RECORD if they are on the same subject?

The SPEAKER. The Chair is rather inclined to think they ought to be. But that is just simply a private opinion.

Mr. MANN. Mr. Speaker, suppose a Member of the House should take the trouble to file a thousand separate petitions from a thousand separate individuals on the same subject, it never has been the practice to insert those petitions by title separately, but it has been the practice to say that the Member filing them filed petitions relating to a certain subject, which were referred to the appropriate committee.

Mr. MURDOCK. That is what I wanted to know. Then when a Member does file petitions, it is simply necessary to back one of the petitions. I went to the trouble of backing six or seven petitions to no purpose.

Mr. MANN. If the gentleman desires to have them appear separately, he might have filed them on separate days.

Mr. MURDOCK. Which would have been a subterfuge, of which I am not guilty.

The SPEAKER. The Chair thinks the decision of the gentleman from Illinois [Mr. MANN] is correct. The old Members here will remember on one occasion—the Chair forgets what it was about—when there were trundled into the House petitions claimed to be signed by hundreds of thousands of people.

Mr. MURDOCK. That was by Gen. SHERWOOD, of Ohio.

The SPEAKER. I do not know who it was or what it was about. But I think on the parcel-post question they came in here by the ton. The Chair thinks the position of the gentleman from Illinois [Mr. MANN] is right.

Mr. MURDOCK. So, Mr. Speaker, if you want petitions entered separately you must file one on each day rather than all in a bundle?

The SPEAKER. The Chair thinks so.

Mr. BARNHART. Will the gentleman yield?

Mr. MURDOCK. Surely.

Mr. BARNHART. I have had experience in filing petitions where I set forth on a slip on the back of a stack of them that they were petitions from residents of the different cities in my district or in my State, and it always appears so in the RECORD. If the gentleman from Kansas will indicate on a slip on the back of his petitions that they are from citizens of this city, that city, or the other city, and so forth, it will appear in the RECORD.

Mr. MURDOCK. If the gentleman will try it to-morrow morning, he will find it will not work out that way.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

The SPEAKER. The Chair sustains the opinion of the gentleman from Illinois [Mr. MANN]. [Laughter.]

FEDERAL RESERVE BANKS.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent to present resolutions adopted at a mass meeting of the citizens of New Orleans on Saturday night last, protesting against the location of the Federal reserve banks, and ask that they may be read by the Clerk, which will take about seven minutes.

The SPEAKER. The gentleman from Louisiana [Mr. DUPRÉ] asks unanimous consent that certain resolutions passed in New Orleans as to the location of regional banks be read by the Clerk. Is there objection?

Mr. GORDON. Mr. Speaker, I object.

Mr. DUPRÉ. Mr. Speaker, I ask, then, unanimous consent to address the House for 10 minutes, so that I may read these resolutions.

The SPEAKER. The gentleman from Louisiana asks unanimous consent——

Mr. DUPRÉ. And in that connection I will say that I do not occupy the time of this House very much, and this matter is very vital to the people whom I have the honor of representing, and I am specially charged by the chairman of that mass meeting and through numerous telegrams to ask to have these resolutions read on the floor of the House. I would ask the gentleman from Ohio [Mr. GORDON] to accord to me that courtesy, which I would be glad to accord to him under similar circumstances.

Mr. GORDON. Reserving the right to object, Mr. Speaker, I have read those resolutions, and they pertain wholly to the executive department of this Government.

Mr. MANN. I ask for the regular order, Mr. Speaker.

The SPEAKER. The regular order is to put that request. The gentleman from Louisiana [Mr. DUPRÉ] asks unanimous consent to address the House for 10 minutes, in order that he may read these resolutions. Is there objection?

Mr. GORDON. I object.

The SPEAKER. The gentleman from Ohio [Mr. GORDON] objects, and the gentleman from South Carolina [Mr. JOHNSON] is recognized.

Mr. DUPRÉ. The gentleman from Ohio received a regional bank for Cleveland, did he not?

Mr. GORDON. No, sir; I never asked for one.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Texas [Mr. GARNER] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, the legislative, executive, and judicial appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the legislative appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes.

Mr. JOHNSON of South Carolina. Mr. Chairman, on Saturday we passed over lines 9 to 13, inclusive, on page 32. I ask that the Chair now rule on the point of order. I hold in my hand the original order of President Taft, dated March 28, 1912, providing for the publication of the books of the same purport as those to which reference was made on Saturday.

The CHAIRMAN. The Chair has examined the matter and has a copy of that order, and is of the opinion that the point of order is not well taken, and overrules the point of order.

Mr. JOHNSON of South Carolina. Now, Mr. Chairman, I move to amend, on line 10, page 32, by striking out the word "twentieth" and inserting in lieu thereof the word "twenty-eighth."

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

Mr. JOHNSON of South Carolina. That is merely a typographical error in the date. It ought to be "twenty-eighth" instead of "twentieth."

The Clerk read as follows:

Page 32, line 10, strike out the word "twentieth" and insert in lieu thereof the word "twenty-eighth."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. JOHNSON of South Carolina. Mr. Chairman, when the committee rose on Saturday we were on the amendment offered by the gentleman from Illinois [Mr. FOWLER] to strike out, on page 35, line 9, the sum "$1,400" and insert "$1,600."

Mr. FOWLER rose.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] is recognized.

Mr. FOWLER. On page 35, line 9, is the provision for the chief engineer of the Treasury Department at a salary of $1,400. The statute provides for a salary of $1,600. I desire to call to the attention of the House the fact that the chief engineer is a laboring man. I have offered this amendment in order to restore the statutory salary—not to increase his salary, but to make it conform to the plain provision of permanent law.

Mr. Chairman, I make this appeal in behalf of labor; I make this appeal because I believe that the honorable committee, when it brought in this bill, was laboring under the belief that this was the salary provided by law. I trust, Mr. Chairman, that there will not be a Member here on the floor of this House who stands for labor and fair treatment to labor who will vote against this amendment.

Now, I do not desire to pose as a better friend of labor than any other man on the floor of this House——

Mr. MOORE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Pennsylvania?

Mr. FOWLER. In a moment.

The CHAIRMAN. The gentleman declines to yield.

Mr. FOWLER. I do not decline to yield, Mr. Chairman. I will yield to the gentleman in a moment.

I know, Mr. Chairman, what it is to labor, and I know something about the hardships of laboring men. Labor has been compelled to fight for its rights, and every step of progress which it has made is marked by persistent effort on its part against the combined opposition of the rich; and whenever there is an inequality or a wrong done to labor in any bill that is brought in on the floor of this House, I regard it as my duty to stand for evening up that inequality and giving to labor its just rights. The statute makes a provision for $1,600.

Now I yield to my distinguished friend from Pennsylvania [Mr. MOORE]. No; he is gone, as I understand.

Mr. Chairman, I do not desire to take up any further time of the House, and I appeal to the members of this Committee on Appropriations and to the members of the Committee of the Whole House on the state of the Union for the purpose of righting this wrong and giving to this laboring man his just reward, as the statute provides.

Mr. JOHNSON of South Carolina. Mr. Chairman, on March 3, 1875, this salary was fixed at $1,600.

Mr. MANN. When was that, may I ask the gentleman?

Mr. JOHNSON of South Carolina. On March 3, 1875, the salary of the chief engineer of the Treasury Department was fixed at $1,600.

Mr. MANN. May I ask the gentleman how it was fixed?

Mr. FOWLER. It was fixed by regular statute.

Mr. JOHNSON of South Carolina. By a statute reorganizing the Treasury Department. In 1873 or thereabouts gentlemen will remember that there was a bill passed increasing the salaries, called the "salary grab." The next Congress repealed that law. In 1875 another statute was passed reorganizing the Treasury Department, and in that act the salary of the chief engineer was fixed at $1,600.

Mr. MANN. Was that a legislative act?

Mr. JOHNSON of South Carolina. Yes; an act of legislation attached to an appropriation bill, I think. In 1876, Mr. Chairman, Congress appropriated $1,400, and every year since the position has been appropriated for at $1,400.

The Committee on Appropriations in making up this bill did not have it called to its attention that the law at any time had provided for a larger salary. There was nothing in the estimates submitted to this committee asking for any larger salary. There was not a word of testimony offered in the hearings that requested a larger salary or that would justify the committee in bringing in a recommendation for a larger salary. This House has absolutely no information as to the character of the work or the worth of the man who is filling the office.

I want to call the attention of the committee to the fact that the chief engineer in the Treasury Department has charge of the heating plant only. In the State, War, and Navy Building the chief engineer has charge of the heating plant and the lighting plant, and that plant not only heats that building, but also heats and lights the White House and the Mills Building, and yet the salary of the chief engineer at the State, War, and Navy Building is appropriated for at $1,400.

The engineer in the Post Office Department, who holds as responsible a position as the one we are now legislating about, is paid $1,400 a year. The engineer in the District Building is paid $1,400. All these buildings contain heating, lighting, and power plants. The engineer in the Department of Justice receives a salary of only $1,200. The engineer in the annex to the Navy Department receives a salary of $1,200. The engineer in the Commerce Building, one of the largest buildings occupied for offices in the city, receives a salary of only $1,000. The engineer in the building occupied by the Department of Labor receives a salary of only $1,000. Now, I submit to the committee that in view of the fact that the Treasury Department has brought nothing to the attention of the Committee on Appropriations, we have no justification for increasing the salary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FOWLER].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. FOWLER. Mr. Chairman, just to test how many Members stand for labor, I demand a rising vote.

The committee divided; and there were—ayes 4, noes 24.

Accordingly the amendment was rejected.

Mr. FOWLER. Mr. Chairman, on page 35, line 7, there is a provision in the bill for $1,200 for a storekeeper. The statute provides for a salary of $1,400. This is a small-salaried office, requiring a man to do a great deal of menial labor. Just why his salary was cut $200 I have not been able to understand; but it is a fact that these low-salaried men, who are laboring men and who have their salaries fixed by permanent law, have had their salaries cut by some means unknown to me.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. FOWLER. Yes.

Mr. BYRNS of Tennessee. The gentleman surely does not class this as a laborer's position in the sense in which he uses the term. This man is a clerk, who has charge of and keeps account of the towels, soap, and things of that sort for the use of the Treasury Department. He is a clerk down there.

Mr. FOWLER. Oh, yes; but, Mr. Chairman, this man does menial service. He would not be receiving $1,200 a year if he did not do menial service.

Mr. BYRNS of Tennessee. The gentleman knows that there are hundreds of clerks in the departments here who get only $900 and $1,000 each.

Mr. FOWLER. Yes; and they do menial service. All of the low-salaried men do menial service, but the high-salaried men wear standing collars, sparkling diamonds, kid gloves, and ride in cabs.

Mr. BYRNS of Tennessee. Does the gentleman know who holds this position?

Mr. FOWLER. No; I do not know him at all. If I ever saw him I do not know it, but I stand for him the same as if he were my brother; indeed, he is my brother, because I have labored in the same capacity that he is laboring. And so I stand for him here, and ask you and appeal to your fairness as a committee to restore his salary to that which is fixed by the law. Pause and think before cutting down these low salaries. Give these men an opportunity in the race of life for the good things in this world, so that when they lie down in death they will not have to say that they were deprived of an equal chance in this world with their fellow men.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman from Illinois [Mr. FOWLER] should not flatter himself that he is the only member of the committee, or of the House, who is the friend of labor.

Mr. FOWLER. Oh, I said that I did not.

Mr. BYRNS of Tennessee. I am happy to know that labor has many friends on this floor. As a matter of fact, Mr. Chairman, this particular position to which the gentleman refers is not of the class to which he evidently thinks it belongs. This is a storekeeper, a man who performs clerical services, keeping account of the towels, soap, and other necessary articles for use in the Treasury Department. The gentleman says that the committee is seeking to cut this man's salary down. I want to say to the gentleman that this man's salary has been just what it is in this bill since 1876, for nearly 40 years, and no one connected with the Treasury Department has undertaken to submit any estimate asking that it be increased. There was no request submitted to the committee asking that it be increased over what it is now, and so far as the committee knows the man who holds the position, and who probably has held it for some time at this salary, is more than willing to hold it at the present

salary. The gentleman has been a Member of this House for three or four years——

Mr. FOWLER. No; this is my second term.

Mr. BYRNS of Tennessee. The gentleman has been here three years, and yet never before has he risen upon his feet to ask that this salary be increased, or that the salary of the chief engineer, to which he alluded a few moments ago, be increased.

Mr. FOWLER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. FOWLER. Mr. Chairman, I did not think that the committee would abuse these low-salaried men by cutting them down.

Mr. BYRNS of Tennessee. The gentleman has no right to make any such remark as that, because if he knows anything about the salaries carried in this bill he knows that his remark is not borne out by the facts. I have just stated that this position of storekeeper has paid $1,200 since 1876, and the gentleman should not put himself in the attitude of trying to leave the impression that the committee are undertaking to cut down this salary, or any other small salary in the bill.

Mr. FOWLER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. FOWLER. If this salary has been fixed by law for 40 years, is it not about time that there was an increase made in it?

Mr. FITZGERALD. No.

Mr. BYRNS of Tennessee. Does the gentleman think he knows more about what this salary ought to be than the Secretary of the Treasury or the officials in the Treasury Department who are familiar with his services, who know exactly what he has to do in carrying out his duties? They have submitted no request or estimate asking that his salary be increased.

Mr. FOWLER. I know something about what it costs to live.

Mr. BYRNS of Tennessee. Nor has the man himself requested that his salary be increased.

Mr. FOWLER. He is afraid to.

Mr. BYRNS of Tennessee. Oh, no. The gentleman ought not to make that remark.

Mr. FOWLER. He would be afraid of losing his position if he did.

Mr. BYRNS of Tennessee. Of course it is very evident why the gentleman gets on his feet so often and undertakes to attack the committee by insinuation or intimation that they are undertaking to reduce these salaries which are paid to men who do not receive the higher salaries; but the committee have acted fairly in these matters. They have not sought to increase any salary which was not estimated for, and there is no salary in this bill, whether high or low, that has been increased unless estimates were submitted to Congress asking for an increase and reasons given and shown why the salary should be increased. Neither has any salary in this bill been reduced, except two high-salaried positions in the Post Office Department paying $5,000 and $3,500, respectively.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the Chair announced that the noes appeared to have it.

Mr. FOWLER. Mr. Chairman, I ask for a division, to see who stands for labor.

The committee divided, and there were—ayes 1, noes 22.

Accordingly the amendment was rejected.

Mr. FOWLER. Mr. Chairman, on page 35, line 14, there is a provision carried in the bill for two lieutenants of the watch. I move to strike out the figures "900" and insert in lieu thereof the figures "1,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 35, line 14, strike out the figures "900" and insert in lieu thereof the figures "1,000."

Mr. JOHNSON of South Carolina. Mr. Chairman, I make a point of order that that is new legislation.

Mr. FOWLER. Mr. Chairman, I desire to be heard on the point of order. The statute fixes the salary at $1,000. If a statutory salary is subject to a point of order, then the gentleman's point of order ought to be sustained. If the statutory salary is not subject to a point of order, then the gentleman's point of order ought to be overruled.

Now, Mr. Chairman, the statute makes provision for these officers, fixes the salary the same as a watchman, with an additional salary of $280, and if I have any mathematical sense that makes $1,000.

Mr. JOHNSON of South Carolina. Mr. Chairman, it is unnecessary to waste time on the point of order, for I concede that it is not well taken. I withdraw the point of order. The same statute that we have been discussing fixes this salary at $1,000.

Mr. FOWLER. Mr. Chairman, on line 19, of the same page the committee increased the plumber's salary from $720 to $780. I want to commend the committee for that act. I want to pour out as high a compliment as is within my bosom to unload upon the committee, but the attitude of the committee here to-day reveals this fact about salaries. They will not permit an increase unless some head of a department advises them to do it.

Mr. JOHNSON of South Carolina. Oh, Mr. Chairman, let the gentleman be fair.

Mr. FOWLER. I desire to be fair.

Mr. JOHNSON of South Carolina. Will the gentleman allow me to interrupt him?

Mr. FOWLER. No; unless it is for a question. I know the heads of the departments are all wise men, but I do not concede to them that they know everything and that they should dictate to this House everything that we should do. In other words, I mean to say that they should not treat us as instruments upon which to play their favorite tunes. As men at the heads of departments I respect them and their instructions, but I do say, Mr. Chairman, that these low-salaried men, whose salaries have not been changed in many instances for more than three-quarters of a century, having been fixed by law, it is high time that they should at least be allowed the statutory salary, especially at a time when the cost of living is excessive. It is unfair to these laboring men—these men who eke out a living in the sweatshops—to cut their salaries below that fixed by the statute. I trust, Mr. Chairman, that this committee will consent to this little increase over the provision in the bill and allow these men their statutory salary.

Mr. JOHNSON of South Carolina. Mr. Chairman, I want to make a statement once for all for the benefit of the committee. There are many thousand people in the Government service. The salaries of all people in the departments at Washington, except the Agricultural Department, are provided for in this bill. The Committee on Appropriations does not know and it can not know, unless it is brought to the attention of the committee by the Secretaries or chief clerks of those in charge of these departments, what salaries ought to be increased and what salaries ought to be reduced. We are not personally acquainted with these people, and unless the department sends in a request or furnishes testimony to the committee, we accept current law.

Now, here are two places provided for at $900. A law was passed in 1875 providing that these places should receive $1,000, but in 1876 they were appropriated for at $900. They have been appropriated for at $900 ever since. This year the estimate comes to this committee asking us to provide for two places at $900. There is not one word of testimony furnished to the committee why we should provide any different sum.

I want to repudiate the idea that this committee desires to discriminate or to reduce salaries. We have reduced but two salaries in this whole bill, and those are in the Post Office Department. Those were large salaries that were reduced at the instance of the Postmaster General because the people who accepted the places were assured at the time that the salaries would be reduced in order to conform with the salaries of other people in like places. I do not have any feeling about this matter. I am glad when I can increase a salary, but we have absolutely no evidence upon which to guide the committee, and we feel that it would be unwarranted to appropriate a larger amount than the department has asked for.

Mr. AUSTIN. Mr. Chairman, for one, I have no criticism to make of the very able and faithful men who constitute the Committee on Appropriations. They do more hard work here than any set of men in the House of Representatives, and they do it at the neglect of the interests of their constituents. In other words, they are taking off the shoulders of the Members of this House great burdens and responsibilities, and I sympathize with them when unfairly and unjustly criticized for their action on supply bills.

But in this connection I wish to call attention of the House to what I think is a just criticism which should be placed on all of us. We ought to provide a reclassification of the Government salaries. The employees in the executive departments and in the Government service elsewhere are receiving the same salaries now that have been paid for more than half a century, and yet we all know what a great difference there is in the cost of living between now and 5 and 10 and 30 and 40 and 50 years ago.

This bill establishes a salary of $720 for a clerk in the Indian Bureau in the Department of the Interior and $850 for the captain of a watch, and $720 for watchmen on duty every night in the year. Now, how can we justify a salary of only $720 to a clerk in the department who perhaps has the care and responsibility and the expense of maintaining a family? That is not a sufficient amount of money to properly clothe, feed, and care for an individual here in Washington, much less two or more members of the family. Then we give the custodian—the watchman—of public buildings—a man who has to perform his duties during the night, and with a responsibility in the watchful care and guardianship of the invaluable archives and records of the Government—and we pay him the magnificent sum of $720.

I think the time has arrived when we ought to find an opportunity to reclassify the Government salaries in such a way as would be just and fair to them and creditable to the membership of this House; and in doing that we should at the same time provide means for taking care of the worn-out, superannuated, and worthy employees in the Government service. It is a reflection upon both Houses of Congress and any administration which submits longer to this hardship, this unfairness and cruelty to these old, faithful, and efficient employees.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. Certainly.

Mr. MOORE. How would the gentleman do it—by devising some general system that would apply everywhere; or would he come into the House, pick out one man—as has been attempted here—advance his salary, pat himself on the back, and then say he had done this for labor?

Mr. AUSTIN. I would do equal and exact justice to all.

Mr. MOORE. The gentleman would have a general and comprehensive plan, rather than pick out one man?

Mr. AUSTIN. A general plan, of course.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and, on a division demanded by Mr. FOWLER, there were—ayes 4, noes 30.

So the amendment was rejected.

The Clerk read as follows:

General Supply Committee: Superintendent of supplies, $2,000; clerks, 2 of class 2; in all, $4,800.

Mr. DUPRÉ. Mr. Chairman, I move to strike out the last word. I do so for the purpose of reading to the committee certain resolutions adopted at a mass meeting of the citizens of New Orleans on Saturday last.

Those resolutions are as follows:

Resolutions of mass meeting of the citizens of New Orleans protesting against the unfair location of Federal reserve banks and the injection of politics into the national banking system.

At a mass meeting of the citizens of New Orleans, convened upon a joint call issued by the New Orleans Clearing House Association, New Orleans Association of Commerce, New Orleans Board of Trade, New Orleans Stock Exchange, New Orleans Sugar Exchange, New Orleans Contractors and Dealers Exchange, and New Orleans Real Estate Auction Exchange, the following resolutions were unanimously adopted by a rising vote:

"Whereas the Federal reserve act constituted the Secretary of the Treasury, the Secretary of Agriculture, and the Comptroller of the Currency as a 'reserve bank organization committee,' for the purpose of locating the Federal reserve banks and outlining the Federal reserve districts;

"Whereas that act expressly provided that the Federal reserve cities and the Federal reserve districts should be apportioned with due regard to the convenience and customary course of business within the United States and with foreign countries, and expressly provided that an investigation should be made by the organization committee, in order fairly to ascertain what the said convenience and customary course of trade might be;

"Whereas the said organization committee made such an investigation as was required by the statute creating it, and thereby secured valuable information as to the magnitude, importance, convenience, and customary course of the business of the various sections of the country, and as to the proper location of the reserve cities and the reserve districts contemplated by the act;

"Whereas said committee, instead of locating the reserve cities and reserve districts in accordance with the convenient and customary course of business, as pointed out in unmistakable terms by their investigation, has proceeded in many instances to locate and designate those cities and districts in utter and absolute disregard of the evident convenience and customary course of business, and in utter and absolute disregard of the just claims of certain important cities and communities, which claims are predicated upon convenience, customary course of business, population, commercial importance, geographical position, and financial requirements and capabilities;

"Whereas the action so taken in those cases indicates only too plainly that the conclusions reached were arrived at, not by a careful and impartial consideration of the merits of the claims of the respective parties, given with an eye single to the greatest good for the greatest number, but were reached and based upon considerations of political expediency or personal interest and aggrandizement;

"Whereas the fact that politics and the false guide of personal interests have entered into the conclusions reached unmistakably appears from the selection of Richmond, with a meager population of 127,628 and a total of banking resources of $50,000,000, and making tributary to this comparatively unimportant mart of trade the cities of Baltimore and Washington, the former with its population of 558,485 and its local banking resources of $309,669,000, and the latter with its prestige and importance as a National Capital, to which is added a population of 331,069 and banking resources of $110,081,000; the selection of Atlanta, a city in Georgia, with a population of not more than 154,839 and a total of banking resources amounting to $48,000,000, and serving only a purely local territory, a city self-confessedly unable, without assistance, to support a reserve bank, and the making subservient to this comparatively unimportant city so large and important a city as New Orleans, the metropolis of the South, the second port of the whole United States, the largest manufacturing center in the South—its manufactures being greater by more than $18,000,000 than the total manufactures of Dallas and Atlanta combined—the key to the dominant factor of, and the acknowledged financial center of the vast valley of the lower Mississippi, a city whose population of 339,075 is one and one-third times the combined populations of Dallas and Atlanta, whose banking capital is more than $1,000,000 greater than the combined capital of the banks of Dallas and Atlanta, whose banking resources of $104,829,110 is greater by $14,829,110 than the combined banking resources of Dallas and Atlanta, whose assessed valuation is one and one-third times as great as the assessed valuations of Dallas and Atlanta combined, whose enormous tributary country, whose early development of important banks and unrivaled banking history, whose position as the premier port of the Gulf of Mexico, the only seaboard which has been deprived entirely of recognition, whose presently tremendous and steadily increasing foreign trade through the Panama Canal and otherwise with its necessarily tremendous volume of foreign bills and attendant banking requirements, and whose acknowledged ability to support and care for a reserve bank alike demanded the location within its borders of such a bank; the arbitrary outlining of a reserve district in such a way as to cut off from New Orleans the greater part of its own convenient and tributary State of Louisiana, and the thrusting of that city as an adjunct into a district the greater part of which it normally and customarily leads; the thrusting of the remainder of the State of Louisiana customarily tributary to New Orleans into an alien and distant reserve district in contravention of its inclination, its convenience, its natural course of trade, its customs since time immemorial, and its logical channels of finance;

"Whereas the foundation of the banking system of this great country, not upon the firm rock of its own inherent merit and applicability to the needs of the whole people but upon the moving sands of the temporary demands of political faction, must necessarily result in disaster to the commerce and industry of the country and danger to our republican institutions: Now, therefore, be it

"*Resolved*, That the confidence of this community in the entire proposed banking system as a system founded on an earnest effort to meet the needs of the whole people, without regard to geographical location or political affiliation, and administered by impartial heads without bias or partisanship, is rocked and rent to its very foundation stone; that this community sees in a money power thus utilized in its inception to pay political debts and forge political fetters a menace to this Republic far more overwhelming than that which threatened the United States of Andrew Jackson and caused the dissolution of the Bank of the United States; that this community foresees the upbuilding in this country of ours of a plutocracy having at its command the vast financial resources of the Government, using those resources to increase its power and to maintain its sway, a plutocracy deaf to reason, blind to justice, scornful of right; that this citizenship now rises to crush in its infancy such an octopus and demands without delay a congressional investigation of the methods used and of the influences brought to bear upon the reserve-bank organization committee and a relocation of the reserve districts and cities in accordance with the just requirements of the business of the country and the provisions of the currency act; that this community demands in no uncertain terms that the reserve-bank organization committee be taught once and for all time that they serve and do not dominate, that their law is the welfare of the State not the welfare of their personal friends and political allies; that they are an instrument, not an autocrat; that they are not greater than but subservient to the people who created them.

"*Be it further resolved*, That copies of these resolutions be sent to the President of these United States, the reserve-bank organization committee, the Senators from Louisiana, the Congressmen from Louisiana, the Members of the United States Senate, the Members of the House of Representatives, and the public press.

"NEW ORLEANS, LA., *April 4, 1914*."

And if I have sought to read this protest, it is because I have been especially charged by the chairman of that mass meeting, the mayor of New Orleans, and by innumerable telegrams not to merely insert this into the RECORD, but to try and drive it into the minds of Members present by reading it to them. [Applause.]

Mr. HARDWICK. Mr. Chairman, I want to say to the committee that while we in Georgia deeply sympathize with our friends from New Orleans and Louisiana in this disappointment, we think their indictment is not well taken against the administration and against the Federal Reserve Board. We think that, measured by its business activities, by the territory that it serves, industrially and commercially, the great metropolis of Georgia will compare favorably with New Orleans, although it is a younger city than the great Gulf metropolis; and I want to say on this floor that I do not for a moment credit the charge that undue political influence or personal persuasion had anything whatever to do with this decision. I want to say in behalf of the Secretary of the Treasury, of the Secretary of Agriculture, and of the Comptroller of the Cur-

rency that it is my belief and judgment that they made a fair, honest, and just decision, as best they could, of a very troublesome question. We all know, and the gentleman from Louisiana [Mr. DUPRÉ] knows as well as we do, that it was not easy to decide this matter. There were many cities that had strong claims, and there were many ways that the problem could have been worked out, and I want to say that any way it had been worked out there would have been somebody dissatisfied.

Mr. DUPRÉ. And the gentleman from Georgia would be protesting as I and my people are had it been taken from the Coca-Cola metropolis. [Laughter.]

Mr. HARDWICK. Possibly. That may be true; indeed, I am not inclined to doubt it. Human nature is very much the same in Georgia as in Louisiana. Yet I do not see any need for the gentlemen's city to be such a bad loser. Let them take it easy. The reserve board did the best they could with it, and tried to decide it right.

Mr. DUPRÉ. But they did not decide it right.

Mr. HARDWICK. I do not know about that. The gentleman can not be the judge of that, nor can I. We could not agree about it. They did not decide it according to political persuasion or influence, but these men made an honest, earnest effort to do right, considering the whole commerce and industry and banking interests of the country. For one, I believe they did well and decided wisely. I might have been disappointed if they had not decided in favor of our Georgia metropolis, but I do not think I would have gone quite to the length of these resolutions, and I doubt whether my good friend from Louisiana, of whom personally I am very fond, would himself be inclined, on his own responsibility, to go that far. We all know that there are many cities in the South, in the East, in the North, and in the West that contended they were entitled to be selected as regional bank cities. They could not all be selected under the terms of this bill, and I do not think it becomes these gentlemen from Louisiana, because they are disappointed, in their disappointment to lay to this organization charges of the character they have preferred in these resolutions.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield?

Mr. HARDWICK. Yes.

Mr. DUPRÉ. May I say to the gentleman from Georgia that the State of Louisiana appreciates the kind words of the gentleman from Georgia, for it remembers that he was the chairman of the Hardwick sugar investigation; that he also made an attack on the Mississippi River the other day, because the Savannah River was not being taken care of, and we are used to these kind words from the gentleman from Georgia.

Mr. HARDWICK. Mr. Chairman, while I appreciate the personal friendship of my friends from Louisiana, I think they are drawing a rather hard indictment against me politically. It was not any pleasure to me to injure anybody in Louisiana by my advocacy of free sugar, but I thought it was my duty to the whole country to adopt that course, as I believe the gentleman knows. It was not any pleasure for me to say that the Mississippi River ought not to have levee appropriations exclusively, and yet that contention also was right, as I saw it, from the standpoint of the whole country, and not alone from my local standpoint. It seems to me that the people in Louisiana have been unusually favored by the Federal Government. They have had one of their great industries for years given a bounty at the expense of every man, woman, and child in this country who eats sugar. They have had levees on the Mississippi River for 30 or 40 years or more—I can not be accurate about the time—and have had appropriated thirty-one millions and a half of money out of the Common Treasury for that purpose, while other sections, with equally strong cases, were being denied similar appropriations, and I freely concede that this sort of discrimination and special favor has never appealed to me.

It seems to me that the trouble with Louisiana is that it has had so much special favoritism shown it in the past that it finds it somewhat difficult to get along without such favoritism.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARDWICK. I would like to have two minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for two minutes. Is there objection?

Mr. JOHNSON of South Carolina. Mr. Chairman, I desire to give notice that I am not going to permit this kind of debate to go on after the two minutes have expired.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WILSON of Florida. Will the gentleman yield?

Mr. HARDWICK. Yes.

Mr. WILSON of Florida. Does not the gentleman think the board should be congratulated on not placing a reserve bank in a city composed of business men who would be guilty of getting up such a mendacious resolution as this?

Mr. HARDWICK. It looks to me that way; but I do not want to be too hard upon them, because they are, for the moment, sore and disappointed. It seems to me they have gone too far, and that they have said things they can not substantiate. The resolutions, in my judgment, are simply an outburst of passion and disappointment, and in cooler moments, when the shock of disappointment is past——

Mr. COPLEY. I would like to ask the gentleman from Georgia to explain to this House how a Democrat from Louisiana could be a protectionist on sugar and a free trader on everything else?

Mr. HARDWICK. They have had such a hard time explaining that themselves that I would not like to take the job. I do not want to take over their explanation.

Mr. DUPRÉ. May I suggest we are not responsible either to the gentleman from Illinois or the gentleman from Georgia?

Mr. HARDWICK. I readily concede that.

Mr. PLATT. Will the gentleman yield?

Mr. HARDWICK. Yes.

Mr. PLATT. I desire to ask the gentleman whether in the campaign for the location of the Federal bank the people were tied up with Richmond or not?

Mr. HARDWICK. Absolutely not. Atlanta made no combination with any city in this Republic. It fought this battle on its merits, and the case appealed to the judgment of this board. The question of political expediency or political combination was not considered at all.

Mr. PLATT. I merely wanted to say the Richmond Dispatch says the city of Cleveland was tied up to Richmond.

Mr. HARDWICK. If it was, I do not know, but the city of Atlanta fought its fight upon its merits and won easily and fairly, because it was entitled to win, as the commercial metropolis of the Southeast, where such a bank ought to be located in the interest of the banking industry and of commerce. While I am sorry others are disappointed, I think the attack of our Louisiana friends is not well founded.

Mr. DUPRÉ. We from Louisiana appreciate the courtesy of the victors in allowing us a voice in protest while the gentleman from Cleveland, Ohio, Mr. GORDON, raised an objection.

Mr. HARDWICK. I do not object at all and I have the kindest regard for my friends from Louisiana, in spite of the fact I am not always able to agree with them about political questions.

Mr. SHERLEY. Mr. Chairman, it is perfectly natural that there should be keen disappointment on the part of cities that sought to be designated as a situs for one of these regional banks and failed in their undertaking. It was the hope of my city that it might be designated as one of those cities, but I believe that a very great wrong is done to the country when men not only question the judgment of those who determine this matter, but attempt to question their motives. I do not agree, in my judgment, with the expression of the board, but I recognize, after a considerable study given, not only to the question of the boundary of the region that should include my State, but also the question of the boundaries over the country at large, that it was a proposition fraught with very great difficulty and one that had to embrace not simply the situation of the country to-day, but that had to carry in view what would be the effect in the near and far future; and for men to question the motives of those who have decided this matter because they voted against them will do a distinct hurt to the country in the administration of the law, which all of us, no matter what our original views may have been touching its efficiency, desire to be made a success. And I felt that coming from a city which had lost, but that is accustomed to take its losses with its victories in good humor, that it was proper here to protest against an attack upon the motives of men.

There is nothing that warrants, in my judgment, an imputation as to the reasons that actuated the three members of the board in determining this matter. Their judgment may or may not appeal to various men, but their motives ought not to be assailed by any man, particularly any Democrat on this floor.

Mr. DUPRÉ. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. DUPRÉ. There is a belief in my mind, and I might as well voice it here, that the fact that the gentleman from Kentucky went down with a delegation from the city of Louisville and had a hearing in the city of New Orleans with regard to the

claim of Louisville for a regional bank may have confused the minds of this organizing board in respect to the claim of Louisville and the city of New Orleans.

Mr. SHERLEY. The gentleman's idea is not well founded, and if it had been, it might have given the only hope to New Orleans that she had.

Mr. TRIBBLE and Mr. MANN rose.

The CHAIRMAN. The gentleman from Georgia [Mr. TRIBBLE] is recognized.

Mr. TRIBBLE. Mr. Chairman, in behalf of my State, I wish to express regret that the city of New Orleans filed this protest, especially in such strong language. I want to commend the gentleman from Kentucky [Mr. SHERLEY] for the stand he has taken. It is very commendable.

I desire to call attention to the fact that the only protests that have been filed on the floor of this House in regard to the selection of Atlanta as a reserve center come from the city of New Orleans and the city of Washington. I call your attention to the fact that these two cities for 50 years have been the most notorious wards of the United States Government of any two cities in the Union. They have been the wards of the Government so long that they think no other city in the Union has any right compared with the rights they should have. Mr. Chairman, the city of New Orleans has had the lion's share over half a century in appropriations for rivers and harbors. Every man on the floor of this House knows that that statement is a fact.

Mr. DUPRÉ. Will the gentleman yield?

Mr. TRIBBLE. I will.

Mr. DUPRÉ. Has not the city of New Orleans had the lion's share of the waters of the Mississippi River during that time to care for?

Mr. TRIBBLE. They have been well cared for. The gentleman can make no complaint of the care this House has shown for the waters of the Mississippi River. They have been abundantly cared for. Millions have been spent in and about New Orleans, enabling that city to prosper and grow. As to the city of Washington, this House has educated her children, this House has policed her streets, built the schoolhouses, paid one-half of the municipal taxes of its government year after year since 1874, and yet they come here and claim they should have a regional bank. Why? Because these two cities, the wards of the Government, think they should be favored in preference to all other cities throughout the country.

Mr. Chairman, I think that the criticism of this board in the city of New Orleans is unfair.

Mr. POU. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Georgia yield to the gentleman from North Carolina?

Mr. TRIBBLE. I will.

Mr. POU. I merely wanted to remark to my friend from Georgia that I have about one dozen post offices in my district, and that there are more than 50 or 60 gentlemen who feel that they ought to get those dozen post offices. I do not know how to make 12 post offices go around to 50 candidates. Does not the gentleman think that these gentlemen that decided this matter are entitled to our sympathy rather than our criticism?

Mr. TRIBBLE. Indeed, I do. I think the gentleman occupies the same position that all the Members on the floor of this House occupy in regard to post offices. We do the best we can in the selection of postmasters, and yet many friends become political enemies because there are not enough offices for all. The board making the selection of reserve cities could not select all applicants. I wish to say to the gentleman that I do not desire to be severe on New Orleans, but I think she deserved criticism in this instance. It is known that the State of Georgia is the greatest State in the South; it is known that the city of Atlanta is the gate city of the South; and it is conceded by everyone not interested that the empire State of the South and the gate city of the South should have, as a matter of right, the regional reserve bank.

Mr. MANN. Mr. Chairman——

Mr. DUPRÉ. Will the gentleman from Illinois yield to me for a quarter of a minute in order to ask a question? I wanted to suggest to the gentleman from North Carolina, with his post-office troubles, that he would probably do what the Reserve Board has done—select his friends.

Mr. MANN. Mr. Chairman, I was just going to remark that the reference of the gentleman from North Carolina [Mr. POU] is not a happy one. If he has a few offices and 8 or 10 candidates for each one, I dare say he does take into consideration the politics of the subject when he makes the recommendation. That is the difficulty with the reserve-bank cities.

Now, I have a great deal of confidence in the personal integrity and honesty of the Secretary of the Treasury and the Secretary of Agriculture. I do not know so much about and do not have so much confidence in the new Comptroller of the Currency. Those gentlemen constituted a board to select the reserve banks. It was unfortunate that the Democratic Congress in passing the law provided that a purely Democratic board should select these reserve-bank locations. It should have been at least partly nonpartisan or bipartisan. The charge which was made against the currency and banking bill was that it would result in partisan action. There is only one way of refuting that charge, and that is by having no partisan action, when you have action at all. Unfortunately, a large proportion of the country believes that politics should have something to do with the selection of the reserve-bank locations. I do not suppose myself that the Secretary of the Treasury or the Secretary of Agriculture were consciously affected by partisan consideration, though I have no doubt that they heard a great deal more privately from people high up in Democratic councils than they heard from people in Republican or Progressive councils. It is a somewhat wide belief that the "personal touch" had something to do with the selection of some of these locations. I do not know whether that be the case or not. Anyone, I think, can see that in the districting of the country into Federal reserve districts the lines of trade have not been followed. It was supposed they would be followed. I appreciate, of course, that no selection could have been made which would have given entire satisfaction; but unless the President when he names the Federal reserve board shall make a better selection than the board made in selecting the location of the banks, it will be believed throughout the country that politics is having too much influence in a matter from which politics ought to be entirely banished. [Applause.]

Mr. LINTHICUM. Mr. Chairman——

The CHAIRMAN. The gentleman from Maryland.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask that all debate on the pending paragraph and amendments thereto close in 10 minutes, and at the end of that time, though I do not want to be discourteous to anybody, I must insist on going on with the bill.

Mr. WILLIS. Mr. Chairman, reserving the right to object, I hope the gentleman will not insist on that. I wish to make some observations upon this item in the bill.

Mr. JOHNSON of South Carolina. What is that?

Mr. WILLIS. I wish to speak upon this item in the bill. I hope the gentleman will not——

Mr. JOHNSON of South Carolina. Very well.

The CHAIRMAN. The gentleman from Maryland [Mr. LINTHICUM] has the floor.

Mr. LINTHICUM. Mr. Chairman, I had no intention of discussing this matter at this time on the floor of this House, but in as much as it has been brought up by the gentleman from Louisiana [Mr. DUPRÉ], who feels that the State which he represents in part has not been treated justly in the selection of these reserve centers, I do not want by my silence to appear to acquiesce in the decision wherein Baltimore has been passed over to the benefit of the city of Richmond.

There exists in the city of Baltimore, and I may say in the whole State of Maryland, a very deep and earnest feeling on this subject. We experience difficulty in believing that we have been given entirely a fair and square deal. We can not believe that overnight we have been evicted from our historic position as the chief commercial and financial city of the South. Notwithstanding the bristling array of figures with which the organization committee fortifies its position, a strongly marked suspicion exists in many quarters that possibly considerations which never should have figured in this matter have played a decisive and controlling part. I do not want to believe that outside considerations influenced the organization committee. I prefer to believe that they did not, but I must confess that I am wholly confounded in my efforts to reconcile the action of the organization committee in Baltimore's case with the facts and conditions as we actually know them to exist.

THE FIFTH RESERVE DISTRICT.

The committee on organization of the regional reserve banks has divided the country into a number of districts, in district No. 5 of which is placed Maryland, the District of Columbia, Virginia, North Carolina, South Carolina, and the greater part of West Virginia. The regional reserve center of this district is fixed at Richmond. This selection was made despite the fact that, according to the United States Census of 1910, Richmond had a population of only 127,628 people, as against Baltimore's population of 558,485, not including its large suburbs; that Richmond now has 7 national banks, as against Baltimore's 15; that the capital and surplus of the Richmond national banks is

$9,314,392, as against a capital and surplus of the Baltimore national banks of $19,205,720; that the individual deposits in the Richmond national banks were $25,705,866, as against Baltimore's individual deposits in her national banks of $42,553,451; and regardless of the fact that the loans and discounts of the Richmond national banks were $35,593,044, as against those of the Baltimore national banks of $60,312,953.

If we go a step further and include in our consideration all banks—National, State, savings, and loan and trust companies—we find that the total surplus and capital of the Richmond banks is $16,810,955, as against those of Baltimore of $47,952,469; that the individual deposits in the Richmond banks amounted to $35,371,126, as against those of Baltimore of $190,679,440; that the loans and discounts of the Richmond banks were $50,004,572, as against those of Baltimore of $118,912,253.

It is such comparisons as these that force us to doubt the wisdom of the organization committee in the preference it has shown for Richmond over Baltimore.

BALTIMORE'S PROXIMITY TO THE SOUTH.

I wish to call the attention of this committee to the position Baltimore occupies for transportation by water and by rail, and to show how this important port has been overlooked in the commanding position in the district of which she is a part.

Our city is located on the Patapsco River, not far distant from the Chesapeake Bay. We have a channel depth from the ocean to Baltimore of 35 feet. We own docks and piers costing upward of $14,000,000. Not alone have we ships carrying the goods of our city and those of the other parts of our country to the ports of the world, but we have a great coastwise business by virtue of our location at the head of that magnificent inland water, the Chesapeake Bay, and by its waters to the rivers of Maryland and Virginia and along the Atlantic coast to the coast and river ports of the other Southern States. The shipping interest of Baltimore by water has reached vast proportions and is steadily increasing.

In railroad facilities Baltimore occupies a unique position. I know of no better illustration than to say that taking the South and the North as the large parts of an hourglass, Baltimore would be located at the neck of this geographical hourglass. The railroads of the South pass through the neck of this hourglass and then diverge into the northern and eastern sections of our country, so that the freight and passenger traffic from the South passes through the metropolis of Maryland to reach the North. Baltimore is, therefore, strategically located. Not only with splendid shipping facilities and hundreds of trains, but by reason of this location, she possesses unexcelled mail facilities. It is therefore easier to transact business with Baltimore, and it can be done quicker, as a general rule, than with the city of Richmond, except as to a very small portion of the regional district.

TRADE WITH SOUTH.

The business done by the people of Baltimore with the South has reached vast proportions. We have made that section our close customers. Our trade organizations have solicited and secured the good will and trade of those people. Our traveling salesmen go into every nook and corner. On the shelves of practically every southern store can be seen the goods, wares, and merchandise from Baltimore. Her people are our people; our banks are at her disposal and our business men her friends. Hundreds of the leading merchants visit our city every year to purchase goods and renew friendships. To give you some idea of the business Baltimore does with the people of the fifth regional district and Georgia, Florida, and Alabama I call your attention to the table following, which shows that 132 corporations, firms, manufacturers, and jobbers of Baltimore distributed in that section $63,338,000, or 56¾ per cent of their product.

Table showing distribution of general trade.

Distributed in District of Columbia	$4,360,000
Distributed in Virginia	18,873,000
Distributed in West Virginia	7,693,000
Distributed in North Carolina	13,614,000
Distributed in South Carolina	6,963,000
Distributed in Georgia	5,811,000
Distributed in Florida	3,337,000
Distributed in Alabama	2,688,000
Total in the territory indicated	63,338,000 or 56.75 per cent.
Distributed in Maryland	27,814,000 or 24.90 per cent.
Distributed miscellaneous	20,513,000 or 18.35 per cent.
Total distribution 132 corporations, firms, manufacturers, and jobbers	111,666,000

SOUTHERN INVESTMENTS.

There is a great army of Baltimore capitalists directly interested in the South, whose investments in the Southern States below the Potomac is some $200,000,000. It is impossible to give a detailed census of the amount, but when you realize that three savings institutions of our city—the Savings Bank of Baltimore, the Eutaw Savings Bank, and the Central Savings—had on deposit on December 31 over $67,000,000, representing 121,501 accounts, and of this sum, from these three institutions alone, $23,000,000, or more than 38 per cent was invested in the Southern States, from this one can gather some idea of our large investments in that section.

The business of our city is not dominated by a comparatively small number of houses, but it is a business in which a vast number of people are interested. It is a community of small workers primarily, all lending their aid to the support and progress of some 700,000 population of Baltimore and its suburbs. It seems unnatural and against all business judgment to compel a city of this size, having a business of such magnitude, to clear through the city of Richmond, of some 150,000 population, of much smaller financial and business institutions, away from the Atlantic seaboard and doing but little business with foreign ports.

NEARNESS TO THE WEST.

Mr. Chairman, by reason of the facilities of Baltimore and its nearness to the West we are doing second to the largest grain business of the country. It will be seen from the table, which follows, that Baltimore's grain shipments amounted to over 40,000,000 bushels, while the largest shipping port—New York—amounted to only about 2,500,000 bushels more. In other words, we are doing 34 per cent of the grain-export business of the country, while New York is doing 36.1 per cent of that business, I introduce for the information of the committee the following table:

Total grain exports.

Ports.	Wheat.	Per cent.	Corn.	Per cent.	Oats.	Per cent.	Total.	Per cent.
Boston	15,913,931	19.9	3,643,846	12.1	894,551	11.8	20,452,328	17.4
New York	32,892,192	41.1	5,789,046	19.2	3,784,439	50.1	42,456,677	36.1
Philadelphia	12,694,000	15.9	1,610,100	5.4	363,014	4.8	14,667,114	12.5
Baltimore	18,435,995	23.1	19,125,336	63.3	2,521,548	33.3	40,082,879	34.0

We are closer to the West and therefore have cheaper freight rates than any of the cities along the Atlantic seaboard. These lower rates are obtained not by favoritism or as a special privilege, but because Baltimore stands at the apex of that favoring curve of the Atlantic coast, thus reducing the distance from Baltimore to the Middle and Far West; she is even closer to the city of Buffalo, one of the ports of the Great Lakes, than the city of New York itself. From the table I insert you can readily see why Baltimore draws trade from that vast territory to which she is so close, and for the same reason why she draws trade from the islands of the sea and European countries, desiring to ship through her port by the most direct route to that rich territory. For instance, look at this table:

	Miles.
Distance from Baltimore to Buffalo	395
Distance from Boston to Buffalo	481
Distance from New York to Buffalo	411
Distance from Philadelphia to Buffalo	416
Distance from Baltimore to Chicago	782
Distance from Boston to Chicago	1,006
Distance from New York to Chicago	907
Distance from Philadelphia to Chicago	817
Distance from Baltimore to St. Louis	927
Distance from Boston to St. Louis	1,221
Distance from New York to St. Louis	1,052
Distance from Philadelphia to St. Louis	962

BALTIMORE INDUSTRIES.

I do not think, Mr. Chairman, that I would be doing full justice to the subject unless I brought before this committee some data and information regarding the vast industries of Baltimore. I do not think merely because Baltimore does a tremendous business it should be the location of the regional bank, but because this business which it transacts extends into the Southern States, which purchase in our city, and because wherever a large mercantile and export and import business is done there should be the finances with which to do it. For that reason I desire to lay before the committee a statement of a few of these industries.

Baltimore stands first in the manufacture of straw hats, cotton duck, fertilizers, men's clothing, copper metal and copper products, canning and preserving, and as an oyster and banana market.

As a jobbing center Baltimore ranks third among the cities of the United States. Its jobbing trade was approximately $400,000,000 in 1911. These figures do not include retail houses or purchases, but sales only.

According to the best judgment obtainable, Baltimore's manufacturing and jobbing trade has increased 25 per cent in the last two years.

According to the Merchants and Manufacturers' Association, Baltimore employs between 8,000 and 9,000 traveling salesmen.

According to the Baltimore & Ohio Railroad, the average annual tonnage of freight received and distributed at Baltimore by railroad and boat lines totaled 48,000,000 tons in 1912.

The value of the fish and oyster products of the Chesapeake Bay and adjacent waters is between $35,000,000 and $40,000,000 annually. Approximately 100 carloads of oysters were shipped from Baltimore to points north and west in one day last November.

The full assessable basis for taxation in the city of Baltimore has grown from $402,816,097 in 1901 to $781,691,094 in 1914, an increase of $378,874,997 in a little more than a decade.

IMPORTS AND EXPORTS.

I had supposed that the regional reserve banks were intended to deal to a large extent with foreign exchange, and for that reason it is quite impossible for me to comprehend why a city away from the seaboard and having practically no exports and imports should be selected above one on the coast. Baltimore with her unique geographical position, transportation facilities, and lower freight rates than any other city on the Atlantic seaboard, with city-owned docks, with 18 miles of water front suitable for docking purposes, has made great strides in her foreign trade and which will no doubt outstrip her other activities with the opening of the Panama Canal. For the purpose of showing what has been accomplished, I insert a table showing the imports and exports of the city of Baltimore during the last 10 years.

Imports and exports.

Calendar year.	Imports.	Exports.
1904	$18,761,963	$84,099,727
1905	25,226,618	103,550,042
1906	35,364,145	107,609,144
1907	36,184,322	99,322,342
1908	23,722,054	81,874,087
1909	27,418,567	79,424,914
1910	32,377,480	72,944,146
1911	28,382,580	94,465,806
1912	27,901,843	100,287,327
1913	35,553,814	117,269,378

I have nothing to say against the city of Richmond. It is a splendid city. But I do think that a city of nearly 700,000 people should have some consideration over a city of only 120,000 to 150,000 people. I say, therefore, that I do not propose to sit idly by and let this House think Baltimore is satisfied with this situation. We are certainly not satisfied. The people of my city fully realize the difficulty encountered in locating these banks, but they can not understand why a city such as Richmond, not along the seaboard, so much smaller than Baltimore, not doing a foreign business, as we are doing, a city not connected with the West as we are connected with it, a city not in as close proximity to the North and the West as we are, and transacting only a small amount of business in comparison to that of Baltimore, should be preferred over our city.

The people of my city can not understand why the organization committee turned down Baltimore, with its vast financial institutions, its large manufactures, and its great import and export business; a city which has at all times been considered as the gateway to the South, through which all business and traffic has to pass between the northern section of our country and the southern section, and that city which has done so much toward the financing of the railroads of the Southern States, and which has been known ever since the Civil War as the financial center of the South. [Applause.]

Mr. PLATT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from New York?

Mr. LINTHICUM. I do.

Mr. PLATT. Has the gentleman seen what Maj. John H. Dooley, of Richmond, wrote on January 21, 1914, to John Skelton Williams? Mr. Dooley is one of the men who apparently influenced the selection of the Comptroller of the Currency by his letter of January 21—a remarkable letter, which included these words:

> Washington is the Capital City of the United States, but occupies no peculiar relation to the South either geographically, politically, in banking, in commerce, or in transportation. Baltimore has no claim to be a city of that southern division. She is north of the line which divides the North from the South.

Mr. LINTHICUM. No; I have not read that letter. But the city of Baltimore is south of Mason and Dixon's line, which has always been considered the line dividing the North from the South; but whether it is or is not a city of the southern division should not enter into the matter.

Mr. GLASS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from Virginia?

Mr. LINTHICUM. Yes.

Mr. GLASS. Will the gentleman tell what are the aggregate loans of Baltimore in the Southern States as compared with the loans of the city of Richmond?

Mr. LINTHICUM. Oh, I understand the gentleman to say that the city of Richmond has loans and securities in the Southern States to the amount of $33,000,000, but I want to tell him that a large portion of that money is derived from loans by Baltimore banks to Richmond banks. That is where you get your money to loan. [Laughter and applause.]

Mr. GLASS. I will say to the gentleman that Richmond loans $33,000,000 to the Southern States and Baltimore loans only $6,000,000.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent for sufficient time to answer the gentleman's question.

The CHAIRMAN. Is their objection to the gentleman's request?

There was no objection.

Mr. LINTHICUM. I want to say to the gentleman from Virginia that three institutions in Baltimore—the Central Savings Bank, the Eutaw Savings Bank, and one other savings bank of our city—loaned to the South and have securities from the South in their deposit vaults to the amount of $23,000,000, and the total loans are over $200,000,000 to the Southern States.

Mr. GLASS. I will say to the gentleman in answer to that that the report of the Comptroller of the Currency for January was to the effect that the total loans by the banks of Baltimore to the Southern States were about $6,000,000, as compared with $33,000,000 loaned to the national banks of the Southern States by the banks of the city of Richmond.

Mr. LINTHICUM. A large part of the sum the gentleman mentions—$33,000,000—is not loaned in this district.

Mr. GLASS. I would say to the gentleman that we are not establishing regional banks for the city of Richmond or for the city of Baltimore, but for district No. 5; and of all the banks in that district that voted on the question, Baltimore did not receive a respectable number.

Mr. LINTHICUM. I want to say to the gentleman from Virginia that Baltimore got any number of letters from the South in which the banks stated they wanted Baltimore.

Mr. GLASS. I say that a careful poll of all the banks was made, and Richmond was the choice.

The CHAIRMAN. These proceedings are going on by unanimous consent.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from Maryland if the city of Baltimore had any chance whatever against the city of Richmond, when my friend Mr. GLASS, the chairman of the Committee on Banking and Currency, comes from Virginia, and the Comptroller of the Currency, Mr. John Skelton Williams, one of the members of the board making the selection, comes from Richmond?

Mr. LINTHICUM. I will leave it to the gentleman from Virginia to answer that question.

Mr. GLASS. I wish to say that "the gentleman from Virginia" has had nothing whatever to do with the selection of these banks; nothing whatever.

The CHAIRMAN. These proceedings are being conducted by unanimous consent.

Mr. LINTHICUM. I want to say, Mr. Chairman, that I do not accuse anybody of political pull in this matter. And I want to say further that if Baltimore is left out and Richmond is continued as the location of this regional reserve bank it will be found that no city in the district will stand by it more than will the city of Baltimore. But I must say that there is no comparison between the claims of Richmond for the location of that bank and the claims of the great city of Baltimore.

Mr. GLASS. The gentleman ought to show that by presenting facts and not by mere assertions.

Mr. LINTHICUM. Oh, I have so many facts here that it would take all day to even look at them.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

Mr. LINTHICUM. I ask unanimous consent, Mr. Chairman, to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Maryland [Mr. LINTHICUM] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FITZGERALD rose.

The CHAIRMAN. Does the gentleman from New York desire recognition?

Mr. FITZGERALD. Yes.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] is recognized for five minutes.

Mr. FITZGERALD. Mr. Chairman, this very discussion shows the futility of it. Not only is there a great difference of opinion regarding the action of the reserve bank organization committee in organizing the districts and locating the banks, but gentlemen are not even able to agree upon the facts upon which the discussion should be conducted.

It is quite apparent that no one in this House has all of the information that was possessed by the committee and upon which it reached its conclusions; and, more than that, it must be remembered that the action of this committee is not conclusive and binding forever. A new financial system for the United States has been formulated and is about to be launched. Preliminary organization work was necessary. After considerable discussion the officials were selected to outline the organization, so as to permit the new system to be launched. The law provides that the determination of the organization committee shall not be subject to review except by the Federal Reserve Board when organized. If injustices have been done, if mistakes have been made, after this system is in operation it is quite apparent that the errors will be corrected. Much complaint is indulged in because certain banks were located in certain cities and certain territory was included in one district rather than in another.

The character and number of the complaints only emphasize the difficulty that must have confronted the committee. I do not give much heed to the suggestion that politics controlled the action of this committee. Its members were as impartial and disinterested and patriotic and sincere as any other three men occupying similar positions under any administration within my knowledge. The law required that the districts should be apportioned "with due regard to the convenience and customary course of business, and that they should not necessarily be coterminous with any State or States." Those who had certain connections, whose business was adjusted along certain lines, would be dissatisfied at any arrangement which interfered with the long-established course of business; and yet, when the purpose of Congress in establishing this system is borne in mind, it must be remembered that until it is actually in operation and the results are ascertained it is difficult for anyone to determine just what the effect will be.

Mr. Chairman, I do not believe that the fling of the gentleman from Illinois [Mr. MANN] was justified. So far as this House is concerned, and so far as the country is concerned, I believe it is everywhere agreed that the President, so far as anyone knows, has not intended, and does not intend, to play petty or partisan politics in his selection of the members of the Federal Reserve Board, nor is there any justification for any such suggestion. As far as I am concerned, I believe that when he announces the members of the Federal Reserve Board, while a great many disappointed candidates will perhaps be found vociferous in their criticisms of the selections he will make, the country itself will be amply satisfied with the type, character, and representative standing of the men whom he will select and appoint.

Mr. POU. Mr. Chairman, this appears to be a controversy between New Orleans, Atlanta, Richmond, and Baltimore. Thereupon the gentleman from Illinois [Mr. MANN] rises to remark that it is believed that politics has played an important part. Just why that charge should be appropriate in a contest between the cities named is not very apparent. The gentleman's own city is cared for—Chicago gets one of these regional reserve banks. I suppose what the gentleman from Illinois [Mr. MANN] would like would be the reestablishment of the old system which his party stood for so long, by which the entire country was under the domination of one great commercial center. In any event, whether these gentlemen have made mistakes or not, there seems to be little controversy upon this point at least—the new system is an improvement on the old, and I respectfully submit that there is no basis whatever for the charge made by the gentleman from Illinois. Gentlemen on this floor should not impugn the motives of high-minded men in the discharge of their duty by saying it is believed that politics has played an important part.

Mr. WINGO. Mr. Chairman, I had no intention of projecting myself into the friendly controversy that has arisen over the selection of the reserve cities, and should not have done so had not some of my colleagues around me asked me if I had any information or opinion as to the matter. Upon my advising them I had neither information nor opinion, they suggested that, under the prevailing practice, I should submit a few remarks, saying that that had been the rule governing the conduct of some gentlemen here in discussing the currency question. [Laughter.] Being a young man very desirous to live up to the traditions and rules of this House, I simply rise for that purpose and no other. Seriously, I would suggest, however, for the information of some of the gentlemen that if they had to face the problem which confronted this organization board I doubt if any of them would question the sincerity of these gentlemen in the selections they have made.

This question came up very early in the consideration of the bill in the committee. I was of the opinion that we should designate the different reserve cities. Those of us who thought we should undertake to select the reserve cities fell into the same error that my good friend from Maryland [Mr. LINTHICUM] has fallen into; that is, that population alone should determine the question as to where these banks should be located.

If the size of a city alone should govern that then this House could very easily have located these 12 regional reserve cities, and the population, as given by the recent census, would have conclusively determined the choice. But a very interesting fact developed when, as members of the Currency Committee, we investigated the question, and some of us at least found a very good reason for taking the position that this question should be considered, not from the standpoint of cities but from the standpoint of regions, from the standpoint of the territory that was to be served. So instead of undertaking to select 12 or 18 cities the question came up as to how many different regions it was necessary to have, with due regard for the natural course of business already existing. The committee, after full consideration of that question, determined that 12 would be sufficient. I venture the assertion that that board has done what this House thought it would do and what the members of the committee thought it would do; and have not located these reserve banks from the standpoint of cities, but from the standpoint of the regions to be served. Then, the first problem confronting them was what are the 12 natural regions of this country, divided according to the course of commerce and of banking? I think any man who has taken the trouble to investigate the natural courses of banking business in this country will find that the organization board has very properly divided this country in its selection of the 12 districts.

Mr. MURDOCK. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. MURDOCK. Did not the board also do that largely by inquiry of the banks themselves?

Mr. WINGO. I was coming to that. I have not discussed the question with any of the members of the organization board, but I have an idea that, with due regard for what was required of them as sensible men, they did not assume that Congress asked them to select 12 large cities. It is true with reference to cities as it is with reference to men that size does not always determine strength. A man's avoirdupois does not necessarily denote his strength, and population does not necessarily determine the business strength of a city. When the organization board once decided the regions into which this country should be divided, tentatively at least, then I am sure they undertook to consult those banks which had indicated a desire to come into the system, and I venture the assertion that if you were to get the facts you would find that every reserve city has been located, not because of any desire on the part of the members of the organization board to favor some community, or for partisan reasons, but that they have followed in every instance the wish of the majority of the banks in the regions to be served, together with their judgment of what city in each region would best serve the business of that region.

Mr. MURDOCK. Does the gentleman believe that the majority of the banks of the region in which New Orleans is situated preferred Atlanta to New Orleans?

Mr. WINGO. I do not know, because I have no information on that.

Mr. MURDOCK. But the gentleman says he thinks that was the determining factor in most of the districts.

Mr. WINGO. I think that was one of the factors. The gentleman asked me my opinion.

Mr. MURDOCK. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. WINGO. Mr. Chairman, I naturally would have been glad to see New Orleans have a reserve bank. If you were

selecting the cities by population alone, you would probably include that city.

Mr. PLATT. Will the gentleman yield?

Mr. WINGO. For a question.

Mr. PLATT. Is there any country on the face of the earth that would pass over and circumscribe and cut down its financial center and its Capital City as this board has done, limiting the city of New York and passing by the city of Washington?

Mr. WINGO. The gentleman presupposes that that has been done. I do not think they tried to do it.

Mr. PLATT. They cut off all of the cities on the other side of the Hudson River from New York.

Mr. WINGO. Mr. Chairman, I do not know, but my investigation has led me to ascertain this fact: That some of the largest banking institutions of this country have a great deal less of outside clientage than some of the smaller banking institutions in the same city. For instance, here is a bank with three or four million dollars deposits, and another bank in the same city with only $1,000,000 deposits, and yet the bank that has only $1,000,000 deposits has a larger country clientage than the bank with three or four millions deposits.

Mr. PLATT. I want to say that the banks in Newark and Jersey City belong to the New York Clearing House, and those cities are as much a part of New York as is Brooklyn.

Mr. DUPRÉ. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. DUPRÉ. I want to say that in order to consummate this arrangement it became necessary to divide the State, so that three-quarters of the State of Louisiana does business in Dallas and the rest, including New Orleans, with Atlanta.

Mr. WINGO. I will say to my amiable friend that it may be that when I grow as old as he I will have less confidence in men put in public office, but you will have to present some facts other than those that are presented here to make me believe that the organization board, composed of the Secretary of the Treasury, the Secretary of Agriculture, and the Comptroller of the Currency, have deliberately played petty, partisan politics with this great question. I do not believe either of these gentlemen capable of the base motives attributed to them by their critics.

Mr. GLASS. Will the gentleman yield?

Mr. WINGO. Certainly.

Mr. GLASS. I will ask my colleague if it is not a fact that the law expressly contemplated a division of States when it said the organization committee need not follow State lines?

Mr. WINGO. I think that is true, and there was a reason for that. Investigation will show that banking capital does not always follow along State lines. That is illustrated by the fact that Missouri has received two of these banks. The man who does not think about it and has no knowledge of the conditions will not understand this. Any man who has even a superficial knowledge of this question knows that Kansas City and St. Louis are each the center of great commercial regions, which regions are just as distinctive as the regions surrounding Chicago and San Francisco.

Mr. GLASS. And they are 300 miles apart and have distinct characters of business. Gentlemen here are criticizing that arrangement who were advocating placing one of the banks in Philadelphia and one at Baltimore, only 60 miles apart.

Mr. WINGO. The whole basis for this criticism is that you wish to follow geographical and population lines, when this House and the committee decided without any question that geographical lines should not determine the regions, but that you should follow the lines of business, and you can only follow the lines of business as shown by the information gathered by the board from the banks.

Mr. MANN rose.

Mr. JOHNSON of South Carolina. Does the gentleman from Illinois want to reply to this bank business again? [Laughter.]

Mr. MANN. I want to reply to an attack made on me.

Mr. JOHNSON of South Carolina. We have been going on with this outside discussion for an hour. Does the gentleman from Missouri want some time?

Mr. BOOHER. I want two minutes.

Mr. SLOAN. I want two minutes.

The CHAIRMAN. Does the gentleman from South Carolina make any requests, if not the Chair will recognize the gentleman from Illinois.

Mr. MANN. Mr. Chairman, just a moment. The gentleman from North Carolina [Mr. POU] said that the only complaint made in reference to the selection of these banks was the complaint from Baltimore about the Richmond location and the complaint from New Orleans about the Atlanta location.

Mr. POU. Will the gentleman yield?

Mr. MANN. The gentleman's horizon is, as usual, very limited. Yes; I will yield.

Mr. POU. I said in the beginning that this particular controversy was between those cities; I did not say it was the only complaint.

Mr. MANN. That is the same thing, and the gentleman criticized me because he could not see farther than a short distance away. The fact is there is universal complaint throughout the country. It is true that the members of the board who made the selection are probably satisfied. Following a practice which has often been charged that the members of the Committee on Rivers and Harbors do not entirely neglect their own localities, it is apparent that the Secretary of the Treasury receives a bank in New York, the Comptroller of the Currency receives a bank in his little city, and the Secretary of Agriculture gets two banks in his State; and that outside of New York the other two do not receive the business which naturally trend in their direction. Now, gentlemen may say that the board had difficulties. Of course they had difficulties. No selection could have been made without difficulties, but we believe that this board was governed to a large extent by partisan considerations in making the selection.

The only way that belief can be removed will be by the future conduct of the banks, if it can be removed in that way. It will be a sorry day for this country when gentlemen, through legislation, have injected politics into the financial operations of the country. [Applause.] We feared that that was being done when the banking and currency bill came before the House. We expressed our fears at that time. We were told that our fears were baseless. Up to date, up to the present time, the fears do not appear to have been baseless. All that has been done up to now apparently has taken politics into consideration. We hope it will not continue.

My distinguished friend from Virginia [Mr. GLASS], for whom I have a high regard, said that he had not endeavored to influence the board in selecting these locations. I do not suppose that he did, and yet, if I recall correctly, weeks ago my friend said that one of the banks would be located in the comparatively small city of Richmond, and be surrounded by a district containing larger and much more important cities.

Mr. GLASS. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. GLASS. Mr. Chairman, I want to say to my friend that he is absolutely mistaken. I said nothing of the kind.

Mr. MANN. All I know is that the newspapers so reported a speech which the gentleman made, which I read. Newspapers, however, have often made mistakes.

Mr. GLASS. Mr. Chairman, as a matter of fact, I knew nothing whatsoever about the purposes of the organization committee. I hoped a regional reserve bank would be located at Richmond; but when I first took the slightest interest in the matter it was from a prompting of State pride and with no idea on earth that one of those banks would be located at Richmond. However, upon the presentation of the facts, Richmond made an infinitely better claim for the bank than some of the cities that are now complaining about not getting it.

Mr. MANN. Mr. Chairman, if the gentleman says that he did not state in a speech some time ago that Richmond would be selected, in his opinion, then I am very sorry that I called the attention of the House to an erroneous statement.

Mr. GLASS. Mr. Chairman, I state that most explicitly.

Mr. MANN. We are told now, because, I expect, of the present partisan division, that the Federal Reserve Board will not be appointed until the tolls question is settled.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GLASS. Oh, Mr. Chairman, there has been no partisan division at all. Are we to assume that my friend thinks a Democratic Federal Reserve Board put a Federal reserve bank in Philadelphia to make that a Democratic city?

Mr. WILLIS. Mr. Chairman, I desire to make one or two observations relative to the bill, and especially with reference to the particular portion of the bill that is now before us. This debate on the Federal reserve banks, which has continued for an hour and a half, has demonstrated what nobody had any doubt about, namely, that our friends on the other side of the aisle were hopelessly divided upon the question and do not know how to settle the financial question, anyhow.

The last item that the Clerk read was that contained in lines 7 and 8, on page 36:

General Supply Committee: Superintendent of Supplies, $2,000; clerks—2 of class 2; in all, $4,800.

I am calling attention to this in order that the attention of the committee may be directed to this very important bureau of

the Government. I think, Mr. Chairman, that there is no other governmental entity that occupies the peculiar and unusual position which is occupied by this General Supply Committee.

The nature of the duties of this General Supply Committee and the difficulties under which it works are explained in part by statements in the hearings on this bill, at pages 83 to 85, from which I now quote:

Mr. JOHNSON. What, in brief, are the duties of this committee? I am asking this question because a good many members of this subcommittee are new.

Mr. BRIGGS. The duties are to ascertain the needs and requirements of the departments as regards general supplies. Those items which are in common use by two or more departments are scheduled and proper specifications are written in connection therewith, and these specifications are sent to the commercial public, inviting proposals for supplying such material on a particular day, as advertised, at which time the bids are opened. All the bids on a particular item are tabulated together on a single sheet and that allows the committee to know at a glance who all the bidders are. Then all the samples, which are in many instances called for, are brought together for the consideration of the committee. The committee, in connection with experts from the different branches of the service which are interested, then recommends awards to the Secretary of the Treasury, and upon his approval of such recommendations contracts accordingly are drawn, which are executed on the part of the bidders and by the Secretary of the Treasury on the part of the Government.

Mr. JOHNSON. Coming down to the specific item in the bill, your force heretofore has been made up of details, has it not?

Mr. BRIGGS. It has; yes, sir; with the exception of a superintendent at $2,000 and two clerks at $1,400 each.

Mr. JOHNSON. You are asking this year for $23,940. Now, why is it necessary to increase this appropriation from $4,800 to $23,940 in one year? What is the objection to continuing the old practice of your force being made up of details from the various departments, where they are supposed to be familiar with the wants of the departments?

Mr. BRIGGS. If we could have a well-selected detailed force for continuous work, possibly we could get along in that way, although it would hardly be satisfactory. The difficulty has been that the departments have not supplied a permanent force—that is, the clerks have not been detailed permanently. They would be detailed for a while, and then they would be withdrawn by the department from which they came, and other clerks substituted for them; then such new clerks, after becoming somewhat familiar with the business, would be taken away and others put in their places. And the efficiency of the clerks as a general thing, I regret to say, has not been extremely satisfactory.

Mr. JOHNSON. If we give you what you are asking, these people will be entirely under the jurisdiction of the Secretary of the Treasury and will owe no allegiance to any other department?

Mr. BRIGGS. None at all.

Mr. BORLAND. Where have these clerks been detailed from—from the various departments?

Mr. BRIGGS. From the various departments; yes. From the Department of Agriculture, from the Post Office Department, the Department of Commerce, and the Government Printing Office. The greater portion of them, however, has perhaps come from the Treasury Department.

Mr. BORLAND. Is that because the clerks detailed from the other departments are supposed to be familiar with the needs of those departments?

Mr. BRIGGS. No, sir. They usually detail from one office to another those clerks that they can spare the best. I will state for the information of the committee that during the last year we had 12 members on our permanent force—that is, what we call the "permanent" force, as nearly as it can be so described. We had clerks detailed for a month or so, and then others coming in and taking their places; but we had, all told, a force numbering about 12 all of the year; and that is about the force that is required to conduct these matters until the rush season of the year comes, when the specifications are being made and issued, bids invited, tabulations made, awards recommended, and contracts drawn. All that has to be done at the office, and last year we had 37 temporary clerks engaged on this work for a period of about four months, and these were in addition to our permanent force, so called.

As noted here, it has but a small permanent force—a superintendent and two clerks. As a matter of fact, the work of that General Supply Committee is performed by clerks that are detailed from the other departments. My attention has been called to what appears in the hearings relative to the work of this General Supply Committee, and the first thing to which I wish to direct the attention of the committee is this: That this General Supply Committee, although it has been in existence only a comparatively short time, has been a means of saving a vast sum of the people's money. I refer now to the hearings at page 87, to get an illustration of the kind of work that this committee has been doing. I suppose Members of the House understand that up to four years ago there was no definite system regulating the purchase of supplies for the different departments of the Government. It was found, however, that here one department was paying a certain amount for lead pencils and another department was paying perhaps twice as much for exactly the same grade of lead pencil. Here would be one independent establishment paying so much for paper and another independent establishment or department would be paying perhaps two or three times as much, not because there was any crookedness or graft in any department, but because of the system of business management. The purchases were made by different departments in small quantities, without any agreement or understanding whatsoever, with the result that the Government was unable to secure the advantage which would flow to it if purchases were made in large quantities, if supplies were standardized.

As the appropriations for supplies are not all in a lump sum, amounting up into millions like that for a battleship, a mammoth public building, or a Panama Canal, you find them liberally sifted into all the appropriation bills in innocent-looking amounts of from $250, $500, $3,000 up to hundreds of thousands of dollars, but these amounts in the aggregate would make a sum which would pay for a big section of the Panama Canal. It is not to be inferred that I consider the appropriations excessive or ill advised, but it is the method of providing and distributing the supplies to which our attention and action should be invited. In fact there is no uniform plan for buying or distributing. Each department, bureau, and establishment has a method of its own and different from the others.

Right here in Washington where business operations of the Government are under the daily observation and subject to the sharp scrutiny of the eagle eyes of the appropriation committees, there are at least 100 or more appropriations on account of which separate orders are sent for supplies of the same kind for delivery from the same manufacturer in quantities from $50 to $5,000 on each order, and freight is paid on 100 different shipments when by a true business arrangement of a man in mercantile business the whole 100 shipments would be consolidated into one shipment and two-thirds of the cost of freight saved. While the contractor pays this freight the Government, of course, has to pay it in the end, as the cost is included in his price when he submits his bid.

The method adopted for the purchase of supplies for the Government departments in Washington has been, and is now, very crude and unbusinesslike.

There has been a little improvement over the customs in vogue a century ago, and most of it has been within a very few years.

Until during the fiscal year 1910 it was the practice for each executive department and independent establishment in Washington to issue a schedule annually, receive bids, and make contracts for supplies and services, and some of these departments would each issue several schedules, or one for each of several classes of goods or services, and prior to 1910 there were over 80 of these schedules issued annually.

The same forms were gone through of executing contracts for each of the several departments, and each contractor would have a contract for each of the departments for the same and one kind of goods.

An effort was made in January, 1894, to improve, to some extent, on the method of contracting for supplies, and a law was passed, which was approved January 27, 1894, volume 2, Supplement to the Revised Statutes, page 169. This law provided for a joint board consisting of the Assistant Secretaries of the Treasury and Interior Departments and one of the Assistant Postmasters General, to be designated by the heads of those departments, respectively, the official of the Treasury Department to be the chairman of the board. The duties of this board were to carefully examine and compare all the proposals submitted and to accept or reject any or all of said proposals; providing, also, that if any or all of the proposals be rejected, advertisements for other proposals be again invited and proceeded with in the same manner.

In this provision of law it was attempted to have some supervision exercised over the purchase of supplies in the several departments of the Government. Unfortunately, however, this board was not equipped with sufficient authority, and after the examination of the awards which the several departments proceeded to make, if they found any objections to them, they could only call attention to what they regarded as irregular or unreasonable, and it was left to the discretion of the respective departments as to whether they should abide by the suggestions of this board of awards.

The board of awards, however, was not furnished with any means by which they could judge definitely as to the propriety of the awards being made as recommended, as they only had the bids and schedules of them as made by the various departments, whereas the departments when they recommended the awards had not only the bids but they had samples showing the quality of the articles upon which the bids were submitted. The board of awards could therefore only compare the prices for what appeared to them to be similar or identical articles, but they had no evidence to convince them that such was the fact. The work of this board could therefore only be regarded as merely advisory, although they labored in the manner described for 15 years without being equipped with any sufficient means or authority to accomplish results. Finally, in 1908, the three members of this board evidently became dissatisfied with the results of their labors and voluntarily undertook a plan by which all the departments could unite on one common schedule embracing all the supplies required by each of the several executive departments and independent establishments.

To undertake this, they were first compelled to get the consent of each of these executive departments. That having been done, the board proceeded to have the General Supply Committee organized, to be composed of one representative from each of the executive departments and independent establishments; and to accomplish this, each of the departments was induced to send a representative to form such committee. Upon notice from the board of awards, this committee met at the Treasury Department in June, 1908, and after forming a regular organization, which consisted of 21 members, they proceeded, under the direction of the board of awards, to prepare a general schedule of supplies which should embrace the contents of the various schedules, about 80 in all, issued annually by the various departments and branches of the Government. The aggregate number of items on all of these schedules was approximately 25,000, in which the supplies required were described and the estimated quantities stated.

The first schedule was prepared for the fiscal year 1910, and, considering the difficulties in standardization of this great variety of supplies, so that the same article would be satisfactory for the use of all of the departments, it was found to be a vast improvement over the old method of each department having separate schedules. It will be readily observed that, according to the old practice, when these departments requested proposals for supplies, each of them inserted advertisements in various newspapers, making a large number of advertisements, which in the aggregate involved a large expense. By having but one schedule on which bids were solicited only one advertisement was necessary.

Under this arrangement as to the appropriations out of which the supplies had to be purchased and on account of which the contracts were made for the different departments it was found necessary, by the advice of the Attorney General, to have the Secretary or head of each department sign every contract that was made, and the inconvenience of such a course can be readily imagined when some 300 contracts had to be passed around to 9 different executive departments, where they were examined and signed by the Secretary of each of them.

The present organization of the General Supply Committee was provided for by law, act of June 17, 1910. This provision simplified the conditions and made it obligatory upon the departments to make their purchases under the general supply contracts.

Under the provisions of this act the committee formulated specifications, solicited bids, and made contracts for all of the departments and independent establishments in the District of Columbia, and has effected an enormous saving in the expenditure of the Government funds, as will be shown by the following figures:

The total number of bids received and contracts made for the following fiscal years were:

Fiscal year.	Number of bids received.	Number of contracts made.
1910	564	282
1911	596	324
1912	746	395
1913	878	486
1914	791	420

The total amount of money saved over the previous method of purchasing supplies, in addition to the elimination of duplication of work, is estimated as follows:

1910	$188,015.00
1911	41,472.83
1912	242,198.03
1913	24,587.11

Or a total saving over the previous method of contracting supplies of $496,272.97, notwithstanding that raw materials and labor had greatly advanced during these four years and that the standard of supplies had been materially advanced.

With the idea in view of bringing about a system where there should be a central purchasing agency for standardization of supplies, this General Supply Committee was created in the act of 1910. I refer now to page 87 of the hearings as an illustration of the work which that committee has been able to do. I do not know whether members of the committee have a copy of the hearings before them, but let me refer to one or two items to show the saving that has been wrought in the people's money by the work of this committee. A table has been prepared here showing the relative price paid in different departments in the year 1906, and then we have a comparison of the prices that have been obtained by the General Supply Committee. For example, the department price for a certain grade of carbon paper per thousand sheets was $9.43. The supply committee's price was $3.40, about one-third of the amount that had theretofore been paid by the departments. For another grade of carbon paper the department's price was $9.28 and the supply committee's price was only $2.90.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WILLIS. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIS. Stenographers' notebooks—the department price, 68 cents; the supply committee price, 30 cents, and so on, not to weary the committee with a long list, which I have gone over very carefully and a portion of which I shall place in the RECORD at this point.

Statement of prices obtained by the general supply committee for supplies for the year 1914, compared with the average prices paid by the executive departments during the year 1906.

Department item number, 1906.	General supply committee item number, 1914.	Article.	Unit.	Average price departments, 1906.	General supply committee price, 1914.
352	1036-a	Brushes, typewriter	Dozen	$0.622	$0.51
353	1036-b-1	Brushes, typewriter, long handle.	do	.484	.52
365	1002-a	Bands, rubber	Pound	2.156	1.50
371	1090-a	Erasers, pencil, rubber, 20 to pound.	do	.8026	.60
390	1100-a	Files, 9 by 11, 250-stub	Dozen	5.275	4.40
393	1066 a and b	Clips, board, metal:			
		Letter size	do	1.65	1.41
		Cap size	do	1.75	1.736
400	1096	Paper fasteners, round or flat heads:			
	1096-a-3	No. 2, round, ½-inch	1,000	.588	.36
	1096-b-3	No. 2, flat, ½-inch	1,000	.396	.307
	1096-a-5	No. 3, round, ¾-inch	1,000	.962	.48
	1096-b-5	No. 3, flat, ¾-inch	1,000	.48	.365
	1096-a-11	No. 6, round, 1½-inch	1,000	.367	1.75
401	1068-a-4	Clips, paper, Gem	1,000	.522	.1575
410	1490	Pins, solid heads:			
	1490-c	No. 3	Pound	.236	.3024
	1490-e	No. 5	do	.293	.3526
411	1764-c-3	Thumb tacks, ½-inch size	Dozen	.0711	.0204
420	1528-c-1,2	Rulers, wooden, edge of brass	do	2.61	2.295
423	1198-b-3	Pads, desk, 19 by 24 inches	Each	.245	.27
424	1010-a-1	Blotters, rocker	Dozen	1.38	1.15
425	1070	Cloths, for copying:			
	1070-a	10 by 12 inches	do	.49	.32
	1070-b	10 by 14 inches	do	.58	.375
426	1030	Brushes, copying, 3½-inch	do	1.28	1.55
428	1588-b	Paper weights, glass	do	.64	.545
429	1076-a	Sponge cups, glass	do	.475	.38
430	10604-f-1	Sponges for sponge cups	Pound	2.128	1.50
431	1586-c-1	Wax, sealing, red	do	.261	1.08
432	1486-b	Penracks, spiral	Dozen	1.108	.39
433	1086-a	Ink eradicator	do	1.197	.103
590	1538-e-1-aa	Rubber dating stamp "Model"	Each	.79	.72
670	1200	Pads for rubber stamps:			
	1200-c-1	3½ by 6 inches	Dozen	1.22	1.18
	1200-a-1	2 by 3¼ inches	do	.44	.43
999	9166	Stepladders	Foot	.219	.24
1070	2040-b-3	Buckets, galvanized iron, 12-quart.	Each	.302	.274
1071	2040-b-6	Buckets, galvanized iron, 16-quart.	do	.56	.325
1104	1574-a-1	Tape, red, 72 yards to the spool	dozen	1.72	1.68
1108	3140-c-2	Towels, woven letters, size, about 20 by 40 inches.	do	2.32	1.94
1360	2116-b-1	Emery cloth, 9 by 11 inches	Ream	10.20	9.40
1363	2266-a-1	Sandpaper, all numbers	Dozen	.06	.045
1480	8124-b	Lampblack in oil	Pound	.118	.10
1485	8030	Wood filler	do	.0863	.065
1500	8076, 8080	Cylinder oil	Gallon	.4075	.3313
1502	8092	Machine oil	do	.266	.17
1506	8097	Kerosene oil	Barrel	6.50	6.00
1524	8050-a-5	Liquid glue, in 1-quart cans	Can	.51	.48
1526	8006-a	Beeswax	Pound	.2666	.3475
1640	10603	Laundry soap	do	.043	.045
1642	10602-a-2	Toilet soap	Dozen	.977	.94
1643	10594	Sand soap	do	.3687	.346
1644	10600	Soap powder	Pound	.0396	.024
1651	10510	Whisk brooms	Dozen	1.8136	1.30
1655	10562-a-4	Mops, 24 pounds to the dozen	do	5.39	4.44
1661	8808-h	Dustbrushes	do	4.21	3.25
1662	10536	Dustpans, 12-inch	do	1.375	1.36
1663	10511-a	Scrub brushes	do	1.24	1.20
1665	1034-e	Paste brushes, 4-inch	Each	.40	.316
		Total		162.3058	112.9756

Reduction in cost of supplies for 1914, as compared with average prices paid by executive departments in 1906 is 30–39 per cent.

The average prices, as quoted herein, paid by the different executive departments during the fiscal year 1906 were obtained from a statement taken from the Postmaster General's annual report to Congress made in 1905.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. WILLIS. Certainly.

Mr. GREEN of Iowa. Does this committee examine and report with reference to the supplies for the stationery room over in the House Office Building?

Mr. WILLIS. I regret to say it does not. I have taken pains to make a little investigation, and I am criticizing no official of the House for any malfeasance or misfeasance in office, but simply stating the facts in regard to the practice which has obtained, and I state it as a fact, which the consultation of the reports of the Clerk of the House will show beyond peradventure, that right now we are paying out of the contingent fund of the House for some articles twice as much as they are obtained for by the General Supply Committee.

For example, it appears from an examination of the report of the Clerk of the House that the House of Representatives is paying practically $4.50 per dozen for typewriter ribbons, whereas the General Supply Committee's price is $2.20 per dozen. Mimeograph match ribbons cost the House $9 a dozen, whereas the General Supply Committee's price is $2.20 per dozen. An 8-ounce pot of paste costs the General Supply Committee $1.60 per dozen, whereas it costs the House of Representatives $2.25 per dozen. Gem clips cost the House 38 cents a thousand, while they cost the General Supply Committee 25 cents per thousand. The General Supply Committee price for No. 3 pins is 29 cents per pound, while the House of Representatives has to pay 34 cents per pound. And so on through many other items. This is said not at all by way of criticism of any official of the House, but simply to call attention to the lack of economy in the present method of purchasing supplies piecemeal for governmental use. It is simply a bad business system which has obtained in the purchase of supplies.

Mr. GREEN of Iowa. Will the gentleman yield further?

Mr. WILLIS. Certainly.

Mr. GREEN of Iowa. And Members of the House are paying more for articles over here in the stationery department of the House Office Building than they would have to pay down town.

Mr. WILLIS. I do not know as to that, for I have not investigated that precise point, but I do know that the House is paying vastly more in a great many cases than is paid for the same articles as listed by the General Supply Committee. Now, that simply arises from the fact that we do not have a business system that any man who is running half a dozen drug stores, for example, would install. Suppose a man owns half a dozen drug stores in different parts of Washington. Would he maintain a system whereby he would say to a chief clerk of this store, "You buy so much of this and of that, and have it shipped," and then go to the chief clerk of another store and order him to do the same thing? Why, obviously that would be expensive; there would be a multiplication of shipping charges which would be avoided if the purchases were made by a single individual.

In bidding for furnishing supplies under the general-supply contracts the bidders have, of course, to consider the manner of delivery when they fix their prices, and at present the requirements in this respect are far from being economical.

A general purchasing office should be provided that could order in bulk for all the departments, but under the present practice the contractor receives orders for the same article from different sources in Washington, and has to make as many separate shipments. If he could combine these shipments, he could bid so as to reduce the added cost to the Government for transportation at least one-half or two-thirds, and result in a saving of many thousands of dollars to the Government.

Many contractors already complain of the great number of small orders, and in one instance the contractor reported that an article which cost the Government 25 cents he had to pay 35 cents to get it delivered from a distant city.

What we have got to do, if we want to spend economically the people's money in the purchase of supplies, is to standardize supplies, as is done by this general supply committee, and purchase, so far as practicable, through a central purchasing office. Now, I suggest to the Committee on Appropriations that it seems to me there is no work of more importance than this work which undertakes to economize with the people's money, and I believe that it would be better policy to establish a force of clerks under the control of the general supply committee—clerks who have no other duties aside from the highly technical work assigned them by the supply committee.

To attend to all this detail of work there is provided a meager force—one superintendent, at a salary of $2,000, and two clerks at a salary of $1,400—to do the work for 25 or 30 clerks.

The representatives from the different departments are all clerks of high class, all of them having intricate and responsible office duties to perform besides the time and work they devote to the work of the committee.

In assuming the business of preparing schedules and proposals, receiving bids, examining and testing samples, making awards, and having contracts properly executed for such an immense variety and quantity of supplies, the committee has a task of very large proportions, and one to which they could well devote their entire time with a corps of clerks instead of being compelled to divide their time between their respective offices in the departments and the business of the committee.

Under these conditions I learn that it has been necessary for the committee to appeal to the several departments for clerks to assist continuously, and many more clerks are necessary during the busiest time when awarding contracts.

I know that this method of procuring help has been very embarrassing to the committee, and that frequently very urgent appeals have had to be made and long delays endured before the necessary clerical help could be secured. These details of clerks have generally been for short periods, and by the time most of them became familiar with the work they were recalled and others sent in their places to be instructed in the duties.

It is impossible to carry on a work of this magnitude and importance with satisfaction and economy under such difficulties, especially if the best results are desired.

As it is now, and I state this from some personal investigation, and I know it to be a matter of fact, that the clerks who are doing work for the General Supply Committee are doing that work in addition to the work which they are performing in the various departments. Being detailed there to do that they look upon that work as a sort of side issue, and it is not possible that as good service can be obtained as might be obtained if we carried an appropriation for a proper force for the work of the General Supply Committee, and made a corresponding decrease in the force of clerks provided for the several departments.

Mr. JOHNSON of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I yield.

Mr. JOHNSON of South Carolina. I would like to call my friend's attention to the fact that we do carry in the deficiency bill a provision by which the supply committee is given 15 clerks for four months through the Civil Service Commission.

Mr. WILLIS. My attention had not been called to that. I thank the gentleman for the information.

Mr. JOHNSON of South Carolina. They are clerks outside of this force.

Mr. WILLIS. That is a step in the right direction, and I am very frank to say it. I note in the hearings that $23,940 was asked for, and also in the estimates, and it seems to me that it would be better, instead of having these clerks detailed, to have them permanently assigned to this work. As I understand the gentleman from South Carolina, under the legislation to which he has just referred—I understand the gentleman to say the clerks detailed from the different departments and independent establishments are still to be carried?

Mr. JOHNSON of South Carolina. Fifteen clerks are allowed in the deficiency bill to try an experiment to see if it will work out——

Mr. WILLIS. I want to ask the gentleman specifically if the old system of continuing a number of clerks detailed from these bureaus and departments is still to be carried on?

Mr. JOHNSON of South Carolina. We give them 15 of these clerks through the Civil Service Commission for four months. In addition to these 15, they may also ask for details from the different departments. If that does not work well, we propose to give a larger permanent force.

Mr. WILLIS. Well, I am glad the chairman can assure us the committee have taken some step in that direction. However, I do not think it goes far enough, because it seems to me that ought to be a permanent force.

To correct the irregularities to which attention has been called a bureau of supplies should ultimately be established by proper legislative action, and a business of the magnitude and importance which this has assumed and which will largely increase should be at once placed on a business basis, with proper authority for the officer in charge to act and to act promptly.

Such a bureau should be an independent establishment, or at least to the same extent that the Government Printing Office is, and under the direction of a bureau chief appointed by the President and confirmed by the Senate. All this is fully

provided for in House bill 4, which I have introduced and which is now pending in the Committee on Ways and Means.

The chairman says that provision is to be made for employment of these clerks for four months, and that will be some assistance; but what I am contending for is, if we are to have an efficient service, we must have a permanent force of clerks under the control of the general supply committee in order to attain the highest possible degree of efficiency——

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. WILLIS. I ask for two minutes more.

Mr. DONOVAN. Mr. Chairman, I am going to call for the regular order.

The CHAIRMAN. The regular order is the request of the gentleman from Ohio. The gentleman from Ohio asks unanimous consent that he may proceed for two minutes.

Mr. DONOVAN. Regular order, Mr. Chairman.

The CHAIRMAN. Is there objection?

Mr. DONOVAN. Is not the regular order an objection when it is called for?

The CHAIRMAN. The regular order is to put the question on the amendment. The gentleman from Connecticut objects.

Mr. WILLIS. I did not hear the gentleman object.

The CHAIRMAN. The gentleman called for the regular order, which is equal to the same thing.

Mr. WILLIS. All right. I withdraw the pro forma amendment.

Mr. SLOAN. Mr. Chairman, it has been stated that there were no objections except to the district in which we find New Orleans, and the Baltimore district, so called.

Mr. JOHNSON of South Carolina. Mr. Chairman, we have had discussion enough about the regional banks. I object.

The CHAIRMAN. Does the gentleman from South Carolina [Mr. JOHNSON] make a point of order? A mere objection is not sufficient.

Mr. JOHNSON of South Carolina. I make a point of order. The gentleman must confine himself to the bill.

The CHAIRMAN. He is not discussing the amendment to this bill, which was withdrawn.

Mr. SLOAN. Mr. Chairman, I was accorded three minutes for discussion of this subject.

Mr. BOOHER. Mr. Chairman, I will agree to the gentleman from Nebraska having three minutes if I can have two minutes.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] did not make request for unanimous consent, because the Chair specifically asked him if he did and he said he did not. And the Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent that the gentleman from Nebraska [Mr. SLOAN] have three minutes and the gentleman from Missouri [Mr. BOOHER] two minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that the gentleman from Nebraska may have three minutes and the gentleman from Missouri [Mr. BOOHER] two minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from Nebraska [Mr. SLOAN] is recognized.

[Mr. SLOAN addressed the committee. See Appendix.]

Mr. BOOHER. Mr. Chairman, I desire to pour oil on the troubled waters of this debate, if I may. I want to express the entire satisfaction of the Missouri delegation in Congress with the action of the board in establishing regional banks. [Laughter.]

There is not, in my judgment, a single thing in the establishment of these banks that ought to lead any Member of Congress to say that these men were governed by politics. Now, take a list of these cities and run over it. Take New York and Philadelphia, one is a Democratic and one a Republican city. Take Chicago and St. Louis, and one is a Democratic and the other is a Republican city. Take Kansas City and San Francisco, and one is a Democratic and one a Republican city. Take Minneapolis and Boston, one Democratic and the other Republican. Now, these cities that did not get a bank are exactly like a sore candidate after a convention who did not get the nomination. They have gone out to find fault about it, and they charge these men with being governed by politics and improper motives. I do not believe that.

Now, what induced the commission to establish two banks in the State of Missouri? Kansas City is the gateway to the Southwest. All of the tremendous live-stock interest of Oklahoma, of southern Kansas, and of Texas passes through Kansas City on its way to Chicago, Omaha, or St. Joseph, the four great stock markets of this country. It was natural to establish a bank there. It was just as natural to put one in the great city of St. Louis. Why, do you know that all of north and west Missouri petitioned the board, if they did not establish a bank in Kansas City, to put them in the district with Chicago? And why? Because the trend of their business, the great business of those communities, was toward Chicago, and they would rather go there, because their business went there, than to St. Louis. Now, the board was up against a proposition. There was all of that southwestern live-stock trade to be taken care of. There was a part of Iowa which is tributary to Chicago, and part to Kansas City and St. Joseph; and a part of Missouri, and so with Kansas and Nebraska. The commission performed their work fairly and intelligently. There was no escape from the establishment of a bank at Kansas City in order to take care of the great interests of the Southwest; and therefore they not only satisfied the people of the State of Missouri but the people of Kansas, Nebraska, and Oklahoma as well.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIS. Mr. Chairman, I ask unanimous consent to extend my remarks on the subject in the RECORD.

The CHAIRMAN. The gentleman from Ohio [Mr. WILLIS] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Division of Bookkeeping and Warrants: Chief of division, $4,000; assistant chief of division, $3,000; estimate and digest clerk, $2,500; executive clerk, $2,500; 2 principal bookkeepers, at $2,100 each; 11 bookkeepers, at $2,000 each; clerks—14 of class 4, 6 of class 3, 6 of class 2, 2 of class 1; messenger; 3 assistant messengers; messenger boy, $480; in all, $87,280.

Mr. FOWLER. Mr. Chairman, I make a point of order against the increase over permanent law of the salary of the Chief of the Division of Bookkeeping and Warrants on page 36, line 10. The salary is $2,200 by statute. The bill carries the salary at $4,000.

Mr. JOHNSON of South Carolina. Mr. Chairman, the only law on the subject of the Division of Bookkeeping and Warrants is the appropriation bill, and in the absence of a permanent law the current appropriation bill is the law in the case. This is not an increase. The salary in the current law is $4,000, and there is no permanent law anywhere creating such an office.

The CHAIRMAN. Is it the contention of the gentleman from South Carolina that there is no permanent law authorizing this appropriation, and that the mere provision in the appropriation bill would make it in order? Will the gentleman from Illinois [Mr. FOWLER] state his point of order once more?

Mr. FOWLER. Yes. On page 36, line 10, the bill carries a provision for a bookkeeper at $1,800. The statute provides for a bookkeeper at $2,200.

Mr. JOHNSON of South Carolina. What line is that on?

Mr. BARTLETT. Line 10, page 36.

Mr. MANN. Mr. Chairman, I think the statute provides for a bookkeeper at the salary named by my colleague, but this provision is for the Chief of the Division of Bookkeeping and Warrants. That is not a bookkeeper merely. The current law fixes the salary if there is no permanent act on the subject. The amount in the current law is the same as that in this bill.

Mr. FOWLER. I desire to be perfectly fair, Mr. Chairman. The statute provides for a bookkeeper for this department at $2,200 a year.

Mr. BARTLETT. May I ask the gentleman if that is the latest statute?

Mr. MANN. Mr. Chairman, there are two principal bookkeepers here, at a salary of $2,100 each. The universal rule is that where a salary is not fixed by permanent law the current appropriation act governs. Certainly the Chair will not hold that a law fixing the salary of bookkeeper in the Treasury Department would be the same as a law fixing the salary of the Chief of the Division of Bookkeeping and Warrants. That is not the same office at all.

Mr. FOWLER. Mr. Chairman, I contend that the current law carried in the last bill is not the law to govern the Chair in passing on questions where a point of order is interposed against such salaries, but I am contending, Mr. Chairman, that when the statute fixes the salary it prevails over any other provision which may have been carried in the current law. Now the statute provides for a bookkeeper. That is the law. The salary fixed is $2,200, and there is no provision in the statute for any other position in this department concerning that character of work except a bookkeeper. I desire to be fair.

Mr. JOHNSON of South Carolina. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from South Carolina?

Mr. FOWLER. Yes.

Mr. JOHNSON of South Carolina. I have here, Mr. Chairman, the Dockery Act, section 10 of which reads as follows:

The division of warrants, estimates, and appropriations in the office of the Secretary of the Treasury is hereby recognized and established as the Division of Bookkeeping and Warrants.

It does not fix any salary. That is the language used here, but no salary is fixed.

Mr. FOWLER. That is true.

Mr. JOHNSON of South Carolina. It seems to me the current appropriation ought to be the controlling law in the case when the Dockery law, which established the office, did not create any salary at all.

Mr. BARTLETT. May I inquire of the gentleman from Illinois where he gets the law fixing the salary of the Chief of the Division of Bookkeeping and Warrants?

Mr. FOWLER. I have already stated that the statute creating the Treasury Department and the officers therein created the office of bookkeeper at a salary of $2,200 a year.

Mr. BARTLETT. Does the gentleman refer to sections 234 and 235 of the Revised Statutes?

Mr. FOWLER. That is the section.

Mr. BARTLETT. That section simply provides for two principal bookkeepers. Is that the office?

Mr. FOWLER. Yes. That is the salary provided.

Mr. BARTLETT. It provides for two principal bookkeepers at $2,100. Is that the gentleman's contention?

Mr. FOWLER. That is my contention.

Mr. BARTLETT. That is not a bookkeeper. That is the Chief of the Division of Bookkeeping and Warrants. The bookkeepers are provided for on line 12 at the amount fixed in the statute.

Mr. FOWLER. What is the date of that statute?

Mr. BARTLETT. 1874. It is the Revised Statutes, section 235. Two principal bookkeepers are provided at a salary of $2,100, and this bill carries those two salaries in line 12, so that the gentleman has not shown that the statute fixes the salary of the Chief of the Division of Bookkeeping and Warrants at $2,200.

Mr. FITZGERALD. Mr. Chairman, the gentleman from Illinois [Mr. FOWLER] is so far mistaken in this case that——

Mr. FOWLER. Oh, I have not surrendered the floor yet.

Mr. FITZGERALD. I thought the gentleman had finished his argument.

Mr. FOWLER. I have tried to make myself clear to the Chair, and am willing to submit to his ruling.

The CHAIRMAN. Does the gentleman from Illinois make the point of order against the provision for the Chief of the Division of Bookkeeping and Warrants at $4,000 on the ground that it is not authorized by law?

Mr. FOWLER. Yes; in substance. I make the point of order, Mr. Chairman, that there is a provision in the statute for a bookkeeper at $2,200, and that this provision in the bill, to all intents and purposes, for this salary is that of a bookkeeper. That is my position. I have been trying to make myself clear all the time.

Mr. MANN. Mr. Chairman, will my colleague yield?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. The gentleman was arguing the point of order, I believe.

The CHAIRMAN. The usual custom is to reserve a point of order.

Mr. MANN. I wanted to ask my colleague a question about the point of order. As I understood the point of order, it was addressed against the $4,000 and not against the position itself.

Mr. FOWLER. No. I think there is an authorization for the position, to be frank with the gentleman.

Mr. FITZGERALD. Mr. Chairman, if I understand the gentleman from Illinois——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from New York?

Mr. FOWLER. Mr. Chairman, in the light of the contention which was made by the honorable chairman of this subcommittee, I am rather inclined to believe that my point of order does not lie to this provision; and I want to say whenever I find I am wrong I want to get right as quick as possible, and for that reason I will withdraw my point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

Division of Customs: Chief of division, $4,000; assistant chief of division, $3,000; supervising tea examiners, $2,750 (transferred from Customs Service); law clerks—5 at $2,500 each, 2 at $2,000 each; clerks—5 of class 4 (2 transferred from Appointment Division), 3 of class 3, 5 of class 2 (1 transferred from Appointment Division and one from Treasurer's office), 8 of class 1 (1 transferred from Appointment Division and 1 increase), 6 at $1,000 each (1 transferred from Appointment Division); messenger; 2 assistant messengers (1 transferred from Appointment Division); in all, $64,930.

Mr. FOWLER. Mr. Chairman, on line 17, page 36, the bill carries a provision—

Division of Customs: Chief of division, $4,000.

The statute provides a salary of $2,200 for that position. I make the point of order against the increase of salary.

The CHAIRMAN. The gentleman makes a point of order against the provision for a chief of division, $4,000, in line 17.

Mr. FITZGERALD. Mr. Chairman, the gentleman from Illinois [Mr. FOWLER] is reading from a provision of the Revised Statutes. In 1875 the Treasury Department was completely reorganized, and the provision from which the gentleman from Illinois reads has no application whatever. Section 2 of the sundry civil act of March 3, 1875, provides that on and after July 1, 1875, the organization of the Treasury Department and the several offices thereof and the annual salaries to be paid to the persons therein shall be as follows, to wit, and so forth.

The gentleman has been reading from a provision of the Revised Statutes enacted some years prior to the reorganization.

Mr. MANN. I will say to the gentleman from New York that we did not get his statement very plainly. I do not think the Chair, or anybody else in the House who was very far away from the gentleman, caught the point he was trying to make. I am sure I could not get it.

Mr. FITZGERALD. I say the gentleman from Illinois [Mr. FOWLER] has been reading from the Revised Statutes certain compensation fixed for officials and employees in the Treasury Department. Under section 2 of the act of March 3, 1875, which was enacted subsequent to the enactment of the Revised Statutes, the Treasury Department was completely reorganized. The compensation of officials as fixed in that act supersedes the provisions of the Revised Statutes referred to by the gentleman from Illinois.

Mr. MANN. When does the gentleman say this act was passed—in 1875?

Mr. FITZGERALD. Yes.

Mr. MANN. And what is the date of the Revised Statutes?

Mr. FITZGERALD. 1873.

The CHAIRMAN. The committee will be in order. The Chair is anxious to hear this discussion, for it involves a point of order.

Mr. MANN. I am under the impression that the statutes were revised in 1878.

Mr. FITZGERALD. Published in 1878, but enacted in 1873.

The CHAIRMAN. Will the gentleman from New York permit the Chair to ask him a question?

Mr. FITZGERALD. Certainly.

The CHAIRMAN. Is there any law authorizing this appropriation; and if so, what statute is it?

Mr. FITZGERALD. There is no statute at all providing for the Customs Division in the Treasury Department. This division supervises the expenditure of $10,750,000 annually. It has very important duties. It was first provided for in an appropriation bill. The gentleman from Illinois can eliminate it from the bill if he desires. It has been carried in this manner for years. It has been demonstrated on a previous occasion that a great many provisions in the legislative act carrying the compensation of certain officials who have been a part of the organization of the Federal Government for from 20 to 30 years can not be found in any specific statute. Because the gentleman from Illinois [Mr. FOWLER] can not find a specific statute designating each employee in this bill, and the specific compensation carried, he insists upon eliminating the items from the bill. The most expeditious method of transacting the business of the House is to permit these items to be eliminated here and have them restored in some other place, because no one who has any knowledge of the duties of these officials and of the functions of the various departments of the Federal Government has any notion that these positions are not to be provided for the next fiscal year.

Mr. MANN. Will the gentleman yield for a question?

Mr. FITZGERALD. Yes.

Mr. MANN. Is there any provision in the law, outside of the appropriation act, for a Chief of Division of Customs?

Mr. FITZGERALD. There is not.

Mr. FOWLER. Why, certainly there is.

Mr. FITZGERALD. There was none for the Division of Bookkeeping and Warrants.

Mr. MANN. I understand that.

Mr. FITZGERALD. The act of March, 1875, provided for a chief of division of bookkeeping, estimates, and appropriations. The report of the Dockery Commission very materially modified the activities and functions of the various offices in the Treasury Department, as the gentleman very well knows, and it

recognized and established in place of the division of bookkeeping, estimates, and appropriations the Division of Bookkeeping and Warrants. It probably is the most important division in that service.

Mr. MANN. I know, but I am asking now about the Division of Customs. We have passed the Division of Warrants and Bookkeeping.

Mr. FITZGERALD. There is no statutory provision. The division was created, as these divisions are usually created, in this way: Certain clerks and employees are found in some bureau performing certain services. As the work develops it becomes important and essential to proper administration that those employees be segregated into a separate force, and from time to time provision is made for a division to control certain functions and perform certain duties. That is the only authority to be found anywhere for establishing many of the divisions. After they have gone along for 20 or 30 years, some gentleman finds that there is no statute specifically providing for a certain division, and for that reason he wishes to eliminate the places from the bill and emasculate the public service.

Mr. MANN. Here is a case in point: We have recently passed a tariff bill, and there has been one on the statute books all the time requiring the collection of customs dues. Many of these places are not under positive requirements of law; but can there be any possible question about our authority to make an appropriation for a place necessary in order to enforce the tariff law which we have on the statute books? Is not this a part of that work? We put a certain duty upon the Secretary of the Treasury—to collect the customs.

Mr. FITZGERALD. I think perhaps under the rule we have established some of these things that are absolutely essential are not perhaps strictly in order on these bills.

Mr. MANN. The gentleman will remember the Prince-Hardwick filibuster, or whatever they choose to call it; the attack made upon the legislative appropriation bill years ago; when they reduced this bill to a skeleton; but I think the rulings then made have been overruled many times since. They have not been followed.

Mr. FOWLER. Will the gentleman yield?

Mr. FITZGERALD. Certainly.

Mr. FOWLER. That is not my contention at all.

Mr. MANN. I understand that is not my colleague's contention.

Mr. FOWLER. I am not interposing a point of order against this position at all, because there is authority for it under the statute, and the statute fixes the salary at $2,200.

Mr. MANN. What is the provision of law in reference to this place? My colleague says that this salary is $2,200. If he has the provision of law, I wish he would give it to us.

Mr. FOWLER. No; I have not the provision of law here. It is in the Annotated Statutes of the United States, in 10 volumes.

Mr. FITZGERALD. But that has been superseded.

Mr. FOWLER. No; it has not been superseded. It is revised down to 1909, and if there was any change the great writers would have found it.

Mr. FITZGERALD. But the great writers have not found it. I have the act of 1875, and it provides for seven chiefs of department at $2,800 instead of $2,200.

Mr. FOWLER. I say that the statute provides $2,200 for this position.

Mr. FITZGERALD. The act of 1875 provides for seven chiefs of division at $2,800, eight chiefs of division at $2,400, and there are no $2,200 chiefs of division in the Treasury Department. It supersedes the provisions in the Revised Statutes.

Mr. FOWLER. Does the gentleman say that the act of 1875 supersedes the statute with reference to this officer?

Mr. FITZGERALD. No; because I do not admit that the chief of division is incorporated in any specific section. The chief of this division has been established since that time.

Mr. FOWLER. Oh, no; customs is almost as old as the Government.

Mr. FITZGERALD. The gentleman is entirely mistaken.

Mr. JOHNSON of South Carolina. Mr. Chairman, we are wasting time; let this matter go out.

The CHAIRMAN. The gentleman from Illinois makes the point of order against what?

Mr. FOWLER. I make the point of order against the increase of salary referred to from $2,200 to $4,000.

The CHAIRMAN. It has been shown to the Chair that there is no statute authorizing the appropriation for this position. If the gentleman makes the point of order on the ground that it is not authorized, the Chair will sustain the point of order.

Mr. FOWLER. I think it is authorized by law. I think this position is as clearly established in the Treasury Department as is the office of Solicitor General.

The CHAIRMAN. The Chair sustains the gentleman's point of order.

Mr. MANN. But, Mr. Chairman, the gentleman from Illinois did not make a point of order against the position.

The CHAIRMAN. The gentleman from Illinois made it against the increase, and an increase from nothing to $4,000 is an increase.

Mr. MANN. As I understood my colleague, he did not make the point of order against the position, but against the salary.

The CHAIRMAN. Did the gentleman from Illinois make a point of order against the position or the salary?

Mr. FOWLER. Against the salary, the increase of salary.

The CHAIRMAN. If a point of order is made against the salary, the Chair will sustain it.

Mr. MANN. But, Mr. Chairman, the salary is the same as the salary under the current law. The ruling of the Chair has always been, unless the Chair finds the salary is fixed——

The CHAIRMAN. The Chair understood that there was no law authorizing this appropriation whatever; that there is no statute authorizing the appropriation.

Mr. MANN. Suppose we admit that, as a matter of argument, there is such a place. The salary is fixed in the current law at $4,000. The ruling has always been that where the salary was not fixed by law and the place was carried at all, then the salary in the current law was to be treated as the legal salary. That has always been the rule. Of course, if the Chair sustains the contention of my colleague, that the salary is fixed at $2,200, the Chair would sustain the point of order; but the Chair, as I understood, indicated that there was no salary fixed.

The CHAIRMAN. The Chair is advised by the parliamentary clerk that the gentleman from Illinois is correct, and if the gentleman from Illinois [Mr. FOWLER] only makes the point of order against the salary, the point of order is overruled.

Mr. FOWLER. If the point of order is to be sustained, the whole salary would go out.

The CHAIRMAN. The point of order is overruled.

Mr. MANN. Mr. Chairman, I move to strike out the last word, in order to ask a question in reference to the form of the bill. A few years ago the distinguished Committee on Appropriations inaugurated a very sensible reform by shortening up the bill through printing the amounts in figures instead of words. I notice now that they have considerably lengthened the bill by inserting parenthetical phrases of value to the House for information, which take up a great deal of space in the bill. "Transferred from the Customs Service" is one. In this paragraph there are five of these parenthetical phrases. Does the gentleman desire to have those carried into the engrossed bill?

Mr. JOHNSON of South Carolina. That was done in order that the committee might keep track of them in the next appropriation bill, when they will come back and ask for a smaller number of clerks or an additional number of clerks, and this will enable us to keep track of where these clerks came from.

Mr. MANN. I think the committee might have some other way of keeping track of the information. It is a nuisance to me in the law in comparing these bills, but if the committee thinks it is essential to have the information before it in this way, very well. I could keep it more conveniently in a report than in the law.

Mr. FITZGERALD. It saves a great deal of time, because Members see at a glance the information, and it drops out next year; it is only carried one year.

The Clerk read as follows:

Division of Appointments: Chief of division, $3,000; assistant chief of division, $2,000; executive clerk, $2,000; clerks—1 of class 4 (2 transferred to Customs Division), 4 of class 3, 4 of class 2 (1 transferred to Customs Division), 2 of class 1 (1 transferred to Customs Division, 2 to Surety Bond Section, and 1 omitted), 2 at $1,000 each (1 transferred to Customs Division and 1 to Surety Bond Section), 1 $900; messenger; 1 assistant messenger (1 transferred to Customs Division); in all, $27,660.

Mr. FOWLER. Mr. Chairman, I make a point of order, on page 37, line 3, where the bill carries a provision of appointment—chief, $3,000. I make the point of order against the provision because it is not authorized by law and it is an increase.

The CHAIRMAN. Is there any law authorizing this provision?

Mr. JOHNSON of South Carolina. It is just like the provision we passed a moment ago; there is no law fixing the salary of this particular chief of division.

The CHAIRMAN. Is there any law creating the position?

Mr. JOHNSON of South Carolina. Except the appropriation in the current law.

The CHAIRMAN. The gentleman makes the point of order against the provision for the chief of division at $3,000?

Mr. FOWLER. Yes.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Section of Surety Bonds: Chief of section, $2,000 (in lieu of law and bond clerk, transferred from Division of Appointments); clerks—2 of class 1 (transferred from Division of Appointments), 1 at $1,000 (transferred from Division of Appointments); 1 assistant messenger (transferred from office of Commissioner of Internal Revenue); in all, $6,120.

Mr. GOOD. Mr. Chairman, on that I reserve the point of order.

Mr. JOHNSON of South Carolina. What is the point of order?

Mr. GOOD. Mr. Chairman, my understanding is that that is new legislation.

Mr. JOHNSON of South Carolina. Oh, no; I think my friend from Iowa is laboring under a misapprehension. That particular division was not intended to take care of what was suggested as a Government bonding scheme. That is a division that has charge of the bonds of contractors, men who are erecting public buildings or who have contracts for deepening harbors or rivers.

Mr. GOOD. Mr. Chairman, I withdraw the point of order.

Mr. MANN. Mr. Chairman, I reserve the point of order.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. MOORE. Does this contemplate any new work at all?

Mr. JOHNSON of South Carolina. Oh, no. It is just simply a division that takes care of the bonds that are given to the Government by contractors.

Mr. MOORE. It does not involve the question of the Government taking over the surety business?

Mr. BARTLETT. Oh, no. It has not the slightest reference to that.

Mr. JOHNSON of South Carolina. None in the world.

Mr. MOORE. The gentleman is aware that there is a question coming up shortly with respect to the bonding of Government employees?

Mr. JOHNSON of South Carolina. There was such a bill before our committee, but this has nothing to do with that. This division in the Treasury Department deals with the bonds of people who are erecting public buildings or deepening harbors or who are engaged in Government work requiring bonds.

Mr. MOORE. And pertains only to current business?

Mr. JOHNSON of South Carolina. Certainly.

Mr. CALDER. It has nothing whatever to do with the matter to which the gentleman from Pennsylvania refers.

Mr. MANN. Mr. Chairman, what is the necessity for creating this section as a separate section in the Division of Appointments? I take it that this is to be created as a part of the Division of Appointments?

Mr. JOHNSON of South Carolina. Mr. Chairman, in answer to the gentleman from Illinois, the law clearly devolves upon the Treasury Department certain duties in regard to the examination of bonds.

Mr. MANN. I understand all of that; but what I was trying to get at is the reason for now differentiating this from the rest of the Division of Appointments.

Mr. JOHNSON of South Carolina. Because it is totally foreign to the duties ordinarily performed in the office of the appointment clerk.

Mr. MANN. I take it that this remains under the division of appointments, does it not?

Mr. JOHNSON of South Carolina. It is a separate section, the gentleman understands.

Mr. MANN. Then I am utterly opposed to creating a section with a new title in the Treasury Department. We have divisions in the Treasury Department. Why is it proposed to create a section, to be on the same plane as a division? We have the Division of Bookkeeping, a Division of Customs, a Division of Appointments, a Division of Public Moneys, a Division of Loans and Currency, a Division of Revenue-Cutter Service, a Division of Printing and Stationery, and so forth.

Mr. JOHNSON of South Carolina. I think it is stated that only about 6 per cent of the bonds that this division handles are the bonds that appointees of the Government give. They are dealing with bonds given by people who have contracts to perform work for the Government.

Mr. MANN. If you are going to create a separate division, why do you not call it a division instead of a section?

Mr. JOHNSON of South Carolina. If we called it a division, it would mean that the men at the head of it would have three or four thousand dollars a year instead of $2,000 a year.

Mr. MANN. He will have that, anyway.

Mr. JOHNSON of South Carolina. Oh, no. Let us not cross that bridge until we get to it.

Mr. MANN. Oh, yes; the bridge is right here. I am unwilling to destroy euphony in language by stating that in the Treasury Department you have a large number of divisions, and that then you propose to take out of one of those divisions a portion of it and create a new division and then call it something else.

Mr. JOHNSON of South Carolina. What would the gentleman suggest calling it?

Mr. MANN. If it is to be a new division, call it a division of surety bonds.

Mr. JOHNSON of South Carolina. If the gentleman will move to strike out the word "section," on line 13, page 37, I see no objection to the amendment.

Mr. MANN. The gentleman sees the reason for it.

Mr. JOHNSON of South Carolina. It is purely an administrative matter, and I am following the suggestion of the men at the Treasury Department who have it in charge.

Mr. MANN. I would have taken it that they were creating a section in the Division of Appointments, but if the purpose is to have this entirely separate from the Division of Appointments, then I think we ought to say so, and if it is not, I do not see any necessity for creating it at all.

Mr. JOHNSON of South Carolina. I think it is entirely separate from the Division of Appointments.

Mr. MANN. Then we better make it a division. I withdraw the point of order. I will test the sense of the committee and I move to strike out the word "section" and insert the word "division."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 37, line 13, by striking out the word "section," at the beginning of the line, and inserting the word "division."

The question was taken, and the amendment was agreed to.

Mr. MANN. I now move to insert the word "division" for "section," where it appears the second time in the same line.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 37, line 13, by striking out the word "section," after the word "of," and inserting the word "division."

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Chairman, I ask unanimous consent to insert in the preceding paragraph the word "division" wherever the word "section" occurs.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that in the previous section the word "division" be substituted for the word "section" wherever it occurs. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Division of Public Moneys: Chief of division, $3,000; assistant chief of division, $2,000; clerks—5 of class 4, 4 of class 3, 4 of class 2, 1 of class 1, 1, $1,000; messenger; assistant messenger; in all, $29,760.

Mr. FOWLER. Mr. Chairman, I make a point of order—page 37, line 20—against "chief of division, $3,000," an increase of salary over statutory law.

The CHAIRMAN. Is there any statute authorizing this?

Mr. BARTLETT. There is a statute authorizing a chief of division, Mr. Chairman, but the salary is not $3.000. Does the gentleman make a point of order against the salary and position or against the salary?

Mr. FOWLER. It would all have to go out.

Mr. BARTLETT. I do not know.

Mr. FOWLER. Oh, yes; that is the ruling.

The CHAIRMAN. The Chair is not informed about what the gentleman from Illinois made a point of order. The Chair desires the gentleman to state upon what grounds he makes the point of order.

Mr. FOWLER. I did, but the chairman may not have heard me. On page 37, line 20, the bill carries a provision for a division of public moneys—chief of division, $3,000. I make the point of order against the chief of division, because it is a proposition to increase the salary of this position above that which is fixed by statutory law.

Mr. BARTLETT. Do I understand the gentleman to make the point of order against the salary?

The CHAIRMAN. The gentleman from Illinois states he made the point of order against the chief of division, because it increases the salary, but he did not say anything about the $3,000.

Mr. FOWLER. Yes, Mr. Chairman.

The CHAIRMAN. The Chair will suggest that if the gentleman looks at the RECORD he will see his language did not include——

Mr. FOWLER. I stated, in the first instance, that it carried a provision for a salary of $3,000.

The CHAIRMAN. May the Chair ask the gentleman in charge of the bill whether or not there is any law authorizing this salary of $3,000?

Mr. JOHNSON of South Carolina. No; the situation is this: There is no law fixing this particular office. The law authorizes certain chiefs of division; and we are carrying this salary in the current appropriation bill.

The CHAIRMAN. The point of order is sustained; and the Clerk will read.

The Clerk read as follows:

Division of Loans and Currency: Chief of division, $3,500; assistant chief of division, $2,700; custodian of paper, $2,250; bond and interest clerk, $2,000; clerks, 6 of class 4, 5 of class 3, 5 of class 2, 5 of class 1, 1, $1,000, 21 at $900 each (3 transferred from register's office); assorter of bonds, $800; 12 expert money counters, at $720 each; messenger; 3 assistant messengers; 11 laborers (1 transferred from Treasurer's office, 1 from register's office, and 1 from office of Auditor for War Department); machine operator, $840; in all, $82,690.

Mr. FOWLER. Mr. Chairman, page 37, line 24, the bill carries a provision for a division of loans and currency, chief of division, $3,500. The statute provides for a salary of $2,200. I make the point of order against the office of chief of division.

Mr. JOHNSON of South Carolina. And not against the salary?

The CHAIRMAN. Does the gentleman make a point of order against chief of division?

Mr. FOWLER. Yes.

The CHAIRMAN. Is there any authorization for a chief of division?

Mr. JOHNSON of South Carolina. Yes, sir; there is a law for a chief of division.

Mr. BARTLETT. There are five chiefs of division provided for—section 235 of the Revised Statutes—in the Treasury Department and seven heads of division. It says that there shall be in the Treasurer's office so many officers, and among those five chiefs of division.

The CHAIRMAN. The Chair is fairly familiar with this act creating this division, and the Chair will again ask the gentleman from Illinois if he correctly understood that he makes the point of order against the words, "chief of division"?

Mr. FOWLER. I make the point of order against the position, "chief of division," because there is an effort on the part of the bill to increase the salary of this position from $2,200 to $3,500 against the plain provision of permanent law.

The CHAIRMAN. The Chair may be at fault, but he can not understand the gentleman from Illinois, and he asks him again if he will please state whether or not he makes the point of order against the $3,500 or merely against the words, "chief of division"?

Mr. FOWLER. I make the point of order against the position itself at $3,500.

The CHAIRMAN. The point of order is sustained.

Mr. GOULDEN. I wish to ask the gentleman from South Carolina a question, and that is if the salary of the chief of the division is only $2,200, how does the gentleman account for the fact that the salary of the assistant chief of division is $2,700 under the existing law?

Mr. FOWLER. That is the anomaly of this whole affair.

Mr. GOULDEN. I ask that question, because it seems to me to be contradictory terms that a chief of division should have only $2,200, as provided under existing law, whereas the assistant chief receives $2,700?

Mr. BYRNS of Tennessee. I will say to the gentleman that the chief of division has been carried at this salary for 20 years or more, in spite of what the gentleman from Illinois says. If the gentleman will permit, the gentleman from Illinois is continually undertaking to say to the committee that this committee is undertaking to increase these salaries, when, as a matter of fact, they have been carried at these figures since 1875, and the gentleman from Illinois is far from stating the fact when he undertakes to say this committee has sought to increase salaries.

Mr. GOULDEN. But he seems to succeed in having points of order sustained. Why?

Mr. BYRNS of Tennessee. He does so because, as a matter of fact, the position itself, back in 1875, was created at a salary of $2,200, but the appropriation bills have since then been carrying it——

Mr. GOULDEN. At what figure?

Mr. BYRNS of Tennessee. Three thousand five hundred dollars, as I understand.

Mr. GOULDEN. And that will account for the difference between the assistant chief of division and the chief of division. I simply wanted to get that apparent contradiction explained.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Office of Supervising Architect: Supervising Architect, $5,000; executive officer, $3,250; technical officer, $3,000; drafting division—superintendent, $3,000, assistant superintendent, $2,750; superintendent, computing division, $2,750; mechanical engineering division—superintendent, $2,750, assistant superintendent, $2,400; structural division—superintendent, $2,750, assistant superintendent, $2,400; superintendent, repairs division, $2,400; superintendent, accounts division, $2,500; superintendent, maintenance division, $2,500; files and records division—chief, $2,500, assistant chief, $2,250; head draftsman, $2,500; administrative clerks—8 at $2,000 each; technical clerks—4 at $1,800 each; clerks—9 of class 4, additional to 1 of class 4 as bookkeeper $100, 4 at $1,700 each, 14 of class 3, 6 at $1,500 each, 13 of class 2, 8 at $1,300 each, 21 of class 1, 4 at $1,100 each, 7 at $1,000 each, 3 at $900 each, 2 at $840 each; photographer, $2,000; foreman, duplicating galley, $1,800; two duplicating paper chemists at $1,200 each; foreman, vault, safe, and lock shop, $1,100; 5 messengers; 2 assistant messengers; messenger boys—3 at $480 each; 2 at $360 each; skilled laborers—4 at $1,000 each, 7 at $960 each, 1 $900, 1 $840; laborers—1 $660, 1 $600; in all $220,800.

Mr. FOWLER. Mr. Chairman, I make a point of order against the position of Supervising Architect, on page 39, line 2, for the reason that the bill carries an appropriation for $5,000 whereas the statute provides for a salary of $4,500.

The CHAIRMAN. Will the chairman of the committee advise the Chair what the statute is on that? The gentleman from Illinois [Mr. FOWLER] makes the point of order on lines 21 and 22 against the Supervising Architect at $5,000, on the ground that the law authorizes only $4,500.

Mr. JOHNSON of South Carolina. Four thousand five hundred dollars is the sum fixed by law.

Mr. BARTLETT. Wait a minute. It says "one Supervising Architect at $5,000, according to the act of March 3, 1875." It is not subject to the point of order.

Mr. FOWLER. Mr. Chairman, I feel sure that I ran down the law on this salary correctly, and I did so in the annotated statute, where all the law is compiled upon that subject, and the salary as given by the annotated statute is $4,500.

Mr. BARTLETT. The Revised Statute was published in 1878, which codifies the law.

The CHAIRMAN. The Chair ought to know the law.

Mr. BARTLETT. The Chair can not carry all these salaries in his head, and he is not expected to do it. No lawyer or Member of Congress can do so. It would be a remarkable thing for anybody to do it.

Mr. FITZGERALD. Mr. Chairman, the statutory salary of Supervising Architect is $4,500 a year. He does not receive $5,000 a year, but he receives $6,000. Five thousand dollars are carried in the legislative bill and $1,000 are paid out of the appropriation made in the sundry civil bill. That is the compensation he has received for about eight years.

The CHAIRMAN. If I understand, the chairman of the committee admits that the law authorizes only $4,500.

Mr. JOHNSON of South Carolina. Yes.

The CHAIRMAN. The point of order is sustained.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word. I have no fault to find with the salary of the Supervising Architect whatever. If anything, it is too small. That is the only trouble about it, to my mind. To secure a first-class, competent architect you have to pay as high as $10,000, or more. I want to ask whether in the hearings before the committee it developed how far this department was behind in its work. I am told they are four years or more behind; that it would require four or five years for them to bring the present authorizations of public buildings up to date. I want to know if that is true; and if so, why?

Mr. JOHNSON of South Carolina. That is a question that comes out from the committee having charge of the sundry civil bill.

Mr. BARTLETT. If the gentleman from New York [Mr. GOULDEN] will permit, if he will examine his mail of the last month or so, he will find a circular letter issued by the Assistant Secretary of the Treasury, under whom the Supervising Architect is, in which he gives a detailed statement of the condition of the work and how much they are behind. I have one of those circulars on my desk. I have that and the letter

written to me in response to my visit to the office in reference to certain buildings authorized in my own district.

Mr. GOULDEN. How far are they behind, may I inquire of the gentleman?

Mr. BARTLETT. Not less than three years.

Mr. GOULDEN. I have no public building at this time, but I expect to have one in connection with my colleague [Mr. BRUCKNER] some day soon. I want to get in line so that I know we will get that public building within 5 or 10 years from the time it is authorized by Congress.

Mr. CANTRILL. If the gentleman from New York will permit me, I want to say that the department is five years behind.

Mr. GOULDEN. Five years? I understood it was several years behind, but the committee tells me it is from three to four years. So I think it behooves my colleague from the twenty-second New York district and myself to get busy and secure an appropriation, and then hope to have the building in five years by persistent effort here at Washington.

Mr. FITZGERALD. The Congress has authorized buildings in excess of the capacity of that office to turn them out.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to continue for five minutes longer.

The CHAIRMAN (Mr. MURRAY of Oklahoma). Is there objection?

There was no objection.

Mr. FITZGERALD. Congress has passed acts authorizing public buildings, and did so with the knowledge that the office at the time of the last public-building act was three years behind and there was no prospect of catching up with its work.

Mr. GOULDEN. Will the distinguished chairman pardon a question which I would like to have answered? Is the force sufficiently large in this department under the Supervising Architect to enable him to do his work?

Mr. BARTLETT. All he ought to do; yes.

Mr. FITZGERALD. Mr. Chairman, it depends on what the gentleman means when he asks if the force is sufficiently large to do its work. If the gentleman means if the force is sufficiently large to prepare plans for all the public buildings authorized in one year, it is not, nor in two years. The office is organized and equipped to turn out about $14,000,000 of public buildings a year. It was organized at that rate three or four years ago, when it was believed that that was all that the Government could afford to expend annually for the construction of public buildings. In view of the present condition of the Treasury, if we could afford to spend three or four million dollars three or four years ago, we ought to cut the expense down materially, because at the rate of expenditure to-day and the proposed rate for the next fiscal year it is apparent that the amount of money available will be so much less that the Government will not be able to afford nearly that much for public buildings without incurring a very considerable deficit.

Mr. GOULDEN. Mr. Chairman, I have no criticism to make on the Supervising Architect, but I wanted to know whether he was within three or four years of being up to date with the plans that were authorized for public buildings by Congress.

Mr. THOMPSON of Oklahoma. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York [Mr. GOULDEN] yield to the gentleman from Oklahoma?

Mr. GOULDEN. Yes.

Mr. THOMPSON of Oklahoma. I want to ask a question of the chairman of the committee. The chairman of the Committee on Appropriations was evidently talking about the office of the Supervising Architect in the Treasury Department.

Mr. GOULDEN. Yes.

Mr. THOMPSON of Oklahoma. Down in my district, in Oklahoma City, we have an appropriation of $32,000, passed two years ago. We have a public building there that is insufficient to house the Federal officials. We have abolished a couple of land offices and transferred the headquarters of the United States court to Oklahoma City, and the Government is paying out at that place something like two or three thousand dollars a year at this time for rent, and we have been unable to get the Supervising Architect's Office in the Treasury Department to make this addition down there because there is no money to employ assistants to make the plans. That has been going on for two years.

Mr. FITZGERALD. That statement was made, no doubt, to the gentleman by the Treasury officials, but it is inaccurate.

Mr. THOMPSON of Oklahoma. I think the chairman is inaccurate about that.

Mr. FITZGERALD. No; I am not inaccurate. I know whereof I speak. The gentleman has a case where there is an emergency, where an addition has been authorized to the building because of peculiar conditions existing in the public service, a congestion and concentration which will increase the necessities of the public service from those contemplated when the building was erected. The department takes the position in a situation of that character that it will not have the plans prepared for that addition until the project is reached in a certain order, but there is nothing to prevent the department, if the emergency exists and is of such a character as should be attended to at once, from putting those plans in preparation by the force it has.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Oklahoma. In a moment. The department officials said they would take this up in its order.

Mr. FITZGERALD. That is the attitude assumed by the department, but my contention is that when an emergency exists the department ought to exercise ordinary common sense to relieve a situation like that, rather than wait until a number of other buildings that are not quite so necessary from the standpoint of the immediate transaction of business have been started. That is a controversy that has continued for some time.

The CHAIRMAN (Mr. MURRAY of Oklahoma). The time of the gentleman from New York [Mr. GOULDEN] has expired.

Mr. MAPES. I desire to take the floor in my own right.

Mr. MOORE. Mr. Chairman, I wish to ask the gentleman from New York a question.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MAPES. Mr. Chairman, I desire to call attention to a few facts in regard to the work of the Supervising Architect's Office. The question of the gentleman from New York is answered very definitely in the hearings—page 106—by the Supervising Architect. It appears from the hearings that the office is behind from five to six years in its work. It takes between three and four years from the time a building is authorized before the Supervising Architect's Office can even begin to prepare the plans, and it takes about six years from the authorization of the building before the building is completed.

The appropriations for this office for the last few years furnish a striking illustration of the evil effects upon the public service of penny-wise and pound-foolish economy. The appropriation bill passed in 1911, after our friends on the other side of the aisle got control of the House, reduced the number of employees in the Supervising Architect's Office by 66, in spite of the fact that the work of the office was far behind, the number of public buildings authorized was steadily increasing, and the work of the office was getting more and more behind as time went on. The inauguration of the parcel post made it necessary to enlarge old post-office buildings and to build new ones. The Architect's force should have been increased instead of decreased.

Since that time the office has continued to get more and more behind in its work, until now it is practically six years behind. If no other public buildings were authorized, it would take six years for that office to catch up with the work already assigned to it. It takes from three to four years from the time a public building is authorized by Congress before the Supervising Architect's Office can even commence to give any consideration to the plans for it.

The Supervising Architect, in the hearings before this committee, on page 106, says:

> The public-buildings act approved March 4, 1913, gave us about four years' work at our present rate of progress. We will not commence work on that bill for one and a half or two years. You might say that we have five and one-half or six years work ahead of us.

Again, he says:

> That at our present rate of progress it will not be until the beginning of the calendar year of 1916 that we will commence work on the public buildings act, approved March 4, 1913.

In spite of this condition of affairs, Congress continues to neglect to provide the Supervising Architect's Office with any adequate appropriation to take care of the work now on hand, although there has been a little start in the right direction in this bill. I am afraid, however, that the increase provided for in this bill will prove entirely inadequate.

The Supervising Architect again, on page 107, says:

> We find that our clerical force available for the administrative work incident to the construction of new buildings is not in balance with the technical force. * * * It seems unwise to have so many buildings under construction when we are unable to handle the enormous correspondence and administrative work which naturally follows. Letters accumulate for two or three weeks before they receive attention and the work of construction is delayed: there is complaint all along the line, and we are criticized on the floor of the House. However, it is a condition that we can not ameliorate under existing circumstances unless you can help us by this balancing of the force.

There is not a man here who would tolerate a system in his private business that made it necessary to hold up the progress of building operations for two to three weeks, as testified to by the Supervising Architect, on account of not having enough help to answer the correspondence promptly. It is unbusinesslike and wasteful in the extreme to allow such a condition of affairs to exist.

New buildings are constantly being authorized, and the hope held out to the local communities that they are soon to have a new Federal building, but the local community becomes discouraged and disheartened before the building is started after it is authorized.

The distinguished chairman of the Committee on Public Buildings and Grounds, the gentleman from Florida [Mr. CLARK], in a speech on the floor of the House on February 20 of this year, page 3728 of the RECORD, corroborates the statement of the Supervising Architect. He said that—

For the past 12 years there has been a steady increase in the authorizations for public buildings, and for the last three or four years there has been a steady decrease in the output of buildings from the Office of the Supervising Architect of the Treasury. This decrease in the output began in 1911, when a reduced appropriation made it necessary to dispense with 75 of the 432 employees. For the fiscal year ending June 30, 1911, the output was 101 buildings; for 1912, it fell to 82; for 1913, it fell to 77; and the estimate for the fiscal year ending June 30, 1914, is only 70 buildings.

He continues:

There is probably not a Member upon this floor who has been here for six years or more, unless he represents a district in one of our large cities, who has not a building authorized for his district which has been pending for three or four years and which to-day appears no nearer being built than it did the day the bill which provided for it passed Congress. Under the methods obtaining, after a building is authorized the patience of the community is worn threadbare before construction on the foundation is begun. In one place in my district, where I secured an authorization for a post-office building, some of the older inhabitants are beginning to date things back to "the time when CLARK got a building for us," and yet not a shovel of dirt has been thrown toward preparing for the foundation.

I do not know how far back into ancient history the act was passed authorizing the public building in his district to which the distinguished chairman of the Committee on Public Buildings and Grounds refers, but he has described a situation that exists all over the country, and yet the Supervising Architect's Office is obliged to get along with an inadequate force. The work continues to pile up and the public service continues to suffer.

Mr. GOULDEN. Mr. Chairman, will the gentleman from Michigan yield?

Mr. MAPES. Yes.

Mr. GOULDEN. Do you find anywhere in the hearings that they are asking for an increased force? If not, somebody is to blame other than the Committee on Appropriations.

Mr. MAPES. They asked for an additional force and an additional appropriation of about $8,000.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Illinois?

Mr. MAPES. I do.

Mr. MANN. Considering the fact that the House has just stricken out, at the suggestion of my colleague from Illinois [Mr. FOWLER], the authorization for the Supervising Architect, does the gentleman think they would be authorized to ask for an increase? Here they come before the House and we cut out the place and the salary both.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MAPES. Mr. Chairman, I would like to have three minutes.

The CHAIRMAN. The gentleman from Michigan [Mr. MAPES] asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. MAPES. The suggestion of the gentleman from Illinois is very pertinent. The appropriation should be increased, not stricken out or diminished. In answer to the suggestion of the gentleman from Kansas [Mr. MURDOCK], the difficulty is not that they have too many supervisors, but that they have not enough, as the testimony of the Supervising Architect shows. The difficulty is that they have not enough technical men—draftsmen—in the office to take care of the work of the office.

Mr. MURDOCK. But they have sufficient subordinates? Is that it?

Mr. MAPES. No; they have not a sufficient force anywhere, and they are particularly short of technical men.

Mr. MURDOCK. It is a fact that that office is away behind in its work?

Mr. MAPES. Yes.

Mr. MURDOCK. And the Office of the Supervising Architect puts the blame upon the fact that the office has not enough help. Is that true?

Mr. MAPES. Yes.

Mr. MURDOCK. Does the committee say that that office has not enough help?

Mr. MAPES. I do not know what the committee says.

As I understand it, the committee have provided for the "balancing of the force," which the Supervising Architect speaks of in his testimony; but in my opinion the technical force of the office is still left altogether inadequate to do the work that is immediately pressing for buildings in different localities.

I desire to direct particular attention to the condition of the office at Holland, Mich., in my district. There was a building authorized for that city in June, 1910, and the contract has not yet been let. The situation there is one of the most urgent that can well be imagined. I am informed by the Supervising Architect that the contract will be let early this summer, but it is an outrage that the people of Holland have been compelled to wait all this time for no other reason than because of an inadequate force in the Architect's Office.

The city of Holland had a population, according to the 1910 census, of 10,490, which has been rapidly increasing. It is a thriving, prosperous community. The postmaster of that office has furnished me with some interesting figures on the business done by his office. The postal receipts of the Holland office in 1900 were $12,103; in 1913 they were $37,222; and an item in their local paper, the Holland City News, which reached me this morning, shows that the receipts for the year ending March 31, 1914, are over $40,000, making it a first-class office. It will be seen that the receipts of the office have nearly tripled since 1900.

The total weight of the second-class mail matter alone handled by that office in 1913 was 173,966 pounds.

MONEY ORDERS.

The figures for the past three years, ending severally on June 30, show the following:

Year.	Domestic orders.		International orders.	
	Issued.	Paid.	Issued.	Paid.
1911	13,170	9,554	466	54
1912	15,811	10,083	482	57
1913	17,520	11,364	573	68

This business has all been done in a building with only 1,693 square feet of floor space. Anyone familiar with the postal business will realize the total inadequacy of a building with only that amount of floor space to do a postal business where the receipts amount to over $40,000 per year.

The postmaster has no private office. He has a small desk in the room where the carriers distribute and sort out the mail. There are often from 20 to 25 men at a time in this one small room sorting over the mail.

As I said before, we expect the contract for the Holland office to be let in a short time, so that any increase in the appropriation in this bill will not affect us. But here is a situation in the Supervising Architect's Office that needs the careful consideration of this committee and of Congress. This office should have help enough to enable it to keep up with its work. As it is now, so many years elapse between the time a building is authorized and the time when it is finally completed that in many growing communities the building is totally inadequate to take care of the business before it is completed.

I will print as a part of my remarks the article on the Holland post office from the Holland City News of April 2, 1914:

HOLLAND POST OFFICE IN FIRST CLASS—HOLLAND POST-OFFICE RECEIPTS FOR YEAR PAST IN EXCESS OF $40,000—THE CHANGE IN DIVISION WILL NOT BE MADE UNTIL THE 1ST OF JULY.

After July 1 the Holland post office will be in the first class division; at least, the receipts of the local office during the year ended Tuesday were such that the local office is warranted to expect that the Government will boost it to first class. The receipts during the year past have been more than ever before in the history of Holland. For some years past the office has been gradually climbing to a total of $40,000, receipts necessary in order to make it eligible to be raised into the new division, and an examination of the office's books for the year just past, made to-day, show that this time there is a safe margin in excess of $40,000.

The National Post Office Department at Washington takes three months, from April 1 to July 1, to audit the accounts of the various post offices, and hence the change will not be announced until that time.

The parcel-post business during the past year has been a considerable one, and the receipts from this part of the business have materially helped to bring the total amount up to the required mark. But aside from the parcel post, the receipts have been very satisfactory during the 12 months just closed.

After July 1 Holland will be in the highest class that any post office can be in. It will be in a class with Grand Rapids and all the larger cities. In the first class there are again various grades, and of course the larger the receipts the higher the grade.

The Holland post office has experienced a remarkable growth during the past decade. Most people do not realize how fast the growth has been, but the figures show that the increase in annual receipts has been very large. The working force has kept pace with the increase in business, and new employees are constantly being added.

Mr. LENROOT. Mr. Chairman, I move to strike out the last two words. I want to make one or two observations along the line suggested by the gentleman from Illinois [Mr. MANN]. We all know that the Supervising Architect's Office is very far behind in the construction of public buildings. The gentleman from Illinois [Mr. FOWLER] has made a point of order against the item, "Supervising Architect, at $5,000," which strikes out the item entirely, and so far as this House is concerned, abolishes the office. And from the fact that the gentleman from Illinois [Mr. FOWLER] made this point of order and did not follow it up with an amendment making the salary $4,500, we have the right to assume that it is his view that this office should be entirely abolished. We all know that if it is abolished, instead of the department being five years behind in the construction of public buildings, it will be much further behind in the future.

Mr. FOWLER. Mr. Chairman, I desire to say to the gentleman that the committee has charge of offering these amendments.

Mr. LENROOT. I do not yield further.

Mr. FOWLER. If the gentleman desires to have this position maintained, why does he not offer an amendment?

Mr. LENROOT. I am very glad to answer the gentleman, Mr. Chairman. Every member of this committee except possibly the gentleman from Illinois knows that his point of order amounts to absolutely nothing, and that this will be restored in another place, and that the time that is being consumed in raising these points of order is merely wasted time of this House. [Applause.] If the gentleman from Illinois [Mr. FOWLER] believes he is accomplishing anything by making this point of order striking out this item, it is his duty to offer an amendment making the salary $4,500, because all of the rest of us know, even if he does not, that the item will be restored in another place.

Mr. Chairman, we have spent some three hours this afternoon upon this bill and we have read some four pages of it; anyone sitting in the gallery watching the proceedings of this committee must come to the conclusion that this is the most inefficient body upon earth. We talk about the departments doing business in a businesslike way. We ourselves ought to demonstrate that we are capable of doing business in a businesslike way instead of wasting time upon such matters as this, when legislation of the greatest importance to the country is pending and awaiting consideration.

Mr. FOWLER. Mr. Chairman, I desire to speak in opposition to the amendment offered by the gentleman from Wisconsin.

Mr. MURDOCK. What was that amendment?

Mr. LENROOT. To strike out the last two words.

Mr. FOWLER. The gentleman from Wisconsin is a very astute and adroit politician. He is just as astute and adroit on the floor of this House as he is back in Wisconsin. The criticism that the gentleman makes because of points of order imposed in this bill against irregularities stamps him as indorsing every irregularity in the bill. It stamps him as against the labor of his own district, where this bill discriminates against labor.

Mr. LENROOT. Will the gentleman yield?

Mr. FOWLER. No.

Mr. LENROOT. I yielded to the gentleman.

Mr. FOWLER. No; not now.

The CHAIRMAN. The gentleman declines to yield.

Mr. FOWLER. It stamps him as being against the labor not only of his own district and his own State, but it stamps him as being against the labor of the world.

Mr. LENROOT. Now will the gentleman yield?

Mr. FOWLER. I know that the committee, in making a discrimination against labor, did it perhaps without being advised, because they said so, and I took their word for it; but the gentleman has been advised about it by the discussion on the floor of this House, and he stands here now to indorse a policy against the laboring people of this country and a policy of high salaries, readily increased, for those who stand at the top. He stands for salaries for charwomen of $240 a year, salaries fixed more than three-quarters of a century ago. He stands for increasing the salaries of men who are receiving $5,000 a year to $6,000 a year or $10,000 a year, one increase at $4,000 a clip. He is an exceedingly illuminating gentleman, here on the floor of this House, and I should not wonder if he used some of the same tactics back in his district to get votes.

Mr. LENROOT. Now will the gentleman yield?

Mr. FOWLER. Now I yield to the gentleman.

Mr. LENROOT. I merely want to assist the gentleman.

Mr. FOWLER. I yield for a question.

Mr. LENROOT. I want to assist the gentleman by admitting all the charges that he makes so far as the points of order he has raised this afternoon are concerned, and to say that I indorse the action of the Committee on Appropriations in every case.

Mr. FOWLER. I yielded for a question, not for a speech. The gentleman uses his usual ingenious tactics of evading the issue, and by some kind of secret legerdemain, peculiar to him and no other man on the floor of this House, turning and evading the issue. Ah, but it will not do the gentleman any good. When you go back to your constituency, tell them the truth, that you stood here for the purpose of increasing big men's salaries, and that you stood against the increase of the low men's salaries, and that you stood not only for refusing to increase the poor man's salary but for the reduction of their salary as fixed by law. Now go back and tell the truth.

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman from Illinois has repeatedly made the statement on the floor of this House during the consideration of this bill that the bill undertakes to raise salaries and increase salaries of those in the higher positions, and that it discriminates in favor of those holding the higher positions and against those who receive the lower salaries. Mr. Chairman, that statement is not borne out by the facts. The gentleman says that he has enlightened the gentleman from Wisconsin and other members of the committee as to this bill. We have endeavored to show the gentleman, and the statement has been made to him time and again, that this bill does not seek to increase the salaries of those receiving the larger salaries, but he persists in his seeming endeavor to put the committee in a wrong light. The bill carries the same amount that it carried last year and the year before and the year before that. There is no discrimination so far as this bill is concerned. The gentleman is anxious for the country to believe and for the people in his district to believe that he is the great champion of labor on the floor of the House, but I am satisfied that when the people of his district read this RECORD they will see the evident motive of the gentleman in making these repeated points of order and these repeated insinuations against the committee which prepared this bill.

Now, the gentleman made a point of order against several chiefs of divisions. They have gone out, and, as the gentleman from Wisconsin wisely said, it is assumed that the gentleman from Illinois desires that these positions be eliminated and not restored, because he did not offer an amendment seeking to restore them.

Mr. FOWLER. I will ask the gentleman if it is not a fact that when a position has been taken out of the bill on a point of order it has not been the practice to restore it to the statutory salary by amendment by the chairman of the committee?

Mr. BYRNS of Tennessee. It may have been done in some instances; but if the gentleman makes the point of order he stands before the country in the attitude of not wanting this particular position filled, and if he does want it restored at the salary fixed by statute it is his duty to offer an amendment and have it adopted. There is not a member of the committee who does not know, as a matter of fact, that these positions will be restored in another place. As the gentleman from Wisconsin says, we have wasted over three hours of time in listening to points of order and having points of order made by the gentleman from Illinois passed upon when he knows, or he ought to know, that it is a mere waste of time on the part of the House, and that they will be restored to the bill, because the Supervising Architect's office can not be carried on without some one at the head of it. I protest against this waste of public time in order to make capital back home.

Mr. FOWLER. Mr. Chairman——

Mr. CALDER. Mr. Chairman, I ask for the regular order.

Mr. FOWLER. Mr. Chairman, on page 39, I move to insert the words "Supervising Architect, $4,500."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 39, lines 21 and 22, insert "Supervising Architect, $4,500."

Mr. MANN. Mr. Chairman, I do not know whether my friend from Wisconsin [Mr. LENROOT] will ever fully recover from the attack made upon him, but he is the first one that ever got results out of my colleague from Illinois. [Laughter.]

I sympathize with my distinguished colleague from Illinois [Mr. FOWLER]. He says that this bill is made up in the interest of the plutocrats, in effect, and against labor. He charges the committee with bringing in propositions to increase the salary for those who receive the higher salaries and refuse to appro-

priate to the limit where the law provides for salaries of laboring people. He charges this on the committee, but, Mr. Chairman, back of the committee, we have recently learned, stands the Democratic President and the Democratic administration.

We have learned in the last few days that the committees of the House, and the Members of the House in the main on the Democratic side, including my colleague, take orders from the White House and from the Democratic administration. Every item in this bill where there is an increase proposed has been recommended by the Democratic administration; and every item in the bill where the gentleman is proposing an increase, as he says, for labor, that increase has not been proposed by the Democratic administration. So that if my colleague is correct his charges do not go merely to the Committee on Appropriations. My colleague who the other day followed mildly and willingly the orders from the White House, to-day makes the serious charge against the Wilson administration that in sending its estimates to Congress it has estimated in favor of those who receive high salaries as compared to those who labor. I know my colleague is willing to take care of himself. I will let him thrash that out with the President. I suppose when the President crooks his finger my colleague will meekly come. [Laughter.]

Mr. FOWLER. Mr. Chairman, here is another very adroit gentleman on the other side who plays politics as much if not more than the gentleman from Wisconsin [Mr. LENROOT], always "harping on my daughter." The gentleman from Illinois knows quite well that on the tolls-repeal bill I voted for the repeal of the clause exempting coastwise vessels from paying tolls through the Panama Canal. Not that I was ever influenced by anybody on that question, for he ought to know, if he knows anything, that I voted against free tolls in August, 1912, and instead of my being drawn to this measure by the President or the administration, I want to tell him that the President and the administration are following me. [Applause.]

Mr. MOORE. Will the gentleman yield?

Mr. FOWLER. Yes; I will yield to the gentleman for a question.

Mr. MOORE. Where is the President and the Democratic administration following the gentleman? To perdition? [Laughter.]

Mr. FOWLER. Now, the gentleman is digressing from his ordinary course, because he is usually courteous, manly, and clean.

Mr. MOORE. I will yield to the gentleman all the time he wants to answer.

Mr. FOWLER. The gentleman has asked a question that is wholly irrelevant and wholly impertinent to any phase of this discussion, and, of course, I do not desire to follow him in that line; but I do want to say to him, when he asks where this administration is going and what it is doing, that it is rescuing a Government of the people——

Mr. MOORE. Taking something back?

Mr. FOWLER. For the people and by the people from the hands of the few, and placing it into the hands of the many. [Applause on the Democratic side.]

Mr. MOORE. But the gentleman did not answer the question, Where is the administration following the gentleman; to victory or defeat? We will withdraw "perdition."

Mr. FOWLER. The administration is not following the gentleman from Illinois, or anyone, or any faction, because the Democratic Party has committed itself to general principles; and the President and the majority in Congress are earnestly endeavoring to administer our Government in harmony with these principles.

Mr. MOORE. On the reserve-bank question, and their location, for instance?

Mr. FOWLER. Certainly the gentleman is not complaining of the location of a reserve bank in his city, is he?

Mr. MOORE. Not at all. I am very well satisfied.

Mr. FOWLER. Then I misunderstand the question.

Mr. MOORE. But what about our friends from Louisiana? Are they in perfect harmony with the administration?

Mr. FOWLER. Oh, let me say one word to the gentleman from Pennsylvania. There never was an organization of men that did not have some kickers.

Mr. MOORE. In the gentleman's party? Impossible!

Mr. FOWLER. And the gentleman's party is the best evidence of it, because it kicked until it divided in two pieces. [Laughter and applause.]

Mr. GOOD. Mr. Chairman, I move to amend the amendment offered by the gentleman from Illinois by striking out the figures "$4,500" and inserting in lieu thereof the figures "$6,000."

Mr. FOWLER. Mr. Chairman, with all due deference to the gentleman, who is a member of the committee, I make the point of order against the amendment.

Mr. GOOD. Oh, reserve the point of order.

Mr. FOWLER. I will reserve it for the gentleman.

Mr. GOOD. Mr. Chairman, I do not believe the gentleman wants to make a point of order against that amendment. The gentleman has said that he wants to be consistent. The gentleman voted for an omnibus public-building bill which carried a provision giving an architect in the Supervising Architect's office $6,000 per annum. We are appropriating money for that position right along, and now the gentleman offers an amendment which places the chief in that office at a salary $1,500 less than the salary he voted for a subordinate. I hope the gentleman will not make the point of order, for I know he wants to be consistent with regard to the salaries, and I hope that he will let the salary of the Supervising Architect be as large at least as the salary he voted to a subordinate.

Mr. FOWLER. Mr. Chairman, I desire to say to the gentleman, who is a member of the committee, that I have the greatest deference for him. He is a gentleman of rare qualities and demands the respect of everybody. He is an able gentleman, and ordinarily I would not offer an objection to any amendment that he might propose outside of a political amendment, because I would believe that he would be sincere when he was offering it. But, Mr. Chairman, I want to vote for a bill that will equalize these salaries. I want to classify the public service of this country so that it can be certain and relied upon to inspire employees to work up to a point of efficiency—to climb up the ladder in point of salary—and I do not believe it can be done by piecemeal. For that reason I make the point of order against the amendment.

The CHAIRMAN. The point of order is sustained. The question is on the amendment offered by the gentleman from Illinois.

Mr. MURDOCK. This gives him $4,500?

Mr. FOWLER. Yes.

The question was taken; and on a division (demanded by Mr. FOWLER) there were—ayes 5, noes 27.

So the amendment was rejected.

The Clerk read as follows:

Office of Comptroller of the Treasury: Comptroller, $6,000; Assistant Comptroller, $4,500; chief clerk, $2,500; chief law clerk, $2,500; law clerks revising accounts and briefing opinions—1, $2,100; 8, at $2,000 each; expert accountants—6, at $2,000 each; private secretary, $1,800; clerks—8 of class 4, 3 of class 3, 1 of class 2; stenographer and typewriter, $1,400; typewriter-copyist, $1,000; 2 messengers; assistant messenger; laborer; in all, $73,460.

Mr. FOWLER. Mr. Chairman, on page 40, lines 21 and 22, the bill carries a provision of $6,000 for the Comptroller of the Treasury. I make the point of order against that part of the bill because the salary as provided by statute is $5,000.

Mr. JOHNSON of South Carolina. It is $5,500.

The CHAIRMAN. The point of order is sustained.

Mr. FOWLER. Mr. Chairman, I now offer an amendment, in lines 21 and 22, page 40, to insert the words "Comptroller, $5,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 40, lines 21 and 22, by inserting "Comptroller, $5,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

Mr. FOWLER. Mr. Chairman, by permission, I will make that $5,500 instead of $5,000.

The CHAIRMAN. Without objection, the amendment will be modified in accordance with the statement of the gentleman from Illinois.

There was no objection.

Mr. MANN. Mr. Chairman, I move to strike out "$5,500" and insert "$6,000."

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to modify his amendment.

Mr. MANN. Oh, that has been granted, and I move to amend it.

Mr. FOWLER. I withdraw the request.

Mr. MANN. The gentleman can not withdraw an amendment offered in Committee of the Whole House on the state of the Union without unanimous consent.

Mr. FOWLER. I withdraw the request, because consent to amend it was not granted.

Mr. MANN. It was granted, and I was very careful not to offer my amendment until the Chair put the request, and it was granted.

The CHAIRMAN. The Chair put the request, stating that without objection the amendment would be modified, and there was no objection offered.

Mr. FOWLER. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Is there objection to the gentleman from Illinois withdrawing his amendment?

Mr. MANN. I object.

Mr. FOWLER. Mr. Chairman, I make the point of order against the amendment offered by the gentleman from Illinois.

Mr. MANN. Mr. Chairman, the gentleman has presented an amendment, in itself out of order, to which no point of order was made. Any germane amendment to the same subject is in order, so that to amend to increase the amount from $5,500 to $6,000 is in order.

Mr. FOWLER. Mr. Chairman——

The CHAIRMAN. The Chair asked the chairman of the committee what the statutory salary of this office is at present.

Mr. JOHNSON of South Carolina. It is $5,500.

The CHAIRMAN. The point of order made by the gentleman from Illinois is sustained. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the Chairman announced the noes appeared to have it.

Mr. FOWLER. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 8, noes 22.

So the amendment was rejected.

Mr. FOWLER. Mr. Chairman, I make a point of order on page 40, line 22.

Mr. FITZGERALD. Mr. Chairman, it is too late to make any further points of order on this paragraph. It has already been amended.

Mr. FOWLER. Mr. Chairman, I submit the question to the ruling of the Chair.

The CHAIRMAN. What is the statement of the gentleman from New York?

Mr. FITZGERALD. The gentleman made a point of order against one item, and it was sustained. Since that time amendments have been offered, and it is now too late to make further points of order against the paragraph.

The CHAIRMAN. Undoubtedly that is the precedent.

Mr. FOWLER. I submit to the ruling of the Chair.

The Clerk read as follows:

Office of Auditor for War Department: Auditor, $5,000; assistant and chief clerk, $2,250; law clerk, $2,000; Chief of Division of Accounts, $2,500; chief of division, $2,000; 2 assistant chiefs of division, at $1,900 each; chief transportation clerk, $2,000; clerks—22 of class 4, 49 of class 3, 55 of class 2, 45 of class 1, 9 at $1,000 each, 3 at $900 each; skilled laborer, $900; messenger; 5 assistant messengers; 9 laborers (1 transferred to Loans and Currency Division); messenger boy, $480; in all, $292,010.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. May I ask the gentleman in charge of the bill in reference to the salary of the auditor? All of the auditors receive salaries of $4,000 a year now. Two years ago, at my suggestion, the Auditor for the War Department was given $1,000 extra in the sundry civil bill on account of auditing the Panama Canal disbursements. Now, I notice in this bill the gentleman proposes to increase his regular salary from $4,000 to $5,000. May I ask what is the purpose of that?

Mr. JOHNSON of South Carolina. It is intended to take care of the $1,000 given hitherto in the sundry civil bill. The regular salary is $4,000, and this is extra salary for the Panama Canal auditing.

Mr. MANN. But here comes along the question in reference to the expenses of the canal and all those things. Now, purposely before the extra $1,000 was carried in the canal appropriation so that we might segregate those items that related to the expenses of the canal from other items that had nothing to do with it as far as possible. Does not the gentleman think that is a desirable thing to do? In other words, the auditing of the canal disbursements may be to-day with the Auditor for the War Department; to-morrow the President may direct that the canal work shall be placed under some other Secretary. It is not permanently under the War Department by statute and it is wholly within the will of the President.

Mr. JOHNSON of South Carolina. What the gentleman says is quite true, but the Treasury Department requested us to bring the two items together, and we have done so. It is subject to a point of order.

Mr. MANN. Oh, I can see there might be a few cents less expense to pay this out of one item, but I think it is desirable to maintain the matter as it was, and indicate that this extra $1,000 is given for the auditing of the canal disbursements. Personally I would not object to increasing the salary of all the officers from $4,000 to $5,000, but I think, as long as this is for this purpose, it should be kept separate; and therefore I make the point of order.

Mr. JOHNSON of South Carolina. Mr. Chairman, on page 41, line 13, I move to insert "$4,000" for "$5,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 41, line 13, strike out "$5,000" and insert "$4,000."

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of South Carolina. On page 41, line 21, I move to strike out "$292,010" and insert "$291,010."

The CHAIRMAN. The Clerk will report the amendment.

Mr. MANN. Mr. Chairman, I ask the gentleman to ask unanimous consent that the Clerk correct the total to save time.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 21, page 41, strike out "$292,010" and insert "$291,010."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For compensation on a piece-rate basis, to be fixed by the Secretary of the Treasury, of such number of employees as may be necessary to tabulate by the use of mechanical devices the accounts and vouchers of the Interior Department; for the purchase or rental of the necessary mechanical devices; and for the purchase of such supplies and the making of such repairs as may be necessary to their maintenance and operation, $14,000: *Provided*, That the Secretary of the Treasury may, during the fiscal year 1915, in his discretion, diminish the number of positions of the grades below that of clerk at $1,200 per annum in the Office of the Auditor for the Interior Department and use the unexpended balances of the appropriation for the positions so diminished as a fund to pay, on a piece-rate basis to be fixed by the Secretary of the Treasury, the compensation of such additional number of employees as may be necessary to tabulate by the use of mechanical devices the accounts and vouchers of the Interior Department: *Provided further*, That under such rules and regulations as the Secretary of the Treasury may prescribe, piece-rate employees in the Office of the Auditor for the Interior Department shall be entitled to the same leave of absence with pay as is provided by law for clerks and employees in the executive departments in Washington. The pay of any piece-rate employee during such leave shall be determined by the average quantity of work done by such employee and the pay therefor.

Mr. JOHNSON of South Carolina. Mr. Chairman——

Mr. J. I. NOLAN. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from California will state his point of order.

Mr. J. I. NOLAN. I make a point of order against the following language of the paragraph and particularly the language in line 11, page 42, "on a piece basis," and after the figures "$14,000," in line 18, at the end of the paragraph. I make the point of order on that language.

Mr. BRYAN. Mr. Chairman, I make a point of order on the entire paragraph, beginning with line 11, page 42, and extending to line 12, page 43, so there will be no question about it, on the ground that it is new legislation and was not included in a former bill.

The CHAIRMAN. Does the committee desire to be heard?

Mr. BARTLETT. Will not the gentleman reserve the point of order?

Mr. J. I. NOLAN. I will reserve my point of order.

Mr. BRYAN. And I will reserve the point of order I made.

Mr. JOHNSON of South Carolina. Mr. Chairman, the department within the last few years has introduced a number of tabulating machines and other machines to save time, and it is found that the most desirable way to compensate the people who operate those machines is upon the piece-rate basis. I went down to the Post Office Department Building and went all through the office of the Auditor of the Post Office Department. I had him show me all the machines upon which these employees operated. I had him show me the salary roll of the people who were engaged upon those machines. I examined the compensation that they received before they went upon the machines on the piece-rate basis and also the compensation that they were receiving on the piece-rate basis. Out of 175 people engaged in working the machines in the office of the Auditor for the Post Office Department all of them except 11 were making very much more money than they made while they were on the annual roll and some of them were making more than twice as much.

Mr. BRYAN. Will the gentleman yield right there?

Mr. JOHNSON of South Carolina. Yes.

Mr. BRYAN. Did the gentleman consult the rolls to see that a great number of those who were formerly on the rolls making a living had been either sent to the graveyard or eliminated from the service on account of those machines. They are not the same parties.

Mr. JOHNSON of South Carolina. Now, on page 140 of the hearings, Mr. Kram testified:

There are on the regular roll 376 employees on salary and 162 employees compensated on a piece-rate basis. The piece-rate employees formerly received on an average of $742 per annum when paid on a salary basis. As piece-rate employees they now receive an average of $985 per annum, an increase of 25 per cent in the rate of pay.

Not only that, but the Auditor for the Post Office Department has positively prohibited any person engaged in piece-rate work from working over seven hours a day. The people who

are on the statutory roll may remain after 4.30 p. m., or they may go to work a few minutes before 9 if they elect to do so, but no person engaged in piece-rate work is allowed to go to work before 9 or to work after 4.30. I have not heard——

Mr. J. I. NOLAN. Will the gentleman yield?

Mr. JOHNSON of South Carolina. I have not heard any complaint on the part of the people who are getting the benefit of this salary.

Mr. J. I. NOLAN. I would like to ask the chairman of the subcommittee if it is not the custom here in Washington in most of the departments to work the clerical force seven hours a day?

Mr. JOHNSON of South Carolina. There are a great many chiefs of division who come before our committtee and claim they have to work overtime in order to keep the work current.

Mr. J. I. NOLAN. The hours you have just stated are the current hours in practically every department in Washington for the clerical force?

Mr. JOHNSON of South Carolina. Yes; but with this difference: People engaged in clerical work are permitted to work overtime and do work overtime in order to keep the work of their office current, but the people who are engaged in doing piecework are not permitted to work overtime.

Now, I have no desire to take up the time of the committee. I want these people to receive fair compensation. I have examined into this thing and I have found that they got an average increase of 25 per cent. I have heard no complaint from the people themselves. This item is subject to a point of order if the gentleman desires to make it.

Mr. KREIDER. Will the gentleman permit a question?

Mr. JOHNSON of South Carolina. Yes, sir.

Mr. KREIDER. Do you know what the relative cost to the Government is for having the work done, based upon a piece price or per diem pay, as they are now having the work done? What is the relative cost to the Government? Is there a saving one way or the other?

Mr. JOHNSON of South Carolina. Taking the office of the Auditor for the Post Office Department, where the machines were first introduced, notwithstanding the enormous increase in the postal business, the appropriations from year to year are slightly less. In other words, the very great efficiency in the Office of the Auditor for the Post Office Department takes care of the increase in work without asking for any increase in the appropriation. That is true not only in respect to those who work upon the machines, but with respect to the general force in the office, consisting of 376 people who are not working on machines. It is a very efficiently managed office, in my judgment. But this item is subject to the point of order if the gentleman desires to make it.

Mr. J. I. NOLAN. Now, Mr. Chairman, inasmuch as the subject has been discussed to some extent, and the office of the Auditor for the Post Office Department has been brought into it, I will state that I have received some complaint from some of the employees who are working under this piece-price system. There is not any question but that the department of the Auditor for the Post Office Department is being operated at considerable less expense than it was in former years. The introduction of the electric tabulating machines took place in July, 1912. A force of 125 women was employed. There is no objection to the operation of those machines. It is the system under which they are operated and the way that the women, who are defenseless in this instance, are treated by the Auditor for the Treasury Department in the operation of this piecework system.

I have a copy of a letter which I have received—and I have the original in my office—that I am going to read for the benefit of the committee. I may have to ask for additional time, but this is an important matter and, in my estimation, we should discuss the matter thoroughly.

This is from a lady who is working for the Auditor for the Post Office Department under this system:

FACTS ABOUT THE OFFICE OF THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

The middle of July, 1912, the force of about 135 women were put to operate key-punching machines, instructions of 10 days having been previously given.

The salary basis continued until the middle of November, 1912, when the gradual change to piece rate began. Each operator as transferred to piece-rate basis forfeited all leave due her and pay on all legal holidays, namely, Thanksgiving, Sherman's funeral, eve of Christmas and New Years, as well as the days. Those who forfeited the leaves were offered the time without pay, so the services would be spared. The leave was all included in appropriations.

January 2, 1914, those who were not already pieceworkers were put on that roll, the pay for all being $1.50 a thousand.

I might say, Mr. Chairman, in passing, that I hold in my hand the cards that are used on these electric tabulating machines, and are punched, about 20 holes in each card, and they get from $1.20 to $1.50 a thousand.

Mr. BRYAN. For the cards?

Mr. J. I. NOLAN. For the punching of the cards.

Mr. BRYAN. It is only about 15 or 17 cents. I think the gentleman is mistaken there.

Mr. J. I. NOLAN. That is by the hundred.

Mr. BRYAN. Fifteen cents a thousand.

Mr. J. I. NOLAN. One dollar and twenty cents to $1.50 a thousand. The gentleman is mistaken.

I will read:

January 28, Mr. Kram made a statement to assembled clerks, that owing to an oversight no leave had been provided in the first bill; would go into effect as soon as the second bill passed, which occurred March 3; also, through an anticipated shortage of funds rates were fixed at $1.50, $1.35, $1.20 per thousand, according to grades of work. An allowance of errors one half of 1 per cent; but this more details later.

He stated that he had not calculated on operators making more than $3 a day, showing he had calculated on basis of millions of money orders at so much per thousand, the more earned by clerks, the nearer the work would come to date. The figures would have been too great to try the system.

Leave started from March 5, to exist as in all other executive departments. The pay to be regulated by the average quantity. But the money made in 75 working days was divided by 90 days, making a difference of quite an amount when it came to 15 days' leave; as high as $10 for some. Mr. McAdoo was appealed to but never answered.

Just now the Auditor for Interior Department is adopting piecework, but specifies leave, annual and sick, same as all executive offices. Sick leave was many times refused in other offices.

In other words, they took the quarter and put in 90 days instead of 75 working days and divided up their leave.

Errors are a serious problem. Each card has 20 punches. An allowance of one in 200 cards means one number wrong in 4,000; all over that costs operator 3 cents apiece, or $30 a thousand for spoilage what they are paid $1.50 to do. Three days after work leaves operator, the errors for paid side of money order are found and returned. The issued side for last April and May are just being returned. Operators have no redress; no proof the errors really belong to her as the operator number has been changed four times and cards have passed through many hands that might make errors and no one to find them. For example, a temporary received many errors to pay for. At first thought it useless to try to seek redress; on deeper thought and comparing dates found they were prior to her appointment.

In other words, the operators working in that department—the auditor's department for the Post Office Department—are charged 3 cents apiece for these cards and they are paid $1.50 a thousand; they are charged twenty times what they are paid for in case of an error. All they spoil is the stock and lose such little time as it takes to arrange those cards.

Mr. JOHNSON of South Carolina. Mr. Chairman——

Mr. J. I. NOLAN. Does the gentleman wish to ask a question?

Mr. JOHNSON of South Carolina. I want to give the gentleman some information when he gets through.

Mr. J. I. NOLAN. It says:

Last February all limit was taken off; each one told to do all she could. The work was four months behind, so this helped to bring it up; at same time errors from last year were produced in such quantities as to keep pay roll about usual. The scheme worked.

Now, mind you, I got this letter just a few days ago, and the issue side, where the errors are found, for last April and May are just being returned to the operators. Here is what I want to call to your attention. I read further:

A ballot was given each operator to sign and mark "X," which she wanted—piecework at present rate or former salary. No time was allowed for consideration. Few stopped to consider what injustices the present rate carried with it and did not want to return to salary of $720 when making $900, so about 90 per cent marked "piecework." Inside of 48 hours it was used against them. The one not signing at all was dismissed later. A number were notified one time that the record entitled them to do 10 per cent more work if they wrote auditor requesting it. The form of letter was to the effect that they were physically able; at no future time would complain of an injury the strain might cause.

A money order is valid a year, so some are not cashed and returned promptly. When these are missing a blue card is punched, which must be matched to white card made when order is returned. For the past year there are 600,000 unmatched, either through errors or delayed payments.

They have four different numbers. It is pretty hard to determine whose error it is. Nevertheless, in the system in vogue down there the original operator has to suffer the reduction.

I read further:

The examiners of the cards are promoted according to errors found on key punches. Those finding most get first.

Now, here is what I want to call to the attention of the House, to show how this piecework provision has been put in down there.

Mr. Chairman, I ask unanimous consent to proceed for five minutes longer, as my time is nearly up.

The CHAIRMAN. The gentleman from California asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. J. I. NOLAN. And the name was inscribed on each card so that they could know who signed the card and how they voted.

I read further:

Sweatshop conditions will be found to exist in many ways if properly investigated. Many are breaking down with nervous prostration, and only a question of time when every one will have paralysis of right arm.

Appropriation now being considered is in bulk as to amount and number of operators, leaving every chance to increase number and reduce rates and curtail leave of absence. Up to present time no one has been granted leave, time taken for urgent demands meant loss of pay, and each entitled to 2½ days a month. He has threatened not to leave them car fare before he finished.

Mr. Taft gave an order to allow those from Bureau of Engraving to take examination and go to $900, as many as 25 a year, as vacancies occurred. For two years nothing was done; vacancies occurring were filled from civil service; finally 30 were given $900 temporarily, but this system abolished all.

In other words, those who are promoted are promoted according to the number of errors they find in the punching of the cards. I read further:

These salaries are $1,000 and $1,200 and $1,400. The money taken from key punchers does not pay them.

In other words, in the Post Office Department they charge them 3 cents apiece for spoiling those cards. The system in vogue in the Bureau of Engraving and Printing is different. There they charge the operators for the cost of the stock that is destroyed. I read further:

The pieceworkers in Bureau of Engraving pay only for material. If that would be the case of key punchers, cards are nominal in price, would not mean hardship.

Now, Mr. Chairman, the gentleman refers to Mr. Kram's testimony on page 140 of the hearings. To bear out the statement of my colleague from Washington [Mr. BRYAN], I wish to call attention to another statement that Mr. Kram made. It will be found at about the middle of page 140, where he says:

We have had another difficulty to encounter. When the devices were installed we were obliged to make use of the identical employees who had been engaged for years in assorting money orders by hand. Many of them were well advanced in years, some were of a nervous temperament, and a few were not in good health. When the installation of the electrical tabulation system was recommended, it was recognized that there would be a number of employees in the office who would not be adapted to perform the work, and the department has relieved the office from time to time of persons not adapted to the work, taking over on the rolls of the various bureaus 15 employees in the past 18 months, and on the 12th instant the retransfer of 12 former employees of the Bureau of Engraving and Printing was directed by the Secretary.

I want to call your attention to this fact: The United States Government, through the installation of these electric tabulating machines, has effected an enormous saving in the Post Office Department in tabulating the money orders and vouchers—work that is done by these machines. In addition to that, the man who has charge of this system admits that it is breaking down the health of these women. The employees who have been on the pay roll of the Government for a great many years and a number who were transferred from the Bureau of Engraving and Printing were found to be not qualified to do this work. They have got to have young and strong women to stand the strain. The strain in this instance is something fierce. I think this Government ought to be broad enough and big enough to treat its women employees decently.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Tennessee?

Mr. J. I. NOLAN. I yield.

Mr. BYRNS of Tennessee. Do I understand the gentleman to say or to read from a letter that leave with pay is not allowed in the office of the Auditor for the Post Office Department?

Mr. J. I. NOLAN. In the first instance, where no provision was made, they were not allowed leave; but when it was allowed, I will say to the gentleman that instead of computing it from 75 working days in a quarter, this auditor took the 90 days, and this resulted in a loss to the employees of about $10 in each instance, according to the amount of money that they made two weeks prior to the time of getting their leave.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. J. I. NOLAN. Mr. Chairman, I would like to have five minutes more.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman from California be allowed to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BYRNS of Tennessee. I am in sympathy with much that the gentleman has said, but I fail to see how any injustice can be done to the employee merely because the leave is figured on a basis of two or three months rather than on a less time.

Mr. J. I. NOLAN. I will say to the gentleman that this is piecework. If they made $270 in three months, or $90 a month, and worked 90 days, you would divide $270 by 90, and it would make $3 a day, whereas if you took the 75 working days it would mean more, and their leave would be greater. That is the way they have been depriving some of them of their leave, I will say to the gentleman. I am not holding the committee responsible for any of the conditions that I complain of.

I am satisfied from the reading of the report that it will be found that this gentleman has made a very plausible statement. I am satisfied that when the members of the committee have investigated conditions down there that they will be of my opinion. I not only received the information contained in this letter, and discussed it with the writer, but I asked her to put it in writing, and investigated the matter still further. I am told that the gentleman in charge of that work, in speaking of this situation down there, will give the good side of the situation, but takes care not to allow anyone to consult the young women themselves. The auditor says in his statement to the committee that he must have good, strong, healthy young women, not in so many words, but when he tells of how many people were let out or transferred he means the same thing.

Mr. BYRNS of Tennessee. The auditor was before the committee and had a lengthy hearing, which, I suppose, the gentleman has read?

Mr. J. I. NOLAN. Yes; I have read it.

Mr. BYRNS of Tennessee. And as the gentleman from South Carolina [Mr. JOHNSON] has stated, not only are these people not permitted to work more than seven hours a day, but the supervising official is required to certify that none of them began work before 9 o'clock a. m. and that they did not continue to work after 4.30 p. m. He stated further, as the gentleman knows, that he had adopted a policy whereby he limited the number of cards which the operator was allowed to perforate in a day, and that resulted in a great majority of the employees beginning work at 9 o'clock and quitting at 3 o'clock.

Mr. J. I. NOLAN. That is undoubtedly true. But that applies especially to the most competent and the most able, as you will notice. They have 34 employees who earn more than $1,000. It is evident that the most competent are able to reach the limit and leave the office before the 7 or 8 hours have expired, and if you will go down the line you will find that there are 122 employees working for $960 a year or less.

Mr. BYRNS of Tennessee. If the gentleman will follow his figures further, he will find that out of 156 employees all but 28 of them are making more money now on the piece-rate basis than they were making under the former practice, and 34 of them are receiving more than $1,000 a year.

Mr. J. I. NOLAN. I will say to the gentleman this, that there is not any question but that some of them are making more money. It is natural for a human being to do it. But I say this, that so far as this Government is concerned we ought to set a good example instead of the poorest kind of an example. It is human nature for a man or a woman to make all the money he or she possibly can under improved conditions. I think they would be better off if they were to return to the old conditions, and they think so, too. The time will come when even those few who make the most money under the new system will realize that all the advantage that the Government has given to them under this new system will be taken out of their physical condition.

Mr. BYRNS of Tennessee. From these hearings it will appear as a matter of fact that these employees are, under this system, working a less number of hours and making a good deal more money than formerly.

Mr. J. I. NOLAN. Some of the most proficient are working less. Now, from the information that has been conveyed to me, it is only a year or so since this piecework system was introduced; but up to the time of its introduction the employees that were brought in there were encouraged to go the limit, and when they got to the limit that was used as a basis for determining the piece-price rate.

The CHAIRMAN. The time of the gentleman has expired.

Mr. J. I. NOLAN. Will you permit me one minute longer?

The CHAIRMAN. The gentleman from California asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. J. I. NOLAN. I want to call the attention of the gentleman to the statement of the auditor that the average rate they were making was $985. I have figured up the total wages of

these 156 employees, and it figures up $137,180. Dividing that by 156, I find that it gives an average of $888 instead of $985. There is a mistake there somewhere.

Mr. JOHNSON of South Carolina. I should like to ask the gentleman a question before he sits down.

Mr. MURDOCK. The gentleman has only a minute.

Mr. JOHNSON of South Carolina. I will get recognition in my own time, and will yield time to him.

Mr. J. I. NOLAN. I yield to the gentleman.

Mr. JOHNSON of South Carolina. Has the gentleman been down there and made a personal investigation?

Mr. J. I. NOLAN. I have not made a personal investigation.

Mr. JOHNSON of South Carolina. Does the gentleman think it is fair to a great department of the Government to make the statement he has made on this floor without making a personal investigation?

Mr. J. I. NOLAN. I will say this to the chairman, that I am trying to get rid of the system of piecework; and we must consider this: Those women down there are so situated that they are in fear of losing their places. They say that if anybody goes in there and talks to an employee and gets any information, that employee will lose her position. I believe an investigation of the conditions down there ought to be ordered, and I think it is due to the House itself that it order such an investigation.

Mr. MURDOCK. Did not the gentleman state that a vote had been taken among those women early, before they had tried the system a sufficiently long time——

Mr. J. I. NOLAN. Yes.

Mr. MURDOCK. And that they voted in favor of it.

Mr. J. I. NOLAN. Yes; at first.

Mr. MURDOCK. Does not the gentleman think that under the conditions there, under which they are driven, they would like to abandon the system?

Mr. J. I. NOLAN. They would like to have a secret ballot instead of an open ballot such as this man forced on them; they were compelled to sign their names to their ballot.

Mr. FITZGERALD. They are not driven. The gentleman is wholly in error in making that statement.

Mr. JOHNSON of South Carolina. The gentleman from California has read from a letter from a person he never saw and does not know.

Mr. J. I. NOLAN. The gentleman is entirely mistaken. I want to say that I spoke to this lady and I asked her to put her complaint in writing, and then she sent me this letter. The gentleman is mistaken when he says I never saw the party. I know that she works there.

Mr. JOHNSON of South Carolina. Is she one of the 6 out of the 162—one of the 6 who are making less money than they made before?

Mr. J. I. NOLAN. No, sir; she is not, Mr. Chairman.

Mr. MANN. The gentleman stated a moment ago, as I understood him, in response to a question of the gentleman from Kansas [Mr. MURDOCK], that they took a vote early in the history of this matter, and that they then decided they were in favor of this change, but that later they had changed their minds.

Mr. J. I. NOLAN. Here is the language of the letter:

> A ballot was given each operator to sign and mark X whether she wanted piecework at present rate or former salary. No time was allowed for consideration. Few stopped to consider what injustices the present rate carried with it, and did not want to return to salary of $720 when making $900, so about 90 per cent marked "piecework." Inside of 48 hours it was used against them. The one not signing at all was dismissed later.

Mr. MURDOCK. When was that?

Mr. J. I. NOLAN. Last February.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not know who the writer of that letter is, but it indicates that one's errors may be charged up to somebody else. Any gentleman of this House who goes to the Auditor's Office for the Post Office Department will be convinced to a mathematical certainty that that is impossible, and so much of the letter as states that the errors of one clerk may be charged to another clerk is wrong. It is impossible. Now, Mr. Chairman, here are the figures: From the 1st day of April, 1913, to the 31st day of December, 1913, 162 people were employed upon piecework, and out of those 162, 156 made more money than they made before they went on the piecework basis and 6 people made less. Now, gentlemen, I have been in that office. It is perfectly idle to say that that is a sweatshop. It is not. They are not permitted under any conditions to work over seven hours. They are working in a room that is well ventilated. These electrical machines are not heavy or difficult to manage, and I wish that the members of this committee would go and examine this office for themselves.

Mr. MURDOCK. Will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. MURDOCK. What has the gentleman to say to the statement of the gentleman from California [Mr. J. I. NOLAN] that it is impossible for people beyond the age of youth to operate these machines without breaking down, and that the inauguration of the machines did retire a lot of worthy people there because they were not strong enough to stand the nervous strain of piecework, which the gentleman knows does bring nervous strain?

Mr. BRYAN. Mr. Chairman——

Mr. JOHNSON of South Carolina. Let me answer the gentleman from Kansas. I do not know what the age limit is within which people are adapted to work these machines, but I do deny that it is such onerous work as to break down people's health.

Mr. MURDOCK. The communication read by the gentleman from California [Mr. J. I. NOLAN] said that it had broken down the health of some people.

Mr. JOHNSON of South Carolina. I do not believe it.

Mr. MURDOCK. I do not know whether it was the machine or the piecework system—I suspect that it was the piecework.

Mr. J. I. NOLAN. I should like to ask the gentleman if he has visited the department, where they are deducted at the rate of 3 cents per card spoiled?

Mr. JOHNSON of South Carolina. Yes.

Mr. J. I. NOLAN. Do you think that is fair?

Mr. JOHNSON of South Carolina. It is absolutely negligible.

Mr. J. I. NOLAN. They get $1.50 a thousand, and the deduction is made at the rate of $30 a thousand.

Mr. JOHNSON of South Carolina. After they reach how many?

Mr. J. I. NOLAN. They are only permitted to have a small percentage.

Mr. JOHNSON of South Carolina. What is it?

Mr. J. I. NOLAN. An allowance of errors of one-half of 1 per cent. That is the statement.

Mr. JOHNSON of South Carolina. Now, then, what is the purpose of requiring them to be penalized if they make a certain number of mistakes? It is to encourage them in doing accurate work. The number of mistakes they make in excess of the number they are permitted to make is absolutely negligible.

Mr. BRYAN. Mr. Chairman, the committee is no doubt sincerely in earnest, and the gentleman from South Carolina [Mr. JOHNSON] is as earnest as he can be about this matter. This gentleman, Mr. Kram, at the head of the department is a most plausible gentleman, and no doubt he is sincere, too. He is devoted to his system, and I believe is an efficient man. According to the reputation he has among the employees, he is the most plausible man to be found in Washington. I will illustrate that by saying that he is so plausible that although his position is not under the civil service he has impressed the President of the United States and the Secretary of the Treasury that he, a Republican, is the only man in the United States that is fit to do this particular work, or at least that there is no fit Democrat in all this broad land. Mr. Kram holds his job under this Democratic administration despite ye hungry office seekers. If that does not prove that he is plausible beyond all question and all requirements of 100 per cent plausibility, I will submit the case without another word. [Laughter and applause.]

They claim down there at the Post Office Building that they save money by this proposition. A short time ago they put up in the loft about half a billion money-order checks. They call it the congressional audit, because Mr. Kram was so plausible as to induce the great Appropriations Committee to approve of just forgetting that half year's work. This makes the returns look better and makes the amount of money saved read bigger; but, as a matter of fact, they simply threw that job overboard. Of course, they could run the office for nothing if they kept up that system.

The Government has to pay machine rent and is subjected to a paper subsidy or graft. They can not buy the paper and have it printed here in the Government Printing Office; they have to buy these cards from the monopolists who own the patent and from whom the machines are rented at a high price. It is currently said that the big profit is made out of the sale of the cards. To the credit of the proposition it is claimed that there are fewer clerks, although the business of the Government increases. The clerks are gradually being weeded out and machines put in their places. As far as the labor-saving devices are concerned, I am not here to make any complaint about them,

nor will I, but I demand that they be rightly used, and that the human element be considered in connection with their operation. I suppose there is something in the claim that there is a certain amount saved.

On page 44 of the bill it is provided that hereafter any vacancy that occurs from death, resignation, or otherwise in certain departments where piecework is to be instituted there shall be no promotions, and that in all such cases the office will cease to exist and that the money appropriated for that particular division clerk will be turned into the piece-rate business so as to extend its operation, and thereby is perpetuated a gradual but continual elimination of the clerks in favor of piece-rate operators. All hope of promotion in office is gone. They realize that they can not go up, that if anybody resigns above them that office is to be made vacant. Why have promotions down there? Who thinks of promotion in a sweatshop? All that spirit is taken away.

Now, as to the vacation, they have it arranged, except the piecework operators, so that the clerk is responsible for his desk. If he gets off for 30 days, he finds the work piled up before him at the end of the 30 days, and he has to work nights and extra hours to make up the work. That is the kind of process Mr. Kram is following, and it amounts to a cramming process; but he is so plausible, he makes it go, and he is hailed as a wonder. His idea is that the Government is making money, saving a great deal, and he is making a marvelous record, and thereby gets his salary increased from $4,000 to $5,000.

Mr. FITZGERALD. That is an entirely different auditor from the one the gentleman has in mind.

Mr. BRYAN. Oh, no; the gentleman from New York is mistaken; this auditor that I speak of, I know gets $5,000.

Mr. KREIDER. Will the gentleman yield?

Mr. BRYAN. Yes; although my time has nearly expired.

Mr. KREIDER. Did I understand the gentleman to say that when one of these girls gets leave of absence for 30 days that the work that she would ordinarily do during that time is piled up on her desk, and that she is required to do it when she comes back in addition to her usual and ordinary work?

Mr. BRYAN. Not only that, but they have to certify when they want to get away that they are going to look out for the work that piles up while they are gone. It is only the emergencies that have to be done that are done while they are away, and when they come back they have to work day and night. Then this Mr. Kram comes and jams into the minds of the committee, by his peculiarly plausible processes of jamming and cramming, the idea that he is making money for the Government, and they forget to consider how he makes it. Some clerk said recently—and I relate this just to show how popular his work is—that if that man was to fall down an elevator shaft the clerks would wear red chrysanthemums instead of crêpe. It was a very modest person that said it, too.

Mr. JOHNSON of South Carolina. Will the gentleman yield?

Mr. BRYAN. Certainly.

Mr. JOHNSON of South Carolina. If the gentleman had all this information, why did he not come before the Committee on Appropriations with it?

Mr. BRYAN. I think the gentleman from South Carolina is not quite fair in asking that question. In the first place, I did not have the information, and, then, I had other committees to attend and other matters to consider. I am willing to admit, though, if the committee thinks so, that for my dereliction I ought to be censured; but how about the committee and others who should know about these things? I——

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman argues that the people are afraid of the auditor. They need not be afraid of the Committee on Appropriations.

Mr. BRYAN. I will accord the same admission for the other gentlemen who know about this thing, and will admit that they ought to be censured, too. People may think that this is an Aladdin lamp sort of story, an hallucination or something else, but the Civic Welfare League of this city has taken the matter up, and I was just told at the phone a moment ago that Mrs. McLaughlin has gone down there now to confer about a girl who has fallen by the way with St. Vitus's dance. I tell you the machinery arrangement and the error-slip method they throw back on these girls and men in the department makes it a regular hell on earth, and it is all resolved in favor of saving a penny or two for Uncle Sam. Every principle that has heretofore been held dear to employees in the Government, in the interest of emulation, of advancement, of merit, and reward is abandoned.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. BRYAN. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BRYAN. Gentlemen talk about the increased income of the piece-rate operators. The gentleman from South Carolina says that the average is $985 a year, and says that is a tremendous increase over the average that they have gotten before, and he commends the situation—honestly and sincerely, I believe, and I am not censuring the committee—because these clerks get $985 a year, while over here in the Library, where the employees do nothing very laborious or trying, but because they were getting below $900 a year the committee suffered all kinds of pangs and raised the salaries; and the fact that these people here are getting $985 as an average is presented as an unusual argument in favor of the system. The record shows that 30 of those employees get $960, that 24 of them are earning $900, that 20 of them are earning $840, 20, $780, and that 10 of them are getting as low as $660, out of a group used to calculate the average of $985 per year. There are a few of them high up in these averages, but there is nothing here to show that the high-salaried clerks put into this piece-rate business are not at the top in the averages and the low ones still at the bottom, so that while it may show that some of them get more, there is nothing to show that the employees that were low before are getting more now. The truth is that they are able to work inefficient people in that department in this piece-rate system on these machines. A short time ago, I am told—and I can not verify this absolutely—there was taken out of there to the insane asylum one person, who died quite recently out here in St. Elizabeth's. I want to impress upon this committee that I am as sincere about this thing as I can be about anything, and this ought to go out of this bill, and there ought to be some kind of a revision down there based on humanity, decency, and Americanism, rather than having for its base solely the saving of a penny for Uncle Sam.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. MANN. Mr. Chairman, a year ago I called the attention of Congress to the situation in the office of the Auditor for the Post Office Department, and to the complaints that were being made in reference to the piecework. Personally I never have been, and am not now, one who favors any permanent system by the Government for work by piece. I do not believe in any theory of work which requires people to exert themselves to the utmost. I think that everyone ought to have some reserve power left. A year ago I undertook to investigate the matter a little, more after I had spoken in the House on the subject than I had before. I have no doubt that my distinguished friends from Washington [Mr. BRYAN] and from California [Mr. J. I. NOLAN] will do the same. After my further investigation I was inclined to think that the complaints which had been made to me by ladies working in that office were not as well founded as they themselves believed them to be. It is quite natural, where you change from one form of work to another, that some one doing that work will have some complaint to make.

A moment ago the gentleman from Washington said with great horror in his voice that one of these ladies developed St. Vitus's dance—chorea, I believe is the technical term. The gentleman from Washington seems to have the idea that St. Vitus's dance is something terrible, and I suppose figured that it would be an awful thing. Mr. Chairman, I have had St. Vitus's dance all of my life, and I know perfectly well that I could not operate one of those machines. When I was a young fellow, along with other young fellows, I tried to operate a telegraph instrument, a ticker. All the boys used to have telegraph tickers, with wires. I learned when I was not very old that I could not control the motions of my hand in operating a machine of that kind, and lots of girls and lots of men would find that they can not operate a machine that requires constant work with the fingers like one of these machines, or like a typewriting machine. But that is nothing against the method, and nothing against the person. Those so afflicted will have to find some other way of earning a living.

It seems to me, after all, in this matter the question is whether we will install labor-saving machinery. Of course that is a very old problem, and the gentleman from Kansas, I presume, would be in favor of typesetting machinery, possibly; I do not know whether he employs it in his office. There was a great fight over the question of whether we would have typesetting machinery installed in the Government Printing Office. There is a great fight always when it is proposed to install new machinery which apparently will do away with somebody's employment, but usually results in a greater employment.

Mr. MURDOCK. If the gentleman will permit, it may be of interest to the gentleman from Illinois to know that when we did install typesetting machines, and they are now in general use, they ceased piecework, which goes to the very foundation of this proposition.

Mr. J. I. NOLAN. I want to say further to the gentleman there is no complaint of mine against the installing of these labor-saving devices; it is the piecework system.

Mr. MANN. I have no criticism of the gentleman's complaint. The gentleman complained that in the change injustice is done to somebody. Well, that is nearly always the case, but it takes time to regulate those things. I suppose these machines ought to be installed. I believe we ought to pay the people, shortly at least, not on a piece basis but on a per diem or monthly basis.

Mr. J. I. NOLAN. I will state to the gentleman that is my idea. I do not kick about these machines in other respects.

Mr. MANN. I do not think you can get them installed until you try it on the piece basis, and beyond that I would not insist upon the piece basis.

Mr. BRYAN. If the gentleman will yield at that point, does not the gentleman think and believe it is very wrong for the Government to have that many clerks down there doing the work and not to permit them to present their arguments officially?

Mr. MANN. Some of them have seen my friend from Washington and a number of them have seen me, and it is apparent undoubtedly some have seen the gentleman from California. I do not see any difficulty with the clerks in Washington presenting their grievances or to get a hearing. I am inclined to think that the clerks with grievances in seeing Members of Congress, as a rule, get a much better hearing than the heads of departments.

Mr. FITZGERALD. Mr. Chairman, there have been many statements made here which I believe are grossly exaggerated. For instance, the gentleman from Washington [Mr. BRYAN] stated that the Auditor for the Post Office Department was such a plausible man that he succeeded in having his compensation increased to $5,000 while other auditors receive but $4,000. The compensation of the Auditor for the Post Office Department was increased while Mr. Chance, present chief clerk of the Post Office Department, was the auditor, and it was intended to give him the benefit of the increased compensation because of his very great efficiency. Mr. Kram was not auditor and was not considered or thought of at the time the increase was made.

Mr. BRYAN. If the gentleman will permit, does not the present law give Mr. Kram $4,000 and the bill of the gentleman give him $5,000? Have not you raised it $1,000——

Mr. FITZGERALD. No; the compensation was increased commencing with the beginning of the fiscal year 1912.

Mr. BRYAN. If he gets paid according to law he gets $4,000.

Mr. FITZGERALD. That has been the compensation for three fiscal years, and the law was passed on March 4, 1911, when Mr. Chance was Auditor for the Post Office Department. The purpose was to give the increase to Mr. Chance. Mr. Chance afterwards went to the President's Economy Commission at a compensation of $6,000 a year, and Mr. Kram was not the auditor. When it was proposed in 1912 to install the piece-rate system, there was very grave doubt in the minds of the Committee on Appropriations whether it should be done. I am somewhat familiar myself with the abuses which grow out of putting employees upon the piece-rate basis, and I know that the result frequently has been that the so-called pace-makers, the most efficient employees, are taken as a standard by which the compensation is fixed. I personally was somewhat adverse to the system being installed. It was installed, however, upon assurances being given that not only would it increase the efficiency of the service, but that it would not result in decreasing the compensation of the persons employed, but would increase their compensation. It has been in effect now since 1912.

When it was first proposed the matter was discussed in the House. My recollection is that statements were made that the committee were solicitous that there should be no injustice nor any decrease. No one employed in that division has ever spoken to me but one woman. I recollect during last summer an employee of the Auditor for the Post Office Department called at my office and said that she was about to be transferred to one of these machines. She was of a nervous disposition and said she could not successfully operate one of them, that there were some vacancies in some other bureaus of the Treasury Department to which some of these women were being transferred and she requested me to ask the head of the department to grant her the transfer. I had never seen her before and have never seen her since and I do not know her name, but I spoke to the head of the department and explained the situation to him and she was transferred to prevent her going out of the service. It is unfair for gentlemen to make these charges. I have in my hand the urgent deficiency bill which passed this Congress and was signed yesterday, and in it was a provision to this effect:

The Secretary of the Treasury is authorized during the remainder of the fiscal year 1914 to diminish, as vacancies occur, the number of positions of the several grades below the grade of chief of divisions in the office of the Auditor for the Post Office Department and use the unexpended balances of the appropriations for the positions so diminished as a fund to pay, on a piece-rate basis, to be fixed by the Secretary of the Treasury, the compensation of such number of employees as may be necessary to tabulate, by the use of mechanical devices, the accounts and vouchers of the Postal Service.

These energetic gentlemen never raised their voices in protest when that item was before the House a short time ago.

Mr. J. I. NOLAN. Will the gentleman yield?

Mr. FITZGERALD. In just a moment. They never suggested this gross injustice of which they now complain. They never mentioned either on the floor or to any member of the committee the fact that employees in the office of the Auditor for the Post Office Department felt that an injustice was being done to them or that they were being treated unfairly or improperly. Nothing was said during the general debate upon this bill; but when this item is reached these gentlemen produce this alarming information, one about a person being taken out with St. Vitus's dance, and another person being taken to the insane asylum, at St. Elizabeth's, and I do not know what other things the very active imagination of the gentleman from Washington [Mr. BRYAN] might picture in a moment if he had not been so rushed.

Mr. J. I. NOLAN. I will state to the gentleman that I would have made objection at the time the urgent deficiency bill was under consideration, but it was two or three days after you had passed that page when this was called to my attention.

Mr. FITZGERALD. That was some time ago, long before that bill was completed, long before it was reported, and the gentleman from California, so far as I am aware, never suggested to any member of the Committee on Appropriations, either on this side of the House or on his own side of the House, that there was complaint, or that there was unjust or unfair treatment. This committee has not shown any disposition to treat the female employees of the Government unfairly. At the last session of Congress the committee recommended and carried through the House an appropriation of $63,000 to increase the compensation of the assistants to the plate printers in the Bureau of Engraving and Printing, a class of female employees without any political influence, without any political friends; but upon information brought to the committee, and investigation which made the Members believe that their compensation should be increased, the recommendation was cheerfully made, and it met with the approbation of the House.

Mr. J. I. NOLAN. Will the gentleman permit me to interrupt a moment?

Mr. FITZGERALD. Certainly.

Mr. J. I. NOLAN. I want to assure the chairman of the Committee on Appropriations and the subcommittee that it is not my intention in endeavoring to strike out this paragraph to reflect on the subcommittee or the general Committee on Appropriations. And if I had known of these matters, if I had had more experience in the House, I would not have hesitated to go before the committee and registered my objections there. But I am only getting acquainted with the procedure of the House.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that my time may be extended for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Mr. Chairman, it was not necessary. It was not chiefly for the purpose of saving money that this system was installed, but it was for the purpose of increasing the efficiency of the auditing of that which constantly comes into the office of the Auditor for the Post Office Department. As to auditing the money orders, the auditor says:

Our experience has been that in 1909, in auditing the money orders by making a visual comparison of the amounts with the postmasters' statements, 1,620 errors were disclosed in each 1,000,000 money orders checked. With the use of the adding machine and tape, in 1910 and 1911, 4,076 errors were disclosed in each 1,000,000 money orders handled. Since the installation of the present system of electrical tabulation on July 1, 1912, 6,236 discrepancies have been disclosed in each 1,000,000 money orders audited. It is not believed that the postmasters, as a class, are less efficient now than they were several years ago; the increased efficiency of the audit is to be credited to the new

system and the higher degree of efficiency required of the employees who operate the devices.

The Auditor for the Post Office Department said there was no change in the efficiency of the postmasters, but this mechanical method of checking up these accounts was such as to very greatly improve the efficiency of the department. The gentleman from Washington [Mr. BRYAN] referred to what he called a congressional audit of certain money orders down there. The Auditor's Department was so far behind that during the last fiscal year the matter was called to the attention of both Committees on Appropriations, that in the House and the committee in the Senate. The situation was fully explained, and there was required either a temporary force to bring up certain arrears, or provision was necessary that certain of these returns should not be audited. The Secretary of the Treasury recommended that they be not audited, but that the returns be filed without audit, and upon investigation it was found to be the best thing to be done. I shall insert in the RECORD, so that it may be available, a letter dated February 27, 1913, addressed to Senator WARREN, who was then chairman of the Committee on Appropriations, by Secretary MacVeagh, in which the entire matter was explained and the provision inserted:

TREASURY DEPARTMENT,
Washington, February 27, 1913.

Hon. F. E. WARREN,
Chairman Committee on Appropriations,
United States Senate.

SIR: I beg to invite your attention to a situation which has developed in connection with the recent introduction of a new method of auditing money-order accounts in the office of the Auditor for the Post Office Department, which accomplishes large economies and a quicker audit and which was authorized by Congress. Under the former process of auditing money orders it was not possible to be current with the work, the arrearage being from one to two years; two years ago this arrearage amounted to one year. The new mechanical system of auditing as devised and authorized was installed August 23, 1912. At the time of the installation of this new system there was still to be completed about 25 per cent of the work of auditing money orders which had been received during the nine months prior to July 1, 1912. The money orders for this period can not be audited under the new system, but will have to be completed under the old method. The new system of auditing involves mechanical tabulation, and is working satisfactorily; and its superiority over the former method of auditing is being demonstrated daily. The audit of the paid side of money-order accounts received since July 1, 1912, is current, and the audit of the issued side is progressing satisfactorily, and it is believed the entire audit of money-order accounts will be completed under the new system within six months from the date of the transactions—a result never before possible. However, a certain amount of delay was incurred in the introduction of the new methods, a delay caused not only through the uncertain time when legislative authority would be given, but also after authority was given, through the inexperience of all the operatives and the inaptitude of many.

At the time of the installation of the new system the audit of the accounts under the old method for the three preceding quarters was in progress. It has developed, however, that by reason of the assignment of the fit and apt employees to the new system the efficiency of the remainder of the force has been so depleted that we are unable to make any material progress toward the finishing of the audit of the money orders received prior to July 1, 1912.

The important items of the audit of this back work have been accomplished; that is to say, all of the eight credit items have been audited and only two of the nine debit items—domestic money orders issued and fees received therefor—remain to be verified. In order to make the verification of these two debit items, it is estimated that about 59,000,000 money orders must be assorted into offices and arranged in numerical sequence.

I feel it my duty to notify Congress that either a temporary force should be provided to bring up the arrearage or that authority should be given to abandon the incompleted portion of the audit. Personally I think the former plan is the better; and I desire to invite the attention of the Congress to the fact that upon the recommendation of the auditor, made in good faith, and which I approved, a reduction of 78 employees was made in the force of that office for the current year. The total and continued saving amounts to $100,000 each year. I now feel that this reduction should not have been made until the old work was finished and the new system completely installed, and therefore I recommend that the Congress grant authority for the employment of 90 money-order assorters, at $720; 2 messengers, at $720; and 3 laborers, at $660, for the period of one year, which will involve a total appropriation of $67,000. With this force I am confident the uncompleted work can be finished. A precedent exists for such an appropriation, for in 1893 a joint commission of Congress, known as the Dockery Commission, investigated the methods of accounting and recommended a change in the settlement of money-order accounts. The audit was then two years in arrears, and for the purpose of bringing up that arrearage the sum of $50,100 was appropriated for the fiscal year 1905, and was continued for several subsequent years.

In the event Congress should decide not to make this appropriation I think it well to give serious consideration to the alternative plan, and in this connection I would invite attention to the facts referred to above to the effect that a large portion of the audit (including all the debit side) has been completed and only a minor portion of the audit of the issue side for one quarter and the major portions of the issue side for two quarters remain unaudited.

Under the act of May 27, 1908, the auditor is required to maintain a permanent record of all unpaid money orders. Should Congress direct the discontinuance of the work for the period involved authority should be given to retain all the statements and accompanying money orders relating to these accounts. Should this plan be decided on the following language it is believed would, if enacted, cover the matter:

"That hereafter the Auditor for the Post Office Department shall not assort and verify the money orders pertaining to postmasters' issued lists covering the period from January 1, 1912, to June 30, 1912.

"*Provided*, That the statements for said period and accompanying money orders shall be retained as a part of the record of unpaid money orders required by the act approved May 27, 1908."

Very truly, yours,

FRANKLIN MACVEAGH, *Secretary.*

Mr. MURDOCK. Was this passing of the audit before the installation of the machines or afterwards?

Mr. FITZGERALD. It was after the installation of the machines, and there was an arrearage of about six months.

Mr. MURDOCK. Does the gentleman know whether it was before they inaugurated piecework? Was it before the audit? How did it come that this enormous accumulation of unaudited money-order advices accumulated there?

Mr. FITZGERALD. These accounts had been in arrearage for two years and had never been current. They brought them up to one year, and then got them up to about six months.

Mr. MURDOCK. Then the absence or presence of the machines had nothing to do with the accumulation?

Mr. FITZGERALD. Nothing whatever to do with it, except for the taking of some employees from that work, but simply to dispose of these arrearages and file certain statements, so that they would be available if necessary, and then start off current on this new work.

Mr. BRYAN. And clearing the decks and letting the machines start without any back work helps them to catch up?

Mr. FITZGERALD. That had nothing to do with it, because there was no practical advantage to be had from the auditing in the way it had been done.

Mr. BRYAN. Is it not a fact that they are three or four months behind now, so that they are nearly back to where they started when they threw away that six months' work?

Mr. FITZGERALD. I have no information that they are behind at all.

Mr. BRYAN. I understand they are, but I am not sure about it.

Mr. FITZGERALD. But everyone, Mr. Chairman, who has looked into the matter, I think, practically has become convinced that not only is the auditing greatly improved and much more efficient, but there is, in addition, that which is of some importance, a considerable saving in the cost of doing the work. I am not in favor of reducing proper compensation to Government employees. At the same time no one can justify the making of appropriations merely to keep employees at work by the Government. If their services are not necessary, and unless they can be absorbed in some other branch of the Government service, there can be no justification for continuing a system merely in order that some one may have a job.

Mr. MURDOCK. That is right.

Mr. J. I. NOLAN. What does the gentleman consider the greatest saving has been effected by—by the installation of the machinery itself or by the installation of the piecework system after the introduction of the machines?

Mr. FITZGERALD. Well, the piecework was adopted because it was impossible under the other system properly or adequately to determine the compensation that should be allowed. In addition, the activity and efficiency of the employee would determine very much the value of his service.

The 3 cents a card penalty that is put on the employees was not done in order to make a profit, but it was done in order to prevent gross and indefensible carelessness. A margin of error was allowed which experience demonstrated would be fair. Then if employees so performed their duties as to have very largely increased errors that should not exist, the penalty was affixed; and if the errors grow to such an extent as to make the work practically useless, they are dismissed from the service. But the mere fact that the stock costs $1.50 a thousand and the penalty is 3 cents a card is hardly justification for the complaint that is made.

Mr. Chairman, as the gentleman from South Carolina [Mr. JOHNSON] has said, he personally went through that office, and saw the operation of the machines, and examined the pay rolls and compared them, and spent a sufficient time there to enable him to make a report upon which the committee was justified in acting, in addition to the other information which it had. I believe the action of the committee on this bill is wholly justified. There may be persons who are dissatisfied, but, on the whole, I believe that very few of the employees are dissatisfied and that a great majority of them are now better off in every respect than they were prior to the installation of the machines.

Then, another thing can be said in perfect candor: There were a number of very old persons employed in the office of the Auditor for the Post Office Department. They might be classified or characterized as superannuated employees. They were not of very much value under any system. Under this system I have no doubt that many of them have been eliminated from

this work. Some of them have been transferred to other bureaus of the Treasury Department and some of them, I have no doubt, have been eliminated from the service.

Mr. BRYAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Washington?

Mr. FITZGERALD. Yes.

Mr. BRYAN. Is it not very likely that the elimination of those old and superannuated people accounts to a great extent for this magnificent raise of compensation to the amount of nine hundred and some odd dollars a year salary?

Mr. FITZGERALD. Oh, I think not. Under the law all the heads of these departments are required not to continue in the service persons who are not up to the average standard of efficiency.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield? I want to ask him another question.

Mr. FITZGERALD. Yes.

Mr. MURDOCK. Can the gentleman tell us if there is any hope that we shall drop this piecework method in the Department, and that this is only passing and transient?

Mr. FITZGERALD. If there were a real substantial foundation for the claim that under this method of payment any injustice is done to the employees, either in the manner of compensation or with regard to the spur that is put on their work, I have not the slightest hesitation in saying that the committee would be unanimous in favor of some different method of compensation. But all the information that the committee possessed was to the effect that there was no complaint and no grievance that would justify the discontinuance of these machines.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MURDOCK. The protest is not against the machine, but against the piecework.

Mr. JOHNSON of South Carolina. Mr. Chairman, I want a vote on the amendment.

Mr. BRYAN. How about the point of order, Mr. Chairman?

Mr. JOHNSON of South Carolina. The point of order is well taken. I do not want to waste time on it.

The CHAIRMAN. The point of order is sustained.

Mr. JOHNSON of South Carolina. What particular part of the paragraph was the point of order against?

Mr. BRYAN. It was against the paragraph from line 10, on page 42, to line 11, on page 43.

Mr. JOHNSON of South Carolina. Does the gentleman from Washington want to cut the amount out of the appropriation entirely?

Mr. BRYAN. No; we hope that the Senators will see that justice is done with regard to this matter.

Mr. JOHNSON of South Carolina. The gentleman does not know what he is doing. All that is desired is to cut out the piece rate.

The CHAIRMAN. Does the gentleman from South Carolina offer an amendment?

Mr. JOHNSON of South Carolina. Yes; I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from South Carolina offers an amendment.

Mr. JOHNSON of South Carolina. Mr. Chairman, I withdraw my amendment.

Mr. BRYAN. I did not withdraw my point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained. The paragraph has gone out of the bill. The Clerk will read.

The Clerk read as follows:

Office of Auditor for Post Office Department: Auditor, $5,000; assistant and chief clerk, $3,000; law clerk, $3,000; expert accountant, $3,000; 4 chiefs of division, at $2,250 each; 4 assistant chiefs of division, at $2,000 each; 3 principal bookkeepers, at $2,000 each; clerks—25 of class 4, 48 of class 3, 58 of class 2, 85 of class 1, 47 at $1,000 each, 12 at $900 each; skilled laborers—5 at $840 each, 11 at $720 each, 6 at $660 each; messenger boys—4 at $480 each, 5 at $420 each, 5 at $360 each; 10 male laborers, at $660 each; forewoman, $480; 19 charwomen; in all, $433,340.

Mr. BRYAN. Mr. Chairman, I find that this bill raises the salary of the Auditor for the Post Office Department from the statutory salary of $4,000 to $5,000, and I make a point of order on the figures "$5,000."

Mr. FOWLER. Mr. Chairman, I reserve a point of order against the entire paragraph.

The CHAIRMAN. The gentleman from Washington [Mr. BRYAN] made the point of order against the figures "$5,000," and the gentleman from Illinois [Mr. FOWLER] reserves the point of order against the paragraph. Will the chairman of the committee advise the Chair what the statutory salary is?

Mr. JOHNSON of South Carolina. The salary fixed by law is $4,000. It has been appropriated for years at $5,000.

The CHAIRMAN. The point of order is sustained.

Mr. FOWLER. I make a point of order against the assistant chief clerk, $3,000, in line 21, page 43. The salary carried by the bill is $3,000. The statutory salary is $2,500.

Mr. JOHNSON of South Carolina. The point of order is well taken, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. BARTLETT. Does the whole paragraph go out?

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] only made the point of order against that portion relating to the salary of the assistant and chief clerk, $3,000.

Mr. BARTLETT. He reserved a point of order against the whole paragraph.

The CHAIRMAN. He reserved it against the paragraph, but only made it against the portion indicated.

Mr. BRYAN. I move to amend by inserting in the blank where the "$5,000" was stricken out the figures "$4,000."

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 43, line 21, after the word "auditor," insert the figures "$4,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. BRYAN. Let us have a division, Mr. Chairman. I want to see who the gentlemen are who do not want to give him anything. There is a little glory in trying to save him $4,000. I am willing to give him something.

The committee divided; and there were—ayes 9, noes 25.

Accordingly the amendment was rejected.

Mr. FOWLER. Mr. Chairman, in line 21, page 43, I offer an amendment to insert the figures "$2,500" where the figures "$3,000" were stricken out by the point of order.

The CHAIRMAN. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 43, line 21, after the word "clerk" insert the figures "$2,500."

Mr. FITZGERALD. I move to amend by substituting $3,000.

Mr. FOWLER. I make a point of order against the amendment.

Mr. FITZGERALD. There is no law fixing it at $2,500.

Mr. FOWLER. There is a law fixing it at $2,500.

Mr. FITZGERALD. Where is it? The gentleman must produce his law.

Mr. FOWLER. Oh, no.

Mr. FITZGERALD. The gentleman from Illinois moves to amend by inserting the figures "$2,500." A gentleman proposing an amendment must produce the law to substantiate it. I am informed on very reliable authority that there is no law fixing the salary at $2,500.

The CHAIRMAN. When an item is stricken out on a point of order and an amendment is offered, it devolves upon the gentleman proposing the amendment to show the law authorizing it.

Mr. FOWLER. Mr. Chairman, the statute authorizes a salary of $2,500.

Mr. FITZGERALD. Will the gentleman point out that statute?

Mr. FOWLER. I will get it.

Mr. BRYAN. I submit, Mr. Chairman, if anyone challenges the gentleman's statement, can we not save time by voting down the amendment?

The CHAIRMAN. The Chair will say to the gentleman from Washington that the universal rule heretofore adopted by Chairmen of the Committee of the Whole is that when a point of order is made against a provision in the bill upon the ground that it is not authorized by law, it is the duty of the committee to show that it is authorized or it goes out. After that if a gentleman offers an amendment placing the salary at a figure that he claims is statutory law, the duty then devolves on him to show that it is the law.

Mr. FOWLER. Mr. Chairman, it was conceded by the committee that my point of order was correct. I stated that the salary fixed by law was $2,500. It was conceded by the committee that that was correct.

Mr. FITZGERALD. No; it was conceded that there was no authority for $3,000; that was all.

Mr. FOWLER. Mr. Chairman, the statute fixing these salaries says for the sixth auditor, and the sixth auditor is the Auditor for the Post Office Department, salary $2,500.

Mr. FITZGERALD. Mr. Chairman, I have a compilation which is a well-recognized standard authority, prepared in 1893 by the clerks to the Committee on Appropriations, Mr. Cleaves and Mr. Courts. From that it appears that in 1853 the salary of the chief clerk to the Auditor for the Post Office Department was fixed at $2,000. In 1875 that office was abolished, and the duties thereof devolved upon the deputy auditor created by the act of 1875.

From 1882 to 1894 the appropriation bills carried the position of chief clerk to the auditor at the rate of $2,000 a year. In 1912 two deputy auditors were dropped, and a provision carried for assistant and chief clerk at $3,000 a year. That was when the position, assistant and chief clerk, first appeared. The gentleman having moved an amendment to fix the compensation at $2,500 for the assistant and chief clerk, and there being no authority for such office except as found in the appropriation bill, an amendment fixing the compensation at any sum is in order, the point of order not having been reserved to the first amendment.

The CHAIRMAN. Does the gentleman from Illinois want to be heard further?

Mr. FOWLER. Mr. Chairman, while I have not the statute here, I say to the Chair that there is a statute fixing the salary of the chief clerk at $2,500. I know that is true. I ran it down no longer ago than 48 hours, as I ran down all of these salaries, so that I might bring them down to date. The salary of the sixth auditor's office, which is the Post Office Department, is fixed at $2,500.

Mr. FITZGERALD. This is an assistant and chief clerk.

Mr. FOWLER. Oh, it has been repeatedly held that you can not destroy a statutory office by hanging to it another term which is not provided for by the statute, and that is just this effort of the distinguished gentleman from New York, the chairman of the committee, is making his statement upon. It is based upon the theory that this is a position of assistant and chief clerk, whereas the statute provides for a chief clerk. It has been repeatedly held that you can not destroy a statutory provision by uniting to the term created by the statute another term not created by the statute. I presume none of these gentlemen will deny but that the chief clerk of the auditor's office in the Post Office Department has a salary of $2,500.

Mr. FITZGERALD. I do deny it, and we have not been able to find such a statute.

Mr. FOWLER. I will telephone to my office for it.

Mr. FITZGERALD. We can not wait until the gentleman telephones all around town.

The CHAIRMAN. The Chair is ready to rule. The Chair is, by nature of things, not familiar with all of these statutes fixing the salaries of departmental officials, and when they come up and the point of order is made that it is not authorized by law and there is a controversy about what the law is, he must look to the person whose duty it is to furnish the law, and if he fails to do it the Chair must overrule the point of order. Therefore this point of order is overruled, and the question is on the amendment offered by the gentleman from New York to the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. FOWLER) there were 27 ayes and 2 noes.

Mr. FOWLER. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. Evidently there is no quorum present nor within hailing distance. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Cantrill	Fields	Hayes
Ansberry	Carew	Finley	Heflin
Anthony	Carlin	Flood, Va.	Helm
Austin	Carr	Floyd, Ark.	Henry
Barchfeld	Carter	Francis	Hill
Barnhart	Cary	George	Hinds
Bartholdt	Clancy	Gerry	Hinebaugh
Bathrick	Clark, Fla.	Gillett	Hobson
Beakes	Clayton	Gittins	Howard
Bell, Ga.	Connolly, Iowa	Glass	Hoxworth
Blackmon	Conry	Godwin, N. C.	Hughes, W. Va.
Borchers	Copley	Goeke	Humphreys, Miss.
Borland	Covington	Goldfogle	Johnson, Utah.
Bowdle	Cramton	Goodwin, Ark.	Jones
Broussard	Crisp	Gorman	Keating
Brown, W. Va.	Cullop	Graham, Pa.	Keister
Browne, Wis.	Dale	Green, Iowa	Kelley, Mich.
Bruckner	Dent	Greene, Vt.	Kelly, Pa.
Brumbaugh	Dillon	Gregg	Kennedy, R. I.
Buchanan, Ill.	Dooling	Griffin	Kent
Bulkley	Doughton	Gudger	Key, Ohio
Burgess	Driscoll	Guernsey	Knowland, J. R.
Burke, Pa.	Eagan	Hamill	Konop
Burnett	Edmonds	Hamilton, N. Y.	Korbly
Butler	Estopinal	Hamlin	Lafferty
Campbell	Evans	Hardwick	La Follette
Candler, Miss.	Fairchild	Hart	Langham
Cantor	Fergusson	Hay	Langley
Lee, Ga.	Morin	Rothermel	Talcott, N. Y.
Lee, Pa.	Moss, W. Va.	Rucker	Tavenner
L'Engle	Neeley, Kans.	Rupley	Taylor, Ala.
Lesher	Neely, W. Va.	Sabath	Taylor, Colo.
Lever	Nelson	Saunders	Temple
Levy	O'Brien	Scully	Thacher
Lewis, Pa.	Oglesby	Seldomridge	Thomas
Lindquist	O'Shaunessy	Sells	Thomson, Ill.
Linthicum	Padgett	Sharp	Towner
Loft	Palmer	Sherley	Treadway
Lonergan	Patten, N. Y.	Slayden	Underhill
McAndrews	Patton, Pa.	Slemp	Underwood
McClellan	Payne	Small	Vollmer
McGuire, Okla.	Peters, Me.	Smith, Md.	Volstead
McKenzie	Peters, Mass.	Smith, N. Y.	Wallin
MacDonald	Porter	Sparkman	Walsh
Madden	Post	Stafford	Walters
Mahan	Pou	Stanley	Whaley
Maher	Powers	Stedman	Whitacre
Manahan	Prouty	Stephens, Miss.	White
Martin	Rainey	Stephens, Nebr.	Wilson, N. Y.
Merritt	Rauch	Stout	Winslow
Miller	Reilly, Conn.	Stringer	Woodruff
Montague	Reilly, Wis.	Sutherland	Young, Tex.
Moon	Riordan	Switzer	
Morgan, La.	Roberts, Mass.	Talbott, Md.	

The committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15279, the legislative, executive, and judicial appropriation bill; and, finding itself without a quorum, he had directed the Clerk to call the roll, and he returned herewith the list of the absentees.

The committee resumed its sitting.

The CHAIRMAN. The question is on the amendment as amended.

The amendment as amended was agreed to.

The Clerk read as follows:

For compensation on a piece-rate basis, to be fixed by the Secretary of the Treasury, of such number of employees as may be necessary to tabulate by the use of mechanical devices the accounts and vouchers of the Postal Service, $191,130: *Provided*, That not exceeding $24,840 may be used for the payment of compensation to piece-rate employees absent on leave.

Mr. BRYAN. Mr. Chairman, I reserve the point of order on that. I would like to ask, before I lose any rights I may have, if those figures—$191,130—represent an increase? From the information afforded here, it appears that is a raise from $166,960 to $191,130. As to those figures, I make the point of order.

Mr. JOHNSON of South Carolina. Mr. Chairman, this is an increase of $24,170.

Mr. BRYAN. I make the point of order on those figures.

Mr. JOHNSON of South Carolina. Mr. Chairman, the point of order does not lie, according to rule 2.

Mr. BRYAN. Mr. Chairman, I withdraw the point of order.

Mr. J. I. NOLAN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 44, after the word "compensation," in line 7, strike out the words "on a piece-rate basis"; also the comma after the word "basis"; also strike out all of lines 11, 12, and 13.

Mr. J. I. NOLAN. Mr. Chairman, this is in line with the argument we had a while ago on page 42, when that portion relative to the piecework in the Interior Department was under discussion. The amendment that I offer strikes out all of that paragraph that has reference to piecework. It leaves the appropriation intact. It leaves the Auditor of the Post Office Department in a position to put those operating the electrical tabulating machines in the department on a per diem or monthly basis, to put them back where they were before the installation of the piecework system. In offering this amendment I have no desire to drive out of that department those machines that are used there for tabulating postal orders and vouchers; but I do say to the Members of this House that I think it stands the United States in bad stead, after installing electrical tabulating machines that save the Government thousands of dollars, to follow it up with the establishment of a piecework system, the basis for which is the highest point of efficiency to which those operators can be driven. The statement has been made here this afternoon that the operatives are well satisfied with the conditions under which they work. I read a letter here from a lady who is working in that department, and I have consulted with her and others in the department. They tell me the conditions down there are not such that women can stand it for any considerable period of time. They are breaking down under it and are liable to suffer nervous prostration, and they make the statement that the right arm in the course of time might suffer a stroke of paralysis. It is all right to say that the young, energetic, and able-bodied women can do this work. They can. I say that this Government is big enough and we are well enough off financially to pay the women who are operating these devices in the auditor's department of the Postal Service

their salary on the same basis that we are paying our employees in the Pension Bureau and also in the Census Department.

If piecework is to prevail in the Postal Department in the tabulating of the money orders it ought to be followed up in every other branch of the Government service, and if it is right in the Postal Service it ought to be right in every other department. I think we ought to drive out of the Postal Service any opportunity for criticism of the Government. I believe those employees ought to be treated as we treat every other employee. They have no organization to present their grievances. We have our mechanics in the navy yard, and we have machines there, but we do not install a system of piecework there. Those men are in a position to protest, not alone in Washington, but they have their organizations scattered broadcast throughout the country to protest for them in the various congressional districts. These women in Washington are looking to Congress for redress, and the amendment I offer is for the purpose of taking out of that particular department the piecework and restoring them to the basis they enjoyed prior to its installation, putting them on the same basis as clerical help in the various other departments of the Government.

Mr. MANN. Will the gentleman yield for a question?

Mr. J. I. NOLAN. I will.

Mr. MANN. If the gentleman's amendment should prevail, might not the Secretary of the Treasury still fix the compensation on the piecework basis?

Mr. J. I. NOLAN. I believe if this House strikes out of the bill the recommendation, and if our action be confirmed at the other end of the Capitol, that the Secretary of the Treasury would not care to assume the responsibility for the installation of the piecework system. I do not want to strike out the entire paragraph. I do not want to interfere with the system down there of tabulating. I do not want to interfere with the machines. But I do believe that we ought at least to relieve these women down there, and some of them are getting along fairly well in years, and if this system keeps up they will have to go out of the service upon the same theory that some peope—a great number of them, as testified to by the auditor—were put out of that particular service when this system first went into effect and they installed these machines. My amendment simply provides for the driving out of the piecework system.

Mr. LEWIS of Maryland. Mr. Chairman, I am very sorry to disagree with my friend from California [Mr. J. I. NOLAN], because I believe our motives in this matter are practically identical; but I believe that in public employment the very worst mistake Congress could make would be to discourage the use of labor-unit standards where the principle of standardization can be fairly applied. First, let me say we are not dealing with a profit-making institution. We are not dealing with an agency that is under any temptation to overwork the employee for the sake of the profit it can make out of him. We are dealing with the Government—that is, the public in its organized capacity—a merely ethical employer that has as much interest in the employee's welfare as it has in any other portion of society, and any temptation to abuse that might flow from the piecework system with the private employer is absent in the case of the Government.

Mr. MURDOCK. Will the gentleman yield?

Mr. LEWIS of Maryland. With pleasure.

Mr. MURDOCK. Who owns these machines?

Mr. LEWIS of Maryland. I do not know.

Mr. MURDOCK. Well, now, if they should be owned by a private company, would it not be in the interest of that private company to operate these machines up to their limit through the operation of piecework, and in that situation would not the gentleman's argument fall flat?

Mr. LEWIS of Maryland. No; the private company does not determine the number of hours of work; it is not more than eight——

Mr. FITZGERALD. Seven.

Mr. LEWIS of Maryland. Seven hours. Now, I want to say here, as one who knows nothing but work, that the man or woman who is not willing to work energetically seven hours for the Government does not want to work at all. [Applause.] I have made something of an investigation of this piece-work system as it is employed by the Auditor for the Post Office Department; and as one very greatly interested in the extension of the public functions to proper subjects of governmental action—I have in mind now particularly the telephone and telegraph, and recently acquired postal-express service—that when we secure a standard to determine in advance what the workman for the Government should do, all objection has been overcome to the public administration of the public monopolies. The conviction is very widespread that men will not work for the Government as well as when supervised by the special interest of a private employer. I am afraid that is sometimes true, but there is a broad principle of exception to it; namely that line of public employment where the amount of work can be determined upon and assigned in advance, like the carrier on the rural route, and in the city carrier, where the daily task is defined, and the delinquent workman is subject to an automatic check. Now, this method under a public-service operating motive is an ideal method. First, you have seven hours—I understand in this instance—as the maximum hours of work. Now, if these employees are like the rest of us, some of them are lazy possibly and some of them are energetic. Under this system those who are disinclined to work are placed under proper inducement; made to do their share of the work. Those who are quicker are held in check, because they are not allowed to do more than a given amount of work. I should say without further description that the system as I have seen it down here is not only not subject to indictment and attack, but is absolutely ideal, in my judgment. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Maryland may be extended five minutes. Is there objection?

Mr. MANN. Reserving the right to object, how long does the gentleman from South Carolina intend to keep us here?

Mr. JOHNSON of South Carolina. Just until we dispose of this matter.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. I understand the gentleman to say that he has personally investigated the work of the Auditor for the Post Office Department. It has been stated here to-day that there is considerable complaint and dissatisfaction and that the conditions there are such that they should not be tolerated. Will the gentleman state what the result of his personal investigation is as to the conditions under which these persons are employed on these machines?

Mr. LEWIS of Maryland. I may not be able to say that my examination was sufficiently detailed as to cover personal pathology, if I may use the expression, in answer to the gentleman, but it did include the actual inspection of the work they were doing.

It is not different in character from the work that a girl performs on a typewriter, not as complex, I should say, because the factors are reduced to the very fewest in number. And the system is worked out in this way: For example, those who can put through a thousand cards with a percentage of error that is not greater than a given figure will be allowed to work up to 1,200 cards, provided their percentage of error does not increase too fast. The maximum work allowed within lines is determined by the minimum of errors, and you have mutually operating checks, which, with a seven-hour day and the purely ethical motive of the Government, emphatically insure fair conditions. One can not speak, of course, for every employee in the department, and I do not presume to speak for them; but I do speak for that great public interest that is entitled to have the public functions properly discharged, and that has been deterred from having services rendered by the postal system in this country, and rendered by the leading postal systems of the earth, because in the absence of a fair count interested parties have been able to say that the Government employee was inefficient, as false a slander on the postal system as the lies of Lucifer. When an opportunity comes to apply a standard of fair dealing between the Government and its employees, which kills off these slanderers of its employees, I say that those who stand on the ground I do, namely, that the hope of labor is in the proper extension of public ownership, have something to explain when they attack a system like this.

Mr. J. I. NOLAN. Will the gentleman yield?

Mr. LEWIS of Maryland. With pleasure.

Mr. J. I. NOLAN. I would like to ask the gentleman from Maryland if he has in his investigations looked into the condition of the employees and found out how much satisfaction or dissatisfaction existed with the piecework system?

Mr. LEWIS of Maryland. I did not need to do that, I will say to the gentleman from California. I worked on a piecework system in the mines myself, the hardest kind of toil that an individual can render, and I am very slow to condemn the system under Government application and a seven-hour day, which is good on its face, because there are complaints about it. Where is the system that will not bring complaints?

Mr. J. I. NOLAN. I would like to ask the gentleman if in his investigations there he found out if the employees down

there were docked at the rate of 3 cents apiece for these cards that were spoiled, after being allowed one-half of 1 per cent in errors as against $1.50 a thousand, their highest pay for work on the tabulating machines?

Mr. LEWIS of Maryland. I know there is a system of checking up errors. If errors were not checked up in the division, there would be no motive to do the work accurately, and the work must be done accurately. And I would say from the inspection I gave the matter that it not only should not be attacked in this House, but that the officers who have introduced it and who are maintaining it are entitled to the commendation of the Congress. [Applause.]

Mr. BRYAN. Mr. Chairman, of course we all know that the gentleman from Maryland [Mr. LEWIS] is authority on a great many labor propositions and is very earnest in his advocacy of reforms along that line. Now, he compares the work done on these machines with the work done on the typewriter. The fact is that there are just about 9 or 10 of these keys before the operator, and the operator has no change of vision before her throughout the day or all through the work, but has to stick to the little keyboard. There is no change for dictation; there is no change such as comes to a typewriter operator in all the different kinds of activity that the typewriter operator has to follow. And comparing it to working in coal, the man who puts the coal in his basket, or whatever it is, and then carries it to a certain place and dumps it, and handles the shovel and different implements, has some kind of a change going on all the time.

But those employees down there have to stick to one little spot and keep one particular line of punchers going there all the time with a very small machine and a very slight perspective.

In this city the Welfare League have taken the matter up, and they have gone down there and considered the condition of these girls; and it is distressing and wrong, the way they are rushing the work. As was said here to-day, they have taken some one out of there afflicted with St. Vitus's dance. The gentleman from New York [Mr. FITZGERALD] stated that the old ones are eliminated, and he referred to that as a fact in connection with these machines.

Of course a method that eliminates all of those who have passed beyond the prime of life, and who are subjected to a slight weariness from long service, will perhaps make a few dollars more to the Government, but I do not believe that this Government ought to introduce that piece-rate system in its various departments. I believe it is wrong to encourage the operation in the way it is encouraged down there in the office of the Auditor for the Post Office Department. I am not opposed to the machines, but I am opposed to the piecework system. [Applause.]

Mr. MURDOCK. Mr. Chairman, I realize that the hour is late and that the House wants to quit, but I want to say a word about this amendment.

Mr. Chairman, virtually all of the employees in the Post Office Department are paid flat or graded salaries. There are a few exceptions. In the star-route service we let the routes out by contract. When the Rural Free Delivery System was established an attempt was made to put the service on rural routes under a similar contract system. This House and the Senate would not stand for it, and we have since paid the rural carriers on the basis of a flat salary, which is the proper way. The same thing is true of the railway mail clerks, a very skilled class of employees, working, many of them, on high tension. The same thing is true of the city carriers. The same thing is true of practically all of the employees up in the Post Office Department. Now, here is one bureau in the department where another system has been inaugurated, a piecework system.

Mr. FITZGERALD. These people are in the Treasury Department.

Mr. MURDOCK. They are connected with the Post Office Department, because they are in the office of the Auditor for the Post Office Department, though they are in the Treasury Department. But they work on postal affairs and audit postal accounts.

Now, the statement has been made here to-day both by the gentleman from New York and by the gentleman from Illinois that they are against the misuse of the piecework system. I am against it. I do not agree with the gentleman from Maryland [Mr. LEWIS], if I understand him rightly. I am against a system the basis of which is to drive the workman to his limit, usually by the use of a pacemaker. Now, I do not know who owns these machines. If they are owned by a private corporation, the private corporation probably furnishes to the Government these cards, and——

Mr. FITZGERALD. That makes no difference.

Mr. MURDOCK. Oh, it makes all the difference in the world. Then it becomes of advantage to the private corporation to have these machines speeded up to the limit, for the purpose of showing their efficiency to the Government; and if the private corporation has that motive, then you may be sure that the women up there who are doing this work are, as I said before in the course of this debate, driven to the maximum of work. And that is the trouble with piecework generally. The gentleman from Maryland must know that in the installation of labor-saving machines piecework usually passes. It passes because it is unfair. It would not pass usually at the instance of the employer. It passes because the workmen will not stand for it.

Now, why should this Government put before the country an example in the use of this infamous system? Why should Congress stand for it? We are not trying to exclude from the department labor-saving machinery. We are trying to exclude from the Government the use of this piecework system. I hope that the amendment offered by the gentleman from California [Mr. J. I. NOLAN] will be adopted. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. J. I. NOLAN].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BRYAN. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 23, noes 31.

Mr. J. I. NOLAN. I ask for tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from California demands tellers. All those in favor of taking this vote by tellers will please rise and stand until they are counted. [After counting.] Ten Members; not a sufficient number.

Mr. J. I. NOLAN. I make the point of no quorum, Mr. Chairman.

The CHAIRMAN. The gentleman from California makes the point of no quorum. The Chair will count.

Mr. MANN. Oh, Mr. Chairman, I suggest to the gentleman from South Carolina that he move that the committee rise.

Mr. JOHNSON of South Carolina. I do not care to punish Members. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BURGESS, for 15 days, on account of serious illness in his family.

To Mr. BROWN of West Virginia, for 10 days, on account of sickness.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1044. An act for the relief of Byron W. Canfield; to the Committee on Military Affairs.

S. 55. An act for the relief of Daniel Hampton; to the Committee on Military Affairs.

S. 4968. An act for the relief of Hyacinthe Villeneuve; to the Committee on the Public Lands.

ADJOURNMENT.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 18 minutes p. m.) the House adjourned until Wednesday, April 8, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WATSON, from the Committee on the Territories, to which was referred the bill (H. R. 9770) to levy and collect an income tax on railroads in Alaska, and for other purposes, reported the same without amendment, accompanied by a report (No. 509), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FALCONER: A bill (H. R. 15430) to prohibit selling of intoxicating beverages in the Territory of Alaska; to the Committee on the Territories.

By Mr. EDMONDS: A bill (H. R. 15431) for the construction of passenger vessels of fireproof material; to the Committee on the Merchant Marine and Fisheries.

By Mr. STEPHENS of Nebraska: A bill (H. R. 15432) to provide for drainage of allotted and tribal lands of the Omaha and Winnebago Indians located within the boundaries of any district in the State of Nebraska; to the Committee on Indian Affairs.

By Mr. MOORE: A bill (H. R. 15433) authorizing the Secretary of War to donate to the Masonic homes property at Elizabethtown, Pa., four brass or bronze cannon or fieldpieces, with their carriages, and a suitable outfit of cannon balls; to the Committee on Military Affairs.

By Mr. THOMPSON of Oklahoma: A bill (H. R. 15434) prohibiting the granting of liquor licenses near street car transfer corners; to the Committee on the District of Columbia.

By Mr. STEENERSON: A bill (H. R. 15435) for the relief of certain purchasers of land under the act entitled "An act to authorize the drainage of certain lands in the State of Minnesota"; to the Committee on the Public Lands.

By Mr. MAHAN: A bill (H. R. 15436) authorizing the acquisition of a site and the construction of a public building thereon at Putnam, Conn., and amending the public-buildings act of June 25, 1910; to the Committee on Public Buildings and Grounds.

By Mr. HENRY: Concurrent resolution (H. Con. Res. 35) directing the Interstate Commerce Commission to investigate and report facts regarding ownership, organization, operation, and rates of vessels and steamship lines engaged in transporting freight between the Atlantic and Pacific coasts; to the Committee on Interstate and Foreign Commerce.

By Mr. CALLAWAY: Resolution (H. Res. 460) to print as a House document the report of the Government engineers on the Lake Superior-Mississippi River Canal; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 15437) granting a pension to Lydia F. Stewart; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 15438) granting an increase of pension to Alexander F. Herman; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 15439) granting a pension to J. Walter Craig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15440) granting a pension to John Welsh; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 15441) granting a pension to Evaline Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15442) granting an increase of pension to John W. Amos; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15443) granting an increase of pension to Caroline Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15444) granting an increase of pension to Christina Leibecke; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 15445) granting an increase of pension to Jerome Stoll; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 15446) granting an increase of pension to John H. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15447) granting an increase of pension to Mary M. Wright; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 15448) granting an increase of pension to Paphiras B. Keys; to the Committee on Invalid Pensions.

By Mr. FREAR: A bill (H. R. 15449) granting an increase of pension to Leonard Loken; to the Committee on Pensions.

By Mr. GOEKE: A bill (H. R. 15450) granting an increase of pension to Robert H. Calkins; to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 15451) for the relief of the heirs of Samuel C. Hull, deceased; to the Committee on War Claims.

By Mr. HOWARD: A bill (H. R. 15452) for the relief of the heirs of A. K. Tribble, deceased; to the Committee on War Claims.

By Mr. JACOWAY: A bill (H. R. 15453) granting an increase of pension to George W. Plank; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15454) granting an increase of pension to James R. Power; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15455) granting an increase of pension to William H. Simmons; to the Committee on Invalid Pensions.

By Mr. LENROOT: A bill (H. R. 15456) for the relief of Laura C. Collins; to the Committee on Claims.

By Mr. MOSS of West Virginia: A bill (H. R. 15457) granting an increase of pension to Melissa Henderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15458) granting an increase of pension to Alexander Morrow; to the Committee on Invalid Pensions.

By Mr. NELSON: A bill (H. R. 15459) for the relief of John Martin; to the Committee on War Claims.

By Mr. SMITH of Idaho: A bill (H. R. 15460) granting an increase of pension to Norman W. Jones; to the Committee on Pensions.

By Mr. THACHER: A bill (H. R. 15461) granting a pension to Charles W. Smith; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 15462) granting an increase of pension to Emanuel Miller; to the Committee on Invalid Pensions.

By Mr. WHITACRE: A bill (H. R. 15463) granting a pension to Charles Edney; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of sundry citizens of the States of Michigan and Pennsylvania, protesting against national prohibition; to the Committee on the Judiciary.

Also (by request), petition of the Merchants Association of Honolulu against the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also (by request), petition of sundry citizens of Washington, D. C., against national prohibition; to the Committee on the Judiciary.

Also, (by request), petition of the First Baptist Church of St. Johns, Mich., and the Ministerial Union of Greensburg, Ind., against allowing polygamy in the United States; to the Committee on the Judiciary.

By Mr. AIKEN: Petition of 76 citizens of Belton, S. C., favoring national prohibition; to the Committee on the Judiciary.

By Mr. AINEY: Petition of 237 citizens of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ALLEN: Memorial of Branch No. 5, American Continental League of Cincinnati, Ohio, protesting against "One hundred years peace celebration"; to the Committee on Foreign Affairs.

Also, petition of C. A. Heilker and 290 other citizens of Cincinnati, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. ANSBERRY: Petitions of 119 citizens of Ottawa, 70 citizens of Malinta, 29 citizens of Malinta, 18 citizens of Payne, 60 citizens in the Men's Bible Class, First Methodist Episcopal Church of Van Wert, all in the State of Ohio, favoring national prohibition amendment; to the Committee on the Judiciary.

Also, petition of the Cleveland (Ohio) Chamber of Commerce, opposing Senate bill 120, by Mr. MCCUMBER, and asking the passage of a bill for national supervision of grain inspection; to the Committee on Agriculture.

By Mr. ANTHONY: Petitions of 300 citizens of Topeka, 40 citizens of Oakland, 300 citizens of Topeka, and 500 citizens of Topeka, all in the State of Kansas, favoring national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, memorial adopted by Local Union, United Mine Workers of America, of Wier City, Kans., relating to coal strike in Colorado; to the Committee on Mines and Mining.

By Mr. ASHBROOK: Evidence to accompany a bill (H. R. 259) for the relief of Frank S. McKee; to the Committee on Pensions.

Also, petition of the Master Plumbers' Association of Zanesville, Ohio, favoring House bill 14288, relative to public-building contracts; to the Committee on Public Buildings and Grounds.

Also, resolutions of the Glass Bottle Blowers, of Newark, Ohio, in favor of House bill 1873, being the Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of 33 citizens of Newark, Ohio, in favor of House bill 7826, relative to Sabbath observance in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of 29 citizens of Newark, Ohio, in favor of House bill 12928, to amend the postal and civil service laws; to the Committee on the Post Office and Post Roads.

By Mr. BAKER: Petition of sundry citizens of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Manufacturers and Merchants' Association of New Jersey, against national prohibition; to the Committee on the Judiciary.

By Mr. BALTZ: Petitions of various churches in the twenty-second Illinois district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petitions of sundry citizens of Pittsburgh and Castle Shannon, Pa., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of employees at Locks Nos. 2 and 3 on the Ohio River, favoring House bill 11522, which provides for the compensation to be paid certain employees of the United States; to the Committee on Reform in the Civil Service.

By Mr. BARNHART: Petition of sundry citizens of South Bend, Goshen, Hamlet, Michigan City, Albion, Pierceton, Mishawaka, Syracuse, Bristol, Culver, Millersburg, and Laporte, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Painters' Union, No. 652, of Goshen, Ind., against national prohibition; to the Committee on the Judiciary.

Also, resolution of various members of the First Reformed Church of Goshen, Ind., in favor of law prohibiting polygamy in the United States; to the Committee on the Judiciary.

Also, petition of 11,000 brothers and sisters of the Methodist Episcopal conference of the Michigan district, and 10 citizens of Hamlet, Starke County, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARTLETT: Petitions of sundry citizens, bankers, and merchants of the State of Georgia, favoring passage of House bill 5308, relative to mail-order houses; to the Committee on Ways and Means.

Also, memorial of Central City Lodge, No. 8, International Association of Machinists, favoring passage of the machinists' wage bill; to the Committee on Labor.

By Mr. BARTON: Petitions of citizens of Adams, Chase, Clay, Dundy, Franklin, Furnas, Hall, Harlan, Hayes, Hitchcock, Kearney, Nuckolls, Phelps, Redwillow, and Webster Counties, Nebr., protesting against the adoption of House joint resolution 168 and Senate joint resolutions 88 and 50, and all similar prohibition measures introduced in Congress; to the Committee on the Judiciary.

By Mr. BATHRICK: Petition of the Woman's Christian Temperance Union of Lordstown, Ohio, and 730 citizens of Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of sundry citizens of Altoona, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BOOHER: Petition of sundry citizens of Westboro and St. Joseph, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of St. Joseph, Mo., favoring House bill 12740, being the machinists' wage bill; to the Committee on Labor.

By Mr. BRITTEN: Affidavits to accompany a bill (H. R. 15411) granting an increase of pension to Edward A. Bigelow; to the Committee on Invalid Pensions.

By Mr. BRODBECK: Petition of the Eastland Friends Meeting, of Peach Bottom, Pa., and Epworth Methodist Episcopal Church and Union Lutheran Church of York, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 133 citizens of Hanover, Pa., favoring passage of the Bartlett-Bacon bill (H. R. 1873); to the Committee on the Judiciary.

Also, petitions of 30 citizens of Glen Rock, 39 citizens of Seitzland, and 1,008 citizens of York County, all in the State of Pennsylvania, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BROWNING: Petitions of the Bethel Methodist Episcopal Church and Westminster Presbyterian Church, of Camden, N. J., favoring increased compensation and pension for letter carriers; to the Committee on the Post Office and Post Roads.

Also, petition of various Members of the First Baptist Church, of Clayborn, N. J., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petitions of the Kaufmann & Strauss Co., and members of the P. A. T. Savings Club, of New York City, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BURKE of South Dakota: Petition of 18 citizens of Columbia, S. Dak., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CALDER: Memorial of sundry citizens of New Orleans, protesting against unfair location of Federal reserve banks; to the Committee on Banking and Currency.

By Mr. CARR: Petition of 235 citizens of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. CARY: Petition of sundry citizens of Milwaukee relative to House bill 12056, to regulate hours of labor in continuous working plants of the United States; to the Committee on Labor.

Also, petition of the Farmers' Marketing Conference of Minneapolis, Minn., relative to rural credits legislation; to the Committee on Banking and Currency.

Also, petition of Herman Klug, of Milwaukee, Wis., against national prohibition; to the Committee on the Judiciary.

By Mr. COOPER: Petitions of Rev. H. Eugene Davis, of Walworth; Miss F. E. A. Williams, of Lake Geneva; Robert McDonald, of Lake Geneva; C. A. Tuttle, of Lyons; and various other citizens of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

By Mr. COVINGTON: Petition of sundry citizens of Millington, Md., against Sabbath observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Millington, Md., favoring passage of bill (H. R. 12928) to amend the postal and civil-service laws; to the Committee on the Post Office and Post Roads.

By Mr. CURRY: Petition by sundry residents of Vallejo, Solano County, Cal., in favor of House bill 12740, being the machinists wage bill; to the Committee on Labor.

By Mr. DALE: Memorial of sundry citizens of New Orleans, La., protesting against unfair location of Federal reserve banks; to the Committee on Banking and Currency.

By Mr. DIXON: Petitions of the Methodist Episcopal Church of Homestead, 37 citizens of Dearborn County, 30 citizens of Switzerland County, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of sundry citizens of Kansas, favoring House bill 11755, to establish a bureau of farm loans in the Treasury Department of the United States; to the Committee on Banking and Currency.

By Mr. DYER: Petitions of 480 citizens of St. Louis, Mo., and 300 citizens of Webster, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Kelly-Springfield Tire Co., and other business firms and sundry citizens of St. Louis, Mo., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. ESCH: Resolution of a mass meeting of the citizens of New Orleans, protesting against unfair location of Federal reserve banks; to the Committee on Banking and Currency.

Also, petition of 21 citizens of Tomah, 44 citizens of Tomah, 100 citizens of New Fredonia, 125 citizens of Baraboo, all in the State of Wisconsin, favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. FESS: Petition of 165 members of the Farmers' Grange, of Waynesville, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GOOD: Petition of 400 citizens of West Branch, 150 citizens of Cedar Rapids, 135 citizens of Clarence, 100 citizens of Melbourne, 100 citizens of Mount Vernon, and 70 citizens of West Branch, all in the State of Iowa, favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. GREENE of Vermont: Petition of Rev. George D. Gould and 1,322 other residents of the first congressional district of Vermont, for national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. GUERNSEY: Petitions of 129 citizens of Dexter, 77 citizens of Fort Fairfield, 500 citizens of Bangor, and 75 citizens of East Corinth, all in the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HELGESEN: Petition of 400 citizens of North Dakota, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Broad View Grange, No. 17, Drake, N. Dak., favoring House bill 11897, the Bathrick rural credit bill; to the Committee on Banking and Currency.

By Mr. HINEBAUGH: Petition of 475 citizens of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HOXWORTH: Petition of 60 citizens of Galesburg, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HULINGS: Petition of sundry citizens of Sharon, Pa., protesting against national prohibition by a Federal amendment; to the Committee on the Judiciary.

By Mr. IGOE: Petition of the St. Louis (Mo.) Brass Manufacturing Co., Walsh Bros., St. Louis Cooperage Co., Herf & Frerichs Chemical Co., and Kelly-Springfield Tire Co., all of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

Also, petition of the Straus Saddlery Co., of St. Louis, Mo., against anticoupon bill; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: Petition of sundry citizens of the State of Washington, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Columbia Typographical Union, No. 101, against discrimination in matter of vacations for employees of Government Printing Office; to the Committee on Printing.

By Mr. KAHN: Petition of K. A. Haughy and 69 other residents of the city of San Francisco, Cal., protesting against the enactment of House joint resolution 168 and Senate joint resolutions 88 and 50, and all similar prohibition measures; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petitions of 235 citizens of Providence, R. I., and 40 citizens of Pascoag, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KINDEL: Petition of 253 citizens of Colorado, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KONOP: Petition of 290 citizens of Appleton, 23 citizens of Appleton, 30 citizens of Sawyer, 76 citizens of Sturgeon Bay, all in the State of Wisconsin, favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. LEE of Pennsylvania: Petitions of various voters of Shenandoah, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 90 citizens of Schuylkill Haven, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LIEB: Petition of W. S. Servants and 21 other citizens, of Lincoln City; Rev. O. C. Taylor and 15 other citizens, of Dale; Rev. W. M. Clark, representing the Presbyterian Church, and 18 other citizens, of Oakland City, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LLOYD: Petition of sundry citizens of Adair County, Mo., favoring Bathrick farm-credits bill; to the Committee on Banking and Currency.

Also, petition of sundry citizens of Missouri, favoring Hinebaugh bill taxing mail-order houses; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of sundry citizens of New Orleans, relative to selection of Federal reserve banks; to the Committee on Banking and Currency.

Also, petition of James Majinham, of Hartford, Conn., against national prohibition; to the Committee on the Judiciary.

Also, petition of Enighet Lodge, No. 42, Independent Order of Good Templars, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAGUIRE of Nebraska: Petition of sundry citizens of Lincoln, Nebr., relative to free speech and free press; to the Committee on the Post Office and Post Roads.

By Mr. MAHAN: Petitions of 1,047 citizens of Putnam, Conn., asking that the proposed site for the Federal building and post office in Putnam be abandoned and that the post office be continued in its present location until one more convenient for the use of the general public can be located and determined upon; to the Committee on Public Buildings and Grounds.

By Mr. MANN: Petition of the Chicago Medical Society, against certain amendments to House bill 6282, known as the antinarcotic bill; to the Committee on Ways and Means.

By Mr. MacDONALD: Petition of Anton Giulio and other citizens of Michigan, and also a resolution of the board of directors of the Chamber of Commerce of Milwaukee, Wis., opposing prohibition amendment; to the Committee on the Judiciary.

Also, petition of the Woman's Relief Corps of Escanaba, Mich., protesting against legislation to change the flag of the United States; to the Committee on the Judiciary.

Also, petition of the Swedish Home Society, of Ishpeming, Mich., in support of legislation to appropriate $100,000 for a monument to Capt. John Ericsson; to the Committee on the Library.

Also, petition of the Detroit Review Club, of Detroit, Mich., in support of legislation for flood prevention; to the Committee on Rivers and Harbors.

Also, petition of sundry residents of Menominee, Mich., favoring national prohibition amendment; to the Committee on the Judiciary.

By Mr. McKENZIE: Petition of 569 citizens of Polo, Ill., favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. MERRITT: Petitions of 75 citizens of Brasher Falls, 75 citizens of Chase Mills, 20 citizens of Fort Jackson, and 430 citizens of Malone, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of William J. Pelkoy and W. J. Laundrie, of Plattsburg, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. METZ: Petition of sundry citizens of New Jersey, against national prohibition; to the Committee on the Judiciary.

By Mr. MOSS of Indiana: Petition of 112 citizens of Terre Haute, Ind., against national prohibition; to the Committee on the Judiciary.

Also, petition of 275 citizens of Indiana, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Third United Brethren Church of Terre Haute, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MOTT: Petition of sundry citizens of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Chicago Trades' Union League, against increased postage on second-class mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Oneida, N. Y., against Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of C. S. Thomas, of Oswego, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of New Orleans, relative to selection of Federal reserve banks; to the Committee on Banking and Currency.

By Mr. MURDOCK: Petitions of the Methodist Episcopal Church and the United Brethren Church Circuit of Mulvane; the First Presbyterian Church of McPherson; the Methodist Church of Canton; the Woman's Christian Temperance Union of Chapman; the United Brethren Church, the Free Methodist Church, the Union Presbyterian Church, of Wichita; the Christian Church and the Congregational Church, of Mount Hope; the Evangelical Church, the Presbyterian Church, and the Baptist Church, of Derby, all of the State of Kansas, favoring national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. NELSON: Petition of Martin Staver and other citizens of Grant County, Wis., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of various business men of Dane County, Wis., favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. PAIGE of Massachusetts: Petitions of 649 citizens of Orange, 30 citizens of Hubbardton, 76 citizens of Royalston, 40 citizens of Petersham, 500 citizens of Leicester, 8 citizens of Leominster, and 275 citizens of North Brookfield, all in the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

Also, papers to accompany a bill (H. R. 15420) for relief of Elizabeth Saunders; to the Committee on Invalid Pensions.

By Mr. PLATT: Petition of 150 citizens of Pawling, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Cigarmakers' Union No. 74, of Poughkeepsie, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 50 citizens of Wappingers Falls, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Sheet Metal Workers' Union No. 136, of Middletown, N. Y., and citizens of Middletown, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. PLUMLEY: Petition of Don C. Stiles, of St. Johnsbury, and 272 other residents of the second district of Vermont, praying for the passage of House bill 5308, to tax mail-order houses; to the committee on Ways and Means.

Also, petition of Rev. William C. Clark and 842 other residents of the second congressional district of Vermont, for national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of sundry citizens of Vermont, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. RAKER: Resolutions adopted by the San Francisco Labor Council Friday, March 27, 1914, protesting against the imposition of a poll tax upon fishermen temporarily employed in the waters of Alaska; to the Committee on the Territories.

Also, letter from the Christian Men's League of Red Bluff, Cal., favoring Senate joint resolution 88, providing for national prohibition; to the Committee on the Judiciary.

Also, letter from Rev. Ellis Purlee, of Red Bluff, Cal., favoring House joint resolution 168, relative to national prohibition; to the Committee on the Judiciary.

Also, resolutions of a mass meeting of the citizens of New Orleans, protesting against the unfair location of Federal reserve banks and the injection of politics into the national banking system; to the Committee on Banking and Currency.

Also, letters from L. A. Woodworth, of Berkeley, Cal., and C. W. Riser, of Oakland, Cal., favoring House bill 9242, being the Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petitions of 75 citizens of Placeville, 20 citizens of Penryn, 360 citizens of Corning, and 150 citizens of Auburn, all in the State of California, favoring national prohibition; to the Committee on the Judiciary.

By Mr. REED: Petition of John J. Rutter and other citizens of New Hampshire, favoring the national prohibition amendment; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Petition of the Chicago Trades Union League, against increased rate of postage on second-class mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of 31 citizens of Albion, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: Petitions of 270 voters of Gooding, Idaho, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of Minnesota: Memorial of a mass meeting of citizens of St. Paul, Minn., indorsing the Hamill bill for old-age pensions; to the Committee on Reform in the Civil Service.

Also, petitions of 750 citizens of St. Paul, 70 citizens of North Branch, 100 citizens of St. Paul, 150 citizens of St. Paul, 200 citizens of St. Paul, 60 citizens of Oxford, 400 citizens of St. Paul, 40 citizens of St. Paul, and 133 citizens of St. Paul, all in the State of Minnesota, favoring national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petitions of sundry voters of the fourth congressional district of Minnesota, opposing national prohibition; to the Committee on the Judiciary.

Also, petition of various members of organized labor of St. Paul, Minn., favoring the machinist wage bill (H. R. 12740); to the Committee on Labor.

By Mr. TALBOTT of Maryland (by request): Petition of various voters in second congressional district of Maryland, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of 40 citizens of Aberdeen, 24 citizens of Baltimore, 66 citizens of Baltimore, 25 citizens of Baltimore, 36 citizens of Baltimore, 300 citizens of Baltimore, 225 citizens of Baltimore, 70 citizens of Baltimore, 86 citizens of Baltimore, 40 citizens of Baltimore, 30 citizens of Caponsville, 80 citizens of Hamilton, 35 citizens of Lansdowne, 30 citizens of Patapsco, 50 citizens of Rileywood, 50 citizens of Westminster, 31 citizens of Baltimore, 40 citizens of Caponsville, 200 citizens of Caponsville, 150 citizens of Carrollton, 23 citizens of Bellaire, 30 citizens of Baltimore, all in the State of Maryland, favoring national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. TAYLOR of Arkansas (by request): Petitions of 24 citizens of Tillar and 350 citizens of Fordyce, Ark., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of W. G. Stiler and E. G. Stockton, favoring passage of Bartlett-Bacon bill (H. R. 1873); to the Committee on the Judiciary.

Also (by request), memorial of United Daughters of the Confederacy, relative to cotton tax collected from 1863 to 1868; to the Committee on War Claims.

By Mr. UNDERHILL: Petition of Frank Hill, of Watkins; James A. Conner, of Tompkins; C. M. Sutphin, of Valois; John H. Causer, of Elmira, all of the State of New York; the William Rahr Sons, of Manitowoc, Wis., and the Chamber of Commerce of the city of Milwaukee, Wis., opposing national prohibition amendment to the Committee on the Judiciary.

Also, petition of congregation at Dryden; Willard and Central Women's Christian Temperance Union, of Elmira; Booster L. T. L. of Elmira; Epworth League of the First Methodist Episcopal Church of Elmira; the Women's Christian Temperance Union Federation of Corning; Methodist Episcopal Church of Greenwood; the Local Union of Valois; the Young People's Society of Christian Endeavor of the First Baptist Church of Elmira; and Valois Methodist Episcopal Church, all in the State of New York, favoring constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of J. E. Belknap and sundry other citizens of Campville, N. Y., and vicinity, opposing the Heflin Sunday labor bill for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of the board of managers of the New York Produce Exchange, opposing the proposed Federal grain-inspection law (S. 121); to the Committee on Agriculture.

Also, resolutions by the Merchants' Association of New York, opposing certain pending bills in Congress to regulate interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WALLIN: Petitions of sundry citizens of the thirtieth New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. WHITACRE: Petitions of various voters of the eighteenth congressional district of Ohio, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 25 citizens of Struther, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILSON of Florida: Petitions of 641 citizens of Lynn Haven and 50 citizens of Mary Esther, Fla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of 612 citizens of North Dakota, favoring national prohibition; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, *April 8, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, who dost from Thy throne behold all the dwellers upon earth, grant us the continual replenishing of Thy Holy Spirit that we may faithfully discharge the duties of the high and holy calling to which Thou hast called us and execute the trust that Thou hast committed to our hands with an eye single to Thy glory. Grant us a heart turning always for its instruction and guidance to God. All our blessing is but the fulfillment of the covenant that God has made with His people. So may we keep the covenant with God and do Thy will and glorify Thy name. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of sundry citizens of Hillsdale, Saginaw, St. Johns, Almont, Onsted, Evarts, Bloomingdale, Dexter, Elk Rapids, Owosso, and Hudson, all in the State of Michigan; of sundry citizens of Peru, Portland, Greensburg, Lapel, and North Manchester, all in the State of Indiana; of sundry citizens of Bradford, Ohio; and of sundry citizens of Kings Mountain, N. C., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of the congregations of the Baptist churches of Barrington; the First Methodist Episcopal Church of Concord; the First Congregational Church of Sullivan; the Union Evangelical Congregational Church, of East Sullivan; and the Advent Christian Church, of Farmington; and the petition of Lloyd J. Stewart, of East Rochester, all in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. VARDAMAN. I send to the desk a protest from the Board of Trade of Vicksburg, Miss., against the enlargement of the weight limit for parcel-post shipments. I ask that it be read and appropriately referred.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the communication.

The communication was read and referred to the Committee on Post Offices and Post Roads, as follows:

BOARD OF TRADE,
Vicksburg, Miss., April 6, 1914.

Hon. JAMES K. VARDAMAN,
United States Senate, Washington, D. C.

DEAR SIR: I am directed by the board of trade to ask that you do whatever you can to prevent at present the enlargement of the weight limit for parcel-post shipments from 50 pounds to 100 pounds.

The entire Parcel Post Service is experimental in this country, and our organization is inclined to think that, for the present at least, it should not be so extended as to include the carrying of shipments greater in maximum weight than 50 pounds.

While fully recognizing that the express companies, by arbitrary and often unjust exactions, created the necessity for the parcel post, we still feel that the express companies are necessary utilities, and fear the effect on them of further extension of the parcel-post system until they have had an opportunity of adjusting themselves to the new conditions developed by the institution of the parcel-post system.

The express service has, of course, some very definite advantages over the parcel-post system. It collects from shippers packages to be forwarded, as the parcel post does not, and it pays the cost of articles damaged while in transit, as the parcel post does not. As you know, parcel post only pays for articles lost in transit when insured.

Yours, truly,

FRANK H. ANDREWS, *Secretary.*

Mr. THOMPSON presented a petition of Walnut Creek Grange, No. 1294, Patrons of Husbandry, of Paola, Kans., praying for the adoption of a system of rural credits, which was referred to the Committee on Banking and Currency.

Mr. JONES. I have a telegram in the nature of a memorial from J. J. Donovan, of Bellingham, representing prominent business men of our State, protesting against the repeal of the tolls provision of the Panama Canal act, and also a telegram in the nature of a memorial from J. B. Best, president of the Commercial Club of Everett, Wash., protesting against the repeal of that provision of the act. I move that the telegrams be referred to the Committee on Interoceanic Canals.

The motion was agreed to.

Mr. POINDEXTER. Mr. President, in view of the fiasco of the test of coal at Bering River for the Navy, and in connection with the expedition which was recently sent to the Matanuska fields in Alaska to secure coal for testing for the same purpose, I present a petition recently framed by citizens of Knik, Alaska, in reference to the coal that is being taken out of the Matanuska fields. As it is brief and this is a current matter, I ask that it be read.

There being no objection, the petition was read and referred to the Committee on Territories, as follows:

To Dr. JOSEPH A. HOLMES,
Bureau of Mines, Washington, D. C.:

Be it remembered that at a public mass meeting held at Knik, Alaska, on March 3, 1914, in the Knik Public Hall, the following resolution was unanimously adopted and the undersigned were appointed a committee to reduce said resolution to writing:

"Whereas the Matanuska coal has been successfully transported to tidewater by Mr. Jack Dalton, after overcoming natural and artificial opposition; and

"Whereas the citizens of Knik are desirous of said coal getting a square deal while being stored and in being transported from its landing place to the ship upon which it is to be tested; and

"Whereas the meeting expressed its lack of confidence in Mr. John W. Swift, the present disbursing officer, as to being able and willing to have said coal gotten out safely: Therefore be it

"*Resolved*, That the citizens of Knik, in public mass meeting assembled, respectfully request that said coal be placed in charge of some trustworthy watchman, so that it can not be tampered with, and that some responsible person, in whom the citizens of Alaska have confidence, be placed in charge of transporting said coal from its landing place to the ship, where same is to be tested in order that said coal may safely reach its destination in its natural state, and it is further requested that some other person than the present disbursing officer, Mr. John W. Swift, be given charge of having said coal watched and transported.

"LEONOLD DAVID,
"W. E. HOWARD,
"H. C. TUELL,
"*Committee.*"

W. A. SHERMAN,
Chairman of Mass Meeting.

Attest:

HARRY R. BROWN,
Secretary of Mass Meeting.

Mr. CHAMBERLAIN presented a memorial of the Columbia and Snake River Waterways Association, of Portland, Oreg., remonstrating against the repeal of the exemption clause of the Panama Canal act, which was referred to the Committee on Interoceanic Canals.

Mr. HITCHCOCK presented a memorial of sundry citizens of South Omaha, Nebr., remonstrating against any change in the present compensatory time privileges of employees of the Post Office Department, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of Local Union No. 19, Journeyman Horseshoers' Association, of Omaha, Nebr., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Labor Council of San Francisco, Cal., praying for the enactment of legislation to validate certain acts of the Legislature of the Territory of Alaska, which was referred to the Committee on Territories.

He also presented a memorial of sundry citizens of Glendora, Cal., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a memorial of the Turnverein Germania, of Los Angeles, Cal., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. WEEKS presented a petition of the Board of Selectmen of Watertown, Mass., praying for the enactment of legislation providing for the retirement of superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented petitions of sundry citizens of Lawrence and Walden, in the State of Massachusetts, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. CLAPP presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, and for other purposes, which were referred to the Committee on the Judiciary.

Mr. KERN presented petitions of sundry citizens of Fowler, Churubusco, Guilford, Bicknell, Oaktown, and Harrison, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by Local Lodge No. 28, Independent Order of Vikings, of Hammond., Ind., favoring an appropriation for the erection of a monument to the memory of Capt. John Ericsson, which were referred to the Committee on the Library.

Mr. WARREN presented a memorial of Local Union No. 2671, United Mine Workers of America, of Gebo, Wyo., remonstrating against the conditions existing under the military authorities in the mining districts of Colorado, which was referred to the Committee on Education and Labor.

Mr. SMITH of Michigan presented petitions of sundry citizens of Belding and Mendon, in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the Brotherhood of the Trinity Lutheran Church, of Grand Rapids, Mich., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented a petition of Clover Leaf Grange, Patrons of Husbandry, of Walkerville, Mich., praying for the enactment of legislation to provide a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a memorial of sundry citizens of Traverse City, Mich., remonstrating against the enactment of legislation compelling the closing on Sunday of barber shops in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a memorial of sundry citizens of Traverse City, Mich., remonstrating against any change in the present compensatory time privileges of employees of the Post Office Department, which was referred to the Committee on Post Offices and Post Roads.

Mr. SHIVELY presented a petition of the Farmers' Mutual Telephone Co., of Cross Plains, Ind., praying for the enactment of legislation to provide for Government ownership and control of all telegraph and telephone lines in the United States, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Indianapolis, Ind., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Elizabeth, Rykers Ridge, Lawrenceburg, Middlebury, Elkhart, Pierceton, Bourbon, Kentland, Anderson, Fountain City, South Bend, and Ade, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. LODGE presented a petition of the Board of Selectmen of Watertown, Mass., praying for the enactment of legislation to provide for the retirement of superannuated civil-service

employees, which was referred to the Committee on Civil Service and Retrenchment.

CHARLESTON (S. C.) COALING STATION.

Mr. TILLMAN. Mr. President, on March 10 I introduced a resolution (S. Res. 291) which was referred to the Committee on Naval Affairs, before which the resolution is now pending. It relates to a very important matter, both to the Navy and to the people of the South.

I send to the desk and ask to have read a letter from Mr. Benjamin L. Dulaney, of Bristol, Tenn., which will show just how important it is to have this investigation made promptly and thoroughly. It shows how the southern coal miners are discriminated against and how the southern people are also unjustly treated on the rates on coal from the Appalachian fields. There can be no just reason why coal should not be carried to tidewater on the Atlantic coast south of Cape Hatteras at as cheap rate as it is carried north of Hatteras.

When the facts are brought out, as I hope they will be, by the Naval Committee, the Congress will know just what to do to grant relief to our people.

The VICE PRESIDENT. Is there objection to the reading of the letter? The Chair hears none, and the Secretary will read it.

The Secretary read as follows:

MARCH 25, 1914.

Senator B. R. TILLMAN,
Washington, D. C.

DEAR SIR: The most important question to the industrial world is transportation. By the control of the transportation of this country one can build up or break down any section regardless of its natural advantages. It is well known that the transportation of this country is controlled by a small group of financiers, mainly in New York. But while they control the transportation of the whole country, their ownership of industrial enterprises is limited to certain parts of the country, as, for example, the coal industry of Pennsylvania and some other sections; and hence the flagrant abuses in the practices of rate making to favor their own coal and to destroy the independent coal mines.

In the matter of coal freight rates, I think the most abused States in the Union are North Carolina, South Carolina, Georgia, Florida, and a portion of Virginia. The industrial progress of these States has been in spite of the high cost of fuel transportation, and it ought to be clear to everyone of intelligence that general manufacturing can not prosper until transportation conditions have been corrected. By an examination of the rate sheets, open to all, it will be seen that the average manufacturer located on the Pennsylvania system, for example, pays from 30 to 60 per cent less freight on fuel than is paid by the average manufacturer on the Southern Railway—that is, for haulage for equal distance. For example:

Compare rates to Columbus, Ohio, with rates to Columbia, S. C.:

	Miles.	Rate.
To Columbus from Pocahontas	334	$1.15
To Columbia from Appalachia	318	2.25

Compare rates to Toledo, Ohio, with rates to Savannah, Ga.:

	Miles.	Rate.
To Toledo from Pocahontas	456	$1.45
To Savannah from Appalachia	471	2.10

Compare rates to Cincinnati, Ohio, with rates to Lynchburg, Va.:

	Miles.	Rate.
To Cincinnati from Pocahontas	340	$1.10
To Lynchburg from Pocahontas	169	1.50

Compare rates to Cleveland, Ohio, with rates to Charleston, S. C.:

	Miles.	Rate.
To Cleveland from Pocahontas	472	$1.35
To Charleston, S. C., from Appalachia	447	2.05

Compare rates to Dayton, Ohio, with rates to Winston-Salem, N. C.:

	Miles.	Rate.
To Dayton from Pocahontas	364	$1.35
To Winston-Salem from Pocahontas	239	2.10

Compare rates to Indianapolis, Ind., with rates to Augusta, Ga.:

	Miles.	Rate.
To Indianapolis from Pocahontas	449	$1.65
To Augusta from Appalachia	401	2.20

Compare rates to Detroit, Mich., with rates to Charlotte, N. C.:

	Miles.	Rate.
To Detroit from Pocahontas	505	$1.60
To Charlotte from Appalachia	305	2.25

Where there are two or more routes the short mileage is used.

The evident purpose of these high rates, especially to the coast towns and cities, is not to raise revenue for the Southern Railway, but to prohibit the movement of coal by it from the mines on its own rails to tidewater, for if the independent coal shippers had access to tidewater with proper coal-loading facilities there would be competition with the Coal Trust from Florida to Maine as well as in the export business; and, moreover, the coast towns and cities from Charleston to Tampa are forced to buy much of their coal from the Coal Trust from mines a thousand miles away, and thus several millions of dollars are annually sent away, and the Southern Railway is robbed of its natural rights to haul the coal and is thus used by its directors to obstruct development in the territory that supports and protects it. These things are wrong, and such practices in rate making are unfair and without justification from any point of view. The Southern Railway is a splendid property, and if it were run in its own interest and for the development and benefit of the territory in which it is located there is no just reason why every seaport from Jacksonville to Norfolk should not have as low tidewater rates as are now enjoyed in the domain of the Coal Trust at the seaports from Norfolk to New York, for it has its own rails reaching directly from the coal mines in Virginia, Kentucky, Tennessee, and Alabama directly to Norfolk, Charleston, Brunswick, and Jacksonville.

I believe that it is a conservative estimate to say that the mines from Virginia to Alabama reached directly by the Southern Railway could furnish now at the rate of 10,000,000 tons per annum for tidewater business, and this tonnage could be increased at an enormous annual rate if the operators were only certain of their position. This would increase the gross revenues of the Southern Railway by $14,000,000, assuming that the tidewater rate of $1.40 would be put in, and when you add to the freight item the value of the coal itself, at a low estimate the amount would be $25,000,000 annually that would remain in the territory served by the Southern Railway, and this total should increase annually for many years to come if the Southern Railway has a square deal. The average distance from mines on the Southern Railway to tidewater is practically the same as from the mines on the Norfolk & Western Railway and the Chesapeake & Ohio Railroad to tidewater, and the two latter roads have grown rich and powerful by the movement of coal at rates low enough to assure the movement of coal, and there is simply no good reason why the Southern Railway should not do likewise, but this road, as is well known, is controlled by the same financiers who control the big coal interests known as the Coal Trust, and some of them were identified with the recent scandal in connection with the New York, New Haven & Hartford Railroad, and it is claimed that they control practically every railroad in the South.

I allege with emphasis that, in addition to the wrongs above recited against the southern country, not only the Southern Railway but the Norfolk & Western Railway as well are being used to destroy private interests, specifically some of the independent coal properties in the territory, and I believe that an honest investigation will prove this statement beyond the shadow of a doubt. For many years I have been engaged in development work in that territory and have had a good deal of experience in dealing with some of these financiers who control the Southern Railway. Some of their valuable properties are those which I developed and which they obtained by methods that I think should put to shame an ordinary train robber or a bandit. I am now responsible for an investment of probably $5,000,000 in what is known as the Black Mountain coal field, which is literally held up and refused an outlet for its product, though reached directly by the Southern Railway, the Louisville & Nashville Railroad, and is within a few miles of the Norfolk & Western Railway. The investment and the development in this field were induced largely by the promises made by the Southern Railway to give an outlet at Charleston, and though the Southern has had its line completed from the coal mines to Charleston for 10 years, no outlet has been provided.

I believe a thorough investigation by a Senate committee will show that the Southern Railway has been the dumping ground for the sale of other railroads at unreasonable profits by the friends or business associates of some of the directors. I have personal knowledge of the sale of the Virginia & Southwestern Railway by Henry K. McHarg at practically six times what it cost him or his company, when the Southern Railway could just as well have bought it directly and saved the five millions. I believe that an investigation will show that such transactions, amounting to probably $50,000,000 or more, have taken place since the control by the present financiers.

I believe that a thorough investigation will show that the abnormally high local rates throughout the Southern territory are due in a large measure to the need of revenues to meet such purchases and to the inflation of capital and bond issues caused thereby.

I believe that an investigation will show the existence of a secret rate-making association, and that all important freight rates in the territory in question are dominated by the Pennsylvania Railroad greatly to the detriment of all the other railroads involved and unfair to the country they traverse.

I believe that an investigation properly conducted will show that the men who control the Southern Railway have practically no investment either in the Southern Railway itself or in the territory served by it, except in a small portion of Virginia and Alabama.

In the matter of handling the several bond issues of the railway and the short loans these men, as is well known, have been on both sides of the transaction. I believe that this investigation should be made in the interest of the security holders, as well as in the interest of the railroad itself, and particularly in the interest of the territory which the railroad serves.

In conclusion, let me say that these conditions have taken shape and grown from bad to worse under the very eyes of the Interstate Commerce Commission, and hence I suppose that body is powerless to give relief, and therefore I earnestly urge you not to favor a reference of the Tillman resolution to the Interstate Commerce Commission.

Very truly, yours,

B. L. DULANEY.

LOCATION OF FEDERAL RESERVE BANKS.

Mr. RANSDELL. Mr. President, I ask to have read at the desk resolutions passed at a big mass meeting of citizens of New Orleans on the night of the 4th instant, protesting against what they believe to be the unfair location of Federal reserve banks.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

Resolutions of mass meeting of the citizens of New Orleans, protesting against the unfair location of Federal reserve banks and the injection of politics into the national banking system.

At a mass meeting of the citizens of New Orleans, convened upon a joint call issued by the New Orleans Clearing House Association, New Orleans Association of Commerce, New Orleans Board of Trade, New Orleans Stock Exchange, New Orleans Sugar Exchange, New Orleans Contractors and Dealers' Exchange, and New Orleans Real Estate Auction Exchange, the following resolutions were unanimously adopted by a rising vote:

"Whereas the Federal reserve act constituted the Secretary of the Treasury, the Secretary of Agriculture, and the Comptroller of the Currency as a 'reserve bank organization committee,' for the purpose of locating the Federal reserve banks and outlining the Federal reserve districts;

"Whereas that act expressly provided that the Federal reserve cities and the Federal reserve districts should be apportioned with due regard to the convenience and customary course of business within the United States and with foreign countries, and expressly provided that an investigation should be made by the organization committee in order fairly to ascertain what the said convenience and customary course of trade might be;

"Whereas the said organization committee made such an investigation as was required by the statute creating it, and thereby secured valuable information as to the magnitude, importance, convenience, and customary course of the business of the various sections of the country, and as to the proper location of the reserve cities and the reserve districts contemplated by the act;

"Whereas said committee, instead of locating the reserve cities and reserve districts in accordance with the convenient and customary course of business, as pointed out in unmistakable terms by their investigation, has proceeded in many instances to locate and designate those cities and districts in utter and absolute disregard of the evident convenience and customary course of business, and in utter and absolute disregard of the just claims of certain important cities and communities, which claims are predicated upon convenience, customary course of business, population, commercial importance, geographical position, and financial requirements and capabilities;

"Whereas the action so taken in those cases indicates only too plainly that the conclusions reached were arrived at not by a careful and impartial consideration of the merits of the claims of the respective parties, given with an eye single to the greatest good for the greatest number, but were reached and based upon considerations of political expediency or personal interest and aggrandizement;

"Whereas the fact that politics and the false guide of personal interests have entered into the conclusions reached unmistakably appears from the selection of Richmond, with a meager population of 127,628 and a total of banking resources of $50,000,000, and making tributary to this comparatively unimportant mart of trade the cities of Baltimore and Washington, the former with its population of 558,485 and its local banking resources of $309,669,000, and the latter with its prestige and importance as a national capital, to which is added a population of 331,069 and banking resources of $110,081,000; the selection of Atlanta, a city in Georgia, with a population of not more than 154,839 and a total of banking resources amounting to $48,000,000 and serving only a purely local territory, a city self-confessedly unable, without assistance, to support a reserve bank, and the making subservient to this comparatively unimportant city so large and important a city as New Orleans, the metropolis of the South, the second port of the whole United States, the largest manufacturing center in the South—its manufactures being greater by more than $18,000,000 than the total manufactures of Dallas and Atlanta combined—the key to, the dominant factor of, and the acknowledged financial center of the vast valley of the lower Mississippi, a city whose population of 339,075 is one and one-third times the combined populations of Dallas and Atlanta, whose banking capital is more than $1,000,000 greater than the combined capital of the banks of Dallas and Atlanta, whose banking resources of $104,829,110 is greater by $14,829,110 than the combined banking resources of Dallas and Atlanta, whose assessed valuation is one and one-third times as great as the assessed valuations of Dallas and Atlanta combined, whose enormous tributary country, whose early development of important banks and unrivaled banking history, whose position as the premier port of the Gulf of Mexico, the only seaboard which has been deprived entirely of recognition, whose presently tremendous and steadily increasing foreign trade through the Panama Canal and otherwise, with its necessarily tremendous volume of foreign bills and attendant banking requirements, and whose acknowledged ability to support and care for a reserve bank alike demanded the location within its borders of such a bank; the arbitrary outlining of a reserve district in such a way as to cut off from New Orleans the greater part of its own convenient and tributary State of Louisiana, and the thrusting of that city as an adjunct into a district the greater part of which it normally and customarily leads; the thrusting of the remainder of the State of Louisiana, customarily tributary to New Orleans, into an alien and distant reserve district, in contravention of its inclination, its convenience, its natural course of trade, its customs since time immemorial, and its logical channels of finance;

"Whereas the foundation of the banking system of this great country, not upon the firm rock of its own inherent merit and applicability to the needs of the whole people, but upon the moving sands of the temporary demands of political faction must necessarily result in disaster to the commerce and industry of the country and danger to our republican institutions: Now, therefore, be it

"*Resolved*, That the confidence of this community in the entire proposed banking system as a system founded on an earnest effort to meet the needs of the whole people, without regard to geographical location or political affiliation, and administered by impartial heads without bias or partisanship, is rocked and rent to its very foundation stone; that this community sees in a money power thus utilized in its inception to pay political debts and forge political fetters a menace to this Republic far more overwhelming than that which threatened the United States of Andrew Jackson, and caused the dissolution of the Bank of the United States; that this community forsees the upbuilding in this country of ours of a plutocracy having at its command the vast financial resources of the Government, using those resources to increase its power and to maintain its sway, a plutocracy deaf to reason, blind to justice, scornful of right; that this citizenship now rises to crush in its infancy such an octopus and demands without delay a congressional investigation of the methods used and of the influences brought to bear upon the reserve bank organization committee, and a relocation of the reserve districts and cities in accordance with the just requirements of the business of the country and the provisions of the currency act; that this community demands in no uncertain terms that the reserve bank organization committee be taught once and for all time that they serve and do not dominate, that their law is the welfare of the State, not the welfare of their personal friends and political allies; that they are an instrument, not an autocrat; that they are not greater than but subservient to the people who created them; be it further

"*Resolved*, That copies of these resolutions be sent to the President of these United States, the reserve bank organization committee, the Senators from Louisiana, the Congressmen from Louisiana, the Members of the United States Senate, the Members of the House of Representatives, and the public press."

NEW ORLEANS, LA., *April 4, 1914*.

Mr. RANSDELL. I ask unanimous consent to have published in the RECORD, without reading, the statement made by Mr. Sol Wexler before the regional bank committee, representing the city of New Orleans, a statement which was filed on the 11th of February, and also a letter of February 28, 1914 (addressed by him to Mr. McAdoo, chairman of the committee on organization of regional banks). I do not ask that these papers be read, but simply that they may be published in connection with the resolutions.

Mr. MARTIN of Virginia. Mr. President, I hope the Senator from Louisiana will not press that request. The statements he desires printed constitute an argument made in behalf of the city of New Orleans, and ought not to go into the RECORD. The resolutions which have been read were printed on yesterday in the CONGRESSIONAL RECORD, when one of the largest editions ever published of the CONGRESSIONAL RECORD appeared. I can hardly see the wisdom of inserting these documents in the daily CONGRESSIONAL RECORD. I have a statement from Virginia bankers regarding the location of the reserve banks; and if one is to be published, all of them ought to go in. It seems to me that the Senator's request is one which should not be pressed.

Mr. RANSDELL. I do not desire to make an unreasonable request; but the people of New Orleans are very much stirred up over this proposition. This is a dignified argument, not a long one, made by Mr. Sol Wexler, one of the greatest bankers in the United States, and addressed to the committee on organization of regional banks. I do not wish to take up the time of the Senate to read the document. It comprises several pages, and would take some time; but it does explain the position of New Orleans, and I think, in order that its position may be clearly known before the country, the statement should be printed. I hope there will be no objection. I certainly do not object to statements in regard to other cities being published.

Mr. MARTIN of Virginia. I am compelled to object to the printing of arguments of that character in the RECORD.

Mr. HITCHCOCK. Mr. President, I desire to call the attention of the Senator from Virginia to the fact that this is a question before the country as to whether the law has been carried out. Congress passed a law providing that in establishing the regional reserve banks and in establishing the boundaries of the districts the board should observe the customary and convenient course of business. Those were not idle words; they were put in the law for a purpose. I am not standing here to-day to deny that substantially the spirit of the law has been observed; but there are many who do question that statement, and I think it would be proper to put into the RECORD the arguments made by every city seeking to show the ordinary course of business and the facts which sustain its contention; in fact, I would be willing to go so far as to support a resolution by the Senate calling upon the organization committee to furnish the Senate with the facts and the evidence which have led the committee to decide upon the cities and the districts named.

I think it is a serious question, once raised, whether this organization committee has carried out the letter and the spirit of the law; and when a question is raised by organizations in different parts of the country, by cities in different parts of the country, and by bankers in different parts of the country to the effect that in some cases the organization as proposed will result in a dislocation of the banking custom of the country it is proper for the Congress to take cognizance of those complaints. I hope the Senator from Virginia will not object to having this matter go into the RECORD.

Mr. MARTIN of Virginia. Mr. President, if all these arguments are put in the CONGRESSIONAL RECORD they will make a volume as big as a year's issue of the congressional debates.

Mr. RANSDELL. Mr. President, I certainly hope the Senator is not going to press his objection. He can not keep things out of the CONGRESSIONAL RECORD by making an objection. He can prevent this statement from going in now, as a matter of course, but it is going into the RECORD before this is over. I thought I was adopting a simple form that would not bother the Senate much when I asked to have these matters, so far as they relate to New Orleans, inserted in the RECORD without taking the time of the Senate to read them. No one was listening when these spicy resolutions were read a few moments ago. Unfortunately, a great many of us do not listen to what goes on in the Senate, but many of us read the RECORD as made, and it seems to me that if this RECORD can be made now in connection with the resolutions, that is the logical and proper way to make it. If it is not done, of course, I will have to do the best I can to get the matter in later.

Mr. MARTIN of Virginia. Mr. President, nobody, of course, can prevent the Senator from reading the statement and letter to which he refers; but my object is simply to keep from burdening the RECORD with an enormous mass of matter. I have here the arguments submitted by Virginia bankers, and there are other papers submitted by them in addition.

I think the city of New Orleans has gotten a little hysterical. She has taken herself too seriously. I think she will get over

this in a few days. The general muster of New Orleans appears to have taken this matter up. We have heard a good deal about appeals from judicial decisions, and now we have an appeal from a judicial tribunal to the general muster. A mass meeting in New Orleans has met together to denounce the sworn officers of the law—able, honorable, and high-toned men—and to impeach their patriotism, their fidelity, and their integrity, as well as their ability. I think, as I have said, that the citizens of New Orleans have taken themselves a little seriously, and I feel that if we are to indulge the city of New Orleans by putting in the RECORD everything she wants to say——

Mr. HITCHCOCK. Mr. President, will the Senator permit an interruption?

Mr. MARTIN of Virginia. Certainly.

Mr. HITCHCOCK. What the Senator objects to has already gone into the RECORD. I was not advocating putting into the RECORD an attack upon the officials who have been charged with the duty of locating these districts. What I asked to have go into the RECORD and what I understand the Senator from Louisiana asked to have go into the RECORD is the written argument heretofore made by the city of New Orleans, and the arguments that may have been presented by the city of Pittsburgh and other cities which have gathered data for the purpose of showing the usual course of their banking transactions.

Mr. RANSDELL. That is exactly correct, I will say to the Senator.

Mr. HITCHCOCK. It is not an attempt to put into the RECORD an attack on the reserve board. It is an attempt to put into the RECORD the arguments and the statements showing the course of banking transactions in different parts of the country, so that we will have officially stated here the various arguments and the numerous data used by the reserve board in reaching its conclusion.

Mr. RANSDELL. Mr. President, in this particular case this argument was made and filed on the 11th of February, more than two months ago, and a supplemental letter on the 28th of February, so there is certainly nothing in it that can be offensive to anybody.

Mr. MARTIN of Virginia. I was not making an objection on that ground.

Mr. CUMMINS. Mr. President, it is utterly impossible for Senators upon this side of the Chamber to hear the controversy that is going on upon the other side, and we are very anxious to hear it. Therefore I ask for order.

The VICE PRESIDENT. It is a little hard for the Chair to tell which side is creating the confusion this morning. The Senate will please be in order.

Mr. SWANSON. Mr. President, I wish to make a suggestion to the Senator from Louisiana. It seems to me that if this matter is printed as a public document it will be more available, and can be used much better, than if it is published in the RECORD. It would be far better for the Senate and far better for those who desire to use it in the future, and it seems to me it would answer all purposes to have it printed as a public document. Things of this kind are usually printed as public documents and not published in the RECORD.

Mr. GALLINGER. Mr. President——

Mr. RANSDELL. In answer to the Senator from Virginia, if the Senator from New Hampshire will pardon me, I should like to say that it is all right to publish it as a public document, and I should be very glad to have it in that shape; but if it is to be of any avail at all it should reach the American people, not the few thousand people who will be reached by having it printed as a public document. We never publish more than a few thousand copies of a public document. If this argument be of any avail at all, I want it to reach the American people. As the Senator from Nebraska [Mr. HITCHCOCK] says, it is a cold, business-like statement of the facts, comparing New Orleans with other cities which at that time New Orleans conceived to be its rivals. It is in no sense an attack upon anyone.

As suggested by my very urbane friend from Virginia, I am sorry that he is a little upset at what the people of New Orleans are doing. They did have a big mass meeting down there. They are justly indignant, in my humble opinion, at the course taken by the Federal Reserve Board, and they are going to exercise the rights of American citizens by protesting against that action. They propose to get this matter settled finally by the full commission of seven. It has not been settled definitely yet. The law contemplates that the full board shall settle it, and they are trying to lay before the American people the foundation for taking up the matter before the full board. I think they have a right to do it, and they are proceeding in what I conceive to be a dignified manner. If I had drawn the resolutions, perhaps I would have left out some of the expressions that are used; but that is not for me to say.

Mr. MARTIN of Virginia. Mr. President, I consider the daily CONGRESSIONAL RECORD as intended to contain a record of the debates in the Senate. I think we depart too often from that rule. I am certainly not willing for the arguments of individuals throughout the Nation on the creation of these reserve districts to be inserted in the daily RECORD. If the Senator chooses to read this matter, he has the right; but I shall object to it going in otherwise. If one goes in, all ought to go in, and none will go in with my consent. I object to it going into the RECORD.

Mr. WILLIAMS. Mr. President, a moment ago the Senator from Iowa [Mr. CUMMINS] rose and asked for order in the Chamber, and said that Senators upon that side were very much interested in the spectacle now presented by this side.

The Senator from Iowa was exactly right. The poor, dear, old, foolish Democratic Party is going through the same game that she can be generally trusted to go through with soon after she gets into power. Here we Democrats are quarreling with one another because this or that or the other city was not made a reserve city.

Why, if the Apostles were here and had constituted a board and attempted to designate the reserve cities for this system, there would have been indignation meetings held somewhere and words of scurrility and violence would have been uttered at those meetings.

I love New Orleans. All of my people do business with her. In not designating her to a certain extent the people of my immediate section have been hurt. None of us do business with Atlanta. Atlanta is farther off from us than New York in all commercial senses.

Suppose, however, New Orleans had been designated and Atlanta left out. Both could not very well have been designated without giving the South too much. What would have been the result as regards northern Georgia, northern Alabama, and various parts of the section included? They would have been in the same fix that my people are in now.

We Democrats stand here and we quarrel with one another, and mass meetings are held in New Orleans by Democrats, and this thing occurred which would be absolutely inconceivable if it had not happened—they became so indignant, they became so violent in their language, they became so unreasonable and illogical that they passed resolutions calling upon one of the Senators from that State to vote against the bill repealing the exemption of coastwise ships from tolls, because of what? Because the board has not made New Orleans a reserve city.

That is the Democratic Party; that is its history; that is what led old Tom Reed to say in 1894 and 1895—

> You can not last long because you are not accustomed to governing anybody or anything; you can not govern the country; you can not even govern yourselves; you are incompetent.

The Senator from Iowa was exactly right, fellow Democrats.

If the so-called argument of one of these towns to be designated as a reserve city is to go into the RECORD or into a public document, every one of them will seek to pursue the same course. Memphis, the city that does business with northern Mississippi and northwestern Alabama and Arkansas, will seek it. Some town in Texas may; Pittsburgh will. If they had succeeded, the others would have done so.

Here we stand quarreling with one another because a board of sworn officials, honest men—nobody charges them with being guided by any corrupt or ulterior motives—in trying to do their duty have not pleased everybody. The Senator from Iowa is right.

These arguments were, as I understand, made before this subboard, were they not?

Mr. RANSDELL. Yes.

Mr. WILLIAMS. Then if this publishing is to be done at all it ought to be done in this way: There ought to be a resolution calling upon this board to furnish us, to be published as a public document, all the arguments made before it, and its report, and the reasons which led to its report, and not indulge in these unseemly wrangles here every morning between Democrats for priority of insertion of irrelevant matter in the RECORD.

Mr. RANSDELL. Mr. President, may I suggest a question to the Senator?

Mr. WILLIAMS. Yes.

Mr. RANSDELL. I will ask the Senator if he does not think the information contained in the arguments of these various cities seeking to have a Federal reserve bank would be a great deal more readable than much of the material that does appear in the daily CONGRESSIONAL RECORD and contain a great deal more genuine information to the American people?

Mr. WILLIAMS. Oh, in answer to that question I will say that I would find difficulty in finding anything that was ever uttered or ever printed that would not be more entertaining than some things that go into the CONGRESSIONAL RECORD. [Laughter.] That has nothing to do with this, however. It has nothing to do with it. Now, I say if you are going to take any course of this sort at all the right course is to call upon this board to publish as a public document or send to us to be published as a public document all the arguments made by everybody before them, the board's conclusion, and their reasons for it, and let that public document go to the people for their information and for the information of the full board, if that board should take up the matter for review. This is not the right way to do it. This is doing no good in the world that I can see except encouraging the sneers and the laughter of people who think us incompetent to govern—incapacitated by lack of cohesion for the governing business.

Mr. SMITH of Georgia. Mr. President, I have prepared from the briefs submitted by the Chamber of Commerce and the Clearing House Association of Atlanta a short reply to the resolutions passed by the citizens of New Orleans. It is no longer than the resolutions sent to the desk by the Senator from Louisiana [Mr. RANSDELL], and which were read. As a matter of justice, I ask that it may be read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

A committee representing the Clearing House Association and Chamber of Commerce of the City of Atlanta presented elaborate briefs to the organization committee charged with the duty of selecting reserve cities in support of the claim that a reserve district should be created in the southeastern section of the United States and that the reserve bank should be located at Atlanta.

The facts stated in this reply to the resolutions criticizing the action of the reserve board organization committee, passed at New Orleans, are obtained from the briefs of the Atlanta committee, with the exception of the comparison of the population of Atlanta and New Orleans, which figures are from the census reports.

The statement in the New Orleans resolutions that Atlanta has a population of not more than 154,839 is unfounded. The census report shows that the population of Atlanta from 1900 to 1910 increased at the rate of 75 per cent. No one familiar with the growth of this city will doubt that the percentage of increase since 1910 has been even greater. Atlanta now has a population of between 210,000 and 220,000. While Atlanta increased in population from 1900 to 1910 at the rate of 75 per cent, New Orleans increased at the rate of only 18 per cent. With these percentages of growth continued, it will not be a great while until the population of Atlanta exceeds that of New Orleans.

The national banking capital and surplus of Atlanta now exceeds that of New Orleans. The national banking capital and surplus of Atlanta is $8,600,000; that of New Orleans only $6,730,000. The national banking capital of Atlanta increased from 1903 to 1913 400 per cent. The national banking capital of New Orleans increased from 1903 to 1913, 17⅛ per cent. With the national banking capital of Atlanta increasing at the rate of 400 per cent in 10 years and that of New Orleans increasing only 17⅛ per cent in 10 years, Atlanta already has more national banking capital than New Orleans, and will contribute $113,000 more to the capital stock of the reserve bank than will New Orleans.

Georgia has a national banking capital and surplus of $24,615,910. It will contribute one-third of the capital stock to the reserve bank of the sixth district.

How unreasonable it would have been to decline placing the reserve bank in the State which contributes much more to the capital stock of the reserve bank than any other State in the district and which has in it the city which will contribute more to the capital of the reserve bank than any city in the district!

In the past 10 years the deposits in the Atlanta national banks have increased 500 per cent, and their clearings 600 per cent. Their percentages of increase have been more than ten times as large as those of New Orleans during this period. The individual deposits, the loans and discounts, and the clearings of the national banks of Atlanta are now larger than those of the national banks of New Orleans.

Georgia is the largest State in area east of the Mississippi. According to statistics recently prepared by the Manufacturers' Record, of Baltimore, it is the fourth largest State in agricultural productions in the Union. It is the second largest south of the Ohio River, Texas being the largest.

The agricultural and manufacturing industries of the State are most varied, and their growth during the last 10 years have not been exceeded by that of any State in the Union. The suggestion that Atlanta serves purely local territory and is confessedly unable, without assistance, to support a reserve bank is without foundation. Atlanta serves the entire South, as does no other city in the South. No city south of the Potomac or west of the Mississippi can by itself support a reserve bank. The national banks of New Orleans will subscribe only one-tenth of the capital stock required for the reserve bank. The national banks of Atlanta will subscribe more to the capital stock of the reserve bank than will those in New Orleans.

The act providing for the establishment of the Federal reserve banks requires the organization committee to consider "convenience and customary course of business."

CONVENIENCE.

This term applies to facilities for reaching the different parts of the district from the city in which the reserve bank is located. Atlanta has 152 trains which come in or go out each day. They go to every part of the district, and every part of the district can be reached from Atlanta, and Atlanta can be reached from every part of the district between the times when the banks close in the afternoon and when they open in the morning. The only exception to this statement must be made with reference to banks in southern Florida, and these banks can reach Atlanta with greater convenience than they can reach New Orleans. These passenger trains are also mail trains, and Atlanta furnishes the most convenient opportunity by mail to reach and to be reached from every part of the district.

CUSTOMARY COURSE OF BUSINESS.

The great advantage that Atlanta has in convenience has made Atlanta for this entire section the headquarters for the ordinary course of business. Atlanta is the great market of the southeastern region. Its commerce of over $340,000,000 annually in the States east of the Mississippi is not equaled or approached by any other city in that section. Atlanta is the headquarters for the insurance business of the entire South, being the fourth largest insurance center in the United States. At Atlanta the railroads of the southeastern section have located their headquarters. At Atlanta the headquarters of the Southeastern Passenger Association, extending from the Potomac and Ohio Rivers and the Mississippi and the Atlantic Ocean, are located. At Atlanta the headquarters of the Southeastern Freight Bureau are located. At Atlanta the Southern Weighing and Inspection Bureau, covering the same territory, are located. At Atlanta the headquarters of the telephone system for the same section are located. At Atlanta the headquarters for the telegraph companies for the same section are located. At Atlanta the headquarters of the express companies for the South are located. At Atlanta the headquarters for agents, between 450 and 500 in number, of all important manufacturers and commercial houses of the United States doing business in the South are located.

Our National Government recognized Atlanta as the center of this section and located the headquarters of the Railway Mail Service for the section at Atlanta. The headquarters of the military department of the Government for the section are located at Atlanta, and Atlanta has been designated as the headquarters for the new Bureau of Commerce for the section.

After a careful study of the entire territory, based upon convenience and accessibility, the Federal prison for the entire territory east of the Rockies and south of the Potomac and Ohio Rivers was located at Atlanta.

The National Government in all of its endeavors connected with the section constituting this a reserve district, and extending even beyond it, has recognized Atlanta as the place to which convenience attaches for conducting business through this section by locating at Atlanta the headquarters of its activities for the section.

To repeat, Atlanta is the headquarters for the Government Railway Mail Service. It is the military headquarters, the headquarters for the new division of the Bureau of Commerce, and at it is located the Federal prison. Four different departments of the Government, at different periods, investigating the question of convenience, selected Atlanta as the place from which conveniently to transact business throughout this entire section.

The reserve bank should be located not only for the present but with reference to the future. The facts already stated fix Atlanta as the place where future growth may be expected. As an evidence of how this growth has proceeded, in 1912 the new buildings in Atlanta cost over $9,000,000, while those of New Orleans amounted to less than $4,000,000.

Not only does the action of the Government heretofore which has been mentioned furnish testimony that Atlanta has the advantage in point of convenience, but the voluntary and independent selection of Atlanta for southern headquarters by the insurance companies, by the various manufacturing companies, and by the commercial houses, the separate judgment of the men controlling all these various activities, fixes Atlanta as the point of advantage for convenience of business throughout the territory covered by the reserve bank. All these lines of business have been located in Atlanta, and their superintendents and managers being now engaged in conducting their business from Atlanta throughout this section, the customary course of business for the section is fixed at Atlanta.

POSTAL RECEIPTS.

Perhaps nothing shows clearer the ordinary course of business than the postal receipts of a city. The postal receipts of Atlanta for the fiscal year ending June 30, 1913, were $1,328,193, while those of New Orleans for the same period were $1,182,285.

OTHER STATES AND CITIES FOR ATLANTA.

A large part of Florida, including 8 of 12 banks in Jacksonville, favored Atlanta. The governor and his cabinet indorsed Atlanta. Savannah asked for Atlanta after Savannah. Practically all of the other banks of Georgia asked for Atlanta. The Knoxville (Tenn.) Board of Commerce indorsed Atlanta as first choice. Chattanooga, after herself, asked for Atlanta. Montgomery, after herself, asked for Atlanta. Mobile, after New Orleans, asked for Atlanta. The president of the Mississippi Bankers' Association gave his first evidence for New Orleans, but second for Atlanta.

TESTIMONY BEFORE ORGANIZATION COMMITTEE.

In their hearings throughout the United States the opinion of men supposed to be best informed was asked by the organization committee as to what cities should be selected for the location of reserve banks. New York, Chicago, San Francisco, and St. Louis were indicated by more of these witnesses than any other cities, but Atlanta received more indorsements than any city except these four. The best thought, therefore, of the entire country, indicated the necessity for a reserve district with the reserve bank located at Atlanta.

IN CONCLUSION.

Georgia will contribute one-third of the capital to the reserve bank. Atlanta will contribute more to the capital of the reserve bank than New Orleans or any other city in the district. It would have been unjust under all these facts to have located the reserve bank at any other point.

Before the reading had been concluded,

Mr. THOMAS. Mr. President, the city from which I hail is a disappointed candidate for one of these reserve banks, and in order to voice this disappointment I ask that the further reading of the document be suspended and that we proceed with the regular order.

The VICE PRESIDENT. Unanimous consent was given for the reading.

Mr. SMITH of Georgia. I am perfectly willing that the balance of it, which is just one page, may go into the RECORD without reading.

Mr. THOMAS. I made my request with the consent of the Senator from Georgia.

Mr. SWANSON. I have here a statement of 8 or 10 lines in regard to Richmond——

Mr. THOMAS. I insist on the regular order.

Mr. RANSDELL. I wish to say that the Senator from Virginia will be given an opportunity to put in the RECORD the little document he has. I do not want anything to be said about New Orleans without giving Richmond a chance to be heard. I hope the Senator from Colorado will withdraw his objection.

Mr. THOMAS. This is no place for a controversy of this sort, and I insist on the regular order.

Mr. WILLIAMS. I insist with the Senator.

Mr. SWANSON. I should like to request that this memorandum be put in the RECORD without reading.

The VICE PRESIDENT. Is there objection to the request of the Senator from Virginia?

Mr. SHEPPARD. I object unless I can have a similar memorandum in regard to Dallas printed in the RECORD.

Mr. WILLIAMS. I object to both requests. A moment ago I did not object to the request of the Senator from Georgia because before I came into the Chamber the Senator from Louisiana had obtained the reading of something which he had, and I thought it but fair, as that was mainly an attack upon a city in Georgia, that the Senator from Georgia should have an equal footing.

Mr. RANSDELL. There was so much confusion in the Chamber that I could not hear what my friend from Mississippi said.

Mr. SWANSON. I withdraw my request. I shall read the memorandum some time to-day.

Mr. WILLIAMS. That is better.

The VICE PRESIDENT. If there are no further petitions or memorials, reports of committees are in order.

PUBLIC BUILDING AT MONROE, N. C.

Mr. SWANSON. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 12169) providing for an additional appropriation for a public building in the city of Monroe, N. C., and I submit a report (No. 410) thereon. I call the attention of the Senator from North Carolina [Mr. OVERMAN] to the report.

Mr. OVERMAN. I ask unanimous consent for the present consideration of the bill. It is an emergency measure. It is recommended by the Secretary of the Treasury and has passed the House of Representatives. It is necessary, the Secretary of the Treasury says, to have this money in order to complete the building, which is now nearing completion.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole. It proposes to appropriate $3,000 for the completion of a post-office building now under construction in the city of Monroe, N. C., this same being necessary to carry out the original design for the building.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WOMAN SUFFRAGE.

Mr. BRYAN. Mr. President, yesterday there was reported from the Committee on Woman Suffrage Senate joint resolution No. 130. It is in identical language with Senate joint resolution No. 1. I raise the point of order that it is not competent to report a second resolution on the same subject, the former resolution having been defeated, and that Senate joint resolution No. 130 should be stricken from the calendar.

Mr. THOMAS. Mr. President, I rise to a point of order. I wish to inquire whether the point of order which the Senator from Florida has now raised and which he wishes to discuss is in order under this order of business?

Mr. BRYAN. It is, under reports of committees.

Mr. THOMAS. It is a point of order on the report of a committee made yesterday.

Mr. BRYAN. Suppose it is; I make the point of order that the calendar has no right to contain Senate joint resolution No. 130 as Order of Business 348.

Mr. THOMAS. I insist on my point of order, and ask for a ruling upon it.

The VICE PRESIDENT. The Chair is of the impression that under the reports of committees the question might as well be met now as at any time.

Mr. GALLINGER. Mr. President, I will inquire what the question really is? There was so much disturbance in the Chamber I did not hear it.

The VICE PRESIDENT. The point of order raised by the Senator from Florida is that the joint resolution reported from the Committee on Woman Suffrage, being identical in language with the joint resolution which heretofore failed to pass at the present session of the Congress of the United States, it has no right to be upon the calendar and should be stricken therefrom.

Mr. GALLINGER. It is on the calendar, is it not?

The VICE PRESIDENT. It was reported yesterday and placed on the calendar.

Mr. GALLINGER. I think that point of order will not lie.

The VICE PRESIDENT. The Chair is of the impression that at present the point of order is not well taken, but that the point of order may be raised whenever it is attempted to present the resolution to the Senate for consideration.

Mr. BRYAN. Very well, Mr. President.

The VICE PRESIDENT. That will be the ruling of the Chair. The introduction of bills and joint resolutions is in order.

M'CLINTIC-MARSHALL CONSTRUCTION CO.

Mr. CRAWFORD. Before leaving the order of reports of committees, I am directed by the Committee on Claims to report back favorably with amendments the bill (S. 5147) to authorize and direct Col. George W. Goethals, Governor of the Canal Zone, and formerly chairman and chief engineer of the Isthmian Canal Commission, to investigate certain claims of the McClintic-Marshall Construction Co., and making an appropriation for the payment thereof, and I submit a report (No. 411) thereon.

Mr. OLIVER. I ask unanimous consent for the present consideration of that bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from Pennsylvania?

Mr. SMOOT. I will ask the Senator whether it will lead to any discussion?

Mr. OLIVER. If it leads to discussion further than a brief explanation on my part of the provisions of the bill, I will withdraw the request. If it leads to any discussion at all, I will withdraw it.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments of the Committee on Claims were, on page 1, line 9, after the words "what amount," to insert the words "if any"; on page 2, line 24, after the words "He shall report," to insert the words "in detail"; in the same line, to strike out the word "Treasurer" and insert the word "Congress"; and on page 3, line 2, after the words "McClintic-Marshall Construction Co.," to strike out the remainder of the bill, so as to make the bill read:

Be it enacted, etc., That Col. George W. Goethals, Governor of the Canal Zone, and formerly chairman and chief engineer of the Isthmian Canal Commission, is hereby authorized and directed to investigate the claims of the McClintic-Marshall Construction Co., a corporation of the State of Pennsylvania, having its principal office in the city of Pittsburgh, in said State, and to ascertain what amount, if any, is in justice, equity, and fairness due and owing to the said McClintic-Marshall Construction Co. from the Isthmian Canal Commission for work and labor done and materials furnished in connection with the construction and erection of lock gates and appurtenances for the Panama Canal, and in connection with or incidental to the doing of the work and furnishing of the materials provided for in a certain contract between the Isthmian Canal Commission and said McClintic-Marshall Construction Co., dated June 21, 1910, including the extra expense and cost resulting from the work being of an unprecedented nature and performed under conditions not known to either party at the time of the making of the contract and specifications, which caused delays and compelled the work to be done by the contractor under requirements as to character and finish not fairly within the meaning of the specifications, and under necessity for rapid completion without allowance of adequate additional time.

The said Col. George W. Goethals, Governor of the Canal Zone, is further authorized and empowered, either personally or through such commission as he may appoint, to investigate such claims and the various items thereof in such manner as to him may seem best, and to adjudicate the same, and either personally or through such commission is hereby empowered to administer oaths and affirmations to witnesses, and to issue subpœnas and to compel the attendance of witnesses. He shall report in detail to the Congress of the United States his finding as to the amount, if any, due under the provisions of this act to the said McClintic-Marshall Construction Co.

The amendments were agreed to.

Mr. WALSH. I should like to inquire of the Senator from Pennsylvania as to why this special tribunal should be constituted for the purpose of hearing this one particular case, and why the ordinary courts are not open to the claimants for the prosecution of any just claim they have against the Government?

Mr. OLIVER. I will state to the Senator that this is an extraordinary case, and in this connection I will read the testimony given by Col. Goethals before the Committee on Appropriations. It will not take more than two or three minutes. Col. Goethals said:

By the specifications the bidder was required to state the time within which he would deliver the material for the several gates and the time within which those gates were to be completed. It is not pos-

sible for me to enter into discussion of this claim made by the contractors, because I have not the data here; but if Senator OLIVER proposes an amendment which will authorize an audit before any payment is made, if one be authorized, I do not think it is necessary for me to take up those matters.

The contract provided for the completion of the gates on the 1st of June, 1913. It subsequently developed that the contractors would not be able to complete within that time, and the question of an extension was taken up, with a modification of the contract relative to the penalties that would be imposed for noncompletion. I then learned that it was the fault of the commission's inspectors that the time limit for delivery could not be complied with. How far that extended or to what amount of additional expense the contractors were forced I am not prepared to state. I do know, however, that the contractors, notwithstanding the fact that everybody on the Isthmus knew they must be losing money, spared no expense, spared no material, nor spared any man to exert their utmost to the completion of those gates.

I also know that the completed gates are far superior to anything that I had ever anticipated or have ever seen in the way of lock-gate construction. Ordinarily, in viewing the lock when the gates are closed, you will see water bubbling up around the miter sill and between the leaves, but they have been obliged to grind those bonding surfaces of the gates so closely that there is absolutely no leakage passing either around the sills or between the metal surfaces of the gates.

My sympathies have been with the contractors, and if I could help them out under the contract I would gladly do it.

Now, that is my position, and has been all along.

It has been the best carried on contract. There has never been a whimper about the inspection, and anything that we have asked them to do they have gone ahead and done.

Col. Goethals goes on further and elaborates the matter.

The reason why this can not be referred to an ordinary tribunal is that there is an element of equity in it that the Court of Claims could not consider. Col. Goethals's testimony is to the effect that these men realized with him the necessity of united action in getting through this work in order that the canal might be opened; and he has said that, in his opinion, if the work had been in any other hands under like circumstances, the canal could not have been opened on time.

The bill simply provides for a careful and thorough audit and report in detail to Congress of the circumstances, leaving Congress, after it receives the report, to do what is considered to be best.

Mr. CRAWFORD. There is no appropriation made?

Mr. OLIVER. There is no appropriation made.

Mr. WALSH. I had a different impression from the reading of the bill. I understand now that if the claimants presented their claim to an ordinary tribunal that tribunal would be obliged to dismiss their claim under their contract.

Mr, OLIVER. Yes; that is, the tribunal could not allow what is justly and fairly owing to them.

Mr. WALSH. Exactly. They are insisting, however, that in view of the conditions under which the work was done, and in view of the exactions made of them by the Government in connection with the work, they are entitled to receive something beyond what would be accorded them by an ordinary court of law.

Mr. OLIVER. Yes.

Mr. WALSH. Will the Senator kindly tell us how much they claim?

Mr. OLIVER. Their total loss is about $2,300,000, and the bill as originally introduced by me contained an appropriation of that amount, or so much thereof as might be necessary, to cover the findings; but the committee thought it best to strike out that part of the bill, and I am inclined to agree with them.

Mr. WALSH. It contemplates the payment of a possible claim to the extent of $2,000,000 over and above what this company would be entitled to recover in an ordinary court of law?

Mr. OLIVER. It is conceded that they would be entitled to recover something.

Mr. MARTIN of Virginia. If the Senator from Montana will permit me just a second, I will say to him that the bill simply provides for an investigation and report to Congress. It does not finally conclude anything. If Congress is not satisfied with the finding, it need not appropriate the money; but the matter can be much more thoroughly investigated by Col. Goethals on the ground than it can be investigated by any court that we can organize here or by the Court of Claims.

Mr. WALSH. I understood that the bill carried an appropriation.

Mr. OLIVER. Not at all.

Mr. MARTIN of Virginia. It appropriates nothing whatever.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize and direct Col. George W. Goethals, Governor of the Canal Zone, and formerly chairman and chief engineer of the Isthmian Canal Commission, to investigate certain claims of the McClintic-Marshall Construction Co."

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLAPP:

A bill (S. 5180) to authorize the Postmaster General of the United States to establish employment exchanges at all presidential post offices (with accompanying paper); to the Committee on Post Offices and Post Roads.

By Mr. JONES:

A bill (S. 5181) for the relief of settlers on Northern Pacific Railroad lands, and for other purposes; to the Committee on Public Lands.

A bill (S. 5182) granting a pension to Michael Maloney; and

A bill (S. 5183) granting an increase of pension to T. D. Swain; to the Committee on Pensions.

By Mr. LANE:

A bill (S. 5184) granting an increase of pension to Eli Creekpaum (with accompanying papers); to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 5185) granting an increase of pension to Joseph M. Lansden; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 5186) granting an increase of pension to Samuel Gibbs (with accompanying papers);

A bill (S. 5187) granting an increase of pension to Salem Gillispie (with accompanying papers);

A bill (S. 5188) granting an increase of pension to William H. Dickinson (with accompanying papers); and

A bill (S. 5189) granting an increase of pension to William Hurt (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 5190) granting an increase of pension to Joseph M. Conway (with accompanying papers); to the Committee on Pensions.

HUAI CONSERVATION WORK IN CHINA.

Mr. CHAMBERLAIN. I introduce and ask to have read the joint resolution which I send to the desk, and I call the attention of the Senate to it, because I am going to ask unanimous consent for its immediate consideration.

Mr. ROBINSON. Mr. President——

The VICE PRESIDENT. The Secretary will read the joint resolution introduced by the Senator from Oregon.

The joint resolution (S. J. Res. 139) to authorize the President to grant leave of absence to an officer of the Corps of Engineers, for the purpose of accepting an appointment under the Government of China on works of conservation and public improvement, was read the first time by its title and the second time at length, as follows:

Whereas the Republic of China, with the advice and assistance of the American Red Cross, has arranged for extensive reclamation work in China for the prevention of floods and the resultant famines, and is desirous that an Engineer officer of the United States Army, experienced in this class of work, be permitted to serve in preparing the project and in the execution of the work; and

Whereas the United States of America wishes to show its friendly feeling for the Republic of China by complying with this desire: Now therefore be it

Resolved, etc., That the President be, and he is hereby, authorized, in his discretion, to grant leave of absence to an officer of the Corps of Engineers, United States Army, to assist the Republic of China, as a member of a board of officers to be designated by the Republic of China to make an examination and report on the reclamation of Huai River, and thereafter to act as chief engineer of the Huai conservation work in China, to be appointed by the same authority, in pursuance of an arrangement between the American Red Cross and the Government of China; and that such officer while absent on such leave be, and he is hereby, authorized to accept from the Government of China the said employment with compensation from said Government: *Provided, however*, That the permission so given shall be held to terminate at such date as the President may determine. To insure the continuance and completion of this work the President may have the power of substitution in case of the termination of the detail of said officer for any cause; and that the officer, while so absent in the service of the Republic of China, shall receive no pay or allowances from the United States Government.

Mr. CHAMBERLAIN. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. ROBINSON. For the present, I object.

Mr. CHAMBERLAIN. Permit me——

Mr. ROBINSON. Mr. President, for 30 minutes I have been trying to get the floor to submit an amendment, and I suggest to the Senator from Oregon that he withhold his request for unanimous consent until the Senate has had an opportunity to conclude the regular order of business.

Mr. CHAMBERLAIN. I am perfectly willing to do that, Mr. President. I do not desire to preclude any Senator from presenting morning business.

(Some routine business was transacted, which appears under appropriate heading.)

Mr. CHAMBERLAIN. Mr. President, I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CHAMBERLAIN. In connection with the joint resolution, I ask to have printed by way of explanation and for reference hereafter a letter from the Secretary of War addressed to me, approving the joint resolution, and also a statement by Miss Mabel T. Boardman, president of the Red Cross Society, of the conditions which induced the joint resolution.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The papers referred to are as follows:

WAR DEPARTMENT,
Washington, April 4, 1914.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

MY DEAR SENATOR: Referring to the proposed joint resolution authorizing the President, in his discretion, to grant leave of absence to an officer of the Corps of Engineers, United States Army, to assist the Republic of China, as a member of a board of officers to be designated by the Republic of China to make an examination and report on the reclamation of Huai River, and thereafter to act as chief engineer of the Huai conservation work in China, to be appointed by the same authority, I beg to say that this joint resolution has been carefully considered by the Judge Advocate General and it fully meets with my approval. I believe the granting of the leave of absence to an officer of the Corps of Engineers for this purpose will not only do a great and valuable work for China, but will be a testimonial of our friendly feeling for that country and a desire to be of assistance to her in this great humanitarian work.

Sincerely, yours, LINDLEY M. GARRISON,
Secretary of War.

[From the New York Times, February 8, 1914.]

CHINA'S FLOODS MAY BE PREVENTED AND MILLIONS SAVED BY RED CROSS PLAN.

To the EDITOR OF THE NEW YORK TIMES:

The public is manifesting so deep an interest in an important humanitarian work the American Red Cross has initiated in China that a brief explanation may be timely. The charter of the American Red Cross requires not only that it should mitigate the suffering caused by famine and other great calamities, but imposes upon it the duty "to devise and carry on measures for preventing the same." During the last six years the American Red Cross has expended hundreds of thousands of dollars for famine relief in China, and this does not include large cargoes of food, their transportation, nor the contributions furnished through missionary and other organizations.

In those portions of Anhui and Kiangsu, which lie north of the Huai River, the Hungtze Lake and the old bed of the Yellow River, south of the Province of Shantung, and the present bed of the Yellow River, and extending east and west from the sea to the Ke River, is a section of country which has known but little rest from floods and subsequent famine for the last 2,500 years. This section is a portion of China's great alluvial plain.

We have the history of this section—physical, geographical, and human—for the last 25 centuries at least, and, in addition, the records of the various cities and districts give the years of flood and famine and the amount and kind of relief given to the sufferers; taxes remitted year after year, millions of ounces of silver and tons of free grain. The floods have so increased in frequency and the resulting famines in acuteness that now, over the whole area under consideration, the farmers do not average more than two crops in five years, where, if the floods were eliminated, the normal condition would be two large crops each year, and this loss is an ever-increasing one.

In 1911 the officers of the American Red Cross, with the approval of the State Department, decided to offer to the Chinese Government an expert engineer on river conservancy to make a thorough examination of this flood and famine region, with a view to designing some scheme by means of which the flood level could be lowered, the rivers properly trained, and the swamps and shallow lakes drained and made available for agriculture. For this purpose a small balance of the famine relief fund then in hand was utilized. This offer was accepted with gratitude by the Chinese Government, which proposed to furnish all necessary assistance and provide for all field expenses on its part, the American Red Cross paying the engineer's salary.

Charles Davis Jameson, a civil engineer of standing, who had spent 16 years in China, was selected for this work. The disturbed conditions that arose shortly after his arrival interrupted and delayed his work. At the end of 1912, however, Mr. Jameson submitted a report to the Chinese Government and to the American Red Cross.

The late administration, under President Taft, and the present administration under President Wilson, instructed the American representative at Peking to inform the Government of China that this effort toward river conservancy in central China and the resulting prevention of floods and famines in that area has the most earnest approval of the United States Government, and in a long dispatch, dated January 13, to the State Department, Dr. Reinsch, the American minister at Peking, reported:

"There can not be any doubt of the vast importance of the execution of this work from the point of view of humanity, as the welfare of the millions of human beings who inhabit the northern part of Kiangsu and Anhui is entirely dependent upon this improvement. Vast floods, with their heartrending consequences of famine, involving death and suffering of millions will continue until this work is carried out. On the soundness of this enterprise as a business undertaking, the report of Mr. Jameson, made to the Red Cross August 29, 1912, gives sufficient indication. The lands recovered, together with the benefit of the taxes to be imposed upon lands relieved of periodic floods, would afford an ample security for the loans."

The American minister at Peking cabled on January 23 to the Secretary of State that the Chinese Government was ready to grant to the American Red Cross exclusive authority to make arrangements for the Huai River conservancy work, this authority to be effective for one year, the amount of the loan to be $20,000,000 and an additional sum later if needed to complete the work. The Chinese Government guaranteed the loan and gave in addition as security the taxes and revenues from the lands benefited in the conservancy area.

A request was also made that the American Red Cross recommend an engineer—preferably an Army engineer—of at least five years' experience in the United States on river conservancy of the first magnitude for the post of chief engineer, to be appointed by the Chinese Government.

At a joint meeting of the executive committee and the international relief board of the American Red Cross—at which were present the following members of the committee and board: Gen. George W. Davis, chairman; Senator Root, Secretary Lane, Prof. John Bassett Moore, Hon. Henry D. Flood, chairman of the House Committee on Foreign Affairs; Mr. Seth Low, Mr. John Barrett, Mr. James Tanner, Surg. Gen. Stokes, Mr. B. N. Baker, Mr. Franklin Roosevelt, Assistant Secretary of the Navy; Miss Boardman, and Mr. Bicknell—the matter was thoroughly discussed, and the Department of State was requested to cable to the American minister at Peking, regarding the proposition of the Chinese Government, that the Red Cross is a humanitarian and philanthropic organization, and under the terms of its charter can not extend its functions to commercial or business enterprises; but that it was prepared to name an engineering corporation of the highest character and responsibility to take up at once with the Chinese Government the terms and conditions upon which such corporation would provide funds for the conservancy work. The Red Cross requested that the Chinese Government would appoint a commissioner, fully empowered to frame and sign a proper contract for the work.

The American Red Cross agreed, in case the Government of China makes the necessary contract, further to use its good offices to secure a competent and experienced engineer, preferably an Army engineer, who shall be approved by the Chinese Government and the contractor for appointment by the Chinese Government as engineer in chief, to the end that the conservancy work may be carried on under the supervision of such an engineer, Mr. C. D. Jameson, as general adviser, and under general plans which are to be determined by a board of engineers to be comprised of the chief engineer, the general adviser, and three other engineers, one of whom shall be nominated by the contractor and two to be recommended by the Red Cross for appointment by the Government of China. The J. G. White Engineering Corporation was selected, after a consultation with its officers, as a reliable firm that had done much work for the United States Government, both in this country and in the Philippines. The Chinese Government has accepted the proposition and named as negotiator Dr. Chen Chin Tao, who is already on his way to this country.

The American Red Cross in this matter is acting as a friend for China and is carrying out its duty for the prevention of the famines which cause such terrible suffering. The opportunity is given to America to aid China in this great humanitarian undertaking and to do an honest and efficient piece of work without injury to the integrity of that country.

MABEL T. BOARDMAN.

WASHINGTON, D. C., *February 6, 1914.*

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ROBINSON submitted an amendment relative to the employment of agents and supervisors in the Indian Service without reference to the civil-service laws, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. WALSH (for Mr. MYERS) submitted an amendment providing that sums for salaries of clerks in the offices of surveyors general may, in the discretion of the Secretary of the Interior, be used interchangeably as the condition of the office work upon returns of public-land surveys requires, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. SMOOT submitted an amendment proposing to appropriate $25,000 for the continuation of the appropriation for the establishment of a fish-cultural station in the State of Utah, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. RANSDELL submitted an amendment proposing to increase the appropriation for experiments and demonstrations in live-stock production in the cane sugar and cotton districts of the United States from $50,000 to $100,000, intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. CRAWFORD submitted an amendment proposing to appropriate $5,000 for the maintenance of an assay office at Deadwood, S. Dak., etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

EDWARD L. KEYES.

Mr. THOMAS submitted an amendment intended to be proposed by him to the bill (S. 5087) for the relief of Edward L. Keyes, which was referred to the Committee on Military Affairs and ordered to be printed.

COMMISSION OF FINE ARTS.

Mr. ROOT submitted the following resolution (S. Res. 333), which was read and referred to the Committee on Printing:

Resolved, That there be printed 2,000 copies of Senate Document No. 192, Sixty-second Congress—Message from the President of the United States, transmitting the Report of the Commission of Fine Arts for the fiscal year ending June 30, 1911; and 2,000 copies of Senate Document No. 960, Sixty-second Congress—Message from the President of the United States, transmitting the Report of the Commission of Fine Arts for the fiscal year ending June 30, 1912, for the use of the Senate document room.

HEARINGS BEFORE THE COMMITTEE ON INTEROCEANIC CANALS.

Mr. O'GORMAN submitted the following resolution (S. Res. 334), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interoceanic Canals, or any subcommittee thereof, be authorized to send for persons and papers, to administer oaths, to employ a stenographer at a cost not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject that may be pending before or referred to said committee, and to have such hearings printed for the use of the committee; that the expenses of such hearings be paid out of the contingent fund of the Senate upon vouchers approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

LOCATION OF FEDERAL RESERVE BANKS.

Mr. HITCHCOCK. I submit a resolution, which I send to the desk and ask that it be read.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 332) was read, as follows:

Resolved, That the organization committee of the Federal Reserve Board be, and it is hereby, directed to send to the Senate copies of all briefs and written arguments made by each city applying to the organization committee for the location of a Federal reserve bank, together with the reasons relied upon by the organization committee in fixing the boundaries of the reserve districts and locating the reserve cities.

Mr. HITCHCOCK. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. Is there objection?

Mr. SWANSON. I think the resolution had better go over for to-day.

The VICE PRESIDENT. There being objection, the resolution goes over until to-morrow. Morning business is closed.

RADIUM-BEARING ORES.

Mr. WALSH. I move that the bill (S. 4405) to provide for and encourage the prospecting, mining, and treatment of radium-bearing ores in lands belonging to the United States, for the purpose of securing an adequate supply of radium for Government and other hospitals in the United States, and for other purposes, be made a special order for Friday afternoon next at 2 o'clock.

The VICE PRESIDENT. The question is on the motion of the Senator from Montana.

Mr. SUTHERLAND. What is the motion of the Senator from Montana? It was impossible to hear the Senator on this side of the Chamber.

The VICE PRESIDENT. The Secretary will state the motion.

The SECRETARY. Mr. WALSH moves that Senate bill 4405, known as the radium bill, be made the special order for Friday next at 2 o'clock p. m.

Mr. SMOOT. Mr. President, the Senator from North Dakota [Mr. MCCUMBER] is out of the Chamber. I call the attention of the Senator from Montana to the fact that the unfinished business comes up at 2 o'clock, and of course the unfinished business would take precedence of the special order.

Mr. WALSH. I recognize that.

Mr. SMOOT. If the Senator will make his motion for 1 o'clock, I hardly think there would be objection on the part of the Senator from North Dakota.

Mr. WALSH. That would be quite agreeable to me.

Mr. SMOOT. The Senator, then, will amend the motion so as to fix the hour at 1 o'clock?

Mr. WALSH. I shall be very glad to amend the motion in that way.

Mr. LODGE. Mr. President, I do not desire to interfere with any arrangement of that sort, but I gave notice some days ago that I would ask permission of the Senate to address the Senate to-morrow on the Panama Canal tolls question. I am very anxious to make that speech immediately on the close of the routine morning business and to conclude it. It will only take about an hour, and I hope the Senator from Montana will not prevent me carrying out that intention.

Mr. WALSH. I desire to say to the Senator from Massachusetts that I am very sure I shall be very glad at that time to yield to him if he desires to address the Senate.

The VICE PRESIDENT. The question is on the motion of the Senator from Montana [Mr. WALSH] that the bill referred to by him be made the special order for 1 o'clock on Friday next.

The motion was agreed to.

CHANGE OF INAUGURAL DATE, ETC.

Mr. WORKS obtained the floor.

Mr. SHAFROTH. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Colorado?

Mr. WORKS. I yield.

Mr. SHAFROTH. I merely wish to make a motion similar to that of the Senator from Montana [Mr. WALSH]. I move that Senate joint resolution No. 10 be made a special order for the 20th day of April, at 2 o'clock.

The VICE PRESIDENT. The question is on that motion.

Mr. BORAH. Mr. President——

Mr. SMOOT. I should like to have the Senator from Colorado advise the Senate what the joint resolution is.

Mr. SHAFROTH. It is Senate joint resolution No. 10, proposing to amend the Constitution by providing that the terms of President and Vice President shall commence on the second Monday in January following the election of presidential and vice presidential electors, and that Congress shall meet on the first Monday in January succeeding the election and on the first Monday of January of the next year. It dispenses with the short session, which is limited by virtue of the Constitution to expire on the 4th day of March.

Mr. BORAH. When did we ever have a short session of Congress for the last 10 years?

Mr. SHAFROTH. I did not understand the Senator.

Mr. BORAH. We have not had any short sessions——

Mr. SHAFROTH. We have had short sessions, for every alternate session expires by constitutional limitation on the 4th of March. During the short sessions there are crowded before the Senate more bills than can be carefully considered, and the result is turmoil.

Mr. WORKS. Mr. President, I yielded to the Senator from Colorado, supposing he desired to propose something which would not take any time. It is quite evident, however, that his request will involve discussion, and I think I shall decline to yield further.

Mr. SUTHERLAND. Mr. President, the motion of the Senator from Colorado will involve discussion.

Mr. SHAFROTH. The Senator from Utah does not mean that the motion which I have just made will involve discussion?

Mr. SUTHERLAND. Yes; the motion which the Senator has just made will involve discussion.

Mr. SHAFROTH. I am willing to fix any time which may be suggested, say the 27th of April.

Mr. WORKS. I decline to yield further, Mr. President.

The VICE PRESIDENT. The Senator from California refuses to yield, and the Senator from California has the floor.

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Virginia?

Mr. WORKS. Mr. President, the Senator from Virginia has stated that he desired to occupy 5 or 10 minutes. If he shall consume no more time than that, I shall be glad to accommodate him.

Mr. SWANSON. I shall not exceed 10 minutes.

Mr. WORKS. I hope the Senator will take no more time than that, and if greater delay than that is involved I shall have to decline to yield.

Mr. RANSDELL. I should like to ask, if the Senator from California is going to yield to the Senator from Virginia, if he will let me read in his time the report——

Mr. SWANSON. I decline to yield.

Mr. WORKS. I shall have to decline to yield.

Mr. SWANSON. I think it ungenerous of the Senator from Louisiana not to permit me to proceed when I yielded to him this morning.

Mr. RANSDELL. I asked unanimous consent this morning that the Senator be given an opportunity to read the document he desires incorporated in the RECORD.

The VICE PRESIDENT. The Senator from California [Mr. WORKS] has the floor.

TREATY RELATIONS WITH GREAT BRITAIN AND PANAMA CANAL TOLLS.

Mr. WORKS. Mr. President, when I suspended my remarks yesterday afternoon I was reading from the report of the Committee on Foreign Relations, known as the Davis report.

I desire to finish the reading of the particular clause that was then under discussion. The report says further:

The President hopes that by the consent of all maritime powers all such difficulties may be prevented, and the interoceanic lines, with the harbors of immediate approach to them, may be secured beyond interruption to the great purposes for which they were established.

Thus the United States in the beginning, before the Clayton-Bulwer treaty, took the same ground that is reached in the convention of February, 1900, for the universal decree of the neutral, free, and innocent use of the canal as a world's highway, where war should not exist and where the honor of all nations would be a safer protection than fortresses for its security. From that day to this these wise forecasts have been fulfilled and Europe has adopted, in the convention of Constantinople, the same great safeguard for the canal that was projected by Mr. Cass in 1857.

The only objections that have been urged by the United States have not related to the treaty as a binding compact, but to the conduct of Great Britain in executing its terms and in refusing to abandon certain islands and coast possessions which she claimed were not held after the date of the treaty in violation of its terms.

Mr. President, without taking up the time of the Senate with reading further from this report, I desire to include in my remarks some extracts from it which to a certain extent illuminate the question that is now before the Senate.

The VICE PRESIDENT. In the absence of objection, permission to do so is granted.

The matter referred to is as follows:

It was for the purpose of settling the only disputed questions that had arisen out of the Clayton-Bulwer treaty that Sir William Gore Ousley was sent by Lord Napier to adjust the territorial rights of Great Britain with Nicaragua, Honduras, and Guatemala, these being the only States whose territorial rights were in dispute.

The treaties were made and ratified, and, with some amendments, to which we have made no objections, they are still in force as permanent settlements of all the questions raised as to boundaries and jurisdictions. The treaty with Nicaragua was intended to remove the Mosquito Indians from the coast that included Greytown and the mouths of the San Juan River, and to leave Nicaragua free from the alleged sovereign rights of those people, and it absolved her from all claim of Great Britain to control that region, in virtue of her protectorate over them or otherwise.

This is a permanent result that freed the canal line from all embarrassment of any jurisdictional right or power of Great Britain over it. It is a contract with Nicaragua which cleared off all British incumbrance from her territory along the San Juan River and left Nicaragua free to deal with the United States respecting her own undisputed territory.

If the Clayton-Bulwer treaty had been abrogated since the date of her treaty with Nicaragua, it would not have entitled Great Britain to claim the restoration of the statu quo and the resumption of her alleged rights as suzerain over the Mosquito Indians, which was reliquished to Nicaragua by a later treaty. Nicaragua was not a party to the Clayton-Bulwer treaty, but, as between the United States and Great Britain, its revocation or abrogation would have canceled the prohibition in article 1 against the right of Great Britain to treat with Nicaragua for the exclusive control of an interoceanic canal through her territory.

By her treaty of 1860 with Nicaragua, which was provided for in the Clayton-Bulwer treaty, Great Britain obtained the same rights and assumed the same obligations that we acquired seven years later, in 1867, by our treaty with Nicaragua.

These rights and duties, while they are very extensive and quite sufficient to establish through their exercise a control of the canal that would become supreme in the hands of a great power, are not "exclusive."

This magic word has paralyzed the eager desire of the two great powers to control this canal for 50 years, and now its disappearance leaves us free to construct and control the canal, excluding any right of Great Britain to interfere.

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Thus it is manifest that the Clayton-Bulwer treaty was regarded by our Government as the peaceful solution of a very grave situation in 1850 that we were not prepared to accept as a casus belli, having just emerged from a great and expensive war with Mexico.

It was then felt by the American people that the attitude of Great Britain in her Central American policy was distinctly aggressive toward the United States, and was unjust, overbearing, and dangerous to the future of our country, and much of that sentiment still strongly affects our people. But they cheerfully accepted the treaty of April, 1850.

The Clayton-Bulwer treaty certainly avoided hostile collision between these two great powers, whatever may have been its faults as an entangling alliance, or national humiliation to us, or as the cause of protracted and heated diplomatic controversy. It destroyed the Heis-Selva treaty with Nicaragua in 1849, under which the canal would have been built 40 years ago, and the Frelinghuysen-Zavalla treaty of 1884, under which the canal would now be in complete operation, yet we have not sought to abrogate it, although Mr. Blaine and Mr. Frelinghuysen, while Secretary of State, both proposed to modify it in certain important particulars.

Since 1860 the Clayton-Bulwer treaty has been in some way recognized by the Government in each of the succeeding administrations as a subsisting compact.

Strong reasons for its abrogation have been frequently stated, and some have always denied the obligatory force, but no movement to accomplish that result has been made, either by Congress or the Executive.

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This treaty is therefore open and existing as a binding and unexecuted compact with the express approval of the United States as to the question of our control over the canal and our right to build and fortify it. It is executed, and therefore unrepealable as to all other questions and matters covered by its provisions. A question of its abrogation, raised at this time, would only relate to the parts of the treaty that remain to be executed.

The abrogation of this part of the treaty would leave Great Britain in the possession of the rights she has acquired in her treaties with Guatemala and Honduras as to the territory of those States, and it would leave her in the enjoyment of her treaty rights, as to the canal, that are granted her by Nicaragua in the treaty of 28th of August, 1860.

These rights are identical with those acquired by the United States in the treaty with Nicaragua of June 1, 1867. Neither Government, therefore, can now dispute the rights granted to the other by Nicaragua under those treaties. These treaty rights, which are identical, are also valid under the Clayton-Bulwer treaty, being in furtherance of it. That treaty contemplated the building, ownership, and control of the canal by chartered companies and not by governments.

The identical treaties of Great Britain and the United States with Nicaragua provide for the protection of the canal and the companies of construction by the Governments, with the use of military or civil instrumentalities, and they limit the profits of the concessionary companies to 15 per cent.

In other respects the governmental supervision for the protection of the concessionaires, whether British or American, is nearly supreme, and would soon become absolute in the dealings of either of these powers with the protection of their citizens or subjects holding concessions from Nicaragua.

As matters stand, it has all the time, since these identical treaties were concluded, been a race of diligence between American and British concessionaires as to which of them should gain the control of the canal. One company being installed would, necessarily, exclude any other.

The right to a footing in Nicaragua, thus acquired by Great Britain, is full of peril to this Republic, and could only be disposed of by further agreement, or by war, or by uniting the interests of both Governments in the joint ownership and control of the canal. Such an arrangement, while it is still desired by some, would be a fatal mistake that would soon involve the countries in war, or it would enlarge and solidify the scheme of alliance that is embodied in the Clayton-Bulwer treaty into a practical alliance, offensive and defensive, in the control of navigation and the commerce of the world. It is these later treaties that present the real ground of our present difficulty from which the convention of 1900 relieves us.

* * * * * * *

No other nation except the United States could have so great an interest in the exclusive right to own and control an isthmian canal, but in this matter, come what may, we are compelled to assert the superiority of our right, now for the first time conceded by Great Britain. It is wise and just therefore that the value of this concession to us should be estimated as a great consideration for anything we may yield, if we, indeed, yield anything, in acquiring the exclusive right to control the canal by a modification of the Clayton-Bulwer treaty.

In the convention of February 5, 1900, Great Britain agrees that the restriction as to the exclusive control of the canal imposed by the Clayton-Bulwer treaty shall continue to bind her, while the United States is released from it.

This leaves us free to acquire from Costa Rica and Nicaragua the exclusive control of the canal for the Government or for our citizens under the protection of the United States, while it cuts off Great Britain from any such right.

The purpose of this convention is "to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans, and to that end to remove any objection which may arise out of the convention of April 19, 1850, to the construction of such canal under the auspices of the United States."

The "objections" that may arise under the Clayton-Bulwer treaty are—

"(1) That neither the one nor the other (Government) will ever obtain or maintain for itself any exclusive control over the said ship canal.

"(2) That neither will ever erect or maintain any fortifications commanding the same, or in the vicinity thereof, or occupy or fortify or colonize or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America.

"(3) Nor make any use of any protection which either affords or may afford, or any alliance which either has or may have, to or with any State or people for the purpose of erecting any such fortifications, or of occupying or fortifying or colonizing Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America, or of assuming or exerting dominion over the same.

"(4) Nor will the United States or Great Britain take advantage of any intimacy, or use any alliance, connection, or influence that either may possess with any State or Government through whose territory the said canal may pass for the purpose of acquiring or holding, directly or indirectly, for the citizens or subjects of the one, any rights or advantages in regard to commerce or navigation through the said canal which shall not be afforded on the same terms to the citizens or subjects of the other."

Of this series of restrictions there are few, if any, that are not or may not become "objections" to the enjoyment of "all the rights incident to the construction (of the canal), as well as to the exclusive right of providing for the regulation and management of the canal." These grounds of objection to our exclusive control of the canal are all removed by this convention except those that relate to fortifications, which, being expressly restated, are retained in a new or modified form.

This sweeping modification of article 1 of the Clayton-Bulwer treaty as to all its restrictions upon the right of the United States, under its auspices, to construct the canal and to have and enjoy all the rights, such as ownership, incident to its construction, as well as the exclusive right of providing for its management and regulation, leaves no ground, substantial or conjectural, on which Great Britain could hereafter contend for any of the restrictions contained in that article (not expressly excepted) as remaining in force against the United States.

She consents to remain under the prohibitions of that article and consents that the United States shall be released from them in her negotiations with Costa Rica and Nicaragua for such exclusive rights in or relating to the canal as they may concede to the United States.

If this convention is ratified, Great Britain could not negotiate with Costa Rica or Nicaragua or any other American State for any right to build, own, control, manage, regulate, or protect a canal to connect the oceans, while the United States is left free to enter upon and conclude such negotiations.

There is nothing, therefore, to the prejudice of the United States in the convention of 5th February, 1900.

No American statesman, speaking with official authority or responsibility, has ever intimated that the United States would attempt to control this canal for the exclusive benefit of our Government or people. They have all, with one accord, declared that the canal was to be neutral ground in time of war and always open on terms of impartial equity to the ships and commerce of the world.

Special treaties for the neutrality, impartiality, freedom, and innocent use of the two canals that are to be the eastern and western gateway of commerce between the great oceans are not in keeping with the magnitude and universality of the blessings they must confer upon mankind. The subject rather belongs to the domain of international law.

* * * * * * *

Whatever canal is built in the Isthmus of Darien will be ultimately made subject to the same law of freedom and neutrality as governs the Suez Canal, as a part of the laws of nations, and no single power will be able to resist its control.

The European powers gave to this subject the greatest consideration and reached conclusions that are not open to criticism as being unjust to any nation in the world. Turkey and Egypt, the imperial and the local sovereigns of the canal, and Great Britain, a controlling stockholder in the Maritime Canal Co., had special interests in the rules for regulating the use of the canal, and they united in the convention, which deprived them of exceptional privileges in its navigation, in peace and in war, for the sake of justice to all maritime nations and the peace and prosperity of the world.

* * * * * * *

The United States can not take an attitude of opposition to the principles of the great act of October 22, 1888, without discrediting the official declarations of our Government for 50 years on the neutrality of an isthmian canal and its equal use by all nations, without discrimination.

To set up the selfish motive of gain by establishing a monopoly of a highway that must derive its income from the patronage of all maritime countries would be unworthy of the United States if we owned the country through which the canal is to be built.

But the location of the canal belongs to other Governments, from whom we must obtain any right to construct a canal on their territory, and it is not unreasonable, if the question was new and was not involved in a subsisting treaty with Great Britain, that she should question the right of even Nicaragua and Costa Rica to grant to our ships of commerce and of war extraordinary privileges of transit through the canal.

It is not reasonable to suppose that Nicaragua and Costa Rica would grant to the United States the exclusive control of a canal through those States on terms less generous to the other maritime nations than those prescribed in the great act of October 22, 1888; or if we could compel them to give us such advantages over other nations, it would not be creditable to our country to accept them.

* * * * * * *

The Suez Canal makes no discrimination in its tolls in favor of its stockholders, and, taking its profits or the half of them as our basis of calculation, we will never find it necessary to differentiate our rates of toll in favor of our own people in order to secure a very great profit on the investment.

* * * * * * *

The British Government, by a dispatch dated January 3, 1883, to its representatives at Paris, Berlin, Vienna, Rome, and St. Petersburg, expressed an opinion that an agreement respecting the Suez Canal ought to be made to the following effect:

"1. That the canal should be free for the passage of all ships in any circumstances.

"2. That in time of war a limitation of time as to ships of war of a belligerent remaining in the canal should be fixed, and no troops or munitions of war should be disembarked in the canal.

"3. That no hostilities should take place in the canal or its approaches, or elsewhere in the territorial waters of Egypt, even in the event of Turkey being one of the belligerents.

"4. That neither of the two immediately foregoing conditions shall apply to measures which may be necessary for the defense of Egypt."

This was followed by the negotiations which resulted in the convention—referred to in article 2 of the pending treaty—between Great Britain and certain other powers, signed at Constantinople October 29, 1888.

A copy of that convention is annexed to this report.

The committee are in full accord with the purpose expressed in article 2 of the pending convention to adopt as the basis of neutralization the indicated rules substantially as embodied in the treaty of Constantinople for the free navigation of the Suez Maritime Canal.

Sections 1 to 7 of article 2 of the treaty now under consideration set out the rules of neutrality, prohibitions of hostilities, and rights of passage of war vessels of belligerents substantially the same with those expressed in the treaty of Constantinople. Articles 4, 5, and 7 of that convention provide, in substance, as follows:

"Article 4. The canal remaining open in time of war as a free passage even to the ships of war of belligerents according to the terms of article 1, the parties agree that no right of war, no act of hostility, nor any act having for its object to obstruct the free navigation of the canal shall be committed in the canal and its ports of access, as well as within a radius of 3 marine miles from those ports, even though the Ottoman Empire should be one of the belligerent parties. Vessels of war of belligerents shall not revictual or take in stores in the canal and its ports of access except in so far as may be strictly necessary. The transit of the aforesaid vessels through the canal shall be effected with the least possible delay. Their stay at Port Said and in the roadstead of Suez shall not exceed 24 hours, except in case of distress, and in such case they shall leave as soon as possible. An interval of 24 hours shall elapse between the departure of belligerent ships of the opposing nations."

Article 5 provides against the disembarking by a belligerent of troops, munitions, or material of war in the canal.

Article 6 provides that prizes shall be subject to the same rules as vessels of war of belligerents.

Article 7 provides that the powers shall not keep vessels of war in the canal.

The foregoing abstract is believed to express correctly those provisions of the treaty of Constantinople which have been substantially incorporated into the pending convention.

Mr. WORKS. Mr. President, I have not read from this report for the purpose of strengthening my own argument so much as to set before the Senate what is claimed to be the foundation of the argument upon the other side of the question. I think the American people are entitled to know what the facts are; to know what has been said by the representatives of this Government and of Great Britain upon this question that is now agitating the people of the two countries. Whatever construction may be placed on the language used by Senator Davis in this report, we have the testimony of the Senator from Massachusetts [Mr. LODGE] and other Senators then in this body that he agreed with the contention I am now making, that under the treaty we have the right to exempt our coastwise ships from the payment of tolls.

I have read from the Davis report partly for the purpose of showing, as I think will be evident to all of the Senators, that there is absolutely nothing in the report to which I have referred that sustains or supports in the slightest degree the contention that is now made here that we were not entitled and were not understood to be entitled under the provisions of this treaty to exempt our own ships from the payment of tolls.

It must be remembered in this connection that the Davis report was not made upon the treaty which was finally ratified, but was made upon the first Hay-Pauncefote treaty, and that treaty was materially changed by amendments made in the Senate, which were afterwards adopted by the two Governments. Therefore, so far as its effect on this treaty is concerned, it has practically no force.

DIPLOMATIC CORRESPONDENCE TAKING PLACE AFTER THE ENACTMENT OF THE STATUTE.

Mr. President, for the purpose of determining what construction was placed upon this treaty by the two Governments after the controversy actually arose following the enactment of the Panama Canal act, when the English Government protested against the enactment of that statute and the execution of it, I take up the correspondence following the passage of the act, and I undertake to say again, as I have already said, that the British Government has never claimed in any of the correspondence which has taken place that we have not the perfect right to exempt our own coastwise trade from the payment of tolls.

The utmost that has been claimed is that our ships while engaged in the coastwise trade may at the same time engage in the foreign trade; but that, as I said yesterday, does not involve the question of the construction of the statute or its validity, or the question as to whether or not it violates the treaty; it is a question of fact that may be determined by arbitration, if necessary, as to whether our own domestic ships are violating not only the treaty in its spirit and letter, but are also violating the statute which we have enacted. Therefore that claim can not be pressed as against our act in passing the statute, and can only be resorted to if it should turn out that we have by virtue of that statute violated the treaty by carrying foreign goods.

I quote, first, from a letter written by Chargé Innes to the Secretary of State, under date of July 8, 1912, in which he says:

It is true that there is nothing in that treaty to prevent the United States from subsidizing its shipping, and if it granted a subsidy His Majesty's Government could not be in a position to complain.

And for a very good reason, because the British Government has resorted to that means of building up its marine business, and there is no doubt that the English Government would subsidize its own ships by paying for its shipping interests the tolls that are charged by the United States for passing through the canal. Therefore it desires to keep the way open that will enable it to do just exactly what some people in this country are claiming now that we are attempting to do; to establish a subsidy in favor of our own ships.

Mr. O'GORMAN. Mr. President——

The PRESIDING OFFICER (Mr. PITTMAN in the chair). Does the Senator from California yield to the Senator from New York?

Mr. WORKS. I yield to the Senator.

Mr. O'GORMAN. Might I say in this connection that the practice of the British Government with respect to subsidizing its shipping is so general that in 1911 the total amount expended by Great Britain and her possessions in subsidizing their shipping aggregated $10,000,000?

Mr. GALLINGER. Mr. President, in connection with what the Senator from California [Mr. WORKS] has just been observing, it is a well-known fact that Great Britain to-day is paying practically the tolls on her ships that go through the Suez Canal, and beyond a question Great Britain will, from the treasury of the Empire, pay the tolls on her ships that pass through the Panama Canal; so that we will be handicapped in that respect and be at a tremendous disadvantage, so far as our own ships are concerned, in competing with a foreign government that has paid not a dollar for the construction of the canal and that has no financial interest in it.

Mr. WORKS. Mr. President, I have no doubt that the Senator from New Hampshire is correct, but I do not want to be misunderstood in respect of the effect of granting free passage to our ships. As between us and Great Britain, considering the

manner in which rates have been fixed, it does amount to a subsidy; that is to say, our Government will lose the amount that is unpaid by our own ships. England, however, will suffer no loss whatever on that account. But as between our Government and our own shipping it is in no sense a subsidy, for the simple reason that we are putting our own ships that pass through the Panama Canal on an absolute equality with the ships that pass through other waterways which the Government has improved at a cost of millions of dollars. Therefore, so far as it affects ourselves, it is in no sense a subsidy, as I shall attempt to show further along. I am dealing now, however, with our relations with the Government of Great Britain; and as between the two nations Great Britain is admitting that we have a right to subsidize our own ships; and that is precisely what we are doing, as I shall attempt to show. Therefore that objection by Great Britain is of no force whatever.

He says, further:

But there is a great distinction between a general subsidy, either to shipping at large or to shipping engaged in any given trade, and a subsidy calculated particularly with reference to the amount of user of the canal by the subsidized lines or vessels. If such a subsidy were granted, it would not, in the opinion of His Majesty's Government, be in accordance with the obligations of the treaty.

As to the proposal that exemption shall be given to vessels engaged in the *coastwise trade, a more difficult question arises. If the trade should be so regulated as to make it certain that only bona fide coastwise traffic which is reserved for United States vessels would be benefited by this exemption, it may be that no objection could be taken.*

That brings us back again to the point I made a moment ago, that it is not a question of the validity of the statute or any act we have done in the past, but a question as to whether somebody may carry foreign trade in domestic ships. When that time shall come, then the question may properly arise as to whether the question should be submitted to arbitration.

Sir Edward Grey, in a letter to Ambassador Bryce of December 9, 1912, has this further to say:

A careful study of the President's memorandum has convinced me that he has not fully appreciated the British point of view and has misunderstood Mr. Mitchell Innes's note of the 8th of July. The President argues upon the assumption that it is the intention of His Majesty's Government to place upon the Hay-Pauncefote treaty an interpretation which would prevent the United States from granting subsidies to their own shipping passing through the canal, and which would place them at a disadvantage as compared with other nations. This is not the case. His Majesty's Government regard equality of all nations as the fundamental principle underlying the treaty of 1901 in the same way that it was the basis of the Suez Canal convention of 1888, and they do not seek to deprive the United States of any liberty which is open either to themselves or to any other nation; nor do they find either in the letter or in the spirit of the Hay-Pauncefote treaty any surrender by either of the contracting powers of the right to encourage its shipping or its commerce by such subsidies as it may deem expedient.

* * * * * * * *

The purpose of the United States in negotiating the Hay-Pauncefote treaty was to recover their freedom of action and obtain the right, which they had surrendered, to construct the canal themselves. This is expressed in the preamble to the treaty, but the complete liberty of action consequential upon such construction was to be limited by the maintenance of the general principle embodied in article 8 of the earlier treaty.

I have endeavored to show, in what I have said already, that there is no principle set forth in article 8 of the Clayton-Bulwer treaty that has the slightest application to the situation as it exists to-day, or in any way affects the right of the United States to exempt its ships from the payment of tolls. On the contrary, the Hay-Pauncefote treaty itself, in express language, determines upon just what terms Great Britain and every other nation may have the use of the canal. There is no occasion for referring to any other treaty for any principle that can affect the question. As I showed yesterday, those principles have no application in the Hay-Pauncefote treaty, because the conditions are entirely different.

That principle, as shown above, was one of equal treatment for both British and United States ships.

Remember that that provision in the Clayton-Bulwer treaty was based upon the fact that the two parties to it had in fact gone into partnership for the purpose of having constructed the canal and protecting it for all future time. For that reason the principle of equality must necessarily apply, because they were operating upon an equal footing, and each of them was responsible equally with the other for the protection of the canal. The two Governments, under that treaty, were authorized to fix the rates that should be paid for vessels passing through the canal. That condition does not exist now under the present treaty. There is no ground upon which the British Government can claim that it shall be placed upon an equal footing with the United States, which has built this canal and has burdened itself with its operation and maintenance.

He says, further:

A study of the language of article 8 shows that the word "neutralization," in the preamble of the later treaty, is not there confined to belligerent operations, but refers to the system of equal rights for which article 8 provides.

There is no foundation for that claim; not the slightest. This is the first time the British Government has advanced any such claim. Throughout the correspondence that took place previous to the enactment of the statute it was discussed solely upon the question of neutrality, in the ordinary sense of the term. That the principle included anything else but neutrality in time of war was never intimated by the British Government until it undertook to use that principle for the purpose of securing in this canal some rights to which it was not entitled under the express provisions of the Hay-Pauncefote treaty.

There is no foundation for it for another reason. There is no occasion for reference to that article for the establishment of any principle that is contained in it, for the simple reason that the principle of neutrality is expressly stated in the Hay-Pauncefote treaty, and it must be judged by the terms of that treaty and not otherwise. It provides specifically upon what terms and conditions the ships of other nations in time of peace and war shall pass through the canal. Why refer to the Clayton-Bulwer treaty when we have the whole doctrine laid down in the particular treaty that is under consideration, which determines specifically what the rights of the parties are?

He says further:

If the wording of the article is examined, it will be seen that there is no mention of belligerent action in it at all.

But when they discussed it before—and I read the correspondence to the Senate yesterday—it was discussed upon that basis and no other.

Joint protection and equal treatment are the only matters alluded to, and it is to one or *both of these that neutralization must refer.* Such joint protection has always been understood by His Majesty's Government to be one of the results of the Clayton-Bulwer treaty of which the United States was most anxious to get rid, and they can scarcely, therefore believe that it was such joint protection that the United States were willing to keep alive, and to which they referred in the preamble of the Hay-Pauncefote treaty. *It certainly was not the intention of* His Majesty's Government that any responsibility for the protection *of the canal should attach to them in the future. Neutralization must* therefore refer to the system of equal rights.

But the subject of neutralization was considered in the treaty itself, and everything necessary to cover that situation was provided for in the treaty. The very fact that the British Government is relieved from all responsibility under the former treaty is a consideration for placing it upon just the same terms as all of the other nations and giving it no right that does not belong to every other nation in the world.

For these reasons His Majesty's Government maintain that the words "all nations" in rule 1 of article 3 of the Hay-Pauncefote treaty include the United States, and that in consequence British vessels using the canal are entitled to equal treatment with those of the United States, and that the same tolls are chargeable on each.

It must be remembered that the British Government has already admitted that this does not apply to our coastwise trade. Great Britain is not interested in the coastwise trade of the United States. She can not compete in it. She is forbidden by law to do so. There can be no discrimination as between our coastwise ships and the ships of the British nation; and therefore she has no interest in the question whether or not we relieve our ships from the payment of tolls, unless the effect of it is, as she claims, that it tends to increase the amount that she shall pay for her ships in passing through the canal. I am going to show that there is no foundation for that claim; that the way in which the rates are fixed that are to be charged to other ships shows that the exemption of our own ships has no effect at all upon the amount that is to be paid by the British Government for its shipping.

This rule also provides that the tolls should be "just and equitable." The purpose of these words was to limit the tolls to the amount representing the fair value of the services rendered, i. e., to the interest on the capital expended and the cost of the operation and maintenance of the canal.

Does anybody suppose now that we are going to be able to levy upon ships passing through the canal such rates as will pay us the interest upon the investment? That has never been contemplated by this Government. It has never been believed that we can levy rates high enough to repay us the interest upon the investment or even to maintain the canal, at least for many years to come; so we are not charging unreasonable rates to any of the ships on that basis.

Unless the whole volume of shipping which passes through the canal, and which all benefits equally by its services, is taken into account—

Now, mark the language: "Unless all of the shipping * * * is *taken into account*" in determining the rates that shall be charged to all, then it is claimed it will be unjust to Great Britain.

Unless the whole volume of shipping which passes through the canal, and which all benefits equally by its services, is taken into account, there are no means of determining whether the tolls chargeable upon a vessel represent that vessel's fair proportion of the current expenditure properly chargeable against the canal; that is to say, interest on the

capital expended in construction and the cost of operation and maintenance. If any classes of vessels are exempted from tolls in such a way that no receipts from such ships are taken into account in the income of the canal, there is no guaranty that the vessels upon which tolls are being levied are not being made to bear more than their fair share of the upkeep. Apart altogether, therefore, from the provision in rule 1 about equality of treatment for all nations, the stipulation that the tolls shall be just and equitable, when rightly understood, entitles His Majesty's Government to demand, on behalf of British shipping, that all vessels passing through the canal, whatever their flag or their character, shall be *taken into account* in fixing the amount of the tolls.

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The President, in his memorandum, argues that if there is no difference, as stated in Mr. Mitchell Innes's note of the 8th July, between charging tolls only to refund them and remitting tolls altogether, the effect is to prevent the United States from aiding its own commerce in the way that all other nations may freely do. This is not so. His Majesty's Government have no desire to place upon the Hay-Pauncefote treaty an interpretation which would impose upon the United States any restriction from which other nations are free or reserve to such other nation any privilege which is denied to the United States. Equal treatment, as specified in the treaty, is all they claim.

His Majesty's Government do not question the right of the United States to grant subsidies to United States shipping generally or to any particular branches of that shipping, but it does not follow, therefore, that the United States may not be debarred by the Hay-Pauncefote treaty from granting a subsidy to certain shipping *in a particular way, if the effect of the method chosen for granting such subsidy would be to impose upon British or other foreign shipping an unfair share of the burden of the upkeep of the canal* or to create a discrimination in respect of the conditions or charges of traffic or otherwise to prejudice rights secured to British shipping by this treaty.

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It has been argued that as the coastwise trade of the United States is confined by law to United States vessels, the exemption of vessels engaged in it from the payment of tolls can not injure the interests of foreign nations. It is clear, however, that the interests of foreign nations will be seriously injured in two material respects.

In the first place, the exemption will result in the cost of the working of the canal being borne wholly by foreign-going vessels, and on such vessels, therefore, will fall the whole burden of raising the revenue necessary to cover the cost of working and maintaining the canal. The possibility, therefore, of fixing the toll on such vessels at a lower figure than $1.25 per ton, or of reducing the rate below that figure at *some future time,* will be considerably lessened by the exemption.

That is the whole claim of the British Government with respect to that provision in the treaty. Unless the release of our own ships from the payment of tolls shall have the effect of increasing the amount that Great Britain shall pay, then she admits she has no cause of complaint.

In the second place, the exemption will, in the opinion of His Majesty's Government, be a violation of the equal treatment secured by the treaty, as it will put the "coastwise trade" in a preferential position as regards other shipping.

Now, no question is made of our right to exempt our coastwise shipping; but it is claimed, and they go no further than that, that it may give to our coastwise ships the opportunity of doing a foreign business, which would be in violation of the treaty.

Coastwise trade can not be circumscribed so completely that benefits conferred upon it will not affect vessels engaged in the foreign trade. To take an example, if cargo intended for a United States port beyond the canal, either from east or west, and shipped on board a foreign ship could be sent to its destination more cheaply, through the operation of the proposed exemption, by being landed at a United States port before reaching the canal, and then sent on as coastwise trade, shippers would benefit by adopting this course in preference to sending the goods direct to their destination through the canal on board the foreign ship.

Again, although certain privileges are granted to vessels engaged in an exclusively coastwise trade, His Majesty's Government are given to understand that there is nothing in the laws of the United States which prevents any United States ship from combining foreign commerce with coastwise trade, and consequently from entering into direct competition with foreign vessels while remaining "prima facie" entitled to the privilege of free passage through the canal. Moreover, any restriction which may be deemed to be now applicable might at any time be removed by legislation, or even perhaps by mere changes in the regulations.

That is merely speculation as to what may happen in the future. It has no effect upon the validity of the statute, as I have insisted.

Again:

In these and in other ways foreign shipping would be seriously handicapped, and any adverse result would fall more severely on British shipping than on that of any other nationality.

Now, let us see what Secretary Knox says in reply to these contentions of the British Government. I submit that he answers them completely and conclusively, and leaves no ground upon which the Government of Great Britain has a right to complain.

Secretary of State Knox in a letter to Chargé d'Affaires Laughlin, January 17, 1913, says:

Regarding the first objection, the question presented by Sir Edward Grey arises solely upon the exemption in the canal act of vessels engaged in our coastwise trade.

On this point Sir Edward Grey says that "His Majesty's Government do not question the right of the United States to grant subsidies to United States shipping generally or to any particular branches of that shipping," and it is admitted in his note that the exemption of certain classes of ships would be "a form of subsidy" to those vessels; but it appears from the note that His Majesty's Government would regard that form of subsidy as objectionable under the treaty if the effect of such subsidy would be "to impose upon British or other foreign shipping an unfair share of the burden of the upkeep of the canal, or to create a discrimination in respect of the conditions or charges of traffic, or otherwise to prejudice rights secured to British shipping by this treaty."

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This objection must be read in connection with the views expressed by the British Government while this act was pending in Congress, which were stated in the note of July 8, 1912, on the subject from Mr. Innes as follows:

"As to the proposal that exemption shall be given to vessels engaged in the coastwise trade, a more difficult question arises. If the trade should be so regulated as to make it certain that only bona fide coastwise traffic which is reserved for United States vessels would be benefited by this exemption, it may be that no objection could be taken."

This statement may fairly be taken as an admission that this Government may exempt its vessels engaged in the coastwise trade from the payment of tolls, provided such exemption be restricted to bona fide coastwise traffic. As to this it is sufficient to say that obviously the United States is not to be denied the power to remit tolls to its own coastwise trade because of a suspicion or possibility that the regulations yet to be framed may not restrict this exemption to bona fide coastwise traffic.

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On this same point Sir Edward Grey urges another objection to the exemption of coastwise vessels, as follows:

"Again, although certain privileges are granted to vessels engaged in an exclusively coastwise trade, His Majesty's Government are given to understand that there is nothing in the laws of the United States which prevents any United States ship from combining foreign commerce with coastwise trade, and consequently from entering into direct competition with foreign vessels while remaining prima facie entitled to the privilege of free passage through the canal. Moreover, any restriction which may be demed to be now applicable might at any time be removed by legislation or even perhaps by mere changes in the regulations."

This objection also raises a question which, apart from treaty interpretation, depends upon future conditions and facts not yet ascertained, and for the same reasons as are above stated its submission to arbitration at this time would be premature.

The second point of Sir Edward Grey's objection to the exemption of vessels engaged in coastwise trade remains to be considered. On this point he says that the provisions of the act "*would enable* tolls to be fixed which would not be just and equitable, and would therefore not comply with rule 1 of article 3 of the Hay-Pauncefote treaty."

It will be observed that this statement evidently was framed without knowledge of the fact that the President's proclamation fixing the tolls had issued. It is not claimed in the note that the tolls actually fixed are not "just and equitable" or even that all vessels passing through the canal were not taken into account in fixing the amount of the tolls, but only that either or both contingencies are possible.

If the British contention is correct, that the true construction of the treaty requires all traffic to be reckoned in fixing just and equitable tolls, it requires at least an allegation that the tolls as fixed are not just and equitable, and that all traffic has not been reckoned in fixing them before the United States can be called upon to prove that this course was not followed, even assuming that the burden of proof would rest with the United States in any event, which is open to question. This Government welcomes the opportunity, however, of informing the British Government that the tolls fixed in the President's proclamation are based upon the computations set forth in the report of Prof. Emory R. Johnson, a copy of which is forwarded herewith for delivery to Sir Edward Grey, and that the tolls which would be paid by American coastwise vessels but for the exemption contained in the act were computed in determining the rate fixed by the President.

By reference to page 208 of Prof. Johnson's report, it will be seen that the estimated net tonnage of shipping using the canal in 1915 is as follows:

	Tons.
Coast to coast American shipping	1,000,000
American shipping carrying foreign commerce of the United States	720,000
Foreign shipping carrying commerce of the United States and foreign countries	8,780,000

It was on this estimate that tolls fixed in the President's proclamation were based.

That is to say, in fixing the rates we did just exactly what the British Government claimed we should do, we took into account in determining what the rates should be the shipping of our own coastwise trade. So that objection is completely met by the facts as they exist.

Sir Edward Grey says, "This rule [1 of article 3 of the Hay-Pauncefote treaty] also provides that the tolls should be 'just and equitable.'" *The purpose of these words, he adds, "was to limit the tolls to the amount representing the fair value of the services rendered, i. e., to the interest on the capital expended and the cost of the operation and maintenance of the canal."* If, as a matter of fact, the tolls now fixed (of which he seems unaware) do not exceed this requirement, and as heretofore pointed out there is no claim that they do, it is not apparent under Sir Edward Grey's contention how Great Britain could be receiving unjust and inequitable treatment if the United States favors its coastwise vessels by not collecting their share of the tolls necessary to meet the requirement. There is a very clear distinction between an omission to "take into account" the coastwise tolls in order to determine a just and equitable rate, which is as far as this objection goes, and the remission of such tolls, or their collection coupled with their repayment in the form of a subsidy.

The exemption of the coastwise trade from tolls, or the refunding of tolls collected from the coastwise trade, is merely a subsidy granted by the United States to that trade, and the loss resulting from not collecting, or from refunding those tolls, will fall solely upon the United States. In the same way the loss will fall on the United States if the tolls fixed by the President's proclamation on all vessels represent less than the fair value of the service rendered, which must necessarily be the case for many years; and the United States will, therefore, be in the position of subsidizing or aiding not merely its own coastwise vessels but foreign vessels as well.

Mr. O'GORMAN. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from California yield to the Senator from New York?

Mr. WORKS. I do.

Mr. O'GORMAN. With the Senator's permission, I should like to direct attention at this point to one fact. It is estimated that for several years the net deficit in the operation of the canal will amount to $7,000,000 annually. As Great Britain controls more than one-half of the shipping of the world it is fair to state that at least one-half of this deficit borne by the Federal Government will be for the benefit of the British shipping, and the British shipping will be sustained by a subsidy from the United States Treasury each year to the extent of three million and a half.

Mr. WORKS. Secretary Knox says further:

> Apart from the particular objections above considered, it is not understood that Sir Edward Grey questions the right of the United States to subsidize either its coastwise or its foreign shipping, inasmuch as he says that His Majesty's Government do not find "either in the letter or in the spirit of the Hay-Pauncefote treaty any surrender by either of the contracting powers of the right to encourage its shipping or its commerce by such subsidies as it may deem expedient."
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> When, and if, complaint is made by Great Britain that the effect of the act and the proclamation together will be to subject British vessels as a matter of fact to inequality of treatment, or to unjust and inequitable tolls in conflict with the terms of the Hay-Pauncefote treaty, the question will then be raised as to whether the United States is bound by that treaty both to take into account and to collect tolls from American vessels, and also whether under the obligations of that treaty British vessels are entitled to equality of treatment in all respects with the vessels of the United States. Until these objections rest upon something more substantial than mere possibility, it is not believed that they should be submitted to arbitration.

Mr. President, these extracts from the correspondence that took place between the representatives of the two Governments show, to my mind, conclusively that there is no ground for any claim by the British Government that we have violated the treaty. Its claims were limited to the two propositions that had been set forth in the correspondence which took place between them, and both of those contentions have been conclusively met by the Secretary of State by facts which can not be disputed. Any American citizen who reads this correspondence must be convinced of the fact that we have acted within the treaty, that we have not violated any of its provisions, and that the claim made by the British Government is absolutely unfounded and unjust.

Now, why should we, under those circumstances, knowing we are right upon this question, submit to the demands of Great Britain? I am satisfied that if this question had not been reopened by the senior Senator from New York [Mr. ROOT] by the introduction of a bill to repeal this clause of the act and the making of a speech upon it that I think was unjust and unfair to his own country, the question would have been settled before this. The claims of Great Britain had been conclusively met. I have no idea that that Government would have followed it further. We have heard no complaint from Great Britain of late. The trouble is not there; it is here in our own country; it is our own people and the representatives of this Nation who are raising this question and making the contention that we were wrong in the passage of the statute.

Is it not a little singular that we should be raising this question at this stage? Why has it been done? Does the President of the United States know something that we do not know which makes it expedient or just that we should in this way give up and surrender the rights we have in the canal, including our sovereignty over it, for that is what it means? If so, when he makes his request of the Congress of the United States that our rights should be surrendered under the circumstances, why has he failed to give us a reason upon which he bases that request? He has not even said to us yet that the reasons were such that he could not properly submit them to Congress. He has simply asked us to take his word for it that there are reasons why we should surrender our rights to the demands of a foreign nation. There are Members of this body who have sufficient confidence in the President to be willing to take his mere statement of the fact that there are reasons why this should be done without calling upon him to state his reasons, that we may act intelligently in dealing with the question.

CONFIRMING OPINIONS OF OTHERS.

Mr. President, in support of what I have said as to the effect of this statute upon the treaty rights of the two nations, I submit what has been said by the following persons, amongst thousands of others, including ex-Senator Bard, ex-President Taft, ex-Secretary of State Knox, ex-Secretary of State Olney, ex-President Roosevelt, ex-Senator Dubois, numerous Members of this body, Chandler P. Anderson, ex-counselor for the Department of State, Charles J. Schnabel, and the decision of the Supreme Court of the United States in the case of Olsen *v.* Smith (195 U. S., 332).

I have statements here, Mr. President, from most of the distinguished gentlemen to whom I have referred. I am going to read only a part of them, but I ask to be allowed to include in my remarks the remainder without reading them to the Senate.

The PRESIDING OFFICER. Without objection, that course wil be pursued.

Mr. WORKS. I first call attention to a statement made by ex-Senator Bard, who has frequently been mentioned in this discussion. In a letter to me of date October 28, 1911, when this matter was previously under discussion, he said:

OCTOBER 28, 1911.

Hon. JOHN D. WORKS,
United States Senator, Los Angeles, Cal.

MY DEAR SENATOR:

* * * * * * *

The Hay-Pauncefote treaty, as originally drafted, was not an abrogation, but, in effect, a reaffirmation of the odious Clayton-Bulwer treaty in respect to the neutralization of the canal. The Hay-Pauncefote treaty as ratified, though intended, as stated in the preamble to both drafts, "to preserve unimpaired the *general principle* of neutralization established by article 8 of the Clayton-Bulwer treaty," is, in effect, and by its express terms, a *complete abrogation* of that convention.

* * * * * * *

The omission in the ratified treaty of the declaration reiterated in article 2 of the original draft, that the parties desired to preserve the "general principle," indicates that the rules adopted in the Hay-Pauncefote treaty were to be the only regulations forming the basis of neutralization and that these rules define the full extent to which the United States is bound to apply the general principle of neutralization established by article 8 of the Clayton-Bulwer treaty.

It is therefore altogether unnecessary to consider what other provisions contained in the Clayton-Bulwer treaty helped to explain the "general principle" of neutralizat'on that was intended to be preserved.

This argument is fully supported by the remark of Marquis of Lansdowne, when, in his communication of August 3, 1901, referring to the amendment proposed by the Senate to abrogate the Clayton-Bulwer treaty, that—

"6. The proposal to abrogate the Clayton-Bulwer convention is not, I think, inadmissible, if it can be shown that sufficient provision is made in the new treaty for such portions of the convention as ought, in the interests of this country, to remain in force."

Of course, his acquiescence to the adoption of the "rules" in the new treaty implies that, in his opinion, "sufficient provision" *was* made for every portion of the old treaty that is needed to protect the interests of his country.

By a like course of reasoning we understand that all provisions for neutralization of the Suez Canal contained in the convention of Constantinople, which are not fully expressed in the rules adopted by this treaty, if any, are excluded.

And therefore we may enter upon the investigation that has been proposed, free from embarrassment that might intrude, if there were doubts as to the complete abrogation of the Clayton-Bulwer treaty or as to the retention of any unsatisfied provision of it.

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The comparison of parts of article 3 of the treaty as executed with the corresponding article 2 of the original draft is important for my purpose, and they are here now set forth in parallel columns.

ARTICLE 2 OF ORIGINAL DRAFT.	ARTICLE 3 OF TREATY AS EXECUTED BY THE UNITED STATES.
The high contracting parties, desiring to preserve and maintain the general principle of neutralization established in article 8 of the Clayton-Bulwer convention, adopt as the basis of *such* neutralization the following rules substantially as embodied in the convention between Great Britain and certain other powers, signed at Constantinople October 29, 1888, for the free navigation of the Suez Maritime Canal; that is to say	adopts as the basis of *the* neutralization of such ship canal the following rules, substantially as embodied in the convention of Constantinople, signed the *28th* October, 1888, for the free navigation of the Suez Maritime Canal; that is to say
1. The canal shall be free and open, *in time of war as in time of peace,* to the vessels of commerce and of war of all nations	1. The canal shall be free and to the vessels of commerce and of war of all nations *observing these rules*
on terms of entire equality. So that there shall be no discrimination against *any* nation or its citizens or subjects in respect of the conditions or charges of traffic, or otherwise.	on terms of entire equality. So that there shall be no discrimination against any *such* nation or its citizens or subjects in respect of the conditions or charges of traffic or otherwise.
	Such conditions and charges shall be just and equitable.

I have indicated the differences in the drafts of these sections by underscoring lines.

* * * * * * *

The first change observed is very important. Opposite to the declaration that the *high contracting parties* adopt the rules is antithetically placed the declaration in the executed treaty that the *United States* alone adopts the rules.

The original draft of the treaty, in joining Great Britain with the United States, substantially reaffirmed or continued their relations in respect to this matter, which it was desirable to the United States to be terminated.

The participation of Great Britain in the adoption of the rules for neutralization of the canal was, as I thought at the time the original draft of the treaty was under consideration of the Senate, unnecessary and would lead to future complications. I contended that Great Britain, having assumed the responsibility implied in the adoption of the rules, could fairly claim the right, as incident to such responsibility, to supervise the execution of the rules, to raise questions as to the proper construction of the rules, and even to inquire into the necessity for any measure that the United States might adopt for the maintenance of public order or its own defense. Such right of supervision could readily be made the pretext for interference in our relations with Central American States. Thus Great Britain, in making this concession, resigns all responsibility for the carrying out of the regulations for securing the neutralization of the canal and leaves

to the United States exclusively the right, as well as the duty, to provide for the regulation and management and to maintain the neutralization of the canal in accordance with the rules which are adopted by it for such purposes.

The excision from the original draft of the treaty of the provision of a separate article which obligated the United States and permitted Great Britain "to bring the convention to the notice of the other powers and to invite them to adhere to it," was one of the changes suggested by the Senate.

Great Britain gave at first as a reason for objecting to this proposed amendment that the omission of the article would result in binding Great Britain by stringent rules of neutral conduct that were not equally binding upon other powers, but finally agreed that by inserting, after "nation," in rule 1, the words "*which shall agree to observe these rules*" Great Britain would not be placed "in a less advantageous position than other powers, while it stopped short of conferring upon other nations a *contractual right* to the use of the canal." But this formulation of the change was not satisfactory to Mr. Hay, who suggested the simpler form, which the Marquis of Lansdowne accepted "as equally efficacious for the purpose he had in view." This final formulation of the phrase, however, changed entirely the relation of other powers to the management of the canal, as was originally proposed in the first draft of the treaty. For now the United States, if it should desire, may, with consent of Great Britain, make any material changes in the rules, without incurring any responsibility to any other power on account of such change. The United States is not responsible to any other power than Great Britain for any misinterpretation or nonobservance of the rules. The United States has no contractual obligation with any other power in respect to the observance of the rules, and the matter of their observance of the rules is for their consideration in the future and after the United States may have interpreted the rules to mean that the prohibition of discrimination does not apply to its domestic trade. The United States being the power that owns the canal, that adopts the rules, and is to be exclusively responsible for the enforcement of the rules, must necessarily be the only authority that may *primarily* interpret the rules.

In view of the long-settled policy of the United States, known to all the world, which forbids foreign vessels from engaging in our domestic commerce, and in view of the admitted fact that the canal was undertaken for the purpose of providing a convenient means of connection between our Atlantic and Pacific coasts, which, when completed, will substantially be a part of our coast line, it would seem that the discrimination referred to in rule 1 of the treaty could not possibly relate to a traffic in which no other nation could participate.

Therefore it would not be a discrimination against any other nation if the United States, conforming to its national policy to foster its coastwise trade, should release vessels belonging to its citizens engaged in the coastwise trade from the whole or any part of the tolls that it charges vessels belonging to its own citizens or to citizens of other nations engaged in *foreign trade*, nor would such discrimination be a violation of the requirement that "such charge should be fair and equitable."

* * * * * * *

Yours, very truly,

THOMAS R. BARD.

I have here also a statement of Col. Roosevelt and of a number of Members of this body bearing upon this question. I wish to read just a few of them. I read first from the statement of the Senator from Georgia [Mr. SMITH], as taken from the CONGRESSIONAL RECORD:

I think we may justly insist, I doubt whether it would be successfully controverted, that so far as our coastwise vessels are concerned, this treaty does not apply to them. Indeed, in the communication from the Attorney General embodying the views brought to our attention by Great Britain it is stated that upon that subject with proper regulations it is probable that no question by Great Britain would be made. Now, fortifying that view, one that we can logically deduce from article 3, section 1, and the attitude of Great Britain upon it with the decision of the Supreme Court of the United States in the Galveston case, in which they held in effect that language of this kind was not applicable to coastwise vessels, that it was no discrimination under language practically similar to the language found in the treaty to extend privileges to coastwise vessels that were not extended to foreign vessels, we can sustain the provision freeing coastwise vessels from tolls.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Michigan?

Mr. WORKS. I do.

Mr. SMITH of Michigan. The Senator has been quoting the Senator from Georgia [Mr. SMITH] down to this point?

Mr. WORKS. I have. That position squarely sustains the contention that the treaty does not apply to coastwise vessels.

I do not know how true it may be, but it is currently stated that the Senator from Georgia, who made this explicit statement respecting the effect of the treaty and our right to relieve our coastwise trade from the payment of tolls, is now leading the opposition to this statute and advocating the repeal that is now urged. It will be interesting to hear some of these Democratic Senators explain to the Senate upon what ground they have changed their position. Nothing new has been developed that I know of that could affect the mind of any Member of this body.

Then, the Senator from Mississippi [Mr. WILLIAMS] said:

Mr. President, I shall vote for the exemption of the coastwise vessels of the United States, but I hope not upon the grounds laid down by the Senator from Iowa [Mr. CUMMINS] in his fourth speech upon the subject. I shall vote for the exemption of the coastwise vessels of the United States upon the ground laid down by the Supreme Court of the United States in Olsen against Smith, in One hundred and ninety-fifth United States, that ground being, in short, that as foreign vessels never had any standing in the coastwise trade at all, any provisions with regard to the coastwise trade can not be a discrimination.

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I shall vote to exempt coastwise vessels from these tolls, because I think we have a right to do it. I think the principle laid down by the Supreme Court is a correct principle in municipal and in international law.

I want the Senate to bear in mind when the Senator from Mississippi comes to deal with this question, as he undoubtedly will, that he placed himself squarely upon the proposition that it was only where there was discrimination against England that she could complain. It is an admitted fact in the correspondence which has taken place between the two Governments that there can be no discrimination so far as the coastwise business is concerned.

Then we have the statement of the Senator from Louisiana [Mr. THORNTON], who said:

It is contended by some that this language includes the United States in the term "all nations," and hence precludes her from extending favors to her own citizens or commerce not extended to the citizens or commerce of other countries, while others maintain that the term "all nations" necessarily means all other nations, and does not preclude us from favoring our own people, but only binds us to deal impartially with all other people.

As for myself, I had no difficulty in reaching the conclusion that the United States had under the terms of the treaty the undoubted right to exempt from the payment of tolls all American vessels engaged in the coastwise trade.

It is a well-known legal rule that in the interpretation of a statute its context must be studied and the spirit and object of the law sought for.

We see in the first part of the disputed paragraph that the canal shall be free and open to the vessels of all nations on terms of entire equality; but we also see in the second part of the same paragraph that the end sought to be accomplished by this first part, the spirit and object of the law as it were, is that there shall be no discrimination against any nation.

It is a question of discrimination; there is no question about that. Unless England is in some way discriminated against in one of the two ways mentioned by her, she has no ground at all to contend against this claim.

Now, it is well known that at the time of this treaty the ships of no other nation were permitted to do business in the coastwise trade of the United States, and that is the law still, and certainly it can not be abrogated by this treaty.

It follows, then, that as no foreign ship can operate in our coastwise trade and compete with us in that trade we are not discriminating against such ships by allowing to our own coastwise ships the free use of the canal.

These were the views I expressed in the committee sessions, as will appear by the printed report of the proceedings, and I voted in accordance with them.

This Senator has openly stated on the floor of the Senate that he proposes to support a bill to repeal that clause in the statute that he sustained, running all through the hearings, and he puts it upon the sole ground that the President of the United States has said to him there are reasons why this should be done.

Mr. President, I have a good deal of confidence in the integrity and good faith of the President of the United States. I have no inclination to dispute the fact that he is acting out of proper motives in this matter. But when it comes to a Senator acting under oath who changes his views upon an important question of this kind, that affects the honor and integrity of this Nation, I should think he would want stronger reasons for it than the mere fact that somebody else, no matter whether he is President of the United States or anyone else, has said that there are reasons why it should be done.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Michigan?

Mr. WORKS. I do.

Mr. SMITH of Michigan. Right on that point I think it would be a good idea to insert the oath of office of Senators. The oath administered to every Senator reads:

You do solemnly swear (or affirm) that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion.

Surely Senators whom the Senator has just quoted must have had some "mental reservation" to have changed their course in order to conform to a new presidential decree.

Mr. WORKS. Mr. President, there are a number of other quotations from Democratic and other Senators that I will include in my remarks, but will not read.

The matter referred to is as follows:

EXTRACT FROM LETTER OF THEODORE ROOSEVELT IN OUTLOOK, JANUARY 18, 1913.

[From the Congressional Record, February 6, 1913.]

I believe that the position of the United States is proper as regards this coastwise traffic. I think that we have the right to free bona fide coastwise traffic from tolls. I think that this does not interfere with the rights of any other nation, because no ships but our own can engage in coastwise traffic, so that there is no discrimination against other ships when we relieve the coastwise traffic from tolls. I believe that the only damage that would be done is the damage to the Canadian Pacific

Railway. Moreover, I do not think that it sits well on the representatives of any foreign nation, even upon those of a power with which we are, and I hope and believe will always remain, on such good terms as Great Britain, to make any plea in reference to what we do with our own coastwise traffic, because we are benefiting the whole world by our action at Panama, and are doing this where every dollar of expense is paid by ourselves. In all history I do not believe you can find another instance where as great and expensive a work as the Panama Canal, undertaken not by a private corporation but by a nation, has ever been as generously put at the service of all the nations of mankind.

OPINIONS OF SENATORS.

[From the CONGRESSIONAL RECORD, July 17, 1912.]

Mr. LODGE. The second Hay-Pauncefote treaty, as Senators will remember, embodied in substance the amendments which the Senate had made to the first Hay-Pauncefote treaty. England had refused to accept those amendments, and then the second treaty was made embodying in principle all for which the Senate had contended.

When I reported that treaty my own impression was that it left the United States in complete control of the tolls upon its own vessels. I did not suppose then that there was any limitation put upon our right to charge such tolls as we pleased upon our own vessels, or that we were included in the phrase "all nations."

[From the CONGRESSIONAL RECORD, July 20, 1912.]

Mr. LODGE. While I am on my feet, if the Senator will allow me, there is one other thing I should like to say. I said in my remarks a few days ago that my personal view was that we had the right to exempt American vessels from tolls. I did not go into the matter. I took a somewhat active part in the two Hay-Pauncefote treaties, as they are called. I voted against the Bard amendment. I voted against it in the belief that it was unnecessary; that the right to fix tolls, if we built the canal or it was built under our auspices, was undoubted. I know that was the view taken by the then Senator from Minnesota, Mr. Davis, who was at that time chairman of the committee. I certainly so stated on the floor. * * * I had that same view in regard to this treaty. I was familiar with the work that was done upon it in London at the time when it was concluded there and finally agreed to, and I was very familiar with it here. Although, as the Senator from Georgia correctly said, the question was not raised at that time, I personally have never had any doubt that the matter of fixing the tolls must necessarily be within our jurisdiction.

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Before I sit down I should like, if I may, to call attention to one thing in this connection. We are now so familiarized with Panama that we think of nothing else. But in the preamble of the treaty that was adopted, the actual Hay-Pauncefote treaty, you will notice that it says:

"Being desirous to facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans by whatever route may be considered expedient, and to that end to remove any objection which may arise."

The route that was in everybody's mind at that time was the Nicaragua route. There was no possible prospect of our securing there what we have secured in Panama. All we could have hoped to secure from Nicaragua and Costa Rica would have been the right to build a canal. Therefore the situation contemplated by that treaty was one quite different from that which has arisen. That which has arisen was also contemplated as possible.

[From the Congressional Record, January 22, 1913.]

Mr. NEWLANDS. In the passage of the act relating to the operation and maintenance of this canal Congress, pursuing its traditional policy of maintaining an untrammeled, an unburdened, and an unfettered domestic waterway transportation, and regarding the Panama Canal, in addition to its international use, as a great domestic waterway connecting the waterway systems of the two coasts and enabling free communication by water between them, declared that no tolls should be levied upon ships passing through the canal engaged in the coastwise trade of the United States.

England, under the inspiration of Canada—that inspiration doubtless quickened by the action of the transcontinental Canadian railroad, whose action in turn was quickened by that of American transcontinental railroads—protests against this declaration that no tolls shall be levied upon ships in the coastwise trade as a violation of the rule of equality fixed by solemn treaty between England and the United States.

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Mr. President, why was it that we declared in the act that no tolls should be levied upon ships engaged in our coastwise trade? We did it, first, because we had imposed upon international tonnage very much less than a fair proportionate charge of our cost of operation, maintenance, and interest, and therefore, in justice to domestic commerce, we could exempt American ships. We did it, further, in pursuance of the traditional policy of the United States, which demanded, so far as our domestic waterways are concerned, that our rivers should be improved, our lakes developed, our canals constructed at the expense of the National Treasury, and without imposing a dollar of burden upon the commerce of the country.

Was it to be expected that the United States, having pursued this traditional policy for over a century, should, when it was assuming the position of a benefactor to the commerce of the world, abandon it and substitute for an unfettered and unburdened domestic commerce a fettered and a burdened commerce?

Now, Mr. President, what is the occasion of this difficulty? What has been the difficulty all the way through with reference to the Panama Canal? Our difficulty has always been the opposition of the transcontinental railway carriers of the country, determined, first, to prevent interoceanic communication and then to paralyze it by the burdens imposed upon it. It was for this reason that for years they prevented and delayed the inauguration of the canal enterprise, and that, later on, as its completion approached, they sought to induce us to permit ships owned by transcontinental railroads to traverse the canal, knowing very well from past experience that, through their ownership of ships subsidized by the profits from the rail traffic, they could paralyze water transportation. Then, having failed in that, they were eager to have us impose a burden upon the domestic transportation between the two coasts in the shape of tolls, such burdens as all the other waterway transportation of the country is entirely free from.

Having failed to influence and control our legislation, they then sought their brother carrier to the north, in Canada—a transcontinental railway running from ocean to ocean, and interested with the transcontinental railroads of the United States in monopolizing transportation between the two oceans and in paralyzing the canal. They sought to make that railroad the instrumentality of foreign interference, and through it they appealed to its sovereign country—Great Britain—to protest against this action as a discrimination against foreign commerce, in violation of the terms of the Hay-Pauncefote treaty.

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All that foreign nations have the right to insist upon is not that we should allow them to control our domestic policy, but that, in carrying out the domestic policy, which involves levying no tolls upon domestic ships, we should see to it that the tolls remitted are not imposed as an additional charge upon the ships of foreign nations. That is all the right which they have, either in morals or under treaty obligations.

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Shall we, simply because the Canadian transcontinental railway has united with the American transcontinental railways to secure foreign intervention in order to secure them a monopoly of the transportation of the country, and in order to enable them to paralyze the Panama Canal as an instrumentality of commerce, shall we meekly yield to this demand—this demand not based upon justice or equity—that we should abandon our traditional domestic policy of a free and unfettered domestic commerce? Will we not discharge every obligation to the nations of the world, and will we not further increase their obligations to us, by declaring that all the tolls remitted to domestic ships shall be credited upon the interest charge of the United States against the nations of the world for the construction and conduct of this gigantic enterprise?

[From the CONGRESSIONAL RECORD, July 18, 1912.]

Mr. TOWNSEND. It is insisted by some distinguished lawyers that the Hay-Pauncefote treaty forbids us to impose tolls upon foreign canal shipping if we permit our coastwise boats to pass through the canal free, but it seems to me there can be no good reason, and I say this respectfully, for at least none has been shown to me, for such belief. Certain it is that no foreign boat can now engage in our coastwise trade—in our interstate commerce—nor could they do so when this treaty was made, and if we now permit our American boats engaged in our coastwise trade and with which no foreign boat is allowed under existing law to compete to pass without charge through the canal are we discriminating against English or German or other foreign tonnage when we impose tolls upon it? How is the foreigner affected by this alleged discrimination? Certain it is we are not changing his relations to the American, for we are in this particular case dealing with commerce with which the former has not now, nor will he have after the completion of the canal, anything to do. This is a purely local matter and unaffected, so far as the foreigner is concerned, by the canal. If all of our transcontinental commerce now carried by the railroads was transferred to water carriers through the canal without tolls, would any foreign boat be denied any advantage which it now enjoys or which it could enjoy through the canal under the existing law as to coastwise traffic, which law it is not proposed to change?

[From the CONGRESSIONAL RECORD of August 7, 1912.]

Mr. CUMMINS. Let us see. The House of Representatives passed a bill which in its terms proposed to give to the shipping of the United States a lower toll, or some greater advantage, than it proposed to give to the shipping of the world. Thereupon, Great Britain formally presented a protest to the United States, through the Secretary of State, who esteems it to be his duty—as I have no doubt it was—to lay the protest before the Congress of the country. * * * Her protest here stands as a notice to the Congress of the United States that, if we pass the law which attempts to discriminate between our shipping and the shipping of the rest of the world, she would regard it as a violation of the treaty of 1901.

Tell me, if you can, how we are to escape, if we wanted to escape, the duty of answering that protest. If we do not now assert whatever right we have under this treaty, we will surrender it forever, and in my opinion the Congress that does surrender it will be universally condemned, and the administration that participates in the surrender will be remembered only to be condemned so long as free institutions exist in the United States and so long as the spirit of independence prevails in the hearts of Americans. All that, however, is upon the assumption that the interpretation which I believe this treaty bears and which has been asserted by the House of Representatives is true and just, and it is to that question I intend to devote my time.

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* * * I believe, and it can be conclusively shown, that the treaty contains no promise on the part of the United States that it will extend to the other nations of the world the same tolls and the same conditions that we give to our own shipping. There is no such promise in the treaty. It was never intended that there should be any such promise in the treaty.

[From the CONGRESSIONAL RECORD, August 6, 1912.]

Mr. JONES. Is there any treaty that restricts our power to permit the use of this canal by our own people upon such terms as we see fit to impose? Could any treaty be made that limits and restricts the power and right of the Government to deal with its own people and its own property? In my judgment the treaty-making power can not take away or cede away this right. The Senate and the President can not deprive the United States of any of its rights of sovereignty, and that is what this would be doing. If it be said that this is not ceding away sovereign rights, but it is giving or granting proprietary rights, I say this can not be done by the President and the Senate in the exercise of the treaty-making power. The right to use our canal and the territory through which it runs as we may desire is a property right, and the establishment of rules respecting the use of this canal is the establishment of rules in respect to the property or territory of the United States, and under section 3, Article IV, of the Constitution only "the Congress," and not the Senate and the President, "shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." Any treaty purporting to make rules and regulations respecting that canal or the territory through which it passes and purporting to restrict its use by the United States is beyond the power of the President and the Senate and not binding upon the Government or the people of the United States. It will not be presumed that an attempt was made to do what there was no constitutional power to do.

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Surely no one will contend that the President and Mr. Hay, who negotiated that treaty, and the Senate, which ratified it, intended to give up our right to allow our own ships to use our own canal and our own territory as we might deem best. They were patriotic men, devoted to the welfare of our country and jealous of its rights and the rights of its citizens, and I will not believe that they intended anything

of the sort. If the people of this country believe that they intended to give up such rights, no words could express their indignation, and such a deliberate intention would be regarded as little short of faithlessness to the great trust reposed in them. If they had thought so when this treaty was pending, such a wave of indignation would have swept the country as would have buried such treaty in oblivion. I am sure, and the people believe, that they simply agreed that the United States would treat all nations with absolute impartiality, and insure equal treatment among them without depriving itself of any of its sovereign or proprietary rights and without recognizing the right of any people to interfere or question its treatment of its own people in regard to its own property and territory.

[From the CONGRESSIONAL RECORD of August 7, 1912.]

Mr. CHAMBERLAIN. To include the United States in the words "all nations" would practically make us powerless to protect ourselves even against an adversary in time of war, and we would be placed in the anomalous position of putting naval armaments of other nations through the canal to destroy our coastwise cities and give to them the same facilities that we would be allowed to give to our own vessels being transferred from one coast to the other to protect those same cities against the enemy's vessels. I know that Senators have said that the condition of war is an anomalous condition, and that all treaties are suspended during times of war, and yet these gentlemen are sticklers for the strictest construction of the language of that treaty. Their theory ought to go the full length, and it ought to be observed in time of war as well as any other time, because wars can not more seriously affect the interests of the country than would our interests be affected if the construction which some Senators seek to place upon this treaty is placed upon it.

[From the CONGRESSIONAL RECORD of July 29, 1912.]

Mr. BRADLEY. Mr. President, I deny that the people of the United States have known all the time or know now that our Government has no right to extend any privileges to our commerce which goes through this canal. Had the people of the United States thought that such would be the result, the canal would never have been constructed. They never would have been willing to expend $400,000,000 to build a canal for the joint use of all the nations of the earth in which they had no superior right.

I affirm as the first proposition that under the treaty now in force the Government of the United States has the right to give preference to its own commerce as well as its battleships.

In the second place, I affirm that if this be not true and if the treaty is to be given the strict construction contended for by those who oppose us, that the treaty is an absolute nullity, because by its terms we have endangered the very life of our own country.

In the third place, I affirm that the United States having become the owner of this territory, having become the sovereign therein, for which right they have paid, the United States having bought all the rights and property of the New Panama Canal Co., for which it has paid, not only the canal but the land which adjoins it is the absolute property of the United States, as much so as is Alaska, as much so as is the District of Columbia; and that any question which may arise in regard to these matters is not subject to arbitration, because it is a domestic question, and the United States never has submitted and never will submit the decision of a domestic question to any court of this earth.

In the fourth place, our only duty as to the nations of the world—aside from our own—is to give them perfect equality in the use of the canal, to preserve strict neutrality as between them in case of war, and to charge them no more than just and equitable tolls.

In the fifth place, now that the United States has become the sovereign of the country through which the canal passes, our right to control it is purely a domestic right, and any question affecting the same is not the subject of arbitration by The Hague or any other tribunal, but must of right be settled by ourselves. That the changed conditions render the treaty voidable whatever may be its construction.

EX-SENATOR FRED T. DUBOIS.

I was a Member of the Senate at the time of the ratification of the Hay-Pauncefote treaty and voted for its ratification. I recall the consideration of the treaty and the debate, and I entertained no doubt as to the meaning of the treaty. I did not myself, and I do not believe that my colleagues, generally speaking, understood that this treaty in any way deprived the United States of the right to favor its coastwise trade or deprive it of what I consider the sovereign power to deal with its domestic commerce. In my opinion had any such view prevailed the treaty would have been rejected.

Furthermore, the construction which has been placed upon this treaty, not only by those who voted for its ratification but by the whole American people, practically speaking, ought to be conclusive. It is too late now to barter away upon a false construction the interests of the whole American people, and those who undertake to do so will, in my judgment, have to answer for their acts. The Democratic Party clearly and unmistakably declared in favor of free tolls for coastwise trade, the third party platform did the same, and the candidate of the Republican Party signed the bill providing for free tolls. If a thorough, complete, and universal construction could be placed upon a treaty, it has been given to this treaty, and I regard the effort to sacrifice the interests of the people of the United States by a false construction as most unwise and indefensible.

AN ADDRESS ON THE ISSUES BETWEEN THE UNITED STATES AND GREAT BRITAIN IN REGARD TO PANAMA CANAL TOLLS AS RAISED IN THE RECENT DIPLOMATIC CORRESPONDENCE.

(By Chandler P. Anderson, former Counselor for the Department of State.)

In support of the British contention that the words "all nations observing these rules," as used in rule 1, include the United States, and therefore that British vessels using the canal are entitled to equal treatment with those of the United States, the only argument advanced by Great Britain is that the general principle of neutralization established by article 8 of the Clayton-Bulwer treaty, as the basis of which principle the United States adopted these rules, is in effect nothing more than a general principle of equality of treatment.

Before taking up this argument it is necessary to examine briefly the provisions of article 8 of the Clayton-Bulwer treaty, and trace their connection with the present treaty. Article 8 of the Clayton-Bulwer treaty recites:

"The Governments of the United States and Great Britain having not only desired, in entering into this convention, to accomplish a particular object, but also to establish a general principle, they hereby agree to extend their protection by treaty stipulations to any other practicable communications, whether by canal or railway, across the isthmus which connects North and South America."

The first seven articles of that treaty related exclusively to interoceanic communications across Central America, and it was distinctly understood by Great Britain in making that treaty that the Isthmus of Panama was not regarded as a part of Central America. This article of the treaty, therefore, is the only part of the treaty which had any relation to a canal across the Isthmus of Panama. The significance of this is that this article expressed the only rights Great Britain ever had in relation to the Panama Canal route, so that Great Britain has actually sacrificed nothing by abrogating the rest of the Clayton-Bulwer treaty. In other words, if the Clayton-Bulwer treaty was in force to-day article 8 is the only part of it which would apply to the Panama Canal, and, in so far as the effect of article 8 has been changed by the Hay-Pauncefote treaty, it will be found that these changes have been made at Great Britain's suggestion.

The article then continues:

"In granting, however, their joint protection to any such canals or railways as are by this article specified, it is always understood by the United States and Great Britain that the parties constructing or owning the same shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments shall approve of as just and equitable; and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other State which is willing to grant thereto such protection as the United States and Great Britain engage to afford."

It is evident from this clause of the article that the agreement to extend protection was a conditional one, and the condition was that charges imposed on traffic should be approved by both Governments as just and equitable, and that the canal should be open to their citizens and subjects upon equal terms.

It is clear that the right to equal treatment went hand in hand with the obligation to extend protection, but the general principle established by this article related primarily to the protection of the canal, the object being to secure its neutralization, and as an inducement to granting protection it was provided that equality of treatment should go with it. Clearly neutralization as used there meant exemption from interference, and equality of treatment was only incidental as an inducement to noninterference.

Mr. WORKS. I wish to call atttention now to an address delivered by Hon. Richard Olney upon this question and to read a portion of it. I think it is one of the clearest statements upon this question that I have run across in my investigation. I read from that address as follows:

Since accepting its inevitable rôle of the canal builder and owner, the United States has always and consistently stood on its rights as such, and, beyond agreeing to the neutralization of the canal as between customers, has repudiated the idea of any control of the canal except its own.

How clearly such is the case is shown by the briefest examination of the neutralization provided for in article 8 of the Clayton-Bulwer treaty, the principle of which is not to be impaired by the Hay-Pauncefote treaty. What sort of neutralization is it? First, the United States and Great Britain are to determine what are just and equitable charges for the use of the canal by their citizens or subjects; second, the canal shall be open on those same terms to citizens and subjects of other States; but, third, the citizens and subjects of other States shall have the benefit of those terms only if such other States grant the same protection to the canal as the United States and Great Britain engage to afford. Now, there is no element of this species of neutralization which the Hay-Pauncefote treaty leaves unimpaired, since the United States alone fixes reasonable and equitable rules for the canal traffic, since the canal may be used by all nations on no other condition than that they observe those rules, and since (as shown by the elimination from this treaty of article 3 of the unratified Hay-Pauncefote treaty of February, 1901) adherence to the treaty by the other powers is not to be invited. If, by construing article 8 in connection with other articles of the Clayton-Bulwer treaty, any controlling principle of neutralization is to be deduced, it is the simple requirement that the same terms shall be made to all customers of the canal, a requirement restricting the rights of the canal owner to just that extent and no more and not disabling it from treating its own shipping in any way it sees fit. The like result follows from the Constantinople convention of 1828, which is declared to be the basis of the neutralization of the canal and of the rules laid down in article 8 for its navigation. By that convention identical rules are to apply to all vessels using the Suez Canal in time of war or time of peace, without distinction of flags, but "the rights of Turkey as the territorial power are reserved"—together with the sovereign rights of the Sultan and the rights and immunities of the Khedive.

It has been contended that the Senate of the United States understood the Hay-Pauncefote treaty to mean what Great Britain now claims it to mean because of the Senate's failure to pass the Bard resolution in favor of American coastwise shipping. But the claim seems to be thoroughly disposed of by proof that the reason of the failure was the opinion of Senators that the resolution was superfluous, that nothing in the treaty prohibited the United States, as the builder and owner of the canal, from exempting its coastwise shipping from tolls. Senator Bard himself has since so stated in a letter which was publicly read in the House of Representatives. He is emphatically corroborated on that point by other Senators.

It is also contended that American vessels must pay tolls, because otherwise the reasonable and equitable tolls provided for by the treaty can not be ascertained. The contention assumes, of course, the very thing at issue, namely, that in the contemplation of the treaty and by its true construction American vessels are bound to pay tolls. But no other answer seems to be required than that, for the purpose of computing reasonable tolls for the use of the canal, it is not necessary that American vessels should pay tolls, but only that the amount they would pay if they were not exempt should be calculated and used in the computation as if paid.

To sum up the conclusions resulting from the foregoing considerations, it is submitted that—

1. The United States, as builder and owner of an artificial waterway within its own territory, is entitled to dictate the conditions of its use unless and only so far as it has contracted the right away.

2. It has made no such contract, except with Great Britain, and by the Hay-Pauncefote treaty and by the clauses of that treaty which stipulate for the use of the canal by "all nations" on equal terms and for reasonable and equitable tolls.

3. As the term "all nations" comprehends not only States, but their nationals, the crucial question is. Are the words "all nations" inclusive or exclusive of the United States and its nationals?

4. The principle is well settled that a State conveys away its rights of sovereignty or property only by terms which are clear and express and are not susceptible of any other reasonable construction. If the terms are vague and of doubtful import, the presumption is against the State's intention to part with or abridge its jurisdictional or property rights.

5. Hence, as the term "all nations," as used in the treaty, may be taken to mean either all without exception or all except the United States, the latter meaning is to be accepted as the true one because the least restrictive of the normal rights and powers of the United States.

6. But it is unnecessary to rely upon presumption. The treaty assumes the United States to be the owner of a canal to be built by it on its own territory, and must be taken to have had as its natural and legitimate aim the fixing of the terms upon which other nations might use it. Except as necessarily abridged by such terms, nothing in the treaty indicates any purpose to further abridge the rights of the United States as canal builder and owner.

7. In short, the treaty is an instrument by which the proprietor of a canal fixes and states the terms of use to its customers.

There is an utter absence of evidence that the United States regarded itself as one of its customers.

8. The neutralization proposed by the Clayton-Bulwer treaty resembles that proposed by the Hay-Pauncefote treaty only in the idea that the operating charges and rules for use of the canal shall be the same for all nations. It differs, of course, in the vital features of conditioning such equality of terms upon protection being afforded to the canal.

9. When five out of six of the treaty rules for the use of the canal do not apply to the United States, it is a reasonable conclusion that the sixth also was not meant so to apply.

10. The different phases of American public and official sentiment respecting the canal are noteworthy and not to be overlooked in construing the Hay-Pauncefote treaty.

While the United States was expecting to be merely one of the users of the canal, it strenuously insisted upon equality of rules and charges for the use of the canal, and did not concern itself about the rights of the canal owner.

When the rôle of builder and owner of the canal was forced upon it, it as strenuously insisted upon complete ownership and complete control and complete elimination of all foreign participation or control.

Its purposes and views are completely defeated if the Hay-Pauncefote treaty is to be construed according to the British contention, and the United States has lost the ordinary and normal right of the canal owner to be exempt from the tolls and charges it makes to customers.

* * * * * * *

The United States possesses no more costly, and perhaps no more valuable, piece of territory than the Panama Canal, and Great Britain's claim is that the Hay-Pauncefote treaty not only encumbers that territory with equal rights of use by all other nations, but impresses upon it a servitude by which the United States loses the free use of its own canal for its own vessels.

In an article written by Mr. Charles J. Schnabel, of Portland, Oreg., he says:

The rule of law in construing a latent ambiguity is to put the parties back in the original position and then determine the intent or purpose by the prior existing circumstances. Under this rule can it be believed that England had any other thought in mind at the time of negotiating the canal treaty than the protection of her ships of commerce and of war against discrimination in favor of any other nation with whom she might be in commercial competition or engaged in hostilities, or will it be believed that our Senate would have ratified the treaty or the American people consented to assume the expense of constructing or maintaining the canal in the meaning that England would now attach to the language constituting the disputed ambiguity?

Again, why did England remain silent when this country appropriated and spent money to fortify the canal, since no fortifications can be needed for a neutral waterway, open to the ships of all nations and which all nations are equally bound to protect from interference? The interpretation demanded by England, if correct, includes right of passage of warships as well as vessels of commerce. Of what avail, then, or limited avail to us, is the canal in case of war between ourselves and others if the same right of passage be accorded our enemies' war vessels as our own? And what would happen if one of our fleet met a hostile ship in the passage? Under such circumstances upon what nation would devolve the duty of maintaining the peace of the canal—England or America?

What amazes me in this momentous question is not so much England's contention as the apparent indifference of the American people and the lack of comprehension of the merits of the dispute on the part of public men who are expressing opinions regarding the subject.

If we repeal the tolls exemption, we yield a principle we can never again assert, except in the face of the combined armies and navies of the world. There is a difference between the express or affirmative consent granted in a disputed point and the determination of that point against one after a protested submission to an overruling arbitration. What national peril or other grave exigency at this time forces this country to sacrifice the heritage of unborn generations of American citizens? What will posterity think of such an exhibition of shortsighted statesmanship?

I have upon that point an extract from the syllabus and from the body of the decision in the case of Olsen *v.* Smith, reported in One hundred and ninety-fifth United States Reports, page 332. That decision has been referred to frequently here. It goes directly to the very point now at issue, and should be controlling upon a question of this kind, so far as the legal phases of it are concerned.

Under a treaty between the United States and Great Britain it was provided that British vessels should not be subject to any higher or other charges than vessels of the United States. It was held not to be a violation of the treaty to exempt vessels doing a coastwise business from the payment of pilotage charges where such charges were made against vessels doing a foreign trade. The syllabus of the case is as follows:

A State pilotage law, subjecting all vessels, domestic and foreign, engaged in foreign trade to pilotage regulations, but which exempts pursuant to law coastwise steam vessels of the United States, is not in conflict with provisions in the treaty between the United States and Great Britain to the effect that British vessels shall not be subject to any higher or other charges than vessels of the United States.

The opinion was delivered by Mr. Justice White, now Chief Justice of the Supreme Court. In considering that branch of the case, he said:

Nor is there merit in the contention that as the vessel in question was a British vessel coming from a foreign port the State laws concerning pilotage are in conflict with a treaty between Great Britain and the United States, providing that "no higher or other duties or charges shall be imposed in any ports of the United States on British vessels than those payable in the same ports by vessels of the United States." Neither the exemption of coastwise steam vessels from pilotage, resulting from the law of the United States, nor any lawful exemption of coastwise vessels created by the State law, concerns vessels in the foreign trade, and therefore any such exemptions do not operate to produce a discrimination against British vessels engaged in foreign trade and in favor of vessels of the United States in such trade. In substance the proposition but asserts that because by the law of the United States steam vessels in the coastwise trade have been exempt from pilotage regulations, therefore there is no power to subject vessels in foreign trade to pilotage regulations, even though such regulations apply, without discrimination, to all vessels engaged in such foreign trade, whether domestic or foreign.

IMPOSITION OF TOLLS ON COASTWISE SHIPS A VIOLATION OF THE CONSTITUTION.

Mr. President, I pass to another phase of this question and submit that the imposition of tolls on our coastwise ships is in violation of the Constitution of the United States. If so, the President is not only asking us to betray the rights of the people of this country by surrendering to Great Britain, but he is asking us, at the same time, to violate the Constitution of our own country. I call attention to the following paragraphs in the Constitution. Article I, section 9, subdivision 6, provides:

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another, nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

Section 9, subdivision 5:

No tax or duty shall be laid on articles exported from any State.

Section 10, subdivision 2:

No State shall, without the consent of Congress, lay any duties on imports or exports.

Subdivision 3:

No State shall, without such consent, lay any duty of tonnage.

Mr. President, probably the question of the equality of the States in the matter of commerce was as fully discussed in the Constitutional Convention as was almost any other question that was there raised, and every effort was made to secure absolute equality of commerce as between the several States. The constitutional provisions to which I have referred relate both to the National Government and to the States, and forbid either of them to levy any tax or tonnage or to in any other way prefer the ports of one State as against those of another. Suppose we levy tolls upon the coastwise trade that passes through the Panama Canal. We have spent $137,000,000 to make and maintain the Mississippi River a navigable stream; we have spent $28,000,000 on the Ohio River; we have spent $13,000,000 on the Missouri River; we have constructed at national expense and are now maintaining canals connecting the Great Lakes and other bodies of water that are free to commerce; and just at this very time we are proposing to buy from private individuals the Chesapeake and Delaware Canal for the purpose of making it a free canal for the use of the commerce of this country.

New Orleans can ship her goods by way of the Mississippi and Ohio Rivers, costing jointly $165,000,000, from that city to St. Louis or to Pittsburgh or to any of the intervening ports along the way in the different States, and commerce going to those ports is not taxed by the National Government. If, on the other hand, New Orleans proposes to ship some of her goods through the Panama Canal to any of the ports upon the Pacific coast, those ports or New Orleans must pay an additional tax of $1.25 a ton upon the goods so shipped. I am not talking now of the mere matter of justice or fairness as between the ports in the country; I am talking about the constitutional inhibition of the kind of legislation that burdens the ports of one State more heavily than those of another in the transaction of its business.

Mr. President, we have spent in all for the improvement of rivers and harbors in this country, not including the Panama Canal, over $700,000,000, and not in a single instance do we

charge any tolls in connection with any of those streams, harbors, or canals. If we impose on American coastwise vessels a tax for passing through the Panama Canal, we are violating the express provision of the Constitution of the United States. Does the Senate think, whether the President of the United States asks it or not, that we, who are sworn to support the Constitution, should surrender our rights and the provisions of the Constitution under which we are acting and, in violation of the Constitution, impose tolls on ships passing through the Panama Canal?

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from New Hampshire?

Mr. WORKS. I yield.

Mr. GALLINGER. I understood the Senator to say we have spent $28,000,000 on the Ohio River.

Mr. WORKS. That is my understanding.

Mr. GALLINGER. I call the attention of the Senator to the fact that the official figures given in reference to all harbors and rivers show that we have spent over $29,000,000 on that river, and that $51,000,000 more will be required to complete the Ohio River project, making a total of $80,000,000, much of which has been authorized.

Mr. WORKS. I have secured from the Treasury Department figures showing the cost of improving the various navigable streams, harbors, and so on, up to the end of the last fiscal year, and have been basing my statements upon those figures.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Iowa?

Mr. WORKS. I yield.

Mr. KENYON. I should like to know if along the Ohio River or the Mississippi River or any of the Government canals in this country there are locks and dams operated at the expense of the Government?

Mr. WORKS. Certainly.

Mr. KENYON. Is there any toll charge to boats passing through any of these waterways?

Mr. WORKS. None at all.

Mr. SMITH of Michigan. No tolls are charged in the St. Marys River.

Mr. WORKS. Mr. President, in this connection, I call the attention of the Senate to Story on the Constitution of the United States, volume 1, page 736, in which he says:

1013. The next clause in the Constitution is: "No tax or duty shall be laid on articles exported from any State. (a) No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; (b) nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another."

1014. The obvious object of these provisions is to prevent any possibility of applying the power to lay taxes or regulate commerce injuriously to the interests of any one State so as to favor or aid another. If Congress were allowed to lay a duty on exports from any one State, it might unreasonably injure, or even destroy, the staple productions or common articles of that State. The inequality of such a tax would be extreme. In some of the States the whole of their means result from agricultural exports. In others a great portion is derived from other sources—from external fisheries, from freights, and from the profits of commerce in its largest extent. The burden of such a tax would, of course, be very unequally distributed. The power is therefore wholly taken away to intermeddle with the subject of exports. On the other hand, preferences might be given to the ports of one State by regulations either of commerce or revenue, which might confer on them local facilities or privileges in regard to commerce or revenue. And such preferences might be equally fatal if indirectly given under the milder form of requiring an entry, clearance, or payment of duties in the ports of any State other than the ports of the State to or from which the vessel was bound. The last clause, therefore, does not prohibit Congress from requiring an entry or clearance or payment of duties at the customhouse on importations in any port of a State to or from which the vessel is bound, but cuts off the right to require such acts to be done in other States to which the vessel is not bound. In other words, it cuts off the power to require that circuity of voyage which, under the British colonial system, was employed to interrupt the American commerce before the Revolution. No American vessel could then trade with Europe unless through a circuitous voyage to and from a British port.

1015. The first part of the clause was reported in the first draft of the Constitution. But it did not pass without opposition, and several attempts were made to amend it, as by inserting after the word "duty" the words "for the purpose of revenue," and by inserting at the end of it "unless by consent of two-thirds of the legislature," both of which propositions were negatived. It was then passed by a vote of 7 States against 4.

Subsequently, the remaining parts of the clause were proposed by report of a committee, and they appear to have been adopted without objection. Upon the whole the wisdom and sound policy of this restriction can not admit of reasonable doubt, not so much that the powers of the General Government were likely to be abused as that the constitutional prohibition would allay jealousies and confirm confidence. The prohibition extends not only to exports but to the exporter. Congress can no more rightfully tax the one than the other.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from New Hampshire?

Mr. WORKS. I do.

Mr. GALLINGER. In connection with the interrogatory propounded by the Senator from Iowa [Mr. KENYON], as to whether tolls were collected on the locks and dams built by the Government, I wish to say that it is my recollection—and I think I am absolutely correct in the matter—that there is a statute specifically prohibiting the collection of tolls on the St. Marys River, and I think that prohibition will be found possibly to include other waterways in the country.

Mr. KENYON. Is that applicable only to the St. Marys River?

Mr. GALLINGER. I simply know that there is such a statute applying to that river, and I am not quite sure that it is not a general statute; I have not examined it recently.

Mr. O'GORMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from New York?

Mr. WORKS. I yield.

Mr. O'GORMAN. My recollection is that in the river and harbor bill of 1884 there is an express provision that no toll or charge shall be imposed on any vessels using any of the improvements in the rivers, harbors, or canals provided for by the bill.

Mr. KENYON. That would apply to foreign vessels likewise.

Mr. O'GORMAN. Oh, yes.

Mr. KENYON. But, of course, a foreign vessel would not be engaged in the coastwise trade of the United States.

Mr. O'GORMAN. That is correct.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Georgia?

Mr. WORKS. I yield to the Senator from Georgia.

Mr. WEST. Mr. President, I do not wish to break the continuity of the Senator's remarks.

Mr. WORKS. That has already been done.

Mr. WEST. I understand that; but I ask to interrupt the Senator right here on account of the questions put by others. There are some things with reference to this matter which I do not understand, and one of them is this: A boat bound from New York to San Francisco would pass through the canal free, while a boat sailing from England to San Francisco would have to pay tolls of a dollar and a quarter a ton. Now, is not the United States differentiating to the extent of a dollar and a quarter a ton against the coastwise boat plying between New York and Savannah or between any other ports on the Atlantic coast? A foreign vessel going west passing through the canal would have that dollar and a quarter a ton to pay, whereas if she entered New York she would not have the dollar and a quarter a ton to pay, and likewise a boat from Japan or any other eastern country coming east through the canal would have a dollar and a quarter a ton to pay, and for that reason there would be a manifest difference against the coastwise trade of America that did not go through the canal to the extent of a dollar and a quarter a ton, or whatever the canal toll might be.

Mr. WORKS. Mr. President, I was only dealing with the coastwise trade. The Government of the United States forbids foreign nations to participate in that trade at all, and therefore it is a purely domestic question that is involved in this constitutional provision. It has no relation to any inequality that may result to a ship which, as the Senator suggests, is carrying foreign goods. But the Senator from Georgia is entirely correct in his statement.

Mr. WEST. The point I wish to make clear to the mind of the Senator from California is that we are differentiating between our own coastwise trade; in other words, we are partial in the distribution of our gifts. If we have a ship subsidy applying to all the vessels engaged in our coastwise trade, that is a different thing; but when we come to put a subsidy upon all coastwise ships passing through the canal, we differentiate to the extent of a dollar and a quarter against the other coastwise shipping that does not go through the canal. That is the position I take.

Mr. WORKS. Well, Mr. President, the Senator is right. But we are not giving any subsidy to ships passing through the canal at all. If we exempt them from tolls, we are simply putting them on an equality with other ships passing through other navigable waters in this country. It does not bear any resemblance to a subsidy.

I read further from Story on the Constitution, volume 2, page 10, section 1066:

The importance of the power of regulating commerce among the States, for the purposes of the Union, is scarcely less than that of regulating it with foreign States. A very material object of this power is the relief of the States which import and export through other States from the levy of improper contributions on them by the latter. If each State were at liberty to regulate the trade between State and State, it is easy to foresee that ways would be found out to load the

articles of import and export during the passage through the jurisdiction with duties which should fall on the makers of the latter and the consumers of the former.

Now, the granting of preferences by the National Government is just as clearly prohibited. If it shall charge tolls for passing over a part of the territory owned by the United States in order to reach certain ports that is not imposed upon shipping going by another way to other ports, it is a very clear discrimination and violates the Constitution.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Utah?

Mr. WORKS. I yield to the Senator from Utah.

Mr. SUTHERLAND. The Senator from California just made a very interesting statement and has raised a point which I do not remember to have heard before, as to the constitutionality of this proposed legislation. With the legal argument which the Senator has made heretofore I agree entirely. To the proposition which he now makes I do not find myself quite able to assent. The Senator calls attention to this provision of the Constitution, which, as I understand, is really the provision upon which he relies:

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another, nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

I should like to suggest to the Senator that so far as the latter clause is concerned—

nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another—

it certainly can have no application, because the vessel is not required under this law to clear or pay duties or enter in another port.

Mr. WORKS. No; that has no application.

Mr. SUTHERLAND. So we come back to the first proposition:

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

By the imposition of these tolls the Government, it would seem, would be simply charging for services which it had rendered in passing through the canal vessels bound from the ports of one State to the ports of another State, passing some intermediate points.

The Government has constructed an artificial canal, on which it has spent $400,000,000. In addition to that, it must render actual service in passing the vessels through the locks. Suppose that instead of operating this canal the Government had concluded to continue to operate a railroad across the Isthmus, to take goods brought by vessels from New York upon the Atlantic side and transship them across the Isthmus to vessels upon the other side. Would the Senator claim that that would be a preference, by a regulation of commerce or revenue, of the ports of one State over those of another?

Mr. WORKS. Undoubtedly.

Mr. SUTHERLAND. It would be?

Mr. WORKS. It would be, where the railroad is merely a link between navigable waters, as the canal is now.

Mr. SUTHERLAND. Then, under that theory, the Senator thinks the Government of the United States could not construct a railroad across the Isthmus of Panama unless it should carry free across the Isthmus all goods bound from ports upon the Atlantic to ports upon the Pacific?

Mr. WORKS. The Senator is perfectly right in his position that the Government would have the right to charge tolls for the services rendered in passing through the canal, if that were the policy of the Government as to all navigable streams or other modes of communication controlled by the Government; but the trouble about it is that the Government is discriminating—it is preferring one section of the country to another, in other words, using the terms of the Constitution—by rendering these services free upon other canals and charging tolls for passing vessels through the Panama Canal. There is no difference between the two.

Mr. SUTHERLAND. It would be doing the same thing if it had constructed a railroad.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Georgia?

Mr. WORKS. I yield.

Mr. WEST. I should like to ask a question. We had pending here the other day a measure providing for the construction of a railroad in Alaska, and appropriating $35,000,000 for that purpose. Would the Government, because it allows free passage upon its rivers, where it has spent so much money, be required to allow free passage over this railroad to be constructed in Alaska?

Mr. WORKS. Well, I do not know, Mr. President. I have not gotten as far away as Alaska. We are dealing with quite a different proposition here.

I wish to call attention to another statement of the Supreme Court. Unfortunately, this precise question has not been presented to the Supreme Court, and it has not been determined. We can only gather the reason upon which the court deals with questions of a similar kind.

Here is the case of Crandall *v.* The State of Nevada (6 Wall., 35). The State of Nevada levied a special tax on railroad and stage companies for every passenger carried out of the State by them. The question involved in this case was whether this was in violation of the Constitution of the United States. Mr. Justice Miller, who delivered the opinion, stated the question as follows:

The question for the first time presented to the court by this record is one of importance. The proposition to be considered is the right of a State to levy a tax upon persons residing in the State who may wish to get out of it, and upon persons not residing in it who may have occasion to pass through it.

The cases bearing upon the question are very carefully considered, and the court concludes that this action of the State was unconstitutional. In the course of the opinion it is said:

It will be observed that it was not the extent of the tax in that case which was complained of, but the right to levy any tax of that character. So in the case before us it may be said that a tax of $1 for passing through the State of Nevada, by stage coach or by railroad, can not sensibly affect any function of the Government or deprive a citizen of any valuable right. But if the State can tax a railroad passenger $1, it can tax him $1,000. If one State can do this, so can every other State. And thus one or more States covering the only practicable routes of travel from the East to the West, or from the North to the South, may totally prevent or seriously burden all transportation of passengers from one part of the country to the other.

The following language is quoted from the opinion of the Chief Justice in what are known as the Passenger cases (7 How., 283):

Living as we do under a common Government, charged with the great concerns of the whole Union, every citizen of the United States from the most remote States or Territories is entitled to free access not only to the principal departments established at Washington but also to its judicial tribunals and public offices in every State in the Union. * * * For all the great purposes for which the Federal Government was formed we are one people, with one common country. We are all citizens of the United States, and as members of the same community must have the right to pass and repass through every part of it without interruption, as freely as in our own States. And a tax imposed by a State for entering its territories or harbors is inconsistent with the rights which belong to citizens of other States as members of the Union, and with the objects which that Union was intended to attain. Such a power in the States could produce nothing but discord and mutual irritation, and they very clearly do not possess it.

This case, of course, involved the obstruction of free passage through the States; but the same principle applies, under the Constitution, to obstructions that create a preference as between the ports of different States.

Let us look at the effect of it for a moment. The Government has spent millions of dollars in making, improving, and maintaining harbors on the Pacific coast. Seattle may ship its goods to Oregon or to California and use all of the harbors upon the coast that have cost, as I say, millions of dollars, without any tax being imposed upon it. San Diego may do the same thing in shipping her goods north. Suppose, however, San Diego wants to ship her goods south through the Panama Canal to New York or to any other State beyond the canal: When she does that she is taxed a dollar and a quarter a ton for goods that are shipped through the canal.

Undoubtedly, as the Senator from Utah says, the Government would have a right to charge for the services it renders in taking these ships through the canal if it were the policy of the Government to do that in all cases; but the well-defined policy of the Government is to grant free of charge the use of all these facilities that it provides at its expense for carrying the commerce of the country; and this is the first case where it is proposed to levy, in effect, a tax upon commerce for passing through one of the canals owned by the Government itself. And this will affect the ports of some of the States, while other ports in the exchange of commerce have the use of the national waterways free of charge.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Oklahoma?

Mr. WORKS. I yield.

Mr. GORE. The Government owns the Panama Railway and has been charging freight rates for the transportation of commodities over that highway. Does the Senator think that is a discrimination and therefore a violation of the Constitution?

Mr. WORKS. That would depend altogether upon circumstances; but that is not the case with which I am dealing. It is not a parallel case.

Mr. GORE. If the Senator will permit one other question——

The PRESIDING OFFICER. Does the Senator from California further yield to the Senator from Oklahoma?

Mr. WORKS. I yield.

Mr. GORE. I should like to have the Senator state some port somewhere which will be shown a preference, if tolls are imposed, as against some other port somewhere else.

Mr. WORKS. I have just stated that, Mr. President. I should suppose the Senator could discover that without any inquiry from me.

Mr. GORE. I have been out of the Chamber for a moment.

Mr. WORKS. I beg the Senator's pardon. I supposed he was doing me the honor to listen to what I had to say.

Mr. GORE. I had been, but I was called out by an urgent request which I could not ignore.

Mr. WORKS. I had just stated the case of San Diego, for example, as compared with some of the other ports, and New Orleans. If she should ship goods in one direction, she would not have to pay a tax. If she should ship them in the other direction, going through the Panama Canal, a tax would be charged. The ports on each side of the canal are discriminated against, because they are compelled to pay a tax for passage through one of the canals of the Government where other ports may ship for thousands of miles without paying any tax at all.

Mr. GORE. Mr. President, no port would be discriminated against with reference to the canal itself.

Mr. WORKS. That is not the question.

Mr. GORE. The conditions would be equal.

Mr. WORKS. The conditions are not equal as between different ports of different States in the country. That is the question.

I have here short extracts from one or two other cases dealing indirectly with this question, which I ask to include in my remarks without taking the time of the Senate to read them.

The PRESIDING OFFICER. Without objection, that course will be pursued.

The matter referred to is as follows:

MORGAN STEAMSHIP CO. *v.* LOUISIANA (118 U. S., 455, 467).

There remains to be considered the objection that the law is forbidden by paragraph 6 of section 9 of the first article of the Constitution, which declares that "no preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another."

It is not readily perceived how this quarantine statute of Louisiana, and particularly the fees of the quarantine officers, do give such a preference. Are the ports of Louisiana given a preference over ports of other States? Are the ports of any other State given a preference over those of Louisiana? Or are the ports of other States given a preference as among themselves? Nothing of this is pointed out.

The eighth section of this first article of the Constitution is devoted exclusively to defining the powers conferred on Congress.

The ninth section, including the above paragraph, is in like manner devoted to restraints upon the power of Congress and of the National Government, and the tenth section contains only restraints upon the powers of the States by declaring what they shall not do. The most casual inspection shows this, and the clause of the Constitution here relied on is not found among the restrictions of the States, but among those imposed upon the Federal Government. As the matter under discussion is the validity of the statute of Louisiana, it is unaffected by the constitutional provision alluded to.

STATE OF PENNSYLVANIA VERSUS THE WHEELING & BELMONT BRIDGE CO. ET AL. (13 HOW., 518).

Mr. WORKS. This was a case where the State of Virginia had authorized the company to construct a bridge across the Ohio River at Wheeling, provision being made to prevent any impairment of navigation of the river. The court held that the bridge was a nuisance, as interfering with navigation. In the course of the opinion, which was delivered by Mr. Justice McLean, it was said:

If the bridge be such an obstruction to the navigation of the Ohio as to change, to any considerable extent, the line of transportation through Pennsylvania to the northern route through New York, or to a more southern route, an injury is done to the State of Pennsylvania, as the principal proprietor of the lines of communication, by canal and railroad, from Philadelphia to Pittsburgh. And this injury is of a character for which an action of law could afford no adequate redress. It is of daily occurrence, and would require numerous if not daily prosecutions for the wrong done, and from the nature of that wrong the compensation could not be measured or ascertained with any degree of precision. The effect would be, if not to reduce the tolls on these lines of transportation, to prevent their increase with the increasing business of the country.

* * * * * * *

The Ohio being a navigable stream, subject to the commercial power of Congress, and over which that power has been exerted, if the river be within the State of Virginia, the commerce upon it which extends to other States is not within its jurisdiction; consequently, if the act of Virginia authorized the structure of the bridge, so as to obstruct navigation, it could afford no justification to the bridge company.

* * * * * * *

It is true the injury done to the State of Pennsylvania may seem to be small when compared to the magnitude of the subject. It applies to all our rivers and affects annually a transportation of many millions of passengers and a commerce worth not less than $600,000,000. It would be as unwise as it is unlawful to fetter in any respect this vast commerce.

I have here a statement from the Treasury Department of expenditures for river and harbor improvements, including canals, from the establishment of the Government to the close of the fiscal year ended June 30, 1913. I ask to be allowed to include that statement in my remarks.

The PRESIDING OFFICER. Without objection, that will be done.

The matter referred to is as follows:

Statement of expenditures for river and harbor improvements, including canals, from the establishment of the Government to the close of the fiscal year ended June 30, 1913.

RECAPITULATION.

Maine	$6,373,665.20
New Hampshire	698,494.66
Vermont	974,943.03
Massachusetts	18,902,178.65
Rhode Island	6,655,181.68
Connecticut	6,068,809.15
New York	45,754,768.62
New Jersey	5,255,477.53
Pennsylvania	10,120,530.72
Delaware	7,557,263.24
Maryland	10,031,851.07
District of Columbia	721,518.19
Virginia	9,911,910.77
West Virginia	6,369,510.70
North Carolina	8,359,387.99
South Carolina	9,782,506.89
Georgia	13,928,397.41
Florida	13,229,789.39
Alabama	8,830,448.20
Mississippi	5,104,191.88
Louisiana	6,655,447.59
Texas	28,292,825.85
Arkansas	3,670,074.37
Tennessee	744,169.40
Kentucky	4,849,064.56
Ohio	17,984,751.95
Indiana	1,825,572.75
Illinois	8,829,091.40
Michigan	48,677,632.27
Wisconsin	11,937,367.44
Minnesota	1,536,728.57
Iowa	225,095.14
Missouri	1,048,158.21
Kansas	131,000.00
Nebraska	60,000.00
North and South Dakota	30,000.00
Montana	25,314.61
Idaho	87,512.87
Arizona	9,782.77
California	17,324,943.36
Oregon	6,553,847.03
Washington	6,532,269.99
Alaska	89,950.98
Hawaii	2,029,390.77
Porto Rico	758,089.42
Total rivers and harbors by States and Territories	364,539,506.27
Miscellaneous:	
For general and joint improvements not separable by States:	
Ohio River	28,897,342.02
Mississippi River	137,429,294.59
Missouri River	13,056,685.19
Improvements within the limits of two or more States	93,720,206.90
Examinations, operation, surveys, etc	53,771,918.75
Total, general and joint improvements	326,875,447.45
Canals, exclusive of the Panama Canal	13,604,739.93
Total, exclusive of Panama Canal	705,019,693.65
For the Panama Canal	318,234,574.22
Total, including the Panama Canal	1,023,254,267.87

Mr. WORKS. I will call attention to some particular statements that are contained in this tabulation. It shows that the total rivers and harbors expenditures by States and Territories amount to $364,539,506.27. Our expenditures on the Ohio River, in round numbers, are $28,000,000; on the Mississippi River, $137,000,000; on the Missouri River, $13,000,000. The improvements within the limits of two or more States amount to $93,720,206.90. The total of general and joint improvements is $326,875,447.45. The total expenditures, exclusive of the Panama Canal, are $705,019,693.65, and the expenditures for the Panama Canal are $318,234,574.22.

In other words, over the rivers and harbors, for which we have paid $705,000,000 shipping is allowed to pass free; but in the case of the Panama Canal, which cost us about half that amount, the ports which are compelled to ship through that canal are taxed in the way of tolls. If that is not a preference within the meaning of the Constitution, then I do not understand its language.

I received this morning a telegram containing this very pertinent inquiry:

NORFOLK, VA., *April 7, 1914.*

Senator WORKS,
United States Senate, Washington, D. C.:

America owns her coasts of over 5,000 miles of ocean and Gulf and 40 miles of the Panama Canal. Why allow our ships the right of exclusive coast trading on the 5,000 miles and deny it on the 40 miles of the canal?

E. A. BILISONY.

THE PRESIDENT'S MESSAGE.

Mr. President, I come now to consider very briefly the message of the President bearing upon this question. I desire to do it respectfully and with all deference to him and his high office.

I have not agreed with him about some things. I do not in the least agree with him upon this question. I think he deserves to be commiserated, because he has taken upon himself a terrible responsibility. If we surrender our rights and our sovereignty over the Panama Canal, the President of the United States alone will be responsible for that act. Without his influence this bill never would have passed either House of Congress.

It must be a matter of sincere regret to the people of the country that the Chief Magistrate of this great Nation should ask the Congress of the United States to take a serious step like this without giving to the country or even to the Congress, which is asked to pass upon it, a single reason why the step should be taken. It is to me a marvelous condition of things, and naturally it makes me suspect that the President has no valid reasons that would move Congress to repeal this statute against its own judgment. If it were merely a question of losing to our coastwise business, directly or indirectly, the benefits resulting from this exemption, it would be an exceedingly small matter, but it involves much more serious consequences than that.

In the first place it amounts to a confession that goes out to the whole world that the Government of the United States has deliberately attempted to violate a solemn treaty made with a friendly nation. That would be bad enough, but in addition to that it amounts to an abject surrender of the right of this Nation at the demand of another nation. Even worse than that. It surrenders for all time all sovereignty or control over the Panama Canal, which this country has built at such enormous expense. It puts us upon an exactly equal footing with all other nations that observe the rules and regulations laid down in this treaty. We have no rights that they have not. The fact of ownership amounts to nothing. We are simply the agents, with no power of ownership or sovereignty, for the nations of the world which are to use the canal.

Are we willing to make that sacrifice? I have undertaken to show that we are neither morally nor legally bound to make it. Shall we do it voluntarily, without any right or even a demand from another country that we shall make the sacrifice?

In all sincerity I wish we could know what is in the mind of the President. When he comes to the Congress of the United States and asks us to do this thing I should like to know that he is doing it for reasons that would impel us to take a course involving such serious consequences.

The American people never will be satisfied that this sacrifice and surrender shall be made until the President or we can assure the people that we have done it upon sufficient and ample grounds.

What does the President say about it? He says:

I have come to you upon an errand which can be very briefly performed, but I beg that you will not measure its importance by the numbers of sentences in which I state it. No communication I have addressed to the Congress carried with it graver or more far-reaching implications as to the interest of the country, and I come now to speak upon a matter with regard to which I am charged in a peculiar degree by the Constitution itself with personal responsibility.

The President is right when he refers to the importance of the question that he submits for the action of Congress. It involves the good name and the integrity of the Government of the United States in dealing with a foreign nation. Whether that is what he means or not, nobody can tell from the language he uses; but it is the first thing that should present itself to the mind of every American citizen.

I have come to ask you for the repeal of that provision of the Panama Canal act of August 24, 1912, which exempts vessels engaged in the coastwise trade of the United States from payment of tolls and to urge upon you the justice, the wisdom, and the large policy of such a repeal with the utmost earnestness of which I am capable.

If the President had explained to Congress what he meant by "the justice" of this question, it might have helped us. But he gives us no intimation whatever in his language as to what he deems necessary or right or why we should take this step as an act of justice to any other nation or to ourselves. The wisdom of it, of course, is a matter of opinion. He does not impart to us any wisdom of his own upon the subject.

And the large policy of such a repeal—

There is no doubt about the largeness of it. It is a big question that affects more than dollars and cents. Whether or not the President had in mind that view of it again no one can tell—

In my own judgment, very fully considered and maturely formed, that exemption constitutes a mistaken economic policy from every point of view, and is, moreover, in plain contravention of the treaty with Great Britain concerning the canal, concluded on November 18, 1901.

I should like to know when the President, upon mature consideration, determined that this is a mistaken economic policy. He does not tell us. It had not been very many months since the Democratic platform declared in express terms that it was not a mistaken economic policy; and the President not only ran upon that plank of the platform, but he publicly declared in favor of it. So he must have received some light upon the subject between the time he made his speech confirming the declaration in the Democratic platform and the time when this message was delivered.

I should be greatly pleased to know where the information came from that made the President change his mind upon this subject and induced him to repudiate the platform of his own party when he had declared so strongly in its favor and in maintaining it as the declaration of his party.

But I have not come to urge upon you my personal views.

I want to say, Mr. President, that that is just exactly what the President should have urged upon Congress. He assumes, and rightly, too, to suggest and recommend to Congress such legislation as he thinks should be enacted, and he does not do his whole duty with respect to it unless he gives to Congress the reasons for doing it or urges his own personal views on the subject. He has left us totally in the dark, and he has given absolutely no reason why action should be taken. He has disclaimed any intention to urge upon Congress his own personal views on the subject.

I have come to state to you a fact and a situation. Whatever may be our own differences of opinion concerning this much-debated measure, its meaning is not debated outside of the United States.

Mr. President, that is a mistake. If the President has made up his mind in this matter without considering what has been said elsewhere than in the United States, he has not covered the whole ground by any means. Articles were published by able lawyers and distinguished men even in England declaring that we were right in our construction of the treaty. So it is not correct for the President to say that this question is not debated even anywhere else, for it is.

He says:

Everywhere else the language of the treaty is given but one interpretation, and that interpretation precludes the exemption I am asking you to repeal.

I have shown the Senate that even the Government of Great Britain has made no such interpretation of the treaty as that. On the contrary, while the President of the United States is asserting that nobody is debating this question, but everybody claims that we have no right to exempt our coastwise ships from the payment of tolls, Great Britain herself has admitted that we have a right to make such exemption.

We consented to the treaty; its language we accepted, if we did not originate it; and we are too big, too powerful, too self-respecting a Nation to interpret with a too strained or refined reading the words of our own promises just because we have power enough to give us leave to read them as we please.

Mr. President, that is an insult to the American people. Have we undertaken to give a construction to this treaty that is not justified by its words? Is there a Senator here who voted for this statute who is willing to say that he was attempting at that time, under the oath he had taken, to defraud the Government of England by making a false claim as to the construction that should be placed upon the treaty?

Every single Member of the Senate on the other side of the Chamber voted for this statute and voted against the striking out of that particular clause of it. Are they willing to admit that we acted in bad faith, that we were willing for our own purposes and for gain to place a false construction upon the treaty in our own interests? We consented to the treaty, Mr. President, and we should have the moral courage to carry it out to the letter. If we have made any mistake as to the proper construction of it, we should not hesitate for one moment to surrender that construction; but, sir, if we have conscientiously placed that construction upon it, verified by the vote that was taken in the Senate, and believed we were right in doing so, we should not be asked to surrender the rights of this Nation in the Panama Canal until we have shown by sufficient reasoning that we were mistaken in that action.

How many Senators are there here who believe at this moment that we have placed the wrong construction upon this treaty? Very few, indeed.

The President says further:

The large thing to do is the only thing we can afford to do, a voluntary withdrawal from a position everywhere questioned and misunderstood.

This matter has been very thoroughly discussed between the nations that are directly interested in the treaty. They have

discussed this question from all points of view. They had practically reached a conclusion between them, as I insist, as to the construction that ought to be placed upon the treaty.

I am just as well convinced as I am that I am here to-day that if this question had not been reopened by a Member of this body the whole question would have been settled before now, and settled without any feeling of distrust or unfriendliness upon the part of either nation.

Are we misunderstood with respect to it? Have we not made our position perfectly plain from the beginning to the end? Has not the Government of Great Britain considered the position that we have taken and practically admitted that we were right about it, only insisting that the right which was given to our ships might be abused and thereby affect the rights of that country? There never has been a claim or intimation on the part of Great Britain that we were acting in bad faith in insisting on our construction of the treaty, and there is absolutely no reason why the President should cast that imputation upon the people of this country or their Representatives in Congress.

We ought to reverse our action without raising the question whether we were right or wrong, and so once more deserve our reputation for generosity and for the redemption of every obligation without quibble or hesitation.

That is a singular statement to make, coupling the surrender of our rights, whether we are right or wrong, with the proposition that we should be generous in carrying out the obligations that we have assumed.

Mr. President, why should we surrender the rights we have under this treaty? What right have we to forfeit the rights of the American people by the action that we may take relating to this question? The President has not told us why. If he had a strong enough reason to justify himself in making this call upon Congress, if he had reason enough to justify the Congress itself in surrendering the rights of the American people under the treaty, the obligation rests upon him to disclose those reasons or at least to give us some reason why he can not disclose them.

I ask this of you in support of the foreign policy of the administration.

Now, that is a broad assertion. Does it mean the whole foreign policy of the present administration? Does it involve any continued disagreement between Great Britain and this Nation respecting this particular treaty? Does it relate to the dealings of the Government with Mexico or with South America? Does it interfere with the foreign policy of the administration as a whole or in some particular instance? He does not tell us and nobody knows.

I have tried to think what particular phase of the foreign policy of this Government could be affected in any way, except it might affect our relations with Great Britain alone by any action we might take in dealing with the question that is now before the Senate. Suggestions have been made, intimations have been thrown out, speculation has been rife as to what may be the influence operating upon the mind of the President, but he does not enlighten us, and it is all guesswork and speculation.

I shall not know how to deal with other matters of even greater delicacy and nearer consequence if you do not grant it to me in ungrudging measure.

That is a moving appeal. It gives evidence of the fact that the President is in trouble; that something in the foreign relations of the country is going wrong; and he calls upon Congress to help him out of his difficulty by surrendering the rights of the people of this country in the Panama Canal.

The newspapers have told us that the President has said in express terms that he did not mean by that clause in his message that there were any complications or troubles in our foreign relations to which he referred. If not, then, whether intentionally or not, he has been misleading us, because anyone reading that clause in his message would at once say that the President is in difficulty in respect of his foreign policy, and that he believes the one way to relieve him from that difficulty is to pass this repeal act.

I have been greatly puzzled to understand how it is possible that any complication in the foreign policy or the foreign affairs of the country could be relieved or affected in any way by the passage of this act except, as I have said, so far as it affects the two parties to the treaty.

Now, let us see, Mr. President, how the Senate stands on this question up to the present time. In the first place, after this question had been fully discussed in the Senate, practically every phase of it affecting the construction of the treaty and our right to pass the statute exempting our ships from the payment of tolls, the Democratic national convention was held, and in one of the planks of the platform this declaration is made:

We favor the exemption from toll of American ships engaged in coastwise trade passing through the canal.

That was not made as a mere declaration independent of this treaty, because the leaders of the Democratic Party, at least those who were there in that convention and who formulated this plank in the platform in the committee, were perfectly familiar with the whole question of the making of the treaty and the discussion which had taken place upon it.

I should not, for one, maintain that any Senator on the other side of the Chamber is bound by that plank in the platform of his party if he has sufficient reason to believe that the interests of the country demand action upon his part opposed to the declaration of the platform, but I should want to know that he has a sufficient and valid reason for violating the platform of his own political party.

This question of tolls exemption was directly presented to the Senate, and the vote was taken upon it by the motion of the senior Senator from Ohio [Mr. BURTON] to strike out the clause of the bill exempting our coastwise ships from the payment of tolls. What was the vote upon it? Every single Democrat in this body voted against striking it out—every one of them.

Mr. GORE. Mr. President——

Mr. WORKS. The Senator may say that he was absent and I will take that statement, but every single Democratic Senator who was here and was given an opportunity to vote upon it voted for the exemption of tolls. Unfortunately there were Senators on this side of the Chamber who were willing to give the treaty the construction that would deprive us of that right, or who believed that to exempt our ships was bad economic policy.

I assume that Senators on both sides of the Chamber acted in perfect good faith at that time. Nobody had a right to be misinformed about it. It was fully discussed. Everybody understood it or should have understood it.

With that record made by the Democratic Party in this body, the Senators who voted for tolls exemption are now asked to reverse their position on that question and to vote to repeal the exemption. There may be good reasons which are affecting the minds of Democratic Senators who have changed front on this question. Every man, in official life or elsewhere, has the right to change his opinion. If he is an honest man, he will change his opinion and change his vote when he is convinced he was wrong. But have the Senators on the other side of the Chamber been convinced that they were wrong, or are they willing to change their position upon a great question like this simply because somebody else asks them to change it? Are they willing to change their position and their vote upon that question because somebody else, without giving his reasons for it, says that it ought to be done?

I have wondered, Mr. President, that men in whom I have the greatest confidence, and of whose sincerity and honesty of purpose I am assured, should say that simply because the President of the United States has asked them to do so they are willing to vote to repeal this statute. A Senator may be perfectly sincere and honest in his views and say, "I am willing to change my position upon it because the President says it should be done," but I do not understand it; it is beyond my comprehension. I can not believe that any man acting under the solemn obligation of an oath in this body could change his position upon an important matter like this simply because somebody else asked that it be done or said it ought to be done.

Mr. President, in order to make the RECORD complete I should like to insert as a part of my remarks the vote that was taken upon what is known as the Burton amendment to strike out the words "no tolls shall be levied upon vessels engaged exclusively in the coastwise trade of the United States," and also the record of the vote that was taken upon the final passage of the bill, which shows that on the single question of the exemption there were 44 for it and 11 against it, all Republicans, and that on the final passage there were 47 yeas, of which 22 were Democrats, and 15 nays, of which 2 were Democrats.

The VICE PRESIDENT. Without objection, that will be done.

The matter referred to is as follows:

Vote on Burton amendment to strike out "No tolls shall be levied upon vessels engaged exclusively in the coastwise trade of the United States," August 7, 1912:

NAYS—44 (24 DEMOCRATS).

Ashurst	Burnham	Dillingham	Kenyon
Bacon	Catron	Fletcher	Kern
Borah	Chamberlain	Gallinger	La Follette
Bourne	Clapp	Johnson, Me.	Martin, Va.
Bristow	Crawford	Johnston, Ala.	Martine, N. J.
Bryan	Cummins	Jones	Massey

Newlands	Pomerene	Smith, Ariz.	Swanson
O'Gorman	Reed	Smith, Ga.	Thornton
Overman	Sanders	Smith, S. C.	Townsend
Page	Shively	Smoot	Williams
Perkins	Simmons	Stone	Works

YEAS—11 (NO DEMOCRATS).

Brandegee	Fall	Nelson	Root
Burton	Gronna	Oliver	Wetmore
Crane	Lodge	Penrose	

Vote on passage of canal bill:

YEAS 47—(22 DEMOCRATS).

Ashurst	Crawford	Massey	Smith, Ariz.
Bacon	Cullom	Myers	Smith, Ga.
Borah	Cummins	Nelson	Smith, Md.
Bourne	Fletcher	Newlands	Smoot
Bradley	Gronna	O'Gorman	Stone
Brandegee	Johnson, Me.	Overman	Swanson
Bristow	Johnston, Ala.	Page	Thornton
Bryan	Jones	Perkins	Townsend
Burnham	Kenyon	Poindexter	Warren
Chamberlain	La Follette	Pomerene	Williams
Clapp	McLean	Reed	Works
Clark, Wyo.	Martin, Va.	Simmons	

NAYS 15—(2 DEMOCRATS).

Bankhead	Fall	McCumber	Sanders
Burton	Gallinger	Oliver	Shively
Catron	Heyburn	Penrose	Wetmore
Crane	Lodge	Root	

Mr. WORKS. Mr. President, I have said all that I desire to say upon this subject. I entered upon it with the desire and the purpose of discussing as thoroughly as might be the legal phases of the question, keeping out of it as much as possible the political phases of it. The idea of bringing politics into a question of this kind is abhorrent to me. It ought to have no place in a discussion of this kind. It ought not to affect the action of any single Member of this body when we come to a final vote upon this proposition.

During the delivery of Mr. WORKS's speech,

The PRESIDING OFFICER (Mr. PITTMAN in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. Senate resolution 156, relative to expenditures for telegrams sent by Senators.

Mr. NELSON. I ask unanimous consent that the unfinished business be temporarily laid aside until the Senator from California can finish his speech.

Mr. BRANDEGEE. I have no objection to that if it is understood that the unfinished business will then immediately be laid before the Senate and nothing else is to intervene. With that understanding I will not object.

The PRESIDING OFFICER. There being no objection, the unfinished business will be temporarily laid aside. The Senator from California will proceed.

After the conclusion of Mr. WORKS's speech,

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

Mr. GORE. Mr. President, who has the pending business in charge?

The VICE PRESIDENT. The Senator from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. There is a unanimous-consent agreement to go into executive session at 4 o'clock. It is now four minutes of 4 o'clock. I will therefore ask to lay aside the unfinished business temporarily, and under that action, if it is taken, the Senator from Oklahoma can go on until the time to go into executive session.

The VICE PRESIDENT. Without objection, that may be done.

Mr. GORE. Mr. President, the Senator from California [Mr. WORKS] has cited the authority of Richard Olney, former Secretary of State, in support of his position. It is true that Mr. Olney's private view and personal conviction is that the Government of the United States has the right and the power to exempt our coastwise vessels from the payment of tolls without violating our treaty obligations with the Government of Great Britain. But while this is Mr. Olney's private view, while it is his personal conviction, he is also of opinion that the pending repeal bill should be enacted into a law. It is his conviction that Congress should pursue a contrary course to that recommended by the Senator from California.

I ask to have read into the RECORD at this point a letter recently addressed by Mr. Olney to Representative PETERS, and I trust that the authority of former Secretary of State Olney will be as sovereign with the Senator from California when the two disagree as when they agree.

Mr. SMOOT. I will ask the Senator if the letter is not already in the RECORD?

Mr. GORE. It appeared in the House proceedings, but I think it is a fitting sequel and a splendid postscript to the address just delivered by the Senator from California. I ask unanimous consent that it be read.

Mr. SMOOT. I have no objection to its being read. It only shows, of course, that the position of Mr. Olney is in full conformity with the position taken by a good many Senators.

Mr. GORE. That is the reason why I offer it.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

BOSTON, *March 28, 1914.*

Hon. ANDREW J. PETERS,
House of Representatives, Washington, D. C.

MY DEAR MR. PETERS: I have your favor of the 25th instant asking my views as to how a Representative in Congress should vote on the bill to repeal the free-tolls provision of the Panama Canal act.

If I were in your position, I am very certain I should feel that I ought to stand by the President.

The situation is peculiar. Here is a treaty unquestionably obscure and susceptible of two opposite interpretations, as conclusively shown by the conflicting views of two Presidents of the United States and by the irreconcilable differences of opinion among eminent lawyers without regard to their political affiliations. Recognizing this situation, and though he might have proposed arbitration, the President, in effect, declares that the merits of the issue are immaterial, and that the repeal of the act which raises the issue is absolutely essential to our good standing with the great powers of the world and to the proper conduct of our foreign relations. He makes this declaration as President and as that branch of the National Government especially charged with our foreign relation, and takes the responsibility of assuring Congress and the country that, as compared with the results to be gained by repeal, all other matters involved are of slight account. Now, this declaration of the President must be accepted as made in good faith, with absolute sincerity, and with an intimate knowledge of foreign relations that Congress can not pretend to. What else, therefore, is there to do but follow the President's lead upon a matter upon which he is entitled to lead both by reason of superior acquaintance with the subject and because our frame of government requires him to lead? It must be borne in mind that for Congress not to support such an urgent appeal as the President has made in this instance is not merely to defeat a measure which may be, and which he deems to be, required both by the honor and the well-being of the Nation. It is to discredit him for the future, it is to weaken and prejudice him in his subsequent intercourse with foreign nations, it is to give them notice that he is rather a figurehead than a real factor in the National Government, and that dealings with him are hardly to be regarded as very serious affairs.

Other pertinent considerations leading to the same result might be mentioned, but in the precise situation now confronting Congress they may, I think, be safely passed over because those already given ought to be regarded as decisive.

Very truly, yours,

RICHARD OLNEY.

EXECUTIVE SESSION.

The VICE PRESIDENT (at 4 o'clock p. m.). The Senate of the United States will go into executive session in accordance with the unanimous-consent agreement. The Sergeant at Arms will clear the galleries and close the doors.

The Senate thereupon proceeded to the consideration of executive business. After 40 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 9, 1914, at 12 o'clock meridian.

REJECTION.

Executive nomination rejected by the Senate April 8, 1914.

CONSUL.

James C. McNally to be consul of the United States of America at Nuremberg, Bavaria.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 8, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, we seek Thee in grateful recognition of the blessings vouchsafed unto us moment by moment, hour by hour, day by day, and we most earnestly pray that Thou wilt continue Thy blessings, that under Thy gracious providence we may move forward to larger life and usefulness as individuals and as a nation; that Thy purposes may be advanced and Thy will be done in us through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MURRAY of Oklahoma. Mr. Speaker, I desire to rise to a question of personal privilege. I send to the Clerk's desk, which I ask to be read as the basis of my remarks, a clipping from that splendid newspaper, the Morning News, of Dallas, Tex., containing a dispatch under an Okmulgee, Okla., date

line and the caption, and also from Maj. Charles F. Barrett's paper, of Shawnee, Okla.:

MURRAY CONDEMNED.

OKMULGEE, OKLA., *March 31.*

At a mass meeting held in this city Tuesday night resolutions were adopted condemning WILLIAM H. MURRAY for his opposition to the Panama Canal tolls bill and indorsing President Wilson in his policy. The chairman of the meeting was instructed to wire Senator OWEN, indorsing his attitude, and requesting him to present to MURRAY the censure of local citizens.

—

The Ada News announced last week that the Hon. W. H. MURRAY had finally made up his mind to run for Congress in this district, and there is every reason to believe that the declaration is official. He may "shoot the bull" in Washington and can the speeches made for home consumption in the oratorical silo known as the CONGRESSIONAL RECORD, but it will take straight and convincing talk out here to win back the former Murray men who quit him in droves when he quit Wilson and aligned himself with the champions of the Shipping Trust and the other host who fell away from him when he attacked Senator GORE and plotted his downfall and took up the cudgels for McMurray and his robber contracts.

* * * * * * *

Mr. LANGLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LANGLEY. Would it be proper under the rules for me to suggest that the people from New Jersey seem to agree with the gentleman from Oklahoma?

The SPEAKER. No; it would not be proper.

Mr. DONOVAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DONOVAN. I rise to ask if this is a question of personal privilege?

Mr. MURRAY of Oklahoma. Mr. Speaker, to the charge touching "McMurray and robber contracts" I have to say that this is only a common lie, as all men know.

While speaking of McMurray, I give you specifically my position. I have approved, and I approve now, his work of ridding the rolls of 4,000 fraudulent claims to Indian citizenship and his recovery from the Government pay for the negro land; but I do not approve his so-called "contracts" for fees touching property owned by the Indians, and I told him so before he left here last summer. McMurray has no contracts now, because they have expired by their own limitation. For this reason he went home last year and has not been around Washington since, as everybody knows. I call your attention to his contracts to sell the coal lands, that at the time of making them it was known he had struck a bargain to sell the coal lands for $30,000,000 cash, which sale was revoked then by disapproval of his contract. Now it is admitted that the Indian will never receive one-half that sum. Even if McMurray had received three millions in fees by putting the sale through, the Indians would have yet been better off by $12,000,000. Consider the effect of this as a simple business proposition to them, and to the white people of Oklahoma as well, in the loss and delay in disposing of this property and making it taxable.

"Condemned" for what, Mr. Speaker? For refusing to violate my party platform [applause], for refusing to obey the President's message to us, in which he said: "We ought to reverse our action without raising the question of whether we were right or wrong," condemned for declining to subscribe to the old English principle, "The King can do no wrong." [Applause.]

I am not so obtuse, Mr. Speaker, as to believe that the primary object of this "condemnation" is to affect me. It is but a part of the plan of sending out "canned" editorials to drive Congressmen to reverse their action, to abandon their own convictions, and to violate the platform. These particular Okmulgee "condemners" announce nothing new. These same fellows condemned me when I was elected. Night and day they always condemn me. I shall go to my grave with curses upon their lips. Fair and sensible men will ask for reasons and will await an understanding before they pursue this course, and this is the only class for whom I have any consideration. They know that no amount of condemnation will drive me from any position. I may be convinced by argument and thereby brought to change my position, but I will never be driven from one. Why send this dispatch away down to the Texas papers? It is a notice to the Texas Congressmen that they must stand up on the next demand. It is to serve for future emergency. My constituents know that I violated the wishes of the President by favoring a prohibition of interlocking directorates in the banking act, by amendments to limit the banking board's power, by favoring a guaranty of deposits, by favoring a liberal provision for loans on farm paper, and by my position upon certain tariff schedules.

My opinion of the President is of that high character that I am ready to follow him upon any question that I do not understand or that I am in doubt about, as I followed his desires on the Alaska railroad bill, because I knew nothing of the Alaskan conditions. But upon those things upon which I have convictions by my own method of discovery—and I have never been deceived nor have I ever had cause to regret my position upon any public policy which I have mastered to my own satisfaction, and I know when I have solved a problem—let me give notice now for them to get ready for more condemnation, because if the press of the country correctly speak the views of the President on the bill excluding undesirable foreign immigration, for which I voted upon its passage in this House, I shall vote to pass it over the President's veto [applause]; and when the makeshift rural credit bill is brought before this House, which takes care of the large land-owning farmer, but does not consider the small one or the tenant farmer, who above all others needs aid, I shall again violate the wishes of the President by offering amendments to take care of the tenant farmer.

I desire to read an editorial published in the Daily Oklahoman, the smallest paper with the largest circulation in the State, prior to the consideration of the Panama Canal toll question, which bears all of the earmarks of one of the "canned" editorials sent out from Washington City:

OKLAHOMA IN THE TOLLS FIGHT.

It is gratifying to note that the bulk of the Oklahoma delegation in Congress was with the President. The vote shows the line-up as follows:

With the President—CARTER, DAVENPORT, FERRIS, THOMPSON, and WEAVER.

Against the President—MORGAN, MCGUIRE, and MURRAY.

While the issue involved here is not a political one in any sense, the attitude of Messrs. MORGAN and MCGUIRE, Republicans, is perhaps not difficult to understand. They are "agin" the President on general principles, regardless of right or wrong. They flatter themselves that in doing so they are playing good politics.

But Congressman BILL MURRAY'S opposition is not so easily explained. He perhaps imagines he has not been treated considerately in the matter of patronage, and is known to be strong on spread-eagleism.

I do not care what prompted the votes of Messrs. MORGAN and MCGUIRE. If they voted in order to be in opposition to the President, their vote was wrong. If a Republican were in the White House I would conceive it to be my duty to oppose him only when he was wrong. I am a partisan Democrat in the sense that I believe Democrats should be put into office under a Democratic administration—and in this again I disagree with the President. But I have announced at home and I announce here that I am not a partisan on legislation.

I received a card Monday from a gentleman at Pawnee, Okla., saying, to quote his exact words:

Democracy expects you to sustain the President, right or wrong.

I do not believe this. I believe the Democratic Party expects me to be right and to vote with any occupant of the White House who is right, and, conversely, against him when he is wrong. When my party gets wrong, I have said that it merits defeat and will be defeated. When it is right, it merits success and will be rewarded with success as surely as the people are capable of self-government.

Every atom of my brain, every quivering nerve of my soul is dedicated to my country's weal, even in conflict with my party's harmony and interest. [Applause.]

I represent the State of Oklahoma at large on this floor. A few months ago the State was redistricted, and I intend to become a candidate in our August primaries for election as the first Congressman in the new fourth congressional district, composed of the counties of Johnston, Coal, Pontotoc, Hughes, Pottawatomie, Lincoln, Seminole, Creek, and Okfuskee, and I intend to say to the people of that district that in the organization of the next Congress, irrespective of any opposition or the source of such opposition, I shall cast my vote for Speaker in favor of old CHAMP CARK. [Applause.] Let them make an issue out of that if they will.

The only man at all fit to serve in Congress, or in any other legislative body, is an honest, wise, and brave man—too honest to be bought, too wise to be deceived, too brave to be driven into a compromise of his conscience or mental integrity. [Applause.]

You doubtless have read in ancient history of men who, rewarded for great achievements, made vows to build a great cathedral or some divine edifice. I, too, have made my vow, which until now I have religiously kept. That vow was that if He who guards and guides the destiny of nations and disposes individuals to his uses as instruments to carry out His divine will would permit me the satisfaction to observe written into the constitution of Oklahoma those reforms and sensible rules of progress giving to the farmer and laborer, as well as the mer-

chant and the professional man, equal opportunities under the law—a constitution as broad as the citizenship of the State—that knows no interest but the public interest—that so long as I might remain in public life I would maintain my own mental integrity against the demands of any man, organization, class, prince, or people; that I would maintain greater fear of violating my own mental peace than of defeat for public office.

Independent thought and fearless action of brave, conscientious men alone made possible the just provisions of the Oklahoma constitution. Inspiration by the example of my associates in that body will mark my conduct on this floor. I was commissioned by my constituents to aid their thinking and to do their voting while in Congress, and I shall not abdicate that authority to any other individual or power. My people may retire me at their pleasure, but while here I shall execute religiously their commission. [Applause.]

This same paper in another editorial suggests that doubtless MURRAY'S refusal to vote with the President on the Panama tolls question was due to the fact that MURRAY was not receiving much patronage, and that MURRAY merely felt resentful because of the responsible part he took in landing to the President his 10 first votes from the State of Oklahoma in the Baltimore convention. Patronage! Why, such an argument might sound plausible 1,500 miles away from Washington, but you know that there is no foundation in fact for such a statement here in the Capital. I would not change my position on this question, so important to our national being, for all the patronage in the Republic. I might suffer under the charge "mugwump," but it will not stick to call me a "piewump." [Laughter and applause.]

I am fully convinced that my position on Panama tolls is correct, and that the dangers which the future may bring us by the President's construction of the Hay-Pauncefote treaty is likely to lose us our national control over the canal or else embroil us in future war can now be forestalled by adhering to our former construction.

Nor does this Oklahoma paper tell the whole truth about the vote of the Oklahoma delegation. You remember there was a roll call on the question of adopting the "cloture rule" limiting debate and prohibiting the introduction of amendment to the bill, which kind of rules were condemned in the last campaign by Democrats everywhere, and was the first adopted in this House on any bill. The records show upon that roll call—speaking only of the Democratic Members from Oklahoma—for this rule, CARTER, FERRIS, and WEAVER; against it, MURRAY, DAVENPORT, and THOMPSON. Then a motion was made to recommit the bill, with instructions to put in an amendment reciting that by the repeal of free tolls we did not yield the authority to control the canal, to exempt American ships, or to make such use of it for our Navy or any American Government-owned ship, as experience demonstrated. For this motion the vote stood, MURRAY, DAVENPORT, THOMPSON; against, CARTER, FERRIS, WEAVER. Then the roll was called on the bill, and on this the vote shows—for, CARTER, DAVENPORT, FERRIS, THOMPSON, WEAVER; against, MURRAY. Had the amendment proposed in the motion to recommit gone into the bill, I would have felt like yielding to the President my convictions on the economic question—for, if wrong, it could be corrected in the future—and voting for the bill, but I was unwilling to place a construction on the treaty that would bind us for all the years to come and would either lose us the control over the canal or force us into war in order to regain it.

This argument will fall on barren ears of men unacquainted with the history and the practice in diplomacy and the conduct of nations. It is the most elementary principle of nations, our own included, that a nation has the right and will exercise it to force compliance of treaties when such construction is agreed to by the nation violating them. Hence, when Perry made the treaty with Japan in the fifties and Japan, in 1863, closed her ports, notwithstanding the United States was in the midst of a great civil conflict, she nevertheless sent her Navy and opened the ports of Japan with guns, thereby enforcing obedience to the treaty. Nor is this the only instance. More than a score of times has this Republic invoked naval force to compel nations to obey her treaties. Once we place this construction upon the Hay-Pauncefote treaty all the nations of the world will enforce that construction against us, even against our right to use it with our Navy if it takes the force of arms to do it. You know and I know the American people will never lose control over that canal; and if that continues to be their temper, this construction means war sooner or later. I am not afraid of war in a just cause, but it is a crime to bring on a war when it can be avoided. [Applause.] Hence from my viewpoint it was a question of national integrity, a question of patriotism.

However, I do not dispute the right of gentlemen to differ with me. I accord to them that right of difference, and I expect honest, intelligent men to accord that right to me.

I feel the importance of my vote deeply. But once in my whole life did I feel convictions over a public question so great as this, and that exception was when I declined in 1907 to accept the advice of seven lawyers selected by the constitutional convention to advise me by calling an election to ratify the constitution of the State, and that in violation of a Federal court injunction issued against me by the Supreme Court of the Territory of Oklahoma. For this I was condemned by the press, by the politicians, and in mass meeting by many good people. Within 6 miles of my home such a meeting was called and condemned me, but my duty was so clear to me then that no power on earth or in hell would have changed me. In less than 90 days all agreed that my position was the only safe one possible to have been taken.

It was during these trying difficulties that I fully comprehended, as I so comprehend now, the philosophy which I had not the words to express, but in after years I read in Kipling's "If":

If you can keep your head when all about you
Are losing theirs and blaming it on you;
If you can trust yourself when all men doubt you,
But make allowance for their doubting, too.

If you can wait and not be tired by waiting,
Or, being lied about, don't deal in lies,
Or, being hated, don't give way to hating,
And yet don't look too good nor talk too wise.

Nor is this the only instance since my public career began that I have met condemnation by some organized, misguided body of men, when time proved I was right, but I feel just as deeply the rectitude of my position in this vote. My convictions were such that to have done otherwise would have compelled me to stab my own conscience, to club my own brain, and to write across my brow the word "idiot." [Applause.]

Whatever this vote may mean to me, I have been true to myself, and in this I have but to invoke the injunction of Shakespeare:

This above all: To thine own self be true,
And it must follow, as the night the day,
Thou canst not then be false to any man.

I fear neither opposition, condemnation, nor defeat. I fear but to be wrong. Neither is it important that I hold public office, but it is important that I preserve my self-respect.

When I retire to private life I shall carry with me that calm consolation of a man at peace with his own mind and conscience.

In my effort to maintain the things I have worked for, to sustain the truth I have talked for, I shall muster the courage to approach as nearly as frail humanity will permit me the other inspiring lines of Kipling's "If":

If you can bear to hear the truth you have spoken
Twisted by knaves to make a trap for fools,
Or watch the things you gave your life to, broken
And stoop and build them up with worn-out tools.

If you can force your heart and nerve and sinew
To serve your turn long after they are gone,
And so hold on when there is nothing in you
Except the Will which says to them: "Hold on!"

[Applause.]

CHANGE OF REFERENCE.

Mr. DOREMUS. Mr. Speaker, on the 2d of March the bill (H. R. 14128) granting permission to Lieut. Col. John P. Finley to accept and wear a decoration presented by the Sultan of Turkey, was referred to the Committee on Military Affairs. I understand under the practice that this bill should have been referred to the Committee on Foreign Affairs. I have conferred with the chairmen of both committees, and they are willing that the reference should be changed to the Committee on Foreign Affairs.

The SPEAKER. The gentleman from Michigan asks unanimous consent to discharge the Committee on Military Affairs from the further consideration of a bill and refer it to the Committee on Foreign Affairs.

Mr. MANN. Reserving the right to object, I could not hear what the gentleman said about the bill.

Mr. DOREMUS. The bill grants permission to Lieut. Col. Finley, of the United States Army, to wear a decoration presented to him by the Sultan of Turkey.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 474) to authorize the issuance of absolute and unqualified patents to public lands in certain cases.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 4544. An act to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1739) to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, and for other purposes, had agreed to the conference asked for by the House, and had appointed Mr. BRYAN, Mr. CHAMBERLAIN, and Mr. PERKINS as the conferees on the part of the Senate.

CALL OF COMMITTEES.

The SPEAKER. The Clerk will call the committees.

The Clerk called the Committee on Claims.

Mr. POU. Mr. Speaker, I have understood that the rule had been considered and construed up to this time that the Committee on Claims was not entitled to be called on Calendar Wednesday, it having a day under the rule. If the Chair holds that the Committee on Claims should be called on Calendar Wednesday, I am ready to proceed.

Mr. MANN. Mr. Speaker, the Committee on Claims is called on this day for public bills on the House Calendar, and not for bills on the Private Calendar.

The SPEAKER. The gentleman from Illinois is correct. Has the gentleman from North Carolina any general bill from the Committee on Claims?

Mr. POU. The committee has no general bill, Mr. Speaker, that I am aware of.

The SPEAKER. The Clerk will continue the call.

The Clerk continued the call. When the Committee on Revision of the Laws was called,

ALLEGATION AND PROOF OF LOYALTY IN CERTAIN CASES.

Mr. WATKINS. Mr. Speaker, I am directed by the Committee on Revision of the Laws to call up the bill H. R. 5850.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 5850) to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union, and the gentleman from Georgia [Mr. BARTLETT] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. BARTLETT in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5850, and the Clerk will read.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, be amended so as to read as follows:

"SEC. 162. The Court of Claims shall have jurisdiction of any claim therefor filed within two years from the date of the passage of this bill, of those whose property was taken subsequent to June 1, 1865, under the provisions of the act of Congress approved March 12, 1863, entitled 'An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States,' and acts amendatory thereof, where the property so taken was sold and the net proceeds thereof were placed in the Treasury of the United States; and the Secretary of the Treasury shall return said net proceeds to the owners thereof, on the judgment of said court, and full jurisdiction is given to said court to adjudge said claims, any statutes of limitations to the contrary notwithstanding: *Provided*, That no allegation or proof of loyalty shall be required in the presentation or adjudication of such claims."

Mr. WATKINS. Mr. Chairman, this bill comes before the House with a unanimous report from the Committee on Revision of the Laws. While there was considerable controversy over the bill at the time it was considered in a former Congress, as it was passed by an overwhelming majority and went to the Senate, and was favorably reported by the Senate committee, but failed to pass the Senate only because it was not called regularly on the calendar for passage, I do not think there will be any necessity for taking up a great deal of time on this proposition, at least I trust not. It is so clear-cut, so precise, and so reasonable and just that I can not conceive there will be any great opposition to its passage by this body at this time.

The only proposition involved in this bill is whether the people to whom there is credit for property that was taken by the authorities of the United States after the Civil War was over, proceeds of property sold, when they come before the Court of Claims they shall be required to allege and prove that they were at all times loyal to the United States.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. WATKINS. Certainly.

Mr. MOORE. Are these claims what are commonly known as cotton claims?

Mr. WATKINS. Yes; they are the same claims which we considered and about which I endeavored to enlighten the gentleman during the last Congress. It is the bill which passed this House by a very large majority.

Mr. MOORE. And this bill gives the claimants the privilege of bringing their cases before the Court of Claims without regard to proof of loyalty?

Mr. WATKINS. It does.

Mr. MOORE. That would waive the question that has interfered with their right to make claims heretofore?

Mr. WATKINS. The only question as to their right; yes.

Mr. MOORE. Can the gentleman indicate how large these claims will be in the aggregate?

Mr. WATKINS. They amount to four million eight hundred and eight-six thousand and odd dollars.

Mr. MOORE. That would cover the entire volume of claims likely to be presented if this act should pass?

Mr. WATKINS. This bill provides that only those claims shall be paid where the money is actually in the Treasury, and there is less than $5,000,000 in the Treasury. Therefore no more than that could be paid out.

Mr. MOORE. It has been stated heretofore that these claims will amount in the aggregate to probably $50,000,000. Is any such amount understood to be involved?

Mr. WATKINS. If all of the claims for all of the property which was taken under the act of 1863 were asserted and were now before Congress, in the aggregate they would amount to over $26,000,000, but that amount has been paid out from time to time, until it has been reduced to within less than $5,000,000. I have a report from the Secretary of the Treasury to show the exact number of dollars and cents now in the Treasury which can be reached by this bill, and only that amount can be reached, because the bill provides that only that amount which actually remains in the Treasury to the credit of these persons whose names are designated can be recovered.

Mr. MOORE. Then, the gentleman is warranted in stating that the Government would not be expected to pay more than $5,000,000 in the aggregate, if this bill should pass and all these claims should be allowed by the Court of Claims?

Mr. WATKINS. The Government could not possibly pay more under this law, which restricts the payment to the amount actually in the Treasury. There is less than $5,000,000 in the Treasury.

Mr. MOORE. The $26,000,000 to which the gentleman refers is not in the Treasury now?

Mr. WATKINS. No; that has been paid out until it is within less than $5,000,000.

Mr. MOORE. Then that amount would be the very outside that these claims would amount to, if the bill shall be passed and the claims be allowed by the Court of Claims?

Mr. WATKINS. That is correct.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. WATKINS. Certainly.

Mr. MURDOCK. Mr. Chairman, I have just read this bill and I have listened to previous discussions upon it. As I understand it, these were cases where property was taken during the Civil War by the Government, the property sold, and the money placed in the Treasury. This is a bill to give the Court of Claims jurisdiction, so that those who lost that property may recover the sums covered into the Treasury. Is that correct?

Mr. WATKINS. The gentleman's statement is correct with one exception. It is not property taken during the Civil War, but is property which was taken after June 1, 1865—after the cessation of hostilities.

Mr. MURDOCK. How much in the aggregate did that property amount to?

Mr. WATKINS. Something over $26,000,000, to begin with; but that amount has been reduced by payments to less than $5,000,000.

Mr. MURDOCK. How was that reduction accomplished?

Mr. WATKINS. Partly on account of charges made against the property for capturing it, for transporting it, for selling it, and converting the proceeds into the Treasury, and the other amounts paid to claimants who took their claims into the Court of Claims within the time stated by the statute.

Mr. MURDOCK. There is reference in this bill to a statute of limitations, which is waived. What was that statute?

Mr. WATKINS. The statute originally was for two years and another statute was passed extending that for two years, after the limitation had expired. A large number of claims were filed by those who were not aware that they had to assert their claims during the continuation of the statute.

Mr. MURDOCK. And this provision lets them in?

Mr. WATKINS. Yes. There is no controversy now, because the law enacted in the revision of the code, adopted and approved on the 3d of March, 1911, taking effect January 1, 1912, provides that there shall be no statute of limitations to bar those claims, that being section 162 of the codification of laws.

Mr. Chairman, as this proposition seems to be not fully understood, it will perhaps be better for me to go hastily over the history of the legislation in reference to these claims. On the 3d of March, 1911, this codification of the laws under the judiciary titles, coming from the Committee on Revision of the Laws, of which the gentleman from Pennsylvania, Judge Moon, was the chairman, adopted section 162, which provides:

> The Court of Claims shall have jurisdiction to hear and determine the claims of those whose property was taken subsequent to June 1, 1865, under the provisions of the act of Congress approved March 12, 1863, entitled "An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States," and acts amendatory thereof where the property so taken was sold and the net proceeds thereof were placed in the Treasury of the United States; and the Secretary of the Treasury shall return said net proceeds to the owners thereof on the judgment of said court; and full jurisdiction is given to said court to adjudge said claims, any statutes of limitations to the contrary notwithstanding.

The primary object of having that section inserted in this law was to obviate the statute of limitation which had been up to that time two years.

The first act of 1863 limiting the right to two years in which the right to assert a claim in the Court of Claims was once extended two years. After this section 162 had been adopted, incorporated in the judicial code, these cases then which had been lying dormant for a great number of years before the Court of Claims, not having asserted their right within the two years—these claims were revived and there was an effort made to have them considered by the Court of Claims. An exception was filed by the attorney representing the United States Government, and that motion to dismiss or exception was directed to sections 159 and 160 of this codification. These sections 159 and 160 provided that no claim can be asserted in the Court of Claims by any persons unless they first allege and finally prove they were loyal at all times to the Union cause or the United States Government during the Civil War. Those two sections, 159 and 160, are not on the same subject matter nor relate to the same law to which section 162 relates; that is, the primary law, the original law from which these sections were incorporated or from which they were gathered and by virtue of which they were incorporated in this revision of the laws, was taken from laws on different subject matters entirely, and this revision is simply a compilation of the statutes. It is not a single isolated or solitary law on any subject matter.

Mr. CAMPBELL. Will the gentleman from Louisiana yield?

Mr. WATKINS. I will.

Mr. CAMPBELL. In this compilation the gentleman omits the statute which requires the allegation of loyalty and proof of loyalty before the claim would be maintained.

Mr. WATKINS. Yes, sir; and while I am on that proposition I might as well call the attention of the gentleman from Kansas to the fact that there are repeated decisions, the primary one and the one most frequently quoted is the case of Klein against The United States, in which it was held and so construed by all lawyers of my acquaintance, at least with whom I have conferred on this subject both in the city of Washington and in other places, that it was not necessary to allege and prove loyalty on account of the amnesty which had been granted to those parties by the proclamation of the President of the United States. It was announced in the opinion of Klein against The United States that it was unnecessary, in view of the proclamation granting amnesty and pardon to all parties, that they did not have to allege and prove loyalty, and for this reason this question of loyalty was not incorporated in section 162.

Mr. CAMPBELL. The court held that under the old law, which is left out of this bill?

Mr. WATKINS. The original act of Congress, passed in 1863, provided, first, that all parties asserting their rights to these proceeds arising from the sale of this property should first bring their case within two years; and, second, an absolute requirement was that they should allege and prove loyalty in all those cases. The proclamation of the President of the United States granted amnesty to all those parties who had participated in the Rebellion, as did various proclamations issued by the President of the United States. In the case of Klein against The United States the Supreme Court of the United States held that since that proclamation it was unnecessary to allege and prove loyalty by those parties, and on that account the provision was not incorporated in section 162 of the codification of the laws; but it dispensed with the time of two years' limit, and it dispensed with the necessity of alleging and proving loyalty, because the committee had that question under consideration and did not consider at that time that it was necessary to put into the statute and enact a law which had been declared by the Supreme Court of the United States to be inoperative against those parties at that time.

Mr. CAMPBELL. Was the President authorized to make proclamation waiving this statute?

Mr. WATKINS. Why, the President of the United States was authorized to grant pardon and amnesty to all those parties participating in the rebellion, and he did so. There were numerous proclamations, which are unnecessary to give, granting complete amnesty to all parties who participated in the Civil War, except to one individual. In the case of the United States against Klein the Supreme Court of the United States went so far as to say that although there should be and had been an act of Congress passed requiring this proof of loyalty, that this amnesty granted to these parties had relieved them and dispensed with the necessity of alleging and proving loyalty.

Mr. CAMPBELL. Will the gentleman advise me whether proof of disloyalty will continue to operate as a bar to recovery if this act is passed?

Mr. WATKINS. If any persons assert their claims in the Court of Claims, if this law is passed and it is proved absolutely that the parties who had asserted their claims in the Court of Claims participated in the War of the Rebellion on the part of the South and were disloyal, still they could assert their claims and recover.

Mr. CAMPBELL. Not with the law you are now proposing?

Mr. WATKINS. Yes. I will explain it to the gentleman. They can do it under the law as it is now. Our dread of what the present interpretation of this law will be is not why we bring this case before the Congress——

Mr. CAMPBELL. Let me ask, if the law is as now stated by the gentleman, why is it necessary to make this modification?

Mr. WATKINS. I will explain that fully. Our interpretation of the Kline case and other decisions on the same line at the time that this section was incorporated in the revision of the laws, was that it was unnecessary to allege and prove loyalty as interpreted by the Supreme Court of the United States. But when it came to test these cases and try them in the Court of Claims the attorney of the United States Government set up as an obstacle in the way an exception and moved to dismiss the cases because of the fact that we had not alleged and proved loyalty, and he claimed that these sections 159 and 160 of the Codification of the Revision of the Laws did require at this time allegation and proof of loyalty. That case has been decided by the Court of Claims, and the Court of Claims has gone into the most minute detail in an exhaustive opinion, reviewing all the decisions of the Supreme Court on this question and on these questions involved in these several sections of the codification the Court of Claims has decided, and correctly so, that it was not necessary to allege and prove loyalty in these cases now pending, because these two sections—159 and 160—were not law on the same subject matter that section 162 was upon; that they were not derived from the same source; that they were entirely separate and distinct legal propositions, and this was simply and purely a codification of the law enacting various statutes and compiling and revising them, and they were separate and distinct propositions and did not depend one on the other.

The court has decided that. But although that is a decision of the Court of Claims, there are large numbers of these claims which are owned by people who are not only old and decrepit themselves, and who are dying off continually, but the witnesses are constantly dying and getting out of the way, and by the time the decision of the Court of Claims goes to the Supreme Court of the United States it is estimated it will take about three years. That is to proceed with the trial on the merits of these cases and get them transferred on appeal and passed upon by the Supreme Court of the United States, and in that length of time a large number of the witnesses who are now

available will have died off and their evidence can not be procured.

Mr. CAMPBELL. Will the gentleman yield?

Mr. WATKINS. Certainly.

Mr. CAMPBELL. What is the aggregate of these claims now, if the gentleman knows?

Mr. WATKINS. The report of the Secretary of the Treasury, in Senate Document No. 23, Forty-third Congress shows that. I have answered that question once, but I will answer it again more explicitly, so that there can be no misunderstanding. It is Executive Document No. 23, Forty-third Congress, second session, and contains the report of the Acting Secretary of the Treasury. You will find in that report, on page 58——

Mr. CAMPBELL. What is the date of the report?

Mr. WATKINS. The date of it? It is in response to a Senate resolution passed on December 18, 1873, and the date of his report is February 1, 1875; 1873 and 1875 are the dates intervening from the time the report was made until this compilation of the claims was made by the Secretary of the Treasury and submitted to Congress in reply to the resolution.

Mr. CAMPBELL. Had the gentleman from Louisiana thought of publishing that in connection with his remarks? I take it that that document is not now available?

Mr. WATKINS. I will incorporate my statement. Yes, sir; it has been reprinted. But it is quite lengthy, and I should dislike very much to encumber the RECORD with it.

Mr. CAMPBELL. Can the statement of the claims be included without inconvenience?

Mr. WATKINS. Now, if the gentleman from Kansas will indulge me a moment or two, as that question has been raised twice during this discussion, I would like to call his attention to the fact that the exact number of dollars involved is $4,886,671, the exact amount now remaining in the Treasury, and that amount is credited to the parties whose names and residences are given. That amount is credited to the parties, with the weights of cotton originally taken, by what Government agent it was taken, where and to whom it was sold, and transportation charges and all other charges connected with it, and shows the net balance after all the payments have been made out of it.

Mr. MANN. Will the gentleman yield for a question, Mr. Chairman?

Mr. WATKINS. Certainly.

Mr. MANN. Does the gentleman mean all of the balance that remains in the Treasury out of the cotton claims is less than $5,000,000, or the amount affected by this bill?

Mr. WATKINS. The amount affected by this bill is what I mean, because those are the amounts of the proceeds of cotton taken after June 1, 1865.

Mr. MANN. Does the gentleman know how much remains in the Treasury of the proceeds of cotton sales entire?

Mr. WATKINS. No, sir. I have not made any inquiry as to that, because the only thing we expected to do was to get back the proceeds of that property after the proceeds were in the Treasury, which were derived from the sale of the property taken after the war was over.

Mr. MOORE. Will the gentleman state how many claims there are which will be affected by this bill?

Mr. WATKINS. There is a volume of them here. It gives the number. They are placed by States and subdivisions of States. I have not added them up to see exactly how many there are.

Mr. MOORE. Will there be 100 or 200?

Mr. WATKINS. I will say there will be in the neighborhood of 500 or 600. Of course, I am guessing about it. The list is here. I am governed largely by the number of pages in that book and the number of names on a page.

Mr. MOORE. How many States would be concerned?

Mr. WATKINS. The proceeds of this property now, if distributed, would be distributed in nearly all the States, but largely in the 13 Southern States.

Mr. MURDOCK. Are these claims negotiable? Are they passed from hand to hand, as is sometimes the case?

Mr. WATKINS. As far as I know, they are not. I know of no legal reason why they could not be transferred as any other open account or obligation.

Mr. MURDOCK. A great many of the original claimants must be dead now, are they not?

Mr. WATKINS. A majority of them are dead, I should say, from my knowledge of those in the section of country in which I live, but their children and grandchildren are there.

Mr. MURDOCK. Does the gentleman know whether a considerable number of these claims have been bought up by other parties and are now in the hands of any one man or set of men?

Mr. WATKINS. I do not have in mind any claims where they have been treated in that way, although there are many cases where people are or have been in destitute circumstances, where they would be willing to transfer their right for a consideration, in order to eke out a miserable existence, as was the case just after the war.

Mr. MURDOCK. The gentleman knows that a few years ago a bill similar to this was up, and I remember hearing the statement made after the passage of the bill that the claims had accumulated in the hands of some bankers; that they had been bought up, and that really the people whom we had sought to benefit by the payment of the claims were not benefited at all.

Mr. WATKINS. I remember a statement of that kind in regard to some claims that were brought in here in connection with a war claims bill. I remember that was stated in the argument. I do not know of any instance of that in this case, although in all probability there may be a number of them.

Mr. MURDOCK. The gentleman will concede that that was the case with respect to the French spoliation claims?

Mr. WATKINS. Yes. It is perfectly natural in a vast number of claims that some of the claims in many instances would be transferred, particularly if they were old.

Mr. MURDOCK. But the gentleman does not know whether in this case there has been a large accumulation of claims in the hands of any individual?

Mr. WATKINS. I do not know where that has been done; but I do know a large number of the claimants in the congressional district which I have the honor to represent and in the adjoining district, and I know some of the attorneys who mutually represent the claimants in the different sections, and I know that as a rule the original heirs and their descendants have asserted their claims in the courts, and that the claims now stand in the names of the original claimants.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. WATKINS. I yield to the gentleman from Pennsylvania.

Mr. MOORE. In the case of the French spoliation claims parties had paid a consideration to the persons who actually needed the money and who were the original claimants. Does the gentleman see any reason why those who had advanced money to the original claimants should not be subrogated to the rights of the original claimants?

Mr. WATKINS. In the cases to which the gentleman refers some of those people were imposed upon, and the claims were gotten for a ridiculously low price, without any adequate consideration, and the imposition was such and the value of the claims was such that many of the Members of Congress voted against the claims on that ground.

Mr. MOORE. I will say to the gentleman, and I hope he will take satisfaction from this fact, if it is a satisfaction to him, that there are a number of French spoliation claims that have been pending for generations, where the actual money was paid by assignees to the original claimants, some of whom are still knocking at the doors of Congress, asking to be paid what is honestly due them. I will say to the gentleman, if he has cases of that kind and they are properly proven before the court, as I understand they must be under this bill, there is no earthly reason why the Government of the United States should not pay. Debts that are honestly due ought to be paid. It ought to be so in the case of the French spoliation claims, and if it is proved in the court that there has been no speculation and no Shylocking business, as the gentleman from Kansas [Mr. MURDOCK] suggests, these claims ought to be paid. Justice should be done, whether to the assignee, who has paid the lawful claimant, or to the heir of a lawful claimant. People to whom money is due should not be compelled to go on their hands and knees for generations seeking justice at the hands of the Government.

Mr. HARRISON. Mr. Chairman, will the gentleman yield?

Mr. WATKINS. Yes.

Mr. HARRISON. The gentleman says he has a document there that shows the claimants and the amount due each claimant, and so on. I am desirous of knowing just from what source that document was prepared. Is it founded on the records in the Treasury Department?

Mr. WATKINS. Yes. It was made by the Treasury Department in response to a resolution of the Senate of the United States asking for information on the subject.

Mr. HARRISON. When was that filed?

Mr. WATKINS. The resolution originated in the Senate on December 18, 1873, and the reply was made by the Secretary of the Treasury on February 1, 1875. The delay was caused, they claim, by the vast number of claims which were then before them for consideration and investigation, and on account

of the confusion of accounts they were delayed in making the report.

Mr. HARRISON. May I ask the gentleman whether in making up this data the Government went merely to its records, or did it go out and get testimony from witnesses, so as to enable the Government to prove up the claims and get intelligent information from witnesses concerning them?

Mr. WATKINS. It is inferred that in getting up the data they depended upon the memoranda to which they had access there in the archives of the Treasury or in the various places where the sales had been made by the agents and reports had been made. But primarily, if not entirely, the data was made up from memoranda in the Treasury itself.

Mr. HARRISON. One more question, and then I am through. If a party in my district or in any other district thinks he has a claim against the Government, and his claim is not embodied in this particular list, will he have any right to recover on his claim by this bill?

Mr. WATKINS. The list not only furnishes the names, but the amounts in the Treasury to be paid out. This bill is not confined to names, but to amounts.

Mr. HARRISON. It is not confined to the names in that document?

Mr. WATKINS. No; because there are a great many on that list who can not recover, and those who could not recover might leave an excess, and if there is any excess left in the Treasury, that excess is paid to those who are not on the list and who are entitled to receive payment.

Mr. HARRISON. Could the gentleman tell what percentage that might be?

Mr. WATKINS. No; I have no idea.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. WATKINS. Certainly.

Mr. WINGO. Along that same line, is it true that the officers who seized this cotton followed the practice of giving a certificate to those from whom the cotton was received and furnished to the department here at the time a record, and it was from those records that this list is made up? Is it not a fact that at the time this property was taken the officers issued certificates to the owners from whom the property was received, and made reports to the Treasury Department at the time, so that the Treasury Department, in making up this list, made it from the public records and got the names of the owners?

Mr. WATKINS. Yes, sir.

Mr. WINGO. And under the law as it now stands, and which will not be amended by this act if this act should become a law, the owners of the proceeds could simply prove their ownership in the Court of Claims, and there is nothing in this bill or the pending law that would limit the right to recover to those only whose names happened to appear upon the report made in 1875?

Mr. WATKINS. No, sir.

Mr. WINGO. The owners may still go into the Court of Claims under this law, and the only change is to meet the proposition of loyalty.

Mr. WATKINS. That is the only isolated proposition in this bill. But to give a conclusive answer, I will read the law under which these claims originated; in other words, the law which granted to the Government the right to go into the Southern States and take property which was considered as abandoned and convert it into proceeds. That will answer all the questions which have been asked.

Mr. BRYAN. Will the gentleman state the date of that?

Mr. WATKINS. That was approved March 12, 1863. It is hardly necessary to read the entire law, which I have before me, and I will not incumber the RECORD with it; but it states these propositions——

Mr. HARRISON. What is the title of the act?

Mr. WATKINS. An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States. It contains this proviso:

Provided, That such property shall not include any kind or description which has been used, or which was intended to be used, for waging or carrying on war against the United States, such as arms, ordnance, ships, steamboats, or other water craft, and the furniture, forage, military supplies, or munitions of war.

The fact is that those articles being enumerated as not coming within the property which was supposed to be abandoned shows that this class of property which we now have under consideration, to wit, cotton, which was taken after the war had closed, and which is the only property I know of that was taken in any substantial quantity after the war closed, does not come within the excluded list; that is, these articles of warfare do not come under the captured and abandoned property act. That emphasizes the fact that these sections of the law—159 and 160—are not on the same subject matter, because they are sections growing out of the law passed during the Civil War, which provided for the capture of accouterments of war; that is, provided for the capture of the particular class of property which is exempted from this act.

The gentleman who asked the question is not now present, and so it is hardly necessary for me to read the answer from the law, so I will condense it and state it briefly. It provides that a Government agent shall go into what they call the insurrectionary districts, take there the property which has been abandoned, convert that property into proceeds by selling it, and keep an itemized statement containing a description of the property, the time when it was taken, the person from whom it was taken, transport it and pay the transportation charges for conveying it to market, convert it into proceeds in the market, and cover the proceeds back into the Treasury of the United States. It provides also that all parties from whom this property has been taken may have the right within two years to claim the proceeds of the property, provided they were loyal to the Government at the time the property was taken.

Afterwards, on July 2, 1864, the law was somewhat changed, but it is not material to the discussion of this question, because the question of loyalty was not involved there at all. Many decisions were delivered and published by the Supreme Court and cases were tried by the Court of Claims in the interim intervening between the time limits and 1911, and all those cases where the question came up straight before the Supreme Court or, so far as I know, even before the Court of Claims, were after the amnesty proclamation of the President was published and promulgated. In all those cases the decision of the court was to the effect—and in the Klein case it was in direct words—that the allegation and proof of loyalty was unnecessary.

Now, that is a broad statement, a statement which will be challenged particularly by the gentleman, if he participates in this discussion, who quoted the decision announced in the Haycraft case at the time this question was considered on a former occasion. But in the case of the United States against Haycraft the proposition of loyalty is not involved at all. On every page of the decision the statement is made that two years having intervened from the time the property was taken up to the time that the claim was filed it is too late for the claimants to assert their claims. The Supreme Court in that case held that there were two propositions as a basis for the assertion of these claims. The first was that it must be done within two years, and the second was that the party must allege and prove loyalty, and that the two years was not a statute of limitations. That is the proposition submitted and the question decided in the Haycraft case, that the two years was not a statute of limitations, but that it was a question of jurisdiction. The court had no jurisdiction to try the case unless it was brought into the court within two years, and it was on that question, and that alone, that the Supreme Court of the United States based its opinion in the Haycraft case, which was held up here at the last consideration of this question as an obstacle in the way of removing the necessity for alleging loyalty. It does not touch on the question of loyalty at all, except to affirm to all intents and purposes the decision in the Klein case, which did say it was not necessary to allege and prove loyalty.

Mr. CAMPBELL. Mr. Chairman, are the claims to which the gentleman has referred all of them for cotton taken as he has described, or are any of them for the destruction of property incident to a state of war?

Mr. WATKINS. No property destroyed is covered in this act. It is only that property which was taken after the war was over—after June, 1865—converted into proceeds, and the proceeds placed in the Treasury of the United States, subject to the claim of those who asserted their claims within two years and who alleged and proved loyalty.

Mr. CAMPBELL. The gentleman states that all the claims affected by this act are of that character?

Mr. WATKINS. As far as I know; and I have made exhaustive search to find out whether there was any other class of claims.

Mr. CAMPBELL. And it relates to cotton, taken as the gentleman has described?

Mr. WATKINS. Yes; and cotton was not denominated in the act of 1863 as contraband. That act under which we are operating now excluded or eliminated cotton in denominating equipment, accouterments, instruments of war, and was not considered a contraband of war, so far as the act of 1863 is concerned.

Mr. KINKAID of Nebraska. Will the gentleman yield?

Mr. WATKINS. Certainly.

Mr. KINKAID of Nebraska. Can the chairman explain why it was that this property was taken by the Federal Government?

Mr. WATKINS. Because the act of 1863, to which I refer, gave authority to agents of the Government to go into this insurrectionary district and take charge of all property which was lost or abandoned. That law was in operation on the statute book after the war, and these agents were drawing salaries, and some of them large salaries. The agents were permitted to continue their operations until ordered out of the field.

Mr. KINKAID of Nebraska. Was it deemed that this property was lost or abandoned?

Mr. WATKINS. A large quantity was in the ginhouses and at steamboat landings ready for shipment up and down the rivers for the purpose of taking it to market, but not in actual charge of any person who had control over it. However, the agents in some cases, following their instructions, would take charge of the property anyway, whether anybody claimed to have charge of it or not, and in some instances they sold large quantities of cotton and only accounted for a small sum.

Mr. KINKAID of Nebraska. The fact was that the Federal Government had gained complete control of this territory where the cotton was found, and the conditions were very demoralized at that time in these localities, so far as the real owners of the property was concerned. That was the condition, was it?

Mr. WATKINS. Yes.

Mr. KINKAID of Nebraska. Was it formally confiscated by the Government?

Mr. WATKINS. This was not property that was subject to confiscation. The statute provided that it should not be confiscated by the Government, that it was to be sold, and that the proceeds were to be put into the Treasury subject to the claim of the owners. Confiscated property is taken over for the use of the Government, as the proceeds are not placed in the Treasury for the benefit of the former owners. In the case of Kline against the United States the Supreme Court held that this was a trust fund; that this property was taken for the benefit of those who had been the former owners, who had been driven away from it and abandoned it. It was purely a trust fund.

Mr. KINKAID of Nebraska. That is just what I was trying to reach. I wanted to know whether that was the reason that the Government took it. I thank the gentleman.

Mr. WATKINS. The original law did **not allow** them to take the property for governmental purposes and no subsequent law has ever been passed to allow them to do it, and that is the reason the proceeds have been lying dormant for nearly 50 years and no interest allowed to the parties.

Mr. MOORE. Will the gentleman yield?

Mr. WATKINS. I will.

Mr. MOORE. Will the gentleman say whether the owners were known to the Government in any instance?

Mr. WATKINS. In almost every instance. In the report you will find that receipts were given to the parties, and that they have the names of the parties and their residences.

Mr. MOORE. The Government agents actually gave receipts for the property?

Mr. WATKINS. Where the owners were found and known.

Mr. MOORE. When it comes to proving up the claims, there will be receipts showing who the original owner was?

Mr. WATKINS. Yes; nearly all the receipts are filed in the Treasury Department. There may be a few instances where the parties have the original receipts or they have been lost or destroyed.

Mr. WINGO. Will the gentleman yield?

Mr. WATKINS. Certainly.

Mr. WINGO. Is it not true that to carry out the original act of 1863 it is necessary to have legislation of this kind? The original act of 1863 was predicated on the idea that in the Southern States there was considerable property that was not in the direct control of the owners, but was abandoned. Agents were appointed under the act to collect this abandoned property, save it, sell it under terms or rules prescribed, and cover the proceeds into the Treasury, to be held for the rightful owners to prove up their claims. In other words, it was not contended that they seized it as an incident of war, but the act proceeds upon the ground that it was abandoned property.

Mr. WATKINS. That was the idea of the law, and to all intents and purposes it operated that way, except in cases left over, where parties did not assert their claims for two years. It was not contemplated in the original act that anything should be done except that the claims of the parties should be asserted before the court; it was not contemplated that there should be an act of Congress to put the law into effect for the purpose of allowing them to collect the amount. The obstacle in the way has been time, and that was eliminated by section 162, and then the other feature that refers to the loyalty was raised in the Court of Claims and decided adversely to the Government. It is for the purpose of clearing away and preventing the delay of three years that will intervene between the time the cases are actually passed upon and an appeal to the Supreme Court of the United States. That is the reason for this legislation.

Mr. BRYAN. Will the gentleman yield?

Mr. WATKINS. Certainly.

Mr. BRYAN. Mr. Chairman, it seems apparent to me that none of the questions or interrogatories or objections go to the merits of this proposition; that in every case it is plain and apparent that the cotton was taken with the idea of refunding the money in time, and that it is a clear, clean obligation of the Government. As to the one question of loyalty, I do not see why the Government would want to put up a defense of that kind, refusing to pay the money because the owners of the cotton had not been loyal to the Government on account of the Civil War at a date prior to the taking of the cotton. It seems to me that is the situation, and I do not see why this bill should not pass. The merits of the case were passed upon by Congress in a former act in 1911. It seems to me there has been no objection developed on the floor to the passage of this bill, and I see no reason why we should not adopt the act.

Mr. MOORE. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. MOORE. In view of the statement of the gentleman from Washington, it might be interesting if the gentleman could tell us whether there are any conditions in the receipts that were given by the Federal officers.

Mr. WATKINS. So far as my personal examination of the receipts which I have seen go, there are not. They simply state that in pursuance of their authority under this act so many bales of cotton had been taken, claimed to be owned by such and such a party, designating the party, the proceeds of which are to be converted into the Treasury, subject to the owner's order, under showing in the Court of Claims.

Mr. MOORE. There was no suggestion in the receipts that the Government was to refund?

Mr. WATKINS. No.

Mr. MOORE. So that it was just a plain receipt or acknowledgment by the Government that the property had been taken?

Mr. WATKINS. That is all—that is, under that law. [Cries of "Vote!"] Mr. Chairman, there are several who would like to be heard on this subject upon this side, and perhaps there are those on the other side who would like to be heard. I do not feel disposed to unduly hasten the matter, and will not ask that the matter be voted on until everyone has had ample opportunity to express his views on the subject. This question was discussed at considerable length during a former session of Congress, and I suppose is pretty well understood by all of us; but still I want full and free discussion.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. WATKINS. Certainly.

Mr. SPARKMAN. I notice the gentleman referred to Executive Document No. 23?

Mr. WATKINS. Yes.

Mr. SPARKMAN. Is this document supposed to contain the names of all of the parties whose cotton was taken?

Mr. WATKINS. That document is supposed to contain the names of all those from whom the cotton was taken after June 1, 1865, and the proceeds converted into the Treasury, the balance now remaining in the Treasury subject to the claim of those parties.

Mr. SPARKMAN. Does the bill confine itself in its provisions to these people?

Mr. WATKINS. Not to those names, but to the amount.

Mr. SPARKMAN. It does not necessarily confine itself to the names contained in this document?

Mr. WATKINS. No. Mr. Chairman, I reserve the remainder of my time.

The CHAIRMAN. The gentleman has five minutes remaining.

Mr. MANN. Mr. Chairman, there have been within the last two or three years several efforts made to abolish the proof of loyalty in connection with war claims. The captured and abandoned property act of 1863, as I recall, provided that the Government would repay to the owners of the property which was seized and sold the net proceeds where the claim was made within two years, but proof of loyalty was required. After that act was passed, another act was passed again extending the time for filing claims after the original time had run out.

I believe that extension was for two years longer, and from shortly after 1873 or 1874 until two or three or four years ago these claims were as dead as doornails. During all the time our Democratic friends were in possession of this House, and for eight years in control of the Presidency, I believe no one of them got his gall up far enough to seriously insist upon payment of these old dead claims. Of course, everyone has sympathy for those who lose life or property in time of war, but there are certain results of war which are inevitable. One of them is the loss of life and another is the loss of property. When we had the judicial title act before us for revision and codification a few years ago, as I recall it, the distinguished gentleman from Georgia [Mr. BARTLETT], who now graces the position of Chairman of this Committee of the Whole, offered an amendment at a time when the committee was pretty well entangled with that bill to insert in the codification a revival of the old law, which was then long obsolete, providing for the payment of these claims. I remember very well how that provision got into the law. The gentleman from Pennsylvania [Mr. Moon] had charge of that bill, and when in charge of the bill he used to take a seat either behind or in front of me on the main aisle and would ask me for parliamentary advice. Owing to the condition of the Committee of the Whole at that time, I advised the gentleman from Pennsylvania, Judge Moon, to accept the amendment. The amendment was agreed to in the House. I was very confident that it would not remain in the bill in conference. That was a case, however, of misplaced confidence. I was wrong, for it did remain in the bill in conference, I suppose through the activity of the gentleman from Georgia [Mr. BARTLETT] and the lack of activity on the part of the conferees. For the first time in 40 years, I believe, it was seriously proposed to pay any of these old claims. I may be mistaken about the length of time, but they were all outlawed.

When this provision was inserted in the law claims were filed, and it so happened that in another provision of the act proof of loyalty was required on certain claims, and the Court of Claims said that the proof of loyalty was required in these cases. There have been a large number of bills introduced into this House in this Congress and in the last Congress to pay not only these claims, not only all of the cotton claims growing out of the same act, but a good many other similar claims; and while gentlemen may say that these particular claims covered by this bill are differentiated from other claims, I do not believe that it is practicable for the Government to abandon the requirement of the proof of loyalty in any of these cases without continually extending that abandonment to other cases, and in the end involving us in the payment of many millions or hundreds of millions of dollars. I would be very glad to see all the people in the South repaid all of the losses which they incurred, which were enormous, if that were a practicable thing to do, but it is not; and while personally they may not be to blame, and I do not blame them or criticize them, yet what happened is the result of the war, and in the main up to date the people of the South have been willing to accept the results of the war, including their personal losses which came through it, without complaint, for which I highly honor them. But gentlemen now come in and say, "Oh, this property was taken after the war closed." Theoretically that is not true, and where it was taken actually it is not so. Where this property was taken, the localities were still in insurrection, in the main. Theoretically the war was not closed. The bill provides, for instance, a two-year limitation. Why? Did anybody suspect that the two-year limitation amounts to anything?

Mr. WATKINS. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. WATKINS. The question is asked why. I did not have an opportunity to explain that on account of the numerous questions that were asked me. I will tell the gentleman why. It is because the Court of Claims in passing on this claim filed in the court a short time ago, the case against Wilson, decided they would have to hold these matters over for an indefinite length of time, so that all parties could come in, unless there was a time limit fixed.

Mr. MANN. Oh, the gentleman has not given any reason at all for the putting in of a limitation. He has not touched it; he has not approached the subject.

Mr. WATKINS. It is at the suggestion of the Court of Claims.

Mr. MANN. The gentleman is mistaken, and that shows the gentleman does not fully comprehend what it is to put in the bill such a proposition. Here is a provision for a limitation. Why do you put in a limitation? Why any limitation? There has been put in a limitation on these claims several times before. Did it have any effect? Not at all; and the other day one of the committees of this House reported into the House a bill and in the report stated Congress had passed a bill providing for the payment of similar claims if filed within two years' time. These particular claims had not been filed within two years, and hence the committee said, in reference to the decision of Congress about paying those claims, that we certainly ought to waive the limitation and report in favor of it. The limitation amounts to nothing in these matters. There is no intention of having it amount to anything. Another provision of the bill is that when judgment is rendered the Secretary of the Treasury shall pay the judgment. I suppose that is in one of those old laws. Of course the Secretary of the Treasury can not pay money out of the Treasury unless there is an appropriation made, but this bill pays no attention to the constitutional requirement. They have decided to pay these claims without proof of loyalty and in addition set aside the Constitution of the State without any compunction of conscience at all. We can not provide that the Secretary of the Treasury shall pay a judgment out of his own pocket and, under the circumstances, he can not pay it out of the Treasury unless an appropriation is made for that purpose, and there is no appropriation made here. Another provision of this bill is to waive the statute of limitation in one end of it and put in a statute of limitation in another end, waiving the statute of limitation entirely.

Then, Mr. Chairman, to come to the real point of the bill, it is provided that no allegation of proof of loyalty ought to be required in the presentation or adjudication of these claims. I am not in favor of waiving the proof of loyalty in this class of cases. I presume the loyalty, as the term is used here, has a well-defined meaning, and, in view of recent events, I have wondered just what was meant by the term "loyalty." Here we had a question the other day, and we have been trying to discover ever since whether a Democrat is loyal to his platform, to his President, or to the party or to the country. [Laughter on the Republican side.] Some of them claim loyalty because they do what the President tells them to do like automatons. Some of them claim loyalty because they follow the platform without thinking. A few of them said they were loyal because they believed in the country. Of course, the latter excuse is the better. I do not know what excuse the Democratic candidate over in New Jersey yesterday made. I believe his excuse was that he was loyal to the President; to hades with the platform and the country. I notice, according to the newspaper statements, that various distinguished gentlemen going over to New Jersey in the campaign expressed their opinions somewhat on the same line. A very distinguished United States Senator, who formerly graced this House—Senator JAMES, of Kentucky—is reported to have said in the New Jersey campaign the other day:

> The eyes of the country just now are upon the voters of the seventh New Jersey district. If the Democratic candidate is defeated, it will be taken as a personal insult to President Wilson, coming, as it does, from his own State.

The papers reported the other day that President Wilson said that he had been personally insulted in debates on the floor of the House. I do not know whether he made such a statement, but, if he did, he forgot his position. It is not the business nor the right of the President of the United States to comment upon the debates upon the floor of the House and to make animadversions upon them. Then another distinguished Senator—I do not know just where he is on the tolls question—a very handsome and great orator and statesman, coming from my State, for whom I have a very high personal regard, the Hon. JAMES HAMILTON LEWIS, stated in New Jersey, as reported by the papers:

> If this man is not elected, New Jersey will be dishonored before the whole country.

Senator JAMES is reported to have said that if the Democratic candidate was not elected the President would be dishonored before the country. Senator LEWIS is reported to have said that under those circumstances New Jersey would be dishonored. Well, I do not know whether the President is dishonored or whether, in his opinion, his State is dishonored, but we are feeling very happy on this side of the House. [Applause on the Republican side.] President Wilson himself has gratuitously precipitated upon the country the tolls question. He took the trouble to interfere in the New Jersey election, and he is reported to have said:

> May I not, as the time for the election approaches, send you this line of warm indorsement?
>
> This is a letter addressed to the Democratic candidate.
>
> I hope sincerely that the people of your district will elect you to the House, and in this way not only do you honor but also show their judgment with regard to the present administration.

And they did. [Laughter and applause on the Republican side.] They showed their judgment—very good judgment it was, too. They showed their judgment by giving the Republican candidate 10,620 votes as against 5,240 for the Democratic candidate, when only two years ago, when a Democrat was running upon the platform providing for free tolls, the Democratic candidate received 9,990 votes as against 6,666 for the Republican candidate. [Applause on the Republican side.] A decided reversal of votes, and it shows a reversal of public opinion. I want to give thanks that there have been some Democrats who have placed allegiance to their country above personal bowing to a boss, and I honor them; but the majority on the other side, repudiating their platform, repudiating their campaign pledges, bowing to the will of one man without reason, have received what President Wilson said would be the judgment of the country, and the judgment yesterday was against you. [Applause on the Republican side.]

It is only a precursor of what will come. [Applause on the Republican side.] The other day when I was in Alabama attending the funeral of our late beloved Member, Judge Richardson, I read an advertisement in one of the local papers there, prepared and inserted by the campaign manager, as stated, of the gentleman from Alabama, Mr. HOBSON, in which the charge was made against his opponent, Mr. UNDERWOOD, that UNDERWOOD had deserted the President and was against him on the tolls question, and stating that he had betrayed the interests of the Democratic Party. UNDERWOOD, who had the courage, which most of you did not have [applause on the Republican side], to stand for what he believed to be right, got a greater victory than anybody expected [applause], doubtless influenced by his right stand on that question.

A very distinguished Senator, who was formerly a Member of this House in high standing, is reported to have said that he would not be a candidate for reelection because the people were not with him on the tolls question. I admire the latter judgment of the Senator from Ohio, for whom I have great regard. He was right if he said the people were not with him on the tolls question; though I am sorry that, in spite of that, he is not to be returned to the Senate.

But all along the line gentlemen will find that because the Carnegie Peace Foundation instituted a personal campaign among a number of influential persons in the United States secretly to get them in line on the tolls question on the English side that that is not going to deliver the country. [Applause.] The people of the country are pretty wide-awake at all times. They know where the honor of our country is. They know that the honor of the country does not require us to bend the knee before a foreign power on any false pretenses. [Applause on the Republican side.] Gentlemen will find that when the country passes its judgment upon these questions the people of the country will stand for America. [Applause on the Republican side.]

Mr. Chairman, the election in New Jersey yesterday was not the only election. A very distinguished Member of this House was recently elected mayor of the city of Boston, coming from a very strong Democratic district. They elected his successor yesterday. The Democratic candidate, having some desire to be elected, boldly announced that he would not follow the President, but that he would follow CHAMP CLARK. [Applause.] The Progressive candidate announced that he was against the position of the President. The Republican candidate was a little equivocal on the subject. What was the result? Nearly everybody in that district was against the President. If the Republican candidate, in my opinion, had had the boldness to come out on the tolls question on the American side, he would have gotten a great many more votes than he did. But the Democratic candidate, standing upon his party platform, on the platform of CHAMP CLARK, as against your majority side of the House, won hands down. [Applause.] And when he comes here, repudiating what you have done, and is sworn in, you will have the nerve to give him the glad hand.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman has used 26 minutes and has 34 minutes remaining.

Mr. TOWNSEND. Mr. Chairman——

Mr. WATKINS. Mr. Chairman, I yield the balance of my time to the gentleman from Mississippi [Mr. QUIN].

The CHAIRMAN. The gentleman from Louisiana has five minutes remaining.

Mr. WATKINS. Let him be recognized in his own right for one hour, then.

The CHAIRMAN. The gentleman from New Jersey [Mr. TOWNSEND] will be recognized now.

Mr. TOWNSEND. Mr. Chairman, even a very unimportant matter can be made to seem important if it is discussed by the distinguished and scholarly Representative from Illinois [Mr. MANN]. I only wish to say, in response to his observations upon certain political happenings yesterday, that evidently he is not wholly acquainted with recent political legislation in New Jersey. I refer, Mr. Chairman, to the reapportionment of congressional districts. After the census of 1910 a Republican legislature took charge of the agreeable duty of redistricting New Jersey. It has been said, Mr. Chairman, frequently in the newspapers and in discussions here upon the floor, that the district which the late Mr. Bremner represented was the district represented by the present Senator, Mr. HUGHES, recently a Member of this House. Such, so far from being the case, is almost exactly opposite from being the case. The district of Mr. HUGHES ran from the North River to the Delaware River. In their amiable activities in redistricting that part of the State a Republican legislature took away from Mr. HUGHES's district, as the Members of this House remember it, every portion of the district in which a Democratic majority or a large Democratic vote might be expected, and reduced the district to a mere handful, geographically, of people who have been voting against Democratic principles ever since they have had a vote. And that Republican legislature, trimming it here and there, artfully and skillfully, produced a district where every possible political circumstance imaginable was framed to return a Republican Member to this House. However, it will be said that a Democrat has been elected from that district since the redistricting of it occurred. Truly, "Bob" Bremner was elected. I want to say to the gentleman from Illinois [Mr. MANN] that if the municipality of Paterson or the municipality of Passaic, either of them, through their boards of aldermen, had wanted to pass an ordinance making it a misdemeanor to vote against "Bob" Bremner there would have been no objection to the ordinance. "Bob" Bremner was one of the gentlest, sweetest souls ever created by God, and I sometimes think his Creator said, "Having produced this sweet nature, I will put it to the test." "Bob" Bremner was nominated as a Democratic candidate, and, Mr. Chairman, as I have said, you could easily have passed, in any municipality in that district, an ordinance making it a misdemeanor to vote against him. Therefore he was elected. Yesterday, under normal conditions, the district should have been 10,000 Republican. There were abnormal conditions which should have made it 15,000 Republican, and the Republicans carried it only by the very reduced majority of 5,000, and if you Republicans can get any satisfaction out of that, I give it to you.

Mr. MANN. Does the gentleman remember when the Republicans carried the Paterson district before?

Mr. TOWNSEND. I can remember——

Mr. MANN. The gentleman's memory reaches a long way back, then.

Mr. TOWNSEND. The district, as it is at present established, is absolutely without any relation whatever to any district in that part of New Jersey since the Government was established.

Mr. MANN. Does the gentleman remember when the Republicans carried the Paterson district before?

Mr. TOWNSEND. I am not an encyclopedia of political information. Of course, the gentleman is, and he is asking the question merely for curiosity. I am telling the gentleman that this district was skillfully developed into a Republican district; and the results, all the arduous work of a Republican legislature, were developed as shown by the figures printed in the papers this morning.

The Republicans should have carried the district by 15,000, and they carried it by 5,000. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAYNE. Mr. Chairman, I would like to ask the gentleman a question.

Mr. MANN rose.

The CHAIRMAN. To whom does the gentleman yield?

Mr. TOWNSEND. I will yield to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Chairman, I wanted to ask the gentleman from New Jersey [Mr. TOWNSEND] why he did not inform the President about the political situation there before the President committed himself to carrying this district, and before he sent four Senators up there and tried to get the Secretary of State to go there, when he was ill? Why did he not tell the President, so that he would not have gotten his foot in that hole? [Laughter on the Republican side.]

Mr. TOWNSEND. I will say that I am not in a position to tell the President anything, because I am persona non grata at the White House. [Laughter.]

Mr. PAYNE. I wonder if the Democratic Party is split all to pieces. [Laughter on the Republican side.]

Mr. LANGLEY. Will the gentleman yield to me?

Mr. TOWNSEND. With great pleasure.

Mr. LANGLEY. The gentleman, I happen to know, is a friend of my good friend the Democratic Senator from Kentucky [Mr. JAMES]. If the gentleman was not in a position to tell the President in advance what was going to happen up there, why did he not communicate the facts to the Senator, so as to prevent him from going to the district and putting his foot in it by announcing to the voters and making the people of the country believe that it would be "an insult to the President" if the district did not go Democratic? [Laughter on the Republican side.] Why did not the gentleman save my friend and his from that?

Mr. TOWNSEND. If I had charge of the communications directed to the President, I would have informed him of some important facts in the past which would have resulted in his good. [Laughter.] But I have no communications with the President. I can not get a postmaster appointed in my district. I arose, Mr. Chairman, merely in behalf of historical truth to inform, particularly, the gentleman from Illinois [Mr. MANN]——

Mr. MANN. To make excuses, the gentleman means. [Laughter.]

Mr. TOWNSEND. It is so agreeable at all times to talk with the gentleman from Illinois that I want to go on for one minute. He was so misinformed as to the construction of the district in which a Republican was elected yesterday that I was certain he would thank me for informing him and for once putting him right as to some political facts in New Jersey.

Mr. Chairman, I reserve the balance of my time.

Mr. MANN. Mr. Chairman, for many years the Paterson district——

The CHAIRMAN. Does the gentleman from Illinois desire recognition?

Mr. MANN. Yes.

Mr. TOWNSEND. I yield to the gentleman.

Mr. MANN. For many years the Paterson (N. J.) district was represented by Senator HUGHES in the House here. He was a strong man, and we were always told that it was a Republican district, and that Mr. HUGHES was elected because of his personal popularity. Now, the gentleman from New Jersey [Mr. TOWNSEND] makes the same excuse for the district in regard to Mr. Bremner's election, saying that that was personal popularity, too. I have no doubt that many Republicans voted for the Democratic candidate before. That was the trouble all over the country. [Laughter.] That was the reason why Democratic candidates were elected. That is the reason why you have a majority here.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Kentucky?

Mr. MANN. In just a moment. It is because Republicans were voting for Democratic candidates. [Renewed laughter.]

The CHAIRMAN. Does the gentleman yield?

Mr. MANN. In just a moment. All we need to do is to get back a respectable portion of the Republicans who have been voting for Democratic candidates to wipe you fellows off the face of the earth; and they are coming back. [Applause on the Republican side.]

Now I yield to the gentleman from Kentucky.

Mr. SHERLEY. I merely wanted to suggest to the gentleman that, as he recalls, Mr. HUGHES was also once defeated in that district, showing that it was a close one. I agree with the gentleman in the statement that he lost the respectable portion of the party by their voting the Democratic ticket. [Laughter.]

Mr. MANN. I did not say that. Of course the gentleman from Kentucky thinks that he is the only respectable person in his community, and yet I notice that the gentleman from Kentucky came very close to the edge the last time. Enough respectable men in his community failed to vote for him, so that be barely got under the wire. [Laughter.] That is a fair response to the gentleman's insinuation about respectability.

Mr. TOWNSEND. Mr. Chairman; will the gentleman yield to me for just one moment?

Mr. MANN. Yes.

Mr. TOWNSEND. He has again inadvertently, I am sure, referred to this district as if it was identical with the Hughes district.

Mr. MANN. Oh, I understand the districts, when a State is redistricted, are changed. I am perfectly well aware of that. My district has been changed a number of times since I have been in Congress. So has the gentleman's district, no doubt.

Mr. TOWNSEND. Quite so.

Mr. MANN. The city of Paterson is the principal place of the district that dominates the politics of the district; and although it had a tariff bill made which gave tender mercies to the silk industries in the President's State; although the State received favoritism, if that can be said of anything in the making up of a tariff bill—and certainly we thought so—yet the people over there, according to the President's own letter, have "passed judgment on the administration." This is a nisi judgment. We will make it final in November. [Applause on the Republican side.]

Mr. HARRISON rose.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. HARRISON].

Mr. HARRISON. Mr. Chairman, I yield to the gentleman from Kansas in my own time for the purpose of asking a question.

The CHAIRMAN. The gentleman from Mississippi yields to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. I want to ask the gentleman from Mississippi if he has heard from the State of New Jersey? And before he gives his opinion as to just what the election meant, will he in his time let me say what I think it meant?

Mr. HARRISON. I did not hear of many Progressives up there, I want to say. [Laughter.]

Mr. MURDOCK. I wish to state what I think the New Jersey election meant, and that is primarily what brings me to my feet. There are various ways of interpreting the New Jersey election.

Mr. ANSBERRY. Yes; that is correct.

Mr. MURRAY of Massachusetts. What is your interpretation?

Mr. MURDOCK. When I arose this morning and read the result in New Jersey I was not wholly pleased, but I was a long way from being wholly displeased. The Republican candidate in New Jersey and the Socialist candidate were against the President on the proposition of surrendering our sovereignty over the Panama Canal. The Progressive candidate and the Democratic candidate were with the President on the proposition of surrendering our canal, and their vote at the polls shows it.

Now, there were three things entering into the New Jersey campaign: One, the Panama Canal tolls proposition, which was most important because it was current; second, the tariff proposition, because the Paterson district is a district that is intimately affected by tariff changes; third, the labor proposition. And so far as the third proposition is concerned, I am surprised that the Democratic Party does not take its lesson to heart. It may be well enough to play up as the more important issue in the New Jersey election the question of the Panama Canal tolls. I hope, for my part, that the result in New Jersey in that regard will have its effect upon the Democratic patriots in the Senate and that the Sims bill will be killed there. [Applause.] I hope, too, that the Democratic Party during its tenure in power, nationally, will again revise the tariff and revise it in a proper way, the way in which it revised the tariff two years ago when it was seeking power—one schedule at a time.

And there is another flag of danger, of real danger, that I want to put up before the leaders of the Democratic Party, and that is in the matter of their treatment of labor. It was the labor vote over in New Jersey yesterday which in large part deprived you of chance of victory. Now, why?

Mr. SMITH of Texas rose.

Mr. MURDOCK. No; I will not yield now. I will at the end of five minutes. What is the matter with the Democratic attitude toward labor? I will tell you. You promised in your platform in specific terms to exempt organized labor from the Sherman antitrust law, and you have not done it. You have fooled along for months. You pledged the leaders of organized labor a year ago that as soon as the tariff and the currency were out of the way you would report to the House such a bill and get it over to the Senate. You have not done any such thing. You have left the Bartlett-Bacon bill in committee. It is hanging there. This is April. A lot of the appropriation bills have not gone through yet. They have the right of way.

Mr. SHERLEY rose.

Mr. MURDOCK. No; I will not yield now. What are we going to have? We are going to see the old bunko game of holding the measure in the committee, getting it out in the House so late in the session that when it goes to the Senate it will die there. Now, if the gentleman from Kentucky [Mr. SHERLEY] will restrain himself just a moment, here is the pledge to labor in your platform, a pledge every member of organized labor in this country knows, for a goodly number of

them voted the Democratic ticket because you put it in your platform. Here is the Democratic plank:

> The expanding organization of industry makes it essential that there should be no abridgment of the right of the wage earners and producers to organize for the protection of wages and the adjustment of labor conditions, to the end that such labor organizations and their members should not be regarded as illegal combinations in restraint of trade.

If the Democratic leaders in this country know what they are about as party leaders, they will back track on their present attitude toward labor. They received most of the organized labor vote in this country last year, and they received it on a specific promise. You will not retain that vote unless you live up to your platform.

Every Democrat within the sound of my voice knows that the Democratic Party down here has not lived up to that platform. Why did you not do it on the canal-tolls proposition? The people of this country are overwhelmingly against you for your position on that, and the vote, not only in New Jersey but in Massachusetts, shows it, and the vote throughout the northern section of this country in November will prove it over and over again.

Mr. HARRISON. Has the gentleman finished his question?

Mr. MURDOCK. Yes; and I am obliged to the gentleman.

Mr. HARRISON. Does the gentleman want to ask another question?

Mr. MURDOCK. The gentleman from Kentucky [Mr. SHERLEY] would like to ask me a question, and I should be glad to have him ask it.

The CHAIRMAN. Does the gentleman from Mississippi yield?

Mr. HARRISON. I yield three minutes to the gentleman from Kentucky.

Mr. SHERLEY. I wanted to ask the gentleman from Kansas if he was for the Bartlett-Bacon bill?

Mr. MURDOCK. I have always voted for it when it came in as an amendment on an appropriation bill, and if the Bartlett-Bacon bill comes in as a separate bill I shall vote for it.

Mr. SHERLEY. Now, I would like to ask the gentleman a question.

Mr. MURDOCK. Is the gentleman from Kentucky in favor of it?

Mr. SHERLEY. I will state my position.

Mr. MURDOCK. Does the gentleman stand for the measure?

Mr. SHERLEY. No; not for the Bartlett-Bacon bill. I would like to ask the gentleman what he thinks of the letter written by Mr. Roosevelt, the leader of his party, who has some power with Progressives, touching this measure?

Mr. MURDOCK. Mr. Roosevelt is the leader of my party, but my relations with him are such that, unlike the gentleman's relations, I do my own thinking. [Laughter.]

Mr. SHERLEY. All I have to say is that my position on the tolls matter is the same position that it was two years ago. So the statement of the gentleman is altogether wrong. [Applause.]

Mr. MURDOCK. I want to say to the gentleman from Kentucky in all fairness, because I do not think there is any Member of the House who has any greater admiration for the gentleman's mentality than I have, I believe if the gentleman could have continued for two weeks to study the canal-tolls proposition, as indicated by the last speech he made on the floor of the House, he would have been over on our side. I really believe that. I listened to the last speech of the gentleman from Kentucky on the canal proposition, and he came nearer to giving his case away in that speech than in any other speech I ever heard him make on the floor of the House.

Mr. SHERLEY. The gentleman is so far wrong on that question that it is perfectly natural that he should be wrong touching my view of the question.

Mr. MURDOCK. Will the gentleman let me ask him a question?

Mr. SHERLEY. Yes.

Mr. MURDOCK. How does the gentleman from Kentucky, a great publicist, a man of great foresight and great talents—and by the way a very extreme partisan—how does the gentleman from Kentucky, as a leader of the Democratic Party, expect party success for his side when his party turns against the plain pledges it made to the people of the United States in its platform, and upon which pledges it was elected to power?

Mr. SHERLEY. The trouble with the gentleman's question, like most of his positions, is that his premises are altogether wrong. The Democratic Party has done no such thing and has proposed to do no such thing. It is in plain keeping with the position of the party against subsidies for a century. [Applause.] Let me ask the gentleman from Kansas a question.

Mr. MURDOCK. Let me call attention, first, to the fact that the gentleman says that in the Democratic platform there is a contradiction of pledges in regard to the Panama Canal. Can not the gentleman, as a Democrat, take warning from the Republicans over here? The Republican leaders in this country once, after having pledged a revision of the tariff downward, revised it upward. You saw what happened to them for misreading their own platform. Now, the gentleman from Kentucky and other Democratic leaders might better take warning. A pledge in a platform is a sacred thing. It may not be read in a double sense; it must be read according to the ordinary meaning of the plain English language. You pledged the people not to take the action you did in the canal tolls.

Mr. SHERLEY. Will the gentleman permit a question?

Mr. MURDOCK. Yes.

Mr. SHERLEY. You had a Progressive candidate in Massachusetts yesterday, and you had as the Progressive candidate two years ago in that district the same individual, and yesterday he made his fight on the canal-tolls proposition, stating his position to be against the Panama repeal bill.

Mr. MURDOCK. He did.

Mr. SHERLEY. He ran second two years ago, and this time he ran last, with several thousand votes less than he had before.

Mr. MURDOCK. Yesterday Mr. Connolly ran third by a hair. If the gentleman will possess his soul in patience and the Progressives up there will exercise the same good judgment that they did the last two times, and they nominate him again this year, he will be elected as a Progressive in November, 1914.

Mr. SHERLEY. If he makes the same progress he made yesterday, he will be going backward. [Laughter.]

Mr. MURDOCK. He will make a magnificent fight, as he did yesterday, standing against the President on the proposition of the Panama Canal tolls.

Mr. SHERLEY. Yes; and as a result he lost about 3,000 votes over the previous vote the year before. I am just informed by a gentleman that it is 6,000 votes less.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. MURDOCK. Not as a Progressive, but as a patriot. [Laughter and applause.]

Mr. HARRISON. The Progressive Party in Massachusetts needs some patriots. [Laughter.]

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. I would prefer to continue for a few minutes.

Mr. MOORE. Just one question.

Mr. HARRISON. Very well.

Mr. MOORE. Did not the gentleman himself speak in the campaign in Massachusetts in behalf of the Democratic candidate?

Mr. HARRISON. Yes.

Mr. MOORE. Does not that account for the result? [Laughter.]

Mr. HARRISON. Mr. Chairman, modesty prevents me making an answer. The Progressive Party sent into the district in Massachusetts some of its ablest leaders. They had evidently a candidate of very splendid character on the ticket, a gentleman who had run well a year ago in the same district. They sent the far-famed gentleman from New York, Burke Cockran, and he spoke in that district. I believe he spoke on Saturday night for two hours, and his whole speech was pitched on the Panama Canal tolls proposition, going after and criticizing the President. The result of the election, so far as the Progressive Party is concerned, is quite telling, and you can not get any encouragement from it. In 1912, Mr. Connolly, running on the Progressive ticket, received 9,001 votes. Yesterday the same gentleman running on the same ticket received 3,592 votes. I do not think the Republican Party can take very much encouragement from the result of the election either, inasmuch as their candidate, Mr. Robinson, last year received 5,812 votes, and on yesterday their candidate, Mr. Brier, received only 3,973 votes. [Applause.] The boundary lines of that district have not been changed as in the New Jersey district since 1912. In 1912 the combined vote opposed to the Democratic candidate was 15,602, while the Democratic candidate received 14,875 votes.

In other words, in 1912 the Democratic candidate did not get a majority of the votes cast, notwithstanding the fact that he was one of the most distinguished and popular men who ever graced a seat in the Halls of Congress, proven so not only by his record here, but by the fact that the people of his city had such confidence in him that they have since promoted him to the mayoralty of that historic city. [Applause.] Not alone that. While the Democratic candidate in 1912 did not get a majority, this time what did he do? Here is what he did. There were

three candidates—Mr. Brier, the Republican candidate; Mr. Connolly, the Progressive candidate; and Mr. GALLIVAN, the Democratic candidate. The Republican and Progressive candidates combined received a total of 7,565 votes, while the Democratic candidate received a total of 8,708 votes, or a majority over the combined opposition of the Republican and Progressive candidates of 1,043 votes. [Applause on the Democratic side.]

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. MURDOCK. Does the gentleman not think it is a fair statement of the proposition that, so far as the Massachusetts election is concerned, the combined vote of the Progressive and Democratic tickets there show that that number of people are against the President?

Mr. HARRISON. I am coming to that in a moment.

Mr. PLATT. Mr. Chairman, I want to suggest to the gentleman that when he gets to know JIMMY GALLIVAN, the result of the whole thing will be explained to him.

Mr. HARRISON. That is true. He is a splendid fellow, and I believe will make a very able Congressman. [Applause.]

Mr. GILLETT. Does not the gentleman think it would be fair, inasmuch as he is stating how much the other gentlemen fell off from last year, to state how many votes the Democratic ticket fell off?

Mr. HARRISON. I stated all of that.

Mr. GILLETT. Oh, no.

Mr. HARRISON. I have given the votes, and you can judge for yourself. In 1912 the Democratic candidate lacked about 1,000 or 1,500 votes of getting a majority, while this year on yesterday the Democratic candidate got over a thousand votes majority. [Applause.]

Mr. GILLETT. Yes; but he fell off 6,000 votes from last year.

Mr. HARRISON. Yes; but the proportion of falling off was greater on the part of the Progressive and Republican candidates than the Democratic candidate. [Applause.]

Mr. GILLETT. That is where the gentleman is mistaken, and the figures show it.

Mr. HARRISON. I can say to the gentleman from Massachusetts, however, that he may derive this much encouragement, that where in 1912 the Republican candidate ran away behind the Bull Mooser this year they were neck and neck. [Laughter.]

Mr. GILLETT. Yes; but we lost much less proportionately than did the Democratic candidate.

Mr. GREENE of Massachusetts. And I would like to suggest to the gentleman, if he does not know it, that Mr. Gallivan, the Democratic candidate was very strongly against the President on the question of the Panama Canal tolls.

Mr. HARRISON. Oh, yes; he was against the President's position, and I am going to come to that, if the gentleman will wait a moment. The Democratic candidate, Mr. Gallivan, did come out for free tolls, and I think it is fair to say that a majority of the people of that district, so far as I could observe, were in favor of free tolls and against the President's position on the Panama Canal toll proposition, but I do not believe that question had any very great effect on the result in the Massachusetts election yesterday, because the Democratic nominee there in every speech he made praised President Wilson for his patriotism, for his ability, for his integrity, for his good intentions, and his high motives, and stated that he was running upon the record of the Democratic Party here in the Sixty-second Congress and of the Democratic administration since it came into power, and I believe it is the record of the Democratic Party since it came into control of the Government that accounts for the increased majority for the Democratic nominee. [Applause on the Democratic side.]

The Republican Party worked that district very strong. They played it equally as strong as they played the district in New Jersey. They sent the distinguished gentleman from Kansas [Mr. CAMPBELL] there, and he spoke with his usual eloquence and vigor. [Applause.] They sent the distinguished gentleman from Michigan [Mr. KELLEY] there, and he spoke pleadingly and vociferously.

Mr. CAMPBELL. But all of that was more than overcome by the distinguished gentleman from Mississippi.

Mr. HARRISON. They did not stop there. They sent the distinguished gentleman from Minnesota [Mr. ANDERSON], who not only talked against tolls but tried to arouse sectional feeling against the Democrats by saying that the South was in the saddle. They were so far gone that they were grabbing at every straw, trying to fan the flames of prejudice against the southern people, against southern Representatives in Congress, and against the Democratic Party, but I am glad that those people were such Americans and so patriotic that they were unmoved by any such argument and condemned by their votes such demagogic utterances. [Applause.] The Republicans did not stop at sending those speakers there. They went over to the Senate and sent the distinguished Senator FALL, of New Mexico, who spoke against the President on the Mexican question and other questions. They sent the distinguished gentleman from Illinois, Senator SHERMAN, there, and he likewise lambasted the President and the Democratic Party on its record. Yet with that array of distinguished Republicans speaking in that district, when you look at the results, I say to the distinguished leader of the minority, the gentleman from Illinois [Mr. MANN], that if he can get any encouragement from that election he is welcome to it. [Applause.]

Mr. MANN. Well, I can and I do.

Mr. HARRISON. I voted against the President on the tolls question, as did the gentlemen from Massachusetts, Mr. MURRAY and Mr. MITCHELL, who spoke for the Democrats in the Boston district. [Applause.] I did it because I was willing to back up my judgment, and I thought that the President was wrong on that proposition; but when I did I never doubted for one moment his patriotism, his good intentions, or his high motives. I acted from the same motives that prompted him. I differed with him because no man is infallible, and we all make mistakes at times. You can not make the country believe that the Democratic Party to-day is disrupted. [Laughter on the Republican side.] That is what you are trying to do. You are trying to make them believe that the leaders here are divided. That is untrue. I believe that every Democrat in this Congress has implicit faith and confidence in the leaders of his party, and I believe equally as true that every leader of the Democratic Party here and in the Senate, as well as at the White House, has implicit faith and confidence in each other. [Applause on the Democratic side.] I reserve the balance of my time.

Mr. QUIN. Mr. Chairman and gentlemen, we have before us a bill to consider [laughter], and one in which my people are interested. My people do not care anything about this flamboyant oratory about what somebody did in Boston and New Jersey yesterday in electing two Congressmen. We do not care anything about the past history of a vote on the tolls proposition. I want to say for one I am willing to stand by my vote. The American people are not paying any attention to all this wild howl you are making over this proposition of making a few rich corporations pay toll charges in the Panama Canal. Some of these gentlemen who think the people of this country are paying any attention to it ought to go down into the factories and workshops, ought to go down to the shops where the railroad men and other artisans are at work, and learn what they are thinking about, ought to go on the farms and talk to the farmers, and you will find they are paying no attention to this hurrah in a few interested newspapers. This is merely a question in which some selfish special interests and sensational newspapers are endeavoring to "raise Cain" over, but I will say I am interested in the labor question injected into this debate, and I am going to vote to exempt labor unions and farmers' unions from the application of the antitrust law. Everybody knows these organizations are not trusts in restraint of trade. I will say the people of my country and of the Southern States are thinking about this sum of $7,500,000 lying over in the Treasury of this Government for cotton that was taken from their plantations after June 1, 1865, and they are vitally interested in this bill that we are presumed to consider now. I want to say, too, gentlemen, that the question of loyalty, as referred to by the gentleman from Illinois [Mr. MANN], has been abrogated, because the President of the United States pardoned every man when the amnesty proclamation was made.

Mr. SLOAN. Mr. Chairman, I demand order. I can not understand what explanation the gentleman from Mississippi is making in reference to the election in New Jersey on account of so much confusion. [Laughter.]

The CHAIRMAN. The House will be in order.

Mr. QUIN. Here is the explanation I am giving: I am asking that this Congress permit my people and the people of the South to get what has been adjudicated to be theirs out of the Treasury of this Nation that has been lying there for 50 long years. That is the explanation I make. [Applause on the Democratic side.]

Mr. HOWARD. And a very good one, too.

Mr. QUIN. And I will give you another ground for it: Do you know that at the time the Government took that cotton the Government of the United States did not do any intentional wrong to the people, but it took their cotton for a purpose? The Government did not sell for its use the cotton nor appropriate it, but it sold the cotton taken under the act of 1863 and after paying the charges for transportation and such like the money was deposited over in the Treasury of the Government. Now, then, the men who owned the bulk of that cotton

were men who were true to their side in this war from 1861 to 1865. They were fighting for the South. Many of them in my district with many others went out and fought for the Confederacy. If I had been 15 years old, I would have been fighting for the South. Why, gentlemen, you should understand a man who lived down there would have been considered a traitor if he had not stuck up to the South; and I want to say to gentlemen in my estimation the man who stayed in Mississippi during that struggle and did not take sides with the South was considered disloyal to his country, and was in a measure disgraced, and the same stigma hangs there to-day. So how do you expect a man to say he was loyal to the Union when he was not? Then the Government, through the President, by one broad stroke, did away with that question and said that you are all loyal when you took oath of allegiance to this Nation after the war had ended, and said to the people who had done their Government a wrong, "You did right by coming into this Union under the amnesty act of President Johnson."

Now, after the money is over in the Treasury, showing the receipts and showing directly to whom this money be paid, why should the question of loyalty enter now? That money does not belong to the Government. It does not belong to all the people of this Nation. It is the property of the men and women from whom it was taken, and it is high time that this great Government should refund it to the good people of the South. This bill simply asks that the United States Government be honest toward a certain number of its citizens. I do not care where the property had been taken from; if it had been Massachusetts, Maine, Pennsylvania, or any other place, as a Representative on the floor of this House I would vote for the people to get the money according to the receipts in the Treasury and any other bona fide evidence of ownership. I do not believe that this question of loyalty ought to come into it because of another fact. Your Court of Claims has recently decided that that question does not apply. The Court of Claims decided specifically and in no indefinite terms that the question of loyalty did not enter into the case and that the amnesty act of the President of the United States had done away with that question. In other words, the man who went out into the Confederate campaign and fought against the United States Government has been pardoned under the amnesty act of the President. Now, gentlemen, that money belongs to those people; there are safeguards over it to protect the rightful claimants. Why not allow us to pass this act here to-day, that the owners of that money may receive it? Why should this Congress hold that question of loyalty and prevent those people or their heirs from getting their money after awaiting the decision of the Supreme Court of the United States for all these years? This bill ought to pass right now. It is common justice; it is common honesty; it is right, and it is fair, and it is equity, and I do not believe that any section of this country ought to want to hold an unjust law against any other section of it, and as one man in this Congress, I am never going to cast my vote in a sectional manner to continue a wrong on any section. [Applause.]

Mr. GLASS. Mr. Chairman, I did not happen to be on the floor of the House on last Saturday when two Members took occasion to challenge the motives of the Federal reserve organization committee in locating the regional reserve banks as recently announced, nor did I happen to be on the floor of the House yesterday when the gentleman from Louisiana [Mr. DUPRÉ] read into the RECORD those remarkably vindictive and vituperative resolutions adopted by a mass meeting in New Orleans on the 4th of this month. I did come on the floor in time to hear the distinguished gentleman from Illinois [Mr. MANN] say something in this connection which, upon reflection, I am sure he will deeply regret. In the debates of Congress, when we consider the complete immunity which Representatives may claim, a Member, above everything, should be careful of his public utterances. And I think the gentleman from Illinois [Mr. MANN], upon reflection, will regret that he stood in his place here yesterday and personally aspersed a member of the Federal Reserve Board, even to the amazing extent of bringing in question his personal integrity. Had anyone in my presence thus assailed the gentleman from Illinois in any forum where I had the privilege of speech, I would have resented the assault on him as quickly and as indignantly as I now resent his aspersion of the Comptroller of the Currency. The attack upon that official, without means of defense, was wanton and altogether unworthy of the gentleman from Illinois, who on all occasions hitherto has been perfectly fair and frank, as well as courageous in his utterances here, no matter what was the nature of the question in controversy. I think the gentleman should expunge from the RECORD his offensive personal reference to the Comptroller of the Currency.

As to the wretched clatter about politics being involved in the action of the Federal reserve organization committee, it is positively so trifling that I find myself unable to speak temperately of it. What sort of politics could be involved in the location of these regional reserve banks? Maryland is a closely contested State at elections, and the city of Baltimore, which usually controls the political situation there, is close also. How could a Democratic organization committee have successfully played politics in the State of Maryland by depriving the commercial center of that State of a Federal reserve bank? Can it be conceived that the members of the organization committee were foolish enough to suppose that by depriving Baltimore of a Federal reserve bank they would strengthen the Democratic Party in a close State like Maryland?

And so with the city of Richmond, in a State with 50,000 Democratic majority. Could the organization committee have been simple enough to imagine that it might help the Democratic Party in Virginia by giving Richmond a Federal reserve bank? The Democratic Party in Virginia did not need help. Where is the politics of the situation? The politics is right here on the floor of the House and nowhere else; and the character of the politics is illustrated by the talk of the gentleman from the State of Washington [Mr. HUMPHREY], who started out to make politics of this banking and currency measure and has continued to make very small politics of it. [Applause on the Democratic side.]

What possible political motive could have prompted the Federal reserve committee to deprive New Orleans of a Federal reserve bank? Is it conceived that depriving a Democratic city like New Orleans of a bank might help the Democratic Party in the State of Louisiana? Did this Democratic Federal reserve organization committee dream that it might convert the Republican city of Philadelphia by giving it a Federal reserve bank, after having made Maryland and Louisiana safely Democratic by depriving Baltimore and New Orleans of a bank each? Mr. Chairman, it is unutterably silly to talk about there being any politics in the location of these Federal reserve banks.

Regional reserve banks are established under the spirit and text of the Federal reserve act, not to serve Baltimore, or Richmond, or New Orleans, or Atlanta, or any particular city, but to serve the entire country. And the regional reserve bank is established largely with respect to the commerce and the customary channels of trade of the region in which it is located, and not altogether with reference to the banking resources or the population of the city in which it is situated.

It might be imagined, from the clamor that has been raised over the designation of Federal reserve cities, that the banking facilities of some communities will be seriously impaired and that they will be deprived of business they have for years enjoyed in the regular process of trade. Could any suggestion be more senseless? Baltimore, for instance, will not lose one dollar of the banking business it has to-day by reason of the location of a regional reserve bank at Richmond. Nor will New Orleans lose one dollar of its banking business by reason of the location of a regional reserve bank in the city of Atlanta. In Baltimore and in New Orleans a branch regional reserve bank will be located, and those branches will fully maintain the banking prestige of those cities. So that, after all, the location of regional reserve banks affords little advantage except in merely a sentimental way or in the way of advertising. When it comes to the practical work of banking, the advantage of having one of these regional banks has been infinitely exaggerated. Congress could not, if it would, interfere with the usual courses of banking or the activities of commerce, nor could anything that the organization committee has done or might do in the establishment of regional reserve banks divert or seriously affect the ordinary course of business transactions. All of this childish talk about some prejudiced person desiring to deprive New York of its preeminence as a commercial and financial center is nonsense. New York is the commercial and financial center of the United States, and it is going to continue to be. Nothing that Congress or this organization committee may do will alter that fact.

Mr. Chairman, with no animosity on earth toward the city of Baltimore, or the city of Washington, or any of the cities involved in this dispute, I desire to put upon record some facts relating to this useless controversy. It is not done to disparage Baltimore or Washington, nor with any view of unduly magnifying the commercial importance of the city of Richmond, but solely with a view to justifying the action of the Federal reserve organization committee and to demonstrate to the House that this talk of "partisan and personal motives" is the sheerest nonsense.

Federal reserve bank district No. 5 is composed of the States of Maryland, Virginia, West Virgina (except four counties),

and North and South Carolina and the District of Columbia. These States have always been closely bound together commercially and financially, and their business relations are large and intimate.

The reports made to the Comptroller of the Currency on January 13, 1914, by all the national banks in each of these States show, in every essential respect, that the business of the national banks in Virginia, including Richmond, is far ahead of the business of the national banks of Maryland, including Baltimore, or of any other of the five States embraced in district No. 5.

The capital and surplus of the Virginia national banks on the date mentioned was $32,000,000, against $31,300,000 in Maryland, including Baltimore; $18,000,000 in West Virginia, $13,300,000 in North Carolina, $10,000,000 in South Carolina, and $12,000,000 in the District of Columbia.

In their loans and discounts—$108,500,000—the Virginia national banks exceeded those of Maryland by about $18,000,000, or 20 per cent.

The total individual deposits, including certificates of deposit, of the national banks in Virginia, including Richmond, amounted to $92,300,000, against $84,700,000 in Maryland, including Baltimore, the State in district No. 5 in which individual deposits were next greatest; the individual deposits of the District of Columbia, including Washington, being $29,000,000.

In the poll taken by the organization committee 431 banks in district No. 5 expressed their preferences for the location of a regional bank. Richmond received more first-choice ballots than any other city in the district, namely, 167, against 128 for Baltimore, 35 for Pittsburgh, 28 for Columbia, S. C., 27 for Cincinnati, and 25 for Washington, D. C. Of the remaining 21 votes 19 were for Charlotte, N. C., and 2 for New York. Leaving out the States of Maryland and Virginia, Richmond received from the rest of the district three times as many first-choice votes as were cast for Baltimore.

In the growth of the capital and general business of the national banks Richmond outstripped both Washington and Baltimore. The capital and surplus of the national banks of Richmond increased 219 per cent in the period from 1903 to 1913 against an increase for the same period in Washington of 83 per cent and in Baltimore of 4 per cent. The loans and discounts of the national banks in Richmond increased in the same 10-year period 207 per cent, or from $11,300,000 to $34,700,000, while the loans and discounts in the national banks of Washington for the same period increased 89 per cent, or from $14,300,000 to $26,800,000. The loans and discounts in national banks of Baltimore for the same period increased from $47,222,000 to $63,703,000, or 35 per cent.

In individual deposits the national banks in Richmond increased in this 10-year period from $9,600,000 to $24,300,000, an increase of 152 per cent. The increase in the national banks of Washington for the same period was 40 per cent, or from $18,600,000 to $26,300,000, while the individual deposits in the national banks of Baltimore increased in the same 10 years 38 per cent, or from $32,100,000 to $44,500,000.

The banks in New Orleans have criticized the decision of the organization committee and have given out relative figures as to New Orleans, Richmond, and other cities which are incorrect and misleading. An analysis and study of the actual figures will be found instructive and can lend no support to the claims which New Orleans is making.

From the sworn special reports recently submitted to the Comptroller of the Currency it appears that the national banks in Richmond were lending on loans and discounts in the 13 Southern States on January 13, 1914, more money than was being loaned by the national banks in any other city in the country except New York, and nearly twice as much as was being loaned by the national banks in Chicago in the same section. The total loans and discounts in the 13 Southern States of the national banks in Richmond amounted to $33,473,000. The loans in the same territory being made by the Baltimore national banks were $6,891,000, and by the national banks in Washington $915,000; in New Orleans, $19,477,000. In other words, the national banks in Richmond were lending in the 13 Southern States more than four times as much money as all the national banks in Baltimore and Washington combined; 70 per cent more than the national banks of New Orleans, and more money than the national banks in the central reserve cities of Chicago and St. Louis combined.

The figures also show that in those portions of district No. 5 outside of the States of Virginia and Maryland the Richmond national banks are lending twice as much money as all the national banks in Baltimore and Washington combined are lending in the same district. They also show that although Richmond is not a reserve city, the banks and trust companies in the 13 Southern States had on deposit in the national banks of Richmond on February 14, 1914, $9,876,000, or slightly more than these same banks had on deposit in the city of Baltimore, and four times as much as they carried in Washington, which two cities have long enjoyed the benefits of being reserve cities. That southern banks should carry larger balances in Richmond, where they could not be counted in their reserves, rather than in Baltimore or Washington, where they could be counted, is suggestive.

The statistics also show that the capital and surplus of all reporting banks—National, State, and savings and trust companies—per capita in Richmond, as of June 4, 1913, was $131, against $85 in Baltimore, $88 in Washington, and $60 in New Orleans, while the loans and discounts made by all banks and trust companies in Richmond, on the same date, amounted to $393 per capita, against $190 in Washington and $213 in Baltimore and $194 in New Orleans.

The amount of money which banks and trust companies in the various parts of the country carried on deposit with Richmond, a nonreserve city, on February 14, 1914, amounted to $10,970,000, or nearly twice as much as the balances carried by outside banks with the national banks of Washington, which on the same day amounted to $5,516,000, and one and a half times as much as was carried on that day by the national banks of New Orleans, a reserve city.

The statistics furnished the organization committee show that on March 4, 1914, the capital and surplus of the national banks in Richmond per capita amounted to more than twice as much as the capital and surplus per capita of the national banks in either Baltimore or Washington and three and a half times as much as New Orleans, while the individual deposits of the national banks in Richmond amounted to $201 per capita, against $86 in Washington and $76 in Baltimore and $50 in New Orleans. The loans and discounts in the national banks in Richmond on the same date were reported at $279 per capita, against $77 in Washington and $108 in Baltimore and $51 in New Orleans.

On March 4, 1914, the capital and surplus of all national banks in Richmond was $9,314,000; in New Orleans, $6,730,000; in Washington, $11,365,000. Loans and discounts of national banks in Richmond, same day, $35,593,000; in Washington, $25,405,000; in New Orleans, $17,285,000.

In other words, the figures show that the national banks of Richmond were lending, on March 4, 1914, on loans and discounts twice as much money as all the national banks in the city of New Orleans and 40 per cent more than all the national banks of Washington.

In capital and surplus of national banks per capita Richmond exceeded New York, Chicago, St. Louis, Boston, and every other applicant city having a population of as much as 80,000, except the city of San Francisco and one other.

In the matter of individual deposits, the individual deposits in the national banks of Richmond per capita were greater than those of New York, Philadelphia, Cleveland, Chicago, and St. Louis, and every other applicant city whose population amounted to 80,000 or more, except San Francisco, Boston, and two others, and were the same as those of Dallas.

The loans and discounts of the national banks of Richmond per capita exceeded those of every other applicant city having a population of 80,000 or more, save only the city of Boston, and exceeded by more than 50 per cent the loans and discounts per capita of either Chicago or St. Louis, and were five times as great as New Orleans.

As I have said, the Federal reserve act does not purpose to establish regional reserve banks to please a few cities. They are to be established to take care of the commercial requirements and to respond to the business needs of various sections of the country, and a poll of the banks of regional division No. 5 by the Richmond Chamber of Commerce, more complete than the poll of the organization committee, showed an overwhelming majority for Richmond as the reserve city of the district. Out of a total of 437 banks in Virginia, but 4 voted for Baltimore as first choice and but 7 for Washington, while 415 voted for Richmond.

Out of a total of 486 banks in North Carolina, 442 voted for Richmond.

Out of a total of 405 banks in South Carolina, but 1 voted for Baltimore as first choice and none for Washington as first choice; but, eliminating Columbia, the State capital of South Carolina, nearly every bank in the State that responded to the poll voted for Richmond. Out of a total of 1,328 banks, 1,052 voted for Richmond, 21 for Washington, and 104 for Baltimore.

The gentleman from Maryland [Mr. LINTHICUM] suggested yesterday that some letters had been written in favor of Baltimore. I have no doubt that is true. Baltimore is a splendid

city, and the South is proud of her commercial supremacy, but the business men of the territory comprised in regional reserve bank district No. 5 were overwhelmingly in favor of Richmond for the reserve bank. As many as 2,236 business firms in four of the States comprising this district filed letters with the Federal Reserve Board in favor of Richmond. Delegations of bankers and business men from all the States of the district except Maryland came to Washington to indicate their preference for Richmond. The audience room set apart in the Treasury Building for the hearings could not begin to hold the bankers and business men who came to Washington in behalf of Richmond. The total capital, surplus, and profits of the banks voting for Richmond aggregate $131,672,878 and the deposits of the banks voting for Richmond total in excess of $361,000,000.

My friend from Maryland also said yesterday, with a thrip of his forefinger and thumb, that Baltimore banks loaned to Richmond most of the funds which the Richmond banks loan in the Southern States. Upon just such myths as this cities which failed to get a regional reserve bank are feeding their resentment.

On February 14, 1914, the national banks of Baltimore were lending to banks, bankers, merchants, and individuals in the State of Virginia the sum of $1,306,903, while the banks and trust companies in Virginia had on deposit with the Baltimore banks the sum of $3,072,062. In other words, with a balance struck, Baltimore on the date named was indebted to Virginia banks and trust companies to the amount of $1,765,159 over and above the loans made by Baltimore banks to Virginia.

Mr. Chairman, the passionate and even desperate tenor of the resolutions adopted by the mass meeting held at New Orleans on April 4 could not be more sharply disclosed than by pointing to the malicious reference therein made to the city of Richmond. It was impertinent, as well as wantonly false, and exposes the city of New Orleans to a retort that should be humiliating to any community with a reasonable amount of civic pride. These resolutions speak of Richmond, which was not in competition with New Orleans, and with which that city has nothing to do, as "a comparatively unimportant mart of trade"; and yet, Mr. Chairman, I hold in my hand an official compilation from the office of the Comptroller of the Currency giving the total loans of national banks of certain cities of the United States as of January 13, 1914; and I want to say to the gentleman from Louisiana [Mr. DUPRÉ], who had the New Orleans resolution inserted in the RECORD, that the total loans of the national banks of his great metropolis on the date indicated were but $19,677,000 as contrasted with total loans of $35,721,000 of the city of Richmond.

Just in the degree that the mass meeting at New Orleans impertinently undertook to depreciate the commercial importance of Richmond, just in this proportion should that community feel humiliated by an official exhibit of this character.

Mr. ESTOPINAL. Why does the gentleman make comparisons with Richmond? New Orleans was not a competitor of Richmond.

Mr. GLASS. I am glad my courteous friend realizes that fact. One of the Members of this House from Louisiana undertook to deride Richmond, and he has elicited this comparison.

Mr. ESTOPINAL. It was a general protest against the manner in which these selections were made, and Richmond was named as an instance.

Mr. GLASS. Yes; as an "inconsequential mart of trade" that should not have a regional reserve bank. Let us see further about that.

I also hold in my hand an official statement from the Treasury Department showing bank and trust company credit balances with the national banks in certain cities as of February 14, 1914. The amount thus on deposit in the national banks of Richmond, the inconsequential mart of trade, was $10,970,068, and the amount on deposit with the national banks of her New Orleans critics was but $7,229,470.

The same statement shows the amount loaned to all banks and trust companies on bills payable and rediscounts, including indirect loans, as of January 13, 1914; and in this item the inconsequential mart of trade shows a total of $1,629,449 to a total of $1,134,102 at New Orleans.

The same statement shows the amount of bought paper, stock-exchange loans, and so forth, made by national banks to noncustomers throughout the United States as of January 13, 1914; and the total for the inconsequential mart of trade at Richmond is $4,257,528, as against $1,234,109 for the banks represented by that hysterical mass meeting of April 4 in New Orleans.

And I may add that in these comparisons Washington fares but little if any better than New Orleans in the contrast with Richmond.

Quitting this comparison of cities and turning to the banking resources of the States, I find, according to the comptroller's figures for October 21, 1913, that the aggregate national-bank resources of Virginia were $168,000,000 as contrasted with $80,000,000 for Louisiana, or eight millions more than twice as much, while the deposits in all classes of banks in these two States were $175,000,000 for Virginia against $147,000,000 for Louisiana. Virginia pays 50 per cent more internal-revenue taxes to the Federal Government than does the State of Louisiana, and in the matter of corporate capital, upon which Virginia pays to the Federal Government a tax, she leads the entire list of Southern States with $942,000,000, with Louisiana so far in the rear that she does not deserve to be mentioned in the same column.

Mr. COOPER. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Wisconsin?

Mr. GLASS. I do.

Mr. COOPER. I interrupt only to say that from the resolutions to which I listened yesterday I understand it to be the chief complaint of New Orleans that she has been passed by for Dallas and Atlanta, one specific charge, among other charges made in those resolutions, being that the combined banking capital of Dallas and Atlanta is less by more than $1,000,000 than the banking capital of New Orleans alone.

Mr. GLASS. I am sure there are gentlemen here who are perfectly competent to take care of Atlanta and Dallas; but New Orleans went out of its way to deride Richmond, and I just want to show what little basis it had for interfering with our affairs up here. [Laughter.]

Although Richmond is not a reserve city, and New Orleans, Washington, and Baltimore are, Richmond had on deposit from the 15 Southern States on February 4, 1914, $9,876,000, or slightly more than the national banks had on deposit from the Southern States in the city of Baltimore and four times as much as Washington had on deposit from these Southern States.

Mr. ASWELL. Will the gentleman yield?

Mr. GLASS. Yes.

Mr. ASWELL. If the gentleman's argument that the regional banks should be located in those cities that the money seeks, why should not Pennsylvania and New Jersey and all the surrounding country go to New York?

Mr. GLASS. Because New York is too big. It started out to have a central bank, and wanted everything east of the Allegheny Mountains.

Mr. ASWELL. Is it not a fact that the arbitrary location of the boundary lines of these districts practically located the cities for the regional reserve banks?

Mr. GLASS. The gentleman knows very well that the statute authorizes the organization committee, in observing the spirit of the law, to divide the States and to not run the lines according to the State boundaries.

Mr. ASWELL. Is it not possible that if the boundary line that made the Richmond district had been very much changed, Richmond would not have been voted for?

Mr. GLASS. Oh, it is possible, Mr. Chairman, that the organization committee has made a mistake. I, for one, do not think it has, but it is possible; they are human. We may make mistakes. This Congress makes mistakes; and it is possible that the organization committee made a mistake. But I say it is unjust to asperse the patriotism and the purpose of these gentlemen by undertaking to say that they are playing politics, and by this wanton denunciation of them, like this mass meeting at New Orleans, based upon resentment and not upon recorded facts.

Mr. ASWELL. Does not the gentleman agree that it is altogether probable that by a proper location of boundary lines they would have located a bank in New Orleans?

Mr. GLASS. No; I think the boundary lines have been properly located. If I did not think so, I would not be willing to risk, haphazard, my judgment against these three gentlemen who have gone over the country from one end to the other, industriously and honestly seeking the facts and basing their action on conditions which they found.

Mr. ASWELL. But the gentleman has not answered my question.

Mr. GLASS. I think I have. I said that, in my judgment, the lines have been properly located.

Mr. ASWELL. If they had been located differently, the banks would have been located differently.

Mr. GLASS. Oh, yes; if cities had been thrown into other districts. Now, I am not aspersing New Orleans, except in resentment to what New Orleans said about Richmond.

Mr. ASWELL. The gentleman will admit that New Orleans ought to have had a bank?

Mr. GLASS. I do not admit any such thing.

Mr. PLATT. Will the gentleman yield?

Mr. GLASS. Yes.

Mr. PLATT. The gentleman does not mean to imply that the boundary lines were fixed and then the banks asked for their preference afterwards? I do not think that is true.

Mr. GLASS. I think tentatively that was the case; yes. I think that tentatively when the organization committee went over the country it ascertained the preference of the various locations. It was generally understood what cities were applicants for banks, and the organization committee, I infer, kept its record straight, and they knew when they got back to Washington what banks in certain localities favored certain cities for a location.

But I do want to say that so far as this regional district No. 5 is concerned, the vote was taken by the States as they are comprised in that territory, and Richmond had an overwhelming majority not only of the banks but the business interests of all the States outside of Maryland located in the regional district No. 5. I am not saying this in any spirit of disparagement to Baltimore. It is a great commercial city, and the South and Virginia take great pride in Baltimore. To show what I thought about this matter and about the city of Washington, when I was tentatively dividing the country up into 12 reserve regions for banks, as I did in drafting the bill, I located one of the banks in the city of Washington and I located one in New Orleans, but that only illustrates how we are apt to make mistakes.

Mr. PLATT. Will the gentleman yield again?

Mr. GLASS. Yes.

Mr. PLATT. The gentleman does not mean to imply that the people west of New Orleans voted for that district after the boundaries were fixed. The line runs just west of New Orleans, and of course the people west could not have voted after the line had been established.

Mr. GLASS. My colleague knows very well, because he is familiar with the terms of the reserve act, that the organization committee had to divide the country with reference to the minimum capital required for organizing a regional reserve bank, and in order to come within the provisions of the law it might have been necessary to divide certain States by an imaginary line, throwing one section into one regional reserve district and the other section into another regional reserve district. That was necessitated by the minimum requirement of capital, and in some instances it was necessitated by the regular course of business not being interrupted.

Mr. PLATT. The gentleman has been giving some statistics showing the loans made by Baltimore and Richmond and other towns of the Southern States. Where does the gentleman get those figures?

Mr. GLASS. From the comptroller's office.

Mr. PLATT. Banks are not required to report where they make their loans.

Mr. GLASS. They do not have to do it, but they do it at the request of the comptroller, and the gentleman can go there and get the figures.

Mr. SLOAN. Will the gentleman yield?

Mr. GLASS. Yes.

Mr. SLOAN. I would like to ask, purely for information, as to the tenth district, which is the one in which I reside, if after the boundaries were fixed any poll of banks was taken by the organization committee, or any opportunity given for the people in that newly organized district to say where they wanted the regional bank to be located?

Mr. GLASS. Yes; I have the poll here for district No. 10.

Mr. SLOAN. The point is was that made after the district lines were fixed?

Mr. GLASS. I have just said that I imagine that, in going over the country and holding these hearings at various convenient points, the organization committee obtained the views of the banks in each section as to where they wanted the regional reserve bank located.

A bank was located at Kansas City, and Kansas City, outside of the State of Missouri, received the votes of 327 banks, while the city of Omaha, for which a plea was made here yesterday, received outside of the State of Nebraska only 10 votes for the location of the bank. The city of Denver, outside of the State of Colorado, received but 23 votes as against 327 votes received by Kansas City. The banking resources of Kansas City are infinitely superior to the banking resources of any other city located in district No. 10.

Mr. Chairman, I did not rise here, however, to engage in a controversy as to the location of these various banks. I did not purpose assaulting Baltimore. I did want to say some tart things about those people down in Louisiana who held a mass meeting and, without any facts to sustain their position, undertook to ridicule the idea of putting a regional reserve bank at Richmond, and I did want to put into the RECORD, as I shall do, the facts in the case to show that, at most, the organization committee could have made only a mistake of judgment, and I deny that they did that. The banks are all in favor of locating the regional reserve bank in this particular district at Richmond, because the trade of the district is with Richmond, because the banking business of the district is at Richmond, and it is not "ridiculous" to say that the bank should have been located at Richmond. Gentlemen are not justified here in ascribing political motives to members of this organization committee and aspersing their personal integrity, as was done, I think in a mistaken mood, by my friend from Illinois on yesterday.

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. GLASS. Certainly.

Mr. FOSTER. Is it the intention of the gentleman from Virginia to put in not only the vote on two of these cities that have been selected, but on others?

Mr. GLASS. I can do that if it is desired. I have the record.

Mr. FOSTER. I think it will be a good thing to put it in.

Mr. GLASS. I will do it, if my friend desires; yes.

Mr. PHELAN. Mr. Chairman, will the gentleman yield?

Mr. GLASS. Yes.

Mr. PHELAN. Some one asked a question about Baltimore and Richmond. I just wanted to remind the gentleman, if he has not already called attention to the figures, that the loans made by the national banks in the Southern States, with one exception—in the Richmond district—by Richmond national banks amounted to $33,473,000, while the loans made by Baltimore banks in the same Southern States amounted to only $6,891,000. In connection with that I would like to call attention to the fact that Boston, away up in New England, loaned to the Southern States almost $5,000,000, very nearly as much as Baltimore, and that Philadelphia loaned to those Southern States over $9,000,000, which is more than Baltimore loaned to the same States.

Mr. GLASS. Mr. Chairman, I will say to my friend from Massachusetts that I not only made that statement but I made this further statement, which I want to repeat, as I think, perhaps, my friend from Maryland [Mr. LINTHICUM] was out at that time. The gentleman from Maryland the other day stated that Baltimore loaned Richmond all of the money that Richmond in turn loaned the Southern States, and I have shown from actual figures that the national banks of Richmond and the State of Virginia are creditors of the Baltimore banks.

Mr. LINTHICUM. Yes; but will the gentleman yield?

Mr. GLASS. Certainly.

Mr. LINTHICUM. The gentleman from Virginia knows, or ought to know, that in computing the $33,000,000 which Richmond loaned to the South and the $6,000,000 which Baltimore loaned to the South, while this organization committee included Baltimore in the fifth regional district, it absolutely threw out all the loans which Baltimore made to Baltimoreans and to people in the State of Maryland, and it took all of the Richmond loans which Richmond made, and while putting Baltimore in that district excluded all of the loans made by Baltimore north of the Potomac, and if you include all of the loans of Baltimore and Maryland in the fifth district, you will find that you have $90,000,000 instead of $6,000,000.

Mr. GLASS. Mr. Chairman, as a matter of fact, if you include all of the loans that Baltimore made in the Southern States, outside of Maryland, and the loans that Richmond made in the Southern States, outside of Virginia, you will find that Richmond far exceeds Baltimore in its loans, and the figures demonstrate that fact.

Mr. Chairman, in further reference to these remarkable New Orleans resolutions, I can conjecture who wrote those resolutions. I venture to say they were written, and that entire meeting was instigated, by the representative of the State of Louisiana on the legislative committee of the American Bankers' Association. That gentleman spent a great deal of his time here in Washington, trying to convince the Banking and Currency Committee of the House specifically, and Congress in general, that there ought to be but one Federal-reserve bank in this country, and he was willing to have that located 1,500 miles from New Orleans, in the city of New York; and yet now, when Congress has passed the Federal reserve act, and the organization committee of intelligent and patriotic citizens has gone out and diligently made inquiry as to the location of these banks, and fixed the number at 12, and has located one of them to the northeast of New Orleans, within about 300 miles of that city, and one in Texas, to the southwest, this gentleman and his compatriots down there are not satisfied with the situation, and are accusing the organization committee of being guided by personal and political considerations.

I want to say again, with respect to the Comptroller of the Currency, that in considering the location of the regional reserve bank in district No. 5, the business men and bankers of the city of Richmond feared that the only weakness in the entire situation for them was the fact that the Comptroller of the Currency was a native and former resident of the city of Richmond. Knowing him to be a man of high sensibilities, they apprehended that the very fact that he was born in Richmond and had formerly resided there would influence him against Richmond and not in its behalf. I am authorized to state, moreover, that the entire organization committee voted as a unit in favor of locating a bank at Richmond. It was not due to the influence of John Skelton Williams, who happens to be the Comptroller of the Currency and a member of that organization committee.

Mr. BARTON. Mr. Chairman, in inserting those letters to which the gentleman referred he stated, for instance, the letters outside of the State of Nebraska. Inasmuch as Kansas City would be close to the edge of the State of Missouri, and Omaha is on the extreme eastern end of Nebraska, will the gentleman in inserting the letters insert the entire vote?

Mr. GLASS. That is what I said. I said, "Excluding the State of Missouri, Kansas City has 327 votes, whereas, excluding Nebraska, Omaha had only 10 votes."

Mr. BARTON. But the gentleman does not get my question yet. Kansas City is close to the edge of Missouri, and quite naturally that section of Missouri would not mean much; but it does command Kansas on the west and the southern part of Nebraska.

Mr. GLASS. Kansas was unanimous for Kansas City.

Mr. BARTON. Now, excluding Nebraska from Missouri means something, because she is on the extreme east of Omaha, and the entire business of the north and middle parts of the State is done in the city of Omaha, extending to Montana and Wyoming.

Mr. GLASS. I have no idea in the world of depreciating Omaha. I have no idea on earth of depreciating Denver.

Mr. LOBECK. The gentleman can not depreciate Omaha. It is not in him.

Mr. GLASS. I trust the gentleman will not interrupt me until I finish my sentence. I was saying to my courteous friend I have no desire in the world to depreciate Omaha, certainly no desire on earth to depreciate Denver. I very much wanted to see Denver get one of those banks for personal and other considerations, but I do very earnestly believe that the organization committee has picked Kansas City in response to the real business requirements of that territory. And I want to say to my friend, furthermore, that a branch bank at Omaha and a branch bank at Denver will be of just as much practical use to the business interests of those communities as the regional reserve bank will to the business requirements of Kansas City.

Mr. BARTON. The gentleman understands my inquiry was not of criticism but of information——

Mr. GLASS. I shall insert——

Mr. BARTON. And I ask the gentleman to insert the entire vote of the State of Nebraska.

Mr. GLASS. I shall do that.

Mr. SLOAN. Will the gentleman yield to me for a question for information?

Mr. GLASS. Yes.

Mr. SLOAN. Can the gentleman from Virginia tell us why the tenth district is the only inland district among the 12 where a regional reserve bank was placed practically in the margin of the district, with no reference whatever to the location of population or of the wealth or of the means of transportation running through the district? I noticed this, and I presumed there was some reason; and I thought the gentleman might be able to give it. In all the other inland districts the regional reserve banks are placed with some reference to the center of population and the center of area, and also with some reference to the general lines of transportation.

Mr. GLASS. My understanding is that, after having formed district No. 10, the organization committee considered which one of the three most important cities of that district should have the regional reserve bank, and I assume they have located it with reference to the trend of trade and the business of the district and to the bank resources and to the facilities afforded by Kansas City; but I will say to my friend that he can not identify me as a factor in the location of these reserve banks. I had nothing——

Mr. SLOAN. I admit that.

Mr. GLASS. I had nothing in the world to do with it, and I am not here to raise any row about Kansas City or Denver, or any row with anybody. I simply undertake to justify, as far as regional reserve bank No. 5 is concerned, the organization board and to defend it against the assumption that there was something "ridiculous" in their action.

Mr. SLOAN. Another suggestion, if the gentleman will permit. I was trying to find out why this one exception was made in this one district, which is the largest inland district in the United States as formed and second in size in the United States, where the district is so formed that the regional bank was in the margin of the district and the vast western part beyond Omaha, which is tributary to Kansas and is a part of Kansas City business territory, was entirely cut off from the Kansas City district and given to St. Louis. Was that, as a matter of fact, to follow the course of business that one-half of the Kansas City district was entirely cut off from the East, as it leaves a vast one-sixth of the United States with a regional reserve bank away on the far-off eastern margin with a thousand miles between some banks and the regional reserve bank?

Mr. GLASS. Well, I make no sort of doubt, Mr. Chairman, but that the members of the organization committee could justify their action to my friend. I assume that the conditions there were peculiar; I can see that the organization committee was restricted in the arrangement made by the provisions of the Federal reserve act relating to the minimum of capital required for the organization of reserve banks.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GLASS. I desire, Mr. Chairman, to insert in the RECORD at this point the poll of banks as to preferences for reserve-bank cities, as taken by the organization committee, and to which I have heretofore made reference:

District No. 1.

	Maine.	New Hampshire.	Vermont.	Massachusetts.	Rhode Island.	Connecticut.	Total.
Boston	59	50	23	137	11	7	287
New York	2	.....	19	17	4	64	106
Providence	.....	.....	.....	.....	1	.....	1
Total	61	50	42	154	16	71	394

Total number of assenting banks, 446.
Total number of voting banks, 394.

District No. 2.

NEW YORK.

New York City	393
Buffalo	13
Albany	10
Boston	1
Brooklyn	1
Syracuse	1
New York or Albany	1
Total	420

Total number of assenting banks, 478.
Total number of voting banks, 420.

District No. 3.

	Delaware.	New Jersey.	Pennsylvania, eastern district.	Total
Philadelphia	23	65	417	505
New York	.....	122	42	164
Pittsburgh	.....	.....	23	23
Baltimore	1	.....	11	12
Boston	.....	1	1	2
Buffalo	.....	.....	1	1
Washington	.....	.....	1	1
Total	24	188	496	708

Total number of assenting banks, 800.
Total number of voting banks, 708.

District No. 4.

	West Virginia, northern district.	Kentucky, eastern district.	Ohio.	Pennsylvania, western district.	Total.
Cleveland	.....	.....	107	3	110
Cincinnati	.....	34	160	.....	194
Chicago	.....	.....	2	.....	2
Columbus	.....	.....	36	.....	36
New York	1	.....	2	3	6
Pittsburgh	7	.....	31	256	291
Toledo	.....	.....	1	.....	1
Philadelphia	.....	.....	.....	6	6
Louisville	.....	31	.....	.....	31
Cincinnati or Cleveland	.....	.....	2	.....	2
Cleveland or Pittsburgh	.....	.....	2	.....	2
Louisville or Cincinnati	.....	1	.....	.....	1
Total	8	66	343	268	685

Total number of assenting banks, 724.
Total number of voting banks, 685.

District No. 5.

	Maryland.	District of Columbia.	West Virginia, southern district.	Virginia.	North Carolina.	South Carolina.	Total.
Richmond			16	96	44	11	167
Baltimore	95		21	11		1	128
Pittsburgh	1		34				35
Columbia						28	28
Cincinnati			26	1			27
Washington	1	12		9	2	1	25
Charlotte					18	1	19
New York	1			1			2
Total	98	12	97	118	64	42	431

Total number of assenting banks, 475.
Total number of voting banks, 431.

District No. 6.

	Alabama.	Florida.	Georgia.	Tennessee, eastern district.	Mississippi, southern district.	Louisiana, southeastern district.	Total.
Atlanta	8	19	90	7			124
Birmingham	53	1					54
New Orleans	3	5			19	4	31
Savannah	3	3	18				24
Nashville				22			22
Cincinnati	1			14			15
Jacksonville		14					14
Chattanooga				11			11
Louisville				7			7
St. Louis	1			4			5
Montgomery	4						4
Richmond		1		2			3
Washington		1		1			2
Memphis				1			1
Baltimore				1			1
Nashville or Atlanta				1			1
Total	73	44	108	71	19	4	319

Total number of assenting banks, 372.
Total number of voting banks, 319.

District No. 7.

	Iowa.	Wisconsin, southern district.	Illinois, northern district.	Indiana, northern district.	Michigan, southern district.	Total.
Chicago	256	36	274	105	43	714
Cincinnati				50		50
Detroit					22	22
Des Moines	17					17
Omaha	17					17
Indianapolis				14		14
St. Louis			9	1		10
Sioux City	5					5
Minneapolis	4					4
Cedar Rapids	2					2
Milwaukee		3				3
Clinton	1					1
Chicago or St. Louis			1			1
Twin Cities	1					1
Total	303	39	284	170	65	861

Total number of assenting banks, 984.
Total number of voting banks, 861.

District No. 8.

	Arkansas.	Missouri, eastern district.	Illinois, southern district.	Indiana, southern district.	Kentucky, western district.	Tennessee, western district.	Mississippi, northern district.	Total.
St. Louis	51	43	103	2	1	4	4	208
Louisville				15	61	1		77
Chicago			30	29				59
Kansas City	2	27						29
Memphis						6	8	14
Cincinnati				13				13
Indianapolis				5				5
Nashville						4		4
Dallas	1							1
Chicago or St. Louis			2					2
St. Louis or Kansas City							1	1
Birmingham		1						1
Total	54	71	135	64	62	15	13	414

Total number of assenting banks, 434.
Total number of voting banks, 414.

District No. 9.

	Montana.	North Dakota.	South Dakota.	Minnesota.	Wisconsin, northern district.	Michigan, northern district.	Total.
Minneapolis	18	97	54	188	1		365
Chicago	1	2	25	8	53	29	118
St. Paul	10	19	6	52	6		93
Twin Cities	20	6	4	11	1		42
Milwaukee					11		11
Omaha			8				8
Spokane	4						4
Sioux City			2				2
Fargo		1					1
Detroit						1	1
Total	53	125	99	259	79	30	645

Total number of assenting banks, 687.
Total number of voting banks, 645.

District No. 10.

	Colorado.	Kansas.	Missouri, western district.	New Mexico, western district.	Oklahoma, northern district.	Wyoming.	Nebraska.	Total.
Kansas City, Mo	1	179	37	2	128		1	355
Denver	112			6		12	2	132
St. Louis			4		24			28
Lincoln							22	22
Omaha						10	181	191
Kansas City, Kans., or Kansas City, Mo		1						9
Kansas City, Kans		8						8
Chicago			4				5	9
Salt Lake City						4		4
Wichita		2			1			3
Sioux City							3	3
Oklahoma City					2			2
Twin Cities						1		1
Omaha or Lincoln							2	2
Total	113	198	45	8	155	27	223	769

Total number of assenting banks, 835.
Total number of voting banks, 769.

District No. 11.

	Texas.	Arizona, southern district.	New Mexico, southern district.	Oklahoma, southern district.	Louisiana, western district.	Total.
Dallas	212		3	17		232
Kansas City	12	1	18	74		105
Houston	97					97
Fort Worth	84			3		87
St. Louis	13			32	1	46
New Orleans					21	21
Dallas or Houston	7					7
Dallas or Fort Worth	3			1		4
Dallas, Fort Worth, or Houston	3					3
San Francisco		3				3
Denver			3			3
El Paso		1	1			2
Waco	2					2
Galveston	2					2
New York	1					1
San Antonio	1					1
Oklahoma City				1		1
St. Louis or Kansas City	1					1
Total	438	5	25	128	22	618

Total number of assenting banks, 726.
Total number of voting banks, 618.

District No. 12.

	Washington.	Oregon.	Idaho.	California.	Nevada.	Utah.	Arizona, northern district.	Total.
San Francisco	8	16	8	208	5	6	2	253
Portland	9	56	10					75
Seattle	40							40
Salt Lake			12		2	13		27
Spokane	16	1	9					26
Los Angeles				24			2	26
Chicago			2			1		3
New York				2				2
Omaha			2					2
Fresno				1				1
Minneapolis			1					1
Denver			1					1
Total	73	73	45	235	7	20	7	460

Total number of assenting banks, 514.
Total number of voting banks, 460.

Recapitulation.

District No. 1	394
District No. 2	420
District No. 3	708
District No. 4	685
District No. 5	431
District No. 6	319
District No. 7	861
District No. 8	414
District No. 9	645
District No. 10	769
District No. 11	618
District No. 12	460
	6,724

Total number of assenting national banks in United States, 7,475.
Total number of votes cast in United States, 6,721.

Mr. GLASS. Mr. Chairman, I venture to ask unanimous consent to extend my remarks in order that I may insert in the RECORD, for the information of the Members, an official statement from the regional reserve bank organization committee as to why it located banks in certain cities.

The CHAIRMAN. The gentleman from Virginia [Mr. GLASS] asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

The following is the statement referred to:

STATEMENT GIVEN OUT TO-DAY BY THE RESERVE BANK ORGANIZATION COMMITTEE.

WASHINGTON, D. C., *April 19, 1914.*

Congress imposed on the committee the duty of dividing the country into not less than 8 nor more than 12 districts, and the location of a Federal reserve bank in each. Thirty-seven cities asked to be chosen. The committee could select at most only 12. Necessarily 25 cities had to be disappointed.

Following its policy declared at the very outset, the committee refused to be influenced by the purely local and selfish claims of cities or individuals, and discharged the duty imposed upon it by Congress after exhaustive investigation and study of the entire country, with unbiased minds, and according to its best judgment. With so many conflicting claims somebody had to judge. Congress constituted the committee a court and gave the Federal Reserve Board the power of review. Disappointed competitors should seek a remedy through the orderly processes the law prescribes.

Considerable comment has been occasioned by the failure of the committee to create districts suggested by New Orleans, with New Orleans as the location for a reserve bank; by Baltimore, with Baltimore as the location for a reserve bank; by Omaha, with Omaha as the location for a reserve bank; and by Denver, with Denver as the location for a reserve bank.

The committee realized that the division of the country into districts was far more important and complex than the designation of the reserve cities, and that the latter duty was subsidiary and relatively simple, waiving considerations of local pride or prestige. In arranging the districts the consideration of the character and growth of industry, trade, and banking, no less than the traditions, habits, and common understandings of the people was much more intimately involved.

It became clear in the hearings that comparatively few people realized, or seemed to realize, what the act was intended to accomplish, what the nature and functions of the reserve banks were to be, and how little change would occur in the ordinary financial relations of the communities, the business establishments, and the individual banks.

Critics of the decision of the committee reveal misunderstanding in these directions and either do not know, or appear not to know, that the Federal reserve banks are bankers' banks and not ordinary commercial banks; that they are to hold the reserves and to clear the checks of member banks, make rediscounts for them, and engage in certain open market operations. As a matter of fact, the ordinary everyday banking relations of the community of business men and of banks will not be greatly modified or altered. The purpose of the system is to remove artificiality, promote normal relations, and create better conditions under which everybody will transact business.

Every city can continue to do business with individuals, firms, or corporations within its own limits or in its own region or in any other part of the Union or the world in which it has heretofore done business.

Reserves are to be held in a new way and in new places so far as this act controls them, but banking and business generally will no more be confined within districts than heretofore, and it is simply misleading for any city or individual to represent that the future of a city will be injuriously affected by reason of its failure to secure a Federal reserve bank. Every city which has the foundations for prosperity and progress will continue to grow and expand, whether it has such a reserve bank or not, and well-informed bankers especially are aware of this.

The facts which the committee had to consider will throw light on its decision in reference to these cities.

NEW ORLEANS CLAIMS.

New Orleans selected a district extending from New Mexico to the Atlantic Ocean, including all of Texas, Louisiana, Mississippi, Alabama, Florida, Georgia, and that part of Tennessee south of the Tennessee River.

It was represented by Texas that it would do great violence to her trade to connect her with New Orleans. It was claimed, and evidence was submitted in support of the claim, that her trade was with her own cities or with Kansas City and St. Louis. In a poll of the banks of Texas made by the Comptroller of the Currency 212 banks expressed a first choice, 121 a second choice, and 30 a third choice for Dallas. No bank in Texas expressed a first choice for New Orleans, only 4 a second choice, and 44 a third choice. The whole State protested against being related to New Orleans.

The banks of Alabama generally desired to be connected either with Birmingham or Atlanta, only three expressing a first choice for New Orleans. The banks of Georgia desired to be connected with Atlanta, none expressing a first or second choice for New Orleans, and only 12 a third choice. They represented that it would do violence to them to be connected with a city to the west, and claimed that their relations were mainly with Atlanta or cities to the northeast. Of 44 banks in Florida, 19 gave Atlanta as their first choice, 19 as their second choice, and 5 as their third choice. Only 5 expressed a first preference for New Orleans, and these were in the western corner, 4 a second choice, and 3 a third choice. No bank in Tennessee expressed a first or second choice for New Orleans, and only 2 a third choice, while 7 expressed a first choice for Atlanta, 14 a second choice, and 13 a third choice. Generally speaking, the only banks desired to be connected with New Orleans, and expressed a first preference for her, were 25 of the 26 banks reporting in Louisiana and 19 of the 32 in Mississippi. On a poll made from the comptroller's office of all banks expressing their preference as to the location for a Federal reserve city, 124 expressed a first preference for Atlanta, 232 for Dallas, and only 52 for New Orleans. The views of the bankers were supported by chambers of commerce, other business organizations, and by many business men.

It will thus be seen that if the committee was to give weight to the views of business men and bankers in the section of the country affected; to consider the opposition to the States of Texas, Alabama, Georgia, Florida, and Tennessee; and to be guided by economic considerations, it could not have designated New Orleans as the location for a reserve bank to serve either the western or the eastern part of the district the city asked for. The course of business is not from the Atlantic seaboard toward New Orleans, nor largely from the State of Texas to that city, and if Dallas and Atlanta had been related to New Orleans a better-grounded complaint could and would have been lodged by them against the committee's decision than that made by New Orleans.

Some of the banking statistics which the committee had to consider throw light on the problem. It should be borne in mind that the committee could consider primarily only the statistics with reference to assenting banks. In this section of the country, as in most others, the assenting banks were the national banks. In March, 1914, the capital stock and surplus, loans and discounts, and individual deposits of the national banks in the three cities named, as shown by the sworn reports to the Comptroller of the Currency, were as follows:

	Capital and surplus.	Loans and discounts.	Individual deposits.
Atlanta	$8,600,000	$26,038,000	$24,348,000
Dallas	5,900,000	18,622,000	18,551,000
New Orleans	6,730,000	17,285,000	16,857,000

Even more significant are the statistics of growth from September, 1904, to March, 1914:

CAPITAL AND SURPLUS.

	September, 1904.	March, 1914.	Percentage of increase.
Atlanta	$2,410,000	$8,600,000	253
Dallas	2,676,000	5,900,000	120
New Orleans	6,250,000	6,730,000	8

LOANS AND DISCOUNTS.

Atlanta	$10,329,000	$26,038,000	152
Dallas	7,653,000	18,622,000	143
New Orleans	20,088,000	17,285,000	[1]13

INDIVIDUAL DEPOSITS.

Atlanta	$9,931,000	$23,348,000	145
Dallas	7,157,000	18,551,000	159
New Orleans	19,425,000	16,857,000	[1]13

[1] Decrease.

The loans and discounts in the national banks of New Orleans at the time of the report, March 4, 1914, were less than those of the national banks of either Atlanta or Dallas

While the committee could not figure on the resources of other than assenting banks which are in this section, the national banks, the following statistics of all reporting banks, including national banks, State banks, and trust companies, as of June 4, 1913, were regarded as significant and were given consideration:

Atlanta reported capital stock and surplus, $15,313,000, or $98 per capita; Dallas, $9,997,000, or $108 per capita; and New Orleans, $20,532,000, or $60 per capita. Individual deposits, per capita, Atlanta, $183; Dallas, $269; New Orleans, $209.

The loans and discounts for all reporting banks for the three cities were as follows: Atlanta, $33,494,000, or $216 per capita; Dallas, $27,517,000, or $299 per capita; New Orleans, $64,845,000, or $194 per capita.

The committee found that the total loans and discounts made by national banks in the cities named in the 13 Southern States on January 13, 1914, were as follows:

Atlanta	$26,117,000
Dallas	19,123,000
New Orleans	19,477,000

While the total loans made by the national banks of Dallas throughout the entire United States on the date mentioned exceeded the loans made by the national banks of New Orleans.

Special reports made under oath to the Comptroller of the Currency also show that on February 14, 1914, the credit balances of the banks and trust companies in the 13 Southern States with the national banks of Dallas exceeded in amount the credit balances of all banks and trust companies in these same States with the national banks of New Orleans.

In view of the comparisons and criticisms from New Orleans in connection with the designation of Dallas, Atlanta, and Richmond, and the omission of New Orleans and Baltimore, the following table is instructive.

National bank statistics for States of Texas, Virginia, Maryland, Georgia, Louisiana, and Mississippi as of Mar. 4, 1914, according to sworn reports made to the Comptroller of the Currency.

	Area, square miles.	Population, census 1910.	Capital and surplus.	Individual deposits.	Loans and discounts.
State of Texas (including Dallas)	265,780	3,896,542	$76,785,584	$197,663,338	$215,114,326
State of Virginia (including Richmond)	42,450	2,061,612	29,732,696	90,887,858	107,410,063
State of Maryland (including Baltimore)	12,210	1,295,346	28,267,420	83,217,376	91,326,942
State of Georgia (including Atlanta)	59,475	2,609,121	24,479,735	51,382,061	61,852,579
State of Louisiana (including New Orleans)	48,720	1,656,388	12,128,866	32,000,521	34,804,354
State of Mississippi	46,810	1,797,114	5,168,192	17,045,324	13,669,200

From the above statement it will be seen that in each item—capital and surplus, individual deposits, and loans and discounts—the national banks of Virginia, including Richmond, largely surpass the national banks of Maryland, including Baltimore.

The capital and surplus of the national banks of the State of Virginia are 60 per cent greater than the capital and surplus of the national banks of the States of Louisiana and Mississippi combined, including the city of New Orleans, while the loans and discounts by the national banks of Virginia are more than three times as great as the loans and discounts in the national banks of Louisiana, including New Orleans.

While the capital and surplus of the national banks of Georgia largely exceed the combined capital and surplus of the national banks of the States of both Mississippi and Louisiana, the loans and discounts made by the national banks of Georgia exceed by $13,000,000 the loans and discounts of all the national banks of Louisiana and Mississippi combined, including the city of New Orleans.

The capital and surplus of the national banks of Texas amount to four times as much as the capital and surplus of the national banks of the States of Louisiana and Mississippi combined, and the individual deposits in the national banks of Texas also amount to about four times as much as the individual deposits of all national banks in Louisiana and Mississippi, the only States from which New Orleans received as much as half a dozen votes as first choice for the location for a Federal reserve bank.

KANSAS CITY DISTRICT.

The region in the Middle and Far West presented problems of difficulty. Careful consideration was given to the claims of Omaha, Lincoln, Denver, and Kansas City, which conflicted in this region. Denver asked for a district which included Idaho, Montana, Utah, Wyoming, Colorado, New Mexico, and the eastern two-thirds of Arizona and Texas, Kansas, and Nebraska west of the one hundredth meridian, and the Deadwood portion of South Dakota. The district gave approximately the minimum capital provided by law. Of the territory included in this district Montana unanimously requested to be connected with Minneapolis or Chicago, saying that she had little or no trade relations with Denver. Idaho desired to go to Portland or San Francisco; Arizona preferred San Francisco, and the greater part of New Mexico asked for Kansas City. Western Texas, Kansas, and Nebraska unanimously protested against going to Denver. Kansas desired Kansas City; Nebraska preferred Omaha or Lincoln; and Texas wanted either a Texas city or Kansas City or St. Louis.

In the poll of banks Denver received 136 first-choice votes, of which 112 were from Colorado and 12 from Wyoming. With Montana, Idaho, Arizona, Texas, Kansas, and Nebraska in opposition, it was clearly impossible to make a district with Denver as the location of a bank. Part of the territory asked to be assigned to San Francisco and the other part to Minneapolis or Kansas City.

Omaha asked for a district embracing western Iowa, all of Nebraska, part of South Dakota, part of Kansas, Colorado, Utah, Wyoming, Idaho, and Montana. All but eight of the banks in South Dakota insisted upon being connected with Minneapolis; Iowa desired to go to Chicago; Kansas practically unanimously voted for Kansas City; Montana protested against any other connection than Minneapolis or Chicago. The preferences of the other States have already been indicated.

Of the 218 banks which expressed a first preference for Omaha, 181 were from Nebraska. The committee had to consider the State of Oklahoma and part of Missouri in connection with this region, and in district No. 10, 497 banks expressed a first preference for Kansas City; western Missouri, Oklahoma, and Kansas, and part of New Mexico especially asked for this connection. Thirty-seven banks in Colorado gave Kansas City as second choice and 26 gave Omaha.

It seemed impossible to serve the great section from Kansas City to the mountains in any other way than by creating a district with Kansas City as the headquarters, or to provide for the northwestern section except by creating a district with Minneapolis as headquarters. The only other thing that could have been done with Nebraska under the conditions which presented themselves was to relate her to Chicago, and this seemed to be inadvisable in the circumstances. The Kansas City banks serve a very distinctive territory and will serve it more satisfactorily than St. Louis could have done. The relations of that territory on the whole are much more largely with Kansas City than with any other city in the Middle West with which it could have been connected. It will, of course, be recognized by those who are informed that of the four cities Kansas City is the most dominant banking and business center. The following statistics as of March, 1914, will throw light on the situation:

	Capital and surplus.	Loans and discounts.	Individual deposits.
Kansas City	$11,660,000	$66,205,000	$40,415,000
Omaha	6,570,000	32,848,000	27,258,000
Denver	7,545,000	28,022,000	34,124,000
Lincoln	1,330,000	6,066,000	4,439,000

The statistics of growth during the nine years from September, 1904, to March, 1914, are significant:

CAPITAL AND SURPLUS.

	September, 1904.	March, 1914.	Percentage of increase.
Kansas City	$3,900,000	$11,660,000	199
Omaha	3,880,000	6,570,000	69
Denver	3,325,000	7,545,000	127
Lincoln	768,000	1,330,000	73

LOANS AND DISCOUNTS.

Kansas City	$35,598,000	$66,205,000	86
Omaha	16,218,00	32,848,000	102
Denver	14,146,000	28,022,000	98
Lincoln	3,820,000	6,066,000	58

INDIVIDUAL DEPOSITS.

Kansas City	$30,730,000	$40,415,000	31
Omaha	15,728,000	27,258,000	73
Denver	27,798,000	34,124,000	22
Lincoln	3,283,000	4,439,000	35

The loans and discounts of all reporting banks and trust companies in Kansas City on June 4, 1913, amounted to $91,686,000, exceeding by about $7,000,000 the total loans and discounts of all banks and trust companies in the cities of Omaha, Denver, and Lincoln combined.

The loans and discounts of the national banks alone in Kansas City also exceeded the sum total of the loans and discounts of all national banks in the cities of Omaha and Denver combined.

The great preponderance in the movement of trade in district No. 10 is to the east. In order to place the Federal reserve bank for that region in Denver it would have been necessary to disregard these facts and the opposition and earnest protests of banks, both National and State, throughout the district.

THE RICHMOND DISTRICT.

The committee named as cities for the location of Federal reserve banks New York, Chicago, Philadelphia, St. Louis, Boston, and Cleveland. In population these are the six largest cities in the United States; their geographical situation and all other considerations fully justified their selection.

San Francisco and Minneapolis were the first choice of the great majority of the national banks in their respective sections, and their financial, industrial, and commercial relations and other factors entitled them to be chosen. Their selection appears to have evoked no criticism, but to have received general approval. Conditions relating to the Kansas City, Dallas, and Atlanta districts have been dealt with.

For the territory from eastern Georgia to the Pennsylvania line the committee, after fully considering all the facts, decided to create a district, with the Federal reserve bank at Richmond. South Carolina and North Carolina had protested against being connected with a bank to the South or West. They said that their course of trade was northeast. It seemed undesirable to place a bank in the extreme northeastern corner or at Baltimore, not only because of its proximity to Philadelphia but also because of the industrial and banking relations of the greater part of the district were more intimate with Richmond than with either Washington or Baltimore. The States of Maryland, Virginia, West Virginia, North and South Carolina, and the District of Columbia had to be considered. North Carolina, South Carolina, and Virginia preferred to be connected with Richmond. West Virginia was divided in its preferences; Maryland and the District of Columbia, of course, desired Baltimore or Washington. In the poll of banks made directly by the Comptroller's office, Richmond received more first-choice ballots than any other city in the district, 167, against 128 for Baltimore, 35 for Pittsburgh, 28 for Columbia, S. C., 37 for Cincinnati, and 25 for Washington, D. C. Of the remaining 21 votes, 19 were for Charlotte, N. C., and 2 for New York. Leaving out the States of Maryland and Virginia, Richmond received from the rest of the district three times as many first-choice votes as were cast for Baltimore

District No. 5 is composed of the States of Maryland, Virginia, West Virginia (except four counties), North and South Carolina, and the District of Columbia. These States have always been closely bound together commercially and financially, and their business dealings are large and intimate. The reports made to the Comptroller of the Currency on March 4, 1914, by all the national banks in each of these States show in every essential respect that the business of the national banks in Virginia, including Richmond, is greater than the business of the national banks of Maryland, including Baltimore, or any other of the five States embraced in district No. 5, as appears in the following table:

	Capital, surplus, and undivided profits.	Loans and discounts.	Total individual deposits
Virginia	$33,544,631	$107,410,063	$90,887,858
Maryland	31,390,057	91,326,942	83,217,376
West Virginia	18,209,346	56,789,538	61,421,332
North Carolina	13,527,086	44,051,033	36,051,154
South Carolina	10,332,439	28,860,456	23,330,016
District of Columbia	12,685,411	26,253,432	29,520,053

Advocates of New Orleans have criticized the decision of the organization committee and have given out comparative figures as to New Orleans, Richmond, and other cities, which are incorrect and misleading. An analysis and study of the actual figures will be found instructive and can lend no support to the claims of New Orleans.

From the sworn special reports recently submitted to the Comptroller of the Currency it appears that the national banks in Richmond were lending in the 13 Southern States on January 13, 1914, more money than

was being loaned in those States by the national banks of any other city in the country except New York. The total loans and discounts in the 13 Southern States by the four cities referred to are as follows:

Richmond	$33,473,000
Baltimore	6,891,000
New Orleans	19,477,000
Washington	915,000

The figures also show that in these portions of district No. 5, outside of the States of Virginia and Maryland, the Richmond national banks are lending twice as much money as all the national banks in Baltimore and Washington combined. They also show that although Richmond is not a reserve city, the banks and trust companies in the 13 Southern States had on deposit in the national banks of Richmond on February 14, 1914, $9,876,000, or slightly more than the banks of this section had on deposit in the city of Baltimore, and four times as much as they carried in Washington, although these two cities have long enjoyed the benefits of being reserve cities. That southern banks should carry larger balances in Richmond where they could not be counted in their reserves, rather than in Baltimore, or Washington, where they could be counted, is suggestive.

The figures show that the capital and surplus of all reporting banks—national, State, and savings—and trust companies, per capita, in Richmond, as of June 4, 1913, was $131; in Baltimore, $85; in Washington, $88; and in New Orleans, $60, while the loans and discounts made by all banks and trust companies in Richmond on the same date amounted to $393 per capita, against $190 in Washington, $213 in Baltimore, and $194 in New Orleans.

The amount of money which banks and trust companies in the various parts of the country carried on deposit with Richmond—a non-reserve city—on February 14, 1914, amounted to $10,970,000, or nearly twice as much as the balances carried by outside banks with the national banks of Washington, which on the same day amounted to $5,516,000, and one and a half times as much as they carried on the same day with the national banks of New Orleans—a reserve city.

The statistics furnished the organization committee shows that on March 4, 1914, the capital and surplus of the national banks of Richmond, per capita, amounted to more than twice as much as the capital and surplus, per capita, of the national banks of either Baltimore or Washington and three and a half times as much as New Orleans, while the individual deposits of the national banks of Richmond amounted to $201 per capita, against $85 for Washington and $76 for Baltimore and $50 for New Orleans. The loans and discounts in the national banks of Richmond on the same date were reported at $279 per capita, against $77 for Washington and $108 for Baltimore and $51 for New Orleans.

Especially significant are the following statistics, showing the growth in capital and surplus, loans and discounts, and individual deposits of national banks in the three cities named:

CAPITAL AND SURPLUS.

	September, 1904.	March, 1914.	Percentage of increase.
Richmond	$3,115,000	$9,314,392	199
Washington	6,215,000	11,365,000	83
Baltimore	18,262,900	19,205,900	5
New Orleans	6,250,000	6,730,000	8

LOANS AND DISCOUNTS.

Richmond	$12,946,000	$35,593,000	175
Washington	15,018,000	25,405,000	69
Baltimore	48,755,000	60,312,000	23
New Orleans	20,088,000	17,285,000	[1]13

INDIVIDUAL DEPOSITS.

Richmond	$11,257,000	$25,705,000	128
Washington	20,017,000	28,491,000	42
Baltimore	40,910,000	42,553,000	4
New Orleans	19,425,000	16,857,000	13

[1] Decrease.

Mr. GLASS. Mr. Chairman, under leave to revise and extend my remarks I shall insert in the RECORD the brief prepared by the Richmond committee having in hand the presentation of Richmond's claim to a regional reserve bank:

RICHMOND AS THE LOCATION OF A FEDERAL RESERVE BANK.

[A brief prepared by George J. Seay on behalf of the committee representing Richmond.]

The territory mapped out by nature as the most perfect geographical division of this continent lies south of the Potomac River, east of the Appalachian Mountains, and extends to the Gulf. By reason of superior facilities of communication and the consequent trade relations which have sprung up and become established, portions of contiguous States are now and long have been commercially allied with this territory.

It is therefore believed that one of the most sharply defined and perfect zones for the operation of a Federal reserve bank is embraced in the following-named States: Virginia, North Carolina, South Carolina, Georgia, Florida, the southern half of West Virginia, part of eastern Tennessee, and part of eastern Kentucky.

Since the organization committee has at all of its hearings sought and invited the expression of opinion, we now desire to express the conviction that the committee can render an inestimable service to the country, the value of which will grow with time, by defining the Federal reserve-bank zones in harmony with commercial zones determined by natural boundaries, so far as may be done in agreement with the act.

It has been recognized as desirable, for purposes of economic comparison, to cut the country into units or divisions.

Given a natural division of territory, the conditions in it, financial and commercial, must always be more uniform than could otherwise be the case.

The comptroller has adopted six divisions within State lines.

The Interstate Commerce Commission, for comparison of the operations of railways, has made 10 arbitrary divisions within State lines.

Poor's Manual, a very high railroad authority of very long experience, makes eight divisions within State lines.

The United States Government has established nine judicial circuits, one of which comprises the States of Maryland, West Virginia, Virginia, North Carolina, and South Carolina. Richmond was selected as the location of the court of appeals for this circuit, and the chief justice sits here.

There are no standard divisions.

Comparisons by States will always be desirable and necessary, but these divisions are too numerous for economic purposes.

The Federal reserve act marks an epoch in the commercial and financial history of the United States, and while zones once determined may be readjusted the service which can now be rendered to the country by the committee in fixing these zones, which need not be coterminous with States, and therefore are contemplated to be according to the natural divisions and trade relations of the country, is of the very highest order.

In fixing the zone which we have mapped out we have been guided by this principle, and in presenting an argument to prove that Richmond can better serve this zone than any other city in it, and that by reason of her commercial and financial preeminence she is entitled to be the location of a Federal reserve bank, we have endeavored to eliminate all irrelevant matter and have confined ourselves to the consideration of the following points, all of which are involved in the operation of the act:

1. The importance of Richmond's geographical position, her facilities of communication, her convenience of location and accessibility to members with whom we now do business, and her advantage of location in all banking transactions between the North and the South.

2. The present trend of business, the present course of commercial transactions, the natural currents of exchange, the present banking and trade connections, and banking customs of the people.

3. The natural advantages of Richmond's location with relation to other Federal reserve banks necessary to be established on the Atlantic seaboard, in a territory embracing one-half of the national banking capital of the United States and 41 per cent of the population.

4. Comparative commercial importance in the territory covered, measured by capital, deposits, and other banking transactions.

5. Diversity of industries and agriculture—in their effect upon seasonal demand for credit and currency.

6. Necessity of having capital resources to handle the business of the district.

7. The wishes and views of those engaged in banking and commerce in the district outlined as to the location of their regional bank.

In presenting our case we shall be compelled to state facts and figures which we know to be within the knowledge of the committee, and with which by now we fear they may be surfeited. We desire to bring these facts together and present them in such form and manner as will serve for convenient reference and to make more clear their relations to each other and their bearing upon our position.

Addressing ourselves to these facts in their order:

1. THE UNSURPASSED ADVANTAGE OF RICHMOND IN GEOGRAPHICAL POSITION.

Practically and effectively on the Atlantic seaboard, about midway of the entire coast; reaping the greatest advantage of the favoring curve; opposite the gap in the Appalachian Mountains, giving the shortest, easiest, and quickest communication between the coast and the great centers of the Middle West; within one hour and a half of the greatest of Atlantic harbors, plans being now under way to make it the greatest naval base; in quick communication by rail and water with all other parts of the coast, and easily accessible to the ocean commerce of the world. Rear Admiral Stanford has just made the following report on this harbor:

"The most frequent mobilizations of the fleet are in Hampton Roads, and large ships ordinarily assigned to other yards must pass this point proceeding to and from the Gulf to the West Indies. In view of this central location, and the use of Hampton Roads as a base of operations, there is greater possibility of unforeseen repairs being required for vessels than at any other coast point."

Richmond's three north-and-south trunk lines—the Atlantic Coast Line, the Seaboard Air Line, and the Southern Railway; and we may be pardoned for reminding the committee that the genius, brains, and energies of Richmond men were very prominent in the development of the last two and are prominent in the management of the first.

Two of the most important east-and-west trunk lines—the Chesapeake & Ohio and the Norfolk & Western—connect Richmond with the finest coal area in the world and the greatest natural producing area on this continent, while into Norfolk, within two hours and a half travel from Richmond, run the Virginian Railway from the West and the Norfolk & Southern from the South.

All of which is well known to you, but necessary to be stated for the logical bearing of our argument.

We wish to impress upon the committee the natural advantages of the territory surrounding Hampton Roads, because it is generally regarded as inevitable that the heaviest population of the State will be divided between Richmond and that territory. Mr. O. P. Austin, for 15 years Chief of the Bureau of Statistics of the Department of Commerce, in a report on the zone which we have mapped out, which report fully confirms our own argument and position and accompanies this brief, refers to "the possibilities of the great harbor at Hampton Roads becoming the natural gateway for the Mississippi Valley, with its enormous production for foreign markets and consumption of foreign merchandise." He also states that "the officers of the War Department in charge of the 105 river and harbor works on the water frontage from the upper Potomac to the western coast of Florida report the value of the water-borne freight traffic at these places in 1912 at the enormous sum of $1,680,000,000, about one-half of which is at Hampton Roads."

We believe that this region must and will have an economic development which will far surpass any equal area in the Atlantic States, all of which has a practical and most intimate bearing upon Richmond as the location of a Federal reserve bank for the South Atlantic States.

Reverting to Richmond's railroad facilities—they place her within 18 hours of all the important cities within the district defined, with the exception of part of the most southern territory, and reference is made to the map and time table accompanying.

She is therefore in a position to ship with the greatest promptness and under the quickest schedule currency, not only to the banks in her zone, but to the numerous cotton, tobacco, and peanut buyers, and a telegram received in Richmond before the close of banking hours

would enable currency shipments to reach practically all important points on the next day, in most cases before the opening of bank, and few situations will appeal more strongly to practical country bankers than this.

Again, Richmond is within easier and quicker reach of all the eastern centers of trade and finance than any other important southern city, and is in the most exceptional position to act for the North in banking relations with the South, and for the South in dealing with the North.

No other city in the Atlantic Coast States occupies this advantageous position.

The numerous lines to the South and West are not only a guaranty of promptness and efficiency, but an insurance against disaster.

Into Washington and Baltimore and on to points beyond there is only one connecting line.

It is worth while to consider that a railway disaster, easily imaginable, to this line would cut off the South from any reserve centers placed north of Richmond, and should this occur at a critical time might cause financial confusion and even disaster to the South Atlantic States, and since this idea emanates from a railroad man, it is entitled to the greater consideration.

2. PRESENT TREND OF BUSINESS.

It is a fact, certainly applicable to the Atlantic Coast States, that the trend of business, the course of commercial transactions, and the currents of exchange are northward, or, in other words, from the outside toward the centers of finance and manufacture. This is the natural course of exchanges.

We believe that the operation of the Federal reserve act will revolutionize the existing method of using exchange in making settlements.

No act or rule will, however, reverse the natural course of settlements—where the money is due, there it must be paid.

Virginia, occupying the position of head of the Southern States, places Richmond in direct line with this natural trend, on the principal avenues of travel and transportation.

The railway lines from the South come into Virginia as into a funnel, Richmond being at the apex—the one line of railway being the tube leading to Washington and points North. She is a natural converging point.

The overwhelming volume of travel and transportation must go through this point.

3. THE NATURAL ADVANTAGES OF RICHMOND'S LOCATION WITH REFERENCE TO OTHER FEDERAL RESERVE BANKS ON THE ATLANTIC SEABOARD.

It is plainly contemplated in the act, and must so work out in its normal operation, that these Federal banks will act not only as clearing houses for members in their own zones, but between zones. The clearings between zones we believe will develop into enormous proportions, and the bank most advantageously located for clearing the transactions of any large section of country will have a great service to perform.

Time and distance must necessarily be most important factors in determining the location and selection of this bank for such a purpose.

To best perform it, the means of communication must be superior.

The bank should not only be readily accessible to members in its own district, but in the general line of trade and natural current of banking transactions of the entire section, so as to preserve the continuous trend toward the center of manufacture and finance where the greatest volume of settlements is made.

This essential principle is peculiarly applicable to the Atlantic Coast States, and can there be worked out to greater economic advantage than in any other part of the country.

It is axiomatic that quickness of communication is better assured by being on the lines of greatest frequency of travel, and all railroad schedules have been arranged with regard to the northward trend and with particular reference to the financial and business centers in line with that trend.

Therefore, to serve its own zone as a whole with the highest efficiency and economy, and at the same time to equally serve other zones in intimate relation with its own zone, a point midway along the line of quickest and most frequent communication offers the ideal location, and Providence has placed Richmond in that position.

The Atlantic Coast States afford a distinct and peculiar problem in putting into effect the Federal reserve act.

It was recognized both before and during the framing of and debate upon the act that the problem in the East was to decentralize reserves, while the object in other parts of the country is to concentrate them.

The States bordering on the Atlantic coast have about 41 per cent of the population and 52 per cent of the national banking capital of the country, as follows:

[Figures in millions.]

New England States:	
Maine	11
Vermont	7
New Hampshire	9
Massachusetts	96
Connecticut	31
Rhode Island	11
Total	165
Eastern States:	
New York	344
Pennsylvania	253
New Jersey	46
Delaware	3
Maryland	29
Total	675
Southern States:	
Virginia	29
North Carolina	11
South Carolina	8
Georgia	25
Florida	11
Total	84

Total, $924,000,000, or about 52 per cent of the national-banking capital of the United States.

In giving our views upon this situation, we are doing, as we understand it, only that which the committee invites us to do, as before stated, and chiefly because it has an *intimate relation* with our own case. We therefore assume that the Atlantic Coast States, where the banking capital essential to the operation of the system is heavily concentrated, are entitled to and perhaps must have several reserve banks, located according to the density of banking operations, so as to carry out the purpose and spirit of the act and not disrupt or disturb the natural course of business and financial settlements.

It is accordingly natural to assume, as we look upon it, that the greatest cities in that section will receive the first consideration, and these cities are, of course, in geographical order: Boston, New York, and Philadelphia. And if the selection of these cities will, as we believe, best accomplish the division of banking power aimed at, then a Federal reserve bank can not, in justice to the rest of the country and without doing violence to the purpose of the act, be located in any other near-by city.

Among the 15 Atlantic Coast States named, Virginia ranks sixth. These 6 States rank in the order named—New York, Pennsylvania, Massachusetts, New Jersey, Connecticut, Virginia.

But Virginia exceeds Connecticut in national bank gross deposits by $40,000,000.

Virginia therefore ranks fifth in national banking importance among the 15 States.

For this reason, as well as for her geographical position, it follows that it is natural to look to Virginia to furnish the next location for a Federal reserve bank along the Atlantic coast, and again we affirm that a Federal reserve bank in Richmond will have the most decided advantage over any point in these Atlantic Coast States in clearing for member banks and reserve banks between the North and South, and no other location can offer such practical advantages in economy of time which, according to the accepted adage, is synonymous with money.

One day's interest on the annual volume of exchanges between the northern and southern banks would mean a handsome profit to the Government. This one advantage alone is of such overwhelming importance that it justifies our statement that Richmond's natural advantage of location can not be overcome by any other consideration. It is difficult to name a feature of equal economic importance to the gain of a banking day in perpetuity.

It cuts the year in half, or doubles its length, according to whether it is operating for or against any point or points. Richmond would have that advantage over other large cities north of her in effecting these clearings between zones in the Atlantic States.

4. COMPARATIVE COMMERCIAL IMPORTANCE.

As to the comparative commercial importance of Richmond, and of Virginia, with relation to this district, measured by capital, deposits, and banking transactions—

Of the 15 Atlantic Coast States, Virginia, as we have stated, ranks fifth in natural banking importance.

There are only three other States on this side of the Mississippi which exceed Virginia in national banking capital; that is, Illinois, Indiana, and Ohio.

Among the 26 States on this side of the Mississippi, Virginia, therefore, ranks eighth in importance in the present national banking system, measured by that standard.

She stands financially, as well as geographically, at the head of all the Southern States east of the Mississippi River.

The aggregate national-bank resources of these several States are as follows (comptroller's figures, Oct. 21, 1913):

Virginia	$168,000,000
West Virginia	92,000,000
North Carolina	70,000,000
South Carolina	49,000,000
Georgia	113,000,000
Florida	61,000,000
Alabama	80,000,000
Mississippi	27,000,000
Louisiana	80,000,000
Tennessee	115,000,000

Virginia therefore leads by $53,000,000 the State next highest in rank. Virginia maintains the same supremacy in the entire banking field.

The deposits in all classes of banks in these States are as follows:

Virginia	$175,000,000
North Carolina	106,000,000
South Carolina	75,000,000
Georgia	152,000,000
Florida	76,000,000
Alabama	96,000,000
Mississippi	76,000,000
Louisiana	147,000,000
Tennessee	156,000,000

Virginia leads by about $20,000,000 the State next highest in rank among the Southern States east of the Mississippi River.

As to Richmond, the national-bank deposits of Richmond are two-fifths of such deposits in the entire State, while her national banking capital is three-fifths of that of the State.

Richmond is not a reserve city under the national banking law, and Virginia has no reserve city.

Her bank deposits have not been built up because of any inducements which other competing cities do not offer.

She is a natural reserve city.

The law governing Virginia State banks requires no specified amount of liabilities to be kept either in vault or in other banks.

The business of Richmond has flowed to her from other Virginia points and from Southern and Western States as a result of natural causes governed by the trend of business, the numerous and unexcelled means of communication as well as by the attraction of capital.

The industrial and commercial relations and needs of this section have developed these banking relations.

The customary trend of business, free from all extraneous compelling influences, has developed these relations, and the established custom of keeping checking accounts has simply grown up as a natural result of everyday business transactions.

It is to be considered that the Federal reserve act will, with its new principles of credit and reserve, clearing and par of exchange, alter in a great measure the banking customs and practices which have grown up under the old law, and may, and probably will, revolutionize some of the practices of banking.

The trend and flow of exchanges will be altered to the extent that they have become artificial, and to the extent that they have been influenced by the location of reserve centers, the requirements of keeping reserve accounts, and the custom of sustaining balances in order to command credit.

It is altogether probable that results in many cases will be of an astonishing nature.

It is one of the purposes of the act to promote free banking relations, and under free banking relations it is clearly a justifiable conclusion

that the service Richmond will have to perform will be a greater one because of being a natural trade, transportation, and banking center. The law of physics is the law of commerce—it will follow the lines of least resistance. We will develop this point further on.

To further illustrate the natural flow of business to Virginia and Richmond—

The national banks of Richmond on Oct. 21, 1913, had deposits from other national banks of	$7,500,000
Deposits from other State banks, etc	10,000,000
Total	17,500,000
Which compares with corresponding totals for—	
Georgia	9,700,000
North Carolina	8,200,000
South Carolina	6,200,000

These deposits were exceeded by no other Southern State east of the Mississippi River.

Illustrating the rapid growth and concentration of banking capital, the resources of Richmond banks were in—

1890	$14,000,000
1903	32,000,000
1913	74,000,000

Her clearings in—

1900	175,000,000
1912	424,000,000

Richmond ranks in bank clearings among the first 30 cities in the United States, and compares with other southern cities as follows:

Washington	$387,000,000
Richmond	424,000,000
Atlanta	693,000,000

In the case of Richmond these clearings were for the city alone, while in the case of Atlanta they cover the State, with its 117 national and 669 State banks, with a few exceptions, and, as we understand, also points in adjoining States; and, furthermore, in addition to her local clearings, Richmond handled $400,000,000 in checks and drafts on the Southern States named, making her clearings on the same principle, as we think, practically $800,000,000.

Richmond's banking relations with States south of her show the great intimacy of trade relations with these States, and the statement following sets forth in the most illuminating manner the custom and trend of business under existing conditions and notwithstanding the present system of bank reserves:

[From comptroller's report of 1912.]

Number of State and National banks in—	
Virginia	380
North Carolina	429
South Carolina	346
West Virginia	297
Georgia	760
Florida	204
Number of accounts carried in Richmond by banks from—	
Virginia	528
North Carolina	397
South Carolina	182
West Virginia	82
Georgia	85
Florida	18
Maximum deposits carried by other banks in Richmond—	
Virginia	$5,467,697
North Carolina	4,465,455
South Carolina	926,779
West Virginia	1,793,838
Georgia	440,115
Florida	142,918
Maximum loans by Richmond to other banks in 1913—	
Virginia	1,459,080
North Carolina	2,200,480
South Carolina	2,423,915
West Virginia	90,700
Georgia	669,900
Florida	79,750
Maximum deposits in Richmond to credit of individuals, firms, and corporations in—	
North Carolina	3,225,369
South Carolina	1,416,997
Maximum loans made in Richmond in 1913 to individuals, firms, and corporations in—	
North Carolina	5,245,451
South Carolina	3,129,815
Maximum deposits of banks and individuals outside of Virginia in Richmond banks—	
North Carolina	7,690,820
South Carolina	2,343,776
Maximum loans by Richmond to banks and individuals in—	
North Carolina	7,445,931
South Carolina	5,553,730

So that banks, corporations, and individuals outside of Richmond carried on deposit in Richmond banks $18,000,000.

It will be observed that in Virginia the number of bank accounts with Richmond greatly exceeds the number of banks in the State.

In North Carolina it nearly equals the number of banks, and in South Carolina and West Virginia the number of accounts in proportion to the number of banks is very large.

Richmond's loans to other Southern States and to individuals and corporations in these States aggregated nearly $14,000,000, a sum not far short of the aggregate borrowings and rediscounts on October 21, 1913, of national banks in any six Southern States, excluding Texas.

Richmond lends practically all of this capital in the South outside of Virginia. She does not use it herself.

She is a credit clearing house.

To meet the demands for crop and other purposes Richmond, during 1913, shipped $14,000,000 in currency into this section.

In the volume of corporate capital, upon the income of which Virginia pays to the Government a tax, she ranks easily first among all the Southern States:

Virginia	$942,000,000
Texas	873,000,000
Georgia	485,000,000

The amount Virginia pays to the support of the Government in internal revenue taxes is exceeded only by that of the State of North Carolina among all the Southern States:

Virginia	$8,300,000
North Carolina	8,900,000
Georgia	541,000
Alabama	338,000
Louisiana	5,000,000
Tennessee	2,300,000

These comparisons are not given simply to show the commercial importance of the State of Virginia and of the city of Richmond, but rather to set forth the volume of business transactions centered in Richmond out of which grow banking transactions and customs of trade and trend of commerce and exchanges and exchange of credits.

The jobbing and the manufacturing business of Richmond are further practical illustrations that she is a trading and distributing center. Her jobbing business is $80,000,000 and the value of her manufactures $100,000,000.

5. DIVERSITY OF INDUSTRY AND AGRICULTURE.

As to diversity of industry and agriculture in the district which Richmond could serve better than any other location it can not perhaps be better illustrated than by giving the annual value of products of factories, farms, forests, and mines, which are the principal divisions of labor.

The business of the Southern States as represented by industry in these divisions is as follows:

Factories	$1,391,000,000
Farms	1,197,000,000
Forests	266,000,000
Mines	106,000,000
Total values of all products as above	2,960,000,000

Dr. S. C. Mitchell, in his admirable paper read to you at the hearing given Richmond, states that:

"The diversity of interests in this region are as striking as its natural and economic unity."

Perhaps in no other division of the United States will you find so great a variety of interests.

The developing character of the district is of equal importance. Your committee shares with us the knowledge that it is within little more than two decades that this region began its real recovery from utter prostration and that now its rate of progress exceeds that of any other portion of the country.

Mr. O. P. Austin, whom we have previously quoted, estimates the value of the merchandise handled in the district at $5,000,000,000, or more than the entire ingoing and outgoing foreign commerce of the United States.

Richmond is to day, and probably always will be, the chief tobacco center of the United States.

Four governments, or their chief tobacco interests, maintain the headquarters of their buyers or handle their business through Richmond.

Forty per cent of the tobacco crop raised in Virginia, North Carolina, and South Carolina in 1913 came directly to Richmond for rehandling and manufacturing, and Richmond banks supplied the tobacco trade of Richmond in exchange to the various tobacco markets, and paid out in Richmond in 1913 the enormous sum of $53,000,000, or 88 per cent of the total value of the crop in North Carolina, South Carolina, and Virginia.

A considerable portion of this sum, however, was sent to Kentucky and West Virginia.

Of the total collections of internal revenue by the Government from tobacco in its various forms for the year 1912, 20 per cent was collected from territory within a radius of eight hours from Richmond.

As to diversity of crops of the district in their effect upon the demands for credit and currency, Richmond, being situated at the northern limit of the district, occupies this incontestable advantage as a Federal reserve bank location—the climatic differences of the Southern States, in their effect upon crop development, come in orderly rotation up to Virginia. The demands upon the Federal reserve bank of Richmond would be uniform and continuous.

The peak of the load would doubtless be in the fall; but that would be the case everywhere else, and it is the purpose of the new law to provide for it.

Further illustrating the diversity of crop and industrial conditions in this district, the railroads serving it are at present among the most prosperous in the country. We do not know how to account for it on any other basis than the diversity of interests and the consequent absence of any general depression.

Added to her advantages for assembling and manufacturing the products of industry, her facilities for distribution heretofore described are positively unsurpassed by any other southern city.

We will give you a very recent concrete instance: One of the very large corporations of this country, with headquarters at St. Louis, has just selected Richmond as one of two depots on the Atlantic seaboard most advantageously located for the storage and distribution of its products, New York being the other point.

Richmond is a reserve center of products.

6. CAPITAL RESOURCES OF THE DISTRICT.

As to the confines and capital resources of the district of which Richmond is the logical and most advantageous location for a Federal reserve bank:

The rules laid down by the organization committee for their guidance are so just and wise that all men must acquiesce in and approve them.

Under the language of the law and the spirit and purpose of the act, we believe that the natural territory of a district—considering geographical convenience, natural boundaries, ease and quickness of communication and transportation; as great diversity of industry and agriculture as may be found anywhere; natural trend of business and exchanges; the banking customs and trade relations of a majority portion of the territory; the desires of a majority portion of the people—is embraced in the zone mapped out to be served by a Federal bank located in Richmond, namely, Virginia, North Carolina, South Carolina, Georgia, Florida, southern part of West Virginia, part of eastern Tennessee, part of eastern Kentucky.

These States have adequate national-bank resources to contribute the necessary capital and reserves for a regional bank.

They also have a strong system of State banks, which would add largely to resources should these banks elect to enter the system, which,

possibly, may not be counted upon in time for organization of the Federal banks.

National banking capital in the proposed district, according to the comptroller's figures, October 21, 1913:

States.	Capital and surplus.	Capital subscribed to Federal reserve bank.
Virginia	$29,300,000	$1,758,000
North Carolina	11,300,000	678,000
South Carolina	8,500,000	510,000
Georgia	22,900,000	1,374,000
Florida	10,600,000	636,000
West Virginia, one-half	8,300,000	498,000
East Tennessee	8,300,000	498,000
East Kentucky	1,300,000	78,000
Total	100,500,000	6,030,000

The total capital and surplus of the State banks in the States named, including one-half of West Virginia, omitting for the moment those portions of Kentucky and Tennessee included in the zone, is $68,000,000.

Now as to the net deposits requiring reserves:

	Net deposits.
Virginia	$100,000,000
North Carolina	36,000,000
South Carolina	23,000,000
Georgia	50,000,000
Florida	33,000,000
West Virginia—say one-half	29,000,000
Total net deposits	271,000,000

not taking into account the portions of Tennessee and Kentucky, included in the district, for lack of comptroller's figures.

Classifying these as country banks, the amount of reserve required to be kept in the Federal reserve bank, under full operation of the act, would be—

Say 5 per cent, or	$13,000,000
Government deposits divided in proportion to the capital involved would probably be, say, 6 per cent, or	9,000,000
State banks might swell the amount, say	2,000,000
Full-paid capital	6,000,000
Total probable resources	30,000,000

Omitting from consideration the note-issuing powers of the bank, the resources would serve as a basis for the expansion of credit in the usual way to possibly $75,000,000.

It is considered by many that the credit business of these banks will far overshadow the note-issue business, and we share that view.

Now, the banking power of these banks is not to be measured solely by capital resources but by their ability to acquire gold and to build up deposits and loans in the usual way upon their reserves as a base, and also by their note-issue power upon this base.

It is estimated that the floating supply of gold or its representative in this country not in banks is approximately $800,000,000, doing duty as currency or hoarded.

It is certainly not performing its greatest economic function as currency.

In Federal reserve banks it would serve as the basis for two and one-half times its volume in a safe and sound currency, and it is clear that here is a large source of gold supply.

It is probable that with stable banking conditions, as one beneficial result of the act, gold will to a large extent cease to be hoarded and gradually come from hiding

The total amount of borrowings and rediscounts of all the Southern States, excluding Texas, was, on October 21, 1913, about $40,000,000, and of the States named $25,000,000.

It is clear that the resources of a Federal reserve bank in the district mapped out would be entirely adequate to serve the district.

Furthermore, it is to be borne in mind that the reserve figured upon is the minimum reserve, and if the banks make any use whatever of the Federal banks they will be compelled to keep more of their reserve with them.

The area covered would be about 250,000 square miles and the population about 10,000,000.

7. WISHES AND VIEWS OF THE BANKS AND PEOPLE IN THE DISTRICT AND THEIR PRESENT BANKING CONNECTIONS.

In Virginia out of a total of 437 banks 404 have voted for Richmond as first choice.

In North Carolina out of a total of 486 banks 373 have voted for Richmond as first choice and 69 as second choice.

In South Carolina out of a total of 405 banks 82 have voted for Richmond as first choice and 122 as second choice, Columbia being, of course, first choice. Only 18 of the remaining banks in South Carolina voted, and these were scattered.

The capital and deposits of the South Carolina banks voting first for Richmond were greater than those voting first for their own city—Columbia.

So that, out of a total of 1,328 banks in three States, of the number voting, 863 gave Richmond as first choice and 191 gave Richmond as second choice.

Eliminating Charlotte and Columbia, 1,052 banks out of a total of 1,328 in the three States regard Richmond as the proper location of their Federal reserve bank.

In West Virginia, in the southern half of the State, 49 banks have selected Richmond as first choice and 26 as second.

Richmond has been designated as the preferred location by firms and individuals outside of Richmond as follows:

Virginia	1,063
North Carolina	870
South Carolina	141
West Virginia	154

We are therefore fully justified in the statement that there is a very strong feeling in Virginia, North Carolina, and South Carolina that they must be included together in any zone which may be formed, and that whatever territory may be incorporated in their zone a Federal reserve bank located in Richmond would serve their interests better than if located in any other city.

The interests of these three States are too closely interwoven to be separated.

If any further corroboration can possibly be desired by the committee, we respectfully refer to the sentiments expressed by North Carolina, South Carolina, and also by West Virginia bankers at the hearing given Richmond in Washington on January 15, and to the exhibit of resolutions, petitions, letters, and telegrams accompanying this brief.

We respectfully submit that compliance with the letter and intent of the law, which declares that the Federal reserve districts shall be determined with due regard to the convenience and customary course of business, would demand that these three States shall be kept together in one district, so that their mutual trade and financial relations may not be disrupted or disturbed

The district we have outlined is the most perfect geographical division of the country that can be carved out. Nature has placed her boundaries, sharply defining it. We believe it is an equally perfect economic unit. It is a political division equally sharply defined.

The inhabitants are more homogeneous than in any other division or part of the United States. All of these considerations have a practical bearing.

Our crops and the credits based upon them are distinctive, and the management of the regional bank should bear the closest relation to, and have the closest familiarity with, the needs and customs of the district. For this reason, as well as for all the foregoing reasons, whatever territory may be added to this zone, the headquarters of any bank organized to serve the zone, or any large part of it, should not be located north of Richmond.

This position and all of these conclusions are separately and independently confirmed by the learned and experienced authorities, Dr. S. C. Mitchell and O. P. Austin, former Chief of the Bureau of Statistics of the Department of Commerce, whose papers have been filed with you.

Finally, why Richmond can better serve the zone mapped out than any city in it, or any city in territory north of Richmond which might be added to the zone, and why Richmond may therefore be entitled to the location of a Federal reserve bank.

In the entire zone mapped out Virginia is the dominating State financially, and Richmond clearly the dominating city. Since colonial times Virginia has been the dominating State in the South.

Richmond has played a part far ahead of any other city in the zone in its development, from a banking point of view, an industrial point of view, and a railroad point of view.

Long ago Richmond found that in this zone she had a preferential freight-rate territory, and that in this territory the cities north of her could not compete on equal terms with Richmond. This preferential territory extends through the zone described to southern Georgia and Alabama and the eastern State line of Mississippi.

It does not embrace the State of Florida because of water competition. The territory is more graphically portrayed on the map which accompanies.

The trade relations of Richmond in this territory, out of which spring banking relations and settlements, must continue to grow, and more and more exclude cities north of Richmond.

The average first-class rate in the territory gives Richmond an advantage over, we will say, Baltimore, by way of illustration, that being the next large city of commercial importance north of Richmond, gives Richmond an advantage of 11.2 cents per hundred pounds, or approximately 13 per cent.

This relative proportion in favor of Richmond applies to all class and commodity rates, and in some instances it is greater in favor of Richmond.

For full details we refer to the statement of Mr. W. T. Reed, president of the Richmond Chamber of Commerce, which statement accompanies.

Commercial supremacy in this territory must go hand in hand with banking supremacy, particularly under a natural and free system of banking.

Granting the selection of this territory, or any large part of it, as a zone, the advantage of Richmond in point of time and distance in dealing with the members of the zone is so great as to exclude any city north of her from consideration; and the equal advantage of Richmond as a clearing point between zones, for the same reasons, would likewise exclude any northern city.

It is firmly to be borne in mind, as we understand, that the purpose of the Federal reserve act is to afford additional banking facilities to the people, and that Federal reserve banks shall be so placed as to best serve the people with reference to the operation of the system as a whole. Should Federal banks be placed in the three great cities of the East which we have named, that fact in itself, we believe, would justly exclude from consideration the location of headquarters of another bank in any city north of Richmond.

They are not intended to be local, and for that reason branches are provided, and due consideration is not generally given to the power and facilities of these branches.

It goes without saying that this zone mapped out will be provided with these additional facilities, superior to any which they have heretofore enjoyed, by the location of a bank in Richmond, that branch banks will answer local needs, and that the zone will be more independent of the financial considerations which have bound it to large money centers in the East; and this, too, was intended and can best be brought about by the location of a bank within the region described as a natural division of country.

Is there any man who doubts that if State lines were obliterated and the country apportioned in these geographical divisions Richmond would by acclaim be chosen the capital of this division?

Although resting our claims upon the financial strength and the economics of the situation, we have also those considerations in our favor which are most powerful in molding the character and ideals of a nation.

Richmond has a place in the affections of the South which no other city possesses.

She has a place in the annals of the Nation and the world which is imperishable.

The debt of the Nation to Virginia is inextinguishable.

It is difficult to see how this Republic could have been formed but for Virginia.

Richmond has that dignity of standing, that atmosphere of sentiment and history, that position in science and learning, which render her worthy of any honor or distinction that can be bestowed upon her, and the intelligent judgment of the whole country, having a knowledge

of these considerations, would approve the location of a Federal reserve bank in Richmond.

The names of Virginians will be associated for all time in the financial history of this country with the Federal reserve act.

All of these considerations preeminently distinguish Richmond as the location of a Federal reserve bank.

THE SOUTH ATLANTIC COASTAL PLAIN—A DISTINCT GEOGRAPHICAL AND CLIMATIC UNIT—ITS PRODUCTS, PECULIAR TO ITS OWN SOIL AND CLIMATE, SHOULD BE FINANCED BY MEN ACQUAINTED WITH LOCAL CONDITIONS.

[By O. P. Austin, 15 years Chief of the United States Bureau of Statistics; secretary of the National Geographic Society.]

Nature has set aside the south Atlantic frontage of this continent as a distinct and peculiar section and has given to it a class of products which are peculiar to itself, and with the financing of which its own people are more closely acquainted than those of any other section are or can become. The Atlantic coastal plain, which in recent geological ages emerged from beneath the ocean, stretches from New York southward to the Gulf of Mexico and is shut off from the West by great mountain ranges.

PECULIARITIES OF PRODUCING POWER.

At the northern end it is a narrow and sandy plain, but gradually widening toward the South. At about the point at which the Potomac crosses it it suddenly broadens to a width of approximately 200 miles, and at that point enter two new and important factors in its producing power—a fertile soil and a genial climate.

EXPERT TESTIMONY AS TO SOILS.

Prof. Jay A. Bonsteel, a distinguished soil expert of the Department of Agriculture, in a general description of the soils of the United States, which appeared in the 1911 edition of the official publications of the Department of Agriculture, The Agricultural Yearbook, and in a similar discussion of the soils contributing to the trucking system of the South Atlantic coast, presented in the 1912 issue of that official publication, says:

"The Norfolk fine sandy loam extends from eastern Virginia southward along the Atlantic coast to Florida and thence westward. Among all the truck soils in use or available along the middle Atlantic coast, the Norfolk fine sandy loam easily occupies the premier place both with regard to its total extent and its wide range of possible products. It has been formed as a sedimentary deposit, laid down under the waters of a more extended marine occupation, and later elevated to become a portion of the present land area.

AN IDEAL SOIL FOR MARKET GARDENING.

"Physically it is almost ideally constituted for the intensive growing of crops. It is of prime importance for the production of vegetables and small fruit. In the eastern counties of Virginia and North Carolina it is also used for the production of corn, winter oats, peanuts, and bright cigarette tobacco, and from the southern boundary of Virginia to Texas it is highly prized as a cotton soil. Where local transportation facilities are adequate it is intensively farmed for the production of vegetables and small fruits for shipment to northern markets.

PRESENT PRODUCTS MAY BE MANY TIMES MULTIPLIED.

"Soil surveys throughout this region have encountered a total area of 4,346,000 acres of this soil, and it is possible that 20,000,000 acres will be found to exist. Not one-tenth of 1 per cent of this total area is now occupied for truck farming, and it is probable that not 25 per cent is now used for any agricultural purposes other than grazing."

EXPERT TESTIMONY AS TO CLIMATE.

These extracts from official descriptions of the peculiar soil factor in the producing power of this section should be considered in conjunction with that other important factor, climatic conditions.

A GREAT OUT-OF-DOORS GREENHOUSE.

That the conditions of climate are as peculiar as those of soil and equally effective in developing a production different from that of other parts of the country is also indicated by Prof. Bonsteel in his 1912 discussion, in which he describes this coastal frontage as "a great out-of-doors greenhouse," and, in another place, "the great winter garden which supplies the cities of the Northeastern States with fresh vegetables demanded for consumption during the later months of winter and those of early spring."

THE GULF STREAM A FACTOR IN PRODUCING POWER.

This peculiar condition of climate, and thus of producing power, he attributes in part to the presence of the Gulf Stream, which, as is well known, flows close to the Atlantic coast as far north as Cape Hatteras, but leaves the coast at that point, moving in a northeastwardly direction across the Atlantic.

A TROPICAL AND SUBTROPICAL CLIMATE.

The peculiarities of climate (and, therefore, of the producing power) of this section are also pointed out in the International Encyclopedia, edited by that great scholar and educator, the late Daniel Coit Gilman, for 25 years the president of Johns Hopkins University, which says: "The United States has been divided into eight (climatic) sections; two of these are tropical, Florida and Texas; two are subtropical, including the coast States from Texas to Virginia and the California region; the other four sections are temperate or boreal."

ITS PRODUCTS REQUIRE FINANCING FROM WITHIN THIS AREA.

These statements from two distinguished authorities regarding the peculiar characteristics of the South Atlantic frontage in the great factors of production, soil and climate, are presented with the purpose of sustaining the statement already made by us, that the chief products of this section, which must prove the basis of its requirements for credit and currency, are peculiar to this section, and would be much better understood in their relation to credit and to currency requirements by the officers of a bank located within that section than would be possible elsewhere.

AN AREA OF PECULIAR AND VARIED PRODUCTION.

What are the products of this section which nature has thus set aside with a peculiar soil and climate, and, therefore, a class of products to itself? Beginning at the South, we may name sea-island cotton, approximately $7,000,000; phosphates, about $10,000,000; peanuts, $15,000,000; turpentine and rosin, $30,000,000; cottonseed oil and cake, approximately $45,000,000; fruits, $15,000,000; tobacco, $32,000,000; vegetables, exclusive of potatoes, $36,000,000; sweet potatoes, $15,000,000; products of the mines, $100,000,000; animals, sold or slaughtered on farms, $92,000,000; all cereals, $167,000,000; cotton, $255,000,000; all farm crops, $690,000,000; all manufactures, $987,000,000; these being in nearly all cases the figures of the census of 1909.

THE WORLD'S CHIEF PRODUCER OF IMPORTANT ARTICLES OF COMMERCE.

It will be seen that a large proportion of the articles produced in these six States are intensely local, the product of the peculiar soil and subtropical climate referred to by the distinguished scholars already quoted. The United States is now one of the principal sponge producing and exporting countries of the world, and practically all of this produce is peculiar to the coast of Florida. We are the world's largest producers of turpentine and rosin, and practically all of our output is produced in Florida and Georgia. Our sea-island cotton is famed the world over, and practically all of it is produced along the extreme South Atlantic coast. Of the $23,000,000 worth of citrus fruits produced in the United States nearly one-third is grown in Florida. The United States is the world's largest producer of rock phosphates, and most of this is now mined in the State of Florida. The value of peanuts produced in the United States increased from $7,250,000 in 1899 to $18,250,000 in 1909, and 78 per cent of these were produced in Virginia, North Carolina, Georgia, and Florida. Of the approximately $120,000,000 worth of cottonseed oil and meal produced in the United States in 1909, more than one-third was the product of Virginia, North Carolina, South Carolina, and Georgia. Of the 1,000,000,000 pounds of tobacco grown in the United States in 1909, practically one-third was the product of the six States—Virginia, West Virginia, North and South Carolina, Georgia, and Florida.

VALUE OF ITS DISTINCTLY LOCAL PRODUCTS $500,000,000 PER ANNUM.

The value of these distinctively tropical or subtropical products of this section is, stated in round terms, $450,000,000 per annum; sea-island cotton, $7,000,000; citrus fruits, $6,000,000; sugar, $3,000,000; dry peas, $3,000,000; peanuts, $15,000,000; sweet potatoes, $15,000,000; turpentine and rosin, $30,000,000; vegetables $36,000,000; fruits $15,000,000; small fruits, $4,000,000; tobacco, $32,000,000; cottonseed oil and meal, $45,000,000; cotton, $255,000,000; while if we add to these the phosphates and sponges of Florida and other land and water products peculiar to that section, we get a grand total of approximately $500,000,000 worth of products distinctly tropical or subtropical in character.

ITS PRODUCTS SHOULD BE FINANCED FROM WITHIN ITS OWN AREA.

The fact that the grand total of the production of this section is made up of a large number of articles not closely related to each other, but having for each a distinctive characteristic as to production and use, intensifies the importance of selecting some convenient point well within that section as the locus of the reserve bank for the district. While the economic methods of the South as a whole have been criticized upon the ground that it does not sufficiently diversify its products, such charge can not be sustained with reference to the area which we are bringing to your attention. One of the speakers who appeared before your honorable body, a gentleman of high standing in the financial circles of the Capital City of the Nation, remarked that one of the objects of this law is to decentralize reserves as they now exist and distribute them among several reservoirs, each reservoir to be located with regard to the due convenience of a district wherein a great number of diversified industries are carried on, to build up every branch of industry and commerce; a suggestion which, we submit, applies with great force to the South Atlantic section as one having great diversity of production, and to Richmond as the natural center of the finance and commerce growing out of such production.

RICHMOND AN IDEAL FINANCIAL CENTER OF THE DISTRICT.

That this great mass of distinctively southern products can be more intelligently understood and financed from a distinctively southern city can not be doubted. Not only would Richmond be conveniently located for the prompt transmission of mails and expressage to the section in which this great mass of products originates, but the acquaintance of her people with the peculiar products in question—the phosphates, the naval stores, the peanut crop, the tropical fruits, the tobacco, the cottonseed oil and meal, and the sea island and upland cotton, their seasons of growth and preparation for market—all these would be better understood and the interests of their producers better served from Richmond than Washington, which has no active business relation with the producing manufacturing, or commercial interests, or from Baltimore, which is still farther removed from the area of the chief production of these peculiar and distinctively "local" products.

VOLUME OF LOCAL BUSINESS REQUIRES A RESERVE BANK.

The section lying south of the Potomac and east of the Appalachians is amply sufficient in area, population, and the value of its products for the service of a regional bank. The population of the six States which we propose as that section—Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida—is in round numbers 11,000,000 by the census of 1910; the value of its farm property $2,500,000,000; its capital invested in manufactures, over $1,000,000,000; the products of its manufactures, nearly $1,000,000,000 in 1909, and now much more than $1,000,000,000; the value of its farm crops, by the census of 1909, $690,000,000; the products of its mines, $100,000,000; the length of its railways, 29,000 miles; and the navigable mileage of its rivers, over 5,000 miles, or one-fifth of the total of the United States. The officers of the War Department in charge of the 105 river and harbor works on its water frontage from the upper Potomac to the western coast of Florida, report the value of the water-borne freight traffic at those places in 1912 at the enormous sum of $1,680,000,000, of which about one-half is at Hampton Roads.

VALUE OF MERCHANDISE HANDLED, $5,000,000,000 PER ANNUM.

The census of 1910 placed the value of the manufactures of this area at $987,000,000; the farm crops at $688,000,000; the products of the mines, $100,000,000; the farm animals slaughtered or sold, $92,000,000; and, adding a reasonable estimate for the products of the forests and fisheries, the total production of the area in that year may be set down at nearly $2,000,000,000, indicating that the annual value of its various products at the present time is more than $2,500,000,000. Most of this $2,500,000,000 worth of annual products is moved from the place of production to other parts of the country, or to other sections of the world, and in their stead there is purchased about an equal value of other merchandise, suggesting that the value of the merchandise handled in this district in a single year is approximately $5,000,000,000, or more than the entire foreign commerce of the United States.

BUSINESS OF THIS AREA IS RAPIDLY INCREASING.

That this enormous total of $5,000,000,000 worth of merchandise annually handled in this section is likely to grow very rapidly is apparent from the figures of actual growth during recent periods. The

total value of the manufactures produced in these six States increased 123 per cent from 1899 to 1909, while the gain in all other parts of the country was but 80 per cent. The value of all farm crops in these States increased 120 per cent for the period from 1899 to 1909, while that in other parts of the country increased but 83 per cent. The coal production of this area increased 250 per cent in the 10-year period, while that of the country as a whole only doubled. The capital invested in manufacturing in these States increased 171 per cent from 1899 to 1909, while the gain in the whole manufacturing capital of the country was but 105 per cent. The wages and salaries paid in manufacturing increased 123 per cent, while that in other parts of the country increased but 80 per cent. The railroad mileage increased 70 per cent from 1890 to 1911, and in the otner portions of the country increased but 47 per cent. The internal revenue paid increased from $10,500,000 in 1903 to $21,000,000 in 1912, a gain of 100 per cent, while the gain in the other parts of the country was but 40 per cent in the same period. The estimated true value of all property, as shown by the United States census, increased from $4,000,000,000 in 1900 to over $5,000,000,000 in 1904, an increase of 26 per cent, while the increase in other parts of the country was but 21 per cent. The total indebtedness less sinking fund of these six States was, according to the United States census, $94,000,000 in 1890 and $100,000,000 in 1902, an increase of less than 7 per cent, while the indebtedness of other States of the Union showed an increase of 64 per cent in the same period. The average per capita indebtedness of these six States fell from $12.82 for each individual in 1890 to $11.02 in 1902, while that of the country as a whole increased from $18.16 per capita in 1890 to $23.73 in 1902. The expenditures on public roads in these six States now aggregate about $15,000,000 per annum, a fact which in itself promises great development of its agricultural power.

ALL GREAT INDUSTRIES REPRESENTED IN THIS REGION.

The value of the three great products of this section—agriculture, manufactures, and mining—are quite evenly distributed in proportion to the products of the entire United States. The farm crops of the section in question formed in 1909 about 12 per cent of those of the entire United States, the manufactures about 5 per cent, and the minerals approximately 5 per cent of those of the entire United States.

FOREIGN COMMERCE OF THIS AREA RAPIDLY GROWING.

The value of the foreign commerce of the frontage from the mouth of the Potomac to the western coast of Florida is now approximately $150,000,000, and shows a rapid growth when compared with other sections of the country. At Norfolk and Newport News, especially, lying as they do at that great natural harbor of the United States—Hampton Roads—the exports of the fiscal year 1913 show a remarkable growth, having practically doubled in the past two years.

A GATEWAY FOR THE PRODUCTS OF THE MISSISSIPPI VALLEY.

The possibilities of this great harbor in becoming the natural gateway for the Mississippi Valley, with its enormous production for foreign markets and consumption of foreign merchandise, are worthy of serious attention in considering the future possibilities and probabilities of the commerce and commercial requirements of this section. With two great railway lines now transporting to this port the merchandise of the upper Mississippi Valley, over remarkably easy grades and free from the interruption of a northern winter climate, it may be expected that the remarkable growth of recent years will be continued.

A SHIP CANAL POSSIBILITY.

Still another possibility of an enormous increase in the foreign commerce of Hampton Roads is found in the suggestion of a ship canal to connect the Great Lakes with the Atlantic Ocean. Our experience at Panama has demonstrated the ability of our country and its engineers in opening a passageway for ocean vessels through a country where the natural obstacles are much greater than those which lie between the Atlantic and the Great Lakes, and if the Government of the United States should see fit to utilize for this great enterprise the men and machinery which have accomplished the work at Panama, the route from Hampton Roads, along the lines suggested by George Washington to the Ohio River and thence to the Great Lakes, would be worthy of serious consideration, and if adopted make this the gateway for the outflow of the products of that greatest producing section of the world—the Mississippi Valley—and the route by which it would in turn receive its requirements from foreign countries.

PANAMA CANAL WILL INCREASE TRADE AND CURRENCY REQUIREMENTS.

The Panama Canal will, when opened to commerce, immediately stimulate the coastal trade of this section. At present a narrow strip of country along the Atlantic frontage sends its merchandise for the Pacific coast by water by way of the trans-Isthmian railways, which demand for their service one-third of the entire coast to coast charges, the annual volume of that trans-Isthmian traffic between the Atlantic and Pacific coasts being now more than $100,000,000 per annum. With the possibility of passing the products of the eastern and western coasts across the Isthmus without the cost of rail movement, the volume of this traffic between the Atlantic and Pacific coasts will greatly increase. In addition to this, the export of our manufactures and agricultural products to the western coasts of South America, and, in fact, to all the countries fronting on the Pacific, may be expected to rapidly increase with the opening of the canal and thus greatly enlarge the foreign commerce of this South Atlantic country and the requirements of currency for that purpose.

SUMMARIZATION.

Now, to sum up the great general facts as to the production, commerce, and commercial possibilities of the area in question.

The section of country lying south of the Potomac and east of the Appalachians is set aside by nature as a distinctive region by reason of its peculiar soil and climate and geographic surroundings, and has therefore products peculiar to itself.

Its total products, which aggregated nearly $2,000,000,000 in value in 1910 and more than that at the present time, are distributed with remarkable uniformity among the three great industries—agriculture, mining, and manufactures—agricultural and mineral products forming about one half and manufactures the other half of this grand total.

The agricultural products represent an unusually large variety of articles which have their peculiar seasons of maturity, and thus cooperating with the manufacturing and mining industries in maintaining within the district a comparative uniformity and steadiness of demand for currency.

Approximately one-third of these three great articles of commerce—manufactures, farm crops, and minerals—are produced in the two Northern States of the group, Virginia and West Virginia, and approximately two-thirds in the four States lying to the South, North Carolina, South Carolina, Georgia, and Florida; but as most of these products of the Southern States move toward the North, Richmond, which lies within 60 miles of the southern line of Virginia and on the natural line of the northward trend of commerce and communication, becomes the natural center for the trade and finance of both sections of this natural region.

The productions of this area may be expected to increase with great rapidity. Both manufacturing and agriculture showed in the period of 1900–1910 a much larger percentage of growth than that of all other parts of the country, and with the greatly increased use of water power through the cooperation of electricity the contribution of the rivers of this section to its manufacturing power will rapidly increase its industrial and commercial activities.

The foreign commerce of this section may be expected to rapidly increase. The value of the merchandise exported from the ports from the mouth of the Potomac to the western line of Florida is now approximately $140,000,000 per annum, and those two cities at the great natural harbor—Hampton Roads—have actually doubled their exports in the last two years, suggesting that the possibilities of this section as the gateway for the surplus products of the Mississippi Valley should be given careful consideration in connection with the financing of its prospective business.

The value of the merchandise passing over the waters of the navigable rivers and harbors from the Potomac to the western boundary of Florida was $1,750,000,000 in 1912, the total value of its own products in 1912 fully $2,500,000,000, and the value of the commerce handled by it approximately $5,000,000,000 per annum, and may be expected to increase with great rapidity in view of the rapid growth which has characterized recent years.

Richmond is the natural railway center for the movement of this commerce, and its mail and express requirements with reference thereto, having three trunk lines from the South, two from the West, and two from the North, and a close communication with Norfolk with its western and southern lines.

MARYLAND AS A POSSIBLE FACTOR IN THE RESERVE ZONE.

While a portion of the State of Maryland lies geographically and geologically within the South Atlantic coastal plain, the distinct area proposed as the basis of a banking district, that State has not been included in the proposed Federal reserve region because of the fact that its products are, as a whole, not of the distinctively tropical or subtropical type which distinguishes those of the section farther south, where the presence of the Gulf Stream affects climatic conditions, and also because of the equally important fact that the trade currents carry most of the commerce and therefore the finances of that State toward the great commercial and financial centers of the North. On the other hand, it has been thought proper to include West Virginia in the proposed regional bank area, even though it lies outside the coastal plain region, because of the fact that the commerce and finances of a large part of the State, especially the southern half, are distinctly associated with those of the Atlantic coastal plain and with the State of Virginia and the city of Richmond, a fact which is clearly shown in the discussion of present banking relations of Richmond with surrounding territory.

It is proper to add, however, that a careful comparison of the figures of industry, production, and commerce of the two States—Maryland and West Virginia—when considered article by article and item by item, show that a substitution of Maryland for West Virginia in the statement of products, manufactures, and business conducted would not materially change the total of the area as a whole or seriously affect the percentage of growth or other evidence of prosperity of that area. The population of West Virginia in 1910 was 1,221,000, and that of Maryland was 1,295,000. The combined value of the products of farm, factory, and mine were, in West Virginia, $274,000,000, and in Maryland $366,000,000; and the value of all farm property in West Virginia $314,000,000, and in Maryland $286,000,000.

STATEMENT SHOWING FREIGHT RATES FROM RICHMOND TO SOUTHERN WEST VIRGINIA, EASTERN KENTUCKY, EASTERN TENNESSEE, NORTH AND SOUTH CAROLINA, AND GEORGIA; ALSO TONNAGE FROM VIRGINIA CITIES INTO NORTH AND SOUTH CAROLINA AND GEORGIA.

[By Richmond Chamber of Commerce, William T. Reed, President.]

The railroads serving the above-mentioned territory years ago recognized Richmond as the proper distributing point, and the above as the natural territory to Richmond, owing to the fact that they were enabled to give quick service, and from one to four days quicker delivery than Baltimore or any city north of us. In view of this fact the rates into this territory were fixed at an average, approximately, of 13 per cent lower than Baltimore. The average first-class rate in the territory designated by the railroads as the natural territory to Richmond is 75.2 cents per hundred pounds, while the average first-class rate to the same territory from Baltimore is 86.4 cents per hundred pounds, giving Richmond an advantage on the first-class rate of 11.2 cents per hundred pounds, or approximately 13 per cent. This relative proportion in favor of Richmond applies to all class and commodity rates, and in some instances it is greater in favor of Richmond.

Attached herewith, on page 41, is a map clearly defining the territory recognized by the transportation companies as Richmond's territory, and in which the above-mentioned freight rates favorable to Richmond apply. Attached also, on page 40, are the actual rates in groups of cities in this respective territory, giving the respective rates to these cities from Richmond and Baltimore. These cities are chosen with respect to their prominence and also with respect to their proximity to the borders of the territory as designated by the map on page 41. Some of the rates in the interior of this territory will even show greater advantage to Richmond.

The chamber begs to call attention further to the tonnage originating at and forwarded to this southern territory—North and South Carolina, Georgia, and Florida—from the Virginia cities, Richmond, Norfolk, Portsmouth, Suffolk, Petersburg, Lynchburg, Roanoke, Danville, and South Boston. The total tonnage from these cities for the year 1913 reaches the enormous amount of 2,228,908 tons freight, and of this amount the tonnage from Richmond into this territory was 629,495 tons.

Owing to the limited time, and also to the fact that the tonnage into eastern Tennessee, eastern Kentucky, and southern West Virginia had not been separated by the railroads from the tonnage to this territory and points beyond our territory, we are unable to give the actual tonnage to this portion of our territory.

We have been unable to get the tonnage from Baltimore into Richmond's territory—North and South Carolina, Georgia, and Florida—but from such information as we have received we feel assured that any statement Baltimore makes that her tonnage exceeds or even approaches the amount of tonnage of Richmond in the territory mentioned is a

pretense, and, inasmuch as Baltimore made this claim before the honorable committee at Washington, it is incumbent upon the Baltimore people to state their exact tonnage, as we have done, and which we are prepared to verify.

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OPINION OF EXPERTS.

NEW YORK CITY, *April 15, 1914.*

OLIVER J. SANDS,
President American National Bank, Richmond, Va.:

Richmond, in my opinion, presented a strong and convincing case in favor of location for a reserve bank under the new banking law. She showed adequate capital and essential tributary territory for a reserve district, rapid growth in resources in recent years, indicating further growth in the future; a location much more convenient to nearly all southern points than any city north of the Potomac; facilities for communication by water and railway within a few hours, and without risk of interruption by accident; a large volume of loans to southern banks; general support by banks of tributary territory; and conformity with requirements of the law that the districts should be "apportioned with due regard to the convenient and customary course of business." It was my belief, as stated to the organization committee, that the entire territory northeast of the Potomac should constitute a district, with a strong bank at New York as the center; but Richmond had convincing claims under any reasonable apportionment as one of the reserve banks of the South.

CHAS. A. CONANT.

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WASHINGTON, D. C., *April 15, 1914.*

Mr. OLIVER J. SANDS,
Chairman Committee on Regional Reserve Banks,
Washington, D. C.:

My advocacy of Richmond as a location for a regional reserve bank was the result of a careful study of economic conditions of the area adjacent thereto, including population, climatic conditions, soil, productions, manufactures, commerce, wealth, and currency requirements. This study was made with a perfectly-open mind and my conclusions reached after the consideration of the claims of all the cities asking for that honor. I found Richmond the natural geographical, commercial, and financial center of the great Atlantic coastal plain, a region peculiar to itself in soil, climate, production, and business conditions and requirements, and thus became convinced that that city was by far the best suited for a regional bank from which the currency and business requirements of the area in question could be served. While this conclusion was based upon a consideration of an area composed of Virginia, West Virginia, North Carolina, South Carolina, Florida, and Georgia, the fact that Maryland and the District of Columbia substituted for Florida and Georgia in the final determination of the area in no degree reduced, but rather increased, the economic, commercial, and financial claims of Richmond for the reserve bank of that region as the geographical center of the district in its final form. Richmond has especial advantages, and the location of the reserve bank at that point will save a day's time in the mail collections of a large proportion of the banks when compared with the facilities which any other city of the area could offer. I consider the final determination of the area and the selection of Richmond for the reserve bank as a logical and wise conclusion, and believe it will be so recognized when subjected to the test of business operations under the new law.

O. P. AUSTIN.

Mr. LINTHICUM. Mr. Chairman, I ask that the following article, including a letter from Maj. Dooley, of Richmond, Va, to Comptroller Williams, published in the Richmond Times-Dispatch on the 3d instant, be read in my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HISTORY AND TRADITION FAVORED RICHMOND BANK—MAJ. DOOLEY'S LETTER TO COMPTROLLER WILLIAMS DWELT ON STRONG BOND BETWEEN SOUTH AND ONE-TIME CAPITAL OF THE CONFEDERACY.

More than two months ago when the regional bank campaign in Richmond, at its high-water mark in enthusiasm, had attracted to its standard supporters from every phase of the city's commercial and professional life, Maj. James H. Dooley addressed to Comptroller John Skelton Williams a pro-Richmond letter remarkable for the strength of its appeal

The letter touched only lightly upon the usual arguments based on banking capital, transportation facilities, and trend of trade, but dwelt with emphasis upon the peculiar attachment that for a century and more has obtained between Richmond, the one-time capital of the Confederacy, and the country to the south that looked to her for guidance.

MAJ. DOOLEY'S LETTER.

RICHMOND, VA., *January 21, 1914.*

Mr. JOHN SKELTON WILLIAMS,
Comptroller, and Member of the Organization Committee,
United States Regional Banks.

MY DEAR SIR: Knowing the multitudinous duties which are crowding upon you since your appointment to your present highly honorable and most important position and how you must be pressed for time in giving proper consideration to the great affairs upon which it is necessary for you to pass judgment, I wish to recall to your mind, as succinctly as I am able, a few of the reasons which, if I were occupying the position which you so ably fill, might weigh with me in considering the claims of Richmond to be the seat of a regional bank.

As I read the law, the committee is required, amongst other things, to take into consideration the geographical position of the candidate cities and, of course, their relations in business and otherwise to the surrounding country. I assume that this means, in a general way, that each great division of the United States should have a regional bank.

Originally there were two great divisions of the United States—the North and the South. Virginia was the brains and the leader of the South. It is scarcely too much to say she furnished the brains which conducted the War of the Revolution and brought into existence the United States of America. In the three-quarters of a century which elapsed between the Revolution and the unfortunate War between the States Virginia was ever the life and soul of the southern division of the United States. Her sons and pioneers developed the Territories of the cis-Mississippi, carried into them her arts, her civilization, her ideas, and created of them, one by one, new communities which, nourished as her children, eventually evolved into independent sovereign States of the Union.

But always they looked to her as the sacred and revered mother. Such was the intensity of this feeling when the unfortunate War between the States, despite the pleadings and warnings of the old mother, broke out they unanimously turned to Virginia as the leader and to Richmond as their capital city. When the Confederacy died and all was ruin and desolation throughout the limits of these once fair and prosperous lands, it was Virginia and her capital city, Richmond, the capital city of the Confederacy, that stood forth a beacon light and with calm resolution and undaunted courage pointed the way to safety and finally led her children back into the folds of that Union from which they had been expelled.

It is unnecessary for me to urge upon your attention that Richmond is still to all intents and purposes the capital of that great division of the United States which lies between the Atlantic Ocean and the Mississippi, south of Mason and Dixon's line. She is the capital city of their business, the capital city of their banking, the capital city of their affections. Washington is the Capital of the United States, but occupies no peculiar relation to the South, either geographically, politically, in banking, in commerce, or in transportation.

Baltimore has no claim to be a city of that southern division. She is north of the line which divided the North from the South, and when the day of trial came for the South, when cleavage came, when war and famine and death stalked over the Southern States, she wisely cast her fortunes with the North. We love and admire Baltimore, but she is not a city of the South. Nor can she compare with Richmond in what the two cities have done for the development of the Southern States since the conclusion of hostilities. You are old enough to remember when the railroad systems of the South were wrecked by the war and reduced to mere skeletons. You know how Virginia, reduced to poverty as she was, sacrificed the remains of her interest in the Chesapeake & Ohio, the Norfolk & Western, the Richmond & Danville, the Seaboard & Roanoke, the Richmond & Petersburg, and other railroads, in order to induce capital to come and restore them to a career of usefulness and development.

You know how the brain and money of Richmond got control of the old Richmond & Danville Railroad, connected it with Columbia in South Carolina, with Augusta in Georgia, by lease of the North Carolina Railroad, bought the Columbia & Greenville, built the Western North Carolina, purchased the East Tennessee, Virginia & Georgia, then built the road from Atlanta to Birmingham and to the Mississippi River for the development of all that great country.

You know, for you were the chief actor, how Richmond brains, work, and money built up and extended the great Seaboard system to develop the Southern States, and what an impetus this new system gave to progress and growth of all the cities of the South. You know, for in that, also, you have been a chief actor, how for 30 years Richmond has been slowly and painfully, but most successfully, building up a great banking business with the cities, towns, and villages of the South, until now we furnish them more money in crop-moving times than any city in the country, save perhaps New York, the financial metropolis of the whole United States.

You know, as well as I do, the affection that the southern cities cherish for Richmond, and how vehemently they are opposed to being compelled to do their banking with any other city.

You know all that I have said probably better than I do, but perhaps the other members of the committee are not familiar with the facts and, not being Virginians, will not think of them, while you, being a citizen of Richmond and a judge in the case, might feel a delicacy in urging too strenuously the interests of your own city.

Therefore it is that, feeling we have been in some degree fellow actors in the development of the ties that bind the South to Richmond, I have thought it suitable to lay the facts before you to make use of them as it may be most fitting and becoming in your position and relations to your fellow members of the committee.

Very truly, yours,

JAMES H. DOOLEY.

Mr. LINTHICUM. Mr. Chairman, I do not mean to imply that Maj. Dooley's letter had the slightest influence upon the Comptroller of the Currency. Perhaps it did not, but I have had it read for this purpose, to show the manner of campaign that was conducted by Richmond to influence the selection of that city as a regional reserve city; to show why so many letters were received asking for Richmond; to show why the banks preferred Richmond; because it was a campaign of sectionalism, whereas Baltimore entered into no such campaign. Baltimore did not come down here with a great mass of people in a committee. She came down here with a select committee who knew what she had, and who could produce the data showing it to the organization committee.

She did not come here for the purpose of overwhelming the organization committee by numbers, but by facts showing why she should be selected as the location of the regional bank. Now, many of you Members——

Mr. GLASS. May I interrupt my friend?

Mr. LINTHICUM. I will not yield until I get toward the end, and then I will give the gentleman plenty of opportunity to ask questions.

Many of the Members of this House are members of the bar. Many of you have tried cases in court and you have lost them, and when the opinion is handed down by the court of appeals or the Supreme Court you hardly knew your own child. Now, take the organization committee. They have thrown Baltimore down with all its commercial energy, with all of its commerce, with all its banking facilities, and with all the energy of 700,000 people. Then they come with a report and, of course, with a multiplicity of figures they can substantiate in a plausible way what they think is a correct decision.

Now, I do not pretend to know as much about banking as the gentleman from Virginia [Mr. GLASS], for whom I entertain the highest respect, but I do want to give a few figures on my own account.

The gentleman from Virginia seems to lay great stress upon the fact that Richmond banks loan something in the neighborhood of $33,000,000 to the southern banks, while Baltimore, he alleges, loans only about $6,000,000. I have not been fortunate enough to secure from the Treasury the figures on which the gentleman relies, although I have endeavored to do so. I desire to call the gentleman's attention to the fact that, from what I understand, the committee based its action solely upon two of a great many factors which should have entered into the problem as to what should constitute the city's volume of trade, commerce, and exchange. The two factors relied upon by the committee are, first, totals of banking capital and surplus in Baltimore and Richmond, and, secondly, the volume of loans, respectively, of these cities in the territory comprised in the district.

From what I gather from the decision of the committee, the figures considered referred to national banks solely; and it so happens that the national banks of Richmond constitute practically the entire banking capital of that city, while the national banks of Baltimore constitute only a minor portion of the great financial institutions of that metropolis. The trust companies and the savings banks constitute a far greater part of the financial interests than the national banks themselves. The total capital or surplus of Baltimore's banks is approximately $45,000,000, and the deposits and loans, including savings banks and trust companies, will total $250,000,000. Richmond has 7 national banks as against Baltimore's 15. The capital and surplus of the Richmond national banks is about $9,000,000, and the capital and surplus of the Baltimore national banks is practically $19,000,000. The individual deposits in the Richmond banks are about $25,000,000 as against Baltimore's deposits of $42,000,000. The total loan capacity of the Richmond banks is $35,000,000 as against those of Baltimore of $60,000,000. But, as I have stated, the national banks of Baltimore constitute only a portion of the great banking and saving institutions of that city. For instance, the capital of the National, State, savings, loan, and trust companies of Richmond aggregate $16,000,000 as against those of Baltimore of $47,000,000; and the individual deposits of the Richmond banks amount to about $35,000,000, while those of Baltimore amount to $90,000,000.

Mr. PLATT. One hundred and ninety million dollars.

Mr. LINTHICUM. Yes; I should have said $190,000,000. The loans and discounts of the Richmond banks were $50,000,000, while those of Baltimore were about $118,000,000. And, as I pointed out in my remarks on the floor yesterday, approximately $200,000,000 in capital from Baltimore—from its national banks, its savings banks, and its trust companies—has been invested in the South. And three institutions alone—the Savings Bank of Baltimore, the Central Savings Bank, and the Eutaw Savings Bank—have invested in southern securities and the bonds and stocks in their vaults $23,000,000.

Mr. GLASS. Will the gentleman be interrupted now?

Mr. LINTHICUM. I will ask the gentleman, as a favor, to wait until I have finished. I will be very glad to yield to him then.

Now, in addition to the assistance given by these great banks, what have we been doing for the South? Three gentlemen of Baltimore financed and put in operation that great Atlantic Coast Line system. They were Henry Walters, Frank Newcomer, and Michael Jenkins, of our city, and they still control it.

The Merchants & Miners' Transportation Co., which plies between Baltimore and many of the southern ports, and between that city and northern ports also, is likewise controlled by the city of Baltimore, through its agent, the Mercantile Trust Co.

The Seaboard Air Line, of which Maj. Dooley speaks so strongly, was originally financed by Baltimore capital, and until recently, when its ownership went to New York, was controlled by Baltimore capital.

But there is one fact which the gentleman from Virginia lays special stress upon, in which he is not fair to Baltimore, although I do not believe he intends to be unfair. He takes figures which have been given him and uses them on the floor of this House without proper explanation. For instance, he tells you that Richmond has $33,000,000 loaned to southern banks, while Baltimore has only $6,000,000 loaned.

Now, the facts are that when the committee made up these figures they took Richmond, which has a total loaning capacity of $35,000,000, and found she had loaned $33,000,000 throughout the South below the Potomac River, where she makes practically all of her loans. But when they came to calculate the figures for Baltimore, what did they do? Did they say, "You are a part of us; you are a part of the proposed fifth regional district, and you are entitled to just as much credit for all loans which you make in that district as we are?" No; not at all. They said, "Every loan you have made, although it is in the fifth regional district, if it be north of the Potomac River, you shall not have any credit for." And by this ingenious arrangement they give Baltimore credit as loaning $6,000,000 to the South, where they give Richmond credit for loaning $33,000,000 to the South. The truth of the situation is that if you include and give Baltimore consideration equal to that given Richmond for all the money she loans throughout the South, including Maryland, which is a part of the district, you will find that the total loans of Baltimore in the district and the other Southern States approximate nearly $119,000,000 instead of $6,000,000, as against Richmond's $33,000,000.

Mr. GLASS. Will my friend explain, if that is true, why they could not get a bank in North Carolina or in South Carolina?

Mr. LINTHICUM. I can explain that very well. Just read Mr. Dooley's letter and find out why they could not get a bank in the State of South Carolina.

There is another factor which enters into this matter, which I do not think is fair. You take a bank, and what has it for sale? Its credit. You take a business house, a merchandise house, and what has it for sale? Its merchandise. Therefore I say that in the selection of a regional-bank site it was not fair to say "we will consider merely what the national banks have for sale, to wit, credit," and not consider business.

If merchandise houses in Baltimore sell $50,000,000 of goods in the South on credit, is it not giving to the South just $50,000,000 worth of loans, just the same as if a bank loaned $50,000,000 in the South? What is the difference? And if I produce to you facts showing that Baltimore does ten times the business throughout the Southern States that Richmond does, am I not entitled to consideration for the goods which I send down there on credit, just the same as I would be for money loaned down there on credit?

But the committee did not do that. They cut us out of our trust companies; they cut us out of our savings institutions; they cut us out of our great business transactions; they cut us out of our great commerce, our imports, and our exports, and limit us to loans made south of the Potomac River by our national banks, and then say, in the face of a decision thus reached, that we ought to be satisfied. I would be very foolish if I sat in this House and let it be understood that Baltimore is satisfied when she is not. I was never asked to do anything toward securing the location of this bank in Baltimore or in Richmond. We did not attempt to use any political lever in the matter. We did not ask a single official or politician, or any man who might have had "a pull," to come down here and urge action in our behalf. My people came down here with a solid business proposition, with a committee of gentlemen who understood the situation and who were capable of laying the proposition before the organization committee in a business way, and they said, "Here are our goods. Here is what we loan. Here is the business we do. Here is our commerce, our exports, and our imports, and we ask you as the great metropolis of the South to give us a regional bank on the strength of this showing, and not on account of any plea of sectionalism, of any political pull, or considerations of any other character except our actual figures."

Mr. GLASS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from Virginia?

Mr. LINTHICUM. Yes.

Mr. GLASS. I ask the gentleman if there is a single influential banker or business man outside of the State of Maryland in the territory covered by the regional reserve bank who has asked for the location at Baltimore?

Mr. LINTHICUM. That is what I say. We did not come down here trying to make an exhibition of influence. We came to the committee with the goods, and showed that we were entitled to this bank upon the basis of the fact that we are the business center of the district, and that we traded with the people of that district and loaned them money and built their railroads, and own and run the steamship lines, and helped to build up that country of the South, even though we are said by Maj. Dooley to have separated from it during the war. We did not. One of my colleagues from my State went down there and fought with the people of that section during the war. Our people did not have to go down there, but they went down there on their own volition and fought side by side with the people of Virginia, and there ought not to have been the slightest sectionalism in this proposition. It ought to have been determined on its merits and the location and the business of our great city of Baltimore.

Mr. GLASS. Will the gentleman yield further?

The CHAIRMAN. Does the gentleman yield?

Mr. LINTHICUM. I yield to the gentleman.

Mr. GLASS. I am quite agreed with the gentleman that there ought not to have been any sectionalism in it, and I do not believe now that sectionalism had anything to do with the selection of the bank. John Skelton Williams may have done Mr. Dooley the courtesy of reading his letter, but I doubt if any other member of the board ever saw it.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Maryland [Mr. LINTHICUM] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GLASS. Mr. Chairman, I would like to make the same request.

The CHAIRMAN. The gentleman from Virginia [Mr. GLASS] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. WATKINS. Mr. Chairman, I ask that all those who have spoken on this bill be allowed the same privilege.

The CHAIRMAN. The Chair will put the question, but he doubts very much the power of the Committee of the Whole to grant that request.

Mr. MANN. The committee has not that power.

The CHAIRMAN. The Chair does not think it has.

Mr. MONTAGUE. Mr. Chairman, will the gentleman from Maryland yield to me for a question?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from Virginia?

Mr. LINTHICUM. I yield to the gentleman.

Mr. MONTAGUE. I will ask the gentleman if he saw the printed brief presented by the bankers of the city of Richmond to this board?

Mr. LINTHICUM. No; I have not been able to get it, and I have not been able to get many other figures upon which the selection was based.

Mr. MONTAGUE. It will be a great pleasure for me to supply it to the gentleman.

Mr. LINTHICUM. Oh, it is a great pleasure to the gentleman to supply me with information after the damage has been done.

Mr. MONTAGUE. Why did the gentleman not make his speech before it was done instead of after?

Mr. LINTHICUM. I did not have a grievance before.

Mr. MONTAGUE. And you did not have the facts before.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. PLATT. Did the gentleman notice in the speech of the gentleman from Virginia [Mr. GLASS] that where Baltimore loaned $1,000,000 in the State of Virginia the State of Virginia had $3,000,000 on deposit in Baltimore? Does not that prove that Baltimore is the banking city of Virginia?

Mr. LINTHICUM. I think so.

Mr. AINEY. Mr. Chairman, will the gentleman permit me to ask a question of the gentleman from Virginia [Mr. GLASS]?

Mr. LINTHICUM. Yes.

Mr. AINEY. I am very much interested in the method pursued in establishing these regional banks and in the explanation that the gentleman has made, showing that no political considerations entered into the selection. I would like to ask the gentleman if I understood him correctly in the suggestion that I thought he made, that the sentiment of the banks in the several districts was taken and guided largely in the selection of the regional banks in each particular district? Am I correct in that?

Mr. GLASS. I assumed that. The gentleman can determine that for himself.

Mr. AINEY. Well, in view of that statement, which he assumed and uttered on the floor of the House, I would like to ask him in regard to the district in which Pittsburgh is located. Is the gentleman aware of the fact that 940 of the banks in that district were favorable to Pittsburgh and an equal number favorable to Cincinnati, and yet that Cleveland, the place selected, had a bad third of only 345? I would be glad to hear the gentleman explain what consideration entered into the selection of Cleveland within which to locate the regional bank, going by the magnificent city of Pittsburgh which had nearly three times the local support from banks of the district?

Mr. GLASS. I have had no occasion to examine that poll or to undertake to determine why Cleveland was selected rather than Pittsburgh. But if I lived in Pennsylvania you may be sure I would know about it.

Mr. AINEY. I am sure that if the gentleman lived in Pennsylvania and had as much opportunity as most Pennsylvanians have had he would not have had much to say.

Mr. GLASS. The gentleman has had the same opportunity that I have had.

Mr. AINEY. Then I assume that the gentleman on the other side is in a very bad situation if he has not had any more opportunity to obtain information than we have had.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent that an editorial from the Baltimore Sun of April 3 be read in my time.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

A DEEP INJUSTICE TO BALTIMORE.

If there are any sufficient reasons for passing Baltimore over and selecting Richmond as the location for one of the regional banks, these reasons do not lie on the surface of the situation nor are they developed in the explanation which accompanies the official announcement. That the chief city of the South, and the only city that bears a relation to the whole South should have been thrust aside in favor of a State capital, with no solid claim to real commercial influence extending beyond its immediate neighborhood, almost passes belief.

The Sun holds Richmond and the State of Virginia in deep affection, but to set that lovely State capital up as a rival to Baltimore in finance, commerce, industry, and general importance would be absurd on its face.

The fact that has been harped upon that the Richmond national banks carried, in the last report to the comptroller, a larger aggregate of loans in the South than the Baltimore banks affords altogether too slender a claim upon which to award the financial headquarters of this section.

We venture to say that in the essentials of financial and general business relationship with the South the proportion is 5 to 1—perhaps as much as 10 to 1—in favor of Baltimore.

If we consider those actual business transactions which form the true measure of relationship, Baltimore is as much ahead of Richmond as Richmond is of Danville. And when the vast sums advanced by our trust companies and financiers and the permanent investment in mines, mills, railroads, municipal, county, and State securities, and similar things are considered the comparison becomes even more overwhelming.

Baltimore is bound by many ties of sentiment to the Wilson administration. But Baltimore asks no favors. It was willing to have its interests sacrificed, if necessary, to convenience and efficiency in the system of regional banks. Baltimore's first wish was for the success of the administration in its great plans for currency reform. For itself it would have been satisfied with simple justice or less. What it has got is humiliation added to injustice.

Mr. HOWARD. Mr. Chairman, at no time during the discussion of the currency bill or at any other time did I ever expect that the location of the Federal reserve banks would bring forth such utterances as are incorporated in the resolutions passed by a mass meeting in the city of New Orleans on the night of the 4th instant. These resolutions are insulting, they are slanderous, they are utterly selfish, and in most instances they are unfounded in fact. They perform the "baby act" in all that term implies.

As a matter of fact, I congratulate the Federal Reserve Board on selecting Richmond and Dallas. I will not say anything at this particular time about Atlanta; but on one occasion I visited the city of Dallas, and as I walked over that thrifty, beautiful city I said, "Oh, how much like Atlanta Dallas is. It is almost a twin city for it. Some of these days the city of Atlanta and the city of Dallas will be recognized as two of the greatest and most thrifty and up-to-date cities in the South." This prediction made 10 years ago was verified by the action of the Federal Reserve Board in their selections of Dallas and Atlanta. On my way back from Dallas I stopped over in New Orleans.

Mr. DUPRÉ. Will the gentleman yield?

Mr. HOWARD. Not right now.

Mr. DUPRÉ. I want to say to the gentleman that his pronunciation is incorrect. It is New *Or*leans, with the accent on the first syllable, not New Or*leans*, with the accent on the last syllable.

Mr. HOWARD. To satisfy the gentleman, then, I will say New *Or*leans. As I strolled down the street and got a whiff of the fragrance of the magnolia blossoms and saw the citizens moseying along the street like they were all afflicted with "slow" fever or some other malady, I said: "What a magnificent place to spend my old age; what a peaceful, restful place to die; and what a peaceful, restful place to sleep in forever." [Laughter.] I found out that when they bury a man in New Orleans the minister could not truthfully repeat the burial service of my church and say, "Earth to earth, ashes to ashes," because in New Orleans they bury everybody above ground. They do not have dirt enough there to bury their dead in. Then I found out another thing while I was in New Orleans—that the people were so busy in the daytime fighting for the existence of the city, to keep it from being washed out into the Gulf of Mexico, and so busy fighting the gallnippers and mosquitoes at night that they do not have much energy to follow any other occupa-

tion. The result of this wail of New Orleans and Baltimore convinces me that these old seaport towns, Baltimore and New Orleans, are taking themselves a little bit too seriously. They are trying to go on the reputation that they enjoyed away back yonder in the Revolutionary days, in the days before the war. You know you can pitch shot to a little toad frog, and he will open his mouth and take them in as long as he does not have to move or do anything except open his mouth; and so New Orleans has been sitting at the mouth of the Mississippi River, taking in everything on the face of the earth that floated down the river, without exerting any energy herself, and she has been content to do that without making any struggle to keep her place with the other progressive cities of the South.

But, sir, I happen to represent a city of the new South, the capital city of the Empire State of the South, a city that is only 50 years old, a city that was left in ashes in 1864, so devastated by the consequences of war a crow could not have gotten a decent meal in the city of Atlanta after the 22d of July, 1864. Now, let us see whether or not this Federal Reserve Board played politics in the location of the banks at Richmond, at Atlanta, and at Dallas, as charged in these rampant, ill-tempered resolutions. Now, I might argue that it would be unnecessary for me to go any further than to relate these facts: According to the census of 1910 the population of Atlanta was 154,839. During the period from 1900 to 1910 its increase in population was 75 per cent. The population of New Orleans in 1910 was 340,000. Between 1900 and 1910 it only increased 18 per cent. At the normal increase of 18 per cent in 10 years New Orleans would now have 360,000 people and Atlanta would have a population, at an increase of 75 per cent, of about 220,000.

Here is an unbiased witness for Atlanta, indicating her business activities as compared to New Orleans. The postal receipts of the great city of Atlanta for the fiscal year ending June 30, 1913—the insignificant city mentioned in the resolutions passed in New Orleans—were $1,328,193. The postal receipts for the city of New Orleans for the same period were $1,182,285. A city with nearly twice the population and claiming nearly twice the commerce of the city of Atlanta has nearly $200,000 less postal receipts than the city of Atlanta.

Mr. ELDER. Mostly spent in advertising Coca Cola.

Mr. HOWARD. The gentleman talks about Coca Cola. The main reason for manufacturing Coca Cola is to put a little ginger into the people of Louisiana. [Laughter.] It is somewhat of a stimulant and a great tonic for physical inertia, and that is the reason we have had such success in selling Coca Cola. The manufacture of Coca Cola in Atlanta is a great industry. I suppose they make more money in a year than any other corporation, with the same capital invested, in the United States of America, and the reason they make it is because so many of you folks in New Orleans have to drink it to keep awake and moving.

Mr. LINTHICUM. Will the gentleman yield for a question?

Mr. HOWARD. Not now. Mr. Chairman, these resolutions say that New Orleans has more banking capital than Dallas and Atlanta put together, but that is not so. The national banking capital of Atlanta is $8,600,000, and the national banking capital of the city of New Orleans is only $6,720,000.

Mr. ELDER. Will the gentleman yield?

Mr. HOWARD. Not right now.

Mr. ELDER. Will the gentleman give the deposits in all the banks instead of picking out the national banks?

Mr. HOWARD. I am talking about national bank capital upon which these locations were predicated.

Mr. ELDER. State banks are permitted to come in.

Mr. HOWARD. Oh, Mr. Chairman, if we should count the State banks in Atlanta and Georgia, we would double and treble you. If we had figured the capital of State banks in our showing, we would have gotten a reserve bank for Georgia alone and would not have needed any district outside of Georgia. [Laughter.] From 1903 to 1913 the national banking capital of Atlanta increased 400 per cent, and the national banking capital of that dear, dreamy, old city of New Orleans increased 17 per cent during the same time. Atlanta will contribute to the capital stock of this regional reserve bank $113,000 more than your blessed, dear, old, sainted city of New Orleans. The State of Georgia alone has a national banking capital of $24,615,910, and it will contribute to the capital of this regional reserve bank in the sixth district one-third of the entire amount.

The gentleman from Virginia [Mr. GLASS] has ably defended Richmond as against Baltimore, and the gentleman from Maryland [Mr. LINTHICUM] has read that piece of Revolutionary history into the RECORD, for what purpose the Lord only knows. If it illustrates this issue, I fail to see it. So I will not say anything about Baltimore, because Atlanta has no fight with Baltimore. She has no fight with New Orleans. She is simply defending herself against an unwarranted attack made by the citizens of New Orleans upon her commercial importance. I very deeply regret that New Orleans could not get one of these banks. If they had not gone to sleep, if they had kept on doing like we have done in the city of Atlanta, progressed, kept on building, and if they had not depended on the cities up the Mississippi River to feed them, like Elisha of old depended upon the ravens, and had quit blowing so much about what they had done in the past, probably they would have gotten a bank. The attitude of New Orleans reminds me of the story of the Atlanta man and the Savannah man who were blowing all the time about their respective cities. They got into a colloquy about their cities, and the fellow from Atlanta said to the fellow from Savannah, "If Atlanta could suck as hard as Savannah could blow, they would have the Savannah River up there in 24 hours." [Laughter.] Now, if Atlanta could suck as hard as New Orleans can blow, we would have the mouth of the Mississippi in the interior of Georgia. [Laughter.]

Mr. ELDER. Does not the gentleman think that if we do not watch you and you keep up the present procedure, you will get the mouth of the Mississippi over there?

Mr. HOWARD. Well, if I am doing anything in that respect, I am blowing and not sucking. [Laughter.]

Mr. Chairman, in the last 10 years in the city of Atlanta, the deposits in the Atlanta national banks have increased 500 per cent and the clearings have increased 600 per cent. These figures amount to exactly ten times as much as the increase in the city of New Orleans during the same period. Individual loans, discounts, deposits, and clearings of Atlanta national banks are larger than those of New Orleans.

Now, there is something in the law about the location of banks at places where they are most convenient to the business and banking interests. There are going in and out of the city of Atlanta 152 trains a day carrying mail. There is not a point in this sixth district that can not receive the mail of the regional bank from Atlanta from the time the bank closes in the afternoon until the opening hour of the bank the next day. That, I presume, was taken into consideration by the Federal Reserve Board in making the apportionment of regional banks throughout the country.

Mr. Chairman, another thing, Atlanta is one of the greatest markets in the Southeastern States. Its commerce last year was over $340,000,000. Now, let us see whether the Federal Reserve Board has acted unwisely and unfairly to New Orleans in establishing a Federal reserve bank in Atlanta. Let us see how great corporations and the Government itself consider Atlanta as a vantage point for the transaction of business. At Atlanta the railroads of the southeastern section have located their headquarters. At Atlanta is the headquarters of the Southeastern Passenger Association, extending from the Potomac and Ohio Rivers to the Mississippi River. At Atlanta is the headquarters of the southeastern freight bureau. At Atlanta is located the southern weighing and inspection bureau, covering the same territory. At Atlanta is the headquarters of the telephone system of the same section. At Atlanta are the headquarters of the telegraph companies for the same section. At Atlanta the headquarters of the express companies for the South are located. At Atlanta are the headquarters for the agents of the great manufacturing institutions, over 450 in number; all are important manufacturing and commercial houses in the United States.

Our National Government, Mr. Chairman, recognizes the importance of the city of Atlanta. It is the headquarters of the fourth division of Railway Mail Service. It is the headquarters of the military department of the South, and Atlanta has been designated as the headquarters of the new Bureau of Commerce, covering all this section, including New Orleans.

Now, we have got another great institution down there where we have to entertain, not in the very highest style, but we do entertain them continually—in fact, we have always got somebody in attendance upon them while sojourning in our city. We have several distinguished citizens from New Orleans with us in the Atlanta Penitentiary. [Laughter.]

Mr. DUPRÉ. Will the gentleman yield?

Mr. HOWARD. Not right now.

Mr. DUPRÉ. I simply wanted to say that if Munchausenism was a crime, the gentleman from Atlanta might remain at home. [Laughter.]

Mr. HOWARD. Well, Mr. Chairman, I understand the gentleman is laboring hard to make a "pint," but I do not see it. But since he is getting restless about this showing we are making for Atlanta, I might with propriety say that if Munchausen-

ism was a Federal offense, those who attended that mass meeting and passed those resolutions would soon become temporary citizens of Atlanta.

Mr. MANN. Will the gentleman yield?

Mr. HOWARD. Yes.

Mr. MANN. The gentleman has enumerated a great many valuable things at Atlanta, but he has omitted one. The gentleman did not enumerate himself. [Laughter and applause.]

Mr. HOWARD. I appreciate the fact that if I were to mention myself I would mention the least valuable product of my great city. I am here replying to these resolutions, not to my good friend from Louisiana [Mr. DUPRÉ] or to my good friend Gen. ESTOPINAL. The only complaint I have to make against my friend the gentleman from Louisiana [Mr. DUPRÉ] is that he was inveigled, notwithstanding his brilliant intellect and ever-present sense of fairness, into putting into the RECORD this set of hot-headed and ill-considered resolutions passed by some people in New Orleans who were as irritated as a setting hen and just blazed away and charged the whole world with corruption.

The only person that I know of connected with politics one way or the other presenting Atlanta to the board for consideration was the senior Senator from Georgia, Hon. HOKE SMITH. When this board visited Atlanta he appeared before them with a good case, and he ably presented the overwhelming facts in favor of Atlanta. This was all that was done by anyone connected with Congress one way or the other. Why play politics with Atlanta and Georgia when she is already solidly Democratic? If politics were being played and converts to tariff reform were being sought by the present administration, there was no place in the South that presented a more fertile field for the administration than Louisiana and New Orleans.

I do not think these resolutions have done New Orleans any good, and I know it has weakened the gentleman's case, if he ever had a case, because the gentleman from Virginia [Mr. GLASS] absolutely annihilated him, and when the facts come out, the cold-blooded facts, not rumors that are gathered at random by a crowd of citizens who have lost their reason because they are chagrined at the action of the Federal Reserve Board—when the cold facts come out I think the gentleman will find that he has hurt himself by casting insinuations in respect to the commercial standing, the wealth, and the locaton of two of New Orleans' sister cities, Atlanta and Dallas.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. DUPRÉ. If that is the case, may I ask the gentleman why he is consuming so much of this valuable time in refuting arguments presented in these resolutions?

Mr. HOWARD. Because of the fact the gentleman has caused to be inserted in the RECORD resolutions reflecting upon the commercial integrity of my city and upon those in high office who located a regional bank in that city in the interest of commerce. I am doing exactly what the gentleman would do if he were placed in the same position in which I have been placed. I represent a great business city, and the gentleman from Louisiana knows it. We made a clean, fair fight against New Orleans and won. The Federal Reserve Board visited New Orleans and it visited Atlanta and they saw the difference between the dreamy-eyed people of New Orleans and the bright-eyed thrifty business men of Atlanta, and that settled it. [Laughter and applause.]

Mr. DUPRÉ. When it comes to a matter of eyes I am willing to submit mine as against the gentleman's.

Mr. HOWARD. Oh, I know the gentleman possesses those fathomless, dreamy eyes that will attract most anyone who takes much stock in eyes, and I hope the gentleman some day will get close enough to some beautiful Louisiana girl that she may look in those eyes and become enamored thereby, and that he may take her unto himself. [Laughter and applause.] I know that the gentleman's eyes are resistless, but, Mr. Chairman, on yesterday, when these resolutions were put into the RECORD, I happened to be out of the Chamber on account of the illness of one of my children. Had I been here I would have replied then to the gentleman from Louisiana—not to him, but to those he was anxious to represent by putting into the RECORD an unfounded statement, a calumny against the city of Richmond, the city of Atlanta, and the city of Dallas.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. LINTHICUM. The gentleman has been kind enough to mention Baltimore in his remarks. I would like to ask him whether he knows that that great monopoly of Coca Cola in his town, recognizing the advantages of Baltimore as a shipping center between the West and other sections of the country, has come there and located a building and factory costing about $500,000?

Mr. HOWARD. Why, yes; and not only that, but the Coca Cola Co. has half a million dollars invested in Washington, Baltimore, Philadelphia, New York, Chicago, and San Francisco.

The Coca Cola Co. has money scattered all over the United States, because it has so much of it, and you people in Baltimore needed it so badly that the Coca Cola Co. came and put $500,000 in your town. [Laughter.]

Mr. LINTHICUM. I wish the gentleman would bring up $500,000 more.

Mr. HOWARD. That is one corporation that is making money. High-toned, conscientious, and intelligent gentlemen own the stock, and they are illustrative of the "Atlanta spirit."

Mr. SLOAN. That is under this administration.

Mr. HOWARD. Yes; and it has made it under the other administration as well as under this; and there is not any tariff or currency law or any demagoguery practiced by the other side about canal tolls or anything else that can keep the Coca Cola Co. from making money. It is doing a great deal of good in building up our section, and a great many people in other cities have tried to put it out of business, but they can not do it. This is one corporation run on the square. So much for the Federal Reserve Bank Board and the establishment of the regional banks.

Mr. Chairman, I know that I voice the sentiment of the people whom I have the honor to represent when I say that they feel that this bill reported by the gentleman from Louisiana [Mr. WATKINS], who had nothing to do with this attack on the city of Atlanta, the city of Dallas, or the city of Richmond, ought to pass. We feel that every vote practically on the other side of the Chamber will be cast in its favor.

It is true that the gentleman from Illinois [Mr. MANN] has made some comments upon the bill, one or two of them well taken, but they have got about $4,600,000 in the Treasury, which has been lying dormant, doing nobody any good for 50 years. There are several people in my district to whom it would do a lot of good—one a poor, old lady who had 115 bales of cotton taken from her husband after the 30th day of June, 1865, and cotton then was worth about 50 cents a pound. The money is in the Treasury, and she is practically in the poorhouse, and she needs the money. The Government can not use the money, at least it has not used it, and it has no authority to use it under the act of 1863, as I understand it. I can not see any possible injustice that can be done in the gentlemen on the other side allowing this bill to pass unanimously. There is nothing in it that can hurt anybody, but there is a lot in it that will help a lot of worthy citizens in the State of Georgia and in the other 11 great cotton States of the South. They need this money and have needed it from the time it was collected. It is a dormant fund, and, as I said a moment ago, it is doing nobody any good, and why should not this bill pass and these people be allowed to collect that money?

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. MANN. The gentleman refers to this money lying dormant in the Treasury. Does not the gentleman know that if the money is paid out of the Treasury it would have to be raised by taxation hereafter collected?

Mr. HOWARD. I may be laboring under a misapprehension.

Mr. DUPRÉ. As the gentleman is with regard to Atlanta.

Mr. HOWARD. Oh, no. If I were laboring under no greater misapprehension than when I was talking about Atlanta, I would not consume the time in trying to seek information from the distinguished gentleman from Illinois—something the gentleman from Louisiana very seldom seeks, and very seldom obtains. I say, Mr. Chairman, I may be laboring a misapprehension. I understood the gentleman from Louisiana, the chairman of the committee, to say this morning that this was either abandoned or lost property, that under the act of 1863—probably that may not be the act——

Mr. MANN. The act of 1863.

Mr. HOWARD. They gathered together this property, and it was ordered sold and the money placed in the Treasury for the benefit of the original owners.

Mr. MANN. That is correct.

Mr. HOWARD. Now, as the money was acquired, less the actual expense of marketing, let us see where it would be necessary to tax anybody to raise that particular amount now.

Mr. MANN. Well, that particular money is not in the Treasury now. There is a credit in the Treasury, that is all; something like the banking business.

Mr. HOWARD. But I understood the gentleman called it taxation.

Mr. MANN. Oh, no; any money that is paid out of the Treasury has to be raised by taxation.

Mr. HOWARD. I do not think the gentleman understood me. I say this particular amount placed in the Treasury in 1865 was raised without any procedure of taxation.

Mr. MANN. Undoubtedly.

Mr. HOWARD. There was then a credit to the people——

Mr. MANN. That may be——

Mr. HOWARD (continuing). And instead of raising that much money by taxation the Government has simply used that fund to pay off certain obligations, and that fund should still be intact to comply with the act of 1863.

Mr. MANN. The gentleman stated that the money was lying in the Treasury dormant, doing no good. If there is any large sum in the Treasury lying dormant a great many people on that side of the House would like to discover it. [Applause.]

Mr. HOWARD. I am sure——

Mr. MANN. The fact is there is no large—that is, no excessive—working balance in the Treasury, and all the money that is in the Treasury, from whatever source it comes, is carried in the one fund. There are a few special funds which are not included in this.

Mr. RUCKER. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Missouri?

Mr. RUCKER. I desire to be recognized in my own right.

Mr. HOWARD. Mr. Chairman, I yield the floor.

Mr. ESTOPINAL. Mr. Chairman, I yield to the gentleman from Missouri at this time.

Mr. RUCKER. Mr. Chairman, I want to say this debate is very interesting. I am glad to hear the glories of Atlanta proclaimed. I hope New Orleans has been aroused and awakened from her slumbers; but it seems to me this procedure has become a farce, with all respect to gentlemen here. Calendar Wednesday was set apart and heralded all over the broad land as a great parliamentary triumph, after a brilliant fight for a rule that would permit us to transact business. We were promised that there would be one day each week on which Members could secure recognition for the transaction of the public business. And to-day, upon the call of committees, a bill, a very important bill, was called up, and I am quite sure I am conservative when I say that out of nearly five hours of debate not 30 minutes has been devoted to that important bill, one that ought to pass and which ought to have been enacted into law many years ago. Longer delay is a serious reflection upon the honor and integrity of the Nation; and yet gentlemen whose constituents are now knocking at the doors of Congress and who have been trying for years to obtain from the Government money that is justly theirs as original claimants or as heirs of those whose property was taken are being delayed by gentlemen who have been talking here about everything under the sun except that bill. I want to say I am disposed to insist hereafter that we have a quorum on these "holy Calendar Wednesdays," confine our debate to the bill under consideration, or adjourn.

For four or five weeks I have been waiting to secure consideration of a bill of national importance, but I can not get it before this House. Why? Because Calendar Wednesday is consumed by gentlemen who want to speak on every question except the pending bill. Committees have called up bills, it is true, but the time of the House has been taken by gentlemen in talking about everything under the heavens except the bill before the House. It is an outrage; it is an injustice; and the time has come when this course should stop. We act more like big boys than like full-grown men. We have no right to waste the time of this Congress in mere speech making when there are so many measures pending that some Members really want considered and the country is demanding that we do consider. And I am inclined to think there is less than a quorum of Members here now. Mr. Chairman, I may be forced, in order that one committee may not hold the floor during all the summer, to make the point of no quorum and renew it next Wednesday, and keep up such tactics in order that this day may not be lost each week. I do not make the point of no quorum now, but I want to give notice to gentlemen that if they really want this bill passed they should cease talking about the dead past and talk about this bill. [Applause.]

Mr. ESTOPINAL. Mr. Chairman, I want to assure the gentleman I will consume very little of the time of the committee, and I can assure the House that it was not my desire to speak, but I feel it incumbent upon me to make some statement in regard to the question that has been discussed to-day—location of the regional reserve banks and the protest of the people of New Orleans. I thought this was a closed incident, as far as this House was concerned, at adjournment yesterday, but it is brought up again this morning, and I much regret it. I do not know, Mr. Chairman, how they reached the formation of these districts. My impression is that they must have selected the cities first and then made the districts to fit. I can conceive of no other way. In my own State of Louisiana they have divided it and amputated some of the parishes, a most extraordinary way of reaching the formation of a territory for the purposes intended by the act. The location of these reserve banks was presumed to have been based on the number of banks in the region voting for its choice, but that supposition has been exploded in the case of Pittsburgh and Cincinnati as against Cleveland, the latter city receiving but one-third the number of votes received by either of the other two. Therefore it can not be for that reason. And as between New Orleans and Atlanta, it can not be for the reason that Atlanta has larger capital than New Orleans, because that is disproved by the facts. I have the figures here. The deposits in the banks of New Orleans amount to $80,000,000; in Atlanta, $33,000,000. The capital and surplus in New Orleans $18,000,000 and in Atlanta $15,000,000. The total resources of New Orleans, $110,000,000; Atlanta, $51,000,000. Now, if figures count for anything—and the figures are not disputed by anybody—it seems to me New Orleans should have had one of these banks. Besides that, there is the location of New Orleans. It would be the only great seaport between Philadelphia on the Atlantic and San Francisco on the Pacific coast with a reserve bank, and should for that reason have had one of these banks. There is no question about it, and any thinking man, any reasonable man, any man who is not biased, will admit it.

We have great business interests in New Orleans, and we have probably the best port facilities of any city in the United States, with the exception of New York, and we have our own belt-line railroad, which distributes merchandise to and from any part of the wharves. I believe New Orleans is the only city in the Union which has one. She will now become, what she formerly was, the greatest cotton mart of the country, for the State of Louisiana has just voted a bond issue of $10,000,000 for cotton warehouses, and with these facilities New Orleans will secure and hold the bulk of the cotton business of the country. New Orleans is the great seaport of the Mississippi Valley, the gateway of the commerce of that great valley. Her commerce will increase unquestionably more than that of any other city by the traffic through the Panama Canal.

Then why did the inference find lodgment in the minds of the members of this organization board that New Orleans is bound to stand still while the other cities will go ahead. Is it not more reasonable to suppose that Atlanta has more nearly reached her limitation? I believe she has. She has not the commercial facilities for expansion like a great seaport with a well-established foreign commerce. In manufactures the activities of New Orleans are three times as great as Atlanta. I have here a brief that was presented to the board. It was prepared by experts. I will not read it to the committee, but I would like to insert it in the RECORD, and therefore, Mr. Chairman, I ask unanimous consent to insert in the RECORD this brief that was presented to the board by the representatives of New Orleans.

The CHAIRMAN (Mr. BOOHER). The gentleman from Louisiana asks unanimous consent to extend in the RECORD certain documents which he has mentioned. Is there objection? [After a pause.] The Chair hears none.

Mr. ESTOPINAL. The following are the documents to which I have referred:

NEW ORLEANS THE LOGICAL POINT FOR THE LOCATION OF THE REGIONAL BANK.

[Delivered by Sol Wexler before the committee on regional banks.]

In view of my active interest in the provisions of the Federal reserve act and my familiarity with the many problems which it embraces, I am sure no one realizes more than I do the grave difficulties with which you are beset and the tremendous responsibilities which have been thrust upon you as the organization committee charged with the inauguration and installation of an entirely new system of currency and banking in this country. I realize more than most men the excellence, the importance, and beneficent results that will obtain from the Federal reserve act and how much credit and gratitude is due the present Democratic administration and the chairman of this committee by the whole American people for its speedy enactment into law and for the excellence and soundness of its provisions.

In advocating the city of New Orleans as the only fitting and logical location for a regional bank to serve the vast territory

embraced in what is known as the Gulf and contiguous States, I have given the most careful consideration to the claims of our sister cities and States for the definite purpose of ascertaining if I have been blinded by local patriotism in my conclusions and with the full intention, if I found the claims of any other city in this territory superior to that of New Orleans, to lay aside civic ambition and yield our claims for the common good. No patriotic citizen of this country and no good adherent of the Democratic Party has the right to approach this subject from any other standpoint than that of disinterestedness and altruism, for the success of the system of banking and currency which we are about to install involves the welfare of this and future generations, the future success of our party, and the financial and commercial supremacy of the Nation.

But the consideration and study of the reasons for the location of a bank here in connection with and in comparison with those of any city within a thousand miles of us gives no cause for hesitation in placing before you the following important facts immediately bearing upon and pertinent to the subject.

We believe that the territory to be served by New Orleans should embrace all that territory shown on this map within the red lines thereon, radiating from Louisiana, as the center, westward to the line of New Mexico, thus taking in the State of Texas; eastward to the Atlantic Ocean, taking in the States of Mississippi, Alabama, Florida, and Georgia; and northward, taking in that part of the State of Tennessee lying west of the Tennessee River. This territory contains 860 national banks with an aggregate capital and surplus of $148,900,000, capable of furnishing a capital to the regional bank, based upon 6 per cent, of $8,900,000, and deposits, based upon 5 per cent, of an aggregate of $473,500,000, without counting Government deposits of $24,000,000.

We estimate that in the same territory State banks and trust companies have an aggregate capital and surplus, according to the comptroller's report (all banks not being represented), of $130,000,000; which, if 50 per cent of them came into the system, which I believe to be a conservative estimate, would give an additional capital of $3,900,000 and additional deposits of $8,000,000, or, combined with the national banks—

Regional bank.

LIABILITIES.

Capital of	$12,800,000
Deposits of	32,000,000
Circulation	82,500,000
Discounts (profit and loss)	760,000
	128,060,000

RESOURCES.

Gold against deposits (35 per cent of $32,000,000)	11,200,000
Gold against Federal-reserve notes issued (40 per cent of $82,500,000)	33,000,000
Bills discounted	83,600,000
Balance gold on hand	260,000
	128,060,000

And as the total bills payable, as shown by the comptroller's report, of all of the banks in Texas, Louisiana, Mississippi, Alabama, Florida, and Georgia, for the last year, at the maximum period, only aggregate $34,600,000, it can be readily seen that the statement that a regional bank located in New Orleans could not take care of the business is an absurdity.

N. B.—United States deposits are not included in this calculation.

In this territory the most remote city having a national bank to the west of us would be El Paso, Tex., 1,192 miles, or 36 hours; to the east, Brunswick, Ga., 689 miles, or 26 hours and 40 minutes; to the north, Paris, Tenn., 529 miles, or 16 hours and 10 minutes. Such most western city would be nearer Houston by only 362 miles, farther from Atlanta by 857 miles, farther from Birmingham by 777 miles, farther from Memphis by 758 miles.

The territory above described is connected with New Orleans by Western Union and Postal Telegraph lines and long-distance telephone; as far as the mouth of the Rio Grande River, by sea; and by rail by the Southern Pacific and its many connections, Texas & Pacific and its many connections, St. Louis & San Francisco and its many connections, New Orleans, Texas & Mexico and its many connections, Atchison, Topeka & Santa Fe and its many connections, and Louisiana Railway & Navigation Co.; to the eastward by the Louisville & Nashville and its many connections, Southern Railway and its many connections, Mobile & Ohio and its many connections, Queen & Crescent system and its many connections, New Orleans, Mobile & Chicago (now building into New Orleans), New Orleans Great Northern, and Gulf & Ship Island; to the northward by the Illinois Central and its many connections, Yazoo & Mississippi Valley and its many connections, and Louisville & Nashville.

The entire territory is also in connection with New Orleans by steamboat and barge transportation through the Intercoastal Canal being built by the United States Government, now constructed from Texas almost to New Orleans, and proposed to be constructed from New Orleans eastward to Pensacola, which will put New Orleans in communication with points along the Sabine, Calcasieu, and Mermentau Rivers to the west without going into the open sea. At the present time New Orleans reaches the territory lying along the Pearl River, Amite River, Pascagoula River, Warrior and Alabama Rivers, all connected with the Mississippi River through Lake Borgne Canal. The Mississippi River, running through the city of New Orleans to the Gulf, puts it in connection with the Red, Arkansas, White, Ohio, Missouri, and Illinois Rivers and with all of their tributaries, so that probably no city in this country affords such varied, extensive, and competitive transportation facilities to the domestic territory it will serve by rail, sea, river, and canal as the city of New Orleans.

But if in your wisdom and as a result of your investigations you should see fit to exclude from this territory the State of Georgia on the east, you would reduce the capital of the regional bank located here, according to the comptroller's figures, all banks not being represented, only $2,421,000, and its deposits $4,532,000; and if, in addition to Georgia, you saw fit to exclude that part of Texas claimed by St. Louis, Denver, and Kansas City, lying west of Austin, you would reduce the capital of the regional bank $1,133,000 and the deposits $2,774,000; and, again, if you say fit to exclude the part of Tennessee lying west of the Tennessee River, you would reduce the capital $591,000 and the deposits $1,657,000; or, if you eliminated all three of the last-named sections, the total reduction of capital arising from National and State banks would only be $2,598,000 and deposits $6,240,000, leaving, if one, two, or three were eliminated, the following capital and deposits:

Territory.	National banks.		State banks.	
	Capital.	Deposits.	Capital.	Deposits.
Entire territory	$8,900,000	$24,000,000	$3,900,000	$8,000,000
Excluding Georgia	7,430,000	20,800,000	2,949,000	6,668,000
Excluding west Texas	7,952,000	21,515,000	3,715,000	7,711,000
Excluding west Tennessee	8,720,000	23,445,000	3,489,000	6,897,000
Excluding Georgia and west Texas	6,482,000	18,315,000	2,764,000	6,379,000
Excluding Georgia and west Tennessee	7,250,000	20,245,000	2,538,000	5,567,000
Excluding west Texas and west Tennessee	7,772,000	20,960,000	3,304,000	6,608,000
Excluding Georgia, west Texas, and west Tennessee	6,302,000	17,760,000	2,353,000	5,276,000

The present banking capital and surplus and deposits of New Orleans as compared with the cities of Atlanta, Houston, Birmingham, and Memphis are as follows:

City.	Capital and surplus and undivided profits.	Deposits.
New Orleans	$18,797,000	$86,032,110
Atlanta	15,000,000	33,000,000
Houston	13,400,000	42,000,000
Birmingham	7,083,100	27,289,000
Memphis	8,804,600	35,130,000

The comparative total resources are as follows:

Cities and total resources.

New Orleans	$110,000,000
Atlanta	51,000,000
Houston	57,000,000
Birmingham	35,510,000
Memphis	45,934,000

The capital and surplus of the regional bank to be located here, taking in the territory only embraced in the yellow lines shown on the map, will be $8,655,000 capital and $23,036,000 deposits.

A statement of the comparative distances of the principal cities from New Orleans is as follows:

	Miles.
From New Orleans to Mobile	141
From New Orleans to Pensacola	243
From New Orleans to Atlanta	495
From New Orleans to Montgomery	318
From New Orleans to Birmingham	415
From New Orleans to Chattanooga	498
From New Orleans to Nashville	622
From New Orleans to Memphis	396

From New Orleans to Little Rock	487
From New Orleans to Dallas	515
From New Orleans to Austin	528
From New Orleans to Houston	362
From New Orleans to San Antonio	571
From New Orleans to Galveston	412

The establishment under the old law of central reserve cities created an artificial flow of money into the central reserve cities not justified by the natural course of finance and of commerce, but which after many years came to be regarded as natural, and which will invert to natural local channels just as soon as the compulsory feature is removed; and as the natural channel to which money should flow is to the point from which it can be most readily and quickly obtained and to which the products grown, manufactured, and exported drift. The points from which a section purchases its supplies have an insignificant effect upon the trend of money, for the exchange created by the shipment of a carload of hay from a Texas point to North Carolina can be converted into cash more quickly by depositing it with its local bank, and it in turn with the regional bank or with its nearest correspondent, which for the territory referred to would be New Orleans, though in respect to distribution of merchandise New Orleans is many millions in excess of any other city under consideration at this session.

This bill, as I understand its provisions, is intended to decentralize the control of money and credit under central control, and to attach to the city of St. Louis the great States of Texas, Mississippi, Louisiana, west Tennessee, in addition to its legitimate territory, would absolutely defeat the purpose of the bill and concentrate in one city a control never intended either by nature geographically nor by the framers of the bill. To place a regional bank in Birmingham or in Memphis or in Houston would be to create an impossibly weak bank in relatively small inland industrial cities having neither knowledge or experience in international trade nor in the handling of the variety of merchandise—the production of our own country and that of every country on the globe, such as comes to the port of New Orleans, and could be properly compared to placing a regional bank in Albany instead of the city of New York, or in Milwaukee instead of Chicago.

New Orleans purchases now a considerable percentage of the foreign exchange arising from the exports of cotton from cotton exporters located in Houston and Galveston, and will purchase every dollar of exchange created in the entire territory whenever the facilities arising from the regional bank are at its disposal and its natural connections are not diverted by operation of law to other centers.

It has been said that New Orleans, being at times a rediscounting city, can not facilitate the territory, which statement surely arises from a misconception of conditions, as well as from a misunderstanding of the purposes of the regional bank. If the funds now carried by New Orleans banks in Chicago and New York as reserve were carried at home, New Orleans would never need to borrow a dollar and would have surplus funds to lend. There is never a time when the indebtedness of New Orleans banks to their correspondents is not less than the amounts which they have on deposit with them at the time; and if the reserves of the great States of Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, and Tennessee, or the parts of these States referred to as an alternative territory are kept in a regional bank here, where they belong, not only will this bank be able to care for the requirements of its territory liberally but it will be able to help out other sections in their time of need. In the panic of 1907 no one had nearly the trouble to draw funds from New Orleans as was experienced in some of the other cities. New Orleans exchange at no time went above $2.50 per thousand, while Pittsburgh and St. Louis exchange was sold at $10 per thousand discount. We bought foreign exchange in St. Louis with our balances to get the funds out of that city.

Furthermore, if I correctly understand the proper method of conducting a regional bank, its credit facilities should always be a reserve facility used only when the general credit facility of the country for legitimate commercial purposes has been exhausted. Just in the same manner as the Bank of England maintains a rate of interest slightly in excess of the general private discount rate, in order to force the stock of credit to be taken up first and thus not compete with it, so do I understand the regional bank will see to it that its facilities will be kept in reserve, thereby preventing undue expansion and thereby being certain to have the credit facility when urgently needed. For this reason the great general credit facilities of the country will be just as available to banks as heretofore, and they are adequate in ordinary times; and when inadequate in times of great industry and large crops and periodically at certain seasons of the year during the heavy marketing period the reserve banks will supply the deficiency.

It has also been contended that a bank located in a section of great agricultural importance should be tied to a bank in a different territory, this contention having been made at the St. Louis hearing, and it is much more specious than sound. There is no city of importance in this Union, other than New York, Boston, and Philadelphia, which does not serve an agricultural community to a greater or less degree, nor are there any crops of great volume or importance grown in the United States which do not move practically at the same time. Cotton, corn, wheat, oats, barley, sugar cane, sugar beets, rice, and fruits, constituting 80 per cent of our agricultural production, move in the fall of the year, practically at the same time, and no city properly serving such a community, whether it be St. Louis, Chicago, Minneapolis, or Kansas City, is any more free from strain at that period than is New Orleans; many of them borrow surreptiously abroad or sell out of their portfolio to other cities, in order not to show the same in their bills payable, under the absurd idea that a bank should not employ the idle funds of another section when needed in its own, while New Orleans, to serve its section, openly uses its credit facilities and facilitates the stupendous volume of business which is naturally tributary to it.

The volume of foreign exchange against actual exports of merchandise handled in New Orleans last year aggregated $174,207,400, this exchange being created locally and in Mississippi, Alabama, and Texas, and being against the greatest variety of commodities shipped to almost every country on the globe.

In addition to the foreign exchange above referred to, New Orleans issues commercial letters of credit for the importation of merchandise of approximately $20,000,000 per annum, and which business shows a constant growth from year to year.

The volume of country checks cleared through New Orleans last year, drawn on points in the territory claimed as our legitimate territory, aggregated $478,042,000, and came to us from all of the States in the Union; and, were it not for the "window-dressing" proclivities of some competitive cities, which handle business at a loss in order to swell figures and footings and which New Orleans has never done, it would be ten times the amount, and as soon as the regional banks are established and the unfair embargo upon business imposed by some country banks for the service disappears, the volume handled here will be equal to the entire volume of business in this territory.

The total clearings of New Orleans amounted to over $1,000,000,000 last year, an increase of 100 per cent in the last five years.

In considering these clearings it must be remembered that New Orleans clearings are settled each day in cash and not in cashiers' checks, a custom which prevails in other cities, and which cashiers' checks are again sent through the clearing houses, thus creating a duplication which gives a fictitious amount and creates the impression of a much larger volume of business than is actually conducted.

New Orleans is the only port south of Philadelphia which has any number of regular sailings to foreign ports. Merchandise can be consigned to New Orleans for export to meet regular sailing days, while in nearly all of the other Gulf and South Atlantic ports this business is done by tramp steamers with no regular sailings. The steamship lines sending their ships to this port are shown on this map. To Panama and Central American Republics we have almost daily sailings furnished by three steamship lines having their main offices in New Orleans. The practically water-grade haul for railroads to the South, and the freedom from snow and ice throughout the year, makes it certain that the port of New Orleans is the natural funnel through which the vast quantity of exports and imports of the entire territory between the Allegheny and the Rocky Mountains must find its way to and from foreign markets. New Orleans as a port is America's port and is so desirably located that it should be a national port and should be, and I believe will eventually be, developed by the National Government to enable it to care for economically the stupendous quantities of incoming and outgoing merchandise to and from the rest of the world, for which this city will be the depot. The trend of transportation will henceforth, with the opening of the Panama Canal, be north and south and no longer east and west. It is as inevitable and certain as the law of gravitation. To care for the present a regional bank for this territory must be established here. Its management here will need to be as able in many respects as that of New York; its business will be as complex and its variety equally as great. As to the future, within a decade the regional bank at New Orleans will be second only to that of

New York in size and in importance if we grasp our opportunities and do not allow Germany and England to capture the trade of South America, Central America, Australia, and the Orient.

I have made no mention of the variety of our agriculture and industries and shall only enumerate them here to show the variety thereof, and that a regional bank established here will serve a greater variety of commodities than a regional bank in almost any other city.

The agriculture of the section shown on the map as being served by a regional bank located here is as follows: Cotton, oats, rice, tobacco, wheat, hay, strawberries, vegetables of every kind, corn, sugar cane, citrus fruits.

The mineral production is as follows: Iron, natural gas, building stone, coal, surplur, oil, salt.

The live-stock production is cattle, poultry, hogs, sheep.

The sea products are oysters, shrimp, fresh and salt water fish.

The forest products are pine, gum, cypress, ash, white oak, poplar, and many other hardwood varieties.

The goods manufactured are cotton cloth, yarns, knitted goods, steel rails, wire, pipe and rolling mill products generally, tin and galvanized iron cans, tanks, culverts, stoves, cooperage, sash, doors, and blinds, crossties, furniture, wagons and carts, fertilizers, chemicals, acids, soap, lard compound, cottonseed oil, cottonseed meal and cake, mixed stock and poultry feed, cigars, cigarettes, and smoking tobacco, sauces, pickles, preserves, vinegar, molasses and sirups, jute and cotton bags, alcohol, natural and denatured, boats and boat oars, gasoline, naphtha, lubricating oils, paraffin, rosin, turpentine, and tar, cement, roasted coffee, clothing for men, women, and children, and many more too numerous to mention, but sufficient surely to show that there need be no fear of an inadequate diversification of collateral.

It is, indeed, unfortunate that some of our sister cities can not see the manifold advantages of a great regional bank on the Gulf coast at New Orleans and allow their petty trade jealousies to favor a more remote city, not realizing as they should that every dollar kept near home is as available to them as it would be if the regional bank were located in their own city.

Several gentlemen, experts in their line, will give you a few facts pertinent to the subject, and, when they have been heard, we will leave our case in your hands, in full confidence that neither political influence, petty jealousy, nor ambition will sway your judgment.

THE NEW ORLEANS BOARD OF TRADE (LTD.),
New Orleans, February 3, 1914.

Resolutions adopted by the New Orleans Board of Trade (Ltd.) February 3, 1914.

Whereas the reserve bank organization commission charged by the Government with the locating of Federal reserve banks in the different districts of the country will require conclusive information and data in substantiation of the claims of different cities before locating a reserve bank in their localities; and

Whereas the city of New Orleans is the most populous city in the South, the center of a large agricultural district, having business connections with the whole of the State of Louisiana, of practically the whole State of Mississippi, southern portion of Arkansas, part of Alabama, and southern Texas; and

Whereas in addition to its geographical location to serve this section it is the real financial center, doing a larger banking business than any other city in the southern portion of the country; and

Whereas New Orleans is the greatest American market for cotton, rice, and sugar and is in the center of a large lumber district; and

Whereas New Orleans is the second largest port in the country, both in volume and valuation of imports and exports, with an import business as great as that of all the other south Atlantic and Gulf ports combined; and

Whereas New Orleans is the only distributing point for coffee for the Southern and Mississippi Valley States, ranking second to New York only in the importation of coffee, and first in the importation of tropical fruits; and

Whereas the port of New Orleans has increased its trade with Cuba, Mexico, Porto Rico, and Central America 500 per cent in the past 13 years and there is every indication that with the opening of the Panama Canal a new trade era for New Orleans will be opened up to the west coast of the Latin Americas and increase in a greater ratio than that with the east coast, and that New Orleans will surely be the gateway of the Mississippi Valley to the Latin Americas and the Orient, as the Mississippi River and its great navigable tributaries will again be brought into use for the handling of a large share of commerce of the country: Therefore be it

Resolved, That all of the aforementioned advantages show that the city of New Orleans would exert a preponderating influence in a Federal reserve district such as it would serve, and by establishing a regional bank in this city the New Orleans Board of Trade (Ltd.) is firmly convinced that the commissioners would be fully complying with the intent and purposes of the new currency law.

[SEAL.] JEFF D. HARDIN, *President.*
H. S. HERRING, *Secretary.*

WHITNEY-CENTRAL NATIONAL BANK,
New Orleans, La., February 28, 1914.

Hon. WILLIAM G. MCADOO,
Chairman Committee on Organization of Regional Banks,
Washington, D. C.

SIR: Supplementing the brief filed with you by me, as representing the clearing-house association of the city of New Orleans and the business interests generally, at the hearing before your honorable committee held in this city on February 11 and 12, 1914, in accordance with the permission granted at that time, I take the liberty of submitting to you herewith:

A compilation of statistics showing the total value of commodities distributed during the year 1913 from the city of New Orleans, together with the percentages of distribution to the States of Louisiana, Mississippi, Texas, Alabama, Georgia, Florida, and Tennessee, the value of commodities distributed to all other States in the Union, and the value of commodities exported. From this you will observe that the total value of commodities aggregates $1,128,291,426, embracing 132 specified articles aggregating $1,088,291,426 and miscellaneous articles not enumerated aggregating $40,000,000. Of the aggregate it will be observed that $178,078,569 represent the value of commodities exported, and the percentage of domestic distribution is as follows:

	Per cent.
Louisiana	39.54
Mississippi	14.35
Texas	13.95
Alabama	6.38
Florida	4.77
Tennessee	3.42
Georgia	4.41
All other States	13.18

These figures have been compiled with great care and are as nearly accurate as could possibly be obtained. Three copies of the statement are inclosed for your inspection.

I beg to call your attention to figures recently submitted to me by one of the leading express companies doing, in addition to a merchandise express business, a very large financial business, in which it is shown that the volume of financial transactions done by this company in the city of New Orleans is the third largest of that done in any city in the United States, being exceeded only by New York and Chicago. This company has requested the withholding of its name, otherwise the same would be cheerfully furnished, together with the exact figures in the premises.

It appears to me proper to make at this time some mention of the fact that the port facilities of New Orleans, occupying 14 miles of river front, of which more than 7 miles have been developed, together with a belt line of railroad, are owned, respectively, by the State of Louisiana and the city of New Orleans for the benefit of the whole country, and that access to these facilities is practically free to the commerce of the world, only such charge being levied as is necessary to cover the actual expense of operation and fixed charges.

Since your recent visit $3,000,000 have been appropriated for the purpose of erecting modern cotton warehouses for the storage of cotton, which is certain to attract to New Orleans the storage of a large quantity of this important commodity for distribution throughout the world, in the same manner that it is now handled at the port of Liverpool. The extending of this system of public warehouses, public wharves, and public freight transportation will be made as rapidly as financial conditions and requirements of trade permit.

When it is considered that the high cost of living is to some extent due to the increased consumption of foodstuffs without a proportionate increase in production, and the fact is given due weight that in the territory claimed by New Orleans not exceeding 15 per cent of the arable land is in cultivation, every effort should be made on the part of the Federal Government to attract the greatest possible attention to a territory offering such tremendous facilities for increased production of food products, in which the laborer can live at the minimum of cost, and the establishment of a regional bank in this section will undoubtedly have this very desirable effect and focus in a sense the eyes of the desirable emigrant population of Europe, as well as the land seekers in this country, to the advantages of soil, transportation, and climate which this section affords.

I take the liberty of furthermore calling your attention to the report of the board appointed to inspect and report to the Secretary of the Navy on the general conditions existing at the navy yard at New Orleans, which is dated July 29, 1913, and is addressed to the Hon. B. R. TILLMAN, chairman of the Committee on Naval Affairs, and signed by the Hon. Josephus Daniels, Secretary of the Navy. This report was made by Rear Admiral John R. Edwards, United States Navy, president of the board of inspection for shore stations, and is the result of a most careful examination.

In the said report, on page 6, paragraph 26, reference is made to the sanitary condition at New Orleans as being excellent, and to the expenditure of $30,000,000 for drainage, sewerage, and purification of water.

On page 8, article 6, reference is made to the pier facilities, as well as to the fact that no difficulty would be experienced in the construction of wharves with platforms for unloading and loading at any part of the river under the jurisdiction of the dock commission; and in paragraph 36 the statement is made that from a military, as well as from industrial and maritime standpoints, the possession of the river frontage by the dock commission of the port gives New Orleans a remarkable advantage as a shipping and embarkation port, and particularly when there is taken into consideration the number of trunk rail and steamship lines that make this point a terminal.

On page 10, paragraph 43, reference is made to the coal supply and distribution as being an extremely important factor for the commerce and manufacturing of any city, and the definite statement that New Orleans and Philadelphia are the only points on the Atlantic and Gulf where unlimited supplies of both fuel oil and coal could be procured in times of emergency.

On page 12 of the same report reference is made to the depth of water and the ability of vessels of the largest draft to pass through the mouth of the Mississippi River and harbor in front of the city of New Orleans.

The importance of New Orleans as a port is demonstrated by the fact that during the Revolutionary War supplies were transported up the Mississippi River by Gen. Galves to the American forces under Gen. Washington.

The transfer of New Orleans and the Mississippi Valley to the United States by Napoleon is historically stated to have been made in order that England might be prevented from ever increasing her possessions in America. In 1814 the British Government, after mature deliberation, came to the conclusion that New Orleans was strategically, at that time, the most vital point in the United States of America, and that the capture of that city and the control of the great Mississippi River meant the eventual destruction of the Union. It was stated by President Jefferson, in urging the purchase of the Territory of Louisiana, that New Orleans was not only the key to the Gulf, but to the Caribbean and the West Indies. During his administration of office President John Tyler recommended a naval station at New Orleans. During the Mexi-

can War the bulk of the arms for both Gens. Taylor and Scott went through New Orleans, and that city was one of the important distributing supply centers of that war. In 1862 the capture of New Orleans was regarded as a fatal stroke to the Confederacy. This city has, therefore, figured in every large war in which the United States has participated. It was regarded as of inestimable value by Mr. Jefferson when he bought it; by England, who tried to seize it; and by the northern forces, who captured it.

On page 17, paragraph 79, the statement is made that New Orleans is the terminus of six trunk lines of railroads. The communication by water with the vast extent of territory embraced in the valley of the Mississippi is unsurpassed. It is the principal commercial port of the Gulf States and possesses great facilities for obtaining every class of building material, skilled and unskilled labor, and supplies; coal is abundant and cheap. The amount of commerce that passes in and out of the Gulf of Mexico is a very large portion of the total commerce of the United States.

On page 18, paragraph 87, it is stated that the inland transportation facilities are not exceeded by more than a few cities in the United States. Paragraph 90 states that New Orleans is one of the large wholesale markets of the country. As evidence of appreciation of this phase by the Army, it may be stated that the Quartermaster's Department maintains an officer at this port, who acts as purchasing agent for the Quartermaster Corps. The same officer acts for the Isthmian Canal Commission and also for the commissary department of the Panama Railroad.

On page 25, paragraph 125, the statement is made that New Orleans is probably the only port in the world where battleships drawing 30 feet of water could replenish their oil-fuel compartments in a few hours, and that the export of oil from New Orleans during the past fiscal year surpassed even that of Philadelphia.

Much more could be said upon the subject of the importance of New Orleans as a commercial and financial center, but we feel that you are sufficiently conversant with the facts on the subject, and, with the brief previously filed and the additional information furnished herein, the matter is respectfully submitted.

Very truly, yours,

SOL. WEXLER.
Chairman New Orleans Clearing House Committee.

In connection with this I wish to read an editorial published in a very important newspaper in the State of North Carolina—the Charlotte Observer. It reflects the opinion of some of the good people throughout the South. It is as follows:

PUT NEW ORLEANS IN IT.

The outstanding feature of the reserve bank organization committee's announcement of reserve cities is the almost incredibly rough deal given New Orleans. All forecasters, without exception, had taken it for granted that she would receive a reserve bank. New York, New Orleans, Chicago, and San Francisco were the four cities regarded as certainties beyond the slightest possibility of dispute. New Orleans is not only by far the largest city in the South, and over twice the size of any other city in the cotton belt, but she is also the heart center of the cotton belt, both geographically and by business ties. She has the great southern cotton exchange and the great southern port. She is the only southern port city whose imports amount to much. She is at this moment preparing for actual construction upon immense cotton warehouses, designed and financed upon a scale to help revolutionize cotton marketing in the whole South. She has a monopoly of the domestic cane-sugar and molasses trade. Her jobbing trade in the various lines is vast. The most important southern center, she is the metropolis without a rival of the entire south-central South. And as regards her future relation to her territory, it is generally agreed that no other American city will receive such direct and solid benefit from the Panama Canal; nearly all the Mississippi Valley will pour whatever business it does by way of the canal with the Pacific coast, Latin America, or Asia through her. Another matter worthy of much consideration is that no other southern city has one-tenth of her financial and business connections abroad, whether in Europe, South America, or the Orient. In every way she is much the best known and best established abroad; and one avowed object of the reserve system is to increase both the prestige and facilities abroad of American finance.

New Orleans, with all these overwhelming advantages, is tacked on to the extreme southwestern edge of a district based upon the branch mailing office and patent medicine city of Atlanta. She is just off the ragged eastern edge of a district based upon the saddle and harness center of Dallas, Tex. The vast domestic and foreign trade which the southern metropolis does for the South must be financed, therefore, with the maximum of inconvenience—a bad thing, as far as it goes, for southern interests as well as for her. And in the announcement which includes this staggering omission the committee does not even show the grace to explain. New Orleans should be in the list by every single test which they mention as having guided them; yet it might seem they wish to ignore the fact that she exists.

Everyone knew that many wires, both in and out of politics, were pulled for Richmond and Atlanta, the latter's case on its merits being clearly weak. New Orleans did not trouble herself, except in a perfunctory way, because she considered her selection a matter of course. There were rumors in the closing days that Atlanta had the nerve to attempt to edge New Orleans out, but few, if any, outside observers believed this possible, even if Atlanta did get herself inside the list. The incredible has now hapened somehow. Richmond and Atlanta both had powerful friends at work. We of this section are well satisfied to be in a district, arranged as ours is, including Baltimore and Washington and with Richmond as the reserve city. We like to see Atlanta get anything she can consistent with wider interests. But it must be clear to us all that the omission of New Orleans should be remedied at the first opportunity by the Federal Reserve Board.

Now, I will not say that politics entered into the selection of these sites, but it looks very singular. Here I have a map before me, and, as I said before, I believe that the cities were selected first—and it is the only conclusion that I can reach after studying it—and then the dislocations and amputations were made, here and there, in order to fit.

New Orleans, relying upon her position first, with the largest capital and with the prospect of the great business that is bound to flow down the Mississippi River and through the Panama Canal, with her great banking system, felt that she should be selected for a reserve bank.

Now, many reasons have been assigned and figures have been juggled with which I can not understand. I am not a banker and I am very poor at figures, but I have never been able to understand how they figured out that $33,000,000 was larger than $80,000,000.

Mr. STEPHENS of Texas. Will my friend from Louisiana yield?

Mr. ESTOPINAL. Yes.

Mr. STEPHENS of Texas. Is it not a fact that the city of Galveston is the second city in the United States as a point of export for cotton, live stock, and everything else that leaves Texas, Oklahoma, and all the vast West behind Texas, and is it not a fact that Dallas, Tex., is really the financial center of that great trade?

Mr. ESTOPINAL. I admit that. I am not quarreling with Dallas. I am simply citing Dallas as compared with New Orleans. The gentleman says that Galveston has the cotton. Yes; I believe that Galveston has for one or two years exceeded New Orleans as a cotton-exporting port, but it will not last. I can assure the gentleman that after our warehouses are built New Orleans will recover the business that she has lost. I have no quarrel with Dallas. I simply mentioned it in my objection to the carving process, a part of the State being placed with Dallas, which was not the proper thing to do. But the large city of New Orleans is placed with Atlanta, and so our quarrel seems to be with Atlanta.

Mr. STEPHENS of Texas. I think you are right about that.

Mr. ESTOPINAL. Mr. Chairman, these resolutions that are sent up here from New Orleans have been characterized here in many ways. We did not prepare the resolutions, but our people down there did. They were indignant. The resolutions represent the indignant outburst of an outraged community. We were bid to resent the action of the committee to this Congress, and show that the American people must know something about the methods that were used in reaching the distribution of these banks. [Applause.]

Mr. SUMNERS. Mr. Chairman, it is very gratifying indeed to me that no serious criticism of the action of the Federal reserve organization committee in selecting Dallas is offered. There have been statements made to-day, however, by some of the gentlemen representing cities which are complaining at not having been chosen, which does not give credit to the financial and commercial importance of Dallas, the seat of the proposed bank, nor to the State of Texas, which constitutes a large part of that district.

I understand full well that in a great Nation like this, with many large and progressive cities, each one ambitious to be selected as the seat of one of these banks, disappointment of the keenest sort is inevitable. This disappointment has been reflected upon the floor here to-day, and incidentally—I am glad to say only incidentally—the selection of Dallas has been criticized.

Mr. Chairman, I desire to say in support of the committee's action in having located a bank in Texas that there are only seven States, namely, New York, Pennsylvania, Illinois, Massachusetts, Ohio, California, and Texas, which have a bank capital and surplus sufficient to organize a regional reserve bank. From the beginning of the investigation by the locating committee it has been conceded that a regional reserve bank would in all probability be located in each of the six first-mentioned States. Such location has been recommended, and, in so far as we have heard, without criticism. The fact that it was not conceded from the beginning that one of these banks would also be located in Texas, the other State able with its own resources to organize a regional reserve bank, was due to no other cause than the lack of general information with regard to the resources of that State.

The criticism to-day which involves indirectly the Dallas location would not have been made had gentlemen been advised as to the resources. Certainly the vast extent and the geographical location of Texas in the extreme southwestern section of this country, most of it far removed from any large city without the State, made it necessary to locate one of the banks within the State, if a district of sufficient strength could be organized in that section.

The country does not appreciate what Texas really is. It is fifth in population among the States of the Nation; it is second among the States in number of banks. It is true that some of them are small, but they are growing. These locations are to be made not for to-day only, but for the years to come. The growth during the past 10 years gives some idea of what may be expected.

On November 17, 1903, Texas had 377 national banks, with a capital and surplus of $37,300,000 and individual deposits of $88,000,000. On October 21, 1913, it had 519 national banks,

with a capital and surplus of $76,000,000 and individual deposits of $203,066,000. There were no State banks at the time first mentioned, but on October 21, 1913, there were 832 State banks, with capital and surplus of $38,992,000 and individual deposits of $93,000,000, an increase of 974 banks, $78,065,000 capital and surplus, and $208,166,000 in individual deposits. The bank capitalization of Texas increased, therefore, in 10 years over 300 per cent, and the individual deposits increased during that time 350 per cent.

For the purpose of making clear the relative strength of Texas, I beg to call attention to the fact that Louisiana has $13,500,000 capital and surplus, the rich State of Missouri $51,000,000, while, as stated, Texas has $76,000,000. The loans and discounts of Texas banks are greater than those of Alabama, Mississippi, Arkansas, Louisiana, and Florida combined.

This district under ordinary conditions will always be self-sufficient, but in the event of necessity to borrow from the Federal Reserve Board the district can always count upon the receipts from its cotton, which will average around 6,000,000 bales per annum and above $350,000,000 in value.

Incidentally, Mr. Chairman, I desire to call attention to the fact that of this production some 5,000,000 bales is exported, whereas of the cotton produced outside of the Dallas district only about 2,000,000 bales are exported, the remainder being held for home consumption, and this becomes a burden upon the banking power of the country.

I have spoken only of the cotton production of the district, but in estimating the strength of Texas it should be borne in mind that in addition to its lumbering, mining (including oil), and its manufacturing interests, which in the aggregate are large, it is the chief agricultural State of the Nation. With its large exportations the necessity of having facilities for handling foreign bills of exchange is apparent.

Mr. Chairman, a great part of this discussion has been centered about the rival cities and their respective banking facilities. This is a matter of minor importance. These regional reserve banks are not to be dependent upon the cities in which they are located, but are to be supported by the banks of the district in which they are located.

But, Mr. Chairman, the city in which the committee has located the bank of the eleventh district compares as favorably with any of its rivals as Texas as a whole compares with the other States or the Dallas district with any other district.

To-day Dallas has a population of over 120,000 inhabitants. In 1910 its population was 92,105. In 1900 its population was 42,000.

Dallas is in the heart of the agricultural section of the Southwest and is itself the manufacturing and commercial center of a large territory. Within a radius of 100 miles of Dallas is only 10.8 per cent of the territory of Texas, but 1,399,082 people are included therein, owning property assessed at $747,666,886. Dallas is first in the manufacturing of cotton gins and of harness and saddlery. It is second to one only in the distribution of farm machinery. The sales of the 318 wholesale houses last year were $211,458,000, and its factory output was $42,595,000. Dallas has 160 concerns rated over $1,000,000. Two thousand two hundred traveling men have their headquarters at Dallas. Another evidence of the activities and importance of Dallas is its postal receipts. Last year they were $1,002,000. The building permits last year were $8,439,540.

In 1904 the national banks of Dallas had a capital and surplus of $2,676,000, with individual deposits of $7,157,000. In 1914 this capital and surplus had reached $5,900,000 and individual deposits $18,551,000. In this same period State banks have been established which brought the total bank capital and surplus up to $9,997,000 and deposits up to $24,808,891.

But, Mr. Chairman, the strongest proof of the wisdom of the choice of the committee in selecting Dallas and in arranging the boundaries of the eleventh district is the unanimity with which the banks of the district accept the arrangement. These are the banks most interested, as they must subscribe to the stock of the reserve bank and must look to it for their banking service.

Mr. SLOAN. Mr. Chairman, I am pleased to be designated "from Nebraska." I did not know but that I would be designated "the gentleman from that remote financial province so illogically and inconveniently attached under the new currency act to the regional bank located at the confluence of the Big Muddy and the Raging Kaw."

Discussion having been injected into this debate criticizing the districts numbered 5, 6, and 11, referred to now as Richmond, Atlanta, and Dallas districts, I do not desire by my silence to let it be understood that the northern half of district No. 10 is satisfied or willing to condone the imposition placed upon it. This objection is not confined to disappointed candidate cities for the location of the regional banks. The public is interested. If the objection were not so apparent, we might think the rest of the country might not know of the humiliation, and we could suffer in silence. But the injustice is so obvious that the map reveals it at once. Those acquainted with the course of business and the distribution of population will see emphasis added to the map.

The law regulating these districts is as follows:

As soon as practicable the Secretary of the Treasury, the Secretary of Agriculture, and the Comptroller of the Currency, acting as "the reserve bank organization committee," shall designate not less than 8 nor more than 12 cities, to be known as Federal reserve cities, and shall divide the continental United States, excluding Alaska, into districts, each district to contain only one of such Federal reserve cities. The determination of said organization committee shall not be subject to review except by the Federal Reserve Board when organized: *Provided*, That the districts shall be apportioned with due regard to the convenience and customary course of business and shall not necessarily be coterminous with any State or States.

Look at district No. 10. The largest of the 12 districts in area save one, that one the Pacific coast district. District No. 10 contains 446,658 square miles. One-sixth of the area of the United States. Twice the area of the average district formed by the board. This area is made up as follows:

	Miles.
Wyoming	97,890
Colorado	103,925
Nebraska	77,510
Kansas	82,080
New Mexico (part)	41,470
Oklahoma (part)	33,262
Missouri (part)	10,521

If a line were drawn through Kansas City north and south, there would be to the east within said district not more than 7,425 square miles, while to the west there would be 433,233 square miles, or 1.6 per cent to the east and 98.4 per cent to the west. Draw a line through Kansas City from the east to the west line of the tenth district, and three-fifths of the district would be to the northwest and two-fifths to the southwest. In that part of the district to the east of Kansas City the population would be not more than 9 per cent, while to the west would be 91 per cent. In that part north of the line running west through Kansas City there are about two-thirds of the population of the district and at least as great a proportion of the business—banking, manufacturing, commercial, and otherwise. In this northern section a large proportion of its carrying trade is over four great lines of railway, namely, Chicago & Northwestern, Union Pacific, Burlington, and Rock Island, none of whose main lines run through Kansas City. From the northwestern corner of Wyoming to Kansas City is more than 1,000 miles, and no direct or immediate railway connections. The railways doing the carrying for this part of the great district, some of them run through each of the capitals—Cheyenne, Denver, and Lincoln—while all of them run to or through Omaha. From nearly all this northern territory Kansas City is reached by branch or side lines.

That Kansas City is not the logical point for this northern territory is confessed, first:

The Treasury Department classifies Missouri as a southern State, presumably with reference to its financial operations. The northern part of district 10 is classified as northern for the same reason. Kansas City's lack of right to this northern territory is confessed on the map when taken in connection with the law, which says that the district shall be apportioned "with due regard to the convenience and customary course of business." But one row of counties are taken from the western edge of Missouri, just enough to include Kansas City. Will Kansas City have nerve to retain the regional bank under this arrangement, which shows that in her commercial battling with St. Louis, St. Louis covered and controlled 96 counties, while Kansas City controlled only 19 counties in their own State? The conclusion is obvious. St. Louis was to be saved, while Kansas City was to be forced upon the public.

We would not object to Kansas City being the center of a district of western Missouri, Kansas, Oklahoma, Texas, and New Mexico. We do not dislike Kansas City as a city, nor Missouri as a State, but it is not a question of our likes and dislikes; it is a question of our rights under a law which, from its beginning, was charged with partisanship, on the one hand, and declared by its friends to be nonpartisan. We are entitled to such a small measure of fairness as the ultrapartisanship of the law would permit. This districting was certainly partisan on the face of it. Its friends should be well satisfied that so mild a term as partisanship would be the charge. The following editorial from the Lincoln (Nebr.) State Journal is a true one:

It makes a formidable prima facie case against the regional bank organization committee to show that the three committeemen landed four regional banks in their own States. This is made the stronger by the surprise that Richmond should score as against Baltimore—Richmond, which is the home of Comptroller Williams, a member of the committee. Of course, Secretary McAdoo's home city, New York, was

to have a bank, regardless of pull. So was St. Louis, the home of Secretary Houston. The case of Kansas City, also in Secretary Houston's State, was not so clear, however. There was no hope to distribute the banks so as to escape criticism from the cities that got none. But the distribution in these two respects subjects the committee to suspicions that will never down, however strong a case is made for the merits of their distribution of the banks.

Of course, we expect to some extent that Missouri, with its commanding political influence, would, in political matters, have an effective influence in the interests of the State and its cities, but I trust that Missouri will do the rest of district No. 10 the credit of knowing when we are slugged and by whom. We may also be credited with remembering the history of the currency bill through its pendency; the opposition from certain quarters, which was fierce and which suddenly changed into warm support. The assailing hawk became suddenly the mild-mannered crow protecting his carrion. We have the highest consideration for the Secretary of Agriculture, against whom we join with no man in the charge that he neglects or forgets his friends. We know the influence and power of the brilliant Missouri delegation on this floor. We recognize the influence and ability of our great Speaker, whose splendid Americanism has appealed so strongly to the country. We recollect also Missouri has a Senator whom even Presidents visit. With these in mind, we expect Missouri primacy. But when Missouri, the seventh State in population, seventh in banking capital and surplus, eighth in wealth, and eighteenth in area, is given two regional banks and one of them has such a precarious footing within the State of Missouri that an angry rise of the Missouri or a flood of the Kaw might wash the regional bank over into the St. Louis district, we are forced to say that Missouri deals Missouri a mighty liberal brand of justice. Especially will this appear when we note that the great Empire State, with three times Missouri's wealth and three times its population, with great cities—New York and Buffalo—five times as large as as combined St. Louis and Kansas City, has but one. There is in the Keystone State, with two times the population and one and one-half times the wealth of Missouri, with two great cities—Philadelphia and Pittsburgh—353 miles apart and collectively being twice as large as St. Louis and Kansas City, only one regional bank. Further, Ohio, with two great cities—Cincinnati and Cleveland—practically the same distance from each other that Kansas City and St. Louis are; a State having much greater population and wealth than Missouri, has but one regional bank. All these great cities must note the passing of empire on to Missouri.

Mr. Chairman, I sought to obtain some definite information as to the peculiar location and arrangement of district No. 10. I challenge the attention of the House to the map. There are 12 districts. Certain of them are seaboard districts, and in certain cases the regional banks are located upon the seaboard, presumably with the idea that the commerce of the sea will supplement and become, in effect, a part of the business of the regional bank of the district. But a number of the districts are purely inland. Calling attention to the Richmond district, it is not purely inland or purely seaboard, but Richmond is located geographically somewhere near the center of the district, and in population somewhere near the center. The same is true of Atlanta, Dallas, Minneapolis, Chicago, St. Louis, and Philadelphia. Geography is consulted in each of these cases. In each case, except the tenth, there seems to have been an attempt to locate the bank at a point somewhere near the resultant of the following forces: Area, population, transportation, banking power, business, wealth, and bank preference. But in district No. 10, which is the largest in area of the inland districts and the second district of all, where geography, perhaps, ought to control more than any other consideration, the regional bank is placed in the extreme margin of the district. I sought information from the gentleman [Mr. GLASS] who, on the floor of the House, defended the reserve board, as to why this was done. I did not obtain from him what seemed to me a satisfactory answer. I agree that the circumstances point very strongly to a confirmation of the statement of the gentleman from Louisiana, Gen. ESTOPINAL, who said that the regional-bank cities were located first and the districts afterwards. I did not believe that there had been a plebiscite or a referendum of the banks of district No. 10 submitted after the Federal reserve district had been established, because to me it seems absolutely inconceivable that district No. 10 was located in the way it now is and that there should be any division of sentiment in the north half of the district in registering their votes against Kansas City.

A study of the tables submitted by the gentleman from Virginia [Mr. GLASS] shows preference of national banks for Omaha to have been: Nebraska, 181; Iowa, 17; Wyoming, 10; South Dakota, 8; Idaho, 2. Yet the gentleman from Virginia said that Omaha received but 10 votes outside of Nebraska. That seemed to carry the implication that choices were expressed after district No. 10 was determined. To ascertain this fact I wired Hon. Henry W. Yates, of Omaha, Nebr., a banker of national reputation, asking him if the bankers of Nebraska had been given an opportunity to express a preference after the district boundaries were determined. I received the following answer:

OMAHA, NEBR., *April 8, 1914.*

Hon. CHAS. H. SLOAN,
House of Representatives, Washington, D. C.:

No opportunity whatever was given the banks to express preference concerning either boundaries or reserve cities after the districts were fixed, when Nebraska was tied up with a slice of western Missouri, Kansas, Oklahoma, and a slice of Texas. Omaha could not expect to be named as reserve city; it was fixed for Kansas City alone. The outrage lies in putting us into such a district, with which we have little in common, and where a higher interest rate has prevailed and the business methods pursued are entirely different. About seven millions of Nebraska money must be placed in that bank, whether used by Nebraska people or not.

HENRY W. YATES.

In the first place, district No. 10 is a distinct violation of the first principle for the establishment of the districts. There is a distinct difference between the northern half of district No. 10 and the southern half. That difference is recognized by the Treasury Department of the United States, Missouri having been classified by the United States Treasury as a southern State. When I say that, I do not mean in a historical sense, but in the sense of its business course, the course of its mail, and the course of its banking business, while Omaha, Colorado, and Wyoming are distinctively northern.

Now, the Secretary of the Treasury, using his own classification, would seem to me to be compelled to make a district that would include those States last mentioned in a northern district. Taking Kansas City, the defender of the system is placed in a very remarkable attitude when he tells the House the reason why Kansas City was selected and Omaha not selected. He stated that it was located at Kansas City because Kansas City had 300 or more votes from outside of Missouri, while Omaha had only 10.

Gentlemen of the House, with Kansas City located on the Missouri River, just one row of counties from Missouri are included in that district; and if they did not include the votes from outside of Missouri, Kansas City could not have made any show at all. Omaha is in the eastern part of Nebraska, with all the territory tributary to her, including all of Nebraska, a large part of Colorado, Idaho, Montana, Wyoming, and South Dakota, which would be entitled to be considered just the same as those votes granted to Kansas City outside the State of Missouri.

It certainly was not fixed on the basis of transportation, because the four great railway lines, the Chicago & North Western, the Union Pacific, the Burlington, and the Rock Island systems—the four great systems that do the carrying for the district in which are Nebraska and other Northwestern States—none of them have their great main lines running through Kansas City. And when I speak of Kansas City I do not in any way disparage it. It is a splendid city and it has great transportation facilities, but they are not with the Northwest, they are with the Southwest.

The following is the Omaha committee's statement of Omaha's railway and mail service:

"A."

RAILROADS AND MAIL SERVICE.

We would direct your attention especially to the map we submit of the railroads running into Omaha.

It will be seen that every line west converges to Omaha, and the same is very nearly the case in Iowa.

The inconvenience that would exist for bankers west of Omaha, should they be obliged to go to a junction point and wait for a train going west, is too plain to require further reference.

Omaha is the direct line of transcontinental travel between New York, Chicago, San Francisco, Los Angeles, Portland, and Seattle. Denver is off the line of transcontinental travel.

Of the total transcontinental passenger traffic it is estimated that fully 49 per cent passes through Omaha, the remainder being divided between St. Paul and Kansas City.

There are 10 trunk lines with Omaha as a terminal, these trunk lines operating 20 separate and distinct lines, each tapping a separate territory and each territory having a distinct mail service.

The number of trains in and out of Omaha daily is 171, divided as follows:

Chicago, Burlington & Quincy: 6 daily between Omaha and Denver, 4 daily between Omaha and Billings, 2 daily between Omaha and Sioux City, 7 daily between Omaha and Chicago, 6 daily between Omaha and points south, 2 daily between Omaha and St. Louis, 18 daily local. Total, 45 trains.

Chicago & North Western: 8 daily between Omaha and Sioux City, 16 daily between Omaha and Chicago, 2 daily between Omaha and Black Hills, 18 daily local. Total, 44 trains.

Chicago, Milwaukee & St. Paul: 6 daily between Omaha and Chicago, 4 daily between Omaha and South Dakota points. Total, 10 trains.

Chicago, Rock Island & Pacific: 12 daily between Omaha and Chicago, 6 daily between Omaha and Colorado points. Total, 18 trains.

Union Pacific: 26 daily trains.
Illinois Central: 4 daily between Omaha and Chicago.
Chicago Great Western: 2 daily between Omaha and Chicago, 4 daily between Omaha and points north. Total, 6 trains.
Missouri Pacific: 8 daily between Omaha and points south.
Chicago, St. Paul, Minneapolis & Omaha: 6 daily to the north.
Wabash: 4 daily between Omaha and St. Louis.

The connection of Kansas City with the great northwestern country is largely by branch lines and side lines. The fact that I urge against this arrangement is that it is unnatural and unusual. Men say it is not political. I think when we say it is political, the friends of it ought to realize that we are speaking as mildly as would be warranted. The friends of the favored cities should be satisfied that harsher terms were not used. The gentleman who defended the selection said that Kansas City had infinitely stronger banking power than Omaha. That is not the case. It has a larger banking power than Omaha, but not stronger. The banks of Omaha are and have been for two decades as firm financially as old Gibraltar. So strong a statement can not be made of the banks of Kansas City.

Again, it has been demonstrated by this afternoon's debate that the size of cities, or their banking power, shall not control in fixing the location of the regional banks. If that were true, my friend from Louisiana [Mr. DUPRÉ] would have a regional bank at New Orleans. If that were true, my friend from Maryland [Mr. LINTHICUM] would have a regional bank at Baltimore.

Again, it is not fixed on the basis of preference of the banks as established by this debate, because if it were Pittsburgh and not Cleveland would have had a regional bank. It is not by geographical location; it is not by transportation lines; it is not by banking power.

I *notice that* Richmond was defended, because while it was not stronger now than Baltimore, but because of the prospect of increase, based upon the increase during the last 10 years. Baltimore's increase was less in percentage than was that of Richmond, and the same defense was submitted for Dallas and for Atlanta.

If that rule were applied to district No. 10, you would never have located this bank at Kansas City. Of the four cities considered, Denver showed the least increase in the last 10 years, Kansas City showed the next lowest—only 74 per cent—while Omaha showed an increase in banking power of 89 per cent. and Lincoln 97 per cent. So, by the system of exclusion and elimination, considering every basis that has been submitted here, I challenge any man to give a substantial reason why district No. 10 was organized as it was, and why a regional bank was placed where it is, unless you be frank about it, gentlemen, and say that you did it because you could. You had, of course, a great political power, and you used it. Why not be frank about it? You have a brilliant line of membership on the floor of this House, capable of getting things, and, I am afraid, capable of keeping them.

It may have just happened, but I would like for somebody to give and to defend on the floor of the House a reason for the selection in Missouri of two regional banks.

Mr. STEPHENS of Texas. Is it not a fact that Kansas City is partly in Missouri and partly in Kansas, and that Kansas is a Western State in district No. 10?

Mr. SLOAN. Kansas City, Mo., and Kansas City, Kans., are two distinct municipalities, as the gentleman from Texas knows. I told the gentleman how the Treasurer of the United States classifies Missouri—he classifies it as a Southern State.

Mr. STEPHENS of Texas. Is it not a fact that nearly all of the banks and business interests of Kansas have favored Kansas City?

Mr. SLOAN. I am not speaking for Kansas; I am speaking for that natural division lying to the north—Nebraska, Wyoming, Montana, South Dakota, and the western part of Iowa—which was the district that was discussed in Nebraska during the time that the committee was out there. So far as I was concerned, I never heard that there was any prospect of dropping down and making a district No. 10, such as is now constituted.

Mr. GLASS. Let me say to the gentleman that no part of that district voted for Omaha outside of Nebraska.

Mr. SLOAN. I do not know whether they did or not.

Mr. GLASS. I gave you the figures. Only 22 outside of Colorado voted for Denver. Now, continuing the line of the gentleman's statement, we have a great Secretary of State from Nebraska, and if there had been any disposition to play politics the organization committee might have yielded to the Secretary of State.

Mr. SLOAN. Yes; I acknowledge—aye, I boast—of having a great Secretary of State from the State of Nebraska. It does me good to mention that fact. I am proud of him, not only as Secretary of State but as a great diplomat, and one of the greatest strokes of diplomacy that I have noticed recently is the fact that he stayed out of the New Jersey campaign.

Mr. STEPHENS of Texas. Is not the gentleman aware of the fact that Kansas City is the greatest live-stock market not only in the United States but in the world; that the States of Kansas, New Mexico, Arizona, and Texas, that raise nearly all of the beef of the United States, must pass their stock through Kansas City; and that they are slaughtered either in Kansas City or in Chicago, and that for that reason the banking business of Kansas City controls the great live-stock business of that portion of the United States?

Mr. SLOAN. It does of that southern country, but it does not of the Northwest. If the gentleman will examine the statistics, he will find the Omaha market has increased in the last 10 years much more rapidly than Kansas City. Kansas City is not the first market. Chicago is the greatest live-stock market in the United States and in the world.

Mr. STEPHENS of Texas. But the gentleman is aware of the fact that the trains carrying this live stock from the ranges in the West, where the stock is raised, going to Chicago, must pass through Kansas City?

Mr. SLOAN. From the Southwest, but not from the Northwest; and, as I stated, we are not finding any fault with Kansas City having something to do with the great Southwest. The trouble is that it has nothing to do with our section of the country. I shall here place in the RECORD a statement of Omaha's business, as certified to the locating committee by the Omaha committee:

INFORMATION SUPPLEMENTING BRIEF OF BANKS OF OMAHA AND SOUTH OMAHA ON BEHALF OF THE DESIGNATION OF OMAHA FOR A FEDERAL RESERVE BANK.

To the Hon. WILLIAM G. MCADOO,
Secretary of the Treasury.
To the Hon. DAVID F. HOUSTON,
Secretary of Agriculture.
To the Hon. JOHN SKELTON WILLIAMS,
Comptroller of the Currency.

GENTLEMEN: Pursuant to your request to file additional data in behalf of Omaha's claims for the location of a Federal reserve bank in Omaha, as outlined at the Lincoln, Nebr., hearing January 24, 1914, the bankers of Omaha and South Omaha respectfully submit the following facts substantiating facts developed at the hearing:

OMAHA IS THE THIRD LARGEST LIVE-STOCK MARKET AND PACKING CENTER.

Figures compiled by the stock yards companies of Kansas City, Omaha, and Chicago show these receipts for 1913:

	Total number head.
Chicago	16,362,192
Kansas City	6,981,418
Omaha	6,758,525
St. Louis	4,633,690

OMAHA IS THE SECOND LARGEST IN RECEIPTS OF SHEEP.

	Total number head.
Chicago	5,902,798
Omaha	3,222,133
Kansas City	2,094,748
St. Louis	949,802

OMAHA IS THE FOURTH LARGEST IN RECEIPTS OF CATTLE.

	Total number head.
Chicago	2,888,456
Kansas City	2,318,885
St. Louis	1,099,997
Omaha	962,103

OMAHA IS THE FOURTH LARGEST IN RECEIPTS OF HOGS.

In total receipts Omaha, Kansas City, and St. Louis are so nearly equal that only 41,000 difference maintains between highest and lowest:

	Total number head.
Chicago	7,570,938
St. Louis	2,583,911
Kansas City	2,567,785
Omaha	2,542,709

OMAHA IS THE LARGEST FEEDER MARKET.

Omaha is the greatest market in the United States for feeder sheep. The shipments of feeder sheep from Omaha during 1913 were 1,468,819 head. Chicago was second, with shipments of 1,449,692, and Kansas City third, with 496,430.

OMAHA IS THE FOURTH PRIMARY GRAIN MARKET.

Figures compiled by the grain exchanges of Chicago, St. Louis, Kansas City, Omaha, and Minneapolis show Omaha fourth in rank, with Kansas City fifth:

	Total receipts.
Chicago (figures not available; easily first)	
Minneapolis	185,248,290
St. Louis	80,498,685
Omaha	68,574,700
Kansas City	66,795,200

OMAHA IS THE SECOND PRIMARY CORN MARKET.

Grain-exchange figures show Omaha to be the second primary corn market of the United States, ranking next to Chicago. St. Louis is third and Kansas City fourth:

	Receipts, 1913.
Chicago (figures not available)	
Omaha	31,111,200
St. Louis	22,189,045
Kansas City	21,928,000
Minneapolis	8,189,080

OMAHA IS THE FOURTH PRIMARY OAT MARKET.

Omaha is the fourth primary market for oats, with Kansas City fifth:

	Receipts, 1913.
Chicago (figures not available)	
Minneapolis	24,560,020
St. Louis	24,363,800
Omaha	16,384,200
Kansas City	10,174,500

OMAHA'S MANUFACTURING AND JOBBING.

The annual manufacturing and jobbing business of Omaha totals $355,012,310; divided, manufacturing $193,385,671 and jobbing $161,626,639. From analysis of shipments, these goods are sent into Nebraska, Iowa, Montana, Colorado, Utah, southern South Dakota, and northern Kansas.

These figures were compiled by the bureau of publicity, Commercial Club of Omaha, and are the compilation of returns made by 389 jobbers and 402 manufacturers. Similar statistics are compiled each year.

A further analysis of these figures shows that Omaha occupies the following position in these respects:

OMAHA IS THE GREATEST CREAMERY-BUTTER PRODUCING CITY IN THE UNITED STATES.

Last year creamery butter of the value of $7,195,452 was shipped out of Omaha. The total number of pounds as reported by the creameries exceeded 25,000,000.

OMAHA IS THE SECOND DISTRIBUTING POINT FOR AGRICULTURAL IMPLEMENTS.

Twenty-four concerns in Omaha reported an aggregate of $15,224,000 worth of implements distributed through the Omaha houses. Kansas City, supplemented by sales from Denver, aggregated about $17,500,000, according to their reports.

OMAHA IS THIRD IN THE VALUE OF PACKING-HOUSE PRODUCTS.

The output of the packing houses of South Omaha totaled $105,819,382 in 1913.

OMAHA'S GROWTH IN 11 YEARS.

Omaha's growth in the past 11 years is an indication of the development of the city and its tributary trade territory. Without exception Omaha has shown remarkable growth, varying from 23 to 329 per cent. Following are the figures:

	1903	1913	Per cent increase.
Population	109,921	155,312	40
Bank clearings	$392,880,920	$908,947,578	170
Bank deposits	$25,612,275	$61,184,070	139
Factory output	$130,583,090	$193,385,671	47
Jobbing	$70,998,467	$161,626,639	122
Live-stock receipts	$5,218,836	$6,758,525	24
Grain receipts		$68,574,700	
Post-office receipts	$509,450	$1,325,256	160
Number building permits	329	1,236	272
Value	$962,602	$4,110,773	329
Realty transfers	$7,004,078	$9,371,301	33
Assessable property	$105,856,575	$181,566,890	71

Mr. BARTON. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Certainly.

Mr. BARTON. Would not the gentleman also suggest that the State of Kansas and that western territory could have been served through the regional bank already established at St. Louis?

Mr. SLOAN. Yes. One bank either at St. Louis or Kansas City would have been a fair distribution, because Missouri, as I have stated, is seventh in population, seventh in banking capital and surplus, about eighth in wealth, and eighteenth in area, and in number of national banks is seventeenth in the Union.

The following table shows the leading States with their respective number of national banks expressing a preference for regional-bank location and number of regional banks accorded them:

State.	Number national banks.	Regional banks.
Pennsylvania	764	1
New York	478	1
Texas	438	1
Illinois	419	1
Ohio	343	1
Iowa	303	
Oklahoma	283	
Minnesota	259	1
California	235	1
Indiana	234	
Nebraska	223	
Kansas	198	
New Jersey	188	
Massachusetts	154	1
North Dakota	125	
Virginia	118	1
Missouri	116	2
Georgia	108	1

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Certainly.

Mr. FESS. I understood from the gentleman from Virginia [Mr. GLASS] that the regional bank was located at Kansas City because the banks of Kansas asked for it.

Mr. SLOAN. Yes.

Mr. FESS. I wondered if the banks of New Jersey asked to be attached to Philadelphia instead of New York?

Mr. SLOAN. As I said, I do not think that that made any difference, because a number of instances have been stated where the requests of banks have not controlled. I have cited instances here where the size of the cities did not control. I am talking about a case where the lines of transportation and the course of business did not control. I have cited instances where the area does not control, instances where population did not control, where banking preferences did not control. I do not know a single basis or rule that controlled in one case which has controlled in another. The gentleman will pardon us if we mildly say that politics must have had something to do with it. But we are told by the gentleman from Missouri [Mr. BOOHER] that there may have been favoritism shown. That is worse than politics, because politics carries with it party responsibility, while favoritism never appears twice in the same way and no responsibility attaches.

Mr. FESS. Is it not true that those who feared this regional banking system feared it on the basis of partisan politics?

Mr. SLOAN. That was one of the dangers that was pointed out in this body and in the body at the other end of the Capitol. It was pointed out throughout the country. We were assured by those on the other side of the Chamber that politics or favoritism would never have any opportunity to control any of the workings of this system. It is to be deeply deplored that the first concrete movement in the new currency system, by the testimony of men on both sides of this Chamber, and defended by but few, is distinctly political favoritism. This advantage was taken, gentlemen, because you had the power to take it. It is simply the old rule that was announced by Rob Roy in the Highlands of Scotland centuries ago and later enunciated and enforced by Jesse James and Cole Younger in the jungles of Missouri—"that old and simple plan, that he may take who hath the power; that he may keep who can." [Applause.]

Mr. BOOHER. Mr. Chairman, I am certainly pleased that the gentleman from Omaha is so well pleased with himself.

Mr. SLOAN. Does the gentleman yield?

Mr. BOOHER. No.

Mr. SLOAN. I am not from Omaha.

Mr. BOOHER. It is always a pleasure to see one's friends so greatly gratified with themselves, and to know that they are willing to impute improper motives to everybody else, because it satisfies the hearers that they would never make a mistake or act from improper motives upon any subject.

Now, these men who established these banks are men of very high character, of very high character indeed. They are known to the business world and to the commercial world as men of standing. Their motives are impugned from that side of the Chamber for political reasons, and from this side, God only knows what the reason is, I do not. Now, my friend from Nebraska [Mr. SLOAN] is terribly worried because there is a bank at Kansas City, and he wants to know why it is. Why, there are many good reasons for it. One, not the principal one, however, is that Kansas City is in one of the greatest States in this Union. It is one of the greatest cities of this Union, it is the most rapidly growing and developing city in the Union, and the people of the State of Missouri were entitled to two banks. And the people of Missouri were entitled to two banks because they had the business; they had the energy and enterprise, and knew how to go after it, and got it. Why did not you learn how? Why should Kansas City have a regional bank? It is the gateway of the Southwest, as the gentleman from Texas [Mr. STEPHENS] said. It handles the cattle and all the live stock of the Southwest—Oklahoma, Texas, New Mexico, Arizona, Kansas, and Nebraska—it all has to go through Kansas City to get to the market and the most of the slaughtering is done in Kansas City.

I think the people of this country will be interested to learn Kansas City is on a branch-line railroad when it is one of the greatest railroad centers in the West, the greatest railroad center outside of the city of Chicago. My genial friend has said it is on a branch line and that Omaha is on the main line. Why, they could not get by Omaha with the Burlington, so they had to go by there. If it could have gone to any other place in the world, they would have missed Omaha. They never would have gone to Omaha for business, because it is not there. Kansas City, Kans., and Kansas City, Mo., are just one town. The people generally think it is divided by the Kansas River, but that is not so. The two cities are divided by a street. One city, Kansas City, Kans., has 100,000 people, and the city

of Kansas City, Mo., has 350,000 people, together making almost 500,000 people in those two communities. It is the second largest live-stock market in the world. They handle more live stock from Montana, Wyoming, Idaho, and Utah than any other city in the West. The greater share of the sheep trade of the Northwest finds its way there. Kansas City is the seventh city in bank clearances in this country, the seventh city in bank clearances for a year. It is one of the few cities that has increased its bank clearances in the last year. Only a few cities showed an increase.

Mr. SLOAN. Will the gentleman yield?

Mr. BOOHER. Yes.

Mr. SLOAN. I want to correct some figures with figures which I have here. The gentleman spoke of sheep. In 1913 Chicago handled 5,902,798 sheep, Omaha handled 3,222,135, Kansas City handled 2,394,745, so Omaha handled about 58 per cent more than Kansas City did in 1913.

Mr. BOOHER. I would like to ask the gentleman where he got his figures and who made them?

Mr. SLOAN. Those are figures that are published by the live-stock exchanges of Kansas City, Mo., Chicago, and St. Joseph, the gentleman's town.

Mr. BOOHER. In other words, I will tell the gentleman that he has got some figures showing the amount of stock received each day or for a week or a month at those places, but he has done his own figuring. Now let me say to this committee that no man can convince me that there is any stock market in this country, outside of Chicago, that receives as much live stock of any kind as they receive in Kansas City in a year. It is absolutely impossible——

Mr. FESS. Will the gentleman permit a question?

Mr. BOOHER. Yes.

Mr. FESS. I understood the gentleman to say the population of Kansas City, Kans., was 121,000——

Mr. BOOHER. I said 130,000.

Mr. FESS. The census for 1910 shows a population of 82,000, a 50 per cent increase.

Mr. BOOHER. I made the statement in round numbers——

Mr. FESS. It is 84,000.

Mr. BOOHER. I made the statement that there are nearly 500,000 people in those two places, taking in the territory surrounding it.

Mr. FESS. The gentleman estimated 500,000; it is 248,000.

Mr. BOOHER. Wait a moment. Now, let me make this speech, and then my friend from Ohio can make his.

Then there is St. Joseph, with nearly 100,000 people; Leavenworth, with 30,000, and Atchison, Kans., with about 25,000, and all right in the same territory, within 60 miles of Kansas City. All of those cities and all of those communities are to be accommodated, and with all that interest there it is absolutely impossible to escape putting a bank at Kansas City, and I do not presume there is anybody in this House who will question the motives of these men in establishing a bank at St. Louis. The business of the country demanded a bank should go there; and the business of the country likewise demanded that a bank should be in Chicago, and Chicago got it. All of these communities could not get them. I am surprised at some gentlemen who talk upon this proposition in this House. I am looking some gentlemen in the face who did not want but 6 regional banks put into that bill, others did not want but 4, and some did not want but 1, and yet when the bill came in here and reported 12 it was objected that that number was too large. Now, if we had not had 12 there would have been more sore spots than there are now; there would have been more fault-finding with it and more accusation of men who are charged with a great duty, as now, with playing politics with it, without one single bit of evidence to justify the charge. It is all wrong for Members on the floor of this House to make these charges of misconduct against another department of the Government without the shadow of evidence to support the charge.

Now, I was before the board with representatives of Kansas City. There was not one word of politics mentioned. We were simply asked to prepare our figures and show the commercial needs of Kansas City and the country it would represent and that would be tributary to it. That is all we talked about.

Mr. FESS. Will the gentleman yield there?

Mr. BOOHER. Yes, sir.

Mr. FESS. Do you sincerely believe that there is absolutely no favoritism whatever in any part of this division?

Mr. BOOHER. Now, the gentleman uses the word "favoritism" instead of "politics," and I am glad he does. There is a great deal of difference in the two. I want to say to my friend that if I lived in a city in his State, in the city of Cincinnati or in the city of Cleveland, for instance, and happened to be a member of that board, if I honestly believed that my city was entitled to a bank I would have stood by my city, and I think the gentleman would have done the same thing. Now, that is the way I put that part of it up. There may have been some favoritism. I do not know. I do not believe there was any undue favoritism practiced by any gentleman on that board.

Now, we have consumed a good deal of time about this. I do not care to take any more. I do not live in Kansas City. My people, the banks in my district, petitioned to go to Chicago. They claimed their banking interests were at Chicago. If they had to go to either St. Louis or Chicago, they preferred to go to Chicago, because they said it was their natural gateway for the live-stock interests of that section, and the greater part of their business was being done there; but if they could have one of these banks nearer home, of course those people were interested in getting it, just as the people of these other communities were. Why, the banks that voted, as the gentleman from Virginia [Mr. GLASS] told you, ought to have some voice in locating these banks. I do not know as they could arrive at a better plan, if they pursued it in the place where these banks were established, than submitting it to the banks.

Mr. BARTON. Do you know that they did that?

Mr. BOOHER. I understood the gentleman from Virginia to say that they did.

Mr. BARTON. I understood you to say that they laid out the territory and took the business.

Mr. BOOHER. I said if they took the votes of all the banks in that particular territory as to where they would rather go to transact their business it would have been a fair way, but the people who did not get a bank then would have been as much exercised as they are now.

Mr. FESS. Will the gentleman yield for just another question?

Mr. BOOHER. Yes.

Mr. FESS. Does this in any way cause you to lose your confidence in what might take place later on in the Federal Reserve Board?

Mr. BOOHER. What do you mean by that?

Mr. FESS. There was fear all along that there would be favoritism or partisan politics used in the administration of a currency measure.

Mr. BOOHER. I do not believe any man will ever be elected President of the United States, I do not care to what party he belongs, that will ever use politics or permit it to warp or bias his judgment when it comes to enforcing the banking and financial laws of the country. [Applause.]

Mr. FESS. Can you say that about President Jackson?

Mr. BOOHER. Yes, sir. I stand where Jackson stood. I read his veto message yesterday, and I wish you would read it, Professor, and learn something from it.

Mr. FESS. I have read it. You are not afraid there will be any partisan politics?

Mr. BOOHER. President Jackson did not exercise any partisan politics. Do you say, now, from reading the history of that transaction, that President Jackson vetoed the central bank bill because it was the central bank?

Mr. FESS. I say that when he removed Judge Duane because he would not remove the deposits, and put in another man, and then removed him because he would not do it, and then put in the third man and commanded him to do it, there was partisan politics in it, do not you?

Mr. BOOHER. No.

Mr. FESS. What was it?

Mr. BOOHER. It was simply a determination on the President's part that the central bank as it was then organized should no longer control the business of this country. That is what it was.

Mr. FESS. That is a different name for it.

Mr. BOOHER. It was a determination to put the banking interests of this country in the hands of the people, where they belong, and he did it. I wish I had time to discuss the question as it deserves to be discussed. What was the reason he vetoed the bill? He said that the stock of that bank was $28,000,000 and that $8,000,000 of it was owned in the city of London, England; and, in case of war, he said the country would be greatly embarrassed with one-fourth of their banking capital owned in a foreign country. That was one of his reasons. There were other and perhaps stronger reasons. However, the people stood by him and indorsed his action.

Mr. MANN. That was before we had moved the capital of the country from Washington to London, as we did last week.

Mr. BOOHER. No. The gentleman is obsessed with the idea that he may be called upon to bear arms in defense of his country against Great Britain.

Mr. MANN. The gentleman is not afraid to bear arms.

Mr. BOOHER. The gentleman is a few years older than I am [laughter], and if he unfortunately should be drafted I will promise to go in his place as a substitute without asking any money for doing it. [Applause.]

Mr. MANN. The gentleman is mistaken. It would take a much more powerful man than the gentleman from Missouri to go in my place. [Laughter].

Mr. BOOHER. Well, in some places.

Mr. MANN. In case of war, I mean. I would not say anywhere else.

Mr. BOOHER. I am very sorry we got onto the Andrew Jackson part of it, but I may end that by saying that I am an Andrew Jackson Democrat, and I do not think he ever did a thing in his official life that I do not stand for to-day, and I wish we had more Andrew Jacksons in this country.

Mr. MANN. But not in the White House.

Mr. BOOHER. We have got one in the White House now, and that is what ails you. Why, I heard a gentleman over on that side this morning glorifying about the election in New Jersey and telling how the President had been turned down. Why, bless him, he had not read that the very county that makes up that congressional district in New Jersey gave 8,000 majority against Woodrow Wilson for President in the last election. Yet it only gave you 5,000 majority yesterday. If you keep on gaining in that way, you can not carry one congressional district out of twenty in the country by next fall.

Mr. MANN. We are willing to take the chances on that.

Mr. BOOHER. I know you are willing to take a chance on anything except fairness in the treatment of this administration and fairness in the treatment of the men who established the Federal reserve banks.

Now, I do not care to discuss that matter any more. I want to say to my friend from Omaha [Mr. SLOAN] that we got a regional bank at Kansas City because we were entitled to it, because the business interests of the country demanded that it should go there, and, in my judgment, that was the only matter considered by the board when it was established there; and I think the gentleman's statement that in that instance they were actuated by politics is all wrong. I think on sober second thought he will come to that conclusion. Omaha is a magnificent city. Her people are energetic and thrifty, but Omaha was not entitled to a regional bank. Her commercial importance did not entitle her to it.

Mr. FOSTER. Does not the gentleman think if they had selected some other places instead of those they did select, there would have been just as much kicking on the part of the places that were disappointed?

Mr. GLASS. No. If Baltimore or Washington had been selected, there would not have been one complaint from Richmond.

Mr. FOSTER. That is a very patriotic statement for the gentleman from Virginia to make——

Mr. GLASS. We would have acquiesced.

Mr. FOSTER. But there would have been the same turmoil on the part of other places all over the United States.

Mr. BOOHER. I can only answer for one place. I think that even if they had established two Federal reserve banks in Omaha, and then had given one to Kansas City, my friend from Omaha [Mr. SLOAN] would have found fault with that, or with any arrangement that could have been made.

Mr. FOSTER. And there would have been the same complaint from other disappointed cities.

Mr. MANN. Does not the gentleman think we would have been entitled to find fault if they had established two of these banks in Omaha?

Mr. BOOHER. I think the gentleman from Omaha [Mr. SLOAN] would have found fault if one had gone to Kansas City, even if he had two in his own city.

Mr. MANN. Does not the gentleman think we would have been entitled to find fault if there had been two located in Omaha?

Mr. BOOHER. Yes; and the country at large would have been entitled to find fault if there had been one located in Omaha, because Omaha was not entitled to it. It went to the right place.

Mr. WATKINS. Mr. Speaker, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BARTLETT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 5850, and had come to no resolution thereon.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask unanimous consent for the consideration of the following order.

The Clerk read as follows:

Ordered, That all salaries of officers and employees of the United States provided for at current amounts in the bill H. R. 15279, for the fiscal year 1915, shall be considered as in order under the rules, as well as an amendment which shall fix permanently as the compensation or salary of any officer or employee the sum provided in the current law.

The SPEAKER. Is there objection to the present consideration of the order?

Mr. BARTLETT. Mr. Speaker, reserving the right to object, I would like to ask if this is from the Committee on Rules?

The SPEAKER. No; it is an order offered by the gentleman from South Carolina [Mr. JOHNSON].

Mr. BARTLETT. May I ask what it applies to?

Mr. JOHNSON of South Carolina. It makes the salaries as reported in the legislative bill in order provided they are current law.

Mr. BARTLETT. Does it refer to the offices?

Mr. JOHNSON of South Carolina. Yes.

Mr. BARTLETT. I object.

The SPEAKER. The gentleman from Georgia objects.

Mr. BARTLETT. Mr. Speaker, I asked the gentleman from South Carolina if it applied to the offices, and I understood him to say that it did.

The SPEAKER. The Chair will state that he has read the order carefully, and thinks it does not apply to anything or make anything in order except these salaries stated in the legislative bill that are current law.

Mr. BARTLETT. Mr. Speaker, I will withdraw my objection.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, this is a rule, and offered in a very unusual way.

Mr. COX. Mr. Speaker, I would like to ask the gentleman a question: Does this order, if adopted, preclude or shut out points of order?

Mr. JOHNSON of South Carolina. Wherever we have increased a salary, it does not. The point of order would lie just the same.

Mr. COX. Would it preclude or shut out amendments?

Mr. JOHNSON of South Carolina. Oh, no.

Mr. MURDOCK. Does this rule reinsert in the bill the piecework proposition?

Mr. JOHNSON of South Carolina. No; it does not apply to any legislative proposition or anything of that kind. It is only to avoid troubles on points of order on salaries that were fixed 50 years ago.

Mr. MURDOCK. Does it extend to the consideration of future bills?

Mr. JOHNSON of South Carolina. No.

Mr. MURDOCK. The gentleman will remember that points of order were made by the gentleman from Illinois [Mr. FOWLER] and were followed in some instances by a reinsertion of the statutory amount, but in other cases it was not so followed. How does the committee differentiate between the two?

Mr. JOHNSON of South Carolina. That part of the bill is passed and we are no longer concerned about that.

Mr. GARRETT of Tennessee. In so far as I am familiar with the bill reported by the Committee on Appropriations, I have no objection to it. I have no objection to salaries included in it, but this is a very unusual course of procedure. The custom has always been where points of order were made and where it was necessary to come to the House in order to prevent them, they have come to the Committee on Rules.

Mr. FITZGERALD. There never has been in the experience of myself, or, I think, of the gentleman from Tennessee such a situation as this. Here are salaries that men have been receiving for 30 years.

Mr. GARRETT of Tennessee. If the gentleman will pardon me, there has been an experience within our service.

Mr. FITZGERALD. No; I think the gentleman refers to the time when two Members of the House started in deliberately to filibuster; but here is an objection made simply because there is some old statute fixing a salary. Compensation has been carried in the bill for 10, 20, and 30 years, and points of order are made on account of some forgotten statute, and the result is that these items are being taken from the bill, while nobody dreams that they are to continue out of the bill. This order does not affect at all any salary that the committee proposed to increase in the bill. Wherever it is proposed to increase a salary a point of order will lie.

Mr. MURDOCK. Does the gentleman from New York remember that once, on the military bill, the gentleman from Georgia [Mr. HARDWICK] and the gentleman from Illinois, Mr.

Prince, made points of order against all increases over the statutory amount?

Mr. FITZGERALD. That was the case to which I referred. It was on the legislative bill, and before the bill was finished it was necessary to get a rule, because the bill was ridiculous; it was only a skeleton.

Mr. WILLIS. I would like to ask the gentleman if this rule or order applies to the provision for the purchase of typewriters?

Mr. JOHNSON of South Carolina. Oh, it does not apply to any legislation. It does not apply to anything in the world except where the salary has been increased by former appropriation bills.

Mr. FITZGERALD. It is impossible to tell in a good many cases what the statutory salary is.

Mr. GARRETT of Tennessee. Mr. Speaker, I always hesitate to object to matters of this character, that ought to go to the Committee on Rules, because I happen to be a member of that committee, and an objection on the part of a member of that committee is ascribed to a selfish desire to bring that committee into consideration. This is, however, very unusual. I know of no procedure that has ever occurred in my experience similar to this.

Mr. FITZGERALD. I do.

Mr. JOHNSON of South Carolina. Mr. Speaker, the great body of the Dockery laws were put upon a bill just upon an order proposed by Mr. Dockery when Speaker Crisp was in the chair just before the House adjourned, as we propose to do now. It is not without precedent.

Mr. FITZGERALD. Also the reorganization of the customs districts was made in the same way.

Mr. GARRETT of Tennessee. Mr. Speaker, this ought to take the usual course, I think.

The SPEAKER. The gentleman from Tennessee objects, and the order will be referred to the Committee on Rules.

LEAVE OF ABSENCE.

Mr. MCKELLAR, by unanimous consent, was granted leave of absence, for one week, on account of important business.

CARIBOU NATIONAL FOREST RESERVE.

The SPEAKER laid before the House the following resolution from the Senate:

IN THE SENATE OF THE UNITED STATES,
April 7, 1914.

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1739) to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve.

The SPEAKER. Without objection, it is so ordered.

Mr. MANN. Mr. Speaker, reserving the right to object, it seems to me that the committees of the House ought to be a little more careful about passing House bills when they have pending before them Senate bills of the same character. Several times now we have passed House bills, sent them to the Senate, and the Senate has passed them and then asked us to return identical Senate bills which the Senate had passed and sent over here. The committees that have these bills before them ought to keep track of them and know what is before them. I do not object.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 474. An act to authorize the issuance of unqualified patents to public lands in certain cases.

S. 4943. An act to amend section 1 of an act of Congress approved April 9, 1912 (37 Stats., p. 80), entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes.

EXTENSION OF REMARKS.

Mr. WATKINS. Mr. Speaker, I ask unanimous consent that all those who have spoken to-day on the bill H. R. 5850 be allowed to extend their remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. MANN. What is the object of this?

Mr. WATKINS. Some of those who have spoken to-day have requested this privilege, and I simply submit the request.

Mr. MANN. Quite a number of them have already asked for unanimous consent themselves. We have just granted unanimous consent to everybody to extend their remarks on the tolls bill. On this bill to-day the debate has been largely political, and I do not think we ought to do these things wholesale. Is this to extend remarks on the bill?

Mr. WATKINS. The request is made by some of those who did not speak on the bill.

Mr. MANN. Mr. Speaker, I object.

Mr. WATKINS. Mr. Speaker, I will ask the gentleman from Illinois if it is possible now to make an agreement about closing debate when we take the matter up on the next Calendar Wednesday?

Mr. MANN. I think the gentleman better make that request on Wednesday. I do not know that there will be any further general debate.

ADJOURNMENT.

Mr. WATKINS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Thursday, April 9, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, a letter from the Secretary of Labor, transmitting an item of appropriation to be included in the legislative, executive, and judicial appropriation bill, as follows: $4,200 for the purchase of safety paper for certificates of naturalization now required by law to be immediately available (H. Doc. No. 889), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FERGUSSON, from the Committee on the Public Lands, to which was referred the bill (H. R. 7327) for the relief of Charles L. Hill, reported the same with amendment, accompanied by a report (No. 510), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 1008) granting a pension to W. D. Clark; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8166) granting an increase of pension to Alfred T. Johnson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10229) granting a pension to Daniel Madigan; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14057) granting a pension to Mary Jane Kuhns; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14101) granting a pension to Winfield S. Hicks; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (S. 4353) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14128) granting permission to Lieut. Col. John P. Finley to accept and wear a decoration presented by the Sultan of Turkey; Committee on Military Affairs discharged, and referred to the Committee on Foreign Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PADGETT: A bill (H. R. 15464) providing for the purchase of a site and the erection thereon of a public building at Dickson, in the State of Tennessee; to the Committee on Public Buildings and Grounds.

By Mr. VAUGHAN: A bill (H. R. 15465) to prescribe the duties and liabilities of common carriers engaged in interstate commerce, as at common law, and to prohibit such carriers from limiting or restricting their duties and liabilities under the common law; to the Committee on Interstate and Foreign Commerce.

By Mr. FLOYD of Arkansas: A bill (H. R. 15466) to regulate lobbying and to require every legislative counsel and agent employed by any person, corporation, or association to promote or defeat legislation to register and to render an accurate account

of all moneys expended by him in such capacity, and for other purposes; to the Committee on the Judiciary.

By Mr. WHALEY: A bill (H. R. 15467) to establish a fish-cultural station in the State of South Carolina on or near the seacoast; to the Committee on the Merchant Marine and Fisheries.

By Mr. CHURCH: A bill (H. R. 15468) directing that the present line of Government steamships operated by the Panama Railroad Co., a corporation, between the port of New York and that of Colon, in the Canal Zone, be extended from Colon via the Panama Canal so as to connect with the principal ports of the Pacific coast in the United States, and creating a fund designated as the "United States merchant marine aid fund," to consist of the receipts from tolls on vessels engaged in coastwise commerce passing through the Panama Canal, and to be expended for the development of the domestic and foreign commerce of the United States; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 15469) to amend an act entitled "An act to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States, or their successors in interest," approved March 2, 1911; to the Committee on the Public Lands.

By Mr. ABERCROMBIE: A bill (H. R. 15470) to require the Commissioner of Education to devise methods and promote plans for the elimination of adult illiteracy in the United States; to the Committee on Education.

By Mr. KINKEAD of New Jersey: Resolution (H. Res. 461) authorizing the expenditure of a sum not exceeding $2,000 for the purpose of folding speeches; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATHRICK: A bill (H. R. 15471) granting an increase of pension to James E. March; to the Committee on Invalid Pensions.

By Mr. BELL of California: A bill (H. R. 15472) for the relief of C. G. Jahn; to the Committee on War Claims.

By Mr. BELL of Georgia: A bill (H. R. 15473) granting a pension to Albert H. Free; to the Committee on Pensions.

By Mr. BROCKSON: A bill (H. R. 15474) granting a pension to Phoebe C. Vickers; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 15475) for the relief of the E. I. du Pont de Nemours Powder Co., a corporation organized under the laws of the State of New Jersey; to the Committee on Claims.

Also, a bill (H. R. 15476) for the relief of the International Smokeless Powder & Chemical Co., a corporation organized under the laws of the State of New Jersey; to the Committee on Claims.

By Mr. CARLIN: A bill (H. R. 15477) for the relief of Charles M. Pugh, administrator of the estate of John R. Pugh; to the Committee on War Claims.

By Mr. DERSHEM: A bill (H. R. 15478) granting an increase of pension to Mary K. Banks; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 15479) granting an increase of pension to Charles F. Wilson; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 15480) for the relief of Dr. C. L. Patterson; to the Committee on War Claims.

By Mr. GRIEST: A bill (H. R. 15481) granting a pension to J. Berdina R. Bierbower; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 15482) granting an increase of pension to John Fralick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15483) granting an increase of pension to Edward Lepper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15484) granting an increase of pension to John F. Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15485) granting an increase of pension to Elijah Sager; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15486) granting an increase of pension to Joseph Worthington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15487) to correct the military record of Washington Wineland; to the Committee on Military Affairs.

By Mr. LESHER: A bill (H. R. 15488) granting a pension to Sarah Ann Wittenmeyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15489) to correct the military record of George W. Wall; to the Committee on Military Affairs.

Also, a bill (H. R. 15490) for the relief of Levi Zerbe, alias Levi Hone; to the Committee on Military Affairs.

By Mr. LANGHAM: A bill (H. R. 15491) granting a pension to Florence Elvretta Slagle; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 15492) granting an increase of pension to August P. Hollenbeck; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN: A bill (H. R. 15493) granting a pension to Maggie Feavel; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 15494) for the relief of L. D. Taylor, administrator of estate of E. T. Stout, deceased; to the Committee on War Claims.

By Mr. NEELY of West Virginia: A bill (H. R. 15495) authorizing Maj. Clyde S. Ford, Medical Corps, to accept and wear the decoration tendered him by the Ottoman and Bulgarian Governments for services rendered in the Balkan wars; to the Committee on Foreign Affairs.

By Mr. POST: A bill (H. R. 15496) granting a pension to Mary A. Rose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15497) granting an increase of pension to Melville Whiteman; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 15498) granting an increase of pension to John H. Herod; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15499) granting an increase of pension to William H. Surridge; to the Committee on Pensions.

Also, a bill (H. R. 15500) granting an increase of pension to Thomas Watson; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 15501) granting a pension to Sarah E. Benjamin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15502) granting an increase of pension to Michael Baker; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Thirteen resolutions of citizens of Indiana, Michigan, and Ohio, against practice of polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of the St. Louis (Mo.) Medical Society, against removal of the library in the Surgeon General's Office to the Library of Congress; to the Committee on the Library.

Also (by request), petition of the Kauai Chamber of Commerce, Hawaii, favoring House bill 1994, to improve Nawiliwili Harbor, Hawaii; to the Committee on Rivers and Harbors.

By Mr. ALLEN: Protests of Emil E. Hoffmann and 152 other residents of Cincinnati, Ohio, against resolution providing for national prohibition; to the Committee on the Judiciary.

Also, petition of Arthur Rood and 25 other citizens of Cincinnati, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of 32 citizens of Johnstown, Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

Also, resolutions of the Christian Endeavor Society of Strasburg, Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

Also, resolutions of the Lutheran Sunday School of Strasburg, Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

Also, resolutions of the Woman's Christian Temperance Union of Pataskala, Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of Olois Aust, George Karr, R. S. Spangler, and 37 other citizens of Johnstown, Pa., against nation-wide prohibition; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Altoona, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARTLETT: Petition of Barbers' Union No. 274, of Macon, Ga., and J. L. Whidby, of Haddock, Ga., against national prohibition; to the Committee on the Judiciary.

Also, petition of Bramblett & Son and others of Forsyth, Ga., and Ries & Armstrong and others of Macon, Ga., favoring House bill 5308, being the bill placing a tax on mail-order houses; to the Committee on Ways and Means.

Also, petition of sundry citizens of Georgia, favoring machinists' wage bill; to the Committee on Labor.

By Mr. BATHRICK: Petition of the Woman's Christian Temperance Union of Lordstown, Ohio, and sundry citizens of the nineteenth district of Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BROWNING: Petitions of the Trinity Baptist Sunday School, of Camden; the Methodist Episcopal Church of Clayton; the Baptist Church of Westville; the Friends' First-day School, of Mickleton; the Woman's Christian Temperance Union of Clarksboro; and sundry citizens of Gloucester city and Gloucester County, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. CARLIN: Papers to accompany a bill (H. R. 15477) for relief of Charles M. Pugh; to the Committee on War Claims.

By Mr. CARY: Petition of J. M. Riebs, jr., of Milwaukee, Wis., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of New Orleans, relative to selection of Federal reserve banks; to the Committee on Banking and Currency.

By Mr. CLINE: Petition of sundry citizens of Hoagland, Ind., and various citizens and churches of Churubusco, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of various citizens of Kansas, favoring House bill 11755, to establish a bureau of farm loans in the United States Treasury; to the Committee on Banking and Currency.

By Mr. FERGUSSON: Petitions of 163 citizens of Alamogordo, 15 citizens of Vaughn, 20 citizens of Santa Fe, 27 citizens of Maxwell, 147 citizens of Farmington, 40 citizens of Tucumcari, 15 citizens of Estancia, and 80 citizens of Albuquerque, all in the State of New Mexico, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FESS: Petition of 5,084 citizens of Highland, Jamestown, Greenfield, Blanchester, Georgetown, Leesburg, New Vienna, Osborn, Xenia, Wilmington, Milford, Monterey, and Raymond, all in the State of Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GALLAGHER: Petition of the Chicago Medical Society, against the Nelson amendment to the Harrison antinarcotic bill (H. R. 6282); to the Committee on Ways and Means.

By Mr. GARNER: Papers to accompany a bill (H. R. 15168) for relief of Lyman D. Drake; to the Committee on Claims.

Also, petition of the Woman's Christian Temperance Union of Beeville, Tex., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of the Spruce Street Baptist Church, the Bethany Mission Sunday School, the Christian Endeavor Society of the Third Reformed Protestant Church, the Belmont Avenue Baptist Church, and Protection Lodge, No. 237, International Order of Good Templars, all of Philadelphia, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Vessel Owners and Captains' Association of Philadelphia, Pa., against repeal of free-tolls clause in the Panama Canal act; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMMOND: Resolutions and petitions of churches and church societies of the second congressional district of Minnesota, favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. HOWELL: Petition of the Utah Association of Credit Men, favoring House bill 14328, relative to transmission of false statements in the mails; to the Committee on the Post Office and Post Roads.

By Mr. HULINGS: Petition of the United Evangelical Congregation of Clarendon; the Willard Woman's Christian Temperance Union, of Franklin; the First Methodist Episcopal Church, the First Presbyterian Church, the First Baptist Church, and the Free Methodist Church, of Franklin; the Methodist Church of Reno; the First Missionary Society of the First Presbyterian Church, the Grace Methodist Episcopal Church, and the Woman's Home Missionary Society, of Oil City; and the Methodist Episcopal Church of Marienville, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 15 citizens of Warren County, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Petition of the Conrades Manufacturing Co. and the Hamilton-Brown Shoe Co., of St. Louis, Mo., against Underwood anticoupon bill; to the Committee on Ways and Means.

Also, petition of the Consumers' League of Missouri, favoring seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Ferd. Messmer Manufacturing Co., of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

By Mr. JACOWAY: Petition protesting against the enactment of House joint resolution 168 and Senate joint resolutions 88 and 50, relative to national prohibition; to the Committee on the Judiciary.

Also, resolution from Messrs. A. Abrigo, H. K. Hise, E. Burns, committee of Local Union No. 1814, United Mine Workers of America, Denning, Ark., asking for the release of Mother Jones; to the Committee on Mines and Mining.

Also, resolution favoring Bartlett-Bacon bills (H. R. 1873 and S. 927), sent by W. G. Stiles, president, and E. B. Stockton, secretary, Local Union No. 1814, United Mine Workers of America, of Denning, Ark.; to the Committee on the Judiciary.

By Mr. KETTNER: Petition of the San Diego (Cal.) Chamber of Commerce, against amendment of the Kahn Act, relative to protection of exhibitors at Panama-Pacific Exposition; to the Committee on Patents.

Also, petition of the Chamber of Commerce of San Diego, Cal., relative to reorganization of the Regular Army of the United States; to the Committee on Military Affairs.

By Mr. LANGHAM: Petition of the Methodist Episcopal Church of Echo, the New Bethlehem Union, the Brethren Church of Glade Run, of Kittanning, and the Methodist Episcopal Church of Ford City, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LESHER: Petition of the First Christian Church of Forksville, the Woman's Christian Temperance Union of Dewart, and the Lutheran Church of Bloomsburg, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LINDQUIST: Petition of various members of the Grand Army of the Republic, members of the Woman's Relief Corps, and citizens of Farwell and vicinity, Mich., against changing the United States flag; to the Committee on the Judiciary.

Also, petitions of the Westminster Presbyterian Church, the Baptist Church, the First Methodist Episcopal Church, and the Congregational Church, all of Big Rapids, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of Logen Enighet, No. 42, International Order Good Templars, of South Manchester, Conn., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Naugatuck Valley Branch, No. 189, National Association of Civil Service Employees, favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of Hiram Eddy Camp, No. 3, Sons of Veterans, of Lakeville, Conn., against changing United States flag; to the Committee on the Judiciary.

Also, petition of Franklin Bartlett Camp, Sons of Veterans, of Bridgeport, Conn., protesting against proposed changes in the American flag; to the Committee on the Judiciary.

By Mr. McCLELLAN: Petition of Lee Young, of Cobleskill, N. Y., and sundry citizens of Ulster County, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petitions of the Wurts Street Baptist Church, of Kingston, the Columbia County Woman's Christian Temperance Union, the Hensonville Methodist Episcopal Society, and the Canaan Congregational Church, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MOORE: Resolutions adopted by the Litho Foremen's Club of New York City, protesting against the passage of the Underwood tobacco coupon bill (H. R. 13723); to the Committee on Ways and Means.

Also, petition of the City Parks Association of Philadelphia, favoring District of Columbia half-and-half plan; to the Committee on the District of Columbia.

By Mr. MOSS of Indiana: Petition of sundry citizens of Indiana, against national prohibition; to the Committee on the Judiciary.

By Mr. NORTON: Resolutions adopted by the men of the Methodist and Baptist Churches of Fargo, N. Dak., favoring national and constitutional prohibition; to the Committee on the Judiciary.

Also, resolutions by the First Presbyterian Church, representing 100 people, of Portal; Rev. G. N. Keniston and others, of Bowman; Mrs. S. K. Johns and others, of Hettinger, all in the State of North Dakota, favoring national and constitutional prohibition; to the Committee on the Judiciary.

Also, petition of Charles Simon, attorney at law of New England, N. Dak., and others, to recover lands granted to the Oregon & California Railroad Co. by the act of July 25, 1866, and acts amendatory thereto; to the Committee on the Public Lands.

By Mr. PADGETT: Petition of the Woman's Christian Temperance Union of Franklin, Tenn., and the Henryville (Tenn.) Sunday School, favoring national prohibition; to the Committee on the Judiciary.

By Mr. POST: Petition of sundry citizens of Clark County, Ohio, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Jeffersonville, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. REED: Petition of Joseph E. French, Fred Cormier, James J. Sullivan, George P. Averill, Thomas Briggs, Edward J. Shanahan, John A. Sheehan, J. Campbell, J. W. Abbott, J. A. Connolly, Arthur Provencher, Thomas P. Tierney, Ed Le Blanc, Frank P. Collins, E. Caron, John H. Rainville, Joe Baith, William McJuary, A. J. Smith, Joseph Rouillier, Laurent Roy, Charles R. Martin, J. H. Shanan, Arthur J. Hayes, Leo S. Greaney, and Joseph E. Tonery, all of New Hampshire, against national prohibition; to the Committee on the Judiciary.

By Mr. REILLY of Connecticut: Petition of the Meriden (Conn.) Musical Protective Union, Local No. 55, American Federation of Musicians, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Southbury, Conn., favoring national farm-land bank bill; to the Committee on Banking and Currency.

Also, petition of Enighet Lodge, No. 42, International Order of Good Templars, of South Manchester; the Adventist Church of New Haven; and the First Methodist Episcopal Church of West Haven, all in the State of Connecticut, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of New Orleans, relative to selection of Federal reserve banks; to the Committee on Banking and Currency.

By Mr. SCULLY: Petition of 20 citizens of New Brunswick and 16 citizens of South Plainfield, N. J., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the International Association of Master House Painters and Decorators of the United States and Canada, against anti-injunction bill (H. R. 1873); to the Committee on the Judiciary.

By Mr. SLOAN: Petitions against House joint resolution 168 and Senate joint resolutions 88 and 50 relative to national prohibition, signed by the following number of voters: 911 from Butler County, 456 from Fillmore County, 326 from Gage County, 145 from Hamilton County, 386 from Jefferson County, 4 from Polk County, 683 from Saline County, 811 from Seward County, 311 from Thayer County, 50 from York County, 68 scattering, all in the State of Nebraska; to the Committee on the Judiciary.

Also, petition of various churches of Ulysses; the Woman's Christian Temperance Union of Yutan; the First Baptist Church of Osceola; the First Presbyterian Church; the Methodist Episcopal Church; and the German Methodist Episcopal Church of Osceola, all in the State of Nebraska, favoring national prohibition; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Petition of the State Grange of Michigan, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEDMAN: Petition of sundry citizens of Guilford County, N. C., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Petition of sundry citizens and organizations of California, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Ontario (Cal.) Chamber of Commerce, favoring Federal child labor bill; to the Committee on Labor.

Also, petition of the Richard J. Mohr Post, No. 198, Department of California and Nevada, Grand Army of the Republic, against changing the United States flag; to the Committee on the Judiciary.

Also, petition of the San Francisco Chapter, American Institute of Architects, relative to destruction of certain buildings at Jackson Barracks, New Orleans, La.; to the Committee on Military Affairs.

Also, petition of the Socialist Party, of Los Angeles, Cal., against the McKellar bill (H. R. 8661); to the Committee on Military Affairs.

Also, petition of the Alaska Fishermen's Union, against imposition of a poll tax upon fishermen temporarily employed in Alaskan waters; to the Committee on the Territories.

Also, petition of sundry citizens of Norwalk, Cal., against Sabbath observance bill; to the Committee on the District of Columbia.

Also, petition of Stanton Post, No. 55, Grand Army of the Republic, Department of California and Nevada, relative to Anthony bill, proposing transfer of the National Homes for Disabled Volunteer Soldiers to the War Department; to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: Petitions of the Chautauqua Science and Literary Circle, of Graham; the First Baptist Church of Childress; and the First Baptist Church of Claude, all in the State of Texas, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STONE: Petition of sundry citizens of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. TOWNER: Petitions of the Presbyterian Church of Russell, representing 50 people; the Christian Women's Missionary Society of Shenandoah, representing 40 people; the Martha Johnston Woman's Christian Temperance Union, of Mount Ayr, representing 21 people; the Methodist and Presbyterian Union Meeting, of Sidney, representing 100 people; the Woman's Christian Temperance Union of Clarinda, representing 5,000 people; the First Baptist Church of Creston, representing 300 people; the First Presbyterian Church of Creston, representing 200 people; the Congregational Sunday School of Preston, representing 115 people; and the Cultus Club of Preston, representing 25 people, all in the State of Iowa, for national constitutional prohibition; to the Committee on the Judiciary.

By Mr. TRIBBLE: Petition of O. L. Williford, superintendent of the Baptist Sunday School, and 234 other citizens of Madison, Ga., and Brown's Chapel, Methodist Protestant Church, Jersey, Ga., favoring national prohibition; to the Committee on the Judiciary.

By Mr. VARE: Petition of sundry citizens of Philadelphia, favoring House bill 12928, to amend the postal and civil service laws; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, *April 9, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee, we trust, with no reluctance of worship or homage. We bow ourselves before Thee, the Supreme One. The one true and living God we worship and adore and praise. Thou art worthy to receive all our adoration. The revelation that Thou hast made of Thyself to men exceeds all the glory of earth. Every path that we follow leads to Thee. In all the track of our human reason, all the fathomless abyss of spirit, and all the wide flights of fancy we are finding God. God is everywhere glorious. We worship Thee and pray Thy blessing upon us in the discharge of the duties of this day. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a petition of the Sunday school of the Congregational Church of Hill, N. H., and a petition of the congregation of the Congregational Church of Campton, N. H., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE. I present resolutions adopted by the Manufacturers' Association of the city of Bridgeport, Conn., relative to the establishment of trade commissions and outlining regulations for the control of corporations. I ask that the resolutions may be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the resolutions were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

THE MANUFACTURERS' ASSOCIATION OF THE
CITY OF BRIDGEPORT (INC.),
410–411 Court Exchange, April 6, 1914.

Hon. FRANK B. BRANDEGEE,
United States Senate, Washington, D. C.

MY DEAR SIR: We beg to advise that at a meeting of the executive board of this association held Thursday, April 2, 1914, the following resolutions were unanimously adopted:

"Whereas various bills have been introduced in Congress, and now being considered by them, to establish commissions and outlining regulations for the control of corporations; and

"Whereas the provisions of these bills, as at present drawn, are, in our opinion, such as to interfere seriously with general business methods, and are so far-reaching that they would tend to cause considerable unrest in the business of those affected; and

"Whereas matters of such vast importance to the country should receive most careful and earnest consideration before being acted upon, we, the Manufacturers' Association of the City of Bridgeport, Conn. (Inc.), representing some 90 large and varied manufacturing industries employing over 30,000 hands, hereby

"*Resolve*, That we earnestly urge upon Congress the importance of careful consideration of all the provisions proposed in the before-mentioned bills, and that every opportunity be given to the business interests of the country to present, with utmost detail, all the advantages or disadvantages that might accrue to said interests through the enactment of the proposed legislation; and it is further

"*Resolved*, That a copy of these resolutions be sent to each Senator and Representative from this State."

We believe that the matters dealt with by these resolutions are of very deep and vast importance to our members, and we would therefore very much appreciate your giving them your serious and careful consideration.

Very truly, yours,

THE MANUFACTURERS' ASSOCIATION (INC.),
F. A. BENNETT, *Secretary*.

Mr. BRISTOW presented a memorial of Local Union No. 1820, United Mine Workers of America, of Roseland, Kans., remonstrating against the treatment of miners in the mining district of Colorado, which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Netawaka, Carbondale, Quenemo, Tonganoxie, Burlington, and McPherson, all in the State of Kansas, praying for the enactment of legislation for the establishment of a system of rural credits, which were referred to the Committee on Banking and Currency.

Mr. KERN presented petitions of sundry citizens of North Manchester, Bicknell, Owensville, Veedersburg, La Fayette, Montpelier, Anderson, Hope, Greensburg, Brownstown, Sullivan, Vincennes, Jonesboro, New Haven, Fort Wayne, South Bend, Union City, Auburn, Portland, and Advance, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Indianapolis, Ind., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. JONES presented memorials of Local Union No. 2257, United Mine Workers of America, of Black Diamond; of Local Union No. 2510, United Mine Workers of America, of Roslyn; and of sundry citizens of Cle Elum, all in the State of Washington, remonstrating against the conditions existing in the mining districts of Colorado, which were referred to the Committee on Education and Labor.

Mr. CHAMBERLAIN presented memorials of sundry citizens of Salem, Independence, and Jefferson, all in the State of Oregon, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Portland, Baker, McMinnville, and Elgin, all in the State of Oregon, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SHIVELY presented petitions of sundry citizens of Anderson, South Bend, Clinton, and La Fontaine, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Indianapolis and Mount Vernon, in the State of Indiana, remonstrating against the adoption of an amendment to the Constitution to prohibit the maufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. ROOT presented memorials of sundry citizens of New York City, Brooklyn, Kingston, Buffalo, Watkins, Sharon Springs, Sayville, Huntington, Binghamton, Rochester, Amityville, Valois, Olean, Kidders, Woodhaven, and Amsterdam, all in the State of New York, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. NORRIS presented a memorial of the German-American Alliance of Nebraska, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. ROOT, from the Committee on Foreign Relations, to which was referred the bill (S. 4254) to enable the Secretary of War to pay the amount awarded to the Malambo fire claimants by the joint commission under article 6 of the treaty of November 18, 1903, between the United States and Panama, reported it without amendment and submitted a report (No. 412) thereon.

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (H. R. 12014) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 413) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURLEIGH:

A bill (S. 5191) granting an increase of pension to Martha A. Heath; to the Committee on Pensions.

By Mr. WARREN (by request):

A bill (S. 5192) authorizing the purchase of certain lands chiefly valuable for timber and for the growth of timber in the State of Wyoming; to the Committee on Agriculture and Forestry.

By Mr. PITTMAN (for Mr. CHILTON):

A bill (S. 5193) authorizing Maj. Clyde S. Ford, Medical Corps, United States Army, to accept and wear the decoration tendered to him by the Ottoman and Bulgarian Governments for services rendered in the Balkan wars (with accompanying papers); to the Committee on Foreign Relations.

By Mr. JOHNSON:

A bill (S. 5194) providing for the erection of a statue to the memory of Gen. John Sullivan; to the Committee on the Library.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. ROBINSON submitted an amendment proposing to strike out the clause in the Agricultural appropriation bill appropriating $50,000 for all necessary expenses for enforcing the provisions of the act approved March 4, 1914, relating to the protection of migratory game and insectivorous birds, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

SAFETY OF LIFE AT SEA.

Mr. SHIVELY. I submit the following order, which I ask may be read and referred to the Committee on Printing.

The order was read and referred to the Committee on Printing, as follows:

Ordered, That 2,000 copies of the International Convention Relating to Safety of Life at Sea, the detailed regulations thereunder, the final protocol, and the "Voeux" expressed by the conference, all signed at London, January 20, 1914; the report from the United States Commissions to the International Conference on Safety of Life at Sea, giving a summary of subjects considered and the conclusions arrived at by the conference, together with the messages of the President of the United States transmitting the same; the memorial of International Seamen's Union; and the report to the President of the United States submitted by Andrew Furuseth after his resignation as a commissioner from the United States, with accompanying illustrations, be printed in one volume for the use of the Senate.

IMPORTATION OF GOODS IN AMERICAN VESSELS.

Mr. GALLINGER submitted the following resolution (S. Res. 335), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury is hereby directed to communicate to the Senate the full text of the recent opinion of the Board of United States General Appraisers on the construction of the clause in the tariff act of 1913 allowing a 5 per cent discount on goods imported in American vessels.

HARBOR TONNAGE AND CONSTRUCTION OF LOCKS.

Mr. BRISTOW. I send to the desk a resolution and ask unanimous consent for its consideration. I do not think it will be the cause of any debate at all.

The resolution (S. Res. 336) was read, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to furnish the Senate a detailed statement for the year 1913 of the incoming and outgoing tonnage of each harbor in the United States; also the number of locks that the Government of the United States has constructed, their location, cost of their construction, number of men employed in their operation, cost of their operation, and for the year 1913 the tonnage that passed through them.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. OVERMAN. The resolution is directed to the Secretary of the Treasury. It seems to me it ought to be directed to the

Secretary of War. The Corps of Engineers, under the War Department, constructed the locks.

Mr. BRISTOW. The Secretary of the Treasury pays all the bills.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

RIVER AND HARBOR IMPROVEMENTS.

Mr. BRISTOW submitted the following resolution (S. Res. 337), which was read:

Resolved, That in addition to the information as to river and harbor improvements furnished the Senate April 6, 1914 (S. Doc. No. 462), in response to a resolution of March 25, the Secretary of the Treasury be, and he is hereby, directed to furnish the Senate a detailed statement, by States, and for each river and each harbor and for each canal, of the amounts that have been authorized and contracted for river, harbor, and canal improvements, the payments for which had not been made and were not included in the information furnished the Senate.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SMITH of Georgia. I desire that it shall go over until to-morrow.

Mr. BRISTOW. Mr. President——

Mr. SMITH of Georgia. I will say that I am going to ask that every resolution shall go over until to-morrow, because I want to shorten the morning hour as much as possible in view of the announcement which has been made.

Mr. BRISTOW. I will say to the Senator that we have now a document which is in course of publication giving the expenses of the river and harbor improvements, and this will be a supplement to it. I should like to have the information soon, so that it may be sent to the printer.

Mr. SMITH of Georgia. If we can vote upon the resolution at once, I will withdraw the objection.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

RURAL CREDITS AND AGRICULTURAL EXTENSION WORK.

Mr. WORKS. I have here an interesting letter from Mr. J. A. Everett on the subject of rural credits and agricultural extension work. I should like to have it printed in the RECORD. It is short.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

INDIANAPOLIS, IND., *April 3, 1914.*

HON. JOHN D. WORKS,
Care United States Senate, Washington, D. C.

DEAR MR. WORKS: Received a copy of your speech on cooperative agricultural-extension work, and read it with much interest.

Mr. WORKS, you did not touch on the vital parts of this agricultural-extension work. The vital part is that if such a law is made and put in operation that it will be a positive injury to farmers and a calamity to our country. You can figure it out for yourself, that invariably the largest crops sell for the least money, and the smallest crops sell for the most money. So whatever scheme is put in practice that results in greatly increasing the crops must result, under present marketing conditions understand, in decreasing the price. And if it does this it will be a curse to the farmers rather than a benefit. And what is bad for the farmers is bad for the whole country.

But should the bill become a law and be put in operation the effort to increase production, even though tens of millions of dollars are added to the sum that is being spent annually now, will be positively impotent under present marketing conditions. All of the money spent in the last 40 years, or since agricultural colleges and experiment stations were established, amounting to hundreds of millions of dollars, by the Federal Government, and probably an equal sum by the States, has failed to increase the average acre yields of our crops even by a fraction of a bushel per acre. In fact, the fertility of our soil is being exhausted faster than science can devise ways to increase the production by superior machines and cultivation and improved seed.

I make this prediction:

Should Congress pass an agricultural-extension work bill and appropriate millions of dollars for carrying it out, that in the next 10 or 20 years we will see no appreciable results from it in increased crops. But should I be mistaken in this and should the farmers realize increased production because of such definite efforts, they will not be better off financially but will be worse off financially than without the expenditure of this great sum of money.

If you are a real, true friend of the farmers, and if you are interested in keeping the taxes of the people down, you will study this matter along lines that I have mentioned and you will arrive at some surprising conclusions. To help you understand this matter I refer you to a pamphlet inclosed herewith, the title being "An open letter to the bankers of America."

Would like to have an acknowledgment of this and would also like to have the names of the Senators who might be appealed to to give this matter of rural-extension work consideration from the standpoint of possible benefits to the farmers and their sense of justice to the taxpayers of our country.

Let me say before concluding, that if you will go far enough and investigate this rural-extension work you will find that the boards of trade, the chambers of commerce, and produce and cotton exchanges are back of this, and that they are using the agricultural colleges as a cat's-paw to pull the chestnuts of greater production over. They are not interested in the farmers except to have them work as hard as they can to produce the greatest crop they possibly can, so that there will be more to handle and store and gamble and speculate in. They are using the argument of the high cost of living, and that there is not enough produced in this country as a cloak to hide their scheme. But, regardless of how much is produced, there is very little effect on the market where the laborer buys his supplies.

And just one more thought before I conclude, and that is that the most important thing before the people of our country to-day is a safe and sound and scientific marketing system, so that farmers will get a just return and fair reward and profit for what they produce. Such a system as will at least give them as much for a big crop as they get for a small one.

Will you furnish me with some names of Senators as asked for above?

Yours, very truly,

J. A. EVERITT,
President Farmers' Society of Equity.

PERSONAL EXPLANATION.

Mr. O'GORMAN. Mr. President, my attention has been called to a newspaper article of this morning in which I am quoted concerning the recent elections, as follows:

The results are significant. It would seem that the administration's "honeymoon" is coming to an end.

The expression is an old one, which has been credited to me for the last six months in various publications. I never used it on any occasion. I specifically refused to comment on the recent election contests, and desire to deny my authorship of the phrase or my use of it on any occasion, past or present.

While I made no comment on the recent elections, it might not be out of place at this time to say that I was gratified that in three contests two Democrats were successful.

If the Republicans find comfort in winning one contest out of three, their prospects of rehabilitation are not very encouraging.

I may not always agree with the President, but our differences will never affect my respect for his person or the high office which he occupies; and I hope that I shall never see the day when I shall rejoice in the defeat of a Democrat for any office.

LOCATION OF FEDERAL RESERVE BANKS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Secretary read Senate resolution 332, submitted yesterday by Mr. HITCHCOCK, as follows:

Resolved, That the organization committee of the Federal Reserve Board be, and it is hereby, directed to send to the Senate copies of all briefs and written arguments made by each city applying to the organization committee for the location of a Federal reserve bank, together with the reasons relied upon by the organization committee in fixing the boundaries of the reserve districts and locating the reserve cities.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. MARTIN of Virginia. The Senator from Nebraska [Mr. HITCHCOCK], who offered the resolution, is not in the Chamber, and I ask that it may be laid over until he comes in. I think when he understands the situation he will hardly feel that it is necessary to press the resolution. I have a copy of the reasons of the organization committee in my hand. The document has gone to the printer. It gives all the information that is asked for in the resolution, I think, except the arguments, and there is a cartload of them. I do not know what the Senate would do with them if it had them. It would take at least a cart to bring them in. There is a cartload of them, and I do not think the Senator from Nebraska will want to have all that matter printed in any shape.

The VICE PRESIDENT. If there is no objection, the resolution will go over without prejudice.

THE PANAMA CANAL.

Mr. LODGE. Mr. President——

Mr. OVERMAN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	James	Perkins	Smoot
Borah	Johnson	Pittman	Sterling
Brady	Jones	Poindexter	Sutherland
Brandegee	Kenyon	Pomerene	Swanson
Bristow	Kern	Robinson	Thomas
Bryan	Lee, Md.	Root	Thompson
Burton	Lodge	Saulsbury	Thornton
Clapp	McCumber	Shafroth	Vardaman
Clark, Wyo.	Martin, Va.	Sheppard	Walsh
Crawford	Martine, N. J.	Sherman	Warren
Dillingham	Nelson	Shively	West
Fall	O'Gorman	Simmons	Williams
Gallinger	Oliver	Smith, Ga.	Works
Hitchcock	Overman	Smith, Md.	
Hollis	Owen	Smith, Mich.	

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY]. He has a general pair with the junior Senator from Indiana [Mr. KERN].

Mr. SHEPPARD. I wish to announce for the day the absence of my colleague [Mr. CULBERSON] and to state that he is paired with the Senator from Delaware [Mr. DU PONT].

Mr. MARTINE of New Jersey. I was requested to announce the absence of the Senator from West Virginia [Mr. CHILTON] because of illness in his family.

Mr. SMITH of Georgia. I desire to announce the necessary absence of the junior Senator from South Carolina [Mr. SMITH]. He is away from the city and is paired with the Senator from South Dakota [Mr. STERLING].

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present. The Senator from Massachusetts will proceed.

Mr. LODGE. Mr. President, the desire to unite the Atlantic and Pacific Oceans by an isthmian canal goes back almost to the first discovery of the continent. It was the dream of the early navigators, and from that day to this has never been absent from the minds of men. It is not necessary to trace through the centuries the long history of the canal project which, with ever-increasing intensity, engaged the attention of statesmen and of Governments and stimulated the ambition of engineers. For my present purpose it is sufficient to set forth very briefly those past transactions which have given rise to the conditions and to the questions with which we must deal to-day. The controversy which now divides opinion and gives birth to contending arguments began with the Clayton-Bulwer treaty of 1850. At that time we were engaged in a dispute with Great Britain of a threatening character, and one which involved the canal routes. Great Britain had solemnly set up in Honduras a local Indian whom, with a fine lack of humor, it invested with the title of "The Mosquito King." Over this ancient and renowned monarchy it had established a protectorate, and with this excuse for interference it proposed to take possession of certain points on the coast of Honduras and Nicaragua. As an offset to this action on the part of Great Britain, Elijah Hise, American chargé d'affaires at Guatemala, without instructions, made a treaty with that country and also with Honduras and Nicaragua, securing to the United States the largest rights in that region for the construction of a canal. He had done this before Mr. E. George Squier could supersede him in the capacity of chargé d'affaires to Central America, and when Squier reached his post Hise, with his treaties, was already on his way to Washington. Squier, much disturbed, decided to ignore the work of Hise and proceeded to make new treaties, ostensibly according to instructions. He first made a treaty with Nicaragua which gave all the canal rights to the United States, and he followed this up by making a treaty with Honduras in order to defeat the schemes of Great Britain by securing the cession or sale of Tigre Island. Like Hise, Squier exceeded his instructions, but the treaties were none the less made and sent to Washington.

Meantime Great Britain had seized Tigre Island. The situation therefore had become very threatening, for if the Squier treaty went into the Senate ratification was reasonably certain, and the dispute between the two countries would have then become so acute that there would have been great danger of war. To avoid the perils of this situation the Clayton-Bulwer treaty was hastily made. Upon the terms of that treaty, which have of late years been so much discussed, it is not necessary to enter in any detail. The essential proposition was that the Governments of the United States and Great Britain agreed that neither one nor the other would ever obtain or maintain for itself any exclusive control over the isthmian ship canal, and they also agreed to invite every other State with which they had friendly intercourse to enter into similar stipulations. By the first agreement they tied their hands in regard to the construction of the canal; by the second the United States abandoned its well-considered policy of excluding any European interference with American affairs and actually invited such interference. The situation was further complicated by our agreeing through an exchange of diplomatic notes that the treaty did not include British Honduras in its terms. The Clayton-Bulwer treaty was a most unfortunate arrangement. To remove an existing embarrassment it committed the United States to obligations pregnant with future troubles. It was an improvident treaty. It sacrificed the future to the present and was guilty of that worst of diplomatic errors which consists in escaping an immediate difficulty by disregarding contingencies which might, and in this case were certain to, arise.

In due time the blunder of the Clayton-Bulwer treaty made itself felt, although for many years nothing was heard of it. Immediately after its ratification the contest over slavery was renewed with ever-increasing intensity; then came the Civil War; and after the war had ended the country was absorbed in the settlement of the questions which were the legacy of the great struggle to preserve the Union of the States. Gradually these questions were disposed of and the movement across the continent, in which the American people were engaged, was completed. Railroads were built which united the Atlantic and Pacific coasts. The interior frontiers, which had been divided by wilderness and desert, occupied only by wandering Indian tribes, had come together, and the American people began to turn their attention to the great interests beyond their borders which they had always possessed, but which had slumbered during the lifetime of a generation. The desire to build an isthmian canal revived in full force and was accompanied with a determination to undertake the work.

As we thus drew closer to the period of actual performance we found ourselves confronted by the engagements of the Clayton-Bulwer treaty. It was discovered with some surprise that by the terms of that unfortunate and well-nigh forgotten agreement we were not only hampered but actually fettered in any attempt to build an isthmian canal upon conditions which we were willing to accept. As this situation became better understood, the country began to chafe under the treaty restrictions which it had hardly realized and which seemed designed to thwart its just aspirations for the solution of the great problem which for several generations had engaged the attention of every farseeing statesman. Restive under this restraint the popular demand for the abrogation of the Clayton-Bulwer treaty began to assume formidable and threatening proportions. No responsible Government, however, can contemplate without the gravest anxiety the abrogation of a treaty, except for causes which would justify or even necessitate war. Only once in our history had we ever abrogated a treaty, and it was in the highest degree undesirable that, in a time of profound peace, and when the War with Spain had but recently ended, we should proceed to take such violent action if by any honorable means it could be avoided.

Under these conditions Mr. Hay, representing President McKinley, opened negotiations with the Government of Great Britain for the removal of this obstacle to the construction of the canal. The result was the first Hay-Pauncefote treaty. That treaty was intended to supersede the Clayton-Bulwer treaty but, following too closely the terms of the Suez Canal treaties, contained provisions which the Senate of the United States very properly declined to accept. The gravest error, as it seemed to the Senate, was a repetition of one of the mistakes of the Clayton-Bulwer treaty in inviting the nations of Europe to join with us in guaranteeing the neutrality of the canal. Such a provision was not only an abandonment of the Monroe doctrine but, what was even worse, it disregarded entirely our national policy of preventing the interference of Europe in American affairs. The Senate struck out this provision. The committee reported, and the Senate adopted, an amendment to the effect that the first five rules should not apply to any measures which the United States might take for its own defense or the maintenance of public order. It also made another very important change. The first Hay-Pauncefote treaty modified the Clayton-Bulwer treaty and to that extent superseded it. How far it superseded it was disputed. It was argued here that the Hay-Pauncefote treaty necessarily superseded entirely the Clayton-Bulwer treaty, but the Senate in order to leave no doubt upon this point inserted the words "which is hereby superseded." Thus amended, the treaty was ratified by the Senate and sent to England. Lord Lansdowne's note refusing to accept the Senate amendments showed that those who desired a specific statement of the supersession of the Clayton-Bulwer treaty were right in their contention that the supersession was not complete as the Hay-Pauncefote treaty originally stood. By this action of the British Government in declining to accept the Senate amendments the treaty failed.

Negotiations were at once opened for a new treaty. The draft was sent to London and the points in dispute contained in this new draft were then settled by Mr. Choate and Lord Lansdowne, who really made the second treaty, although it is known by the names of the signers, Mr. Hay and Lord Pauncefote. The second Hay-Pauncefote treaty embodied in fact and in principle all the Senate amendments. The provision for inviting other nations to join in the guaranty of the neutrality of the canal had disappeared and so had the prohibition upon the erection of fortifications, while the preamble set forth that the purpose of the treaty was to remove any obstacle to the construction of the canal contained in the Clayton-Bulwer treaty, reserving nothing from that treaty except the "general principle of neutralization." The treaty in its new form was ratified by the Senate on December 16, 1901, by a vote of 72 to 6. On February 21, 1902, ratifications were exchanged and the treaty became binding both upon Great Britain

and the United States. When this treaty was thus made and ratified the canal route under consideration was that by way of Nicaragua. It is not necessary here to trace the history of the events, of the investigations or the discussions which led to the substitution of the Panama route for that through Nicaragua, because, although the Hay-Pauncefote treaty was ratified when the Nicaragua route alone was in contemplation, it applied by its terms to the construction of a canal at any point on the Isthmus.

Two years later a treaty with Panama was negotiated and was ratified by the Senate on the 23d of February, 1904, ratifications being exchanged with Panama three days later, on the 26th of February, 1904. It was under this treaty that the United States obtained its title—and I may say a perfect title—to the Canal Zone and its right to construct a canal. The Hay-Pauncefote treaty was between the United States and Great Britain alone, its main purpose being the supersession of the Clayton-Bulwer treaty, so as to remove that obstacle to the construction of an isthmian canal. It, of course, gave the United States neither title nor opportunity to build a canal; it merely removed an obstruction. The treaty with Panama, upon which our title rests, and without which the canal could not have been built, has been too much overlooked in these debates. In addition to the payment of $10,000,000 as the price or compensation for the rights, powers, and privileges granted by the Republic of Panama to the United States, the treaty also secured to the Government of the Republic of Panama the right to "transport over the canal its vessels and its troops and munitions of war in such vessels at all times without paying charges of any kind." It is not clear from this language that the Government of the United States made any grant to Panama of the right to pass its merchant vessels through the canal without payment of tolls, for article 19 applies apparently only to the vessels of the Republic—that is, naval vessels and those carrying troops and munitions of war. This grant, whether limited or not, was part of the compensation for the title obtained by the United States, without which the canal could not have been built, and does not therefore sustain the arguments in support of the exemption of the merchant vessels of the United States from tolls, because unless we had secured our title and building rights from Panama there would have been no canal. No nation could and no nation did object to the consideration paid to Panama for our rights and title on the Canal Zone. It further is to be noted that in the treaty with Panama the United States was given the right to establish fortifications, a right which could be conferred or withheld by Panama alone. As I have already stated, there was a prohibition of the establishment of fortifications in the first Hay-Pauncefote treaty which was omitted in the second treaty, and therefore no objection can be raised to the establishment of fortifications by the United States, as that right is expressly given it by the only authority which had the power to grant it—the Republic of Panama. Nothing in the Hay-Pauncefote treaty as it stands can possibly affect this explicit grant from the Republic of Panama.

The most important feature, however, of the treaty with Panama, so far as the present discussion is concerned, is article 18, which says:

> The canal, when constructed, and the entrance thereto shall be neutral in perpetuity, and shall be opened upon the terms provided for by section 1 of article 3 of, and in conformity with all the stipulations of, the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.

Section 1 of article 3 of the Hay-Pauncefote treaty of 1901 provided as follows:

> The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.

Thus it will be seen that by article 18 of the Panama treaty the section just quoted from the Hay-Pauncefote treaty was made a part of the Panama treaty and must be so regarded. The Hay-Pauncefote treaty, as has just been said, concerned only Great Britain and the United States and grew out of previous arrangements between those two powers, but the treaty with the Republic of Panama upon which the title of the United States and its right to build the canal rest affected in its terms all nations using the canal, and was notice to the world not only of the title of the United States to build the canal, but of the terms upon which that canal should be built and used, so far as it concerned the vessels and commerce of all other nations. In this way section 1 of article 3 of the Hay-Pauncefote treaty was raised to a position where it touched all nations, and therefore gave to all nations the right to ask that they should be treated in accordance with the terms of the treaty by which the United States obtained right and title to the construction of the canal. In other words, under the Hay-Pauncefote treaty we are responsible to Great Britain alone for the fulfillment of the terms of the treaty; but in the treaty with Panama, by virtue of which we hold our title to the Canal Zone, as well as the right to build the canal, we extend our responsibility for the due observance of the rules laid down to all nations using the canal.

By the Panama Canal act, approved August 24, 1912, it was provided in section 5 that no tolls should be levied upon vessels passing through the canal which were engaged in the coastwise trade of the United States. This is the provision which has given rise to the present controversy, and in considering it the first step is to determine exactly what this clause accomplished. This is not altogether easy to do, because the language which grants the exemption to certain vessels of the United States is loose in definition. Under our navigation laws there are in reality three classes of vessels, if we classify them according to the trade in which they are engaged. In the first place there are the vessels of American registry engaged exclusively in foreign trade, which clearly do not come within the exemption. Then, there are vessels which by enrollment and license are engaged in the coastwise trade and can not touch or trade at any foreign port in the course of their coastwise voyage without forfeiting their enrollment and license as well as the vessel itself. Vessels of this class come clearly within the exemption. But there is yet a third class consisting of vessels enrolled and licensed for coastwise trade which also take out and sail under a register permitting them to touch for commercial purposes at foreign ports in the course of a coastwise voyage, and of vessels holding an American register for foreign trade which also engage in coastwise trade; that is, a vessel engaged under register in foreign trade or a vessel enrolled and licensed for the coastwise trade and holding also a register for foreign trade, enabling it to touch for commercial purposes at a foreign port in the course of a coastwise voyage, could sail under the register from New York to New Orleans and on the way would have the right to touch for commercial purposes at, let us say, Jamaica or Cuba. It is not at all clear whether vessels of this third class come within the exemption or not. The fact that Congress refused to insert the word "exclusively" after the word "engaged" in the exemption clause just quoted would seem to indicate that it was the intention of Congress to include in the exemption not only vessels engaged in the coastwise trade and holding nothing but enrollment and license, but licensed vessels or vessels in foreign trade which have a register allowing them to touch and trade at foreign ports in the course of their coastwise voyage. To those who think that there is a distinction to be drawn for the purpose of exemption from tolls between vessels engaged in the coastwise trade and those engaged in foreign trade, this question of the vessels which may be said to have both rights is of importance. If the view expressed by ex-President Roosevelt, that we have the right to exempt our coastwise vessels, because to do so involves no discrimination against the vessels of other countries, be accepted it is clear that a coastwise vessel with the right to touch and trade at foreign ports during its coastwise voyage would be excluded, because by carrying cargo and passengers from foreign ports they would come in immediate competition with the vessels of other nations.

In Olsen *v.* Smith (195 U. S., p. 332), which has been frequently cited during the debate on the tolls, the court took substantially the same ground in reference to the general favored-nation clause as that taken by ex-President Roosevelt in regard to canal tolls. The court held that a State law exempting coastwise vessels from pilotage charges was not in conflict with our treaties, because, in the language of Mr. Justice White, such exemption "did not operate to produce a discrimination against British vessels." The test of the validity of the exemption, in the opinion of the court, lay in the existence or nonexistence of discrimination against vessels of other nations. Applying this test of discrimination it is clear that those who draw a distinction between coastwise vessels and vessels engaged in foreign trade must hold that neither those engaged exclusively in foreign trade nor those engaged in both coastwise and foreign trade can be exempt from tolls under the terms of the Hay-Pauncefote treaty. It seems clear to me also that if enrolled and licensed vessels can be employed in such a way as to compete with the vessels of foreign nations, then they also would fall outside the rule laid down by the Supreme Court in the pilotage case and by ex-President Roosevelt with reference to exemption from tolls under the Hay-Pauncefote and Panama treaties. The only point where the distinction between the dif-

ferent classes of vessels can be made is found in the provision which says that there shall be no discrimination against any nation; that is, even enrolled and licensed vessels of the coastwise trade can be distinguished as such only on the ground that their exemption from tolls does not involve discrimination against the vessels of other nations. It is not the character of the trade in which they are engaged which would make the exemption legitimate, but the fact that by the exemption there is no discrimination against the vessels of other nations. But if we consider the conditions carefully it will be seen that it is just as possible to produce a discrimination against the vessels of another nation by enrolled and licensed vessels engaged exclusively in the coastwise trade as by vessels engaged in foreign trade. A vessel, for example, going by way of the canal from Portland, Me., to Portland, Oreg., may easily be able, if exempted from the tolls, to take freight shipped by rail from certain interior points in Canada at a lower rate than Canadian or British or German vessels going from Quebec to Vancouver, and this would at once constitute a discrimination. A foreign vessel, again, may shift cargo at Colon to an American enrolled and licensed vessel and thereby escape tolls and discriminate against another foreign vessel going direct, let us say, from Hamburg to San Francisco. To repeat the same idea in other words, the mere fact that a vessel is engaged exclusively in coastwise trade does not necessarily bring it within the distinction afforded by the language of the treaty in regard to discrimination.

I have called attention to the confusion which arises from the lack of an exact definition of vessels exempted in the language of the canal act so that if the exemption is to remain it may be amended in such a way as to leave no doubt as to the vessels which it is intended to exempt. I do not advance this point nor that which relates to the distinction among vessels based on the discrimination provision as having any bearing upon my own personal attitude, because I do not think that any distinction can be drawn, under the language of the treaty, between vessels engaged in the coastwise trade, in the foreign trade, or in both. The treaty says "vessels of commerce and of war of all nations," and under those words, aside from the question of discrimination which I have just discussed, I can see no possibility of distinguishing a vessel of commerce engaged in the coastwise trade from a vessel of commerce engaged in the foreign trade. To me personally it is wholly indifferent whether these distinctions are accepted or rejected because, holding as I do that the phrase "all vessels of commerce" covers all vessels of commerce of every country, whether engaged in the coastwise or foreign trade, I am of opinion that under the terms of the treaty we have a legal right to exempt our own vessels no matter what trade they are engaged in. In my view, if we admit that we have not the legal right to exempt from tolls vessels engaged in foreign trade we have no right to exempt or refuse to collect tolls from vessels of the United States engaged in any trade. I think, however, as I have just said, that we have the legal right to exempt or refuse to collect tolls from all vessels of the United States. I am speaking here only of vessels of commerce. Vessels of war of the United States of course pass through the canal without tolls because that is one of our rights for the protection of the canal. This is fully recognized by Sir Edward Grey when he says that the United States being practical sovereign of the canal, the right of the United States to exercise belligerent rights for the protection of the canal is not questioned.

In support of this interpretation of the treaty as to vessels of commerce many elaborate arguments have been made in the past, and no doubt many more will be made in the course of the present debate by those who favor the exercise of the right of exempting vessels of the United States from the payment of tolls. I shall therefore endeavor to state my own reasons for holding this view as briefly as possible. I was a member of the Foreign Relations Committee of the Senate which reported the amendments to the first Hay-Pauncefote treaty. I had some part in framing those amendments, and, owing to the death of Senator Davis, I was in charge of the treaty when, as amended, it was ratified by the Senate. It so chanced that I was in London when Mr. Choate and Lord Lansdowne were concluding the negotiations which resulted in the second Hay-Pauncefote treaty, and I was familiar with the discussions which then took place. When the second Hay-Pauncefote treaty was sent to the Senate it devolved upon me to report the treaty to the Senate. I mention these facts merely to show that I was in a position to be familiar with all the proceedings which ultimately resulted in the ratification of the second Hay-Pauncefote treaty. I took the view then that under the terms of the treaty of November 18, 1901, the United States was at liberty to exempt its own vessels of commerce from the payment of tolls if it saw fit to do so, and I voted against the Bard amendment, which made this right explicit, because I thought it needless. Let me digress for a moment to say that of the 70 Senators who actually voted upon the Bard amendment, only 11 are Members of the Senate now—3 Democrats and 8 Republicans. The votes in favor of the Bard amendment numbered 27; 8 Republicans and 19 Democrats, who showed by their votes that they wished to be able to subsidize American coastwise vessels passing through the canal and that they thought that the treaty as it stood did not assure to them this opportunity. The opinion which I formed in 1901 as to our rights under the treaty I have never changed; I hold it now, as I did 13 years ago, and my reasons for this opinion, briefly stated, are as follows:

The second Hay-Pauncefote treaty not only authorizes the United States, so far as Great Britain is concerned, to build a canal through the territory of some other power, but adds a clause, which did not exist in the rejected treaty, to the effect that no change of territorial sovereignty of the country or countries traversed by the canal shall affect the obligations of the parties to the treaty, which seems to assent in advance to the acquisition by the United States of the territory required for the canal. Subsequently the United States acquired the Canal Zone, and under the clause which I have just cited it will be seen that the terms of the second Hay-Pauncefote treaty apply to a canal constructed by a State on territory of its own obtained for that purpose. The second Hay-Pauncefote treaty also omitted article 3 of the rejected treaty, which provided that other powers were to have notice of the treaty and be invited to adhere to it, which clause, as I have already pointed out, was one of the principal objections of the Senate to the first draft.

It is clear, therefore, that the United States has rightfully, and in accordance with the terms of the treaty, built the canal through territory which is its own for canal purposes, although the ultimate sovereignty remains with the Republic of Panama, and the treaty accords to the United States all rights incident to building the canal. It is also clear that in undertaking the canal on these terms the United States did so with the purpose of excluding all foreign control beyond the stipulation to preserve the "general principle" of neutralization and for equality of terms to all users of the canal. Such being the case, it is necessary next to inquire what there is in the language of the treaty to justify the assertion that the United States is prevented by this state of facts from allowing the use of the canal by its own vessels or by the vessels of its merchant marine on any terms which it chooses to establish. Those who deny the right of the United States to exempt its own vessels rest their case on the language of the first rule of article 3, which declares that—

> The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality—

and more particularly upon the proposition that the words "all nations" must include the United States. I freely admit that this is a fairly arguable point, but it does not seem to me that the words "all nations" in this connection necessarily include the United States. My reasons for taking this view are that this article in the Hay-Pauncefote treaty is a contract with Great Britain, and as embodied in the treaty with Panama becomes a contract with all the world, by which the builder and owner of the canal fixes the terms upon which it grants the use of the canal to all other nations. As Mr. Olney in his argument has pointed out, the treaty in this respect was needed for that purpose only, because it was not necessary to fix the terms upon which the United States and its citizens should use the canal, inasmuch as its use by the citizens of the United States, without tolls or otherwise, as the United States might determine, was a necessary incident of the ownership of the canal. I also agree with Mr. Olney in the proposition, which he states in a manner beyond improvement, "that it can not reasonably be argued that in fixing the terms for the use of its canal by customers the United States looked upon itself as one of the customers." In construing the language of the first rule, upon which the claim that the United States is to be regarded as one of its own customers rests, it must be remembered that there are five other rules. A mere reading of these five other rules shows at once that they do not apply to the United States but to the citizens or subjects of other nations who shall use the canal. It seems to me difficult, as a general proposition, to argue that five of these six rules adopted by the United States for the use of the canal should not apply to the United States and that one and one only should so apply. It seems to me also that these rules must all be construed together. Admitting, as I think it must be admitted, that the canal passes through a zone which, for canal purposes, practically belongs to the United States, it would seem that the general rule of international law

in regard to such cases applies. That rule, as laid down by Moore in his third volume, page 268, citing the case of *The Avon* (18 International Review Record, 165), is as follows:

> While a natural thoroughfare, although wholly within the dominion of a Government, may be passed by commercial ships, of right, yet the nation which constructs an artificial channel may annex such conditions to its use as it pleases.

It will be observed that the special rules for the Panama Canal are laid down in article 3 of the treaty as the "basis of the neutralization of such ship canal" and the preamble of the treaty refers to the maintenance of the "general principle of neutralization" established in article 8 of the Clayton-Bulwer treaty. The use of the word "neutralization" in this connection is somewhat confusing, for under strict definition neutrality and neutralization can arise only in connection with war or preparations implying war. Yet article 8 of the Clayton-Bulwer treaty, to which reference is made in the preamble, has no reference to war or the conditions of war, but relates only to charges and conditions of traffic. The guaranty of neutrality involving protection from interruption, seizure, or unjust confiscation occurs in article 5 of the Clayton-Bulwer treaty, to which no reference is made in the preamble of the Hay-Pauncefote treaty. Strictly speaking, it seems as if neutrality could apply only to the conditions involved in war or in preparations for war. Moore, in volume 3, page 267, says:

> The term neutralization has come to be used in a sense less strict than that indicated by the author, so as to include an arrangement whereby protection is sought to be guaranteed against hostile attack or hostile interruption, while the same freedom of use is sought to be assured in war as in peace. No doubt, however, the leading motive of agreements of neutralization is to secure exemption from hostile attack and a corresponding prohibition of distinctive hostile use.

Mr. Moore then cites the neutrality of the Free Town of Cracow, the neutralization of the Black Sea, of Luxemburg, the Ionian Islands, the Lower Danube, and the Straits of Magellan, and in all these cases of neutralization, war, or the conditions of war, are dealt with and fortifications are forbidden. Of the six rules of article 3 in the Hay-Pauncefote treaty the last five all relate to war, or the conditions of war, and are properly defined as a basis of neutralization. On the other hand, and in this connection it must be remembered that the United States not only insisted on the omission of the prohibition against fortifications embodied in the Hay-Pauncefote treaty but in the treaty with Panama asserted explicitly the right to fortify. In this way the United States made it apparent that neutralization of the canal in the strict sense was limited, and that the prohibition against fortifications, which is found in other cases of neutralization cited by Moore, was here expressly excepted. This action on the part of the United States with the explicit provision in regard to the right to fortify in the treaty with Panama is an assertion on the part of the United States of its absolute control in time of war of the canal passing through the territory which for canal purposes is its own. Having thus limited neutralization in regard to war and asserted control in that direction, it seems to me difficult to argue that "neutralization" as used in article 3 can be held to mean, however loosely we define the word, to debar the United States from treating its own vessels differently from those of other nations when it has distinctly limited neutralization in the direction where neutralization undoubtedly and under the narrowest interpretation must apply. In other words, I fail to see how the word "neutralization," loosely and improperly applied, as I think it is, to the use of the canal in time of peace, can be held to require equality of tolls when it is limited in its own proper and legitimate domain in time of war by the explicitly granted right in the treaty of Panama to build fortifications.

There can be no doubt as a general proposition that the United States, having built the canal in territory which is its own for canal purposes, can determine the conditions for the use of the canal except so far as it has limited that right by contract with other nations. The limitations of that right, if they exist, must be found in article 3 of the second Hay-Pauncefote treaty and in the treaty with Panama, which embodies the rules of the Hay-Pauncefote treaty. Without the limitations of the Hay-Pauncefote treaty it is admitted that the right of the United States to fix tolls or to control the canal in any way would be absolute. Do the words "all nations" limit this inherent right? They can only do so if they are clear and express, for in no other way can a State part with its rights of sovereignty or property. Otherwise, as Mr. Olney points out, "the presumption is against the State's intention to part with or abridge its jurisdictional or property rights." Therefore the term "all nations," which in this connection is not clear and express, should be construed as excepting the United States, because that is the construction least restrictive of the normal rights and powers of the United States. On the face of the treaty it is not apparent that the United States regarded itself as one of its own customers, and it seems unreasonable to suppose, as I have already said, that when five out of six of the treaty rules do not apply to the United States the sixth was intended to apply.

I might, of course, enlarge very much the propositions which I have briefly set forth and upon which I rest my opinion that the United States has the right to exempt its vessels from tolls in passing through the canal or to make tolls for its own vessels lower than the tolls upon vessels of other nations. But for my purpose to-day it is sufficient to have explained as concisely as possible why I hold the view that under a reasonable interpretation the United States has the right to exempt its own vessels from tolls, provided that it makes the tolls on vessels of all other nations equal, and why I think the phrase "all nations" does not in this connection include the United States.

At this point, however, I part company with those who insist that because we have the right to refuse to collect tolls from or to exempt our own vessels from the payment of tolls we therefore should exercise that right. It does not follow that because we have the right to do something we must therefore exercise it. I have a right to build high walls on each side of my property, assuming that I own a house in a block. The only effect of the exercise of this right would be to deprive my neighbors of light, and although I possess the right I do not exercise it simply for the purpose of annoying my neighbors. As the Senator from Mississippi said the other day, citing Burke:

> If I am the owner of sheep I have the right to shear my sheep in winter, but I do not do it merely because I have the right.

The existence of a right and its exercise are two very different things. Either as individuals or as a nation we may possess certain undoubted rights, and yet it might well be that it would be the height of unwisdom to exercise them. In this case it appears to me that it would be most unwise to exercise the right of exempting our own vessels from tolls simply because we have the right to do so. We must be convinced not only that we have the right but that it is necessary and expedient to exercise it before we put the right in force. The reasons against our exercising this right, which I believe we possess, are to me conclusive, as I said in the debate when we were considering the canal act. I wish now to restate those reasons somewhat more fully and more carefully than I did at that time.

In the first place there is a wide and honest division of opinion as to the correct interpretation of the first rule of article 3 of the treaty and as to the words "all nations." The opinion of foreign nations, with hardly an exception, and that only in the case of some individual, is against the interpretation which I believe to be correct. In the United States opinion is divided and absence of unanimity in the interpretation of the treaty on our side is not to be overlooked in considering what action we shall take. If there were no division of opinion in the United States, or among those in the United States qualified to speak with authority, there would be a much stronger reason for insisting upon our own interpretation and upon the propriety of deciding the question in our own favor than there can be when American opinion is so radically divided. Ex-President Roosevelt, within certain limitations, and ex-President Taft are both of the opinion that we have the right to exempt our coastwise vessels from the payment of tolls on passing through the canal. President Wilson, on the other hand, has just told us and told the world that he regards the exemption of our coastwise vessels from tolls as a plain violation of the treaty. Mr. Olney, as I have already shown, agrees with the interpretation which I give to the clause, while the senior Senator from New York holds an opposite opinion, and Mr. Root and Mr. Olney have both been Secretaries of State and are both lawyers of wide learning, great acumen, and the highest ability. These examples sufficiently illustrate the deep and sincere division of opinion upon this point existing in the United States. With such a division of opinion among ourselves I am not willing to expose the United States to the imputation of bad faith among all other nations by insisting on deciding a doubtful point, upon which we ourselves are not agreed, in our own favor simply because we have the power to do so. In the larger consideration of our position among the nations of the earth I think it would be a great mistake, with a divided public opinion at home, to insist upon our own interpretation of the treaty, an interpretation which the rest of the world does not accept.

I now come to a second point which appears to me of great importance. The violation of the plain terms of the treaty, to use President Wilson's language, if it exists by the exemption of our own ships from the payment of tolls, arises and can arise solely from the method by which this exemption is secured.

To exempt our coastwise vessels from the payment of tolls is to grant them a subsidy. The Senator from Oklahoma asserted this proposition in his speech the other day, and I do not see how it can possibly be controverted. If we relieve our coastwise vessels passing through the canal from tolls, we subsidize them to that extent. The subsidy is in the relief from tolls, not in the manner in which the relief is granted. This does not disturb me personally at all, because I believe in the policy of subsidies to our merchant marine, and I am sure that we shall never again have any merchant marine until we give to our vessels engaged in foreign trade the same aid which is extended by all other nations to their vessels. The vessels in the foreign trade are those which need a subsidy, if any is to be given in any form, for they are open to foreign competition, and not the vessels engaged in the coastwise trade, which, as against the rest of the world, is a monopoly established by law. But the exemption from tolls, I repeat, is in any form a subsidy. I can understand perfectly the position of those who vote against the toll exemption because they are against subsidies of any kind—that is a logical position, although it is not mine—but I can not quite comprehend the position of those who are against subsidies as a general principle, but who are consumed with a burning desire to confer it in this instance and in this particular manner. Aid to our shipping engaged in traffic between the Atlantic and Pacific coasts plays a great part in the arguments of those who oppose the repeal of the toll exemption. It has been very pleasing to me, as well as a beautiful spectacle for the disinterested observer, to note the pathetic eloquence of many distinguished persons in behalf of aid to American shipping, after they have for years thwarted every attempt effectively to help or build up the American merchant marine. Most earnest pleas have also been made in behalf of the toll exemption because that exemption would be more certain to cripple the transcontinental railroads than any other device. I recognize the importance of this point. Legislation of late years has proceeded largely, and in some cases entirely, upon the desire to injure someone. The principle of destruction has been of late more powerful in our lawmaking than that of construction. The hope of conferring benefits has been secondary to the eagerness to inflict punishment and loss, without regard to guilt or innocence, upon all who suffer from the odium due to success.

In this particular case, as the railroads are explicitly prevented from owning ships passing through the canal, I do not think that either the collection of tolls or their removal would have any effect. The transcontinental roads, with their haul of 3,000 miles, could by no possibility compete with the rates for water-borne freight. There is one case where the toll exemption might have a decided effect, although I am not familiar enough with the statistics to assert this with certainty. The Tehuantepec Railroad, which crosses Mexico at the narrowest point, from Puerto-Mexico, to Salina Cruz, belongs under a government concession to Lord Cowdray, the head of the Pearson interests in Mexico. This concession runs for 51 years, and Lord Cowdray also controls the docks and other terminal facilities at the ports at both ends of the line. The 40,000 acres of oil lands in which Lord Cowdray and Sir Lionel Carden are interested lie, if I am correctly informed, near the eastern terminus of the railroad. Lord Cowdray has a contract with the Hawaiian Steamship Co. by which all their freight passes over the Tehuantepec Railroad and one-third of the freight charges from Hawaii to New York is paid to the railroad. The steamship company reserves the right to abandon the contract on the opening of the Panama Canal. It is said, I know not how correctly, that the toll exemption would enable the Hawaiian Steamship Co. to send its ships through the canal and thus save the large payment now made to Lord Cowdray and the other owners of the Tehuantepec Railroad. How persuasive these facts would be in dealing with this question I do not know. The zeal against trusts and syndicates which has been so potent of late years in the United States has been confined to domestic combinations. There has never been in evidence any desire to protect American industries against foreign trusts and syndicates which export their products to this country and there has been an absolute refusal on the part of Congress to do anything to aid American ships against the foreign shipping syndicates which control freight rates both on the Atlantic and Pacific. But even assuming that in this particular case we should be willing to aid American shipping against an English and Mexican railroad combination, the result can be easily achieved without exempting coastwise vessels from tolls in the precise method adopted in the canal act. As I have just pointed out, to relieve our ships from the payment of tolls is a subsidy, and the manner in which that relief is given has absolutely no bearing upon the character of the aid afforded. No matter how that relief from the payment of tolls is given it is still a subsidy. The only question is whether we shall give it in one way or another. Our right to give the relief from tolls as now provided in the canal act is contested as a violation of treaty obligations. Our right to give this relief by the Government's payment of the tolls for American ships is wholly uncontested. If the American ships pay the tolls and the United States hands back the amount of the tolls, no one denies that this procedure is wholly legitimate under the provisions of the treaty.

Almost all the nations largely engaged in commerce now pay either indirectly or specifically the tolls of their vessels passing through the Suez Canal. They will undoubtedly do the same thing for their vessels which pass through the Panama Canal. If we choose to pay the tolls of our vessels passing through the Panama Canal, it is admitted by England and by all other nations that we have the right to do so. So long as the tolls are paid no one has the right to inquire the source of the payment. If we give our ships the money to pay the tolls and the ships then return that money to the Treasury of the United States, there is no greater charge upon the Treasury than if the vessels go through without the payment of tolls. The vital difference is that one method of relieving our ships from the payment of tolls is admitted by everyone to be legitimate, while the legality of the other method is disputed. When in the debate on the canal act I suggested this solution of the question, I was met with two objections—one that the method I proposed involved a subsidy, which was contrary to the always immutable principles of the Democratic Party, but which I have shown to have no basis, because the exemption from tolls is a subsidy, no matter how it is brought about. The other objection was that the arrangement I proposed was a mere evasion. This is equally baseless as an objection, for a recognized method of obtaining a certain result can not be an evasion of the terms of any agreement. If I have a right of way across land owned by a neighbor, it would be trespass to cross the land at any point except that fixed by the defined right of way. To use the right of way is clearly not an evasion, and there would be no intelligent purpose in insisting on crossing the land at a point where the act would constitute a trespass. If the real purpose of our legislation is to benefit our shipping and insure an invincible competition to the railroads, whether foreign or domestic, the payment of the tolls on American vessels by the Government of the United States is our right of way through the treaty and is admitted to be so by all the nations of the earth. The steadfast refusal to adopt this obvious and undisputed method of aiding American shipping in competition with the transcontinental roads raises the inevitable inference that the primary object of insisting upon a naked toll exemption is not the benefit of American shipping and the reduction of water rates, but to achieve this result in a manner which shall demonstrate our disregard for the opinions and rights of foreign nations, and more particularly for the rights of England under the Hay-Pauncefote treaty. Personally, I think it most unwise to insist upon exempting our vessels from tolls with the single object of flouting the opinion and disregarding the rights of other nations as those nations understand their rights.

I now come to another point which weighs very strongly with me in deciding against giving relief from tolls to American ships by the method employed by the canal act. Whatever our opinion may be as to the strict legal interpretation of the rules governing the matter of tolls imposed upon vessels passing through the canal, we can not and we ought not to overlook the understanding of those who negotiated the treaty as to the intent and effect of the rules which they framed. As to the nature of the understanding we have direct testimony. Mr. Henry White, who first laid before the British Government the desire of the United States to enter into negotiations for the supersession of the Clayton-Bulwer treaty, has stated that Lord Salisbury expressed to him the entire willingness of England to remove all obstacles which the Clayton-Bulwer treaty put in the way of the construction of the canal, and desired only to maintain equality of tolls imposed upon all vessels, including those of the United States. Mr. Choate, who, as I have said, completed the negotiations which resulted in the second Hay-Pauncefote treaty, has publicly stated that the understanding at that time of both parties was the same as that given by Mr. White. The only other American concerned in the actual negotiation of the treaty was the late Mr. Hay, at that time Secretary of State. I know that Mr. Hay's view was the same as that of Mr. Choate and Mr. White. It is therefore clear on the testimony of our three negotiators that the negotiations as they were begun and as they were completed in the second Hay-Pauncefote treaty proceeded on the clear understanding that there was to be no discrimination in the tolls imposed as

between the vessels of any nation, including the vessels of the United States.

I am well aware that an understanding of this sort, although an aid perhaps to interpretation, does not bind legally. But there is such a thing as honor in agreements and transactions between nations as there is in agreements between individuals. To the individual man his personal honor appears in a clearer light than national honor to the man acting in a representative capacity. It is regrettable that this should ever be so, but I think there can be no doubt that at certain times it is the fact. The psychology of the crowd is a very different thing from the psychology of the individual men who compose the crowd. A large mass of human beings excited by passion will often act in a manner which no single member of the mass would countenance if he acted alone. In the same way representatives of a nation will sometimes act in the settlement of a national question in a manner which they would not think of adopting in the affairs of private life. Again and again I have seen Senators in this Senate yield on what they supposed was an agreement, because their colleagues with whom the agreement was made had not understood it in the same sense. We have all had similar experiences in our own lives, and we have all tried to be faithful to our standard of personal honor. An honorable man will not insist upon an agreement with a friend, or even with a foe, if he is satisfied that the agreement rests upon or was obtained through a misunderstanding. Honest men, as a rule, are sensitive on points of that kind when they themselves are concerned. We ought always to remember that the honor of our Nation is just as precious as our own personal honor and refuse to do in our corporate what we should shrink from doing in our individual capacity. If there was no doubt, no room for question, that under the terms of these treaties we had no right to exempt by law our vessels from the payment of canal tolls I believe we should unhesitatingly maintain the obligations of the treaties and live up to our bad bargain, if we thought it a bad bargain, no matter how disagreeable it was for us to do so. Where there is a doubt as to the legal interpretation of terms, where opinion in our own country is divided upon that interpretation, it seems to me that the understanding upon which our negotiators framed the treaty should have great weight in our action. I am not willing for one, although I am convinced as to our legal right, to disregard the understanding upon which the treaties were made and insist upon my personal interpretation of the legal effect of the language employed. As a rule of conduct I must apply to my country the same rule which I should try to apply to my own action in the case of a private agreement with a friend.

In his argument a year ago in support of our legal right to exempt our vessels from the payment of tolls Mr. Olney gave as his conclusion that the question should be submitted to arbitration, as it was of a nature to which arbitration was peculiarly applicable. This would be a most honorable and fitting solution. Unfortunately, it is generally believed that it would not be possible to obtain the requisite two-thirds' majority of the Senate in favor of the special agreement which would be necessary to secure the submission of this question of the tolls to an arbitral tribunal. To have arbitration in this case refused would be most unhappy, for as all nations regard this question as clearly within the scope of our general arbitration treaties we should be thought to have disregarded the arbitration as well as the canal treaties, our honor and good faith would be impugned, and we should be looked upon as mere hypocrites in proclaiming, as we have done for many years, our championship of the cause of arbitration and peace.

Whether we shall insist upon giving to our ships two or three millions of dollars in a disputed way is, in my conception, a very small question compared to the larger issues which are here involved. When the year 1909 opened, the United States occupied a higher and stronger position among the nations of the earth than at any period in our history. Never before had we possessed such an influence in international affairs, and that influence had been used beneficently and for the world's peace in two conspicuous instances—at Portsmouth and at Algeciras. Never before had our relations with the various States of Central and South America been so good. It seemed as if the shadow of suspicion which, owing to our dominant and at times domineering power, had darkened and chilled our relations with the people of Latin America had at last been lifted. A world power we had been for many long years, but we had at last become a world power in the finer sense, a power whose active participation and beneficent influence were recognized and desired by other nations in those great questions which concerned the welfare and happiness of all mankind. This great position and this commanding influence have been largely lost. I have no desire to open up old questions or to trace the steps by which this result has come to pass, still less to indulge in criticism or censure upon anyone. I merely note the fact. I am not in the councils of the President of the United States, but I believe that during the past year the present position of the United States in its foreign relations has become very apparent to him, as it has to other responsible and reflecting men, and with this appreciation of our present position has come the earnest wish to retrace some of our steps, at least, and to regain, so far as possible, the high plane which we formerly occupied. It would be an obvious impropriety to point out the specific conditions of our present relations with the various nations, both in the Old World and the New; it is enough to note the fact that we are regarded by other nations with distrust and in some cases with dislike. Rightly or wrongly, they have come to believe that we are not to be trusted; that we make our international relations the sport of politics and treat them as if they were in no wise different from questions of domestic legislation. This has not been in accord with our history or our tradition. Only once have we abrogated a treaty, and then actual if not declared war existed. We have scrupulously observed our international agreements, and where differences have arisen we have settled them not with the high hand of power but by negotiation and arbitration. The President has written the history of his country, and it would be strange, indeed, if he did not desire to maintain our tradition of good faith and fair dealing with the other nations of the earth. It is not well for any country, no matter how powerful, to be an outlaw among the nations. Not so many years ago there were people in England who used to speak with pride of her "splendid isolation," but they soon found out that while isolation might be splendid, it was in the highest degree undesirable. Since those days England has been making every effort to escape from her "splendid isolation," as has been conspicuously shown by the alliance with Japan and the entente with France.

I suppose that at this moment in the midst of the adroitly stimulated passions raised against the President's recommendation that we should repeal the toll exemption it will be thought very poor spirited and even truckling—I believe that is the accepted word—to suggest that in deciding this question we should take into consideration the opinions of other nations. Nevertheless, I consider this a very important element in any decision which I may reach, and I am encouraged to believe that I am right in so thinking, because I have the warrant and authority of the author of the Declaration of Independence. When Jefferson framed that great instrument he declared that the impelling reason for making the Declaration was "a decent respect to the opinions of mankind." That decent respect to the opinions of mankind ought never to be forgotten in the decision of any question which involves the relations of our own country with the other nations of the earth.

The long delay in the ratification by the Senate of the treaties renewing the arbitration treaties of 1908 produced a widespread feeling among other nations that our championship of the principle of arbitration and our loud boasts of our devotion to the cause of peace were the merest hypocrisy, because we seemed ready to abandon the cause of arbitration when it looked as if our treaties might bring us to the arbitration of questions which we did not desire to have decided by an impartial tribunal. The President renewed the arbitration treaties, and finally, after a delay which, as I have said, aroused unpleasant suspicions, those which have been sent to the Senate have been ratified. This was the President's first step, as I look at it, in his effort to restore the influence and reputation of the United States, which he had found to be impaired. His second step is his recommendation of the repeal of the toll-exemption clause of the canal act. I speak wholly without authority, but I believe that he must have thought that our insistence upon a contested interpretation of a treaty and upon a disputed method of relieving our vessels from the payment of tolls has injured us in the opinion of civilized mankind, and that he believes that the object sought in no way justifies the results which will necessarily follow in the attitude of other nations toward us.

He must be, I believe, satisfied, as I am satisfied, that other nations will hesitate long before they will enter upon treaties with a country which insists on deciding all disputed points in treaties in its own favor by a majority vote of Congress. It would not surprise me to learn that the President is of opinion that such disputed points ought to be settled as we have settled them in the past, with which, as a historian, he is familiar, either by negotiation or by arbitration and not by our own votes without appeal and open only to the arbitrament of the sword. He must feel, I think, that by our action, considered in other lands to be in disregard of treaty obligations, we are raising a serious obstacle to the development of closer trade relations with the countries of South America, which are so important

to us on every ground. These reasons, which I think must also be very weighty with the President, seem to me not only sound but convincing. There is no particular courage required to insist upon passing our own ships through the canal without the payment of tolls. We incur no physical danger in doing so, and to hurl defiance at the rest of the world under these conditions is no doubt a very agreeable pastime to those who engage in it, more especially as it has the added attraction of being a perfectly safe amusement, but it seems not wholly satisfying as an argument. The attitude of Ajax defying the lightning is not a very inspiring one if there is no lightning to be feared. The outcry about exhibiting subserviency to Great Britain or any other country because we see fit to repeal the tolls seems to me hardly worthy of serious consideration. The United States is altogether too great and too powerful to be subservient to anyone, and the mere fact of suggesting it seems to me to indicate an uneasy suspicion on the part of those from whom it emanates not only of the validity of their position but of the power and greatness of their own country, as to which I, for one, am troubled by no doubts. As I have listened to some recent stirring declarations of our utter fearlessness, of our readiness to face a world in arms, in defense of toll exemption, about which noble cause no country would think of fighting, there have been moments when I have marveled as I thought of the coolness and indifference with which we have contemplated the murder of more than a hundred and fifty Americans not many miles from our own border. The violated rights, the unavenged, the almost unnoticed deaths of those innocent people have seemed to make heroics about canal tolls, where there is no peril to anyone peculiarly out of place.

We obtained by the passage of the toll-exemption clause no legal rights which we did not already possess; we waive none by its repeal. All we have we retain, for the law is merely our own statute for the regulation of the terms upon which the canal shall be used. The larger question which is raised by the toll exemption, however, has a purely international character, and that we ought to decide, now and in the future, not on considerations of pecuniary profit or momentary political exigencies, but on the broad grounds which I have indicated. We should determine what is right without fear and without favor. In reaching our decision let us not forget the words of Washington that—

> The nation which indulges toward another an habitual hatred or habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest.

I am not blind to the political temptations which the situation at this moment presents. I am a strong party man. I believe in government by parties and in party responsibility. I have for many years fought the battles of the Republican Party, alike in days of sunshine and in days of storm and darkness. If life and strength continue, I shall to the best of my ability oppose President Wilson if he is a candidate for reelection and the party which he leads. The allurements of political advantage appeal as strongly to me as they can to any man. But when the relations of my country with other nations are involved I can not yield to them. My politics have always stopped at the water's edge. In any question involving our international relations I have always felt compelled to decide it upon its merits as they appeared to me, without regard to politics. This feeling has twice, at least, obliged me to oppose Presidents of my own political faith upon treaties which they had recommended, a misfortune and unhappiness which I wish might have been spared to me. In a great international question I felt it to be my duty on one occasion to sustain President Cleveland, but his policy in regard to Venezuela in resistance to British claims involved serious issues and grave possibilities; it was not mere posturing and declamation against another country, importing no danger and adapted only to raise the temperature around our polling booths. To-day I must still—

> Obey the voice at eve, obeyed at prime.

I voted and spoke against the toll exemption embodied in the canal act. I can not change now merely because a Democratic President recommends the repeal of that clause which I earnestly resisted. Within our own borders Mr. Wilson is the leader and chief of the Democratic Party. In the presence of foreign nations he is to me simply the President of the United States. If in his high responsibility as the representative of the Nation before the world he does or tries to do what I believe in my conscience to be wrong I shall resist him, no matter what his political faith may be. But if he is doing or trying to do what I conscientiously believe to be right he shall have my full support without regard to party or to politics. To thwart the purposes or to discredit the policies of the official head of a political party is legitimate political warfare. To discredit or break down the President of the United States upon a question of foreign policy is quite another thing, never to be undertaken except for very grave reasons. In the one case we overthrow a party leader and political chief within the arena where the American people alone sit in judgment; in the other we break down and discredit the representative of the whole country in the great forum of the nations of the earth and paralyze his future power and usefulness in that field where he and he alone can declare and represent the policies, the honor, and the dignity of the United States. Conditions may arise where this last resort must be accepted, but it can only be justified by grim necessity. With my view as to the tolls, with my deep convictions as to what is due to the President of the United States when he faces foreign nations, I should be faithless to the principles I have always cherished if I did not now give him an unreserved support.

For these reasons which I have set forth, although I believe we have the right to exempt our vessels from tolls, I have come to the conclusion that this clause in the canal act, which I have opposed from the outset, ought to be repealed. I think it should be repealed because we can obtain the same results, if we desire them, in an undisputed manner and without any greater charge upon the Treasury of the United States. I think so because foreign opinion is united against us, while opinion in our own country is divided as to the proper interpretation of the language of the treaty, and I am not willing to have the good faith of the United States impugned on account of action taken upon such a contested ground as this. I think the exemption clause should be repealed because the understanding upon which the treaty was made is declared by all our negotiators to have been contrary to that which I think a strict legal interpretation of the terms of the rules would warrant. Finally, I think it should be repealed because a decent respect for the opinions of mankind and the high position of the United States among the nations of the world demand it.

Mr. President, the construction of the Panama Canal is one of the greatest achievements of the people of the United States. We owe a debt to the French who preceded us in the attempt to cut the Isthmus at that point, and we freely acknowledge the benefit which we have derived, not only from their surveys and their engineering but from the sacrifices which they so freely made in behalf of this great undertaking. I sincerely hope that the bill proposed by the Senator from Mississippi, to erect a monument to De Lesseps at the entrance to the canal, will be passed, and that that monument will also commemorate the deeds of the men who gave their lives to the task which their country had imposed. I hope, too, that when the canal is opened we shall permit the little boat named *Louise*, inherited by us from the French, to pass through with the first American battleship, and that we shall then give it to France, so that it may rest upon the waters of the Seine, a memorial to a great work which the people of France first attempted and also to the long friendship of the two nations.

But while France made the first effort and failed, we took up the work and carried it to completion. It is the greatest engineering feat of modern times, and the triumphant result is due not only to the genius of our military engineers but to the labor of the medical officers of the Army, who converted hotbeds of pestilence into a region as healthful as any on the face of the earth. Nothing, to my thinking, could be finer than the work of the great army which Col. Goethals has led to this victory of peace, and which has never faltered or swerved in its onward march through mountains and by lakes. In all that vast expenditure, in all the enormous labors which have been begun and completed upon that historic Isthmus there is no spot or blemish to be found. Not only the canal itself but the manner in which it has been built are among the noblest national achievements, which the history of the United States will cherish and preserve. I trust that all this glory and that this noble work, done not merely for our own profit but for the benefit of the world, will not be disfigured by a desire to put money into the pockets of a few American citizens in a questionable manner. I should be grieved to see this great monument of American genius and American skill defaced by a sorry effort to affront other nations when we complete a vast work designed to promote not trade alone but peace and good will among all mankind. [Applause in the galleries.] [The Vice President rapped with his gavel.]

The VICE PRESIDENT. If this is repeated in the galleries, the galleries must be cleared. There has been an order of the Senate that neither approval nor disapproval shall be manifested in the galleries. The Chair has several times called the attention of the occupants of the galleries to that fact. They are here as the guests of the Senate. They must obey the rules of the Senate or they will not be permitted to attend.

Mr. LODGE. I ask permission to print at the end of my speech extracts from the laws in regard to our coastwise registered, enrolled, and licensed vessels.

The VICE PRESIDENT. That may be done.

The matter referred to is as follows:

The following is the law under which registered vessels engage simultaneously in the foreign and coastwise trade:

[R. S., 3126.]

Any vessel, on being duly registered in pursuance of the laws of the United States, may engage in trade between one port in the United States and one or more ports within the same, with the privilege of touching at one or more foreign ports during the voyage, and land and take in thereat merchandise, passengers and their baggage, and letters and mails. All such vessels shall be furnished by the collectors of the ports at which they shall take in their cargoes in the United States with certified manifests, setting forth the particulars of the cargoes, the marks, number of packages, by whom shipped, to whom consigned, at what port to be delivered; designating such merchandise as is entitled to drawback, or to the privilege of being placed in warehouse; and the masters of all such vessels shall, on their arrival at any port of the United States from any foreign port at which such vessel may have touched, as herein provided, conform to the laws providing for the delivery of manifests of cargo and passengers taken on board at such foreign port, and all other laws regulating the report and entry of vessels from foreign ports, and be subject to all the penalties therein prescribed.

258. FOREIGN MERCHANDISE COASTWISE.

[R. S., 3127.]

Any foreign merchandise taken in at one port of the United States to be conveyed in registered vessels to any other port within the same, either under the provisions relating to warehouses or under the laws regulating the transportation coastwise of merchandise entitled to drawback, as well as any merchandise not entitled to drawback, but on which the import duties chargeable by law shall have been duly paid, shall not become subject to any import duty by reason of the vessel in which they may arrive having touched at a foreign port during the voyage.

The following are the laws under which vessels enrolled and licensed for the coasting trade or fisheries become liable if they engage in the foreign trade without taking out registers:

[R. S., 4377.]

Whenever any licensed vessel is transferred, in whole or in part, to any person who is not at the time of such transfer a citizen of and resident within the United States, or is employed in any other trade than that for which she is licensed, or is found with a forged or altered license or one granted for any other vessel, such vessel, with her tackle, apparel, and furniture, and the cargo found on board her, shall be forfeited. But vessels which may be licensed for the mackerel fishery shall not incur such forfeiture by engaging in catching cod or fish of any other description whatever.

275. FORFEITURE OF VESSEL AND MERCHANDISE.

[R. S., 4378.]

Any merchandise on board any vessel which belongs, in good faith, to any person other than the master, owner, or mariners of such vessel, and upon which the duties have been paid or secured according to law, shall be exempted from any forfeiture under this title. (R. S., 4311–4390.)

[R. S., 4379.]

In every case where a forfeiture of any vessel or merchandise shall accrue, it shall be the duty of the collector or other proper officer, who shall give notice of the seizure of such vessel or of such merchandise, to insert in the same advertisement the name and the place of residence of the person to whom any such vessel and merchandise belonged or were consigned at the time of such seizure, if the same be known to him.

[R. S., 4380.]

All penalties and forfeitures which shall be incurred by virtue of this title (R. S., 4311–4390) may be sued for, prosecuted, and recovered as penalties and forfeitures incurred by virtue of the laws relating to the collection of duties, and shall be appropriated in like manner, except when otherwise expressly prescribed.

179. ENROLLED AND LICENSED VESSELS IN FOREIGN TRADE.

[R. S., 4337.]

If any vessel, enrolled or licensed, shall proceed on a foreign voyage without first giving up her enrollment and license to the collector of the district comprehending the port from which she is about to proceed on such voyage, and being duly registered by such collector, every such vessel, together with her tackle, apparel, and furniture, and the merchandise so imported therein, shall be liable to seizure and forfeiture.

For fishing vessels there is a special permit to touch and trade, authorized as follows:

[R. S., 4364.]

Whenever any vessel licensed for carrying on the fishery is intended to touch and trade at any foreign port, it shall be the duty of the master or owner to obtain permission for that purpose from the collector of the district where such vessel may be, previous to her departure, and the master of every such vessel shall deliver like manifests and make like entries, both of the vessel and of the merchandise on board, within the same time and under the same penalty as are by law provided for vessels of the United States arriving from a foreign port.

[R. S., 4365.]

Whenever a vessel licensed for carrying on the fisheries is found within 3 leagues of the coast, with merchandise of foreign growth or manufacture exceeding the value of $500, without having such permission as is directed by the preceding section, such vessel, together with the merchandise of foreign growth or manufacture imported therein, shall be subject to seizure and forfeiture.

Mr. THOMAS. Mr. President, on the 30th day of last March I introduced a bill, which is somewhat lengthy, but the purpose of which is expressed in two lines, and these I will read:

No tolls shall be levied by the Government of the United States for the use of the Panama Canal.

I am vain enough to believe that the purpose sought to be subserved by this measure will prove, if it should be accepted, a solution of the unhappy controversy which now engages our attention and is distracting that of the entire Nation. I should not speak so confidently if this proposition were original with me, or one which had not received the exhaustive consideration of a man whose education and experiences qualified him to speak as one with authority. Long ago, and before the present controversy could even have been anticipated, the free use of the canal for the world's commerce had become the subject of very serious consideration.

The Panama Canal was primarily designed for the benefit not only of the people of the United States, but for the benefit and welfare of all the world. It was, as the eloquent Senator from Massachusetts has just declared, a project which had been contemplated ever since the discovery of the Isthmus, which had been the dreams of statesmen, the ambitions of engineers, and the hopes of captains of commerce and industry from generation to generation. It has finally become a great achievement, and in the course of a few short months it will be open to the commerce of the world.

In 1910 Robley D. Evans, one of America's greatest admirals, most accomplished seamen, and purest citizens, capable by reason of his long familiarity with marine affairs, both naval and commercial, of passing judgment upon this question, asserted in a series of articles published in Hampton's Magazine that the canal could not be made to accomplish its purposes and be to the United States all that was expected of it unless it was made free to the commerce of the world.

My attention was then attracted to these articles. My own views were then entirely opposed to those which Admiral Evans elaborated with such exhaustive ability, but after reading and reflecting upon them I became convinced that his contention was abundantly sustained by the reasons which he gave to support it. If the Members of the Senate will transport themselves to the quiet of the admiral's library in the year 1910, before passion had been aroused by the appeals which are now unfortunately rife, which proceed alike from the lips of Members of both Houses of Congress and from the columns of the press, and consider the subject in that tranquil atmosphere, I believe they will reach the conclusion for which he then contended, and, acting upon his suggestion, throw the canal open to the world as America's contribution to the development of the commerce not only of our own people but of all the nations of the earth.

I assume this to be the attitude of the Senate and read as my address in behalf of this measure the arguments to which I have referred, to the end that the Senate and the country may be informed of them, and make their judgment accordingly. I do not approve of everything which the admiral asserts in his discussion, but I shall not interrupt its presentation either to comment upon or to discuss them. Neither, Mr. President, do I expect to add much to what seems to be a complete and unanswerable demonstration of the proposition concerning which the articles were prepared and published.

The first appeared in the month of January, 1910, and is entitled "The Panama Canal: Its Effect, when Completed, on the Commerce of the United States."

[Hampton's Magazine, January, 1910.]

"THE PANAMA CANAL.

"ITS EFFECT WHEN COMPLETED ON THE COMMERCE OF THE UNITED STATES.

(Rear Admiral Robley D. Evans.)

"In discussing the question of the Panama Canal, which has been so long before the people of the United, and which is of keen interest to the world at large, certain things must be taken for granted in the absence of actual facts. It is unfortunate that this is so; but in a work of such magnitude, undertaken, as it was, without positive data as to the physical conditions that would be met at certain points in its progress, this becomes necessary.

"Let us assume, then, that the canal will be finished and ready for business at the date proclaimed by those in charge of its construction, viz., during the summer of 1916. And, further, let us assume that the completed work will have cost the people of the United States the sum of $400,000,000. What will be its immediate effect on the commerce of this country?"

This, Mr. President, it will be noted, is the main proposition which runs all through this discussion—the effect of the completion of the canal upon the commerce of the United States.

"During the discussion of the question of an interoceanic canal its advocates and friends have held that a waterway

through the Isthmus of Panama would extend our coasting trade from the Atlantic to include the entire coast of the United States from Los Angeles, Cal., to Sitka, Alaska. It was said that our schooner trade, which is undoubtedly the greatest of its kind in the world, would be enormously increased in volume and that sailing craft passing through the canal would dot the Pacific with their white wings, as they now do the Atlantic.

"Many people believed this pleasing story and felt that our shipbuilders would reap a rich harvest from the great number of vessels that would have to be constructed to meet the demands of this new condition. It may not be inaccurate to say that this prospect brought many to support the proposal for a canal who would otherwise have opposed it.

"At the present time our sailing coasting vessels carry an enormous amount of freight, and if it were possible to pass them through the canal and send them on their way on the Pacific economically they would perform the same work on the Pacific side of the continent. But can this be done? And will the character of the goods to be supplied warrant the assumption, even if the passage can be economically made?

"Let us assume that a four or five masted schooner loads at New York with 3,000 tons of freight bound for San Francisco. She can, of course, carry this cargo more cheaply than a vessel under steam could perform the same service, if the element of time be discarded. If the prospective consumer of the freight has no fixed date when he will require it, does not care whether it comes to him at the end of 3 months or 12, then the sailing vessel can do the work more cheaply than the one under steam. The question of time, however, is the important one in the problem; and when we consider other freight than coal, et cetera, time becomes, obviously, of the utmost importance.

"When this schooner, which we have seen loaded in New York, reaches a point five or six hundred miles from the eastern entrance to the canal she will encounter first light and baffling winds and then a considerable period of calms, during which she will drift with the currents, some days nearer and some days farther from her first port of destination. Many cases are known of sailing vessels which have spent two months drifting about in this way before reaching an anchorage off what some day may be the entrance to the canal. While this may not be the case always, still this probable condition must be taken into account in shipping goods to arrive at their destination on or before a certain fixed date. Promptness of delivery will be the ruling factor in shipping all freight through the canal, except coal and ores of various kinds.

"The damaging effect on sails and rigging of thrashing about in calms and light weather is well known to all who have followed the sea, and this must be taken into account when making rates for such a voyage as our schooner has started on. This cost will constitute a considerable item and form a serious handicap when the cheaply run tramp steamer enters the contest; and this tramp is not the worst enemy of the sailing coaster, as we shall see later on.

"It may be assumed that towing companies will be organized to have tugs cruise in this calm belt and pick up sailing vessels and tow them two or three or even four hundred miles to the entrance to the canal, but this will add largely to the expenses of the trip. Even if this be done, the towing must be continued through the entire length of the canal and well out to sea on the Pacific side, where another belt of calms and doubtful winds will be encountered. Add to this towing bill the canal charges, and I think it must be evident to the student of such matters that a sailing vessel, of any kind of a commercial character, will be a rare sight in the Panama Canal. A few sailing yachts may use it, but they are not considered in this writing.

"The effect of the Panama Canal on sailing craft trading between the Atlantic and Pacific Oceans will be precisely the same as was the effect of the Suez Canal on the same class of vessels trading between Atlantic ports and the East Indies—they will all disappear from the water and their places will be taken by steam vessels of some kind. The completion of the canal will be the death sentence to the last line of sailing ships which have held out until now only because the distances were too long to be covered economically by steam vessels requiring convenient coaling ports. In other words, this great waterway, instead of proving, as has been promised, a boon and an upbuilder of the American sailing craft, will prove their worst enemy, and will kill the few remaining sailing ships under our flag as well as under that of other nations. The cargo now carried by them will find its way in the bottoms of tramp steamers or barges, or cross the continent by one of the many transcontinental railroads."

It will be seen, Mr. President, that it is here assumed for the best of reasons that the completion of this canal will result in the disappearance of sailing craft from the merchant marine of the world and that the supposed benefit to that class of transportation is not only nonexistent, but that its effect will be disastrous and destructive.

The admiral proceeds:

"The only possible remedy for this injury to one of the greatest of our industries is the free passage of the canal by such vessels. Unless this can be secured we must give up all hope or thought of sending goods from one ocean to the other by means of vessels propelled by sails. The schooner fleet which now carries so much freight on the Atlantic coast can never use the canal to advantage, but must confine its business to present limits. It is a well-known fact that this is diminishing from year to year.

"Let us now consider the effect of the completed canal on our steam coasting trade. Here the prospect is in some ways very much brighter. If the supply of steam vessels is found to be sufficient to carry the vast quantity of goods of all kinds that must pass from ocean to ocean, then the future is indeed bright for those who own and control them, but it is a fact beyond question that such is not the case and that we have barely enough such ships on our Atlantic coast to do the work between the ports on that seaboard, and on the Pacific coast barely enough to do the work there. They could not, with any show of success, be sent through the canal without neglecting the work on which they are now engaged. Where, then, is this new fleet to come from?

"The first cost of iron or steel ships in this country is greater than that of those built in England or Germany, and the cost of running them once in service is also greater. The additional cost of our home-built ships is due to the cheapness of labor in foreign countries, particularly in Germany, where strikes are practically unknown and where the wages paid workmen are from 25 to 30 per cent less than here. As this cheap labor affects all the material that goes into the ship, or rather the cost of producing the material of which the ship is made, it must control the price of the finished article.

"It costs more to run an American ship because of our archaic navigation laws. A foreign merchant captain in command of a ship puts to sea, and if he finds incompetent or undesirable men among his crew he discharges them at the first port he enters and ships others to fill their places. He simply pays them what is due them and the undesirable men are landed on the dock to look after themselves. An American captain in the same circumstances must act very differently. If he wishes to ship new men, he must either continue the undesirable ones among his crew or pay their way back to the port where they were first shipped. The expense thus incurred is much more than appears at first sight, and to avoid it our captains sometimes resort to illtreatment of their men, which causes desertion. Deserters are cared for by the American consul and by him returned to their home ports.

"The wages of officers and men of the American merchant marine are higher than those paid by either England or Germany, and the food supplied the men is more expensive. The law regulates this, fortunately, and there is no evading it. As foreign ships can not trade from one of our ports to another we do not come in competition with them in our domestic trade.

"We may therefore take it for granted that we shall be confined to the commerce of our own coast on the future as we are at present and leave what other trade may seek the canal to the ships of other nations. Without going outside this domestic sphere of action our steam coasting trade would be vastly benefited by the canal, provided always the great waterway may be economically used, but unless this can be done the transcontinental railroads will continue to carry the freight as they do at present.

"Long before the canal is ready for use there will come a demand in such ports as Galveston, New Orleans, and Mobile on the Atlantic side, and San Diego, Los Angeles, and San Francisco on the Pacific for ships to meet the demands of commerce—to be ready, in other words, for the business that will be ready for them when the canal has its opening day. Shipholders will no doubt meet this demand when made, but how can it ever be made unless the canal rates to be charged for transit are such as can be paid and still leave transportation rates less than those charged by the railroads for similar service?

"Obviously it can not be done, and, as in the case of our sailing craft, the steamers can gain no advantage in trade between the two oceans unless that advantage is conferred by a free canal. The first cost of the ships will be so great when added to the cost of running them, plus the canal rates, that water transportation will not attract capital when opposed to the present completed transcontinental railroads.

"It would seem, therefore, that any benefit to our domestic commerce from the Panama Canal will depend upon the rates to be charged for passing vessels through it. Unless these can be made satisfactory it is futile and misleading to hold that there will be any such benefit.

"The only remedy in sight is to make the canal free to American commerce, and if this can be done to rely for its benefits on the advantages to follow to the various industries that will naturally be affected."

This statement is perhaps of interest, as the opinion of this eminent citizen as to the construction of the clause in the Hay-Pauncefote treaty which is now the subject of so much controversy:

"The objection to a canal free for American commerce only is found in the terms of the Hay-Pauncefote treaty, one clause of the which is as follows: 'The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such coniditions and charges of traffic shall be just and equitable.'

"If this provision of the treaty is to be observed, and surely it must, then no exception can be made in favor of American vessels—they must pay the same traffic rates as vessels of other nations or stay out of the canal. In other words, the Government of the United States must maintain a waterway between the two oceans purely for the benefit of foreign commerce, without benefit to our domestic interests, because of conditions which were not known or not understood when the building of the canal was authorized. This will not appear to the American people, or to fair-minded people the world over, as a good business proposition, and they will look for means of relief. The same powers that made the treaty can make another which will correct the faults of the present one.

"It can not for a moment be fairly assumed that the Congress of the United States will tax the people of this country for the building and maintenance of a canal or other public work which will not only not be of any value to them, but will actually operate to their disadvantage by conferring benefits on foreign commerce which is competing with their own.

"That such will be the case no one can deny, in view of the more cheaply built and more cheaply operated foreign ships. If we create a great demand for freight carriers, which we certainly will do by building or digging the canal, and are unable to supply such carriers, we encourage others not only to build them; but, in addition, we will have to pay them to carry our products through our canal for us. In effect, this condition means that we will have given the foreign shipowner an advantage over the American shipowner.

"If conditions are as herein stated, the money for the Panama Canal could never have been voted without some treaty provision by which our commerce would have at least been placed on an equal footing with that of other countries. Therefore let the treaty be changed and so worded that the commerce of all foreign countries shall pay the same traffic rates and enjoy the same privileges while domestic commerce of the United States shall pass from ocean to ocean free, or at such nominal traffic rates as the Congress of the United States shall establish. If this can be done, it may be possible at some future date, when commercial lines have been established and business warrants it, to impose traffic rates which will in part pay the cost of maintaining and operating the canal without injury to such lines.

"Assuming that the present treaty must remain in force, let the Congress of the United States declare the canal free to the commerce of the world. This would mean that the people of the United States would pay the interest on the canal bonds and in addition the sum necessary to keep it in order and meet its operating expenses and thus secure the advantages and reap the profits, whatever they may be, of the commerce passing through it.

"We have established and now maintain the finest system of coast lights and buoys of any country in the world, without charging one cent to the vast commerce benefited by them. Our aids to navigation are known and appreciated the world over, and we maintain them for several reasons, which are not understood by those who pay the bills—the taxpayers of the country. In former years port and light duties were imposed on all vessels entering our harbors to meet these expenses, and such is, unfortunately, still the practice of some Governments. But most of them have followed the example of the United States—at her urgent solicitation, let it be noted—and have abolished port dues as applied to lights and buoys.

"From one end of our coast line to the other, from Maine to the Gulf of Mexico, from San Diego to Sitka, from one end of the Great Lakes to the other, and around the Hawaiian Islands and Porto Rico, the protecting circles of our coast lights touch one another, so that vessels may always take advantage of their assistance. There is not a river or harbor in all our vast territory that is not so buoyed as to be safe for any commerce that may seek it. The vast sums of money spent for the construction of all these aids to navigation and the millions that are annually appropriated for their care and operation are a free gift from the people of the United States to the commerce of the world. Not one cent is received directly in return for this great expenditure, though the benefits are distributed equally to the ships of all nations. But who can doubt the wisdom of those who have made our coasts and our harbors the safest in the world, thus tempting to our shores the commerce of all nations, with its final financial results?

"It may be, and doubtless will be, held by many that our coast lights are established and operated to prevent shipwrecks and avoid the loss of life and property. This is undoubtedly one of the reasons for their present efficient condition, and the safety of our coasting trade is another; but a very much more practical and businesslike reason will be apparent from a glance at the long lines of foreign vessels that daily pass to and from our seacoast cities, bringing to us the raw material from which we produce everything, from immigrants who are to become Senators and Representatives to the shoes worn by half the population of some foreign countries. It is in this sale of manufactured goods made possible and profitable by the importation of the finished products of our mills that our expenditure of so much money to aid the commerce of the world is justified. That this has been one of the factors in giving us our present position among the leading nations can not be doubted.

"This once admitted, what stands in the way of conferring another great benefit on those who follow the sea by declaring a dividend on the good will and charity of the United States by making the Panama Canal a free waterway to the commerce of the world and depending on the results to follow to our citizens for our compensation?"

Mr. President, I may digress here for a moment to add that we obtain not one cent of direct profit or return upon the millions which are expended, presumably at least, for the improvement of our great waterways which penetrate the interior from every coast. The benefit which we derive consists of that enlarged commerce and cheaper rates of transportation, to obtain and to stimulate which the tremendous annual appropriations are constantly made. When we add these to the vast appropriations both for construction and for maintenance that are made for that class of improvements to which the admiral refers, there certainly can be no reason why the question of interest upon bonds or of expenses of operation should be considered for a moment in the light of the larger benefit that will come by making this indeed a great international highway of commerce for all time.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. THOMAS. I yield.

Mr. REED. I agree with the Senator as to the great benefits coming from commerce and as to the desirability of cheap water rates between our two coasts; but if these great benefits come from commerce, why should we not permit the vessels of other nations going through the canal to carry goods from one American port to the other?

Mr. THOMAS. There is no reason in the world which appeals to my judgment.

Mr. REED. I introduced a proposition of that kind. I simply wanted to get the Senator's opinion upon it. I think by letting all vessels engage in our coastwise trade, fixing a minimum charge, a small charge, we can solve this difficulty.

Mr. THOMAS. The policy for which I am contending, Mr. President, is entirely consistent with the purpose to be subserved by the bill which the Senator has introduced and which I believe would result in an enormous benefit to the consumers of this country so vast as to make the supposed benefit resulting from the present restriction of this coast trade to American-made and American-owned vessels wholly insignificant.

"Consider as a section of the Panama Canal, for a moment, the splendid new Ambrose Channel into the harbor of New York, now ready for use, constructed on the plea that it was necessary for our battleships, but, in fact, for the benefit of the ocean grayhounds and great freight ships of the Atlantic trade; consider the channel into Boston from the sea another such section; and the Delaware River, which has been deepened most

of its length at enormous expense for the benefit of foreign trade, as a third. When you have done this, add to them the channels leading to Savannah, Charleston, New Orleans, and Galveston, and you will have a canal which does not compare unfavorably either in length or cost with your new waterway between the two oceans. The comparison may be carried much further by adding to our sum the Government work in the Great Lakes and at the falls of the St. Marys River, which are used by Canadian vessels as well as our own.

"The opposition to this plan of a free canal must come from those who claim that the commerce to pass through from ocean to ocean can and will pay traffic rates sufficient to declare a dividend on the cost of construction plus the cost of operating.

"From what has been said, it seems probable that our coasting trade or domestic commerce can only use the canal without traffic rates—at least for a term of years. It must be a free canal or no domestic commerce will pass through it. Therefore the dividends on bonds and the money for operating expenses must come from the traffic charges on these two classes: American foreign commerce, of which at present there is none, and the commerce of foreign countries which must use this route.

"Leaving American commerce out of the discussion for the moment, let us consider what revenue will come to the canal from the other source, viz, foreign commerce. This must be derived from two sources, and only two: First, from the ships that must use the canal because it is cheaper, no matter what the traffic rates may be, and, second, the ships that may be diverted from other routes because the new one is cheaper. Later on a third source of revenue may be considered; that is to say, the trade that will come because of the canal, but not now existing.

"It is a well-known fact to those who have given much study to the subject that trade once settled in a particular route or groove adheres to that route with great tenacity and resists all efforts to change its course. Why this should be so it is impossible to explain, but the fact remains and will have a direct bearing on the subject under discussion.

"The present traffic through the Suez Canal, which will be the great competitor of the Panama when completed, consists of two kinds: The first, that which uses it because it must do so no matter what the fees charged may be; and the second, that which uses it because it is cheaper to do so, and will continue to use it, unless the rates by the new canal are such as to make that the cheaper route.

"With the first, which comprises all the traffic from Europe to points beyond the Suez Canal as far as Hongkong, and probably to Shanghai and Yokohama, we have little interest in at this writing because there is no possibility of diverting it to Panama, unless we pay it to go that way. The distance is greatly in favor of the present route, and there are other advantages which weigh heavily against a change. Among these may be mentioned convenient coaling ports and important trading points along the entire route, two things which can never, in the nature of things, be supplied for the Panama route. All this traffic is compelled to use the Suez Canal because of the vast saving of distance over the passage by the way of the Cape of Good Hope and the better weather and sea conditions encountered. It may be doubted if this condition would change, even if the expense of the Suez Canal route were greater than that via the cape, because of the convenient coaling stations now in use and the fact that trade connections of a most profitable character have been made at the various ports of call. We may, therefore, omit all this traffic from any consideration in connection with Panama, for it can not possibly be diverted to that route.

"Let us now consider the traffic from Europe to Australia via the Suez Canal and see if there may be a chance to divert this to the new route. The distance from Europe to Melbourne by the present route is about 2,000 miles less than by Panama, with convenient coal and repair stations at various points and trading ports of great importance within reach. The distance alone would mean the saving of 250 tons of coal, which for the round trip would be 500 tons. Coal must always be cheaper when supplied in large quantities and where the stations have the advantage of the shorter haul from the source of supply; both of these are now, and must remain, in favor of the Suez route.

"Suez now declares a dividend of 20 per cent and, if Panama should compete for this Australian traffic, rates could be cut until this dividend would be materially reduced before Suez would give up the trade. It is evident, therefore, that we must not expect that Panama can reasonably hope to secure even a portion of that trade.

"The distance from Europe to Sydney is over 1,000 miles less by Suez than by Panama and, if the reasoning is sound in the case of Melbourne, the same will apply with equal force to Sydney. In other words, the trade of Europe with Australia must remain as it is, and no inducement can change it to Panama.

"From Europe to New Zealand the distance is about 1,500 miles less by Panama than by Suez, and here would seem to be a chance for the former to score for the first time in this discussion; but before it does so, we must consider certain important things besides the question of distance. Vessels leaving the Mediterranean or the north of Europe bound to New Zealand ports would not have to coal before reaching the Panama, but would be compelled to do so either at Colon or Panama, at one end of the canal or the other. They would find no repair station on this part of the journey and no trading port of importance. Therefore all cargo would have to be consigned to New Zealand ports, unless some were taken for ports in southern California, the Sandwich Islands, or Tahiti. In other words, all freight would have to pay traffic rates through the canal. By the Suez route much trading could be done before reaching the canal.

"On leaving the Pacific end of the new waterway these New Zealand-bound ships would have to reach some coaling station and recoal in order to arrive at their destination. It is generally agreed that such a station will be established at Tahiti, where a safe harbor can be found; but here again is a long run with no convenient coaling or repair stations and no trading ports of importance.

"Whether this traffic can be induced to leave the Suez and use the Panama route will depend on the comparative price of the coal supplied on the two routes and the rates charged for passing the ships through the canals. Suez will undoubtedly make a strong fight to retain the business, and as it is only a fraction of that handled the rates can be greatly reduced before the 20 per cent dividends now declared are seriously affected. If Panama can overcome the difficulties pointed out, we must place to her credit the first revenue yet found with which to meet the interest on bonds and furnish a working capital.

"The coal now consumed via Suez in making the 1,500 knots, the difference in favor of Panama, amounting to 188 tons, costs an average of $5 per ton. The value of fuel consumed is therefore $940. This item is the largest in the account against the Suez Canal.

"Now let us see how the coal bill will figure out via Panama. The coaling stations at the canal will probably contain Pocahontas coal of equal steaming quality with that furnished in England, but the price will be about $7 per ton instead of $4, so that every 8 miles steamed with this coal will cost nearly twice as much as the same distance made with that bought either in an English or Mediterranean port. On reaching Tahiti, where the ship must again take on coal, the price will be from $12 to $16 per ton, so every mile made with this fuel will cost twice or more than twice as much as the same distance made with the coal purchased on the Suez route. The average cost of fuel per ton after the home supply has been exhausted will be $11.50 per ton. This is $6.50 in excess of the price per ton via Suez.

"For the Panama route it is, therefore, merely a question of how many miles the vessel is to steam with this twice as expensive fuel before the cost—188 tons at $5 per ton—of the extra distance by way of Suez is wiped out. If we call the distance for the round trip from Liverpool, England, to New Zealand via Tahiti 20,000 miles, we are forced to the conclusion that enough of the higher-priced fuel must of necessity be used to more than square the account and even leave a balance in favor of Suez.

"How, then, can Panama hope to win this traffic? The answer seems to me plain—she must either provide cheaper fuel or make up the difference by the cheapness of canal charges. It is not clear how those operating the canal can control the price of coal unless they go into the coal business, and that we know they can not do; so the only thing left is to overcome their handicap by the cheapness of canal rates. There seems to be no other possible way.

"The traffic rates of the Suez Canal now amount to $2 per net ton United States measurement. If we suppose that the ship we are considering carries 5,000 net tons of freight, she would have to pay on freight alone $20,000 in canal fees for the round trip to New Zealand. The revenue from passengers is not here considered, and it may be properly left out of the account with Panama, where it will of necessity be much less.

"The cost of the Suez Canal as it stands to-day may be placed at $120,000,000. The first cost was $95,000,000 and the improvements since made amount to about $25,000,000. On this capitalization the revenue from all sources is sufficient to pay dividends of 20 per cent. The freight traffic pays, of course, the larger part, though the passenger traffic is valuable.

"The probable cost of the Panama Canal"—

We must remember, Mr. President, that this was written in 1910—

"as given by the able commission which recommended it as the best location for such a work, is $144,000,000 plus the price paid the French company for its franchise, or $40,000,000 more, making a total of $184,000,000.

"Add to this the $10,000,000 paid Panama for the Canal Zone and we have the sum of $194,000,000 as the estimated cost of the canal ready for use. Including that for 1909, the appropriations so far made by Congress amount to $204,602,468.58.

"Deduct from this $50,000,000, the sum paid for the French company's rights and to Panama, and we have the sum of nearly $155,000,000 expended up to date for making the dirt fly on this great work.

"As far as we can judge from the reports, less than one-half the work of a completed canal has been done. Are we not thus conservative in our estimate when we place the actual cost of the waterway, ready for traffic, at $400,000,000? Is it not probable that it will exceed that figure?"

Of course we now know that it does exceed that figure very materially, Mr. President.

"If we conclude that the commission estimated the cost of the canal at less than half of what will be the real cost, and I do not see how we are going to avoid that conclusion, may we not assume that they did the same about the operating expenses? May we not fairly assume that they likewise overestimated the traffic which will be ready for the canal when completed?

"The estimated cost of operating the canal is given at $2,000,000 per year; but as no details of any kind accompany the estimate, we must either blindly accept it as correct or treat it as we have had to do the estimate for the construction of the work—that is, double it—which seems the safest thing to do. Even when this is done and we assume $4,000,000 as the correct figure, I think we are still below the amount that will be found necessary.

"In making the estimate for traffic the New Zealand commerce is given as 500,000 net tons, on the authority of the New Panama Canal Co., a French corporation, which we may be sure did not underestimate the business in sight. If we accept, however, this estimate as correct, how can Panama hope to divert it from its present route? If the canal dues are placed at half those at Suez, we can put only $500,000 to the credit of Panama.

"Assume, for the sake of argument, that this tonnage is equally divided; that 250,000 tons pass the canal each way and that 50 ships, each carrying 5,000 tons of freight, are employed in the trade, the saving to each one of them via Panama will depend on the coal consumed, as before stated in this article, and the canal rates to be charged. The coal account will favor the Suez route, and the total saving will clearly be the sum saved by one ship multiplied by the number of ships employed.

"Having completed the coal account, we must now add the amount that Panama must charge to raise revenue with which to pay her operating expenses. To make this equal to the traffic rates at Suez—say, $2 per net ton—each of the ships would pay on this account alone $20,000 for a round trip, and in the end the benefit derived would come back again to the coal question.

"It has been clearly shown, I think, that the advantages of convenient coaling and repair stations and opportunities for trade en route would in this case cause a decision in favor of Suez. If Panama charges half Suez rates, or $1 per net ton, each ship will pay $10,000 per round trip, and under the Hay-Pauncefote treaty this would fix the rate per net ton for all commerce passing through the canal. Suez could by meeting this cut in rates still control the trade without seriously reducing her 20 per cent dividends, and it is only using common business sense to admit that she will do so.

"However, to place Panama in the most favorable light possible, let us for the sake of argument accept the estimate of the New Panama Canal Co. (the French company), increased by the problematical calculations of the experts for our Panama Canal Commission, and place the annual business for the canal when completed at 6,000,000 net tons. The revenue derived from this traffic would pay operating expenses and leave a surplus of $2,000,000 with which to pay in part the interest on $400,000,000. If we treat the estimates under consideration as we have been forced to treat those for construction, we will find that the canal for the first year of its operation will return a revenue insufficient to pay even the working expenses.

"The estimate of the New Panama Canal Co. includes not only the New Zealand trade but also four-fifths of the tonnage employed in the trade to the west coast of South America. When this has been examined—the trade with the west coast of South America—we will find that this claim of the New Panama Canal Co. can not be allowed, and that if we credit Panama with even one-half of it it will be all she is entitled to. I hope to make this clear.

"WHY THE PANAMA CANAL MAY BE A BAD BUSINESS VENTURE.

"I have assumed, in estimating the revenues of the Panama Canal when completed, or 'the business in sight' on the opening day, that the estimate of the New Panama Canal Co. (a French corporation) was correct. This amounted to 6,000,000 net tons, and the price for passing vessels through the canal was fixed at $1 per net ton, or a total of $6,000,000. This was arrived at by allowing, in the first place, that all the European commerce of New Zealand would be diverted from Suez to the new route. This constitutes only a small part of the total. Where will the remainder come from?

"The present commerce of Europe with Atlantic South American ports will not be affected in any way by the opening of the new route, but the same commerce with the Pacific South American ports will be. Let us see to what extent. Practically all this commerce now passes either through the Straits of Magellan in steamers, or around Cape Horn in sailing ships. The latter is so small—viz, the amount carried around the Horn in sailing ships—that we may safely leave it out of consideration. The opening of the new canal will be the end of sailing ships on the Pacific coast of South America, and North America as well.

"We will, therefore, consider only the commerce by steam-propelled vessels. The amount carried by the Panama Railroad is small, and will necessarily go to the new canal when completed. This is credited to that route in making up the estimate of 6,000,000 net tons of business.

"At first glance it would seem but fair to assume a point on the Pacific coast of South America, where the distance from Europe by the Straits of Magellan and that via Panama are equal, and say that this is the dividing point for commerce by the two routes, the ports nearer Magellan to continue to use the Magellan route and those nearer Panama to use the canal route. This point would be found south of the city of Valparaiso, about at Valdivia, and the natural inference would be that the trade of all ports north of this point would seek the new route. Such, in fact, has been the conclusion in making up this estimate of 6,000,000 of net tons of business for the canal on its opening day. Likewise, it has been assumed that all trade south of the point selected will continue to use the Magellan route. Neither assumption is correct or warranted.

"Steamers from Europe to the Pacific coast of South America fill to their utmost bunker capacity with Welsh coal of excellent quality before leaving home ports, at a cost of $2.50 per ton, and with this fuel they reach their destination. The distance they can steam without recoaling will be one of the determining factors in the question of which route will be the cheapest for them to use, and the point we have selected as the dividing line will shift up or down the coast accordingly. Good steaming coal is worth in the Straits of Magellan $16 per ton. The same price is demanded and paid in the harbor of Valparaiso. It is plain that the amount of this high-priced fuel to be used on the round trip will determine the route of the vessel, unless other important considerations interfere.

"From the starting point the cost for propulsion per mile of these ships will be about 31 miles per ton of coal. This cost of propulsion will be doubled when they have recoaled for the return trip, but they will naturally take only enough coal to reach a cheaper supply, which will be at Rio de Janeiro. The cost for fuel will be the same by either route, or let us assume that it will be, for the sake of argument. The point we have established on the coast will then move north just as many miles as the canal charges will amount to in tons of coal, and the route via Magellan will be the gainer by so much.

"Take as a sample ship in this trade one of 8,000 tons net freight capacity. If she is fully loaded, the canal dues for the round trip will be $16,000. We have supposed the rates to be fixed at $1 per net ton in order to divert the New Zealand trade from Suez, and that, under the present treaty, fixes the rate for all commerce.

"Sixteen thousand dollars converted into Welsh coal at Valparaiso means 1,000 tons, and if we allow half of this, or 500 tons, for the trip each way, we find that the ship can pass through the Straits of Magellan, steam up the coast nearly to the canal, and then retrace her course to her home port as she came more cheaply than by passing through the new waterway.

"In other words, the point on the west coast of South America where we supposed the traffic for the canal to begin must be shifted north about 4,000 miles, because of the rates to be charged for transit.

"That this may be changed by the amount of American coal that will be shipped to the west coast of South America is probable, but the change will be unimportant, because the trouble still remains that there are canal charges on one route and no such charges on the other.

"The point at which the trade of the Pacific coast of South America would divide between the two routes because of distance has been fixed as just south of Valdivia in Chile; but by reason of canal rates it must be shifted north about 4,000 miles, which will give the Magellan route all the commerce at least as far north as Callao in Peru. If we say that four-fifths of the trade of this coast, which has heretofore gone to the credit of Panama, will remain where it is, we shall not be far wrong. Nothing but a free canal can change this condition. We must therefore deduct from the 6,000,000 net tons given to Panama at least 500,000 net tons for this trade. The revenue is thus decreased by $500,000, which leaves only $1,500,000 above the operating expenses—which I estimated in my article last month as $4,000,000—with which to pay the interest on four hundred million of bonds.

"The commerce of the Pacific coast of South America is growing rapidly, and we may look for a steady increase for many years to come. But the conditions governing this will not change, as far as routes are concerned, because the route used will depend on the transit charges in the canal. As practically all the commercial ports are south of the point where commerce for the canal route originates or is received the increase of traffic will benefit the Magellan route as compared with that of Panama.

"The additional wages of crews and the wear of machinery and ship on account of the longer route by Magellan are left out of consideration, as they are more than offset by the chances for profitable trade on this route and the greater convenience of repair stations as compared with Panama.

"To the commerce of New Zealand which has, in this writing, been given to the Panama route, we must add that of all the Pacific islands north and east of New Zealand. This is not a large amount from any one island, but in the aggregate, because of the total population of all the islands, it may in a measure offset the loss before noted in the South American trade. Here, again, however, comes the question of canal charges, and unless these can be kept below the cost of coal for the extra distance to be steamed by the Suez route, Suez will still enjoy her present advantage.

"We now come to the commerce of Europe, north of the Mediterranean, with the Pacific coast of America, from the point where the Magellan route ceases to have the advantage, to the northward. This includes the trade with a portion of Central America, all of Mexico, and the parts of the United States as far north as Puget Sound. All this must necessarily be given to Panama, which for this section has the same advantage that Suez has in the matter of distance saved over any competing route. But the advantage thus given to Panama is not a real one for the reason that Suez can exact differential rates, while Panama can not do so; she must, by treaty obligation, exact the same rate from all vessels.

"Suez, being an incorporated company without treaty stipulation as to charges for transit, can establish such rates as the directors wish, and these rates may be changed at any time. The rates to a New Zealand port could be cut down to 1 cent on a ton of merchandise and the rates to all other countries left unchanged. No nation could object to this action on the part of the Suez company. In other words, a different rate could be given New Zealand from that given any other country and nobody could object—there is no ground on which to base an objection. The Panama Canal could not do this, because we are bound to the same rate for all nations by treaty obligation."

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I do.

Mr. BORAH. Do I understand that there are now no obligations upon the part of the Suez Canal Co. compelling it to charge equal and just rates to the different nations of the earth?

Mr. THOMAS. I assume, Mr. President, that may have been so in 1910, when this article was written, because the author of the article was supposedly familiar with the facts which he was then discussing. I can not personally answer that question with any degree of satisfaction either to myself or to the Senator. I confess that the statement aroused my surprise, because I had understood that by convention or by agreement, particularly that of Constantinople some years before, a different arrangement was established, and that rates would, however changed, whether up or down, be uniform in their application to the traffic; but it is a fact, whether this statement be correct or not, that the Suez Canal Co. may make a general reduction of all their charges so as to meet any destructive or threatened destructive competitive conditions which may be developed in the use of the Panama Canal; so that to that extent the argument is good, even if the admiral were mistaken in his statement which I have just read.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Montana?

Mr. THOMAS. I do.

Mr. WALSH. Let me inquire of the Senator is he of the opinion that the nation controlling the Suez Canal would be disposed thus to reduce rates in order to attract traffic in that direction?

Mr. THOMAS. The canal is an incorporated company. The nation controlling it is Great Britain, through an ownership of a very considerable majority of the stock.

Mr. WALSH. Yes; I understand that; but is it the opinion of the Senator that that nation would be disposed thus to reduce the tolls in order to attract traffic in that direction?

Mr. THOMAS. I think that it would, because, being a private concern operated for profit and paying a dividend of 20 per cent, very naturally it would be operated as would any other private concern whose business was threatened.

Mr. WALSH. Then, I understand the Senator to indicate that the Suez Canal is operated by the Kingdom of Great Britain for pecuniary profit?

Mr. THOMAS. It is operated for pecuniary profit by a company which owns it, of which Great Britain is a stockholder; yes, there is no doubt about that.

Mr. BORAH. In view of the fact that Great Britain is operating it, there is no question that it is operated for pecuniary benefit; but I was going to say that if it should transpire that the construction of the treaty which we are now considering should be in favor of the contention which Great Britain makes, as Great Britain is in charge of the Suez Canal and can raise and lower rates to meet the situation, that would put Great Britain practically in control of both the Panama and the Suez Canals. It would be a singular situation and a most valuable advantage.

Mr. THOMAS. Well, Mr. President, I do not think that follows at all. But I shall not digress from the general purpose that I have in now addressing the Senate to discuss that question, although I think it is a most interesting one, and one upon which at some time before the final vote is taken I may have something to say.

"Therefore, when we reach the point in the north where the distances by the two routes are nearly equal, the coal question again becomes an important one, and the probability that Suez will cut rates to secure or hold this traffic looms up.

"In its estimate of business for Panama on its opening day, the New Panama Canal Co. (a French company) puts the entire trade to the Pacific coast of America at three millions and a half net tons. It has been clearly shown that this must be reduced by at least half a million tons for the traffic on the Pacific coast of South America; and unless cheap fuel can be supplied for vessels trading to ports north of the mouth of the Columbia River, another reduction will have to be made, and the revenues of the canal will fall so low that even the income to meet operating expenses will be threatened.

"If vessels trading north of the mouth of the Columbia River find that they can procure cheap fuel from the newly discovered mines in Alaska, or from other sources, they may find it less costly to cross the Pacific to Japan and then return to Europe via the Suez Canal than to pay the rates of the Panama Canal. There will always be plenty of cargo from our north Pacific coast for Japan and the Orient, and once on the Japanese coast, say, at Yokohama, the distance to an English port is the same by either route.

"In other words, if Panama Canal rates are high and vessels can procure cheap fuel, the commerce of ports north of the Columbia River will seek a European market via the Suez Canal.

"Another thing must be considered in this connection which has a direct bearing on the revenues of the Panama Canal, and that is the probable action of the Canadian transcontinental railroads. They will certainly cut rates to a point that will cause keen competition, and unless the canal rates are low the railroads will get the business and the revenues of Panama suffer accordingly.

"The question of coal supply for the ports on the Pacific coast of South America has a direct bearing on the prospects of the new canal, and a few words here may be of interest to the general reader. It goes without saying that when the canal is in operation large quantities of coal from the United States

will pass through it for South American ports, and that the price of coal in such ports will thus be reduced. Much of this fuel will be suitable for use in commerce-carrying steamers, and the price will depend on the competition that exists and the canal charges—always the same vital question of canal charges.

"Let us assume that canal charges are such that the present price of steaming coal can be cut in half, and such fuel, placed in the bunkers at Valparaiso, Chile, will cost $8 per ton instead of $16. By this reduction we find that the Magellan route will gain enormously, as the ship will thus be able to purchase twice as much coal, or, in other words, steam twice the distance, for the same money. Panama can do nothing to counteract this, as her traffic rates are fixed and can not be changed.

"In other words, we find that the supposed benefit to our coal merchants, because of the new route giving them access to a most lucrative market, are secured to the disadvantage of a canal constructed with the money of the people of this country and owned by the Government of the United States.

"We are forced to this conclusion because we must admit that the cheaper the fuel supplied them the greater the distance ships can steam without being compelled to use the canal or lose money on their freights.

"When considering freights from any port in the north of Europe to the north Pacific coast of the United States this condition does not obtain, because, as is the case with most of the traffic through the Suez Canal, this traffic must use the Panama Canal on account of the distance saved, which means economy in coal consumption. The accompanying statements illustrate this:

Liverpool to San Francisco.

Via Magellan	miles	13,503
Via Panama	do	8,038
In favor of Panama	do	5,465
Saving in coal	tons	683

Equivalent to $10,928 at $16 per ton.

New York to San Francisco.

Via Magellan	miles	13,090
Via Panama	do	5,294
In favor of Panama	do	7,796
Saving in coal	tons	925

Equivalent to $11,100 at $12 per ton.

"The cheaper the fuel supplied on this route, therefore, the more surely will traffic follow the Panama route until you reach a price at which the ships can steam through the Straits of Magellan and cover the greater distance entailed without exceeding the cost of passing through the canal.

"This, of course, refers to commerce under foreign flags, and all this commerce is of that nature; there is, at present, no foreign commerce to speak of under the American flag. It may be claimed that, the traffic being foreign, rates could be charged that would insure a large revenue to the canal. This is not true, because we are bound by treaty to uniform rates; there can be no discrimination; all tonnage, foreign and domestic, must pay the same rates.

"If higher rates could be imposed on foreign ships, they would only use the Panama Canal until those rates reached a certain point, when they would seek another route; but in any case the consumers of this country, or the country in which the cargo is used or consumed, will have to pay the bill.

"No one can doubt that the object in view, in constructing this expensive waterway, was benefit in some shape to the people of the United States. This can not follow from high rates of traffic through the canal. It may come from a free canal, but certain influences, not yet considered, may render even this doubtful.

"The Panama Canal will benefit the commerce of the United States and the people of this country to a degree not yet thought of, provided it can be used to advantage financially by those who are to use the things that pass through it. If we can receive the raw materials that we need from other countries, and send to those countries in return our manufactured products which they require at prices satisfactory to us and to them, it needs no argument to show that our business will vastly increase. Nor does it require an argument to show that we shall not benefit one dollar by the transportation of all these things. We have no ships in which to carry them. As our trade with foreign countries increases the benefit to foreign commerce will increase, and we must content ourselves with the profit that will come from the greatly increased output of our mills and factories and the export of larger quantities of raw material. In this way we shall give more employment to our laboring classes and greatly enlarge the present use of American-made machinery.

"The southern section of the country will, as far as can now be foretold, reap the greatest benefit from the canal, because it brings it nearer a market for the things it produces. Its cotton goods, manufactured at home out of raw material grown on its own soil, in mills run by unrivaled water power, managed by labor that has no 'labor unions' and is in all respects cheaper than that of any other section of the country, will be eagerly sought by the people of South American countries where such goods are used. They can be supplied in enormous quantities and at a price that will make competition difficult, because the raw material is grown in the immediate vicinity of the mill and has no heavy transportation charges to pay; and, further, because the labor employed can work longer hours at cheaper rates than that in other sections where climatic conditions are less favorable. Add to this the fact that the distances to shipping ports—say, Mobile, Pensacola, New Orleans, or other Gulf ports—and thence to ports of delivery are short, compared with others, and we can easily see how bright the future is for this class of goods and those who deal in them.

"If the railroads which have even so short a haul as from these ports to the place where the goods are produced are allowed to establish rates to suit themselves, cheap transportation will not be realized. Rates can be made so high that even with a very cheap water rate the total price of transportation will be the same as if the entire distance had been by rail. And here, again, comes the question of canal rates to spoil our picture and lead us to doubt the realization of our dream. Argue as we may, we come always to this puzzling question; and if we comfort ourselves with the thought of a free canal, another trouble looms up to disturb us, viz, Will the railroad rates be such as to transfer the profit, which was to come to so many, to the treasuries of the railroad companies?

"The lumber, the phosphates, and the coal, as well as numerous other products of the South, will be in great demand on the Pacific coast of South America, and, under present conditions, must find their way there in foreign bottoms. The canal rates will govern the freight rates of these ships to a large extent, but rail rates will determine the question as to whether such products can be shipped at all from points which have not all-water transportation to the point of shipment. The railroad charges can easily be made such that there will be no profit either for the producer or the consumer. If the producer or shipper adds the railroad charges to his price, the total will be so high that we shall lose the benefits we have anticipated. To explain this let me say that I once stood on a dock in Kobe, Japan, and saw 50 tons of peanuts shipped by steamer to San Francisco, where they met with ready sale. I naturally wondered how peanuts grown in Japan, even with the cheap labor found there, could be sent across the Pacific to a port over 6,000 miles away and sold in competition with those grown in Virginia and Georgia, only 3,000 miles or less from the same market. It was simply because the railroads put such a rate on the transportation of the American nuts that they could not be sent to San Francisco and sold at a profit.

"The demand for southern lumber for building purposes in South America is well known, and that country is an important market for our people; but if the charges for passing the lumber through the canal, plus the cost of transportation, makes it too expensive for ordinary use, then the market will be lost to us; and the same reasoning, with the same result, may be applied to every article proposed to be exported through the Panama Canal. The question of canal rates, and the still more important one, in some cases, of railroad rates, meets us at every point of the discussion."

Here I will say to the Senator from Idaho [Mr. BORAH] that this discussion is based almost wholly upon the commercial aspects of the problem, stripped of all considerations of policy or of politics, of treaty construction or otherwise, although we may assume that the now much-controverted clause in the treaty is prohibitive of our right to give exemption from tolls to our coastwise traffic.

"The commerce with South and Central American countries may fairly be assumed to constitute one-third the total foreign commerce of our country. This estimate has been given by many able writers on the subject, and I believe it to be a fair one. Because of long railroad hauls and consequent high transportation charges, this commerce has never developed the large proportions to which it seems to be entitled, and our Southern and Pacific States have been the greatest losers, although all sections of the country have been affected. The Panama Canal, it may be hoped, will correct or change the present condition and bring the Pacific States nearer the Atlantic coast of South America, as it does the Southern States to the Pacific coast of the same country, thus securing for us these inviting markets. This trade should increase more rapidly than any other affected by the new waterway, because of the number and value of the raw materials of South and Central America which we must

have in order to manufacture the finished products which they demand from us and which will be used by them in rapidly increasing quantities.

"The cotton and tobacco of the South, which are the most important of her exports, are now in great demand in Japan and the Orient generally, but they do not have an undisputed market; they are in competition with the same articles from India and other eastern countries. Southern California has ust harvested her first cotton crop, and no one can tell what will in a few years be the output of this new industry in that wonderful country. Some of the leading manufacturers of the South claim that in a few years the mills of that section will spin more cotton than is now grown there. Is it not a fair presumption that the people of California will follow the example of their southern competitors and turn their cotton into a finished product to be shipped to the countries now supplied from the South? And will not the proximity of the market to the Pacific coast throw the balance in favor of that section, to the injury of the southern mills? This must certainly be the result unless the traffic rates of the Panama Canal are such as to maintain the equilibrium. Can a stronger reason for a free canal be asked for?

"The products of the Pacific States are of great variety, and are demanded in unlimited quantities by the countries of Europe. Here, as in the case of the South with her products, the Panama Canal will wonderfully increase her advantages in reaching her markets. Her foodstuffs, which are her leading export, relieved of the long railroad haul with heavy transportation charges, should be supplied in the rapidly increasing quantities to all the markets of Europe, and they undoubtedly will be when they can be shipped by water to their destination without changing cargo—all-water transportation, in other words. But we must remember that the Pacific States have more serious competitors in the matter of foodstuffs than the South has in cotton and tobacco. Argentina has already made herself felt in this competition and she will undoubtedly grow stronger as time goes on and she fully appreciates her great advantages. The German colonization of a portion of Brazil must, in the near future, be reckoned as one of the factors in this problem. There are no farmers in the world to-day equal to the Germans for scientific methods and successful results. Their efforts will undoubtedly mean serious competition for the Pacific Coast States.

"A still more serious menace to them, however, is the product of the enormous area of cereal-growing land to the north of our boundary line. The wheat fields of British Columbia are of wonderful fertility, and they are not only securing our farmers by the thousands but they are easily outstripping us in the number of bushels of wheat per acre. All this wheat and, I may say, other products come in direct competition with the products of our Pacific States. Fortunately for us, the greater part of this fertile Canadian land is so situated that whatever it produces must submit to heavy railroad transportation charges, for it can not otherwise reach tidewater. Because of this condition the pendulum swings back in favor of our Pacific States if they can use the Panama Canal to advantage. If the canal rates are low enough, the results must be greatly in our favor, otherwise the gain will be for others. In view of the serious menace to the most important trade of our Pacific Coast States, because of all this competition, can anyone ask for a better reason for a free canal? Is that not the one thing, the only thing, that will benefit these States in the commercial struggle that faces them?

"Let us look, now, for a moment at the valuable export trade from the region adjacent to the Mississippi River which may use the Panama Canal when completed and surmise what the effect of the new waterway will be on such trade. Everything manufactured in the great cities situated in this region, such as Baton Rouge, Vicksburg, Memphis, Cairo, St. Louis, Cincinnati, Pittsburgh, Chicago, and numerous others, may reach shipping points by all-water-route transportation to New Orleans, whence it may reach its destination in foreign bottoms. A thought out and properly executed waterways plan would greatly add to this prospect of cheap transportation. Such a plan would have the effect of holding in check the overcharging by competing railroad lines. If such traffic escapes railroad charges, it will be sure of cheap transportation to all parts of the world unless forced to pass through the new canal. The competition between the cheaply constructed merchant ships of England and Germany is so keen that we may always hope for low rates for freight carried by them from any port they can reach. There is no danger of a combination between these ships to control rates—oil and water will not mix; Englishmen and Germans will never form a pool to control shipping rates—and it is not apparent how the railroads of this country can affect them in the matter of freight charges. All the machinery and other heavy freight from Chicago and other rival cities of the Mississippi Valley are thus secure in the matter of rates on all products shipped to foreign ports when such products do not have to use the Panama Canal.

"But all the heavy produce for the Pacific coast of South America, the Orient, and the Pacific islands other than the Sandwich Islands, Samoa, Guam, and the Philippines must use the canal, and the traffic charges there enforced become the determining factor in the problem of whether or not we are to control to any important extent this inviting market. England and Germany now have a great advantage over this country by reason of geographical situation, but this can be overcome by giving our people the free use of the canal. If a rate of $1 per net ton be imposed for passage through the canal, it will add that much to the cost of our products from the cities mentioned and will permit England and Germany to hold their present advantage on the Pacific coast of South America and in the Orient. In addition to the canal charges, the coal question here again becomes important.

"One more strong plea, I think, has been established for a free canal—free, at least, until our new trade routes are firmly established. The Sandwich Islands, Guam, and the Philippines, being under our flag, can not send their products to our ports except in American bottoms, and our home ports are governed in the same way in their commerce with them. They will always, however, enjoy the low transportation rates for their products resulting from the sharp competition of the foreign bottoms, which carry the produce of our citizens to foreign markets.

"Upon the opening of the Panama Canal there will undoubtedly be a great demand on the Pacific coast from Valparaiso to San Francisco for the coal from the Pennsylvania and other mines which can be handled by all-water transportation. The railroads which work their own coal mines will, of course, compete for this valuable trade, and in this way the price of coal delivered to foreign ships for transportation to South American ports will be the same and the canal charges will affect both alike. The coal supplied to our own ports on the Pacific coast and in the Pacific islands, like all other freight from one home port to another, must be transported in American bottoms, and thus lose the advantage of competition afforded foreign freight by English and German ships. No foreign ship can compete with our own in domestic commerce, as they are by law forbidden to engage in it. Therefore the only competition must be between lines of steamers and transcontinental railroads—all-water transportation versus rail transportation, in other words—and if past experience teaches us anything, it is that the water transportation will fix the rate for both. Such has been the case wherever water-carried freight has come directly in competition with that carried by railroads, and the Panama Canal when completed will, if allowed fair competition, establish absolutely the rate on certain kinds of freight and strongly influence the rates on every kind.

"*Up to this point in discussing the prospects of the Panama Canal and the source from which the revenue is to come with which to pay operating expenses and interest on cost of construction, I have not touched on the freight that may pass from one home port to another. It was undoubtedly because of the possibility of shipments of this nature that the great work was ever undertaken. The plea that it would make us stronger from a military and naval stand had some weight and secured some votes; but the real controlling reason for digging the canal was to bring the Atlantic and Pacific markets of the United States into closer relations by means of an all-water route of transportation.*"

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I yield.

Mr. BORAH. As I understand, the Senator fully indorses the general proposition that the water route in the end will fix the rate of charge for transportation?

Mr. THOMAS. Provided—always provided—that it does not fall under the control of the great lines of railways.

Mr. BORAH. Yes. We have a provision in this bill which we passed, unless we are compelled to repeal it on the request of Great Britain, that railroad-owned ships shall not pass through the canal.

Mr. THOMAS. Yes.

Mr. BORAH. And that would divorce the railroads and the ships, leaving the principle which the Senator has stated to operate in all its force and effect.

Mr. THOMAS. I hope so; and I may say that I have a profound conviction, as the result of years of experience and

information, that the canal must be kept absolutely free at all times from both the direct and the indirect control and influence of the great transcontinental railways of this continent or it will not subserve the primary purpose for which it was built.

Mr. BORAH. Mr. President, I do not want to divert the Senator from the line of his argument.

Mr. THOMAS. This is not an argument, and consequently I am not diverted; that is, it is not my argument.

Mr. BORAH. It is a good argument, at any rate.

Mr. THOMAS. Indeed it is. I think so.

Mr. BORAH. And I supposed, by reason of its being good, that it was the Senator's argument.

Mr. THOMAS. It is a good argument; but being the argument of another which I am reading, I can not be diverted from it by any question which the Senator desires to ask.

Mr. BORAH. I will not interrupt the Senator at present. I may do so at the conclusion of his remarks.

Mr. THOMAS. I am perfectly willing that the Senator should do so now.

"We have seen how the foreign commerce of the country is and must be, for the present, at least, carried in foreign bottoms. It may be suggested that a high rate of canal charges which these foreign ships could not avoid because of the greater expense involved in the use of any other route would produce a sufficient revenue to meet all demands. The first effect of such a policy would be to send the New Zealand commerce, which has been credited to the Panama Canal, to the Suez route, because that route would be cheaper. Then the commerce of the Pacific coast of South America, a large portion of which has been credited to Panama, would seek the Magellan route for the same reason. I have shown that these high rates proposed for the purpose of securing revenue from foreign ships would apply to all traffic, both foreign and domestic, because of our treaty obligations.

"It seems plain, then, that if we enforce such rates we not only decrease the amount the canal will receive by losing the New Zealand and South American trade, but we will at the same time prevent by these high rates the very thing the canal was constructed for, viz, the cheap transportation of American products from one home port to another. High rates for passing through the canal mean high transportation rates for the whole route. In other words, for the consumer and the producer we will kill the goose that was to lay the golden eggs. Such a policy would make of the waterway a route for foreign commerce alone, and our domestic shipments would remain as they are to-day at the mercy of the transcontinental railroads.

"The sum paid by American producers and manufacturers to these foreign bottoms for carrying their wares to market during the past year was in round numbers $500,000,000, a sum sufficient to dig the Panama Canal and operate it for 20 years. Or, for the same sum of money, we could have built and commissioned 50 battleships of the latest type. Remember that all this good American money has gone into the pockets of foreigners, and a similar sum will go every year, without benefit to our people beyond carrying their products to market, unless we can relieve them of the high rates of transportation. This we can do only by shortening the haul; in other words, using the canal when it is completed or sending our goods in our own ships and thus letting the money now paid to foreign carriers remain in this country for those who care to follow the sea as their business.

"The idea that we will continue year after year to pay the sum of $500,000,000 for hauling our products to market, even if we pay it to our own shipowners, is certainly startling, but that we should pay it to foreigners is out of the question. Relief from such a condition must be found somehow, and if it can come through a free canal so much the better. It may come through a free canal; time alone can determine this. We may, however, be perfectly certain that it can never come through high canal charges, for they will surely reduce the tonnage that should use it. A larger number of ships engaged in commerce would reduce the price of transportation by competition among the ships. If we had such a thing as an American merchant marine, it would at least get a share of this good money. Operating and interest charges for a free canal, with the purpose of achieving this result, would be but a drop in the bucket as compared with the present outlay for transportation; and the money would come from exactly the same source—the taxpayers of the United States.

"The question of water transportation between our Atlantic and Pacific ports is the most important in connection with the Panama Canal. The value of this domestic trade will be equal to, or greater than, all other trade using the new waterway and of far greater importance to us in developing the resources of our country. The question of canal charges, therefore, becomes a vital question, and as we look into it we are dismayed at the difficulties that face us. The canal freight rates for foreign commerce either to or from the United States, as has been shown, will always be subject to sharp competition between foreign ships, which must find cargoes somewhere; but our domestic trade using the canal will not enjoy this advantage. We will have to depend entirely for cheap transportation on the competition between our own ships and the transcontinental railroads. These roads, which have practically no influence with the foreign carriers, now come in for their innings, and they will prove the most troublesome factor in the solution of the problem.

"The bitter opposition of the railroads of the country to connecting the two oceans by a canal is well known. For many years it was so effective as to prevent any company from cutting such a canal or even securing a charter to cut one. It was not until the Nicaragua Canal Co., after a long struggle, secured its charter from the Congress of the United States, that there seemed any hope of ever really having a canal. The battle in Congress for the present projected waterway to be dug and owned by the United States showed how strong the railroad interests were, and when the work is completed the action of these same railroads will determine whether we are, as a nation, to benefit by it or not.

"That the railroad interests shall receive fair treatment at the hands of the people goes without saying. They are the great upbuilding force that has made our western country, from the Mississippi to tidewater on the Pacific, what it is; but this is not a good reason why they should now be allowed to throttle the people and by unreasonable rates to prevent or delay further progress.

"While the influence of the railroad has been as a whole opposed to a canal, many wise railroad men have admitted that a waterway through the Isthmus of Panama would be of benefit to such roads rather than an injury, and that there would always be business enough for both. This opinion was based on the broad ground that railroad profits increase in proportion to the population and prosperity of the country through which the road runs. If the Panama Canal leads to increased population and prosperity for the Pacific coast, the railroads to that section will derive great advantage therefrom and the canal can in no way prevent it. But these same roads can, by a certain policy, practically kill the traffic through the canal and thus prevent the development which was the greatest plea for connecting the two oceans.

"WILL THE RAILROADS THROTTLE THE PANAMA CANAL?

"We turn now to the study of the relation of the canal to transcontinental shipping between the eastern and western sections of the United States."

That, Mr. President, is the traffic which is the subject of discussion in this body and which the Committee on Interoceanic Canals is about to consider.

"This is from every point of view, I believe, the most important relationship of the canal to the people of the United States. It is well-nigh impossible to overestimate the importance of the canal's influence upon the tremendous problem of transportation charges, and upon that other problem of regulating our railroads and their rates. *If the people insist that the canal shall work for them; if they prevent it falling under the control of the railroads; if they take, early and vigorously, the steps necessary to make certain that it shall give them the full measure of potential benefits of which it is capable, then it will be a paying investment if it never collects a dollar in tolls or carries a ton of international traffic or adds a single shipload to our foreign commerce.*"

Mr. President, digressing again, I want to emphasize that view of the effect of the canal upon the future of the American people. In it is indissolubly bound the great question of transcontinental and local land transportation. A transportation charge is a tax upon the producing and consuming energies of the Nation, and the power to tax carries with it the power to destroy. In consequence, Mr. President, any corporation or combination of corporations, any individual or combination of individuals, having the power to levy a tax, call it by what name you may, upon the people of the United States controls the destinies of that people. Such a power untrammeled and unlimited does not exist in government, and it should not exist anywhere else. Being an essential attribute of government it is subject to limitations, being less liable to abuse than if the power rests in the hands of private institutions, however public or semipublic in character they may be. Hence this canal had for a primary purpose the regulation and the reduction, as well as the equali-

zation, of those traffic charges which affect the very life and prosperity of the people.

Recurring to this manuscript, I will proceed:

"There is no more important question before the American Nation to-day than this of making very sure that when they have invested their hundreds of millions of dollars in the canal it shall be permitted to give them returns on the investment.

"The Panama Canal will earn the returns, albeit perhaps indirectly, if it is given the chance.

"But it will not be given the chance if the transcontinental railroads can prevent.

"Decade after decade the great east-and-west railroad systems opposed and prevented the building of the canal. They knew what its competition would mean in the reduction of their freight rates.

"The canal, however, is being dug. Not because the public rose to an acute realization of the commercial necessity for it, but because of the *Oregon's* trip from the Pacific to the Atlantic. That one voyage of one battleship in a time of national crisis served to crystallize a purpose in the national mind that all the powers of railroad finance and railroad politics could not thwart. For a generation the Nation had submitted, meekly enough, to being denied the commercial benefits of cheap transportation by the shortest possible water route. It had known vaguely, but conclusively enough, that railroad influence was the thing which prevented the canal being built. But in the hour of national peril, confronted by the possibilities of a disaster to the Navy which must defend our tremendous coast line, the Nation made a vow whose fulfillment will be written on the day when the first ship passes from ocean to ocean and the waters of the Atlantic and the Pacific meet.

"Having thus in a supreme moment dashed aside all sordid opposition and made certain that the canal would be secured, what have the people done?

"They have gone to sleep again, lost interest in the great enterprise, and are letting the railroads once more strengthen the grip which was long potent to prevent the ditch being dug, and will, unless we rouse ourselves, presently be found strong enough to prevent the canal doing the Nation the greatest good of which it is capable.

"True enough, we take a certain pride in the fact that American genius and enterprise are achieving the most wonderful engineering work ever undertaken by man. But we are giving no thought, much less taking any steps, to assure to ourselves as a nation the commercial benefits which that work must bring if it shall not be a disappointment and a failure.

"Do not imagine that I have become afflicted with any populistic antirailroad mania. There is not a transportation authority among all the rulers of the rail who will claim more for the steam railroad as a factor in the development of the country, past, present, or future, than I will concede. But the truth will not be suppressed. The railroads always have been hostile to the canal, and they may be hostile to it in the future. I believe their hostility is based on a narrow conception, a short-sighted view. But, reasonable or unreasonable, it is the fact.

"We are spending $400,000,000 digging at a canal which ought to reduce freight rates across our continent to a fraction of what they are now. The commercial justification of that expenditure will never be found, as I have heretofore tried to show, in the impetus that will be given our foreign trade. It must be found in benefit to our domestic commerce.

"What I am about to say concerning the charges for transportation of freight by rail and by water is not to be construed as indicative of hostility to the railroads. Perhaps they do not overcharge us. Perhaps they are not unduly capitalized. Perhaps they earn no more than is right. Without doubt they are magnificently managed financial and commercial enterprises.

"The basic fact remains that water transportation is the cheapest known to the world. Wherever there is free and fair competition the water highway takes the business from the railroad. Year after year a larger and larger proportion of London's coal comes down from the north of England by the sea. Year after year the importance of the internal water routes—rivers and canals—on the Continent of Europe increases, as they carry a steadily increasing proportion of the freight traffic. Why? Because it is more economical to move traffic by water than by land.

"Before the era of the railroad internal waterways were highly developed in Europe and in this country. The railroads drove almost all the business from them. The iron highways monopolized traffic, and their owners raised their rates so high that protest ensued. That protest had the effect in Europe a generation ago of turning public attention back to the waterways. In this country, tardily realizing conditions, we have only recently recognized the need of restoring the rivers to their place in the transportation scheme, and so far we have accomplished very little in that direction.

"In countries where pressure of population and economic conditions enforce consideration of every opportunity of saving the tendency is more and more to utilize the waterways. Our own country, half developed, rich, thoughtless of the future's necessities, has not reached the point where discriminating attention need be given to these things. So we have allowed the traffic to be driven from our rivers by the unregulated and unrestricted competition of the railroads. For many years we have consented likewise that continental traffic which a canal would have carried at greater speed and vastly less cost. We have developed our continent thus far without thought of the possibilities of the greatest transcontinental trade route—that via the Atlantic, the canal, and the Pacific—and without consideration of the possibilities of our imperial system of rivers.

"The canal is going to force attention to these things, if only the country can be aroused to understand its immense potentialities. But how many people who read this know that it will be possible to ship the oranges of southern California from Los Angeles to New York or Boston in fewer days by steamship through the Panama Canal, when completed, than by fast freight across the country?

"The distance from New York to Los Angeles via the Panama Canal is, in round numbers, 5,000 miles. A 6,000-tons-capacity steamer loaded with oranges or other fresh fruit, steaming at a rate of only 12 knots per hour, would cover this distance in 18 days. If we allow one day for the steamer passing through the canal, her total time from port to port would be 19 days. If the vessel were run specially for the fruit trade, this time could be reduced by several days. A ship of 16 knots speed, such as those now used in the West Indies fruit trade, would make the trip in just 14 days, giving again the allowance of one day for passing through the canal.

"The time for rail freights across the continent varies from 20 to 60 days. It will therefore be seen that the steamer would in all cases land her freight in a shorter time. This means that many kinds of freight would be delivered in better condition and for one-third the price now charged by the railroads.

"If the railroads will permit the proper development of water traffic, this saving can be effected. It is a question for the people of the country to settle.

"The average American is so innocent of understanding water transportation that even railroad men and great merchants have repeatedly assured me that 'there isn't any great traffic for the canal; the California fruits can't be shipped on a long voyage through the Tropics; it would ruin them.'

"The truth is that the California oranges will go in vastly better condition and in shorter time by Panama than by rail. And the fruit traffic, vast as it is, is only a small part of the business in sight, and on account of its perishable nature the only business for which even the most innocent and uninformed person could question the availability of the canal route.

"Think of the cheapening of oranges and lemons and other products in eastern markets, if the cost of their transportation were reduced to one-fourth the present figure. That can be done if the canal is assured its independence, if shipping which uses it is free, and if competition is active. Much the greater part of the cost of an orange or a lemon in New York represents freight charges. Is it worth while to save those charges not only on fruit but on many other things as well?"

Mr. President, this reminds me of one of the conspicuous abuses of the transcontinental traffic in citrus fruits. The rates on citrus fruits, oranges and lemons particularly, from California to the Atlantic coast in carload lots is about 84 cents a box. The same rate prevails between California shipping points and Colorado and in all the intervening country between Colorado and that coast. Of course, if the railroads can ship oranges and lemons at 84 cents a box in carload lots from the Pacific to the Atlantic coast at a profit, and we must assume that it is done at a profit, then the same shipment can be made to the city of Denver for one-half or one-third that amount at a profit. But the people of the interior are compelled to pay the same rate that is exacted from the people of the Atlantic seaboard, with this added burden, that the freight charges from the Atlantic seaboard to Colorado are added to the cost price charged the consumer. In other words, the people of the intermountain region are taxed by an unrestricted, unlimited, and lawless power to the extent of a double charge for freights from the point of shipment to the point of delivery, plus the charges that they would have to pay if the same commodity were obtained from the Atlantic seaboard and shipped to us from that direction.

"At this point I want to take up the relative cost of transcontinental freightage by rail and by the canal, in a general way. I propose to show something of the tremendous saving that water transportation will effect for the American public, if only we will take the necessary steps to assure the preservation of its advantages."

I shall not take up the time of the Senate by going into these detailed statements and figures. Suffice it to say, that the author demonstrates the enormous saving to the people by the application of a fair rate to various lines of traffic which would naturally seek the canal, and which will at the same time pay enormous profits to the shipowners which avail themselves of them. The showing is a startling one, but perhaps not so important as the remainder of the paper to the purpose for which I am reading it.

"The following rates are now in force from Pacific ports to New York: First-class freight, from $3.70 to $3 per 100 pounds; second class, $3.30 to $2.60 per 100 pounds; third class, $2.65 to $2.20 per 100 pounds; and fourth class, $2.10 to $1.90 per 100 pounds; dried fruit, in boxes or barrels, by the carload, $1.10 per 100 pounds; less than a carload, $2.20 per 100 pounds; the same dried fruit in sacks, $1.30 by the carload and $2.20 for less than a carload; Chinese and Japanese matting, $1 per 100 pounds, by the carload, and $1.50 for less than a carload; oranges, lemons, grapefruit, limes, and other citrons, $1.15 per 100 pounds.

"These figures are taken from a long list of rated articles, and may be assumed to represent the average railroad charges on foreign and domestic articles from Pacific ports to their market in New York City. If we allow 50,000 pounds as the capacity for each car, which is a very high estimate, we arrive at the following result: Articles of the first class will pay $3.70 or $3 for every hundred pounds shipped. Let us take the lower price, $3. One short ton of 2,000 pounds will mean $60 in freight rates, and the carload will be 25 times that, or $1,500. In other words, first-class freight will cost $60 per ton, by the carload, for the distance indicated. Other classes of freights will be cheaper. At the published rate, the freight charge on fruit is $23 per ton, so that for 25 tons of oranges the consumers in New York will have paid for hauling them to market $575. If 200 carloads are consumed, at 25,000 pounds to the car, the amount paid by those who eat the oranges will be $57,500. I am informed that over 20,000 carloads crossed the continent last year.

"A ship of 6,000 net tons cargo capacity would take as many tons of freight as 240 freight cars of 25-ton capacity, or 480 freight cars carrying half this load, which is much nearer the average, and allowing the same freight rates for first-class freight, she would have to her credit on each trip from a Pacific port to New York, or some other eastern market, the neat sum of $360,000. Two such trips would pay for the ship. In the case of fresh fruit, the ships to carry it would have to be specially built, and would be therefore more expensive than the ordinary type of merchant ships.

"The ordinary ship, however, can carry dried fruits and other freights without any extra cost in the way of refrigerating rooms. A ship of 6,000 net tons capacity, loaded with dried fruits at a Pacific port, will have earned on her freight when landed at the eastern market, putting the rate of $1 per 100 pounds, the sum of $120,000. A few such trips and the ship will have paid for herself. Refrigerating ships are now in use all over the world. One of them was attached to the United States Asiatic Fleet in 1898 and following years, and supplied fresh meat for the American Army and Navy in the Philippines. Another accompanied the Atlantic Fleet in its cruise around the world. This vessel carried about 1,000,000 pounds of fresh meat. Such vessels are in common use commercially, particularly in the fresh meat and fruit business.

"If a ship of 6,000 net tons be employed to carry freight from Pacific ports to ports on the Atlantic coast via the Panama Canal, and if she loads with the cheapest freight quoted—soaps and soap powder—at 80 cents per 100 pounds—$16 per ton—she will earn for each trip $96,000. Supposing her to be fully loaded on each trip—to carry the contents of 480 freight cars of 25,000 pounds each—she will earn $192,000 on each round trip. If we reduce these rates by one-half she will earn $96,000 each round trip. If the freight rate be reduced to one-fourth that quoted and put at $4 per ton, each round trip will give the owners $48,000, which would pay all interest, charges, expenses, and give the owners a good profit.

"Let us suppose that this 6,000-ton ship makes six round trips only per year, and that she costs when delivered to her owners $600,000. If she carries freight at present railroad rates of $60 per ton, and on each trip takes the load of 480 freight cars, she will earn $360,000 per trip, or $720,000 per round trip, or $4,320,000 per year.

"If the same ship in the same trade carries the same amount of freight at $20 per ton, she will earn for each trip $120,000, for the round trip $240,000, and for the year $1,440,000.

"If the same ship in the same trade carries the same amount of freight of the cheapest class quoted—$16 per ton—she will earn for each trip $96,000, for the round trip $192,000, and for the year $1,152,000.

"These figures as to the profits of transportation by water are, of course, based on the assumption of water haulage getting the same rates that the railroads get. They are startling, it is true, and yet they are fair. They simply show how inexcusably wasteful the nation is which restricts itself to the most expensive transportation and denies itself the cheapest. If my calculations seem extreme, investigate the facts.

"Everybody is worrying about our problem of increasing cost of living. Then let us save a few hundred millions a year in transportation charges. It will make necessaries of life cheaper all over the continent.

"Railroad financiers have long complained of the extreme difficulty in raising money to expand their systems as fast as the business of the country demands. Let us relieve them by taking some of the freight which overburdens them and sending it by water. They will be able to give better service for the rest, and there will be plenty of it, too.

"High as they seem in comparison with water rates, the truth is that the present railroad rates on business across the continent are the lowest rates in the country."

And that is true, Mr. President. The rates from New York to San Francisco are very much less than the rates from New York to Denver, and what is worse, the rates from San Francisco to Denver on some commodities are very much less than the rates from Denver to San Francisco.

"The mere possibility of water competition keeps the ocean-to-ocean rates comparatively low. Potential water competition is the reason the railroads assign for making a rate from New York to Portland, Oreg., that is lower than their rate from New York to Spokane."

That is the reason they give also for robbing the helpless inhabitants of communities in the interior.

"The distance to Spokane is less by some 400 miles. But there is no possibility of water competition at Spokane, an interior town. The railroads say there is the possibility, and in a small degree there is the fact, of water competition at Portland. So they give Portland the low rate.

"People at Denver complain against rates from New York to Denver, that are higher than on the same goods from New York to San Francisco; the same answer is given. San Francisco has the possibility of water competition.

"Water competition from New York to San Francisco to-day, it must be borne in mind, means competition by the long route around South America or else by way of the Isthmus, with a breakage of bulk, shipment over the Panama or the Tehuantepec Railroad, and reloading on shipboard for the last leg of the trip. Breaking of bulk is a highly expensive proceeding as well as a time consumer. Yet, despite this, the Tehuantepec Railroad, crossing Mexico at the narrowest part of the Isthmus of Tehuantepec, is already carrying a huge traffic between the east and west coasts of the United States. It is able to take this business from our transcontinental railroads. How much more would the Panama Canal be able to take, presenting, as it would, an all-water route—with no delays, no transshipment, no rail carriage at all.

"Is it not surprising that, with such great economies in favor of the water route, so little business is done that way, and the transcontinental railroads with their high rates are allowed practically to monopolize the business? Let me explain some of the reasons.

"The Panama Railroad once built steamers, how many I do not recall, to run in connection with the road across the Isthmus of Panama. These steamers were to carry freight from New Orleans to Colon. When they were started, railroad rates across the continent were cut down to such a figure that the steamers could not be operated. Merchants were short-sighted enough to accept the low rates and, as a result, the ships went to the scrap heap or were sold for service in other waters, and the railroad rates went back to where they were before the steamship line was projected.

"Take still another case. A steamship line on the Pacific made a contract with a prominent railroad in the same section of the country. By the terms of this contract the railroad was allowed to fix freight rates on the ships, and in return for this extraordinary favor the railroad company was to pay for all empty cargo space on the ships for each trip. Of course the

rates were made so high that the business did not amount to anything. But the railroad could well afford to pay the price rather than have water competition develop into the real thing. A line of ships sailing with empty holds was just the object lesson needed to keep others out of the business.

"So much for illustration of how the railroads are able to dictate terms. And they do it; they have done it repeatedly and persistently in the past.

"Perhaps the railroads do not charge more than a reasonable rate for their service. Undeniably, railroad haulage is vastly more expensive than water haulage. The railroads must charge more than waterway rates or they could not exist. Granting this to be true, there is too much evidence that the railroads tend to charge all they can get, rather than what they must have, in order to earn fair returns. There has recently been a complete illustration of this.

"The tariff duty on lemons, from 1897 down to 1909, was 1 cent per pound. It was placed there to protect the lemons of southern California in American markets against Sicilian lemons. California's lemon crop became very large. California lemons sold in Atlantic coast markets in competition with Palermo lemons. Railroad rates were low enough to enable dealers to do this. Presumably the railroads were earning a profit, for the California lemons were handled by the Southern Pacific and the Atchison roads, and those roads never earned so much money as during the 12 years referred to.

"However, the California lemon growers asked the makers of the Payne-Aldrich bill, last year, to increase their protection, so that they could control a larger proportion of the eastern market. Congress acceded to their demand, and raised the duty from 1 to 1½ cents per pound.

"And what happened? That one-quarter cent added duty was intended to help California lemons in eastern markets, where they must meet the Sicily product. But instantly the tariff law had passed and Congress had adjourned the Pacific railroads raised their rates on lemons from California to the eastern markets just one-quarter cent per pound, $5 per ton, $125 per car of 25 tons.

"That is, the railroads appropriated to themselves the entire amount which Congress intended for the lemon growers. Not that the railroads needed the money—their dividends and surplus accounts prove that they did not need it—but they had the power to take it, and they reached for it without delay.

"There is no reason why grain could not be shipped via the canal; there is no reason why such products as boots and shoes, hats, gloves, clothing of all kings, sugar, baking powder, the soap powder used earlier as an illustration, and a thousand other imperishable things could not be shipped at a cheap water rate, and the advantage in the long run would revert to the retail merchant and to the consumer in cheaper prices, provided canal charges do not prevent it.

"The ordinary layman is unable to see the justice of charging equal or greater prices for hauling freight from New York to Omaha or Salt Lake City and to San Francisco. The distance to San Francisco we know to be much greater, and it might be expected that freight rates would be greater; but they seem to be the same, and the only reason we can give for it is the fact that San Francisco may get certain kinds of freight by means of water transportation. Omaha and Salt Lake City are unfortunate in not being on the Pacific coast. The railroad man will reply to this that because of switching and other expenses the haul to the nearer place costs as much as to the other, and he will advance many other arguments to prove his contention that there is no discrimination in favor of one locality over another."

But I have yet to hear an argument, Mr. President, that contains the semblance of probability.

"And, finally, he will make it plain that if the producer in the interior of the country can not make money there, he should move to a location where he can, and we are forced to agree with him."

The interior of the country, in other words, is to be leeched not only of its property, but of its population, and because of the power of the railway companies to fix the rates of transportation so unjustly and upon the pretense that potential water competition justifies it.

"But does this lead to the true development of the country along the best lines? Would it not be better that some way would be found by which all those who choose to settle in the interior and develop the country should be able to get their produce to the consumer? Let the railroads receive their fair share of profits, but leave something for the farmer.

"Because sugar beets grow profusely in Colorado seems a good reason why they should be grown there, but if railroads can make more money in hauling coal, which is also abundant in the same State, and will not transport beets, then the population must give up the cultivation of beets and take to coal mining.

"If the sugar-beet-producing section of Colorado had the advantage of water transportation for its products, this would at once put an end to the problem of transportation, but such is not the case and never can be. That section, like the other great interior areas of our country, having been built up and developed by the railroads, must continue to live with them and by them. In time some remedy for troubles now existing will be found which will be fair and equitable alike to railroads, producers, and consumers.

"Let us now come back for a few moments to the region of country which enjoys water transportation wholly or in part. If the rates now charged for freight from one coast to the other could be secured by ships, it needs no argument to show that there would be a rush to reap this golden harvest. The question of operating expenses for the Panama Canal would be solved at once, for its opening day would see a long line of coastwise ships waiting to pass through it. A considerable proportion of the freight of all classes would go by water, and it is the opinion of many experienced men that this would still leave enough to be carried by the railroads to give them all the business they could properly do. Steamships would rapidly multiply if owners could be sure of one-third or one-fourth of present railroad rates, even if they had to pay $2 per net ton for passing through the canal. There would be no doubt about capital being ready to enter the business if only it were assured that our laws would not allow the railroads, as in the past, to cut rates long enough to ruin the shipowners, and then when the ships had been driven out of the business to put the rates up again. But $2 per ton, as has been pointed out, would have to be charged on all shipping because of our treaty stipulations, and this would divert too much foreign commerce and thus impose on our coastwise trade the payment of most of the money necessary for the operating expenses of the canal.

"*A toll-free canal and laws which will subject the railroads to heavy penalties for practices designed to ruin the ocean shipping are the two things necessary, primarily, to assure the canal's usefulness and profitableness to the country.*"

That is to say, Mr. President, the one is the complement of the other; that the exemption of tolls should be accompanied by such legislation, if further legislation is necessary, as to make it impossible for the great lines of transcontinental traffic to so reduce their own rates as to neutralize the benefits designed to be bestowed upon the American people through the expenditure of such a vast sum of money for its creation.

"Let it be assumed now that we have demonstrated the necessity for absolutely free competition for keeping the steamship lines independent of railroad influence. Are there any further obstacles to establishing and maintaining that free competition?

"The first requisite for a successful steamship line is suitable docking at the two ends of the route. Without this no line can hope to succeed. An examination of this subject may not be without interest.

"Municipal ownership of docks is necessary in order that independent lines of steamships may hope for proper berthing and loading facilities. The Pacific coast from San Diego to Alaska, has many fine ports or harbors where one might expect to find, through municipal ownership of water-front property, docking locations available for new steamship lines; but most of such property is now in the hands of railroad corporations.

"An examination of the ports on this coast"—

Speaking of the Pacific coast—

"last year disclosed the fact that Los Angeles was about the only port that hoped to have a water front that could be advantageously used by an independent line of steamers. The harbor does not exist to-day, but the people seem to have made up their minds to have one. Only a few weeks ago they voted $10,000,000 for its construction, and they are resolved to own it after it is completed. It can be made ready by the time the Panama Canal is completed, but it will cost many millions of dollars, and some of the ablest men of the community feel sure that the railroads will have what they want when the work is completed."

I can not assent to that proposition, Mr. President. I am satisfied that the public spirit of the people of Los Angeles will see to it that their port is made free and that it is kept free, and, therefore, for the use alike of railway terminals and of ocean traffic.

"For all other ports than Los Angeles there seems small chance for municipal ownership. The Supreme Court many years ago decided that the States own all tideland below high-water mark in trust for public uses. Through State harbor

boards the railroads have, it is believed, secured all the valuable water-front property of the ports from San Diego north, except in the case of Los Angeles. In some cases the property has first been improved by the State and secured by the railroads. One Pacific Coast State, Washington"—

Which is vitally interested in this question, demanding exemption from tolls for coastwise traffic—

"sold all its tideland at auction for a nominal price, and now the tidelands of the navigable streams in the State belong to railroad corporations."

It might be well to inquire just here how when the canal is opened, whether to free traffic or otherwise, vessels engaged in the coastwise traffic are going to find landing places on the Pacific coast without paying tribute to the very interests that propose to crush all competition, even to the extent of making this great canal useless? I confess I do not know; but I trust that the Pacific States may exercise their power of eminent domain for the purpose of recovering what they seem to have so shamelessly abandoned.

"It is well known that every American ship crossing the Pacific and every coast-line steamer south of Portland is owned or controlled by some one of the transcontinental railroads; and it is believed that the steamship lines north of Portland are controlled in the same way. Having this control, and at the same time owning the water front at most important points, it is not surprising to find that the railroads make freight rates to suit themselves; nor is it clear to the writer how this condition is to be changed.

"If Los Angeles succeeds in her efforts, she will become one of the first shipping ports of the Pacific coast. If San Francisco, San Diego, Portland, and other cities can recover any of their water-front property for the use of independent steamship lines, they may use it to great advantage. If these cities do not control such property, they will suffer severely in the competition with Los Angeles.

"The prospect for independent steamship lines and consequently reasonable freight rates is more promising from our Gulf and Atlantic coasts, because New Orleans, New York, and probably other cities were wise enough to retain control of their docks; and this municipal control will enable newly organized steamship lines to obtain suitable terminal facilities for the receipt and shipment of passengers and freight."

Mr. CHAMBERLAIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Oregon?

Mr. THOMAS I do.

Mr. CHAMBERLAIN. I may say that the city of Portland, realizing the very great importance of the subject which the distinguished admiral is discussing in the articles which are being read by the Senator from Colorado, a short while ago voted to bond itself to purchase a suitable docking place in the city of Portland. They have done that, and now own it.

Mr. THOMAS. Let me ask the Senator if originally the city of Portland did not own it?

Mr. CHAMBERLAIN. Originally the State and the city owned it.

Mr. THOMAS. And sold it to the railroads?

Mr. CHAMBERLAIN. A large portion of it. The best portion of it was sold to the railroads which now own it. But the city has now bought a docking place for an independent line of steamers.

Mr. THOMAS. So that the melancholy and humiliating fact is that in days gone by the State and city parted with one of their most valuable public properties, and are now compelled, by eminent domain or by contract, to purchase, to buy back, at prices fixed, directly or indirectly, by the railroad company, that which they once owned and disposed of.

Mr. CHAMBERLAIN. That is true.

Mr. THOMAS. Mr. President, I think that one of the most humiliating facts in the commercial history of the continent is that great communities and Commonwealths, presumably peopled by patriotic and wise and farseeing men and women, should have permitted the acquisition of water fronts, so absolutely essential to their commercial life, to say nothing of their general welfare, by great corporations, whose interests all dictate that they shall stifle and, if possible, destroy all water competition.

Mr. VARDAMAN. Mr. President——

Mr. THOMAS. Just a moment. I may add that this evil is not confined to the Pacific coast, but it exists, though not to such an extensive degree, on the Atlantic seaboard, where in many places the railway companies have also reached out and acquired practically all the water front of some of the most important commercial centers in the country.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Mississippi?

Mr. THOMAS. I yield to the Senator.

Mr. VARDAMAN. Is not that true with reference to a great many opportunities which the people have given away to corporations in the way of granting subsidies and making donations of land? I have known some instances where the sovereign rights of the people have been bartered and given away in order to bring about a little temporary prosperity to-day.

Mr. THOMAS. It is true, Mr. President, as suggested by the Senator from Mississippi, that this is not the only manner in which these great concerns have acquired valuable rights and property belonging to all the people, and through their ownership have not only stifled individual opportunity but have made competition practically impossible, thus increasing their power to tax the consuming public through the imposition of rates and also increasing their power to issue added quantities of stock, common and preferred, and of large bonded obligations, which, of course, increase their fixed charges and give fresh excuse for demanding and imposing added rates upon the commerce of the world.

Mr. President, I am not surprised that these abuses have resulted in the creation of a widespread—I may say, almost universal—conviction that our governing powers, executive, legislative, and judicial, have become agencies for the accomplishment of corporate ambitions and no longer represent and care for the interests of the people; and that other conviction, that the Government now exists not for the general welfare but for special interests. This is the fruitful foundation, and to a large extent the excuse, for that widespread disrespect of law and the conviction that the average man has not and can not receive the protection and enjoy the opportunities which a Government like this is supposed to secure to him. I do not wonder when I read of unhappy conditions indicating the unrest everywhere prevalent throughout the country, that justification is found for them in the wholesale spoliation of the public and in the acquisition of the advantages and property thus secured in the continued spoliation of the individual.

"Without this control our entire eastern and southern coast would be in the same hampered condition as the Pacific coast. But a steamship line, like a railroad, must have terminal facilities at both ends in order to conduct its business profitably either for itself or its patrons. How these terminals are to be secured in ports where railroads control the water front is not clear; but when the people interested—producers and consumers—realize their situation, some solution of the problem will undoubtedly be found."

The Senator from Oregon [Mr. CHAMBERLAIN] has said that his city, in anticipation of these coming benefits, has already taken action. I trust that all cities may do so and reacquire these valuable properties, not only to the extent that they may deem essential, but all of them, and then let the railroad companies contract with the people for the use of property which never should have been vested in private hands.

"Terminal facilities will not solve our difficulties of securing emancipation from railroad control. Suppose there is a great fruit region 100 miles inland from Los Angeles. The fruit growers desire to ship to New York by water. They must first patronize the railroads, for the railroads must haul the fruit that 100 miles to tidewater at the new harbor of Los Angeles. This again places the water line at the mercy of the railroads. If the railroads are allowed to charge whatever they will for this short haul to the port of shipment, they can make the rate so high as to deprive the water shipper of all benefits; and they may do so, if the laws and their administration permit. There must be rigid control of railroad rates, State and interstate, to prevent just such conditions as this.

"A glance at the present condition of freight hauling to and from the great city of New York will be instructive in this connection. The situation of the city, with its wonderful water front and municipal ownership of docks, is ideal for water transportation in every direction, and yet it is difficult to find a single American freight ship or line of ships sailing from New York that is not controlled in some way by a railroad corporation. The freights west are controlled by one road and those south by another.

"If this is to continue when the Panama Canal is put in use, then there will be no advantage, except to the transcontinental railroads, from digging the big ditch. It will be hard work for independent steamship lines to organize and operate successfully against the powerful forces which control the situation; and if it be difficult in New York, what will it be for other ports on the Atlantic and Gulf coasts?

"A word as to the effect upon our transcontinental railroads of taking away from them the great volume of business which

they would lose to the canal route if the latter were given free opportunity to compete honestly and squarely.

"Undeniably the initial showing suggests a fearful and disastrous loss of revenues to these railroads. But the loss would not be imposed all at once; it would come gradually; and, while the railroads would be losing part of their through business, the adjustment of freight charges to the new basis would cause a development of the interior, especially of the great West, from which would grow up a vast volume of local business to take the place of the through traffic which now constitutes the bulk of their tonnage. The more equitable development of the country would make up to the roads in local traffic what they would lose in long-distance business.

"There is no doubt of the correctness of this conclusion. Even with the trans-Missouri West sparsely settled as it is today, the business of the transcontinental railroads is fast outrunning their capacity to handle it. It is only two or three years since the systems connecting Puget Sound with the Great Lakes proved utterly incompetent to handle the traffic forced upon them. When the Dakotas, Minnesota, Montana, Idaho, Oregon, and Washington shall have doubled their present population—and that will be comparatively few years hence—the railroads and the people alike will be thankful for the relief which the canal route will give from conditions of congestion, delay, and excessive freight rates.

"Let the great intermountain and Pacific West States have the benefit of more reasonable freight rates and there will come a new era of development which will assure the railroads all the business they can possibly handle, while the canal route will carry a tonnage which, at vastly reduced rates, will signify prosperity and vast economies to the whole Nation. For the economic principle is firmly established that the power to levy freight tolls is a power to tax, and to reduce by a vast sum the burden of such taxation will be to invite a new prosperity and development to the whole country.

"So far we have not considered the effect of the canal when in operation upon the commerce of our island possessions. Under the present laws the commerce from one American port to another such port must be by ships flying the American flag. The scarcity of such ships necessarily produces high freight rates because of lack of competition, but this is felt only when merchandise or produce is shipped from one home port to another. Produce from one of our island possessions to any foreign market may be shipped in foreign bottoms, and as the competition in that case is keen, freight rates are low, and we find much of the sugar and other products of Hawaii and the Philippines, which should naturally seek American markets, diverted to others.

"One more effect of the canal on our widest national interests must be named. A free canal, with free competition, means the instant demand for a great fleet of fast cargo-carrying steamships. These must be built in American shipyards, sailed under the American flag, and held subject to impressment as auxiliaries to the American Navy in time of war. In a large way it may be said that this free canal would assure development of this needed auxiliary force for our Navy.

"In my own view this is one of the most important reasons why the canal must be made free and why it is the duty of Congress to take early steps to make sure that it shall be free both as to tolls and as to the right of honest competition with the railroads.

"The question of the military value of the Panama Canal, when completed, has not yet been touched upon, and for evident reasons must be treated by the writer only in such a general way as to avoid an infraction of the Naval Regulations.

"In times of peace the canal will save to the Government the sum of money that is now required to pay for the coal used in steaming from one ocean to the other through the Strait of Magellan. This is a considerable sum and may fairly be considered as an important economy. The time saved need not be considered as of value; but if war is threatened, time becomes of great value, and in that case the use of the canal might prove of vital importance.

"The value of the canal in time of war is a question on which the officers both of the Army and Navy differ. One opinion holds that unless the canal is strongly fortified at both ends it will be of no practical value in time of war. The other opinion, and I find myself with those who hold it, is that no amount of fortifying will render the canal of real value for the passage of a fleet of war vessels from one ocean to the other after war has been declared or when war is known to be inevitable.

"At the Pacific end of the canal fortifications might be so placed on available sites as to assist a fleet in its passage from the Atlantic by holding the enemy's fleet in check until our own had completed its battle formation on the Pacific side. If we may judge by what forts have been able to do in the past when opposed by ships, we have good grounds for thinking that our fleet would run serious danger of being destroyed in detail despite the assistance of such forts. Much would, of course, depend on the ability and courage of our enemy, and on this point we have good knowledge of the officers and men of the only nation we have any danger of ever meeting in battle in this vicinity."

Mr. President, I shall ask to include without reading that part of this discussion which refers to the military and naval advantages of the canal.

The VICE PRESIDENT. Without objection, that may be done.

The matter referred to is as follows:

"It is granted, however, that forts at the Pacific end of the canal might be of value.

"At the Atlantic end of the canal it is not apparent how forts, no matter how many, could assist a fleet passing through the waterway to secure a battle formation before being attacked. There are no outlying islands as on the Pacific side and no high land on which forts could be advantageously constructed.

"Some authorities think that mortar batteries would be effective for the purpose, and still others suggest airships. Naval opinion generally places about as much value on the one as on the other; we seriously doubt the ability of mortars to prevent an active naval commander inflicting fatal damage on an enemy's fleet emerging, one ship at a time, from the Atlantic entrance to the canal before it could gain a battle formation. The same opinion is held by many with reference to any guns that may be mounted on the islands about the Pacific entrance to the canal. As to airships, we may safely leave them out of consideration.

"The question of our right to fortify at all has also caused a division among the legal lights of the two services. One opinion is that we have no right to defend the canal by the construction of forts or fortifications of any kind, and the other is that we must build forts in order to enforce treaty rights. If money is voted for such forts and the President directs their construction, the question will be finally settled, so far as we are concerned.

"It is admitted on all sides that we could not build, or dig, the Panama Canal until the treaty between this country and England, known as the Clayton-Bulwer treaty, was modified. In the Hay-Pauncefote treaty, which eventually succeeded and took the place of the former, one would expect to find some definite and explicit provision for the fortification of the canal, provided the contracting parties intended that forts should be used for the purpose. An examination of the Hay-Pauncefote treaty shows only the following on the subject:

"Article 3, paragraph 2. The canal shall never be blockaded, nor shall any act of hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

"Those who claim that we have a right to fortify the canal do so because of what is left out of the treaty rather than what is therein expressed. If we are to prevent acts of hostility in the canal, it may be necessary for us to construct forts in order to do it, and it seems probable that we shall do so. It is inconceivable that the United States will spend four or five hundred millions of dollars for a canal and then protect it only with a treaty. Treaties are too easily broken by any nation strong enough to do so for us to rely on that defense alone. And we must see that our canal is not blockaded, as well as 'no act of hostility committed within it'; it is not clear just what good purpose the forts will serve if they are constructed. Certainly no reasonable person will claim that forts can prevent fleets from blockading either or both entrances to the canal.

"The treaty with Panama, on the other hand, authorized the United States, in plain words, to fortify the canal as she sees fit. It must be remembered, however, that the treaty with England is the one under which we assumed the right to dig the canal, and without it the work would never have been undertaken.

"The solution of the problem is plain. We must increase our Navy until we can be sure that it is strong enough to prevent the canal from being blockaded. If it is never blockaded, then the only acts of hostility that can be committed within it will be such as we can control by military police along its banks. It is quite possible that this was in the minds of those who framed the treaty; but whether it was or not, the only real defense of the canal which will permit its free use in time of war is a strong fleet of battleships in the Atlantic and another in the Pacific. The sooner we have them the sooner the people of the United States will feel secure about the greatest and most costly work they have ever undertaken."

Mr. THOMAS. I give now his summary of conclusions:

"In conclusion, it may be worth while to summarize the points I have tried to make plain. To me it seems plain—

"SUMMARY OF POINTS.

"First. That the amount of international trade for the canal will be disappointingly small and entirely unremunerative.

"Second. That the canal must compete with Suez, which can give differential rates, and can even make free, if the British Government chooses, any given trade, thus affording most effective protection to British shipping.

"Third. That the Panama Canal will give a disappointingly small impetus to our foreign trade.

"Fourth. That its chief benefit to us as a Nation will be in lowering freights and equalizing transportation conditions between different sections of the country.

"Fifth. That the methods and the success of the railroads in the past in suppressing water competition justify the fear that the same procedure will be invoked to prevent the canal doing its true work. Steamships using the canal may be controlled by the railroads and rates kept so high as to protect the rail routes in their high charges.

"Sixth. That this sort of unrestrained and vicious competition can be prevented by rigorous regulative measures.

"Seventh. That in order to assure real competition between the canal and the rail routes, the canal should be toll free.

"Eighth. That if it is made toll-free, and if the necessary regulations are enforced to assure absolutely free and honest competition, there will have to be built, to handle this canal business, a great number of fast cargo-carrying steamships.

"Ninth. These steamships would sail under the American flag, and would be a most valuable auxiliary to our Navy in time of war.

"The question will naturally be asked, How is the Panama Canal to make commercial success for this country, which the people, whose money will have dug it, have a right to demand? The answer seems plain. Either another treaty must be made allowing American bottoms free use of the canal—or such rates as Congress may establish—and imposing uniform rates on all foreign vessels using the canal, or the waterway must be declared free to all comers. In addition, some plan must be devised by which railroads may be prevented from controlling the freight rates charged by steamships. Unless the railroads can be so prevented the canal may, when completed, be only a means of greater profits to them. If made a free waterway, the danger from railroad manipulation will be reduced to a minimum, if not entirely removed.

"The next question that naturally arises is, How are such safeguards to be thrown around this great Government work? And again the answer seems plain: The whole matter is in the hands of the people who vote. We are, fortunately, governed by the majority, and the votes of this majority make the laws for us. The same votes that elect the governors and legislatures of the States elect the Members of the lower House of Congress; and as the State legislatures elected by the votes of the citizens elect the Senators of the United States, it is plain that these votes of the majority can control the canal situation as they may think best. The voters have only to elect the servants who are to carry out their expressed wishes, and it must be done. We are forced to believe that the servants so elected are honest, patriotic men, and that they carry out the wishes of their constituents, otherwise we lose faith in our form of government. The legislatures of the States regulate the railroads of their States and the Congress of the United States regulates interstate commerce. In other words, the servants of the people, elected by the votes of the majority of the people, have full power to enact and enforce such laws as will make the Panama Canal what it should be when completed—a great commercial benefit to all the people of this country.

"The whole question is in the hands of the voters; if those now in office will not carry out the wishes of the voters, let the voters elect others who will do so."

Mr. President, I have now completed the task of reading into the RECORD the views upon canal tolls of one of America's greatest admirals and citizens, written at a time when the passions of the American people had not been aroused by disputed constructions of the treaty, assumed by some and believed by others to be a construction to which this country should not accede. Believing in the wisdom of the proposal when made and believing in it more thoroughly now, I felt impelled to bring it to the attention of Congress in the hope that it might not only prove a satisfactory solution of the present controversy but at the same time appeal to the economic judgment of the Members of both Houses as one essential to the commercial welfare of the country and to the accomplishment of the main purposes for which this vast expenditure has been made.

I quite agree with the Senator from Massachusetts [Mr. LODGE] that this great question should be settled by the calm, dispassionate judgment both of legislators and of the people. In our moments of excitement, when crimination and recrimination crowd upon each other, we are apt to be guided rather by our passions than by our reason, and when men act under such impulses it is only to marvel when they reach a correct conclusion.

This policy of making the canal absolutely free is in entire accord with every line and every letter of the Hay-Pauncefote treaty. It is not one which can arouse the opposition of any man familiar with that famous document who exercises his judgment and intelligence in its construction. It is one which seems to me must convince the man who wants to see the canal the great equalizer of transportation rates in this country, because without such a condition it would seem that the canal can not subserve that great purpose.

Mr. President, I am not now going into or even pretending to discuss salient features of the controversy evolved by the bill which has recently passed the House. I may do so later. But I want to say in closing that I am unable to accept the view of many Senators that the canal tolls act exempting American coastwise shipping from its operation confers upon them something in the nature of a subsidy. If I thought so, I would be impelled to give that conviction more preference in the exercise of my judgment as to how I should vote than I am disposed to give to that plank in the Democratic platform which relates directly to the subject.

I shall not enter into definitions of subsidies—and I quite agree that some definitions are sufficiently comprehensive to include this situation. But if it be true that American coastwise vessels are to enjoy a subsidy under this act, then it is equally true that every man whose income is less than $3,000 enjoys a subsidy under our income-tax law, and it is equally true that all commerce enjoying the benefit of the improvement of our rivers and harbors, the benefit of our system of coast protection, the lighthouses and buoys, likewise enjoys a subsidy conferred by law. Surely, Mr. President, that which extends equal privileges to all engaged in the same pursuit is a benefit. It may be a benefit peculiar to a particular pursuit, but it does not conform to my understanding of a subsidy.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. THOMAS. I yield.

Mr. GALLINGER. Mr. President, I am interested in the Senator's discussion of that very elastic word "subsidy," which I think never has been defined to the satisfaction of all of us. I will ask the Senator if the exemption of tolls on our coastwise shipping is a subsidy, did not every Democratic Senator when he voted for the Underwood-Simmons tariff law giving 5 per cent differential in favor of goods carried in American ships commit himself to a subsidy? I will say that I do not think that in either case it can properly be called a subsidy.

Mr. THOMAS. I would not, Mr. President, pass judgment upon the acts of my associates on this side of the Chamber. Speaking for myself—and I have no right to speak for anyone else—I think that in voting for that measure with that clause and with the $3,000 exemption clause in the income-tax section I voted for subsidies, if they are subsidies. What other Senators may think is, of course, within their domain and province, and I should hesitate to criticize or to draw any conclusion from their action.

During the delivery of Mr. THOMAS's speech,

The PRESIDING OFFICER (Mr. POMERENE in the chair). The Senator from Colorado will suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. Senate resolution 156, relative to expenditures for telegrams sent by Senators.

Mr. NELSON. I ask that the unfinished business be temporarily laid aside until the Senator from Colorado can finish his remarks.

Mr. SHAFROTH. With the understanding that it does not lose its place.

The PRESIDING OFFICER. Unanimous consent is asked that the unfinished business be temporarily laid aside with the understanding that it shall not lose its place as unfinished business. Is there objection? There being no objection, it is so ordered. The Senator from Colorado will proceed.

After the conclusion of Mr. THOMAS's speech,

Mr. KENYON. Mr. President, I wish to put into the RECORD a letter on the subject of arbitration with respect to the question we are now discussing. It is a letter from ex-President Roosevelt to Dr. Abbott, dated January 7, 1913. I ask that the

Secretary read it at the desk. I put this in because it expresses the views I entertain as to this question going to arbitration.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

[From The Outlook for January, 1913.]

ARBITRATION AND PANAMA.

The editor in chief of The Outlook has received the following letter from Mr. Roosevelt:

JANUARY 7, 1913.

MY DEAR DR. ABBOTT: I believe that under the arbitration treaty of 1908 the United States is honorably bound to arbitrate the question raised by Sir Edward Grey on behalf of Great Britain in reference to the canal tolls, provided the question can not be settled in some other way satisfactory to both powers.

I believe that the position of the United States is proper as regards this coastwise traffic. I think that we have the right to free bona fide coastwise traffic from tolls. I think that this does not interfere with the rights of any other nation, because no ships but our own can engage in coastwise traffic, so that there is no discrimination against other ships when we relieve the coastwise traffic from tolls. I believe that the only damage that would be done is the damage to the Canadian Pacific Railway. Moreover, I do not think that it sits well on the representatives of any foreign nation, even upon those of a power with which we are, and I hope and believe will always remain, on such good terms as Great Britain, to make any plea in reference to what we do with our own coastwise traffic, because we are benefiting the whole world by our action at Panama, and are doing this where every dollar of expense is paid by ourselves. In all history I do not believe you can find another instance where as great and expensive a work as the Panama Canal, undertaken not by a private corporation but by a nation, has ever been as generously put at the service of all the nations of mankind.

Moreover, I quite admit that it would be a difficult thing to get an arbitral tribunal which will not have some bias against us. Switzerland is almost the only community which has not some commercial interest in the Panama Canal.

Nevertheless, I hold that these considerations in no way affect our moral obligation to arbitrate the question if Great Britain so insists. It is to be presumed that we made the promise with our eyes open, and were aware that it might not be wholly pleasant to keep it. I was certainly alive to this fact. But the very fact that the promise may not be easy to keep is the reason why we make it with the solemnity attending a treaty. A promise to arbitrate is worthless unless we mean to keep it on the precise occasions when it is unpleasant for us to do so. Moreover, this arbitration must be, if Great Britain so desires, at the permanent court at The Hague, unless we are prepared to violate our solemn arbitration treaty proclaimed by our Government on June 5, 1908. Article 1 of this treaty explicitly states that "differences relating to the interpretation of treaties existing between the two contracting parties" shall be referred to The Hague court, "provided that they do not affect the vital interests or the independence or the honor of the two contracting States." It seems to me impossible to argue that the question of tolls on our coastwise traffic is one which affects either the vital interests of America or its independence or its honor. Such being the case, I hold that it is a matter of honorable obligation on our part to live up to that arbitration treaty in spirit and letter, and that therefore, if the question can not be settled in some other way, we must refer it to The Hague court for arbitration.

This whole incident illustrates well the folly of those Americans who a year or two ago endeavored to commit this country to general arbitration treaties under which they would have been bound to arbitrate everything. A general arbitration treaty is nothing whatever but a promise, and surely every man in private life understands that the whole worth of a promise consists in its being kept, and that it is deeply discreditable for any man to make a promise when there is reasonable doubt whether he can keep it. A merchant who loosely promises all kinds of things without serious thought as to whether he will be able to keep his promises is in grave jeopardy of losing both his fortune and his good name. The same thing is true of a nation. We should understand that the time to weigh, and to weigh well and thoroughly, the full import of a promise is the time when it is desired to make that promise, and not the time when it is desired to break that promise.

What is going on in connection with this canal treaty now illustrates well the truth of this position. I have always advocated the arbitration of such questions as the interpretation of this Hay-Pauncefote treaty. When I negotiated the arbitration treaties of 1908, I acted in accordance with what seemed the practically unanimous desire of our people, and with what certainly was the almost unanimous desire of the representatives of the people in the Senate and the lower House of Congress. Now, when I made that treaty I understood entirely that under it we might be obliged to arbitrate questions where we thought that our side was absolutely right, and where, nevertheless, it was always possible that a court might decide against us. This is precisely one of those cases. We are right, and yet the court may decide against us. But, with our eyes open, we have agreed to arbitrate just such cases as this, and we must not now go back on that agreement. I believe in being cautious about making promises. I believe in refusing to make foolish and sweeping general promises which it would be impossible and improper to keep. But when we have deliberately and solemnly made a promise, then I most emphatically believe that this Nation should keep that promise just as an honorable man would do as regards a private promise of the same type. Therefore I believe it to be the bounden duty of this Nation to arbitrate the question of the canal tolls under the provisions of our arbitration treaty.

Faithfully, yours,

THEODORE ROOSEVELT.

The Rev. Dr. LYMAN ABBOTT,
Editor in Chief of The Outlook, New York.

Mr. McCUMBER. Mr. President, I move that the Senate proceed to the consideration of Senate bill 120.

Mr. WILLIAMS. I hope the Senator will withhold that motion for a moment. I wish to make just a few short remarks in connection with what has just been read.

Mr. McCUMBER. I yield for that purpose.

Mr. WILLIAMS. Mr. President, I agree with the utterances of ex-President Roosevelt to the effect that this is a question which might be very well and ought to be submitted to arbitration; but I wish to ask the question now, Do the followers of ex-President Roosevelt upon this floor believe it?

If it had been thought that this question could be submitted to arbitration, that the Senate would submit it to arbitration, the question never would have been here in its present form. When we were discussing this matter when the Panama Canal act was passed, the senior Senator from Iowa [Mr. CUMMINS], the colleague of the Senator who has just had this article read, in his place upon the floor of the Senate said that this was not an arbitrable question. He differed from the ex-President. He thought it was a matter that affected the independence and the vital interests and the honor of the United States. We found, or thought we found, that a good many more than a third of the Senate entertained that idea, and they were not willing to submit the question to arbitration.

I am not one of those who say that the exemption of coastwise shipping from the payment of tolls was a violation of the treaty with Great Britain; but I am one of those who say that the position which the Senate or its Members have undoubtedly taken, that they will not submit this question to arbitration, is a violation of another treaty which we have made with about eight or nine powers; a treaty which says that all questions of the interpretation of treaties shall be submitted to arbitration.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. WILLIAMS. I yield.

Mr. GALLINGER. I have been a pretty constant attendant upon the sessions of the Senate for a long time, and I do not recall that this question ever was presented to the Senate.

Mr. WILLIAMS. Oh, I did not say it was. There are more ways of finding out what Senators think than by presenting a question to the Senate. Will the Senator say that he believes two-thirds of the Senate would submit this question to arbitration, or will he, on the contrary, frankly tell me that he does not believe it?

Mr. GALLINGER. I am always frank when I am dealing with the Senator from Mississippi. He knows that. I will say that I do not think two-thirds of the Senate would.

Mr. WILLIAMS. No; I know they would not.

Mr. GALLINGER. At the same time, I do not think the matter ought to go out to the world in a form which would indicate that the Senate has committed itself on this question.

Mr. WILLIAMS. Nothing that I said could have meant that. We took the pains to find out to the best of our ability; and we found out that if the proposition were made to this country to submit this question to arbitration, to The Hague or elsewhere, it would not pass the Senate by the requisite vote. Therefore we would stand in the attitude of being believed by others, though not by ourselves, so far as I am concerned, to have violated one treaty, and being known by all the world to have violated nine others, namely, the treaties which say that all questions affecting the interpretation of treaties shall be submitted to arbitration except when they affect the vital interests or the independence or the honor of the United States or the interests of a third party.

Mr. KENYON. Mr. President——

Mr. WILLIAMS. One word more. In this connection I will say that I have met thus far two Members of the Senate opposed to this repeal who tell me that they are none the less in favor of submitting the question to arbitration. If there are more, I do not know it. One of the Senators is the junior Senator from Iowa [Mr. KENYON]; but I think I have his permission to say so, because he rose a moment ago to interrupt me, as I imagine, for the purpose of making that statement.

Mr. KENYON. Mr. President, the Senator did not read my mind correctly, though I am in favor of arbitration.

Mr. WILLIAMS. The Senator told me so, and I thought that was the purpose for which he rose.

Mr. KENYON. I rose to ask the Senator who were the "we" to whom he referred. I know nobody asked me as to my vote with regard to arbitration the last time. Other Senators here were not asked. Who were the "we" who decided that matter?

Mr. WILLIAMS. I do not care about defining who "we" were; but first one man, and then another, and various others, undertook to feel the Senate; and no one man felt all of them, of course.

Mr. CLARK of Wyoming. Mr. President, will the Senator allow a question there?

Mr. WILLIAMS. Yes.

Mr. CLARK of Wyoming. We are urged to repeal this section of the statute for certain specific reasons. Does the Senator believe the submission of this question to arbitration would meet those reasons?

Mr. WILLIAMS. Absolutely. Now, Mr. President, my situation about that matter is this, and I hope the Senator will bear with me a moment. This was all I had intended to say; but since the Senator has asked the question I will go further.

I do not believe exempting our coastwise vessels from the payment of tolls is a violation of this treaty. It is not necessary for me to enter into the reasons why I do not believe it. On some future occasion I will enter into them. I am in favor of this repeal now, just as I would be in favor of extinguishing a contract with the Senator from Wyoming under certain circumstances.

If I had a written contract with the Senator from Wyoming, and I went to him and said, "In consequence of that contract with you I am going to proceed, upon a certain day, to perform a certain act," and if the Senator from Wyoming were to say to me, "Well, John, I do not construe that contract as you do, and you must admit that I have an equal right to construe it," then, as we would be individuals and not nations, I would have one of several replies to make. I might bridle up like a bully and I might say to him, "Well, I don't care what you think about the contract; I construe my own contract." If I did, that would bring on more than words, I think, with him. Or I might turn around then and say, "Well, old fellow, I am sorry you take a different view of it; and without any harsh feeling between us, we will leave it to the courts of the country."

There comes in the break in the analogy, because in a quarrel between nations there is no court except the high court at The Hague and the provisions made in that treaty for arbitral tribunals.

Taking it for granted that these are international courts, and agreed upon beforehand—either the court at The Hague, or, as is provided in these treaties, another arbitral tribunal to be provided for by the countries at the time—we have not said to our opponent in this case, in a good-natured way, "Of course you have as much right to judge the contract as we, and without loss of mutual respect or friendship we will leave it to this international court." We have said, or we will say, "We will do neither."

There is another course that I think a gentleman might pursue under the circumstances I have outlined. When the Senator from Wyoming told me that he did not construe the contract as I did, and I expressed my regret and said, "We will go to the courts," perhaps one of the Senators from Indiana might come along after a while and say to me, "John, Clark has been talking to me about this matter, and I think you are wrong and Clark is right." Then, later on, the other Senator from Indiana might come and say, "Williams, I understand this matter, and, old fellow, I think you are wrong. I think under all the circumstances accompanying the making of the contract, and under the contract itself, you are wrong. I know you think you are right." Others might come and say the same thing. Then I think, if I know myself, I would go to the Senator from Wyoming and say, "I invited you into court the other day upon this question, but mutual friends of ours, some of them better friends of mine than of yours, say I am wrong, and I will not put you to the expense and the trouble of a lawsuit. Hereafter I will be more careful in drawing my contracts."

Mr. CLARK of Wyoming. Mr. President, the Senator illumines this subject as he does all others, but I think he failed to get the gist of my inquiry.

I suppose that if it had not been for conditions that have been intimated to us nobody would have thought of this legislation at this particular time. I am assuming, and I believe I am justified in assuming, that no Member of the Senate and no Member of the House of Representatives would have introduced at this time a bill for the repeal of that clause of the Panama Canal act, save that the President himself had said that he needed the repeal of this clause in order that he might act with a freer hand and with better results upon some other matters. To my notion that absolutely bars at this time the question of arbitration; so that I do not think the question of arbitration of which the Senator was speaking is really pertinent to the discussion at this time. That was what I meant to imply by my question.

Mr. WILLIAMS. Mr. President, I do not want to take the time of the Senate, because I did not rise to make a speech, except to say briefly that I do not think the Senator from Wyoming has correctly paraphrased or abbreviated the message of the President. Of course, the President did refer to that as one of the reasons why we ought to help him to do this; but the President took a broader ground, the ground being that in his opinion—not in mine, but in his—this clause was a violation of the Hay-Pauncefote treaty; and the other things which the President mentioned were mere auxiliary reasons given upon that occasion.

Mr. President, I wish to ask that there be inserted in the RECORD without reading it a letter from Mr. J. C. Hooker, of San Diego, Cal., together with a newspaper clipping accompanying it.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it will be so ordered.

The matter referred to is as follows:

SPRECKELS COS.,
San Diego, Cal., March 29, 1914.

Hon. JOHN SHARP WILLIAMS,
United States Senate, Washington, D. C.

MY DEAR SIR: I wish to acknowledge receipt, with thanks, of your kind note of the 18th instant, and, as possessing peculiar interest at this period of tense feeling over the "Panama Canal tolls" question, am forwarding you what appears to be a calm and conservative side light on the economic phase of that important subject. This editorial was taken from the Sacramento (Cal.) Union, a strong but not widely known Democratic daily, which has consistently supported President Wilson since the inception of our primary campaign, in 1912.

I trust that when the free-tolls proposition comes up for debate and a vote in the Senate next week your influence—as it has been on practically all the far-reaching measures before your present Congress—will be found on the right side of this mooted question.

With all good wishes and great respect, I beg to be,

Very sincerely, yours, J. C. HOOKER.

[From the Sacramento Union for March 23, 1914.]

FREE TOLLS A BOUNTY.

In the course of an address on canal tolls delivered in New York a short time ago Prof. Emory Johnson, of the University of Pennsylvania, the expert who was chosen by President Taft to prepare a schedule of canal tolls, produced some figures showing the economic effect of permitting American coastwise ships to use the canal free.

The professor's statement shows that the free use of the waterway means the actual gift of $20,000,000 to the shipowners by the American people. He said:

"To enable the canal to carry itself commercially without being a continuing burden upon the taxpayers of the country it will be necessary to secure revenues of about $19,250,000 per annum.

"This revenue must be secured mainly from the tolls collected from the vessels that use the canal. If all vessels paid tolls, the revenue of the canal at the end of 10 years would cover the annual outlay for operating expenses and charges upon capital. To exempt coastwise ships from the payment of tolls means a decrease of at least $20,000,000 in revenue during the first 10 years and means the addition of that amount to the burdens to be carried by the taxpayers of the country."

It is a little difficult to understand on what basis Democrats can vote for the gift of this great sum to the shipowners of the country. While the Californians are belligerently fighting railroad and other corporations, they are throwing their strength in favor of a direct bounty to shipowners.

While the canal law aims to prevent the railroad-owned ships from securing the advantages of using the canal, it is certain that the men who own the railroads will have some of their money in the coastwise ships and that the supporters of the free-tolls scheme are deliberately voting their money to these concerns.

Of course the explanation is that the free tolls will give more competition by encouraging more ships. This is the old protection argument, but it has never worked.

It is not likely that the rebate in tolls will go to the shippers until the shipowner's pocket is full. A shipowner is just as selfish as a railroad magnate.

Mr. WILLIAMS. I also ask that there be inserted in the RECORD as a part of my remarks, without reading, a letter from Mr. H. Rexroth, of the Deutsch-Amerikanische Friedens Gesellschaft of New York, dated April 1, and addressed to me, together with a set of resolutions passed by a mass meeting of German-Americans upon December 11, 1912, both of them advocating the repeal of the clause in the Panama Canal act exempting our coastwise ships from the payment of tolls.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it will be so ordered.

The matter referred to is as follows:

DEUTSCH-AMERIKANISCHE FRIEDENS GESELLSCHAFT,
New York, N. Y., April 1, 1914.

Hon. JOHN S. WILLIAMS, *Washington, D. C.*

DEAR SIR: The inclosed resolutions, adopted by a German-American mass meeting held in this city, we recommend to your most careful consideration.

It was the sense of the meeting that they should be forwarded to Congress whenever action on the Panama toll question was pending.

The meeting in which these resolutions were adopted was one of the most representative meetings of German-Americans that could be held in this city; the large hall of the Arion Society, which holds 1,500 persons, was filled to overflowing; many sent away because they did not find admittance.

Before a vote was taken opportunity was given for discussion, and the chairman expressly called for any opponents to express their opinion, but no dissenting voice was heard, no dissenting vote given.

While some German-Americans, moved by an antagonism against Great Britain from out of considerations which have no connection whatever with the welfare and honor of our beloved country, and are willing to oppose any act that accords fair treatment to that nation, there is no doubt that the representative element of the German-American citizens favor the equal treatment of all nations, including our own, as to the payment of tolls and favor any act that will remove from our beloved country any suspicion that tries to evade its solemn treaty obligation.

In correlation of this statement we mention the fact that the leading German-American newspapers—the New York Staats-Zeitung and the New York Herald—editorially uphold this view in the strongest possible way.

Trusting that your vote and influence will help to rescind the unfair discrimination in favor of American shipping in violation of the Hay-Pauncefote treaty,

We are, yours, respectfully,

DR. ERNST RICHARD, *President.*
Per H. REXROTH, *Secretary.*

(The officers of the German-American Peace Society of the United States of America.)

Resolutions adopted by German-American mass meeting December 11, 1912.

The meeting of American citizens, held on invitation of the German-American Peace Society on December 11, 1912, protests against the laws recently passed by Congress as to the free passage of American vessels through the Panama Canal as contrary to the language and—as expressly testified by a living negotiator of the treaty, to wit, our own representative, Joseph H. Choate—to the sense of the Hay-Pauncefote treaty, and as making our Nation guilty of a breach of treaty. By the change in the ownership of the Canal Zone our obligations have not been influenced, especially since, in the treaty with New Granada, later supplanted by treaties with Great Britain, any favoring of the vessels of the owner nation is expressly forbidden. Therefore, we can certainly not claim it to be a matter of course that the vessels of the owner nation now should be free of tolls. Even more obnoxious appears to us the refusal to submit the controversy to The Hague court of arbitration. This will involve a second breach of treaty, since the interpretation of treaties as an object of arbitral justice is just what has been provided for in our arbitration treaty with Great Britain.

We therefore ask the officers of the German-American Peace Society to do, with the help of other organizations, everything in their power to secure practical recognition to the views expressed in the present resolution, so that we may not bring upon us the infamy of breaking solemn international pledges which would deprive us not only of our leading position in the movement for the world's peace as well as of the confidence and respect of the civilized nations, but would also do unspeakable harm to the cause of international justice in general.

TELEGRAMS OF SENATORS.

Mr. McCUMBER. I now renew the motion which I made, that the Senate proceed to the consideration of Senate bill 120.

The VICE PRESIDENT. The Chair inquires what became of the unfinished business?

Mr. NELSON. The unfinished business was laid aside temporarily at 2 o'clock.

Mr. WILLIAMS. But the unfinished business was not laid aside for the day.

Mr. NELSON. It was laid aside temporarily at the time the Senator from Colorado [Mr. THOMAS] was speaking.

Mr. GALLINGER. But the Senator can call for it at any time.

Mr. WILLIAMS. I do not agree to lay it aside now. There is just one more vote to be taken. When we last had the unfinished business under consideration, an amendment in the nature of a substitute by the junior Senator from Iowa [Mr. KENYON] had just passed the Senate. One more vote will pass the resolution. I ask for the regular order and the consideration of the unfinished business.

Mr. McCUMBER. My motion at least would be in order at any time after 2 o'clock. I am rather inclined to think, even though it would take but a few moments to dispose of the matter which now appears as the unfinished business on the calendar, that it would not hurt the matter if it should go over and have a little longer deliberation; and I ask the Senator from Mississippi not to press it for to-day.

Mr. WILLIAMS. I would rather that the matter be finished now. It will not take long. I think just one more vote will be all that will be required. In fact, the matter has been virtually terminated, because the amendment offered by the junior Senator from Iowa was a substitute, and all that remains is to go through the parliamentary process of putting to a vote the resolution as amended.

Mr. SMOOT. That is debatable.

Mr. McCUMBER. I am not sure that that would end it. I think we might possibly have quite a little discussion. I will leave it to the desire of the Senate, however, and ask for the putting of my motion. Whatever the result may be, of course I shall abide by it.

The VICE PRESIDENT. All in favor of the motion will say "aye"; those opposed, "no."

Mr. WILLIAMS. What is the motion?

The VICE PRESIDENT. The motion is to take up Senate bill 120.

Mr. McCUMBER. That is the grain-grading bill, which I have tried to get up for some time.

Mr. WILLIAMS. Mr. President, of course the Senate can dispossess the unfinished business by agreeing to a motion to take up another measure; there is no dispute about that. I do not think any haste can be made by that course, however. You might just as well get rid of the unfinished business and commence with the other measure afterwards.

Mr. SMITH of Georgia. Mr. President, the motion is not debatable, I believe.

The VICE PRESIDENT. No. All in favor will say "aye"; those opposed, "no."

Mr. WILLIAMS. Mr. President, I call for the yeas and nays.

The yeas and nays were ordered.

Mr. McCUMBER. Mr. President, if I thought the Senate could get through with the resolution this afternoon, I think I should withdraw the motion; but I am certain we can not get through with it this afternoon.

The VICE PRESIDENT. The status of the unfinished business is that the pending question is on the resolution as amended. The yeas and nays have been called for, and the request has been seconded.

Mr. WILLIAMS. There will be nothing to do but to call the roll on the unfinished business.

The VICE PRESIDENT. There is nothing to do but call the roll unless some one wishes to speak.

Mr. WILLIAMS. I do not think the matter will be discussed. I do not want to discuss it any further, and I do not know of anybody who does.

Mr. GALLINGER. Mr. President, I will ask what the pending question is in reference to the unfinished business?

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

Mr. SHIVELY. Pending that, I move that the Senate proceed to the consideration of executive business.

The VICE PRESIDENT (putting the question). By the sound the noes seem to have it.

Mr. SHIVELY. I call for a division.

There were, on a division—ayes 16, noes 16.

The VICE PRESIDENT. The Vice President votes "no"; but there is no quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brady	Hollis	Nelson	Smith, Ga.
Brandegee	James	Overman	Smith, Mich.
Bristow	Kenyon	Pomerene	Smoot
Bryan	Kern	Reed	Thomas
Catron	La Follette	Robinson	Thornton
Chamberlain	Lee, Md.	Saulsbury	Vardaman
Clark, Wyo.	Lewis	Shafroth	Walsh
Crawford	Lodge	Sheppard	Warren
Gallinger	McCumber	Sherman	West
Gore	Martin, Va.	Shively	Williams
Hitchcock	Martine, N. J.	Simmons	

Mr. SAULSBURY. I was requested to announce that the Senator from West Virginia [Mr. CHILTON] is absent because of sickness in his family.

Mr. ROBINSON. I was requested to announce the unavoidable absence on business of the Senator from Arizona [Mr. ASHURST], the Senator from Oregon [Mr. LANE], the Senator from North Dakota [Mr. GRONNA], the Senator from Michigan [Mr. TOWNSEND], the Senator from Minnesota [Mr. CLAPP], and the Senator from Oklahoma [Mr. OWEN].

Mr. REED. My colleague [Mr. STONE] is detained from the Senate by illness. I make this announcement for the day.

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY].

The VICE PRESIDENT. Forty-three Senators have answered to the roll call—there is not a quorum present.

Mr. McCUMBER. I ask that the names of the absentees be called.

The VICE PRESIDENT. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absentees, and Mr. DILLINGHAM, Mr. JOHNSON, Mr. JONES, Mr. NORRIS, and Mr. POINDEXTER answered to their names when called.

Mr. FALL and Mr. GRONNA entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present. The question is on the motion of the Senator from Indiana [Mr. SHIVELY] to go into executive session.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 10, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 9, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We rejoice, our Father in heaven, that we are involved in the great eternal plan which under Thy guiding hand sweeps on toward perfection. May we be susceptible to every touch of the spirit that we may lend our aid to its final consummation and thus be in harmony with the laws Thou hast ordained and reap the rewards of the faithful, to the glory and honor of Thy holy name Amen.

The Journal of the proceedings of yesterday was read and approved.

QUESTION OF PERSONAL PRIVILEGE.

Mr. VOLLMER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. VOLLMER. Mr. Speaker, in yesterday's Washington Post appeared the following article:

REPEAL VOTE COSTS SEAT—REPRESENTATIVE VOLLMER WILL NOT SEEK REELECTION—DECISION FOLLOWS RECEIPT OF LETTER FROM HIS DISTRICT DENOUNCING HIS STAND ON CONTROVERSY.

NEW YORK, *April 7.*

A Washington dispatch to the New York American says:

"Representative VOLLMER, of the second Iowa district, a Democrat, has announced to his constituency that he will not be a candidate for reelection. The announcement followed on the heels of the receipt of a bitter denunciation of his vote for the repeal of tolls exemption in resolutions passed by the Davenport Commercial Association.

"Davenport is the largest city in VOLLMER'S district. Its opposition foretold his defeat for the renomination should he have decided to make the race in the approaching primaries.

"It is expected that other Democratic Congressmen voting against American sentiment in favor of American sovereignty over the Panama Canal are to follow the example set by Mr. VOLLMER."

Color and sting are given to this article by a pretended interview, which recently appeared in the columns of the same paper, with one Herman D. Snider, purporting to be a prominent citizen of my home town—Davenport, Iowa—and to be stopping temporarily at the Raleigh Hotel in this city. In this alleged interview it was represented that my vote for repeal had not only unfavorably affected my chances of reelection, but that it was a case of rank ingratitude to the Speaker of this House, who had made a speech for me in my campaign, and that Congressman CONNOLLY'S vote for repeal would cost him the Iowa senatorship. I shall not comment on these statements further than to say to his colleagues that they might as well get used to addressing the Representative from the third Iowa district as the Senator from Iowa, because his vote for repeal has not only not hurt his chances but, in my judgment, has immensely added to his great and well-deserved popularity with the people of that State. [Applause.]

I do not know whether the pretended interview with Herman D. Snider is existent or nonexistent. He was not registered at the Raleigh as alleged. He is not a prominent citizen of Davenport. His name does not appear in the city directory of that city. I never heard of him before. The Davenport papers in discussing these facts and the patent absurdity of the statements attributed to him came to the conclusion that the whole interview was a fake and that the name was probably Snide and not Snider. [Applause.] Now, as to yesterday's article:

It is true that I have declined a renomination for Congress, but in every other material statement this article is absolutely false. Since voting for the repeal of the act exempting coastwise ships from canal tolls I have not heard a single word of disapproval of my vote on that measure, directly or indirectly, from any citizen or body of citizens of the second congressional district of Iowa. [Applause.] President Wilson is so strong in the affections of the people of that district that during my recent campaign for Congress a pledge was exacted from me that in all matters coming before Congress during my membership therein I would support the President's policies. But, altogether irrespective of that pledge, I should have voted for the repeal upon its merits as I see them, and in so doing would have reflected the overwhelming sentiment of the people of that district. [Applause.] I have receiv d numerous letters from my constituents commending my course since I cast that vote and have not received a single one taking the opposite view, and certainly have not heard of any resolutions of denunciation on the part of commercial organizations or other bodies. Every newspaper in my district, Republican and Democrat alike, as far as I know, is in favor of that repeal. The metropolitan papers largely circulated in that district, like the Republican Chicago Tribune, Chicago Record-Herald, and Des Moines Register and Leader, have all taken a strong stand for the repeal. I am assured that if I will reconsider my decision not to run renomination will be given me by the practically unanimous vote of my party at the primaries. There is little doubt in my mind that the Democratic candidate, whoever he may be, will carry that district next November. My decision not to run again was made with great regret, and simply and solely because personal interests insistently demand more attention from me than the exacting duties of my present position will permit, and my obligation to my wife and children forbids their sacrifice for the sake of personal ambition, pleasure, or vanity. When I accepted the nomination for the present term I was not sure that I could serve longer, and so stated to those asking me to be a candidate.

I apologize to this House for having taken this much of its valuable time on account of newspaper statements about the youngest and least important of its Members, and would not have done so if it were not apparent that the article and interview in question were printed as part of the campaign which is being prosecuted by certain newspapers to discredit the repeal bill, as well as those who voted for it, and to make it appear as though the country were overwhelmingly opposed to the President's policy. [Applause.]

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, the legislative, executive, and judicial appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California——

Mr. MURDOCK. A parliamentary inquiry.

Mr. BUCHANAN of Illinois. Mr. Chairman, what is the parliamentary status?

The CHAIRMAN. The question before the committee is the amendment offered by the gentleman from California.

Mr. MURDOCK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MURDOCK. When the committee rose day before yesterday, we had not completed the transaction which the Chair is now about to state, the amendment offered by the gentleman from California to strike out the word "piecework."

The CHAIRMAN. That is just what the Chairman stated is the business before the committee.

Mr. MURDOCK. If the Chair will permit me for a moment, the amendment was put, a vote taken, a division called for, a division had, tellers were then called for and tellers refused, but immediately thereafter, without any announcement of the vote, a point of no quorum was made and the committee rose on the motion of the gentleman from South Carolina, the chairman of the subcommittee.

Mr. BARTLETT. May I interrupt the gentleman——

Mr. MURDOCK. Does not that open up the whole matter again?

The CHAIRMAN. No; the question is whether the committee will adopt the amendment offered by the gentleman from California.

Mr. MURDOCK. That is satisfactory to me.

Mr. BUCHANAN of Illinois. What about debate on this?

The CHAIRMAN. All debate had concluded, and the committee had divided——

Mr. BUCHANAN of Illinois. Is it in order now for any debate?

The CHAIRMAN. It is not; the committee takes it up where it left off.

Mr. BUCHANAN of Illinois. Mr. Chairman, I would like to ask unanimous consent that there be 10 minutes' debate on each side of this question.

Mr. JOHNSON of South Carolina. Mr. Chairman, we debated this thing about half an hour or an hour.

Mr. BUCHANAN of Illinois. It is a very important question.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that debate on this matter be had for 20 minutes, 10 minutes on a side. Is there objection?

Mr. JOHNSON of South Carolina. I object.

Mr. BUCHANAN of Illinois. Mr. Chairman, I ask unanimous consent that there be 10 minutes' debate, 5 minutes on a side.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. JOHNSON of South Carolina. I object.

Mr. MURDOCK. Try five.

Mr. BUCHANAN of Illinois. Mr. Chairman, I ask unanimous consent that I have three minutes in which to discuss this question.

Mr. JOHNSON of South Carolina. I object; we debated this thing here at length.

The CHAIRMAN. The gentleman from South Carolina objects.

Mr. BUCHANAN of Illinois. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and eleven gentlemen are present, a quorum.

Mr. BUCHANAN of Illinois. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk read as follows:

On page 44, line 7, after the word "compensation," strike out the words "on a piece-rate basis"; also the comma after the word "basis"; also strike out all of lines 11, 12, and 13.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the Chairman announced the noes seemed to have it.

Mr. J. I. NOLAN, Mr. MURDOCK, and Mr. BUCHANAN of Illinois demanded a division.

The committee divided; and there were—ayes 64, noes 23.

[Applause.]

So the amendment was agreed to.

The Clerk read as follows:

The Secretary of the Treasury may, during the fiscal year 1915, diminish, from time to time, as vacancies occur by death, resignation, or otherwise, the number of positions of the several grades below the grade of chief of division in the office of the Auditor for the Post Office Department and use the unexpended balances of the appropriations for the positions so diminished as a fund to pay, on a piece-rate basis, to be fixed by the Secretary of the Treasury, the compensation of such number of employees as may be necessary to tabulate, by the use of mechanical devices, the accounts and vouchers of the Postal Service.

Mr. J. I. NOLAN. Mr. Chairman, I make a point of order against the paragraph.

Mr. JOHNSON of South Carolina. Let it go out, Mr. Chairman. There is no use of spending time on it.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

Office of the Treasurer: Treasurer, $8,000; Assistant Treasurer, $3,600; Deputy Assistant Treasurer, $3,200; cashier, $3,600; assistant cashier, $3,000; chief clerk, $2,500; 5 chiefs of division, at $2,500 each; assistant chief of division, $2,250; vault clerk, $2,500; principal bookkeeper, $2,500; assistant bookkeeper, $2,100; 2 tellers, at $2,500 each; 2 assistant tellers, at $2,250 each; vault clerk, Bond Division, $2,000; clerk for Treasurer, $1,800; clerks—25 of class 4 (1 transferred from Register's office), 18 of class 3, 12 of class 2 (1 transferred to Customs Division and 2 dropped), 37 of class 1 (2 transferred from postal savings roll and two from Register's office), 19 at $1,000 each (1 transferred from Register's office), 20 at $900 each (1 transferred from postal savings roll); coin clerk, $1,400; expert counters—39 at $900 each (10 transferred from Register's office), 15 at $800 each, 40 at $720 each, 17 at $700 each; mail messenger, $840; 8 messengers; 8 assistant messengers (1 transferred from Register's office); 22 laborers (1 transferred to Loans and Currency Division); 6 messenger boys, at $360 each; 2 compositors and pressmen, at $1,600 each; silver piler, $1,000; 4 money counters and handlers for money laundry machines, at $900 each; skilled laborer, $1,200; in all, $359,250.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

Mr. FOWLER. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] makes a point of order against the paragraph.

Mr. JOHNSON of South Carolina. Mr. Chairman, let us not waste any time. I would rather the gentleman would make his point of order.

Mr. FOWLER. Mr. Chairman, on page 45, line 5, there is a provision for the salary of the Treasurer, fixed by the statute at $6,500——

Mr. JOHNSON of South Carolina. Mr. Chairman, the law fixes the salary of $8,000. I have sent for the law, and it will be in here in a minute.

Mr. FOWLER. Mr. Chairman, I submit to the Chair there is some discrepancy as to whether this is $6,500 or $8,000. If the gentleman wants to send for a statute, let him do so; but I have the statute here.

Mr. JOHNSON of South Carolina. Does the gentleman wish to make any other point of order?

Mr. FOWLER. Yes.

Mr. JOHNSON of South Carolina. What is it?

Mr. FOWLER. I will pass to the next point of order. In line 6, on the same page, there is a provision of $3,600 for Assistant Treasurer. The statute provides for $2,800. I make the point of order against this provision because it is unlawful.

Mr. JOHNSON of South Carolina. Mr. Chairman, on page 1065 of the Statutes of the Sixtieth Congress, 1907 to 1909, section 7, is found:

Hereafter the salary of the Treasurer of the United States shall be $8,000 per annum.

The CHAIRMAN. What is the other point of order made by the gentleman from Illinois [Mr. FOWLER]?

Mr. JOHNSON of South Carolina. That act was signed on March 4, 1909.

The CHAIRMAN. What is the salary of the Assistant Treasurer authorized by statute?

Mr. FOWLER. Two thousand eight hundred dollars.

Mr. JOHNSON of South Carolina. Mr. Chairman, I think we would save a good deal of time if the gentleman from Illinois, in making his points of order, should be required to produce the law. Otherwise he could just stand here and make a point of order on any item in the bill without authority of law for it.

The CHAIRMAN. The Chair has been advised by the parliamentary clerk that when a gentleman rises and makes the point of order that a paragraph is not in order because it is not authorized by law, and makes it on his responsibility as a Member, then it is the duty of the committee to produce the law showing it is provided by statute.

Mr. JOHNSON of South Carolina. We will simply have to have the time.

The CHAIRMAN. The Chair will give the gentleman time.

Mr. JOHNSON of South Carolina. If the gentleman from Illinois wants to obstruct Congress in that sort of fashion, he must take the responsibility before his colleagues, as well as before the country.

Mr. FOWLER. Mr. Chairman, it is always in order to interrupt Congress or any other body that is doing wrong.

Mr. JOHNSON of South Carolina. Mr. Chairman, on page 397 of the Statutes, Forty-third Congress, 1875, the salary of the Assistant Treasurer is fixed at $3,800. We have only provided in this appropriation bill for $3,600.

The CHAIRMAN. The point of order is overruled, and the Clerk will read.

Mr. FOWLER. Mr. Chairman, in the same line, on page 45, there is a provision for Deputy Assistant Treasurer at $3,200. I make a point of order against that provision because there is no authorization of law for it.

Mr. JOHNSON of South Carolina. That is correct.

The CHAIRMAN. The point of order is sustained.

Mr. FOWLER. In line 7——

The CHAIRMAN. The Chair is not informed whether or not the gentleman from Illinois makes a point of order against the paragraph or against the specific provision which he points out.

Mr. FOWLER. The specific provision, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. FOWLER. On the same page, line 7, the bill carries a provision of $3,600 for a cashier. The statute provides a salary of $2,800. I make a point of order against that provision because there is no authorization for it.

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman has evidently gotten hold of the wrong law. He is wrong in this as he is in a good many other things. On page 397 of the statutes, which I hold in my hand, the salary of the cashier is fixed at $3,800. We have allowed the poor fellow only $3,600.

The CHAIRMAN. The point of order is overruled.

Mr. FOWLER. Mr. Chairman, the gentleman is reading from the wrong law. If he wants to impose on Congress in any such a way, why he can do so.

Mr. JOHNSON of South Carolina. What are you reading from?

Mr. FOWLER. I am reading from the statutes.

Mr. JOHNSON of South Carolina. So am I. I make proof of it before the committee. I am reading from Volume XVIII, part 3, United States Statutes at Large. I would like to know where the gentleman is getting his authority from, anyhow.

Mr. BYRNS of Tennessee. The law of Illinois, I reckon.

The CHAIRMAN. The Clerk will read.

Mr. FOWLER. Mr. Chairman, on the same page, line 7, a provision is made for assistant cashier at $3,000. The salary provided for by statute is $2,500. I make the point of order against this provision, because there is no authorization for it.

Mr. JOHNSON of South Carolina. Mr. Chairman, on page 397, eighteenth volume, Statutes at Large, I find this provision: "Assistant cashier, $3,500." We give him only $3,000.

Mr. FOWLER. The gentleman is reading from the statute of 1873, I presume.

Mr. JOHNSON of South Carolina. From the statute of 1875, the act reorganizing the Treasury Department.

The CHAIRMAN. The point of order is overruled.

Mr. FOWLER. Mr. Chairman, on page 45, line 7, is the item for "chief clerk, $2,500."

Mr. BARTLETT. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. I make the point of order that these points of order in the same paragraph must all be made at one time. They can not be made in piecemeal to the section.

The CHAIRMAN. The Chair thinks the point of order is well taken. The gentleman must make his points of order against all the items in the paragraph to which he directs attention in one presentation.

Mr. BARTLETT. I make the point of order that the gentleman must make all his points of order at the same time.

The CHAIRMAN. The point of order is sustained.

Mr. FOWLER. On page 45, line 7, there is a provision for a chief clerk at $2,500. The statute provides for a salary of $2,000. There is no statute for this salary of $2,500.

The CHAIRMAN. Is there any other point of order on that page that the gentleman desires to make?

Mr. FOWLER. On that same page, page 45, line 8, there is a provision for five chiefs of division, at $2,500 each. The statute provides for five chiefs of division at a salary of $2,200. I make a point of order against that provision. There is no authorization for it.

Then, on line 10, on the same page, there is a provision for a principal bookkeeper at $2,500. The statute provides for a salary of $2,200. I make a point of order against it because there is no authorization for it.

In the same line a provision is carried for two tellers, at $2,500 each. The statute provides a salary of $2,200 each. I make a point of order against the provision because there is no authorization for it.

On line 11 two assistant tellers at $2,250 are carried. The statute provides for a salary of $2,000 for these assistant tellers. I make a point of order against the provision because there is no authorization for it.

The CHAIRMAN. Does that include the gentleman's points of order against all the provisions in this paragraph?

Mr. FOWLER. That is all, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman from South Carolina.

Mr. JOHNSON of South Carolina. Mr. Chairman, the first provision against which the gentleman makes a point of order is the chief clerk. The law provides for one chief clerk at $2,700. We give him in this bill $2,500.

This same statute provides for five chiefs of division at $2,700. We give them only $2,500.

Two principal bookkeepers are provided for in the law at $2,600 each. We give one at $2,500 and one at $2,100.

The law provides for two tellers, one at $2,700 and one at $2,600. We give them $2,500 each.

Two assistant tellers are provided for at $2,350 each, and we provide for them at $2,250.

The CHAIRMAN. The point of order is overruled, and the Clerk will read.

The Clerk read as follows:

Office of the assistant treasurer at Cincinnati: Clerk, $1,800; clerk, $1,200; 4 money counters and handlers for laundry machines, at $900 each; in all, $6,600.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. I wanted to ask the gentleman from South Carolina whether it was necessary in this bill, from the viewpoint of making appropriations under the law, to carry these transferred clerks, and so forth, in the office of the Treasurer separately from the general force in the Treasury Department, as is done in the bill. Why should they not have been carried under the office of the Treasurer in the regular way, instead of carrying them as transferred clerks?

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman understands thoroughly that these men were brought in from various subtreasuries under an arrangement suggested by Secretary MacVeagh.

Mr. MANN. I understand that.

Mr. JOHNSON of South Carolina. In order that the House would understand why there is such an apparent increase in the Treasurer's Office, we allowed it to appear on the face of the bill where these people came from. These salaries are deducted from the salaries of the subtreasuries where the men came from. In the next bill the force will be consolidated.

Mr. BYRNS of Tennessee. Mr. Chairman, if the gentleman will pardon me, I want to say, in addition to what the gentleman from South Carolina has said, that a number of gentlemen have been before the committee, wanting to know why the force of the various subtreasuries had been reduced, and these salaries were carried in this way in order to convey full information to the Members of the House.

Mr. MANN. Then this is simply to give information to the House?

Mr. BYRNS of Tennessee. Precisely.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For purchase of labor-saving machines and tabulating equipment, including exchange, repairs, miscellaneous expenses of installation, cards and filing devices, and for rental of tabulating and card-sorting machines, for use in the office of the Treasurer of the United States, $6,000.

Mr. BUCHANAN of Illinois. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. BUCHANAN] moves to strike out the last word.

Mr. BUCHANAN of Illinois. I want to call the attention of the committee to page 47, line 13, which we have just passed, where the language occurs, "Total from subtreasuries." Is it correct as it is? Should it not be "for subtreasuries" instead of "from subtreasuries"?

Mr. JOHNSON of South Carolina. That relates back to all these transfers that have been referred to.

Mr. BUCHANAN of Illinois. Very well.

Mr. BRYAN. Mr. Chairman, I would like to ask a question with reference to this $6,000 for buying machines and for rent of machines. Could the gentleman tell what proportion of that amount is for rent of machines and what proportion is for purchase of machines? I would like to get a line on the rent paid for these machines.

Mr. JOHNSON of South Carolina. I have not that information at hand. Most of the machines are owned by the Government, but some of the machines the Government can only rent.

Mr. BRYAN. As to these punching machines——

Mr. JOHNSON of South Carolina. They belong to the Government. I was so informed this morning.

Mr. BRYAN. Does the gentleman know what machines we rent?

Mr. J. I. NOLAN. The electrical tabulators.

Mr. JOHNSON of South Carolina. If the gentleman would visit the department and make personal inspection of these machines, I think it would be greatly to his advantage. They have certain machines that automatically assort the cards that are punched. These machines can not be purchased; they are rented.

Mr. BRYAN. The gentleman has stated that he does not know how much of this money goes to rent?

Mr. JOHNSON of South Carolina. No, sir; I do not. The punching machines are not expensive.

Mr. BRYAN. We buy those?

Mr. JOHNSON of South Carolina. Yes; and the other machines are expensive.

Mr. BRYAN. Those other machines, I suppose, are pretty expensive?

Mr. JOHNSON of South Carolina. I can tell the gentleman, and it might be of interest to Members of the House to know, that the people who manufacture the assorting machines rent those machines to large corporations and the United States Government.

They enter into a contract for the leasing of the machines at what they consider the actual expense of upkeep, but the contract provides that they shall furnish the cards at $1.05 a thousand. The gentleman had some of the cards. When that proposition was submitted to the Treasury Department the auditor's office made an inquiry of the Public Printer to know for what price he could furnish those cards, and he said that he could furnish them at 60 cents a thousand. Thereupon the Treasury Department entered into a contract for the lease of the machines at $40 a month, and for cards at 60 cents a thousand, while the great corporations of the country are paying $1.05 a thousand.

Mr. BUCHANAN of Illinois. Mr. Chairman, I should like to ask if there has been any investigation as to whether or not the Government could buy these machines more cheaply than it can rent them?

Mr. JOHNSON of South Carolina. These machines are patented, and the Government can not buy them.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Office of Comptroller of the Currency: Comptroller, $5,000; deputy comptrollers—1, $3,500; 1, $3,000; chief clerk, $2,500; chiefs of divisions—1, $2,500; 2 at $2,200 each; bookkeeper, $2,000; assistant bookkeeper, $2,000; clerks—8 of class 4; additional to bond clerk $200; 13 of class 3; 13 of class 2; 26 of class 1; 13 at $1,000 each; 7 at $900 each; stenographer, $1,600; 6 counters, at $840 each; messenger; 5 assistant messengers; 3 laborers; 2 messenger boys, at $360 each; in all, $142,780.

Mr. FOWLER. Mr. Chairman, I make a point of order against the provision, on page 48, line 24, for one deputy comptroller, $3,500. The salary fixed by the statute is $3,000. There is also a provision in the same line for another deputy at $3,000. I do not think there is any authorization for that. That is my recollection about it. In line 25 is a provision carried for a chief clerk at $2,500. The statute provides for a chief clerk at $2,200. I make the point of order against these provisions, because there is no authorization of them by statute.

The CHAIRMAN. Are those all the points of order against this paragraph?

Mr. FOWLER. Yes.

Mr. JOHNSON of South Carolina. Mr. Chairman, the point of order against the deputy comptroller at $3,500 is well taken. The law fixes the salary at $3,000.

Mr. BYRNS of Tennessee. The gentleman from Illinois made it against both.

Mr. JOHNSON of South Carolina. Do I understand the gentleman to make a point of order against both deputy comptrollers?

Mr. FOWLER. As I view it, there is provision for only one.

Mr. JOHNSON of South Carolina. The law does provide for one at $3,000, and we have provided one at $3,000, the salary fixed by law. If the gentleman wants to make a point of order against the one at $3,500, he will have to do it.

Mr. FOWLER. That is what I do, then.

The CHAIRMAN. The point of order is sustained, as to the $3.500.

Mr. FOWLER. Now, the chief clerk——

Mr. JOHNSON of South Carolina. As to the chief clerk, Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. BYRNS of Tennessee. Is the gentleman from Illinois aware of the fact that his action absolutely emasculates the new banking law that was passed a few weeks ago?

Mr. FOWLER. I am willing to put them back in at the salary provided by the statute.

Mr. BYRNS of Tennessee. There is no salary provided by the statute, and the gentleman, by making this point of order and depriving the comptroller of this force, is absolutely emasculating the banking and currency law which was passed by Congress and which has met with so much approval all over the country.

Mr. FOWLER. If you want one more at $3,000, offer your amendment and I will not oppose it. I will not object.

Mr. BYRNS of Tennessee. The gentleman has made the point of order, and it is his action that is resulting in emasculating this law. I simply wanted to let the gentleman know exactly what he is doing in so far as these points of order are concerned.

The CHAIRMAN. The point of order is sustained. No further discussion of it is in order.

Mr. JOHNSON of South Carolina. On page 48, line 24, I move to insert "Deputy comptrollers, 2, at $3,000 each."

Mr. MANN. Oh, no; I would not do that.

Mr. FOWLER. Then you will have to strike out one.

Mr. GRAHAM of Illinois. One remains in. You only want one more.

Mr. JOHNSON of South Carolina. I move to strike out "1, $3,000" and insert "2, at $3,000 each."

The CHAIRMAN. The gentleman from South Carolina offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 48, line 24, insert "Deputy comptrollers, 2, at $3,000 each."

Mr. BYRNS of Tennessee. Mr. Chairman, I offer an amendment to the amendment, to provide for one at $3,500 and one at $3,000.

Mr. FOWLER. Mr. Chairman, I make a point of order against that amendment, because there is no authorization by statute.

Mr. BYRNS of Tennessee. Mr. Chairman, the point of order comes too late, inasmuch as the gentleman did not reserve a point of order upon the amendment offered by the gentleman from South Carolina.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] is a little late in making his point of order. As the Chair understands, there is authorized by law one deputy comptroller at $3,000. The gentleman from South Carolina [Mr. JOHNSON] has offered an amendment to provide for two at $3,000 each, and no point of order was made against it. The gentleman from Tennessee [Mr. BYRNS] moves to amend the amendment by providing one at $3,500 and one at $3,000. Since no point of order was made against the amendment that was not in order, then a point of order comes too late when made against the amendment to the amendment. The Chair does not think the point of order is well taken.

Mr. FOWLER. Mr. Chairman, the statute has already fixed the salary at $3,000, and it has been passed on by this House. Then there was an effort on the part of the chairman of the subcommittee to put in another in place of the one that was stricken out, conforming to the statute. I have no objection to giving a force sufficient to run the Government of the United States economically; and inasmuch as it was agreed that the salary should not be above the statutory provision, $3,000, it comes in poor grace now from this committee to interpose an amendment for the purpose of violating the plain provisions of the permanent law. I think my point of order ought to be sustained, because it goes to the vitality of the very question on which the Chair sustained the point of order.

The CHAIRMAN. The Chair is ready to rule, if the gentleman will permit him.

Mr. BYRNS of Tennessee. Mr. Chairman, just a word in reply.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Tennessee?

Mr. FOWLER. Mr. Chairman, I have this to say, that if there is any sharp practice to be played in order to get high salaries increased above the law, I shall interpose points against all items in this bill not in harmony with the law.

Mr. BYRNS of Tennessee. Mr. Chairman, of course the gentleman from Illinois has the privilege and the right to take any course that he chooses to pursue; but I want to call the attention of the House and the country to the fact that for two years he sat here under a Republican administration and permitted these salaries to be paid at the sums fixed in this bill and never raised his voice in protest, and that now under a Democratic administration the gentleman comes here and undertakes to strike out these salaries, which will undoubtedly have the result of seriously embarrassing the administration in the transaction of the necessary business in the departments of the Government.

Now, Mr. Chairman, the gentleman from Illinois stated a moment ago that he was willing to have two deputy comptrollers, at $3,000 each, although he made the statement in face of the fact that the law only provided for one, thereby showing that the gentleman himself is willing to have a provision go in which says it is in violation of the law, and wrong.

Mr. FOWLER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. FOWLER. I desire to ask the gentleman if it is not a fact that where the law provides for an office, has it not been the custom in this House that if another of the same grade at the same salary is found to be necessary for the good of the service, the rule has not been to add one, two, or three more, as the case may be, at the same salary, to supply a sufficient force?

Mr. BYRNS of Tennessee. No; that has not been the custom.

Mr. FOWLER. I think it has.

Mr. BYRNS of Tennessee. That has been the custom as to clerks. The point I make is that the gentleman sat here two years under a Republican administration, and raised no protest against the salaries, but now in an administration of the party to which the gentleman belongs and to which he professes allegiance, he is pursuing a course which will cripple that administration by striking out necessary positions, and, in this particular case, positions that are absolutely necessary to carry out the new banking and currency law passed a few weeks ago. The gentleman made a statement that the law only provided for one deputy comptroller, and yet, in the face of that, and his statement that the House should not undertake to make an appropriation for any provision not provided by law, he offered to agree to an amendment to provide for a second comptroller, which he says is in violation of law. Then the gentleman from South Carolina offered an amendment providing for two deputy comptrollers, at $3,000. I am offering

an amendment to the amendment to provide one for $3,500, the salary carried for the last 20 years.

Mr. FOWLER. Mr. Chairman, I desire to call attention of the able Congressman from Tennessee [Mr. BYRNS] to the fact that I stood here in the Sixty-second Congress and tried to right the wrongs in this bill.

Mr. BYRNS of Tennessee. Did the gentleman make a point of order against these provisions?

Mr. FOWLER. I made a point of order against portions of them, and I was confronted then, as I am now, by Members of the House to this effect: That I had made my position known by pointing out irregularities, and that I ought to quit. But I have said this time that I have gone so far over and waded in so deep that it is less dangerous to cross over than to retreat. [Laughter.]

Mr. Chairman, I want it made plain to the country that I do not desire to handicap the administration at all, but what I seek and what I do want is the administration to follow the law, whether it be a Republican administration or a Democratic administration. Mr. Lincoln once said that nothing is settled finally until it is settled right, and the greatest right we have to follow here is the plain provisions of the statute, and that is what I ask, and nothing more.

The CHAIRMAN. When this paragraph was read the gentleman from Illinois [Mr. FOWLER] made a point of order to that portion on page 48, line 24, "two deputy controllers, one at $3,500 and one at $3,000," which the Chair sustained. Then the gentleman from South Carolina offered an amendment for two deputy controllers at $3,000 each, which was not in order, but no point of order was made against the amendment. The gentleman from Tennessee [Mr. BYRNS] offered an amendment to the amendment to make one deputy controller at $3,500 and one at $3,000. Then a point of order was raised by the gentleman from Illinois [Mr. FOWLER]. The gentleman from Illinois having failed to make a point of order against the amendment offered by the gentleman from South Carolina, and it being out of order, any amendment that was out of order to that amendment is in order, and the result is that the Chair is compelled to overrule the point of order.

Mr. FOWLER. Will the Chair permit an inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. FOWLER. Has it not been the custom in the past in this House that where a provision has been made for an officer and a salary fixed and it has been discovered that two officers were required, that such may be done without violating the statute?

The CHAIRMAN. The Chair is advised by the parliamentarian that no such ruling has been made, and certainly the Chair does not know of any such ruling.

Mr. FOWLER. That has been the ruling ever since I have been here.

Mr. JOHNSON of South Carolina. That applies to clerks only.

The CHAIRMAN. The point of order is overruled. The question is on the amendment offered by the gentleman from Tennessee to the amendment offered by the gentleman from South Carolina.

Mr. MANN. Mr. Chairman, I would like to make an inquiry about the paragraph. This carries a controller at $5,000 and other officers. I want to ask if there is any provision made yet for the salaries of the Federal Reserve Board? How are those salaries to be carried?

Mr. JOHNSON of South Carolina. The additional $7,000 which the controller will receive by reason of his being a member of the Federal Reserve Board is to be paid by the national banks under the terms of the currency law.

Mr. MANN. Without an appropriation?

Mr. JOHNSON of South Carolina. Yes.

Mr. MANN. And you make no appropriations for the Federal Reserve Board?

Mr. JOHNSON of South Carolina. No; we have not. The Treasury Department held that we were not to make any appropriations.

Mr. MANN. We made an appropriation in the Federal reserve act which, I suppose, would carry the expenses to begin with; but I should think that we would have to make an appropriation for the salaries of the Federal Reserve Board.

Mr. JOHNSON of South Carolina. The currency act carries an appropriation of $100,000 for the preliminary organization. After the organization is completed, under the rules and regulations, whatever expenses may be incurred by the reserve board will be paid by assessment made on the banks.

Mr. MANN. Do not the banks, in fact, pay the expenses of the controller's office?

Mr. JOHNSON of South Carolina. They do. The Government first pays it, and then assessments are made on the banks, and the Treasury is reimbursed. Now, when this Federal Reserve Board shall have been organized, it may be that the rules and regulations will require the banks belonging to the system to pay into the Treasury a sum of money sufficient to reimburse it, and that we will be called upon to make an appropriation, as we are now in reference to national-bank redemption, but we have not yet been called upon to do that.

Mr. MANN. I should suppose that the assessment upon the banks would have to be paid into the Treasury. I may be mistaken about that. Of course, if these assessments are paid into the Treasury, they will have to be paid out by appropriations, unless the Federal reserve act makes the appropriation.

Mr. JOHNSON of South Carolina. That is quite true, I will say to the gentleman. The regulations adopted by this board may require this money to be paid into the Treasury, but, until the regulations are made, this committee has nothing to act upon. There was no suggestion coming to this committee to make an appropriation, and, therefore, it will have to be taken care of in a deficiency or some other bill after the board is organized.

Mr. MANN. It seems to me that, if the Treasury Department desired to keep up to date, they would have sent in an estimate for the salaries for the Federal reserve, fixed by statute, and which, I take it, would have to be made out of the Treasury.

Mr. JOHNSON of South Carolina. That may be.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee to the amendment offered by the gentleman from South Carolina.

The question was taken; and on a division (demanded by Mr. FOWLER) there were—ayes 47, noes 3.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The question was taken; and on a division (demanded by Mr. FOWLER) there were—ayes 46, noes 2.

So the amendment as amended was agreed to.

The Clerk read as follows:

Office of Comptroller of the Currency: Comptroller, $5,000; deputy comptrollers—1, $3,500; 1, $3,000; chief clerk, $2,500; chiefs of divisions—1, $2,500; 2 at $2,200 each; bookkeeper, $2,000; assistant bookkeeper, $2,000; clerks—8 of class 4; additional to bond clerk, $200; 13 of class 3; 13 of class 2; 26 of class 1; 13 at $1,000 each; 7 at $900 each; stenographer, $1,600; 6 counters, at $840 each; messenger; 5 assistant messengers; 3 laborers; 2 messenger boys, at $360 each; in all, $142,780.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word. This is a provision for the Comptroller of the Treasury. He is a part of the committee that selected the regional banks. A discussion having arisen yesterday about whether or not the banks were consulted after the regional district boundaries had been established, and the statement having been made that the banks voted in district No. 10, indicating their preference for the bank in that district, I communicated with one of the oldest bankers in that district and one of the most favorably known in the United States, asking him if such a submission had been made. This is his answer to my inquiry:

OMAHA, NEBR., *April 8, 1914.*

Hon. CHARLES H. SLOAN,
House of Representatives, Washington, D. C.:

No opportunity whatever was given the banks to express preference concerning either boundaries or reserve cities. After the districts were fixed, when Nebraska was tied up with a slice of western Missouri, Kansas, Oklahoma, and a slice of Texas, Omaha could not expect to be named as the reserve city. It was fixed for Kansas City alone. The outrage lies in putting us into such a district, with which we have little in common, and where a higher interest rate has prevailed and the business methods pursued are entirely different. About seven millions of Nebraska money must be placed in that bank, whether used by Nebraska people or not.

HENRY W. YATES.

I withdraw the pro forma amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Office of Commissioner of Internal Revenue: Commissioner, $6,000; deputy commissioners—1, $4,000; 1, $3,600; chemists—chief, $3,000; 1, $2,500; assistant chemists—2 at $1,800 each; 1, $1,600; 1, $1,400; heads of divisions—4, at $2,500 each; 5 at $2,250 each; superintendent of stamp vault, $2,000; private secretary, $1,800; clerks—3 at $2,000; 31 of class 4; 27 of class 3; 41 of class 2; 40 of class 1; 32 at $1,000 each; 42 at $900 each; 4 messengers; 20 assistant messengers (one transferred to surety-bond section); 16 laborers; in all, $359,270.

Mr. FOWLER. Mr. Chairman, I make the point of order against the paragraph. On page 49, line 21, there is a provision for a deputy commissioner at $4,000. The statute provides for his salary at $3,500. There is also a provision for one at $3,600. There is no authorization for the increase in the first, and no authorization at all for the other. I make the point of order against the paragraph.

Mr. JOHNSON of South Carolina. Mr. Chairman, this is a very important office.

Mr. MANN. Mr. Chairman, may I ask the gentleman from South Carolina a question?

Mr. JOHNSON of South Carolina. Certainly.

Mr. MANN. Is this the office which is charged with the collection of the income tax?

Mr. JOHNSON of South Carolina. Yes.

Mr. MANN. So if this paragraph is stricken out there would be no provision whatever made for the officials here who have to take charge of the collection of the income tax, and this would be an indirect attack or is an attack upon the income tax, as I understand it?

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman has just stated what I was in the act of informing the committee, that after many years Congress has succeeded in putting upon the statute books an income-tax law, in order to tax the rich and take the burden of government off the poor, especially the laboring men of this country, placing it upon the shoulders of those who are better able to bear the burden and who have shirked those burdens for lo these many years. We have placed upon this particular bureau the responsibility and duty of collecting from these men of great wealth these revenues to run the Government, and the gentleman from Illinois, who is supposed to be friendly to this great administration and the friend of labor, comes into this committee and absolutely paralyzes the enforcement of this great law by asking that this important paragraph be stricken from the bill.

Mr. Chairman, it is subject to the point of order. I am sorry the gentleman has seen fit to strike it out.

The CHAIRMAN. The point of order is sustained and the Clerk will read.

Mr. FOWLER. Mr. Chairman——

The CHAIRMAN. There is nothing before the committee.

Mr. FOWLER. But, Mr. Chairman, I desire to be heard before the point of order is ruled upon.

The CHAIRMAN. The Chair has sustained the gentleman. The Chair can not indulge the gentleman to speak to a point of order after he sustains his contention. The Clerk will read.

The Clerk read as follows:

Office of the Life-Saving Service: General Superintendent, $4,000, and $500 additional while the office is held by the present incumbent; assistant general superintendent, $2,500; principal clerk, $2,000; title and contract clerk, $2,000; topographer and hydrographer, $1,800; civil engineer, $1,800; draftsman, $1,500; clerks—3 of class 4, 5 of class 3, 4 of class 2, 5 of class 1, 3 at $1,000 each, 2 at $900 each; messenger; assistant messenger; laborer; in all $48,120.

Mr. FOWLER. Mr. Chairman, I make the point of order against the paragraph for the reason that it carries, on page 50, line 10, $500 additional for the present incumbent of the office, which is not authorized by law. I make this point of order because there is a plain provision of the statute fixing the salary of this office at $4,000. This is an effort on the part of this committee to increase the salary of this office by $500 without any authority whatever.

Mr. Chairman, there is a way to get ample provision in this bill to carry out the needs of this Government. The leader on the minority side, the gentleman from Illinois [Mr. MANN], in his adroit method, endeavors to make it appear that there is an effort to destroy the administration of the Government, and he makes a plea for the poor. He has voted more times against the poor than any other man in this House.

The CHAIRMAN. The Chair will ask the gentleman from Illinois to indulge the Chair for this suggestion: There is a method by which the gentleman from Illinois can discuss the various subjects he now desires to discuss, and that is by moving to strike out the last word of some paragraph to which he does not desire to make a point of order. It is the desire of the Chair to pass upon the point of order which the gentleman has made.

Mr. FOWLER. Mr. Chairman, just one moment. I want to say that if the committee wants to make ample provision for the administration of the Government it can go back to its committee room, where it ought to go, and bring in a clean bill in harmony with the plain provisions of the statute. It is their duty to do it.

Mr. JOHNSON of South Carolina. Mr. Chairman, just a word. The Life-Saving Service is one of the most important of the governmental activities. This service saves thousands of human lives every year. It saves millions of property along the coast. It is a service that ought to commend itself to this House and to the country. The man who is now at the head of this service has been there for something like 40 years.

Mr. MANN. Ever since it started.

Mr. JOHNSON of South Carolina. He organized it and has been with it from its infancy up to the present day; he has nursed and developed it. Ten years ago the Congress of the United States, recognizing the peculiar merits of this man, and not desiring to increase the salary permanently, provided that while the office was held by this particular man he should receive $500 additional compensation. It is clearly subject to the point of order.

The CHAIRMAN. Will the gentleman indulge the Chair to say that virtually the Chair cut the gentleman from Illinois from a further discussion of the proposition on its merits, and he did not feel like indulging the gentleman from South Carolina?

Mr. JOHNSON of South Carolina. This committee has not increased it.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

Bureau of Engraving and Printing: Director, $6,000; assistant director, $3,500; chief of division of assignments and reviews, $3,000; chief clerk, $2,500; medical and sanitary officer, $2,000; stenographer, $1,800; clerks—1 of class 4, 6 of class 3, 9 of class 2, 9 of class 1, 8 at $1,000 each, 10 at $900 each, 6 at $840 each, 15 at $780 each; disbursing agent, $2,400; storekeeper, $1,600; assistant storekeeper, $1,000; clerk in charge of purchases and supplies, $2,000; 9 attendants, at $600 each; helpers—2 at $900 each, 2 at $720 each, 2 at $600 each; 3 messengers; 7 assistant messengers; captain of the watch, $1,400; 2 lieutenants of the watch, at $900 each; 60 watchmen; 2 forewomen of charwomen, at $540 each; 25 day charwomen, at $400 each; 77 morning and evening charwomen, at $300 each; foreman of laborers, $900; 4 laborers; 85 laborers, at $540 each; in all, $241,760; and no other fund appropriated by this or any other act shall be used for services in the Bureau of Engraving and Printing of the character specified in this paragraph, except in cases of emergency arising after the passage of this act, and then only on the written approval of the Secretary of the Treasury, and in every such case of emergency a detailed statement of the expenditures on account thereof shall be reported to Congress at the beginning of each regular session.

Mr. FOWLER. Mr. Chairman, I make the point of order against the paragraph, because, on page 50, lines 18 and 19, there is a provision for a director of the bureau at a salary of $6,000. The statute provides for a salary of $5,000. There are other irregularities in the paragraph on which I do not desire to waste time.

Mr. MANN. Mr. Chairman, I would like to be heard on the point of order.

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not know where——

The CHAIRMAN. The Chair has recognized the gentleman from Illinois.

Mr. MANN. Mr. Chairman, the salary carried in the current law for the Director of the Bureau of Engraving and Printing is $6,000. The paragraph to which the point of order is made carries 60 watchmen, quite a number of charwomen, and in one place 85 laborers, at $540 each, and yet the gentleman from Illinois [Mr. FOWLER] makes the point of order on all of these items. The gentleman makes the point of order on this paragraph which carries the entire cost of the operation, so far as services are concerned, of the Bureau of Engraving and Printing, which prints the stamps for the Post Office Department, which prints the national-bank notes for the national banks, which prints the greenbacks for the Government, which prints the internal-revenue stamps for the Internal Revenue Department, and all the rest of the fine engraving and printing of the Government. Now, we have already stricken out of the bill on these points of order all the provisions for the collecting of the income tax and the other excise taxes of the Government, all of the provisions for carrying on the office force of the Life-Saving Service, and now my colleague makes the point of order on the paragraph carrying laborers in the Bureau of Engraving and Printing. If the point of order should be sustained and the provision go out, there is no provision left for the payment of the women or for other employees who do work in the Bureau of Engraving and Printing.

Mr. FOWLER. Will the gentleman yield?

Mr. MANN. In just a moment. I appeal to my colleague not to endeavor to strike out the employment of these poor people. I now yield to the gentleman.

Mr. FOWLER. If this point of order is sustained, will it discharge the Committee on Appropriations and prevent it from bringing in a bill in harmony with the statute?

Mr. MANN. These items to which I refer are in harmony with the statute. The gentleman makes the point of order upon the items for 85 laborers at $540 each, 25 day charwomen at $400 each, 77 morning and evening charwomen at $300, and in addition to other places like 3 messengers, 7 assistant messengers, and so forth.

Mr. FOWLER. Will the gentleman yield?

Mr. MANN. And laborers. I yield.

Mr. FOWLER. Is there anything to prevent the chairman or any member of the Committee on Appropriations from offering

an amendment to provide for all of those places as provided for by law?

Mr. MANN. Well, so far as the power of Congress is concerned, Mr. Chairman, there is nothing to prevent Congress from passing a law paying each of these people $40,000 a year apiece, but when it comes to a practical proposition there are many things to prevent.

Mr. FOWLER. What is there to prevent a member of this committee from offering an amendment in harmony with the statute?

Mr. MANN. Oh, I say these items are in harmony with the law, and that is the reason I am arguing the point of order. If I did not think they were in harmony with the law, I would not argue the point of order, and I am calling the attention of the Chairman to the fact that the law authorizes this and provided for these charwomen, these laborers, these messengers, and I maintain that these items are not subject to the point of order which my colleague is insisting upon.

Mr. FOWLER. I will ask the gentleman if he will yield further?

Mr. MANN. Well, I will yield, although the gentleman takes up most of the time now, but I will yield.

Mr. FOWLER. I desire to ask the gentleman if it is not a fact that any member of this committee or of the House may now offer an amendment restoring this paragraph in harmony with the statute?

Mr. MANN. Is the gentleman through with his question? He has asked it six times——

Mr. FOWLER. And the gentleman has never answered it yet.

Mr. MANN. Is the gentleman through with his question? The gentleman may not be satisfied with my answer, but any member of this committee can propose any kind of an amendment he desires. It does not make any difference whether it is in order or out of order, whether it has anything to do with the subject matter or not; that is not the question before us. When an amendment is proposed, that will be before us. The question before us now is the paragraph making provision for printing stamps for the Post Office Department, for the printing of money which is in use throughout the country, for the printing of stamps for the Internal-Revenue Department, for the printing of all engraving done for the Government by the Bureau of Engraving and Printing, and the gentleman has made a point of order against the entire paragraph and all the items contained in it.

The gentleman is insisting on striking out the paragraph. Now the gentleman asks whether it is within the power of the Congress to overcome the gentleman. I think that, in the end, notwithstanding the strenuous efforts of my colleague to kill the Life-Saving Service, to ruin the office of the Comptroller of the Currency, and to strike down the Bureau of Engraving and Printing, the power of Congress will be exerted to retain all of these items. But my colleague will not participate. He is doing his best to kill the Government. [Applause.]

Mr. BARTLETT. Mr. Chairman, this point of order is not well taken, because the gentleman makes a point of order against the paragraph carrying all of these salaries to which the gentleman from Illinois [Mr. MANN] has called attention, for the Bureau of Engraving and Printing, down to the smallest paid employee, charwomen, and laborers down there, who make a livelihood by hard work and attention to their business. The permanent law nowhere fixes the salary of the Director of the Bureau of Engraving and Printing. So that being the state of the law, it is left to Congress in appropriating for this office to fix a salary. The gentleman will not assert it to be a fact that there is any permanent law fixing the salary of the Director of the Bureau of Engraving and Printing. If it were true that there was a general law fixing the salary at any particular amount, then the gentleman's point of order would be good, but this salary, Mr. Chairman, has never been fixed except in the current law—in the appropriation bill—and that being true, it has never been a fixed salary, but subject always to the will of Congress to say whether it shall be $5,000 or $6,000, or any other amount, and therefore it is not subject to the point of order. To that end I call the attention of the Chair to this rule upon the subject. On page 355 of the Manual, I read:

> But an exception to these general principles is found in the established practice that in the absence of a general law fixing a salary the amount appropriated in the last appropriation bill has been held to be the legal salary.

Now, in 1910, as I am informed, the salary was fixed at $6,000 in an appropriation bill, and since that time—and I believe the gentleman will agree with me that I state the legislative facts correctly—since that time Congress has carried, and did carry in the last appropriation bill, the salary of $6,000. The rule from which I made the citation is one dealing with the question of what is in order upon appropriation bills, and provides in the first part of it that it is in violation of the rule to fix a salary greater than the one provided for by the general law. But the exception is in the case that we now present to the Chair, and that is, there being no general law fixing the salary of the Director of the Bureau of Engraving and Printing, the last bill making the appropriation and fixing the salary is the law, and therefore the gentleman can not sustain the point of order against it.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. BURKE of South Dakota. If the gentleman's contention is right, then the proposition making the salary $5,000, as suggested by the gentleman from Illinois [Mr. FOWLER], would still be subject to a point of order, would it not? I understand the gentleman from Georgia to state that the statute does not fix his salary.

Mr. BARTLETT. I do. The gentleman from Illinois does not contend that there is any permanent law upon that subject; at least, that is my information.

Mr. BURKE of South Dakota. My understanding from the gentleman from Illinois was that the salary was $5,000 per year.

Mr. BARTLETT. The gentleman understands if it was established by current law, not by permanent law, at $6,000——

Mr. BURKE of South Dakota. I am with the gentleman, of course.

Mr. BARTLETT. I understand.

Mr. BURKE of South Dakota. If the salary at $6,000 is subject to a point of order, then the salary at $5,000 or $4,000, or any other amount, would be subject to the same point of order?

Mr. BARTLETT. Certainly. If the point of order is good against $6,000, it would be good against $1.

Mr. BURKE of South Dakota. Then the effect of the gentleman's point of order, if sustained, would be that we could not have any director.

Mr. BARTLETT. Because there is no permanent law fixing the salary. And the only guide the Chair has is as to the salary that was carried in the last appropriation bill. It occurs to me that the point of order is not well taken.

The CHAIRMAN. May I ask the gentleman from Georgia whether he has the statute creating the office of the Director of the Bureau of Engraving and Printing?

Mr. JOHNSON of South Carolina. There is no statute. There is a law authorizing the Bureau of Engraving and Printing. It is a governmental institution in operation. The law devolves upon that bureau the duty of performing certain governmental functions, and we make appropriations for these functions to be performed, there being no salary for the director fixed by law. It is perfectly manifest that the amounts fixed in the current appropriations must control.

The CHAIRMAN. There is no doubt that if the law creates a bureau and does not fix a salary, the salary fixed in the current law is the salary that shall be fixed above which this committee can not go if a point of order is made against it. The only question in the mind of the Chair was if the act creating the Bureau of Engraving and Printing created the director or any other office or left that entirely to Congress.

Mr. JOHNSON of South Carolina. It created the bureau to make stamps and do certain other things.

The CHAIRMAN. That would authorize the appropriation.

Mr. FOWLER. I was not able to find, in my investigation, an authorization for the office. Also, Mr. Chairman, in the current act of 1910, Sixty-second Congress, there was carried a provision for $5,000. While I am not sure whether the salary was at that time made permanent law, because it is hard to hold all these figures in mind, yet I have an impression that the salary was fixed at that time at $5,000. Yet I would not impose my recollection against the contention of any gentleman.

The CHAIRMAN. The gentleman from Illinois is familiar, I am sure, with the rule that unless the statute fixes the salary the amount carried in the last current law is the salary?

Mr. FOWLER. Yes.

The CHAIRMAN. The only question is on the salary fixed in the current law, the appropriation bill for 1914.

Mr. FOWLER. If there is no authorization by statute for the office——

The CHAIRMAN. The very fact that the Congress creates a department is sufficient to authorize or create an officer to perform the duties of that department.

The Clerk read as follows:

> Secret Service Division: Chief, $4,250; assistant chief, who shall discharge the duties of chief clerk, $3,000; clerks—1 of class 4, 1 of

class 3, 2 of class 2, 1 of class 1, 1 at $1,000; assistant messenger; in all, $16,370.

Mr. FOWLER. Mr. Chairman, I reserve a point of order against the paragraph, and I make the point of order against the item——

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman can not both reserve a point of order and make it. Let him make his point of order. I demand the regular order.

Mr. FOWLER. My point of order, Mr. Chairman, is that on page 51, line 19, a provision is made in the bill for the chief of the Secret Service Division at a salary of $4,250. The last appropriation bill carried a provision for $4,000. This is an increase over the last appropriation of $250, and that is the reason why I make the point of order.

The CHAIRMAN. Does the gentleman from Illinois make a point of order against the paragraph?

Mr. FOWLER. I reserve it.

The CHAIRMAN. The gentleman can not reserve it when the gentleman from South Carolina calls for the regular order Does the gentleman make it to the entire paragraph or to the language that has just been read?

Mr. FOWLER. I desire to reserve the point of order against the paragraph, and make a point of order against the item I have indicated.

Mr. MANN. That has never been the practice.

The CHAIRMAN. In the opinion of the Chair, that has never been the practice of the House.

Mr. BARTLETT. Mr. Chairman, the gentleman can not make a point of order just to suit his convenience. He can not halfway make it, or only partially make it, or make it and still reserve it.

Mr. FOWLER. Mr. Chairman, I reserve the point of order on the paragraph, and make the point of order against the item indicated.

The CHAIRMAN. Will the gentleman state to the Chair whether he makes the point of order against the paragraph or against the item on line 19, "Chief, $4.250"?

Mr. FOWLER. I made the point of order against the salary of the Chief of the Secret Service Division.

The CHAIRMAN. What does the gentleman from South Carolina [Mr JOHNSON] say in regard to that?

Mr. CALDER. Mr. Chairman, I would like the gentleman to reserve the point of order against this item.

The CHAIRMAN. That can not be done when the gentleman from South Carolina [Mr. JOHNSON] demands the regular order.

Mr. CALDER. Mr. Chairman, for this item, Chief of the Secret Service Division, no salary is authorized in the statute creating the place; and while it is true that the bill of last year carried $4,000, the fact that it is not fixed by law seems to me to hold against the point of order. I doubt very much, in view of this fact, if this is subject to the point of order.

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not care to take up the time of the committee; we are making such slow progress. I have already stated to the committee since we began the consideration of this bill that wherever this committee has increased any salary we were perfectly ready to be criticized for it and to explain why we did it.

Now, I would like to make a statement of a moment or two. The gentleman who holds this office——

Mr. FOWLER. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman from Illinois demands the regular order.

Mr. JOHNSON of South Carolina. I submit, Mr. Chairman, the item is subject to a point of order.

Mr. MANN. Mr. Chairman, I would like to be heard on that.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MANN. Mr. Chairman, this position is under the Secret Service Division. The chief of that division is by this bill provided with a salary of $4,250. It is true that in the current appropriation act the salary is fixed at $4,000; it is also true that since the original act was passed, as I recall it—passed at the short session last year—there has been a new President installed. One of the duties of this chief of the Secret Service Division is to guard the President against attacks; and I maintain, Mr. Chairman——

Mr. FOWLER. Mr. Chairman, I demand the regular order.

Mr. MANN. Oh, I am discussing the point of order, Mr. Chairman. I maintain that it is in order for a Democratic House to increase the salary of the man who is to protect the Democratic President, notwithstanding the opposition of my colleague, Mr. FOWLER, to his protection.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

Mr. BARTLETT. Mr. Chairman, did the paragraph go out?

The CHAIRMAN. No; only the item for the chief at $4,250. The Clerk will read.

The Clerk read as follows:

Office of Director of the Mint: Director, $5,000; computer and adjuster of accounts, $2,500; assayer, $2,200; clerks—2 of class 4, 2 of class 3, 1 of class 1; private secretary, $1,400; messenger; assistant in laboratory, $1,200; assistant messenger; skilled laborer, $720; in all, $22,580.

Mr. FOWLER. Mr. Chairman, I make a point of order against the following: On page 51, on line 24, is a provision for $5,000 for the Director of the Mint. The statute provides for a salary of $4,500. For that reason I make a point of order against it.

Mr. JOHNSON of South Carolina. The point of order is well made.

The CHAIRMAN. Does the gentleman make the point of order against the paragraph, or simply against the director at $5,000?

Mr. FOWLER. Against just what I have stated, Mr. Chairman.

Mr. JOHNSON of South Carolina. The point of order is well taken.

Mr. MANN. We have not been able over here to tell what the point of order was directed to.

The CHAIRMAN. The gentleman made the point of order against the item on line 24, page 51, "director, $5,000."

Mr. HUMPHREYS of Mississippi. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HUMPHREYS of Mississippi. The gentleman makes a point of order against the sum $5,000. Now, if that point is sustained, only the provision for the salary of the director is stricken from the bill. Is that true?

Mr. BARTLETT. That is all.

Mr. HUMPHREYS of Mississippi. Then is it true, Mr. Chairman, that the point of order that the gentleman from Illinois [Mr. FOWLER] made against the salary of the Superintendent of the Life-Saving Service struck out the whole paragraph?

Mr. JOHNSON of South Carolina. In that case he made the point of order against the paragraph.

The CHAIRMAN. He made the point of order against the paragraph in one instance and against the item for salary in the other.

Mr. HUMPHREYS of Mississippi. Then the point of order against the Life-Saving Service was made against the whole paragraph and not against the salary of the superintendent?

The CHAIRMAN. The gentleman has stated it correctly. The Clerk will read.

The Clerk read as follows:

For freight on bullion and coin, by registered mail or otherwise, between mints and assay offices, $10,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I offer an amendment to strike out "$10,000," in line 6, page 52, and insert "$30,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Washington [Mr. HUMPHREY].

The Clerk read as follows:

Amend, page 52, line 6, by striking out the sum "$10,000" and inserting in lieu thereof "$30,000."

Mr. BURKE of South Dakota. Mr. Chairman, before the gentleman from Washington discusses his amendment I would like to make a suggestion. I understand that this reduction is upon the theory that some of the assay offices heretofore carried in the bill may be discontinued. Now, amendments will be offered at another place in the bill proposing to reinstate these assay offices. I would like to ask the gentleman from Washington or the chairman of the subcommittee in charge of the bill if this amendment can not go over until we dispose of the amendments that will be offered to reinstate the offices omitted by the Committee on Appropriations.

Mr. JOHNSON of South Carolina. I was just going to ask the chairman for unanimous consent to pass this item, because the action of the committee with respect to the assay offices will largely determine what this appropriation ought to be.

Mr. BURKE of South Dakota. If the committee should be sustained, then, perhaps, the appropriation of $10,000 would be sufficient.

Mr. JOHNSON of South Carolina. Amply sufficient, I think.

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from South Carolina to make that request?

Mr. HUMPHREY of Washington. What is the request?

Mr. JOHNSON of South Carolina. That that particular item be passed without prejudice, to be returned to after we pass the mint and assay offices. Then we will know better what we are doing.

Mr. HUMPHREY of Washington. I have no objection to that, if the amendment is to be considered as pending.

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from South Carolina to make that request?

Mr. HUMPHREY of Washington. Yes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to pass this item temporarily.

Mr. MANN. To pass the paragraph with the amendment pending?

The CHAIRMAN. To pass the paragraph with the amendment pending. Is there objection?

Mr. HUMPHREY of Washington. I have no objection; but I want a little more definite understanding, that it shall be taken up immediately after passing the paragraph in relation to assay offices.

Mr. JOHNSON of South Carolina. I think that will be the proper time to consider it.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Office of Surgeon General of Public Health Service: Surgeon General, $6,000; chief clerk, $2,000; private secretary to the Surgeon General, $1,800; assistant editor, $1,800; clerks—3 of class 4, 3 of class 3, 7 of class 2 (1 of whom shall be translator), 7 of class 1, 3 at $1,000 each, 3 at $900 each; messenger; 3 assistant messengers; 2 laborers, at $540 each; in all, $49,780.

Mr. BRYAN. Mr. Chairman, a short time ago Mrs. Archibald Hopkins, chairman of the Civic Welfare League, went to this most important Bureau of Public Health and made complaint to Surg. Gen. Blue with reference to the system of working women employees in the office of the Auditor for the Post Office Department. The Surgeon General appointed Dr. Rucker, one of his force, to investigate the matter. Dr. Rucker went there and took the matter up with Mr. Kram, but there arose a question of jurisdiction. Dr. Rucker did not care to force himself upon Mr. Kram, and Mr. Kram pleaded that the Bureau of Public Health hardly had jurisdiction to interfere. Nevertheless, Dr. Rucker presented a series of questions to be asked of these employees, in order that the conditions might be brought out definitely and carefully. He presented these questions to Mr. Kram, but the matter was held in abeyance by him. A few days ago Dr. Rucker asked Mr. Kram what he was going to do about it, and Mr. Kram notified Dr. Rucker that he preferred that Dr. Rucker should not ask those questions and not interrogate these girls. In other words, Mr. Kram slammed the door shut in the face of the Bureau of Health and prevented an investigation of the complaint lodged by the Civic Welfare League concerning the health of these women who are worked under the lash of Mr. Kram.

Mr. HUMPHREYS of Mississippi. Who is Mr. Kram?

Mr. BRYAN. He is the Auditor for the Post Office Department in the Treasury Department. When the Health Bureau attempted to investigate the matters that were referred to by me in the debate here day before yesterday, the accuracy of which statements was challenged, when an attempt was made to investigate them by a man who was competent and qualified to do so, Mr. Kram interposed his objection and prevented that investigation.

Mr. JOHNSON of South Carolina. Where did the gentleman get that information?

Mr. BRYAN. I got that information this morning from Dr. Rucker, of the Bureau of Public Health. Surg. Gen. Blue appointed Dr. Rucker to make the investigation of a complaint lodged by a noted civic worker here in the city, an associate and helper of Mrs. President Wilson in civic matters. Dr. Rucker went there and presented a series of questions, and requested that they be asked of the women at work on these machines, in order that the complaint made by the Welfare League might be determined, and in order that these matters which I detailed with more or less indefiniteness day before yesterday might be regularly determined. Mr. Kram interposed the point of jurisdiction, the delicate proposition of a clash between two departments, and the Health Department concluded that they had no right to run over a coordinate, and therefore the investigation has not been made.

Mr. MANN. Will the gentleman yield for a question?

Mr. BRYAN. Yes.

Mr. MANN. The gentleman knows that both these bureaus are under the Treasury Department.

Mr. BRYAN. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. J. I. NOLAN. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. Unanimous consent is asked that the gentleman have five minutes more. Is there objection?

There was no objection.

Mr. MANN. Both these branches of the public service, the Auditor's Office in the Treasury Department and the Public Health Service, are under the Secretary of the Treasury?

Mr. BRYAN. Yes.

Mr. MANN. It is for the Secretary of the Treasury to determine whether one service shall go into the office of another service in his department; not for them to determine among themselves.

Mr. BRYAN. The gentleman knows that the Secretary of the Treasury has other very delicate matters on hand now that, doubtless, somewhat divide his attention.

Mr. MANN. I should suppose they would incline him toward the side of the women—one woman, at least. [Applause.]

Mr. BRYAN. These facts are as related. The gentleman from Maryland [Mr. LEWIS], in his argument the other day, wherein we were turned down to a certain extent, said that he had not investigated the "personal pathology" of the proposition. Nevertheless he came to certain conclusions that I believe were not at all warranted. By "personal pathology" I suppose he meant personal suffering, disease, and things of that kind that we were complaining of—the very things he had not investigated. Also, the gentleman from New York [Mr. FITZGERALD] had not thoroughly investigated that side of it, and the gentleman from South Carolina [Mr. JOHNSON] did not know particularly about the complaints of these individuals. I believe he said no complaints had been filed. I think upon revising his thoughts the gentleman would correct that, and I believe the gentleman will remember, doubtless, that some complaints have been presented to him.

Mr. JOHNSON of South Carolina. I do not do anything of the kind. I have no recollection of having received any complaint on this subject from any human being.

Mr. BRYAN. Then I will not insist upon that, because I am not in a position to prove the point.

Mr. JOHNSON of South Carolina. If I may interrupt the gentleman, I am as much interested in the welfare of these people as is the gentleman from Washington, or anybody else; but I have taken it upon myself to go to this place and make a personal investigation.

Mr. BRYAN. I recognize that the position of the gentleman from South Carolina is as he has stated, and I am not questioning his interest or sincerity.

Mr. HOWARD. Will the gentleman yield?

Mr. BRYAN. For a question.

Mr. HOWARD. Has the gentleman ever visited the Auditor's office of the Post Office Department?

Mr. BRYAN. I have.

Mr. HOWARD. Has the gentleman talked with the young ladies down there?

Mr. BRYAN. I have.

Mr. HOWARD. Then, if you have talked with them you have discovered that Mr. Kram is one of the most popular men in the department.

Mr. BRYAN. I have talked with 27 of them, and the unanimous opinion was that if Mr. Kram should fall down the elevator shaft they would wear red chrysanthemums instead of crêpe. As I stated the other day, there is no man in the department so unpopular and execrated and condemned by the employees as is Mr. Kram, as far as I have been able to ascertain.

Mr. HOWARD. How many has the gentleman talked with?

Mr. BRYAN. Quite a number.

Mr. HOWARD. About how many?

Mr. BRYAN. Well, I will not stand for that cross-examination. The gentleman from Georgia is not conducting a prosecution.

Mr. HOWARD. No; I am not conducting a prosecution, but I am asking a question to find out something about the knowledge of the gentleman from Washington, which seems to be very superficial from what he has said.

Mr. BRYAN. I am informed that there are more complaints filed in the department against Mr. Kram than any other man in the department. When a physician from the Health Bureau went to investigate him he practically shut the door in his face and refused to allow these girls and women to be interrogated. Now, if the gentleman from Georgia wants to defend that kind of business, if he wants to say that a man that will do that kind of a thing is right with the employees and is treating them fairly, he may take the responsibility for his statement. As far as I am concerned, I do not believe it is right. We propose to knock out this piece-rate business, and to knock it out so emphatically that it will not get back into the bill in the Senate.

Mr. COX. Mr. Chairman, I happen to know a little about the controversy down there in the Auditor's office for the Post Office Department, and I have known more or less about it for

nearly three years. I can not and I will not remain idly by on the floor of this House and hear a man who in my candid judgment is doing his duty to his country slammed right and left. I do not know what Mr. Kram's politics is. I imagine he is a Republican.

Mr. HOWARD. That is right.

Mr. COX. He was appointed during a Republican administration, and for the good of this country, for the good of the department, it will be hard to supplant him by a Democrat. Three years ago I was made chairman of the Committee on Expenditures in the Treasury Department, which put me in touch, more or less, with all the bureaus of the Treasury Department. At that time Mr. Kram was beginning to inaugurate this system. The employees trooped to my committee room at the Capitol, day in and day out, with all kinds and manner of bitter invective heaped upon him, that he was cruel, that he was inhuman, that he was taking human life, and they tried to get an investigation. I refused. I did not know Mr. Kram at that time, and I went down there to see, myself.

While I am not an expert accountant, I went through the department to some extent. I could not see at the time any cruelty on the part of Mr. Kram as against any employees, and this last summer I spent from 10 o'clock in the morning until 4 o'clock in the evening in the presence of Mr. Kram, going from desk to desk, interviewing employee after employee, and I never heard a single, solitary kick. Part of the time I was with Mr. Kram and part of the time he was not present. It is the first time in the history of my career since I have been a Member of Congress that I ever heard of an employee of the Government being overworked. [Laughter.]

Mr. BUTLER. What did these charges of cruelty consist of?

Mr. COX. Speeding up; making them work faster, as it is *claimed; but* I deny this to be true.

Mr. HOWARD. Will the gentleman yield?

Mr. COX. For a question.

Mr. HOWARD. Is it not a fact that the auditor's department in the Treasury as it now exists is the best organized bureau in the Treasury Department?

Mr. COX. There is no question about it. As I say, it is the first time in the history of my career that I ever heard a man get up on the floor of the House with the nerve and audacity to claim that any employee of this Government was being overworked. [Laughter.]

Go down to the Pension Bureau and see them hanging over the balustrades by the score and score; see them standing around reading newspapers. Go down to the War Department and see the halls and the great corridors in the building literally filled with employees idle; doing nothing. Go to the Secretary of State's office, go to all the great departments of the Government and find, if you can, any employees that are actually overworked.

Mr. Chairman, Mr. Kram has inaugurated a system that ought to control in this country, which requires a full day's work for a full day's pay. As a result of Mr. Kram's installation of piecework, the Postmaster General informs me, and I imagine he informs everybody else, that he has been able to furlough 70 employees. Is it our duty to strike out provisions in this bill that would reduce the employees of the Government, so that the old man back home with the hoe can to this extent have his burdens lessened? It certainly is. If a system can be devised that is not cruel or inhuman that will reduce the employees and thereby effect an economy to the people at large, it is certainly our duty to do it.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

Mr. HOWARD. I want five minutes.

Mr. BUCHANAN of Illinois. I want 10 minutes.

Mr. JOHNSON of South Carolina. I shall object to that. Mr. Chairman, I move that all debate on the paragraph and amendments thereto close in five minutes.

Mr. BUCHANAN of Illinois. Mr. Chairman, I raise the point of no quorum. The game that you are undertaking to play you will not play unless I can get time.

Mr. JOHNSON of South Carolina. You have already got the provision out of the bill.

Mr. BUCHANAN of Illinois. I am not going to let such rotten statements go as have just been made by the gentleman from Indiana.

Mr. COX. I say they are not rotten statements; they are facts, and I stand by them.

The CHAIRMAN. The gentleman from Illinois makes the point of no quorum. The Chair will count. [After counting.] Seventy-seven Members present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adair	Eagan	Kinkead, N. J.	Peters, Me.
Alexander	Eagle	J. R. Knowland	Plumley
Ansberry	Estopinal	Korbly	Porter
Barchfeld	Fairchild	Kreider	Post
Bartholdt	Fess	La Follette	Powers
Borchers	Floyd	Langham	Prouty
Borland	Francis	Lee, Ga.	Reed
Bowdle	Gardner	Lee, Pa.	Reilly, Conn.
Brockson	George	L'Engle	Riordan
Broussard	Gillett	Lenroot	Roberts, Mass.
Brown, N. Y.	Gittins	Lesher	Rothermel
Brown, W. Va.	Goeke	Levy	Rouse
Bruckner	Goldfogle	Lewis, Md.	Rupley
Brumbaugh	Goodwin	Lewis, Pa.	Sabath
Burgess	Gorman	Lieb	Sharp
Burke, Pa.	Goulden	Lindquist	Sinnott
Burnett	Graham, Pa.	Lobeck	Slayden
Campbell	Greene, Vt.	Loft	Sparkman
Candler	Griest	Logue	Stafford
Carew	Griffin	McAndrews	Stanley
Carlin	Gudger	McClellan	Stedman
Carr	Guernsey	McKellar	Stout
Cary	Hamill	Madden	Talbott, Md.
Casey	Hamilton, N. Y.	Maher	Taylor, Ala.
Clancy	Hardwick	Manahan	Thomas
Clark, Fla.	Hart	Martin	Underwood
Clayton	Hayes	Merritt	Vare
Coady	Heflin	Metz	Vollmer
Conry	Henry	Miller	Wallin
Covington	Hinds	Moon	Walsh
Cramton	Hobson	Morin	Whaley
Crisp	Hoxworth	Neeley, Kans.	Whitacre
Cullop	Hulings	Neely, W. Va.	White
Dale	Jones	O'Leary	Wilson, N. Y.
Dooling	Kahn	O'Shaunessy	Winslow
Doremus	Keister	Palmer	Woodruff
Doughton	Kelley, Mich.	Patten, N. Y.	Woods.
Driscoll	Kelly, Pa.	Patton, Pa.	

The committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of Union, reported that that committee had had under consideration the bill H. R. 15279, the legislative, executive, and judicial appropriation bill, and finding itself without a quorum he had directed the roll to be called; that 280 Members answered to their names, a quorum, and he reported herewith the list of the absentees.

The committee resumed its sitting.

The CHAIRMAN. The question is on the motion of the gentleman from South Carolina that all debate on the pending paragraph and amendments thereto close in five minutes.

The motion was agreed to.

Mr. BYRNS of Tennessee. Mr. Chairman, I think it is unfortunate when an employee of the Government undertakes to do his duty, to save money for the Government, and to properly perform the duties of his office, that there are Members of the House who, without any personal investigation, without taking the trouble to go to his office and look into the matter personally, but merely because, possibly, some disaffected employee in his office comes to the Member with an ex parte statement, complaining of some supposed or alleged injustice to that employee, should undertake to denounce such public official on the floor of this House. I hold no brief for the Auditor of the Post Office Department. I do not know his politics. I have understood that he is a Republican and not a member of my party, but, Mr. Chairman, there is not an official in this Government who has looked after the affairs of his office with greater zeal and has saved more money for the Government, taking into consideration the amount of money appropriated for his office, than has the present Auditor of the Post Office Department. It has been said here on the floor of the House that his office is a sweatshop, that he is overworking employees, but if the gentlemen who make that charge had seen fit to go down to his office and go through it and investigate it from top to bottom I am quite sure they would not have made any such statement on the floor of the House. I say it is doing a great injustice to the Auditor of the Post Office Department to make that statement, and gentlemen owe it not only to him but to themselves, before they stand here on the floor and make such statements, to make at least a partial personal investigation of the facts.

Mr. BRYAN. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. No; not now. What are the facts? In 1910 the office of the Auditor for the Post Office Department during the fiscal year cost the people of this country $835,680. In this bill for the year 1915 there is proposed to be carried the sum of $710,820, a reduction of more than 14 per cent over what it cost to do the same work four years ago; and that notwithstanding the fact that the cost of the Postal Service has increased in the meantime more than 33 per cent. That is a record, Mr. Chairman, of which the Auditor of the Post Office Department has a reason to feel proud, and certainly Members of Congress, in the face of that record, ought not to stand here

and undertake to criticize and abuse him in his honest effort to discharge the duties of his office.

It has been said that he runs a sweatshop. What are the facts? The facts are that Mr. Kram has issued an order in which he prohibits an employee in his department from assorting more than a certain number of cards; and there are employees in his office who are able to start at 9 o'clock in the morning and get through with the work they are allowed to perform in any single day before 3 o'clock in the afternoon. In addition to that, it was shown here on Tuesday that employees in his office who formerly made only $720 a year when paid a salary are now drawing more than $1,000 a year. There is not an employee in his office to-day who is not drawing more money under this piece-rate basis than he or she was drawing under the salary basis, with the exception of six; and, in addition to that, as I have already said, they not only draw more money, they not only receive more compensation, but they work one or two, and in some cases three, hours less than they formerly did. The gentlemen are wholly unwarranted in what they say. They are doing an injustice to the Auditor of the Post Office Department, and they are doing an injustice to themselves when they come here and on the ex parte statement of some disaffected or disgruntled employee and without the least personal investigation on their part undertake on the floor of the House to denounce the auditor and the conduct of his office.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 12169. An act providing for an additional appropriation for a public building in the city of Monroe, N. C.

The message also announced that the Senate had passed bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5147. An act to authorize and direct Col. George W. Goethals, governor of the Canal Zone, and formerly chairman and chief engineer of the Isthmian Canal Commission, to investigate certain claims of the McClintic-Marshall Construction Co.; and

S. J. Res. 139. Joint resolution to authorize the President to grant leave of absence to an officer of the Corps of Engineers for the purpose of accepting an appointment under the Government of China on works of conservation and public improvement.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

In addition to the offices of the four auditors of the Treasury required to be removed to the old building of the Bureau of Engraving and Printing, the General Supply Committee and offices of the Treasury now occupying rented quarters, and such other offices or parts of offices of the Treasury Department as the Secretary of the Treasury may determine, shall be removed thereto; and the Bureau of Engraving and Printing shall entirely vacate all of said buildings on or before June 1, 1914.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

Mr. JOHNSON of South Carolina. What is the last word?

Mr. MANN. Fourteen, not seven. In addition to any question about the merits of the proposition, is that word "buildings" in line 18, or should it be "building"?

Mr. JOHNSON of South Carolina. There are two or three buildings.

Mr. MANN. Well, there is only one referred to hitherto, and then it says "buildings."

Mr. JOHNSON of South Carolina. Sometimes buildings are referred to in the singular and sometimes in the plural. As a matter of fact, there is some kind of a walk way and steps between the buildings.

Mr. MANN. With due deference to grammatical construction, if it is "building" in one place, it ought to be "building" in the next place, I do not care which; but when I find the word "building" in one place and in the next line or two referred to as "buildings," it is a little incorrect, whatever it is. If it is "building" in line 12, it should be "building" in line 18. However, I do not care. As I understand, it is the intention under this system to transfer to the old Bureau of Engraving and Printing the different divisions in addition to the auditors. These different divisions are now placed where?

Mr. JOHNSON of South Carolina. Some of them are in rented buildings and some of them in the Treasury Building.

Mr. MANN. I understand that; but where are they? That is what I am trying to find out.

Mr. JOHNSON of South Carolina. I could not tell the gentleman, unless I had the Book of Estimates to refer to the rented buildings.

Mr. MANN. Well, I have not succeeded in getting much yet.

Mr. JOHNSON of South Carolina. Some are in the Cox Building, some in the Union Building, and so on.

Mr. BUCHANAN of Illinois. Mr. Chairman, I rise to oppose the motion of the gentleman from Illinois.

The CHAIRMAN. Has the gentleman from Illinois yielded the floor?

Mr. MANN. Yes.

Mr. BUCHANAN of Illinois. Mr. Chairman, the gentleman from Indiana [Mr. Cox] was praising Mr. Kram's work in the auditing department——

Mr. JOHNSON of South Carolina. Now, Mr. Chairman, I am obliged to make the point of order——

Mr. BUCHANAN of Illinois. Mr. Chairman, Mr. Kram has established a system of——

Mr. JOHNSON of South Carolina. Mr. Chairman, we filled 20 columns of the RECORD on Tuesday with a discussion of this question.

The CHAIRMAN. The gentleman from Illinois will suspend. For what purpose does the gentleman from South Carolina rise?

Mr. JOHNSON of South Carolina. Let me ask the gentleman a question. I think I can be as good-natured as anybody.

Mr. BUCHANAN of Illinois. I am trying to be good-natured.

Mr. JOHNSON of South Carolina. If I consent to a discussion of this subject for five minutes, will the gentleman promise not to return to it any more?

Mr. BUCHANAN of Illinois. I make no promises at all, Mr. Chairman.

Mr. JOHNSON of South Carolina. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Illinois will proceed in order.

Mr. BUCHANAN of Illinois. Mr. Chairman, I have not taken up the time of the committee——

Mr. MANN. The gentleman took up 35 minutes on a roll call.

Mr. BUCHANAN of Illinois. Well, Mr. Chairman, I make no promises, but I will promise gentlemen I will take up some time from this on.

The CHAIRMAN. The Clerk will read.

Mr. WILLIAMS. Mr. Chairman, I move to strike out the last two words, and I ask leave to extend my remarks in the RECORD by inserting a letter, which I send to the Clerk's desk and ask to have read in my time, from the Postmaster General relating to the rule for the appointment of postmasters in Republican congressional districts.

Mr. JOHNSON of South Carolina. Now, Mr. Chairman, I do not like to be discourteous.

Mr. MURDOCK. The gentleman ought not to object; it is pretty good stuff, and it is only a few lines.

Mr. TOWNSEND. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from New Jersey will state it.

Mr. TOWNSEND. What is the status which prevents the gentleman from Illinois from speaking at this time? I have not been able to discover it.

The CHAIRMAN. There is nothing to prevent the gentleman from Illinois from addressing the committee at this time, if he discusses the paragraph under consideration, and the gentleman from South Carolina made the point of order that the gentleman was not discussing the paragraph under consideration.

Mr. TOWNSEND. Is not that a rather unusual objection?

Mr. J. I. NOLAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. J. I. NOLAN. Inasmuch as the gentleman wanted to discuss the Auditor for the Post Office Department and the paragraph takes into consideration the removal of the four auditors of the Treasury Department, of which this gentleman is one, was not the gentleman in order?

Mr. JOHNSON of South Carolina. But we do not happen to remove him.

The CHAIRMAN. The Chair thinks it does not come within the spirit of the rule. The Chair has been as liberal as it is possible to be with reference to this discussion, and if the gentleman in charge of the bill makes a point of order the Chair feels constrained to sustain it. The question before the committee is a mere question of parliamentary inquiry, and the Chair has stated in reference to that, and the question now is, Shall the Clerk read in response to the request of the gentleman from Illinois [Mr. WILLIAMS]? The Clerk will read.

The Clerk read as follows:

POST OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., April 8, 1914.

Hon. W. E. WILLIAMS,
House of Representatives.

MY DEAR MR. WILLIAMS: I have your letter of the 6th instant asking to be advised as to what extent Congressmen at Large are consulted

with regard to the appointment of postmasters under the practice now being pursued by the department.

In reply, I would advise that under a practice of very long standing the department seeks recommendations for postmasters from Representatives in Congress who are in accord with the political faith of the administration. For districts not represented by such Congressmen the recommendations of Senators in such accord are given first consideration; but where neither Representatives nor Senators are in accord with the administration suggestions and recommendations are sought from the State organizations of the party in accord with the administration.

You will therefore observe that Congressmen at Large under this plan are not credited with any post-office patronage.

Very sincerely,

A. S. BURLESON,
Postmaster General.

Mr. JOHNSON of South Carolina and Mr. BURKE of South Dakota rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. BURKE of South Dakota. Mr. Chairman, I rise for the purpose of resisting the motion of the gentleman from Illinois.

The CHAIRMAN. The gentleman from South Carolina rose, who is in charge of the bill, and the Chair felt that he ought to recognize the gentleman from South Carolina.

Mr. BURKE of South Dakota. But, Mr. Chairman, I desire to ask a question of the gentleman who is in charge of the bill.

The CHAIRMAN. Does the gentleman from South Carolina desire recognition?

Mr. BURKE of South Dakota. Mr. Chairman, I am entitled to the floor, unless the gentleman from South Carolina wants it, and I desire to ask him a question.

The CHAIRMAN. Does the gentleman from South Carolina yield?

Mr. JOHNSON of South Carolina. I yield.

Mr. BURKE of South Dakota. I would like to ask the gentleman in charge of the bill whether or not this bill carries provision for the rent of buildings that are now occupied by these auditors who will be removed to the old Bureau of Engraving and Printing?

Mr. JOHNSON of South Carolina. The legislative bill carries the appropriation for the rent of such buildings as are rented in Washington, but we contemplate that when we have the old Bureau of Engraving and Printing Building at our disposal we will be able to move all of these departments that are now in rented buildings to that building. You will notice this bill carries no appropriation for rent. But it is fair to say that I inquired whether or not they would be able to get all of their files that are now in the Cox Building and in the Union Building into the old Bureau of Engraving and Printing Building, and it was stated that it was impossible to answer the question properly until they go in and take out certain partitions and begin to use the space. It is possible when they undertake to move into that building they will not be able to store all the files and records, and we will still have to make further provision for rented buildings; but the appropriation will not be very large.

Mr. BURKE of South Dakota. What I particularly desire to know, and I now ask the gentleman, is how much will be saved by reason of the auditors being moved to the old bureau building and not being required to further rent quarters for the occupation of these departments?

Mr. JOHNSON of South Carolina. We are now paying about $47,000 a year in rents, and we hope to save nearly all of that amount. We may have to rent a little space outside, but not much.

Mr. Chairman, on Tuesday we filled 20½ columns of the RECORD in discussing the piece-rate proposition. Only two speeches, as I now recollect, were made on this side of the House in favor of the bill. This morning the piece-rate proposition was overwhelmingly voted out of the bill. The committee has no feeling about it. The gentleman from Illinois [Mr. BUCHANAN] did not happen to participate in that debate. I do not want to be discourteous to anybody, and although we have passed the matter and it is out of the bill, I ask unanimous consent that the gentleman from Illinois be allowed——

Mr. BUCHANAN of Illinois. I do not ask any favor——

Mr. JOHNSON of South Carolina (continuing). To address the committee for five minutes on that subject.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina [Mr. JOHNSON].

Mr. MANN. Mr. Chairman, reserving the right to object, I understood a while ago that my colleague refused to be good. Have they reached a ground for agreement?

Mr. BUCHANAN of Illinois. I have the same statement to make now that I made then. I have no promises to make. I tried to be good all the way through. I have as much right to exercise my rights on the floor of this House as any other Member, and shall be the judge of how to do it under the rules.

Mr. MANN. The gentleman now seeks to do it outside of the rules.

Mr. BUCHANAN of Illinois. I have not sought this. The gentleman is mistaken. This request has not been made by me.

Mr. MURDOCK. The gentleman realizes he does not have to accept this tender unless he wants to do so.

Mr. DONOVAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. The gentleman can not get the floor without addressing the Chair.

Mr. BUCHANAN of Illinois. I decline to accept the offer of the gentleman from South Carolina.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent——

Mr. BUCHANAN of Illinois. I decline to accept the unanimous consent.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent that the gentleman from Illinois [Mr. BUCHANAN] may proceed for five minutes. Is there objection?

Mr. MANN. Mr. Chairman, in order to save my colleague under the circumstances, and at his suggestion, publicly made, I shall object.

The CHAIRMAN. The gentleman from Illinois objects, and the Clerk will read.

The Clerk read as follows:

For washing and hemming towels, for the purchase of awnings and fixtures, window shades and fixtures, alcohol, benzine, turpentine, varnish, baskets, belting, bellows, bowls, brooms, buckets, brushes, canvas, crash, cloth, chamois skins, cotton waste, door and window fasteners, dusters; flower garden, street, and engine hose; lace leather, lye, nails, oils, plants, picks, pitchers, powders, stencil plates, hand stamps and repairs of same, spittoons, soap, matches, match safes, sponges, tacks, traps, thermometers, toilet paper, tools, towels, towel racks, tumblers, wire, zinc, and for blacksmithing, repairs of machinery, removal of rubbish, sharpening tools, street car tickets not exceeding $250, advertising for proposals, and for sales at public auction in Washington, D. C., of condemned property belonging to the Treasury Department, payment of auctioneer fees, and purchase of other absolutely necessary articles, $13,500.

Mr. TOWNSEND. Mr. Chairman, I move to strike out the last word. I would like to have the attention of the gentleman from Illinois [Mr. BUCHANAN].

The CHAIRMAN. Does the gentleman move to strike out the last word?

Mr. TOWNSEND. I do; and for the purpose of getting the attention of the gentleman from Illinois [Mr. BUCHANAN]. I want to ask him if he was duly elected to this Congress and has presented his credentials as a Member of this Congress?

Mr. BUCHANAN of Illinois. I understand I have. I have not inquired of the chairman of the Committee on Appropriations or the leader of the minority.

Mr. TOWNSEND. I understood from the leader of the minority that he had some doubts as to whether the gentleman from Illinois [Mr. BUCHANAN] had been elected or not.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Contingent and miscellaneous expenses, Office of Auditor for the Post Office Department, namely: For miscellaneous items, including purchase, repair, and exchange of typewriting machines, of which not exceeding $375 may be used for rental of telephones, and not exceeding $300 may be used for the purchase of law books, books of reference, and city directories, $3,500.

Mr. BUCHANAN of Illinois. Mr. Chairman, I move to strike out the last word. Mr. Kram, who is at the head of the auditing department in the Post Office Department, has instituted one of the most vicious systems that has ever been instituted in any industry in the country. I am surprised at some of the remarks made here, and can not account for them beyond the fact that the gentlemen who have made them have very little knowledge of what the piecework system means, and even a less knowledge of the industries of the country and what is to the benefit of the workers of the country, inasmuch as they are advocating a system such as has been instituted in this department.

There never has been a piecework system but that it has been injurious and disadvantageous to the worker. It has always developed into a wage that is based upon the most efficient and very best labor, and when they increase the productive power the wage is reduced until a speeding-up system is reached that results in overdrawing on the resources of the worker.

Now, it is not surprising to me that the gentleman from Indiana [Mr. Cox] and the other gentlemen who said that they went down there and were shown around by Mr. Kram should make a favorable report of the matter, because Mr. Kram doubtless had matters fixed for them. I happened to go down there when Mr. Kram did not know I was coming, and I say to you, gentlemen, that some of the employees were afraid to speak. And if you will tell me of a condition where the employees are afraid to speak the truth in regard to a matter, but say that it is something they approve of, their advice and opinion is of no value to me, so far as I am con-

cerned. This system there is going to result in the deterioration of the resources of the women who are working there, and if this Congress wants to be in harmony with the best interests of the laboring people of this country, both organized and unorganized, they will put their stamp of disapproval on any such system as Mr. Kram has inaugurated in that auditing department. [Applause.]

Now, to my mind it is only a question of being fair in this matter. It is nothing about which we should become excited, or that should lead to personal remarks. Piecework has been going on in this country for many years.

Organizations of labor have made investigations in regard to these things outside of their own organizations; I mean organizations that do not have the piecework system. My trade had it when we started as an organization, and we soon found that it was detrimental, and we disposed of the system. Almost every other organization, after studying the situation, has done the same thing.

I say that it is not fair to say that because those organizations are opposed to the piecework system they are in favor of loafing. Everybody who knows anything about my history knows that it is not true. I believe in efficiency. I believe in merit in work. I believe in doing a fair day's work for a fair day's pay.

Mr. GORDON. Mr. Chairman, will the gentleman allow me to interrupt him?

Mr. BUCHANAN of Illinois. No; I can not be interrupted. I must comply with the rules, and that means I can get only five minutes. All these organizations have the same view on this subject, not because they have any feeling against the employer, because certainly they are interested in the industries in which they are working. They have taken this position only because they know it is for the best interests of human kind and for the best interests of all the people of this country. I say to you that piecework is only of temporary benefit anyway, because as soon as it makes inroads upon human resources, as soon as you get the work to that position where there is a strain and an overdraft on the resources of the human being, he begins to deteriorate, so that he is not as efficient as he formerly was.

I am glad this question has come up here, and I am glad we shall have the opportunity to pass upon it, and pass upon it properly, and that means that it will be stamped out, and stamped out now. [Applause.]

Now, Mr. Chairman, the piecework system is practically the same as the Taylor system. The labor unions all over the country have been opposing that system, and it is rather a happy conclusion that has been arrived at now, because the manufacturers who are finding out really what it is do not use it themselves. They have found after a thorough trial that it is not advantageous. Of course they took to it at first. Mr. Taylor told what it would do in the way of promoting efficiency, and so on; but when it was learned that it was not really an efficient system and was not going to accomplish what Mr. Taylor and others said it would accomplish, and was not really of advantage in shop management or a real benefit to anyone, they passed it up. But these gentlemen here who do not know anything about labor, and who prefer to take the word of a man whose system of work is a blot on this administration—and that is Mr. Kram——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that my colleague [Mr. BUCHANAN] may proceed for five minutes more.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that his colleague may proceed for five minutes. Is there objection?

There was no objection.

Mr. BUCHANAN of Illinois. I found out that the system in vogue down in the office of the Auditor for the Post Office Department was wrong and contrary to the representations that have been made in regard to it, and it is a wrong return to make to say that the Government employees are not efficient servants. I believe, in the main, that they are efficient servants and earn all or more than they are given. I believe they are becoming more efficient all the time.

I do not know what the gentleman from Indiana [Mr. Cox] is talking about when he says they are loafing around. There may be men in some of the Government departmental offices loafing, some of those messengers, or people like that, who are called upon now and then to do work and who must be ready to do their work when they are called upon. But in the Post Office Department and in the Navy Department, where they do mechanical work, and in other departments where they have their work laid out for them, I believe they are as efficient as most workmen are anywhere.

It has been demonstrated in the Navy Department that they can there manufacture almost any of their supplies more cheaply than those supplies can be purchased by contract. If the gentleman will go to Chicago, I will show him some real hard workers, mail carriers, and I will leave it to him to decide, before he consumes much time in Chicago, whether they are worked too hard or not, both in the post office and as carriers. I will show him that he has yet to discover a place where the post-office employees are not earning the money they get. I believe it would be wholesome information for the gentleman, and it would put him more at ease and would render him less excited about these employees of the Government getting something that does not belong to them. I can show him that condition in almost every department that I am familiar with, and I can show it to every gentleman here.

I am one of those who are opposed to every sort of loafing, whether under the Government or otherwise. I tell the officials of labor unions that they must put the stamp of disapproval upon those employees who try to get Government jobs simply on the theory that the jobs are easy or that they can thereby get something for nothing. In other words, I urge upon them that they must encourage industry and efficiency on the part of their members. In connection with the trades-union movement and otherwise I have always contended that a mechanic should do a fair day's work and should receive in return a fair day's pay for that fair day's work.

This bill is inconsistent in many ways. I notice, by a comparison of the items in regard to the engineers in Government buildings, that some are paid $1,400, some $1,200, and some $1,000. I notice some other things also that do not seem to be just the proper things.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Ohio?

Mr. BUCHANAN of Illinois. Yes.

Mr. WILLIS. May I ask this question, entirely for information? I wondered if the gentleman's attention had been called to the fact that the law clerk in the office of the Auditor for the Post Office Department receives $3,000 a year while the law clerks in the offices of the other auditors receive $2,000? For example, on page 41, in line 7, the law clerk in the office of the Auditor for the Treasury Department is given $2,000 per year; in line 13, $2,000 is given the law clerk in the office of the Auditor for the War Department; line 24 provides $2,000 per year for the law clerk in the office of the Auditor for the Navy Department; on page 42, the law clerk in the office of the Interior Department Auditor gets $2,000; and line 14, page 43, gives the law clerk in the office of the Auditor for the State and Other Departments $2,000 per year. Yet the law clerk in the office of the Auditor for the Post Office Department is given $3,000 per year. Why should there be any discrimination among these law clerks? Why should they not all be given the same salary of $2,000 per year?

Does the gentleman know any reason for that; and if so, what that reason is?

Mr. BUCHANAN of Illinois. I do not know. I do not think the law clerk there does piecework in the auditor's department [laughter], and I do not suppose he is any more efficient than any other law clerk. There may be some explanation to it, but I do not understand it. But however we may differ about other matters, it seems to me that in this case there should be no difference of opinion in regard to piecework among those who are trying to bring about proper conditions among the working people. The establishment of the piecework system by any Government department can not fail to be an encouragement to those outside who are desirous of introducing that system. It enables them to point to the fact that the Government itself is doing piecework, and it gives those drivers who want to drive labor to the limit of its ability and to keep up the strain and destroy the resources of labor at an early age an opportunity to introduce that system in their private establishments.

The CHAIRMAN. The time of the gentleman from Illinois has again expired. The Clerk will read.

The Clerk read as follows:

In all, $6,000, to be expended under the direction of the Auditor for the Post Office Department under rules and regulations to be prescribed by the Secretary of the Treasury and to operate as a specific exception of the said office from the appropriation for contingent expenses, Treasury Department, unless otherwise provided by law.

Mr. BRYAN. Mr. Chairman, I notice that at the top of page 58 there is a separate paragraph beginning with the words:

In all, $6,000.

Is that an addition to these other paragraphs on the other page? And if it is, why is it made into a separate $6,000 item? Is the total appropriation $6,000 or $12,000?

Mr. JOHNSON of South Carolina. It is simply the foregoing items added up.

Mr. BRYAN. It looked odd to me, and I did not know what it was.

The Clerk read as follows:

For purchase of tabulating equipment for use in auditing accounts and vouchers of the Postal Service, including exchange, repairs, miscellaneous expenses of installation, cards, and filing devices, $86,350, to be expended under the direction of the Auditor for the Post Office Department under rules and regulations to be prescribed by the Secretary of the Treasury: *Provided*, That not exceeding $22,150 may be expended for the rental of tabulating and card-sorting machines.

Mr. J. I. NOLAN. Mr. Chairman, I move to strike out the last word. This paragraph carries an appropriation of $86,350 for the purchase of additional mechanical equipment for that particular auditor's office which audits the accounts of the Postal Service, to which I have absolutely no objection. The statement was made here by the gentleman from Indiana [Mr. Cox] and the gentleman from Tennessee [Mr. BYRNS] that a great deal of credit was due to this particular auditor for the saving of a vast amount of money. I contend that the saving to this Government is from the installation of these mechanical devices and not from the system which he inaugurated in that particular branch of the service. In line with that I wish to take, not my own statement or the statement of any employee down here, but the statement of that gentleman himself, on page 140 of the hearings before the committee, in which he states:

When the installation of the electrical tabulation system was recommended it was recognized that there would be a number of employees in the office who would not be adapted to perform the work, and the department has relieved the office from time to time of persons not adapted to the work, taking over on the rolls of the various bureaus 15 employees in the past 18 months, and on the 12th instant the retransfer of 12 former employees of the Bureau of Engraving and Printing was directed by the Secretary.

In all, 27 employees in 18 months. That is 16⅔ per cent of the 162 employees in that department. I want to call attention to the fact that in the short period of time in which this system has been in operation they have found that number of employees unfitted for this system of piecework. And what has this gentleman done? He has recommended their transfer to some other bureau. In other words, he has got the best that was in them, physically, under the old and the new systems, and when they could continue no longer he has transferred them to some other branch of the Government service, and that branch of the Government service is supposed to suffer.

In other words, he wants young women, strong and healthy. As long as they are able to hit the pace and keep it up he is willing to keep them in that particular establishment, but just as soon as they are not able to keep up the pace on these tabulating and card-punching machines he wants to turn them over to the Bureau of Printing and Engraving, the Treasury Department, or some other department and let that department bear the expense of their inefficiency. That is the system against which we are protesting, not the action of the committee, not the installation of these labor-saving devices, because we realize that the Government ought to receive as much benefit as private employers from the inventions which we protect through our legislation and through our patent laws. It is the system this gentleman has established in the Auditor's office of the Post Office Department, whereby he is taking the best that is in these women, as far as their physical condition is concerned, and after he gets through with them and makes them ready for the scrap heap he is willing to turn them over to the Bureau of Engraving and Printing or some other branch of the Government service. I stand for a fair division of the benefits accruing from the installation of these mechanical devices, both financial and otherwise, between the Government and the employee that will promote efficiency and will be the right sort of economy.

I am not opposed to the installation or to the furtherance of this system of introducing labor-saving devices in the Government service, but I am opposed to the Government itself taking advantage of defenseless women and allowing one of the Government officials to build up a reputation for efficiency and economy at the expense of human beings. [Applause.]

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not care to take up a great deal of time, because we have already discussed this thing at great length. The paragraph over which the discussion arose has gone out of the bill, and I am taking the defeat gracefully, I hope, and in perfect good humor.

I want to say, once for all, for the benefit of some of these gentlemen on the floor, that I am as much interested as they are in the people who are in the employment of the Government. I am not rendering so much lip service, but I believe I have as much of the milk of human kindness in me as any man here. [Applause.]

I have gone to this office and investigated conditions. I have expressed to the Auditor for the Post Office Department my conviction that under no circumstances, as these people increased in efficiency and as they were able to turn out more cards per day or per hour, should there be any reduction in the price. There is nothing in this record that justifies the statement that this man has sent old and worthless and worn-out people to other departments. That is not what he says. That is what the gentleman from California says, and the testimony does not warrant it. I will tell you what he did do. He took a vote, and some people voted that they would prefer a salary. Some voted that they would prefer piecework. Every person who was found to be unadapted to piecework—not on account of age, but on account of temperament or anything else—and every person who did not want to do piecework, it has been the policy of the Auditor for the Post Office Department to seek for that person another position, where he could be paid an annual salary and not be compelled to do piecework. Now, that is all there is about it.

Mr. J. I. NOLAN. Will the gentleman yield for just one question?

Mr. JOHNSON of South Carolina. Yes.

Mr. J. I. NOLAN. Does the gentleman know whether this ballot in relation to piecework was a secret ballot or an open ballot?

Mr. JOHNSON of South Carolina. The ballot was in writing.

Mr. J. I. NOLAN. I mean whether the employee was compelled to sign her name on the ballot or not?

Mr. JOHNSON of South Carolina. Yes; they signed their names; and for those who voted that they preferred their salaries instead of piecework it has been the policy of the auditor to seek places where they could be paid salaries instead of continuing on piecework. Nobody has been turned off, and the people have not been transferred because they were inefficient, but they have been transferred because they preferred to be transferred, or because they were not adapted to piecework. That is the statement the auditor makes to me.

As I said in the beginning, this whole question has been thrashed out. You gentlemen have won your victory, and you certainly ought to be satisfied with it. I think that you ought at least to be fair enough to yourselves to go and make a personal investigation before you talk in that way on the floor of the House.

Mr. MANN. Mr. Chairman, I move to strike out the last two words. With Members on this side of the House I voted for the amendment to remove this piecework system, because I do not believe in the permanent employment by the Government in working this class of people on the piecework system. I think the criticisms that have been made against the auditor, Mr. Kram, are entirely unnecessary, unprovoked, and very unfair. Every gentleman must know that when it comes to operating a particular machine, like a typewriting machine or a punching machine, machines that require a delicate touch of the fingers, the ability to rapidly move one finger after another in the right place, that everyone is not adapted to that character of work.

Many of the women in the auditor's office who are used to using a pen, adding up columns of figures, doing the work well and quite able to do the clerical work and do it well, when it came to operating a punching machine did not find that they were mentally or physically, one or the other, adapted to the best work of that character. It was not the piecework system that made the distinction at all; it was not a question of whether they worked on piecework or not. Of course such persons might be retained on the monthly salary roll and do a little work, but it is perfectly evident to everyone that it would not take very long for a person not adapted to that character of work, on a salary, to be dropped from the place, because one who does a very little amount of work or makes a very large number of errors will not be long retained in that office.

The auditor's office in making the change from the old system to the new system of machine work, which is referred to as piecework, found a number of these ladies who were not well qualified for operating the machines as they were for doing the clerical work, and he has endeavored, with other Government officials, instead of removing these people from the Government service, to find places for them somewhere else in the Government service.

It is hardly fair for my friend from California [Mr. J. I. NOLAN] to say that it is because they have been worn out, as if they had been at this line of work for a series of years. These machines have only been in the office about two years. People who have the strength to do this kind of work do not get worn out in that length of time. It is not because people have been worn out, but because some of them are mentally and physically not capacitated to do this class of work.

I stated to the House the other day that it would be impossible for me to operate one of these machines owing to a slight infirmity, but I do not think I am wholly useless in the world, or entirely worn out; not yet. [Laughter and applause.]

Mr. MURDOCK. Mr. Chairman, I have seldom been more gratified over any one proposition than I was over the victory

of the amendment of the gentleman from California this morning doing away with piecework in this auditor's office. I know nothing personally about the conditions in the office, but I am against piecework. I have had an opportunity in my life to see the evolution of piecework in one branch of labor. I knew as a youth the old-fashioned print shop, where the printer stood at the case and was paid by what was known technically as "by the ems." The man who put up more type than the other man got more pay, and in those days the proposition upon the part of the large employer was to drive all of his men for maximum production.

I saw the old-style print shop pass and the new-style printing office come in. I saw the evolution from the man who stood at the case to the man who sat at the machine. The transition was a cruel period in the printing trade, for the reason that the new typesetting machine was a labor-saving device, and thousands of printers were turned out of employment when it was installed. The machine put the printer on an entirely new basis. Pacemaking was bad enough when a man stood at the case, but here was a high-tensioned machine, a machine of high gears, rods, and finger boards, in which there was practically no limit of production under pressure. The minute the machines were installed there was remonstrance, and piecework, which was tearing men down physically and nervously, passed in union shops.

Mr. FITZGERALD. Will the gentleman yield?

Mr. MURDOCK. Yes.

Mr. FITZGERALD. How long has the gentleman been in the House?

Mr. MURDOCK. About 11 years.

Mr. FITZGERALD. We have had appropriations in this bill for the payment of piecework employees of the Government ever since the gentleman has been here, and he has never said a word in opposition to it.

Mr. MURDOCK. I am sorry I did not; and, if I have been guilty of dereliction in the past, I am doubly glad to assist to-day in getting rid of this piecework system.

It is not particularly what happens up here in this department that I am interested in, but it is the example the Government sets all over the country to those employers who drive men and women mercilessly and cruelly by the piecework system. Organized labor is against piecework.

Mr. FITZGERALD. The best-organized body of employees is the plate printers; and every year that the gentleman has been here the bill has carried an appropriation for the payment of plate printers in the Bureau of Engraving and Printing, to be paid at piece rates to be fixed by the Secretary of the Treasury; and the gentleman has never raised his voice in opposition. These employees would not have it changed if they could.

Mr. MURDOCK. I doubt the gentleman's statement on that. Probably they would not if you took the testimony of the men above them, who are interested in driving them to the limit.

Mr. FITZGERALD. Oh, no; we have had representatives from the plate printers before our committee.

Mr. MURDOCK. Now, Mr. Chairman, this paragraph has a provision in it for the rental of machines. The Government does not own all the machines; some are owned by some private corporation; and it is the interest, I judge, of that private corporation to keep the machines going the limit to show their efficiency to the Government—to show that they are better than hand labor.

Mr. SELDOMRIDGE. Would it not be for their interest to reduce the output?

Mr. MURDOCK. Not at all. You take the women of the department and speed them up under the lash and the efficiency will fall off. They will not keep up in efficiency, as the gentleman from Illinois [Mr. BUCHANAN] has just pointed out. If you crowd the operators, put them on high-tension machines, drive them to the limit, the efficiency will fall off; it does not increase.

The Clerk read as follows:

COLLECTING INTERNAL REVENUE.

For salaries and expenses of collectors of internal revenue, deputy collectors, surveyors, clerks, messengers, and janitors in internal-revenue offices, $2,150,000: *Provided*, That no part of this amount be used in defraying the expenses of any officer, designated above, subpœnaed by the United States court to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts."

Mr. GOOD. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of line 25, page 58, insert the following:

"*Provided further*, That no part of this appropriation shall be used to pay the salary of any deputy collector who has not received his appointment as the result of a civil-service examination."

Mr. JOHNSON of South Carolina. Mr. Chairman, against that I make the point of order. It is legislation, pure and simple.

Mr. GOOD. Mr. Chairman, will the gentleman reserve the point of order?

Mr. JOHNSON of South Carolina. Certainly.

Mr. GOOD. Mr. Chairman, the item is not subject to a point of order, but of that later. This item, carrying $2,155,000, provides for the salary of 63 revenue collectors, 1,179 deputy collectors, and 168 clerks. The act of October 22, 1913, provided that these deputy collectors should be taken out of the classified service, and should be appointed, irrespective of the law which requires that deputy collectors shall be appointed from the certified list. That act was the worst blow to the civil service that civil service has received in the last 20 years. That act was intended and will reinstate the spoils system. That act is significant when we follow it with the first appropriation bill and find that the change to the spoils system calls for additional force to do the work.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Ohio?

Mr. GOOD. This provision, carrying salaries for those officers for deputy collectors, is most significant. It proves one of two things—either that the Democratic deputy collectors are inefficient or the spoils system is to blame for the increase in salaries. Mr. Chairman, I read from the hearings to show the extent of these increases.

It is estimated 10 more deputies will be employed at a salary of $1,400 than were employed in 1913, 20 more at a salary of $1,300, 6 less at a salary of $1,200, 3 less at a salary of $1,100, 16 less at a salary of $1,000, and 4 more at a salary of $900; also 5 more clerks at a salary of $1,200, 3 more at a salary of $1,100, 20 more at a salary of $1,000, 1 more messenger at a salary of $720, and 1 more at a salary of $600.

And this bill carries every increase asked for.

No one contends that the work is increasing. Why, then, should we increase this organization force? Why this increased expense? Simply because we have provided that these deputies shall be appointed without regard to civil-service examination. A return to spoils means an increase for spoilsmen. Let me cite one case. In my own city a number of years ago a young man came and commenced the practice of law. He was able, but he was poor. He took a civil-service examination, and was appointed a deputy revenue collector, at a salary of $50 a month. He had charge of the sale of stamps to the persons there engaged in the sale and manufacture of tobacco. That community was horrified one day to learn that that young lawyer, who had the confidence and respect of everybody, was found dead in his office, sitting in his chair. He left a wife and little girl, but no property. His widow took the civil-service examination and was appointed a deputy collector in the place of her deceased husband at $50 a month, which enabled her to live and educate her little girl. Last week the spoilsman entered that town and removed that widow from office and placed in her stead the chairman of the Democratic county committee—a very estimable gentleman; no examination; oh, no. The office was removed from the Federal building to the place of business of this gentleman; and that is what is going on all over this country. I make this amendment now when it will strike, perhaps, at as many Republican deputies as it does to deputies who are Democrats. It enunciates a principle that ought to be written into the law with regard to deputy collectors of internal revenue, with regard to deputy collectors of the income tax.

Mr. Chairman, I have searched diligently to ascertain some good reason why we should increase this force. I can find no good reason except the spoils system. Efficiency and ability to perform the work of the office has been set aside and reward for political service is to be the only element that will enter into one's qualifications for appointment to these positions. There are almost 1,200 of these deputy collectors in the United States. The salary carried for these positions is over $2,000,000, an amount that will go to the spoilsmen throughout the country and will be the entering wedge that will, unless we by our acts prevent it, destroy the great civil-service system, a system that has done so much to bring better service for the Government wherever it has been employed.

Mr. GORDON. Mr. Chairman, the question I desired to ask the gentleman was this. He stated that the greatest blow that has been delivered in 20 years to the merit system was when this House agreed to the Senate amendment to the sundry civil appropriation bill, I believe, removing deputy collectors and deputy United States marshals from the classified service. I wanted to ask the gentleman if he did not recall that the same blow was delivered by President McKinley, after his inaugura-

tion in 1897, when he removed all of these same officials from the classified service by Executive order?

Mr. GOOD. Does the gentleman say that would make it right? If that order was wrong, is that any reason why this Congress should perpetuate that wrong?

Mr. GORDON. I was just calling the gentleman's attention to the fact that this was not the worst blow that has been delivered, this amendment to the sundry civil appropriation bill, which was delivered by act of Congress.

Mr. FITZGERALD. It was not the sundry civil appropriation bill.

Mr. GORDON. The urgent deficiency bill.

Mr. GOOD. That order kept in the service everyone who was in the service——

Mr. GORDON. That order resulted in removing every Democrat in the service and filling the offices with Republicans. It was done, of course, in the interest of the service! The gentleman's idea of the interest of the service is to put out every Democrat in office and fill his place with a Republican.

Mr. GOOD. Not at all.

Mr. GORDON. And that is exactly what was done under Mr. McKinley, and just as soon as they got the offices filled with Republicans Mr. Roosevelt issued an Executive order putting them back into the classified service without an examination. Is that true or not?

Mr. GOOD. No; it is not true; and the amendment I have offered will prevent as many Republicans from receiving salaries who have not been appointed as the result of the civil-service examination as it will Democrats. It is not partisan at all. It is an amendment offered to preserve the civil-service laws of the United States.

Mr. GORDON. Yes. Whenever you propose a measure here to keep Republicans in office and put Democrats out it is in the interest of the civil service. The gentleman talks about the large number of Republicans in these positions. Just possess your soul in peace and give us time. We will dispose of all the Republicans who are not efficient; but we have not had the time yet. I do not know where the service has suffered. I arose simply for the purpose of calling attention to the hypocrisy that has been indulged in on the floor of this House on this one particular question, to wit, the deputy collectors and deputy United States marshals. President McKinley, after his inauguration, removed from the classified service by Executive order deputy collectors and deputy United States marshals, and then proceeded to fill the offices with Republicans. It took about all the time that McKinley was President to do this. When Roosevelt got in he proceeded to issue an Executive order placing all these employees back under the civil-service rules, and by that time they had all these positions filled by men recommended by Republican Senators or Members of the House, none of whom had passed a civil-service examination. That is exactly what was done, and that is history.

Mr. JOHNSON of South Carolina. Mr. Chairman, under the guise of limiting an appropriation it is not in order to change the law. The deficiency act of 1913 specifically provided that these particular officials should not be appointed by reason of civil-service regulations. In other words, if they have been taken out by act of Congress it is not possible in making an appropriation for them under the guise of limiting that appropriation to repeal the law, so I make the point of order.

Mr. MONDELL. Mr. Chairman, I would like to be heard on the point of order. This amendment is clearly a limitation on the appropriation and in order under the rules. I call the attention of the Chair to page 360 of the rules, paragraph 825, and to this language, which brings under the rule an amendment which provides—

That no part of the appropriation under consideration shall be used for a certain designated purpose.

That language refers to a ruling of the Chair which we find in volume 4 of Hinds' Precedents, paragraph 3917, page 617:

The House may by limitation on a general appropriation bill provide that no part of an appropriation shall be used for a certain purpose.

That is exactly what this limitation does. I refer the Chair to the citation on page 617, and I also call the attention of the Chair to the citation in paragraphs 3917 and 3926 of the same volume, all of which clearly indicate the unvarying rule of the House, a rule that has been followed without any variation by many Chairmen, that a limitation of this sort is clearly in order. It is a limitation to the effect that no part of an appropriation shall be used for a certain designated purpose, and the logic of the rule is this, that as the House can refuse to appropriate for a certain purpose—in other words, an amendment to strike out this item would be in order—the House may by limitation provide that no part of an appropriation shall be used for a certain purpose.

Now, the gentleman from South Carolina says that it is not in order, and cites an act of Congress which he said took these places out from under the classified service. The gentleman is not entirely accurate in his language or statement, although that does not make any difference. The law in question provided that these appointments might be made without regard to the civil service, but the fact is a large number of the people employed, to be paid for by this item, have been appointed under civil-service rules. My idea is that probably a majority of those now serving were appointed under civil-service rules, but I would like to ask my friend from Iowa [Mr. GOOD], who is familiar with the subject, if that is his information.

Mr. GOOD. Most of them.

Mr. MONDELL. The gentleman from Iowa says most of them were appointed under civil-service rules. Now, there is a law to the effect they may be appointed without regard to civil-service rules, and some may have been so appointed, and it has been held time and time again——

Mr. BARTLETT. Will the gentleman yield?

Mr. MONDELL. In just a moment. And the rulings have been so clear that I somewhat hesitate to take up the time of the Chair in discussing it—that the House may limit appropriations, as is proposed. Let me read a little further. I am reading now from the rules, page 360, paragraph 825, and I call the Chair's special attention to this language:

And this designated purpose may reach the question of qualifications.

That is exactly what this item does reach, the question of qualifications. Now I yield to the gentleman from Georgia.

Mr. BARTLETT. Mr. Chairman, the gentleman, I think, is mistaken about the matter in reference to the deputy collectors and marshals under the internal-revenue office being appointed under the civil service. The gentleman will recall that in the tariff act passed making provisions for the collection of the income tax a provision——

Mr. MONDELL. We have not reached that portion yet.

Mr. BARTLETT. That there was a provision carried in the urgent deficiency bill of October, 1913—I think it was October sometime——

Mr. MONDELL. I will say to my friend that the item to which this amendment is offered is at the bottom of page 58 and refers to internal-revenue collectors.

Mr. BARTLETT. Well, the internal-revenue collectors collect the income tax, and the deputy collectors, so I do not think I am mistaken—however, I do not want to consume too much of the gentleman's time.

Mr. MONDELL. The gentleman understands this, that whether I am entirely correct or not, whether a large majority or only a majority, or a minority only, were appointed under civil service, is immaterial. It would not matter if only one had been so appointed.

Mr. BARTLETT. I readily assent to the gentleman's proposition, and I merely wanted to correct the statement of the facts which he had made. It is immaterial whether any have been appointed under civil service as affecting the legality of this amendment, and of course I realize that at once that that would be no argument against it being in order.

Mr. MONDELL. That was my information—that a majority of them had been so appointed—but that is entirely immaterial.

Mr. BARTLETT. It is.

Mr. MONDELL. The law now provides they may be appointed in any way. Now, some have been so appointed——

Mr. BARTLETT. Most of them.

Mr. MONDELL. The rule of the House is very clear relative to an amendment placing a limitation providing that no part of an appropriation should be used for a certain designated purpose.

I am now reading from the rule, and the gentleman will realize how clearly the language of the rule fits this case: "And this designated purpose may reach the question of qualification." The case is so clear I do not wish to take up the time of the Chair any further.

The CHAIRMAN. The Chair is ready to rule. The present occupant of the chair is not very much enamored of the civil-service law, and ordinarily would like to rule this provision out of order; but from an examination of the precedents it is very clear this is purely a limitation on this appropriation, and the Chair therefore overrules the point of order.

Mr. BARTLETT. Mr. Chairman, this amendment, if passed, would prevent the payment of salaries to those Government officials who have been appointed since the act of October, 1913, and the passage of the tariff act containing the income-tax provision. Up to the time of the passage of the act known as the urgent deficiency act of 1913, by reason of an Executive order

issued a year and a half or two years before that, the deputy United States marshals were appointed under a so-called civil-service process. Finally, when the urgent deficiency bill of 1913 was before the House, on an amendment which I offered myself on the floor—I do not know whether it was agreed to by the House or not. Anyhow, when the bill came back from the Senate—whether it passed the House or not I do not now recall, but I think it did—the provision was found to have been somewhat amended by the Senate. I do not recall the details, but the effect of the law as it now is since that act was passed is that those deputy United States marshals and deputy internal-revenue collectors who were compelled to give a bond to the collector or the marshal for the performance of their duties should be selected without reference to the civil-service law. And the act of 1913, known as the tariff act, containing the income-tax provision also provided that the deputy collectors who were to be appointed to collect the income tax through the Internal Revenue Office and under the collectors of internal revenue should be appointed without regard to the civil service. Now, that is the law, and the deputy United States marshals and the deputy collectors of internal revenue, having been appointed, have been performing their duties under this law.

Mr. COX. Will the gentleman yield for a question for information?

Mr. BARTLETT. Yes, sir; go ahead.

Mr. COX. The gentleman from Iowa [Mr. GOOD] put in the RECORD a moment ago a statement that by reason of exempting this class of employees from the civil service the number of deputies had been largely increased in the department of the collector of internal revenue. Does the gentleman know anything about that?

Mr. BARTLETT. Well, they have been increased by reason of the provisions of the tariff law.

Mr. COX. The income-tax law?

Mr. BARTLETT. The income-tax law; yes.

Mr. GOOD. Will the gentleman yield?

Mr. COX. I thought it related solely to the collectors of internal revenue.

Mr. GOOD. If you will look at the bill, you will find in the item on page 59 that we appropriate $1,000,000 for that service. That has nothing to do with the collection of the income tax, but only with the collection of the internal revenue of the country.

Mr. BARTLETT. It does have something to do with it, because the deputy collectors are in the internal-revenue office and they collect the income tax, and while you appropriate $1,000,000 for it, if you pass this amendment you appropriate it to be expended only for those who may be appointed under the civil-service rule. I understand that. I will endeavor to put in the RECORD the provision of the law on this subject. I think it is a wise one.

The examinations that were held for deputy United States marshals were a farce. I read a copy of one of these examinations on the floor of the House in the discussion of that subject, and it is absolutely a farce to have men examined for the office of deputy marshals in the manner they were. They have had no examinations held for deputy collectors to collect the income tax, because the law provided that they should not be thus appointed. And now when all of these officers have been appointed in the way provided by the law of 1913, to say that they shall not be paid their salaries unless they have been thus appointed would not only be an injustice to these men who are filling these offices, but would absolutely nullify and delay and hinder and put off and very much embarrass the administration of the law.

We all know how slow the Civil Service Commission is in making reports upon examinations. Those of you who have had experience in examinations for fourth-class postmasters or rural free-delivery carriers know, since now the Civil Service Commisson is flooded with examinations, that it takes from one to three months sometimes. I have some examinations that have been held as long as three months ago for rural free-delivery carriers on which no report has been made. If you adopt this amendment, so far as the office of the United States marshal and office of the internal-revenue collector are concerned, now engaged in collecting the income tax, you might as well suspend the collection of the income tax until the Civil Service Commission can hold such examinations as they did hold to provide men to fill these offices.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. BARTLETT] has expired.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BARTLETT. This Congress passed and the President signed bills which virtually said that, so far as these offices are concerned, for the benefit of the public service these appointments should be made without going through this farce of civil-service examination. For one, I am glad they did. I am proud of the fact that I took some part in having that legislation enacted. It is nonsense to repeal it or suspend it at this hour.

Mr. MONDELL. Mr. Chairman, the gentleman from Georgia——

Mr. JOHNSON of South Carolina. Will the gentleman wait one minute?

Mr. MONDELL. I will.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent——

Mr. TOWNER. Mr. Chairman, I would like to get five minutes.

Mr. JOHNSON of South Carolina. Make it 10 minutes, then.

The CHAIRMAN. The gentleman from South Carolina moves that all debate on this paragraph and amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, the gentleman from Georgia [Mr. BARTLETT] makes the argument that this amendment, if carried, will make it impossible to conduct the work of the Government, because there will be a considerable number of officials who can not be paid under the appropriation with the limitation.

Why, the gentleman is aware of the fact that he or any other Member of the House, if this amendment carries, can offer a provision under which to pay those who do not come within the limitation or those whose salaries are cut off by reason of the limitation. In other words, if the gentleman from Georgia is so wedded to the spoils system, is so anxious to be able to appoint his henchmen and friends and supporters to these jobs, and his side of the House, with its large majority, is with him, he can offer and they can carry an amendment under which such people can be paid.

But the question now before the House is this: Are we in favor of retaining in office men who were appointed to office under civil service, and are we in favor of having the civil service extended and cover deputy collectors, paid for under this item? There are 1,179, as I understand. The present program is to discharge as many of them as possible, because, though they have been for some time in the public service, they do not happen, some of them, to be of the household of the faith of the majority on the other side. No matter how worthy they may be, no matter how well qualified, the gentlemen are so anxious to take care of their hungry constituents that they want to throw these people out.

The amendment provides, in effect, that worthy Government officials shall continue to serve, shall not lose their jobs in order to give the friends and supporters of gentlemen on the other side who may not be qualified an opportunity to get jobs. But, as I said a moment ago, if gentlemen on that side are wedded to the spoils system and want to continue it, they can do so, even though this limitation shall carry, by providing otherwise for the payment of those whose payment is prohibited by the limitation.

It is as clear a proposition of civil service as we have had before the House in a long time. A vote "aye" in favor of this amendment is a vote in favor of the retention of tried and faithful public officials and in favor of the merit system in public affairs. A vote "no" is in favor of turning out tried and efficient public servants in order that spoilsmen may take their places and hold their jobs, to the harm and detriment of the public service. Gentlemen want to bear this in mind when they vote on this question. [Applause on the Republican side.]

Mr. TOWNER. Mr. Chairman, everyone who is candid will be forced to admit, no matter to what party he belongs, that his party is not guiltless of violations of the civil-service idea. I am very glad, however, as a member of the Republican Party, to remember that the great steps that have been taken in civil-service reform have been taken under Republican administrations, and I think gentlemen will realize, if they are candid with themselves, that every one of these steps, reluctantly taken sometimes, I will admit, has been of advantage to the public service.

Gentlemen, we can not disguise the fact that fundamentally the spoils system has no defense. We can not disguise the fact that no real and permanent advantage can come to a party that abandons even temporarily the merit system. It will not benefit gentlemen on the other side, who are defending violations of the civil-service laws, if they shall succeed.

It will not redound to the credit of themselves or to the benefit of their party. It is only a selfish and unworthy appeal that in any instance seeks to justify a departure from sound and justifiable principles. All of us must have learned in these latter days to recognize the great truth that merit alone should determine fitness for office; and now, when the opportunity occurs, as it always does to the majority, to abandon or to violate the merit system, I appeal to gentlemen to act on their better motives, on their larger judgment, for the good of the country, and also for the ultimate and perpetual good of their party.

I know how the temptation comes. It comes in insidious ways. Friends are importunate. The places to be filled are all too few. You can truthfully say to this side, "You violated the merit system when you had the power." But no matter what the circumstances or whatever party is responsible when violations occur they are always wrong, and the final judgment of the people will condemn such violations by whatever party made.

It has been urged here to-day that Republicans when in power violated the civil service both by official rule and in practice. But that is no justification, if true. If wrong then it is wrong now. If it be true that Republicans did wrong, your justification can not come by repeating the wrong, but by doing right. It is, of course, easier to stand for civil-service reform when you are not immediately interested. But the greater credit will come to those of us who shall always stand, whether in or out of power, for those principles which we must know are right and best for the country.

The CHAIRMAN. The time of the gentleman from Iowa has expired. All time has expired on this paragraph. The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. GOOD].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. GOOD. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 24, noes 45.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. FARR. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FARR] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, at the bottom of page 58, by adding the following as a new paragraph:

"On and after October 1, 1914, the whole number of collection districts for the collection of internal revenue and the whole number of collectors of internal revenue shall not exceed 64."

Mr. JOHNSON of South Carolina. Mr. Chairman, I reserve a point of order on that amendment.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] reserves a point of order on the amendment.

Mr. FARR. Mr. Chairman, I hope the gentleman will not press the point of order. By increasing the number of revenue districts by one you will undo an injustice that was done that district in 1912. When the number of revenue districts was reduced from 67 to 63 it was not contemplated that the twelfth district, with headquarters in Scranton, Pa., should be eliminated. I think the chairman of this committee will vouch for the truthfulness of that statement. It was intended to interfere with other districts, but not this district. The Secretary of the Treasury, Mr. McAdoo, favors this restoration, as do the Commissioner of Internal Revenue and his deputy, who have expressed their opinions in writing to the committee.

I ask the Members of this House to place themselves in my position and to consider my case just as they would want me to consider a case pertaining to their own districts where an injustice had been done them. This twelfth district comprised 20 counties, with a population of 1,381,879 in 1910, a business of more than two and one-half million dollars a year, with an increase in the receipts of $818,000 in five years. Within 40 miles of the city of Scranton, where the headquarters of this district were, there is a population of a million people. During the fiscal year ended June 30, 1912, the collections for the twelfth district were $2,545,703.02. There were 11 grain distilleries and 46 breweries, 6,034 special taxpayers and, in addition, 2,623 corporations that filed returns of annual net income. The corporations alone represent a capital stock of $369,000,000, with a net income of $25,000,000. Notwithstanding these large and rapidly growing interests we were forced into a district entirely different from ours and so far away and inconvenient that a day was consumed in going to and a day in returning from the city of Lancaster, where the headquarters for the ninth district are located. And this injustice was done us when within a radius of 40 miles of the city of Scranton are 1,000,000 people with whom was done the great bulk of the revenue business of the twelfth district.

I repeat, it was not intended that this district should be disturbed. Other districts were considered as among those to be eliminated, but the political exigencies of that time resulted in this district being affected. I ask that justice be done that district. We are entitled to this restoration. The ninth district, in which we are merged, is largely an agricultural district. The district which I represent is a great industrial district, and the one is not in harmony or touch with the other. Our people have been greatly inconvenienced by the removal of the headquarters from the city of Scranton.

Mr. COOPER. Do I understand the gentleman to say that the Secretary of the Treasury and the Commissioner of Internal Revenue both favor this restoration?

Mr. FARR. Both favor it and say an injustice was done us, and that great inconveniences have resulted. Mr. Cabell, the former Commissioner of Internal Revenue, made the same statement—that it has caused a loss in money to the Government and a great increase in the expense and much inconvenience to the taxpayers of my district. I want to repeat that it never was intended that this district should be interfered with. I ask you now, in justice to my constituents, to restore that district. I want you to do for me just what you would want me to do for you under similar circumstances.

Mr. SMITH of New York. What would be the expense of establishing the office?

Mr. FARR. To reestablish this office it will require a revenue collector. The additional expense will not amount to over $6,000.

Mr. JOHNSON of South Carolina. Mr. Chairman, before making a point of order I want to say that the gentleman who has just addressed the committee has been very industrious and has presented with great force the merits of his proposition. I really think there is merit in the proposition that that territory is entitled to be designated as an internal-revenue district, but the law limits the number of districts to 63. The matter of arranging the boundaries of these districts is within the discretion of the President.

There are five internal-revenue districts in one State. There is one in the city of Cincinnati; there is another in the city of Covington, just across the river. I sympathize with the gentleman from Pennsylvania, but I think these districts can be so arranged under the law as it now exists as to give him his district without increasing the whole number. Therefore I make the point of order.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. MANN. Of course, if this increase were made, it would still be within the power of the Secretary of the Treasury to determine as to whether this particular district should be created.

Mr. JOHNSON of South Carolina. Yes; it would be in his power to reestablish that district, or he might put it somewhere else.

Mr. MANN. Oh, yes; he might put it somewhere else, it is true. He might reorganize the districts.

Mr. JOHNSON of South Carolina. Yes.

Mr. MANN. But under the circumstances I take it, unless there were some strong reasons to the contrary, he would reestablish this district. Now, it appears from the statement of the gentleman from Pennsylvania that the Government really would save money by reestablishing the district.

Mr. FARR. Yes; it positively will.

Mr. MANN. Owing to the peculiar conditions of transportation and distances over in Pennsylvania.

Mr. JOHNSON of South Carolina. Mr. Chairman, nobody knows better than my friend on the other side that the man in charge of a bill must speak for the committee. There may be items in the bill that he personally does not favor. There may be things left out that he would like to see in the bill. I am compelled to make the point of order.

Mr. MANN. If the gentleman will yield, I understand very well the responsibilities of a gentleman in charge of a committee; and yet I have frequently seen gentlemen in charge of a committee, when peculiar circumstances were brought to their attention, permit the House itself to judge of the merits of the case.

Mr. JOHNSON of South Carolina. This is a legislative proposition.

Mr. MANN. I think myself it is a very nice thing, just once in a while—not often, but once in a while—to let the House itself determine what it wants to do. This is a good case.

Mr. FARR. Mr. Chairman, will not the gentleman reserve the point of order for two minutes more, so that I may answer just one statement that he made?

The CHAIRMAN. Does the gentleman reserve the point of order?

Mr. JOHNSON of South Carolina. Yes.

Mr. FARR. A considerable number of people came from my section of the State to appear before Secretary McAdoo. After hearing them he frankly told them that it was a mistake to have abolished this district, that it was his wish to have it restored, and that he would endeavor to secure its restoration.

Mr. HUMPHREYS of Mississippi. When was it abolished?

Mr. FARR. October 1, 1912, just before the presidential election; and that was the reason that we lost that district. Mr. McAdoo went mentally all over this country with a view to merging districts for the purpose of restoring this one. The gentleman from South Carolina [Mr. JOHNSON] lost a district in his State, and two districts in Iowa were merged in order to restore the district in South Carolina.

I submit in all fairness to the chairman, Mr. JOHNSON, that we do not need the district in South Carolina any more than we need the district in northeastern Pennsylvania that I have the honor to represent. Now, about the rearrangement of the districts. It is impossible for the Secretary of the Treasury to do it. He has endeavored to do so, and as regards the State of Kentucky I think it would be an injustice to remove any one of those districts. I believe it was a mistake to lessen the number of districts from 67 to 63, because it has resulted in a loss of money to the Government and in a lack of that close supervision that is so essential for this business. I trust that the gentleman will not insist upon his point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

Collecting the income tax: For expenses of assessing and collecting the income tax as provided in paragraph N, section 2, of an act entitled "An act to reduce tariff duties, and to provide revenue for the Government, and for other purposes," approved October 3, 1913, including the employment in the District of Columbia of necessary clerical and other personal services, and the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia and the several collection districts, $1,000,000.

Mr. GOOD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

At the end of line 14, page 59, insert the following:
"*Provided*, That no part of this appropriation shall be used to pay the salary of any deputy collector who has not been appointed as the result of a civil-service examination."

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes.

The CHAIRMAN (Mr. FOSTER). The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, this is the provision to which the gentleman from Georgia [Mr. BARTLETT] referred a few moments ago. This appropriation carries a million dollars for the collection of the income tax provided for in the tariff bill. It will provide for about 400 deputy collectors, who will be engaged in collecting this tax. These deputy collectors are appointed by the various collectors of internal revenue throughout the country, and the patronage is considered senatorial patronage. They are appointed on the recommendation of Senators, and it is estimated that a great many million dollars will be collected every year through the deputy collectors. Their duties require that they shall go into the private affairs of manufacturers, business men, farmers, and professional men. After a man has made his return, that return is subject to such examination as the collector of internal revenue may require. The return is sent to the deputy collector appointed under this provision, and he has authority to go into the books, into the private affairs of the men who are obliged under this law to make returns and to pay the tax.

I submit, Mr. Chairman, that if there is any class of employees any place in the Government that should be entirely removed from political influence, it is this class of men, these 400 deputy collectors that are going throughout the land inquiring into the private business of the thousands of men who will make these returns. These collectors ought to be high-minded men, appointed without any regard to politics, without any regard to the political party to which the Senators belong who will recommend and secure their appointment. I can think of no class of men who will be called upon to enforce the law that should be more free from political bias and influence than these collectors.

Mr. MONDELL. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. MONDELL. Do I understand that these income-tax collectors are to be appointed on the recommendation of Senators?

Mr. GOOD. Absolutely.

Mr. MONDELL. And are not Members of Congress, Representatives, to be considered in the selection of these collectors?

Mr. GOOD. Not at all.

Mr. MONDELL. Then the gentlemen on the other side will have no interest in it and will get no patronage if the amendment does not pass.

Mr. GOOD. Nothing at all.

Mr. MONDELL. It will not take anything from the patronage if your amendment carries?

Mr. GOOD. Not at all. But because of the character of the work required from this class of employees, it seems to me that that side of the House ought to favor this amendment, not because you have nothing to say about the men appointed, but you have a constituency which you represent upon the floor of this House that do need some protection. They want the protection whether they be Republican, Progressive, or Democrat. Their business secrets when imparted to these deputies should be inviolate. They ought to be appointed as the result of civil-service examination, and that examination ought to be one of the hardest examinations that it would be possible for men to pass.

Mr. BARTLETT. Mr. Chairman, the gentleman from Wyoming undertook to criticize some of us for being opposed to this pretense of civil-service reform. There is an old saying that—

> When the devil was sick, the devil a monk would be;
> When the devil got well, the devil of a monk was he.

The voice of the gentleman from Wyoming was never heard in this Hall or anywhere else when his party was in power advocating putting any officers under the civil service. Now the gentleman is sick politically he would be a monk, but when he is well politically, the devil of a monk is he.

Mr. MONDELL. Will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. MONDELL. Will the gentleman kindly inform me when and where I ever voted against civil service, and where I ever voted in favor of a spoils system?

Mr. BARTLETT. I have not kept tab on the gentleman. I did not say anything about the gentleman's vote. I said that his voice, which has been heard in Congress continually, as it has been to-day, for the last 18 years, and never until the Democrats came into power did we ever hear him suggest that any officers should be placed under the civil service.

Mr. MONDELL. Mr. Chairman, the gentleman has missed some of my speeches.

Mr. BARTLETT. Mr. Chairman, I decline to yield further. As long as the gentleman himself was the beneficiary of the spoils system we heard no denunciation of that system by him, but since the Democrats have come into power and he can no longer apportion out these offices to his henchmen he becomes a convert to what he calls the civil-service law.

Mr. Chairman, the tariff act contains the following provisions:

In the office of the Commissioner of Internal Revenue at Washington, D. C., there shall be appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, one additional deputy commissioner, at a salary of $4,000 per annum; two heads of divisions, whose compensation shall not exceed $2,500 per annum; and such other clerks, messengers, and employees, and to rent such quarters and to purchase such supplies as may be necessary: *Provided*, That for a period of two years from and after the passage of this act the force of agents, deputy collectors, inspectors, and other employees, not including the clerical force below the grade of chief of division, employed in the Bureau of Internal Revenue in the city of Washington, D. C., authorized by this section of this act, shall be appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, under such rules and regulations as may be fixed by the Secretary of the Treasury to insure faithful and competent service, and with such compensation as the Commissioner of Internal Revenue may fix, with the approval of the Secretary of the Treasury, within the limitations herein prescribed: *Provided further*, That the force authorized to carry out the provisions of section 2 of this act, when not employed as herein provided, shall be employed on general internal-revenue work.

* * * * * * *

Provided, That hereafter any deputy collector of internal revenue or deputy marshal who may be required by law or by authority or direction of the collector of internal revenue or the United States marshal to execute a bond to the collector of internal revenue or United States marshal to secure faithful performance of official duty may be appointed by the said collector or marshal, who may require such bond without regard to the provisions of an act of Congress entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, and amendments thereto, or any rule or regulation made in pursuance thereof, and the officer requiring said

bond shall have power to revoke the appointment of any subordinate officer or employee and appoint his successor at his discretion without regard to the act, amendments, rules, or regulations aforesaid.

It will be seen that the Internal-Revenue Commissioner shall not appoint these men, but that they shall be appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Are not the Commissioner of Internal Revenue and the Secretary of the Treasury more competent to select these men for these important offices than to have them subjected to examination under the civil-service law? As I said, I have on two occasions made proffers of civil-service examination for deputy marshals, but there is nothing suggested in those examinations or in the questions propounded——

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT. I have not the time, but I will gladly yield to the gentleman.

Mr. COOPER. The gentleman says that the Secretary of the Treasury and the Commissioner of Internal Revenue shall appoint.

Mr. BARTLETT. Oh, I said the Commissioner of Internal Revenue shall appoint, with the approval of the Secretary of the Treasury.

Mr. COOPER. Will the gentleman kindly tell me how the Secretary of the Treasury would know whom to appoint as a deputy collector in the city of Milwaukee, in my State?

Mr. BARTLETT. Yes.

Mr. COOPER. He would get the information from a Congressman, as a matter of patronage—the old spoils system.

Mr. BARTLETT. Oh, Mr. Chairman, the gentleman asked me a question. No; the Secretary of the Treasury has these applications and their indorsements, and he receives information from the collector, and these indorsements and applications are *submitted to* him for his information. I desired to have some of my constituents appointed, but I have not been fortunate enough to secure anyone to be appointed. The gentleman from Wyoming [Mr. MONDELL] has a peculiar aptitude of undertaking to suggest every time he makes a speech that the people who advocate something to which he is opposed, or who oppose something that he is in favor of, do it from ulterior purposes, and he parades himself before the House and the country as being the "holier than thou" of all the Members of the House. The gentleman is welcome to that place, if he desires to occupy it.

The CHAIRMAN. The time of the gentleman from Georgia has expired. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. GOOD) there were—ayes 28, noes 47.

So the amendment was rejected.

The Clerk read as follows:

Office of assistant treasurer at Boston: Assistant treasurer, $5,000; cashier, $2,500; paying teller, $2,500; vault clerk, $2,000; receiving teller, $2,000; redemption teller, $1,800; clerks—1, $2,200; 5 at $1,600 each; 1, $1,500; 1, $1,400; 2 at $1,200 each; 3 at $1,100 each; 4 at $1,000 each; chief guard, $1,100; 3 watchmen, at $850 each; laborer and guard, $720; 4 money counters and handlers for money laundry machines, at $900 each; in all, $46,570.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of the bill to what extent he investigated the question as to the effect the new currency law would have on the Independent Treasury and the offices of assistant treasurers at the various points?

Mr. JOHNSON of South Carolina. Mr. Chairman, I have no definite information. I asked the Secretary of the Treasury what effect he thought it would have, and he said until the system was put in operation and they knew more definitely the workings of it they were not prepared to make any recommendations as to changes in the several subtreasuries, but they expected to use the subtreasuries in connection with the reserve system to some extent.

Mr. MONDELL. Mr. Chairman, I notice that on page 189 of the hearings that Deputy Assistant Fort was interrogated by the gentleman from South Carolina in regard to this matter. He said, among other things, that the new currency law seems to contemplate the continuance of the subtreasuries, and so forth. I judge from the very brief statement he made that the department is assuming that all of these officials will be necessary. I can not understand how or why it should be necessary to maintain these offices, at least with their present force, when the currency law becomes fully effective under the new organization.

Mr. JOHNSON of South Carolina. I do not know about that. I asked the Secretary of the Treasury that question myself. When the reserve board shall have organized and the new banking system shall have been installed, if he finds it is necessary to increase his force in the subtreasuries by reason of the new law, he can then come to Congress with some definite suggestion as to what he needs and why.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. MANN. Under the new law what possible work can the subtreasuries do? The money is going to be in the hands of the new banks; deposits are made to the new banks; collections will be made in that way, and payments will be made through checks on the banks. What earthly thing is there left for the subtreasuries to do unless simply to draw salaries?

Mr. JOHNSON of South Carolina. The gentleman will have to wait until the law is in operation to get an answer to that question, because I can not answer it.

Mr. MANN. I do not criticize the making of the appropriation, but I certainly do criticize the answer of the Treasury Department that they do not know, because anyone who has read the new law knows that under the new law the reserve banks will do the business and the subtreasuries will have nothing left to do.

Mr. JOHNSON of South Carolina. Suppose the subtreasury is in a city where there is no bank, for instance, New Orleans, where, I believe, they did not get a bank?

Mr. MANN. There may be an excuse to help out New Orleans and Cincinnati, maybe, but of course they never have discovered before the need of a subtreasury at Atlanta or Dallas.

Mr. MONDELL. Well, they have not needed one.

Mr. JOHNSON of South Carolina. It is optional with the Treasury Department to put money in a reserve bank.

Mr. MANN. They have branch reserve banks in all of those cities.

Mr. COX. Under the new currency law they still have the right to make national banks depositaries if the Secretary of the Treasury wants it. If I recall the new currency law aright, the Secretary of the Treasury has the right to deposit public funds in national banks.

Mr. MANN. In a reserve bank.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I want to ask for five minutes more.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that debate on the paragraph and all amendments thereto be closed in five minutes.

The CHAIRMAN. Is there objection?

Mr. MONDELL. Mr. Chairman, most of my time was consumed by other gentlemen, and I had not concluded what I desire to say.

Mr. JOHNSON of South Carolina. Go ahead; I desire the gentleman to have that time.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAIR. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. ADAIR. I just wanted to take up enough of the gentleman's time to correct a statement made by the gentleman from Illinois [Mr. MANN] when he said that the Secretary of the Treasury could deposit Government moneys only in reserve banks. Under the law passed he can deposit them in any national bank anywhere in the United States that is now a United States depositary.

Mr. MONDELL. That is under the new currency law?

Mr. ADAIR. That is under the new currency law; and he still has the right to deposit Government funds in any national bank anywhere in the United States that is a Government depository.

Mr. MONDELL. I am not clear on that point; but it was evidently intended by the currency act that the Government funds should be deposited in reserve banks.

Mr. ADAIR. That is true that such a provision was made in the bill as it passed the House, but it was amended in the Senate so as to provide that the Secretary of the Treasury could deposit Government funds in any of the banks now a depositary.

Mr. COOPER. Does that grant the right to create new depositaries?

Mr. ADAIR. No; there is nothing about creating new depositaries, but I take it he has still the power.

Mr. PLATT. That has nothing to do with the subtreasuries, however, and gives no excuse for continuing this appropriation.

Mr. ADAIR. I know that does not apply to them.

Mr. WINGO. If the gentleman will permit, as I understand your contention is the new act practically abolishes the sub treasuries. There is nothing in the new act that requires that. One thing in the new act is an authorization permitting the reserve banks to receive Government deposits. Then there is another provision which says that when required by the Secre-

tary of the Treasury they shall act as fiscal agents. Then there is another provision that nothing in the act shall be construed to deny the right of the Secretary of the Treasury to use member banks as depositaries.

Mr. MONDELL. I realize the fact that there is nothing in the currency law that specifically provides that these subtreasuries shall cease to perform these functions, but, as a matter of fact, when the law is fully operative and has a complete organization there will be nothing for these subtreasuries to do.

Mr. WINGO. Will the gentleman permit again?

Mr. MONDELL. In just a moment. The views expressed by Mr. Baker, of the Treasury Department, and Mr. Fort led me to call the attention of the committee to the matter. Mr. Baker says that the law leaves the matter entirely in the hands of the Secretary of the Treasury; that the Secretary of the Treasury may do this and he may do that and he may do the other thing. Clearly, if the new currency law is to operate, he must do what the law contemplates, and if he does, then the subtreasuries will be as useless as a fifth wheel on a wagon, and there is no reason why these appropriations should be continued. I realize the situation. We do not know when the new currency law is to become completely operative, and therefore I make no suggestion at this time to cut out these items, but, clearly, if the law does go into operation in any reasonable length of time, these appropriations will not be needed in anything like the sum provided in this bill.

Mr. WINGO. Will the gentleman yield right there? This question came up when the currency bill was being considered, and the provisions in it were made explicit, so as to avoid the very contention that has been raised now. The act does leave it discretionary with the Secretary of the Treasury, because those who investigated it differed with the view that the gentleman holds and thought it might be necessary to maintain these subtreasuries, and it is not necessary for a practical operation of these regional reserve banks that they should take the places of the subtreasuries. That is not the object of these regional banks. That is not the primary function of them.

Mr. MONDELL. The gentleman says he thinks it necessary to continue. The gentleman evidently has information that the balance of the House is not possessed of.

Mr. WINGO. I beg the gentleman's pardon. I did not intend to convey the impression that I was authorized to say that. But from the information I have, I take it——

Mr. MONDELL. Clearly, Mr. Chairman, these offices will become superfluous as soon as the currency act is in complete operation.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Office of assistant treasurer at Chicago: Assistant treasurer, $5,000; cashier, $3,000; assistant cashier, $2,000; vault clerk, $2,250; paying teller, $2,500; assorting teller, $2,000; redemption teller, $2,000; change teller, $2,000; receiving teller, $2,000; bookkeepers—2 at $1,500 each; clerks—1, $1,750; 1, $1,600; 9 at $1,500 each; 14 at $1,200 each; hall man, $1,100; messenger, $840; 3 watchmen, at $720 each; janitor, $720; 8 money counters and handlers for money laundry machines, at $900 each; in all, $71,420.

Mr. PLATT. Mr. Chairman, I move to strike out the last word. I do that simply for the purpose of saying that it is the expectation that the new currency law will supersede the subtreasury system, and the leaving of these appropriations for subtreasuries in here at the full amount would seem to indicate that the Secretary of the Treasury does not believe that the law can go into effect for a year, or else he is afraid of it—one or the other. There certainly ought to be some provision in these subtreasury items for the lowering of the expenses during the year if the law is going into effect some time within the next fiscal year. It certainly ought to go into effect within that time.

Mr. WINGO. Will the gentleman yield for a question?

Mr. PLATT. I will.

Mr. WINGO. Does the gentleman favor abolishing the subtreasuries?

Mr. PLATT. I certainly do. I think they are useless institutions and never ought to have been established.

Mr. WINGO. Will you state why, under the Federal reserve act, the subtreasuries will be useless?

Mr. PLATT. The subtreasury system is for the purpose of locking up public funds that ought to be where the people can make use of them. That is all it has ever been good for.

Mr. WINGO. Does the gentleman understand the primary purposes of the Federal reserve is to take care of the public money, or is it simply an incident to their operation?

Mr. PLATT. It is one of the primary purposes of the Federal reserve banks to take this money that has been locked up in the subtreasuries and put it in circulation.

Mr. WINGO. That viewpoint is interesting.

Mr. PLATT. That is one of the primary purposes of the new system.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Office of assistant treasurer at Philadelphia: Assistant treasurer, $5,000; cashier, $2,500; paying teller, $2,250; coin teller, $2,000; vault clerk, $1,900; bookkeeper, $1,800; assorting teller, $1,800; receiving teller, $1,700; redemption teller, $1,600; clerks—1, $1,600; 2 at $1,500 each; 2 at $1,400 each; 1, $1,300; 5 at $1,200 each; 1, $1,000; chief guard, $1,100; 5 counters, at $900 each; 6 watchmen, at $720 each; 4 money counters and handlers for money laundry machines, at $900 each; in all, $49,770.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

I do not know whether the committee itself went into these reductions in the subtreasuries or whether they simply took the action of the Treasury Department. Upon what hypothesis they can be explained is beyond me. Here is Philadelphia, the paragraph we have just read, where the appropriation last year was $52,070, and this year it is carried at $49,770—a reduction, I believe, of less than $2,500 in that office. The next item is St. Louis, where the reduction is from $44,660 to $33,860. Now, the theory of these reductions is that by transferring from the subtreasury to Washington, the change from the subtreasury to Washington, and changing the regulations, and possibly the law, the Treasury itself here does a great deal of work that heretofore was done at the subtreasury, and that additional work here is being cared for by men transferred from the subtreasury. But how does that explain a reduction of $2,500 at Philadelphia and over $11,000 at St. Louis, when the difference in the work done must be the same uniformly throughout the country? I may be mistaken, but I suppose they do not have a different regulation for Philadelphia than they do for St. Louis.

I notice in New York a reduction of nearly $35,000. In Boston it is less than $4,000, or about $4,000. Now, these people were not complaining before. If the force in the different subtreasuries heretofore was properly balanced, then the transfers which have been made do not leave them properly balanced now. Philadelphia is the third largest subtreasury, I believe, and the only reduction in the Philadelphia office consists of two places—one a clerk and one a counter. In all the other places—except Boston, possibly, and there is not much reduction there—there is quite a reduction in the force on the theory that the amount of work is reduced. I do not know whether it was this administration that made the change or not—it may have been a former administration—but I would like to know whether these changes were made on the basis of the difference in work to be done or whether somebody "worked" the administration.

Mr. JOHNSON of South Carolina. Now, Mr. Chairman, it will take but a minute to answer that question. The number of people transferred to Washington from the subtreasuries is the number necessary to take care of the work taken out of the respective subtreasuries.

The gentleman calls particular attention to the difference between St. Louis and Philadelphia. In Philadelphia they retained four laundry machines for washing money. They must have an adequate force to handle that money. In St. Louis we do not keep any washing machines. We take the statement of the Treasury Department that they had taken from the various subtreasuries and transferred to Washington the force that they believed would properly be taken out, considering the work that was taken away from the subtreasuries.

Mr. MANN. I take it that the committee did not make any investigation themselves of this matter, but simply took the statement of the Treasury Department. I should say it was quite an indictment of the Treasury Department, either as to what they have done now or what they did before.

Mr. Chairman, I would suggest to the gentleman from South Carolina that there is going to be a night session to-night.

Mr. JOHNSON of South Carolina. I have an agreement with a gentleman interested in assay offices to permit him to make a motion to restore certain items to the bill. I am willing to make a motion to rise now, with the understanding that to-morrow, or on the first day the committee is in session, we shall return to that place in the bill and allow our friend to make a motion to restore the assay offices that were stricken out.

Mr. BURKE of South Dakota. I suggest that we continue on until we reach the assay offices, on page 63, which appear only two pages ahead of the paragraph last read.

Mr. JOHNSON of South Carolina. That will be satisfactory.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Office of assistant treasurer at San Francisco: Assistant treasurer, $4,500; cashier, who also acts as vault clerk, $3,000; bookkeeper,

$2,000; paying teller, $2,400; receiving teller, $2,000; clerks—one $2,000, two at $1,800 each, one $1,500, one $1,400, one $900; messenger, $840; four watchmen, at $720 each; in all, $27,020.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes, and had come to no resolution thereon.

The SPEAKER. The Chair will remind Members that there is a session to-night from 8 o'clock until 11, and designates Mr. GARRETT of Tennessee as Speaker pro tempore.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CANDLER of Mississippi, indefinitely, on account of death in his family.

To Mr. WALTERS, for three days, on account of important business.

To Mr. DOREMUS, for one week, on account of important business.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Military Affairs was discharged from further consideration of the bill (H. R. 15418) authorizing Maj. Clyde S. Ford, Medical Corps, to accept and wear the decoration tendered him by the Ottoman and Bulgarian Governments for services rendered in the Balkan Wars, and the same was referred to the Committee on Foreign Affairs.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5147. An act to authorize and direct Col. George W. Goethals, governor of the Canal Zone and formerly chairman and chief engineer of the Isthmian Canal Commission, to investigate certain claims of the McClintic-Marshall Construction Co.; to the Committee on Claims.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 4544. An act to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve.

RECESS.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House recess until 8 o'clock.

The SPEAKER. The gentleman from South Carolina [Mr. JOHNSON] moves that the House take a recess until 8 o'clock.

Mr. MANN. Mr. Speaker, a parliamentiary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Suppose the gentleman had not made that motion. What then?

The SPEAKER. If he had not made it, we would have gone on until 11 o'clock. Does the gentleman think that is a proper proceeding?

Mr. MANN. I think the order left it rather queer.

The SPEAKER. The order did leave it up in the air. That is the truth about it. Ordinarily, of course, the order provides that the recess shall begin at a certain time and continue until a given time. This is not a privileged motion, anyway. The question is on agreeing to the motion of the gentleman from South Carolina [Mr. JOHNSON] that the House recess until 8 o'clock.

The motion was agreed to.

Accordingly (at 5 o'clock and 5 minutes p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock p. m.) resumed its session, with Mr. GARRETT of Tennessee in the chair as Speaker pro tempore.

ORDER OF BUSINESS.

The SPEAKER pro tempore. The Clerk will report the special order under which the House is in session this evening.

The Clerk read as follows:

On motion of Mr. POU, by unanimous consent,

Ordered, That on Thursday, April 9, 1914, the House meet from 8 o'clock p. m. until 11 o'clock p. m. for the consideration of bills on the Private Calendar reported from the Committee on Claims and which are not objected to.

(Order agreed to April 3, 1914.)

Mr. POU. Mr. Speaker, I ask unanimous consent that the bills be considered in the House as in Committee of the Whole. I intended to make that a part of the original request.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the bills to be considered under the special order be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the first bill.

CHARLES W. HAMMOND, DECEASED.

The first business in order on the Private Calendar was the bill (H. R. 7633) for the relief of the personal representative of Charles W. Hammond, deceased.

The Clerk read the title of the bill.

Mr. POU. Mr. Speaker, I ask unanimous consent that that bill be passed over.

The SPEAKER pro tempore. Without prejudice?

Mr. POU. Yes.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection?

PENNSYLVANIA ENGINEERING CO.

The next business in order on the Private Calendar was the bill (H. R. 2407) for the relief of the Pennsylvania Engineering Co., of the city of Philadelphia.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, to the Pennsylvania Engineering Co., of the city of Philadelphia, the sum of $1,079.60, and said sum of $1,079.60 is hereby appropriated, in full compensation for extra work done in the installation of a portable experimental refrigerating plant for, and by direction of, the Department of Agriculture, Bureau of Plant Industry, in the year 1908.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

LE GRAND C. CRAMER.

The next business in order on the Private Calendar was the bill (H. R. 3613) to reimburse Le Grand C. Cramer for amount of damages to his motor launch *Winninish* by the U. S. launch *Gunedmertrix*, at Morris Heights, N. Y., on March 31, 1911.

The bill was read, as follows:

Be it enacted, etc., That the sum of $4,911.64 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to Le Grand C. Cramer as damages for the loss sustained by his motor boat *Winninish* on March 31, 1911, by reason of the collision of the *Gunedmertrix*, a United States Government launch operated by the War Department, with the *Winninish* while the latter was lying at a dock at Morris Heights, N. Y.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

MRS. ANDREW RIGANOPOLOUS.

The next business in order on the Private Calendar was the bill (H. R. 963) for the relief of Mrs. Andrew Riganopolous.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Andrew Riganopolous, the sum of $2,500, for damages suffered by reason of her husband, Andrew Riganopolous, being killed by regularly enlisted marines while in the discharge of their duty in target practice at the Mare Island Navy Yard, Cal.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

SNARE & TRIEST CO.

The next business in order on the Private Calendar was the bill (S. 1369) for the relief of the Snare & Triest Co.

The bill was read, as follows:

Be it enacted, etc., That the claim of the Snare & Triest Co. for reimbursement for all losses to them, including damages to pier, growing out of a collision by the U. S. S. *Colorado* on the night of February 9,

1905, at League Island Navy Yard, be, and the same is hereby, referred to the Court of Claims, with jurisdiction to hear and determine the same to judgment: *Provided*, That the petition is filed within six months from the date of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next bill.

BELLEVADORAH STEELE.

The next business in order on the Private Calendar was the bill (S. 3843) for the relief of Bellevadorah Steele.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Bellevadorah Steele, out of any money in the Treasury not otherwise appropriated, the sum of $1,248, in full compensation for injuries received by Horatio N. Steele, husband of the said Bellevadorah Steele, while performing his duties as a master mechanic in the gun-carriage shop of the navy yard at Washington, D. C.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

EDWARD WILLIAM BAILEY.

The next business in order on the Private Calendar was the bill (H. R. 5832) for the relief of Edward William Bailey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the United States Treasury not otherwise appropriated, to pay to Edward William Bailey, of Portsmouth, Va., the sum of $1,500 for injuries resulting from the total loss of one eye and the serious impairment of the other eye, caused by a wound received by him at the hands of a target party of United States sailors and marines while engaged at target practice at St. Helena, near Norfolk, Va., on or about November 7, A. D. 1890.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next bill.

J. T. NANCE.

The next business in order on the Private Calendar was the bill (H. R. 8203) to reimburse J. T. Nance.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of the funds in the Public Treasury not otherwise appropriated, the sum of $81.78 to J. T. Nance, postmaster at Harrodsburg, Ind., to reimburse him for losses sustained by reason of robbery of that post office.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

STATE BOARD OF HARBOR COMMISSIONERS, CALIFORNIA.

The next business in order on the Private Calendar was the bill (H. R. 10675) for the relief of the State Board of Harbor Commissioners of the State of California.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of $199.62 to the State Board of Harbor Commissioners of the State of California, for the purpose of reimbursing the said State Board of Harbor Commissioners for repairing damages to Piers Nos. 15 and 27, in the city of San Francisco, Cal., caused by the steamship *Angel Island*, of the United States Immigration Service, on August 8, 1911, and on August 17, 1911, respectively.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

KINDER & NICOL.

The next business in order on the Private Calendar was the bill (H. R. 8562) for the relief of Kinder & Nicol.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Walter Kinder and Peter Nicol, trading as Kinder & Nicol, of San Diego, State of California, out of any money in the Treasury not otherwise appropriated, the sum of $22, the same being the value of skiff and pair of oars borrowed by Immigrant Inspectors G. T. Jones and Dan S. Kuykendall from said Kinder & Nicol for use of the United States Government and destroyed while in the possession of the said immigrant inspectors.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

COWDEN & COWDEN.

The next business in order on the Private Calendar was the bill (H. R. 11704) to pay Cowden & Cowden, of Amory, Monroe County, Miss., for the loss of a horse while being used by the Department of Agriculture.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cowden & Cowden, of Amory, Monroe County, Miss., the sum of $135, which amount is hereby appropriated, in full payment for a horse that died while in use by employees of the Department of Agriculture.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

JOHN STRECKFUS.

The next business in order on the Private Calendar was the bill (H. R. 2536) for the relief of John Streckfus.

The bill was read, as follows:

Be it enacted, etc., That the Mississippi River Commission be, and it is hereby, authorized and directed to pay, from any appropriation made by Congress for works of river and harbor improvement carried on by said commission, to John Streckfus, captain of the *J. S.*, the sum of $209, in payment and full settlement of all damages done to the said vessel *J. S.* by the commission's steamer *Mississippi* on April 17, 1909, when said steamer *Mississippi* collided with said steamer *J. S.* while the latter was lying at her dock at New Orleans, La.

The Clerk read the following committee amendment:

In line 7, insert, after the word "captain," the words "and owner."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

LAWSON RENO.

The next business in order on the Private Calendar was the bill (S. 175) for the relief of Lawson Reno, collector for the second district of Kentucky.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit Lawson Reno, collector of internal revenue for the second district of Kentucky, and his accounts with the sum of $96, being the value of 19,200 one-ounce tobacco stamps totally destroyed by fire in the office of Stamp Deputy George R. Mayo, in the Warren County Hardware Co., in the McCormack Building, in Bowling Green, Ky., by reason of the accidental burning of said building, which stamps were, and are, charged to said Reno, collector.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

PHOEBE W. CHASE.

The next business in order on the Private Calendar was the bill (S. 1884) for the relief of Phoebe W. Chase.

The Clerk read the bill, as follows:

Be it enacted, etc., That Phoebe W. Chase, mother of Edward R. Chase, late chaplain Thirteenth Regiment United States Infantry, shall be regarded as the duly designated beneficiary of the late Chaplain Chase under the act approved May 11, 1908, as amended by the act approved March 3, 1909.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

MARGARET M'QUADE.

The next business in order on the Private Calendar was the bill (S. 1922) for the relief of Margaret McQuade.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Margaret McQuade, widow of the late Edward McQuade, alias Edward Quade, out of any money in the Treasury not otherwise approprated, the sum of $840, as compensation for the death of the said Edward McQuade, alias Edward Quade, caused by and in the performance of his duties as an employee in the Government service in the War Department.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate bill?

Mr. STEPHENS of Mississippi. I object.

ALLEN EDWARD O'TOOLE.

The next business in order on the Private Calendar was the bill (H. R. 2314) for the relief of Allen Edward O'Toole and others who sustained damage by reason of accident at Rock Island Arsenal.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the relief of Allen Edward O'Toole, Bessie O'Toole, and Clifford O'Toole, whose father, Edward O'Toole, was fatally injured by an accident at the Rock Island Arsenal February 24, 1905, the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the following sums, namely: To Allen Edward O'Toole, $1,666.67; to Bessie O'Toole, $1,666.67; to Clifford O'Toole, $1,666.66: *Provided*, That in case any of the beneficiaries herein named are minors the amount appropriated shall be paid to his or her duly appointed guardian.

The following committee amendments were read:

In line 10 strike out the figures "$1,666.67" as they occur and insert in lieu thereof the figures "$333.33," and in line 11 strike out the figures "$1,666.66" and insert in lieu thereof the figures "$333.34."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

EMORY SCOTT LAND.

The next business on the Private Calendar was the bill (H. R. 1366) for the relief of Emory Scott Land.

The Clerk read the bill at length.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill.

Mr. MANN. I object.

MARIAN B. PATTERSON.

The next business in order on the Private Calendar was the bill (H. R. 296) for the relief of Marian B. Patterson.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Marian B. Patterson, of Shelby County, Tenn., the sum of $20,963, in full compensation for claims on account of the losses or reduction in salary and allowances for rent and clerk hire sustained by her late husband, Brig. Gen. R. F. Patterson, from January 1, 1898, to May 28, 1906, during which time he was United States consul general at Calcutta, India, through the method of settlement adopted by the United States Government in connection with the fluctuation in the value of the Indian rupee.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, I object.

Mr. BYRNS of Tennessee. Mr. Speaker, I do not know that I can say anything to the gentleman which will cause him to withdraw his objection, but I wish he would reserve it until I can make a short statement.

Mr. MANN. I am perfectly willing to do that, Mr. Speaker.

Mr. BYRNS of Tennessee. Mr. Speaker, this bill was introduced by my colleague [Mr. AUSTIN], who was taken ill this afternoon on the floor of the House and compelled to leave. He can not be here to-night, and he asked me to be here in his absence and to say that this lady, Mrs. Patterson, who is the beneficiary of this claim, really needs this money very much. She is in debt. This claim has been pending for a great many years. She needs the money very badly, and if it is ever to be paid by the Government it ought to be paid now. It is indorsed by former Secretary of the Treasury MacVeagh and also by Mr. Huntington Wilson, who was the First Assistant Secretary of State, both of whom have pronounced it a just and valid claim, and also by the Committee on Claims.

Mr. MANN. Mr. Speaker, this bill has been reported once adversely by the Committee on Claims in a prior Congress, and is bitterly opposed by the present Treasury Department. It is a case exactly like this: Suppose Members of the House were paid their salaries in silver dollars, the question might arise as to whether they should pay these silver dollars—$625 per month—upon the basis of the commercial value of the silver, which is dollar for dollar, or the bullion value, which is about 49 cents per dollar. These people claim they should be paid for their services in the bullion value of the Indian currency, in silver, and have the benefit of the commercial value. I utterly disagree with that idea. I am willing to undertake to convince the House whenever the matter comes before the House that there is absolutely no justice whatever in the claim. I recently had a report upon it from the Treasury Department, which the committee did not obtain or ask for, I believe.

Mr. BYRNS of Tennessee. Mr. Speaker, I was just about to say to my distinguished friend that all I know about the claim is what I gained by reading the report, but I understand that the consul, Mr. Patterson, was required to settle with the Government on one basis and forced to take his salary on another basis, which resulted in his being deprived of about $20,000 in the course of the 10 or 12 years he was there in Calcutta as consul.

Mr. MANN. Mr. Speaker, the fact is that for many years these consuls were permitted to take invoice fees, and so forth, on the bullion value of the silver, which was considerably less than the commercial value, and they were paid their salaries in the bullion value of the silver, which was considerably less than the commercial value.

The money was worth a great deal more to them than the amount that was charged against them. Complaint was made by the people who paid in this money for invoices, and so forth, that they were required to pay in the bullion value, whereas the proper method of paying was the commercial value of the silver. The department changed the regulations and provided they should be paid in commercial value, just as people here pay silver, dollar for dollar, and do not pay two dollars for the services of one dollar. Of course this consul general, when he was paid his salary in the commercial value of the silver, did not get as much out of it as he would have obtained if he had been paid in the bullion value of the silver. If he had been paid over here, probably that is all it would have been worth; but he was paid in Calcutta, and paid it out there. I do not see any justice in allowing a consul anywhere in the world to receive money at a much less rate than its value for services.

Mr. BYRNS of Tennessee. Why was it that the Government settled with his clerk, who was drawing, I think, $800 per year, upon the basis desired by Mrs. Patterson and declined to settle with the consul upon that basis?

Mr. MANN. I do not understand that the Government did that.

Mr. BYRNS of Tennessee. I get my information from the report, which makes that statement, or, rather, from the letter of Secretary MacVeagh.

Mr. MANN. Formerly these people were paid in bullion value. The bullion value was about 20 cents and the commercial value was 30 to 32 cents, on the silver basis. There is no justice that I can see in giving them the profit between the bullion value and the commercial value.

Mr. COX. Will the gentleman yield?

Mr. MANN. I will.

Mr. COX. I do not know much about this case, except I had several interviews with a gentleman who was working in the Treasury Department when this came up, who had something to do with it for old lady Patterson. I do not know Mrs. Patterson at all. I have never talked with her, but I have talked frequently with this gentleman, and this man who figured it out in the Treasury Department told me——

Mr. MANN. The gentleman means this man who figured it out for Mrs. Patterson, for the Committee on Claims after he left the Treasury Department.

Mr. COX. Yes; that is what I mean.

Mr. MANN. That is different. He did not figure it out for the Treasury Department.

Mr. COX. I understand the gentleman to say he has a letter or some report of the Secretary of the Treasury that the committee has not got. I am not going to ask for it——

Mr. MANN. I would be very glad to show it to the gentleman.

Mr. COX. I wish the gentleman would read it.

Mr. MANN. I have not got it here; it is downstairs in my room.

Mr. COX. As I recall the gentleman's story to me, it was that the controversy between Patterson and his Government came up by way of fluctuation of the value of silver bullion as quoted in the markets of the world—for instance, in Calcutta, in London, and New York—and that is what brought about the difference, and that he was compelled to settle on one basis and that later on the Government receded from its position and admitted it was in error, and as the gentleman told me, while he doubted very much that the old lady had a claim for the full amount, but as he figured out, as I understood him, and he so convinced former Secretary of the Treasury MacVeagh that she had a meritorious claim of some $2,000, brought about by the fluctuation in the market value of silver bullion in Calcutta, London, and the United States. Is there anything in that?

Mr. MANN. As a matter of fact, that gentleman, after he left the Treasury Department, did some figuring for Mrs. Patterson, and attempted to figure out the Government owed her about $2,000, and this bill, by the way, is for $20,000; but here is the fact: The Indian rupee is worth about 20 cents in bullion value. In commercial value the rupee is from 30 to 32 cents. There was a slight fluctuation, and every quarter the Treasurer or the Director of the Mint, one of the Government officials, fixed the value of the Indian rupee. There may be a slight

fluctuation from day to day or from week to week, no more than there is in the bullion value of our silver. Now, formerly those people were paid in the bullion value.

If anybody went to the consul general's office and got services, they were charged in the bullion value of rupees, so that they had to pay a good deal more for those services than they were worth or according to the commercial value of the rupee. There was a complaint made, and a very proper complaint made. This is not the only case where such a situation arose, and the Government made a regulation providing that the commercial value should be fixed quarterly by the Government of the United States, and that these officials should receive their fees in the commercial value of the silver and account for it. Now, when they collected a considerable sum of money which was much above their salary, the balance they remitted to the United States. Of course, when they took the rupees to the bank, they got the benefit of the commercial value of 32 cents, and got a draft and remitted it to the United States. If they could collect the bullion value and remit the commercial value, they would get 12 cents on each rupee. That probably would not have been allowed, but the consul general or consuls took their salaries out of the money which they collected. Formerly they took it at the bullion value, so that they received a good deal more for salaries than they were really entitled to.

The Government made the regulation that they should take it out in the commercial value just exactly as though in the United States. If a consul here from some other country was paid $5,000 a year in silver money he would be paid in silver money on the basis of dollar for dollar, not on the basis of 49 cents on the dollar. He would be paid 5,000 silver dollars and not 10,000 silver dollars for a $5,000 salary. That is the whole thing in this bill.

Mr. SCOTT. Will the gentleman yield? I am not thoroughly informed on this subject myself. Is it not true that all the moneys paid by the merchants on account of merchandise were paid to the consul, Gen. Patterson? And also is it not true that he paid his clerks and employees in the bullion value; and that later, when he came to settle with the Government, he was charged with the shortage that was brought about by reason of all these transactions, thereby letting the burden fall upon him of the total amount that would grow out, for instance, of the payment of clerks? He collects on the bullion value, pays the clerks on the bullion value, and years after is compelled to settle on the commercial value.

Mr. MANN. I do not understand that to be the case at all. He was directed by the State Department to collect on the basis of the commercial value and to account on the basis of the commercial value. It is quite possible that during one quarter, when the new regulation went into effect, he may have paid out to his clerks a portion of the quarter's salary on the bullion value for a month or two, but that is all that would be possible, unless he violated the Treasury regulation, and I do not understand that to be the case at all. He was there for a number of years. This regulation went into effect shortly after he assumed the office, and he would have received more money if he could have taken his salary in rupees at the value of 20 cents each, the bullion value, rather than in the commercial value, 32 cents, which they were worth at the bank and in trade.

Mr. SCOTT. But is it not a fact that Gen. Patterson's shortage, so called, was not known or reported to him until after he had returned to America a number of years and after the majority of these transactions had expired?

Mr. MANN. That is not the fact. The gentleman is entirely mistaken about that.

Mr. POU. Mr. Speaker, it is quite evident that there is a difference of opinion in respect to the bill, and it will have to go over. Inasmuch as the matter has been discussed as much as it has, I feel that I ought to say that when this claim was first presented to the committee, when the bill was first introduced, I was prejudiced against it. I did not think it had any basis at all. But I made a careful examination of the facts, and I believe the Government owes this lady a considerable sum of money. And when the time comes to discuss the matter fully I hope to be able to convince the House of that fact. But I think we might as well pass on now.

Mr. MANN. I wish the gentleman were able to convince the officers of the Government who are wholly disinterested in this proposition.

Mr. POU. Well, I will say to the gentleman that this lady has had a hard time in explaining this matter, because it is rather intricate. I took occasion to look into it carefully; but I do not care to take up the time of the House to-night, because we are anxious to get through this calendar here and eliminate the bills which can be passed by unanimous consent. But I will say to the gentleman that the result of this whole matter has been nothing less than a tragedy. When this woman's husband came back to this country but for the assistance of a very distinguished and philanthropic friend he would have had great trouble and would have suffered in a manner very different from having his money withheld.

Mr. MANN. I am very much afraid it was sympathy and philanthropy that got the committee to report the bill.

Mr. POU. There is absolutely no sympathy. I will say to my friend from Illinois that nothing in the world but a careful and, I hope, a loyal-like, impartial investigation forced me to the conclusion that the Government owes this woman this money. I would not have said this much but for the fact that we have discussed the matter in this preliminary sort of way.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. I reserve the right to object for a moment.

Mr. BARTON. Mr. Speaker, reserving the right to object, I would like to state that I had this matter under investigation. I took it up with the department and the officials of the Government and made the statement that I was entirely without prejudice and wanted to get at just the facts and the honest conditions in order to do the right thing in voting on this measure.

But the letter indicates and tells exactly what the department has to say about it, and I could not make it plainer than to make the statement that was just made by the gentleman from Illinois [Mr. MANN], and that is, that at the end of the year, instead of accepting $7,500, we would ask the Government to pay us the difference between the commercial and bullion value of our salaries. For two or three months, at the beginning of Mr. Patterson's service, the Indian rupee was not on the standard, but I think it was only two or three months after the general took his position until it was just as much standardized as the sovereign or the pound, and was based on English money, and was just as much commercial as the English money itself was. And when the money received for the receipts of that office, mind you, was taken over to the bank, a draft was purchased and remitted to the Government of the United States, the Government of the United States giving full credit for the draft. Consequently, I could not see any reason for this claim.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

CHARLES A. DAVIDSON AND CHARLES M. CAMPBELL.

The next business in order on the Private Calendar was the bill (H. R. 3041) to carry into effect the findings of the Court of Claims in the cases of Charles A. Davidson and Charles M. Campbell.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of the money in the Treasury not otherwise appropriated, the sum of $750 to Charles A. Davidson, and the sum of $750 to Charles M. Campbell, late clerks of United States courts in Indian Territory, in pursuance of the findings of fact reported to the United States Senate by the Court of Claims in the cases of Charles A. Davidson and Charles M. Campbell against the United States, No. 14046, congressional.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill.

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. DAVENPORT. Mr. Speaker, I hope the gentleman from Illinois will withhold his objection for a moment, until I can say a word in explanation.

Mr. MANN. I will withhold my objection long enough to say this: That if the gentleman wants to get a unanimous report on this bill he will have to get the favorable report and recommendation from the Department of Justice.

Mr. DAVENPORT. I will say to the gentleman, Mr. Speaker, that the Court of Claims sent back its findings, with the amount that these gentlemen paid in under protest, and which they are unable to recover.

The facts are that in 1900 we had three divisions of the United States court in the Five Civilized Tribes in the Indian Territory. Mr. Fannon, Mr. Davidson, and Mr. Campbell were clerks of those United States courts in the Indian Territory. They were getting a salary, and retained for clerk hire a thousand dollars annually. Mr. Fannon and Mr. Davidson and Mr. Campbell insisted that they had the right to retain this $750, which ran, according to my recollection, from May 31, 1900, until March 2, 1901. The department insisted that they should pay it into the Treasury. Mr. Campbell and Mr. David-

son paid the amount of $750 into the Treasury, while Mr. Fannon refused to do so.

The matter was taken to court, and the court decided that Mr. Davidson and Mr. Campbell were entitled to the amount of $750, and then Mr. Davidson and Mr. Campbell came to Congress. Their bill was introduced and referred to the Court of Claims, and the Court of Claims made its usual finding on the questions submitted to it, and found the same state of facts that the United States court had found. Thereupon the pending bill was introduced, and I was in hopes that it would go through. A bill similar to this passed the Senate at one time, and there was a report from the Senate committee, and the Committee on Claims of the House adopted that report.

Mr. MANN. The gentleman is correct about it, except that the Court of Claims does not make a finding about the law in these cases at all or about the loss to the Government.

Here was a case where the Department of Justice required these clerks to pay these fees over to the Government, and without ever asking the Department of Justice for the reasons which actuated it, and without asking it whether it had reasons why this money should be repaid under this bill, you come here and get a report from the Committee on Claims to pay it. I think we are entitled in the House, before we pass such a bill, to know the reasons which actuated the Department of Justice; and a bill like this ought to be referred to the Department of Justice for an opinion upon the subject before it is acted upon favorably, in justice to the Members of the House.

Mr. DAVENPORT. I will say to the gentleman, Mr. Speaker, that I tried to convey as plainly as I could the fact that the Court of Claims does not render any judgment on this character of cases, as the gentleman is aware; but the court showed the law under which they were acting, and the court makes a finding of facts. The Department of Justice raised no objection in the Court of Claims to the finding of facts or to the facts submitted to the Court of Claims. This is a case where the men have been out of their money since 1900. They have taken a circuitous route to recover it. Mr. Fannon was wise enough not to accept or obey the dictatorial orders of the clerks in the department, while these other men, Mr. Campbell and Mr. Davidson, are out their money because they did not want to get into a lawsuit.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

Mr. POU. Mr. Speaker, this session of the House to-night was set apart purely for the purpose of going through this calendar by unanimous consent, and hereafter I am going to insist on the regular order. I think, in the interest of everybody, that ought to be done.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects. The Clerk will report the next bill.

W. W. BLOOD.

The next business in order on the Private Calendar was the bill (H. R. 1515) for the relief of W. W. Blood.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to W. W. Blood, of Greenville, Plumas County, Cal., the sum of $439.09, in full payment for all work and labor done and performed by him for the Government of the United States, or its official representatives, at the Indian school near Greenville, Indian Valley, Plumas County, Cal., during the year 1907.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next bill.

PETE JELOVAC.

The next business in order on the Private Calendar was the bill (H. R. 13153) for the relief of Pete Jelovac.

The bill was read at length.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next bill.

ESTATE OF MOSES M. BANE.

The next bill in order on the Private Calendar was the bill (H. R. 7553) for the relief of the estate of Moses M. Bane.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the estate of Moses M. Bane, deceased, who was receiver of public moneys for the Territory of Utah, and paid office rent at Salt Lake City for the years 1877 and 1878 and for the first quarter of the years 1878 and 1879, the sum of $1,080, out of any money in the Treasury not otherwise appropriated, the said sum for office rent having been advanced by the officer out of his private means.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next bill.

ELIZABETH MUHLEMAN ET AL.

The next business in order on the Private Calendar was the bill (H. R. 12191) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, in full compensation for the death of said Samuel A. Muhleman on February 14, 1898, caused by injury received on the 9th day of June, 1893, while employed as a clerk in the Record and Pension Office, War Department, while located in Ford's Theater at the time of its collapse.

With the following committee amendment:

In lines 4 and 5 strike out the words "and the heirs at law."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I object.

MARY E. GOODLEY.

The next business in order on the Private Calendar was the bill (H. R. 8803) for the relief of Mary E. Goodley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mary E. Goodley, mother of William Goodley, late cranesman, employed under the direction of the Isthmian Canal Commission, a commission acting under the authority of the United States of America, the sum of $—— to compensate her for the death of her son, the said William Goodley, in the service of the Government of the United States, brought about by his being killed by an explosion while in the discharge of his duty in and about the Panama Canal.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Mary E. Goodley, mother of William Goodley, the sum of $1,000, to compensate her for the death of her son, the said William Goodley, who was killed on October 8, 1908, while in the discharge of his duty as a cranesman on the Panama Canal in the employ of the Isthmian Canal Commission."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ELDER. Mr. Speaker, reserving the right to object, I should like to inquire how the committee arrived at this amount? It seems to me that it is entirely too small.

Mr. POU. I will say to my friend from Louisiana that $1,000 is the smallest amount that the committee have agreed to report in a case where a person is killed.

Mr. ELDER. I will say to the gentleman from North Carolina that I had a somewhat similar case. I really think that if there is any liability on the part of the Government, $1,000 is entirely too small an amount. We set up the idea here that the public-service corporations of the country ought to pay a larger amount, and so they justly ought. Why should this rich Government, liberal as it is on a great many other matters, pay only the insignificant sum of $1,000? I merely wanted to know if that was the usual amount, and why we should pay only that amount in the case of the death of a boy like this. If he was of any account at all, I do not believe there is a court of record or a court of last resort in this country but what would sustain a judgment of at least ten times the sum allowed here. I realize that no large amount will be granted, but it occurs to me that this is indeed too small a sum for this Government to pay, and that we should demand of others no more than the Government is expected to pay.

Mr. POU. Of course there is no liability on the part of the Government.

Mr. ELDER. I understand there is no legal liability, and that we have not the right to sue.

Mr. POU. The committee has been confronted with a good many difficulties, and perhaps it can not claim to be consistent in all cases.

Mr. ELDER. I do not want the chairman to understand that I am complaining of the committee; but because it is a gift is no reason why we should not do it in a full and fair amount. I interrupted because I wish to know why the Government in a case like this should not make it a free and full reparation, as would be demanded of a private individual.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

ANDREW J. LAWRENCE.

The next business in order on the Private Calendar was the bill (H. R. 2662) for the relief of Andrew J. Lawrence.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Andrew J. Lawrence, of San Jose, Cal., out of moneys in the Treasury not otherwise appropriated, the sum of $2,000, for injuries sustained by him while employed as a lineman for construction of military telegraph line for the Signal Corps of the United States Army between Valdez and Gulkana, Alaska, in the line of duty, on or about the 1st day of September, 1908.

The SPEAKER pro tempore. Is there objection to the consideration of the bill.

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

C. E. MOORE.

The next business in order on the Private Calendar was the bill (S. 3610) for the relief of C. E. Moore.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to cause the accounts of C. E. Moore, late postmaster at Cherryvale, State of Kansas, to be credited with the sum of $130, and that he cause said credit to be certified to the Auditor of the Treasury for the Post Office Department, being on account of the loss of $130 in postal funds lost by the failure of the Cherryvale National Bank, of Cherryvale, State of Kansas, it appearing that said loss was without fault or negligence on the part of the late postmaster; and the said sum of $130 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay said claim.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to make an inquiry. The bill first proposes that he shall be credited with the sum of $130, and later it says that $130 is hereby appropriated. I recognize that it is a Senate bill. Where by law we provide that a certain credit shall be given to a man short in his accounts for any reason, is it necessary to appropriate the amount in addition to that? No money passes.

Mr. POU. I think not.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

PETE JELOVAC.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that we recur to Calendar No. 73, a bill for the relief of Pete Jelovac; and I will suggest to the committee that if consent is granted I will ask that the bill be amended so as to substitute $1,460 for $5,000 provided in the original bill and the $2,500 suggested by the committee.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent to return to Calendar No. 73. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

A bill (H. R. 13153) for the relief of Pete Jelovac.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pete Jelovac the sum of $5,000, for injuries received while employed in the Gunnison Tunnel at River Portal, Colo., July 17, 1906, while employed by the Reclamation Service of the United States, $2,000 of said sum to be paid to the said Pete Jelovac upon the passage of this act, and the remainder of said sum to be paid in monthly installments of $50 each: *Provided*, That no sum of money due to or to become due to the said Pete Jelovac under this act shall be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, but shall inure wholly to the benefit of the said Pete Jelovac.

The Clerk read the following committee amendment:

In line 6 strike out the figures "$5,000" and insert in lieu thereof the figures "$2,500."

Mr. POU. Mr. Speaker, at the suggestion of the gentleman who introduced the bill I ask unanimous consent that the committee amendment be amended by striking out the figures $2,500 and inserting in lieu thereof $1,460.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The following additional committee amendment was read:

In line 9, page 1, strike out the following language: "Two thousand dollars of the said sum to be paid to the said Pete Jelovac upon the passage of this act and the remainder of said sum to be paid in monthly installments of $50 each."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

SEVERIN AND BERTHE L. EVENSEN.

The next business in order on the Private Calendar was the bill (S. 135) for the relief of Severin and Berthe L. Evensen, dependent parents of Sigurd Evensen.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Severin Evensen and Berthe L. Evensen, dependent parents of Sigurd Evensen, who was killed on the United States ship *Neptune* while employed in coaling the same at Melville, R. I., on the 18th of October, 1911, through an accident which occurred without negligence or misconduct of said Sigurd Evensen, the sum of $360.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from North Carolina a question. This was a seaman in the Navy, killed in line of duty?

Mr. POU. Yes.

Mr. MANN. Is anyone entitled to a pension on account of that fact?

Mr. MONDELL. He was a civilian.

Mr. MANN. No; he was not. He was a seaman.

Mr. POU. That question was looked into by the committee, and the information we got was that nobody was entitled to a pension in this case.

Mr. MANN. Is not the dependent mother entitled to a pension? I see the committee recommend an increase in the amount of the Senate bill from $360 to $1,000. I would like to know if somebody is going to get a pension in addition to that? We are not in the habit, of course, of paying specific amounts for deaths in the Army and Navy. This is a death of a seaman in the Navy in regular line of duty. If some one is entitled to a pension on account of that, I can see no reason why, in addition to that, we should establish a precedent of paying a fixed amount to begin with.

Mr. DYER. Mr. Speaker, I suggest to the gentleman that the mother would not be dependent. The husband is living, apparently.

Mr. MANN. I suppose that would depend on the facts.

Mr. POU. Mr. Speaker, all I can say is that the committee inquired of the Pension Office if either of these beneficiaries had a pensionable status, and the information we got was to the contrary; that no pension would be allowed. I am not familiar with the facts further than that, but we made inquiry on that very point, for the point was made that probably somebody would be entitled to a pension. We called up the Pension Office, as I say, and we were informed that neither one of these dependent parents had received a pension, and no application had been made, and that they were probably not entitled to it. It was for that reason that the committee agreed to increase the amount, as I recollect, from $360 to $1,000.

Mr. MANN. I do not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 2, line 2, strike out the figures "$360" and insert in lieu thereof the figures "$1,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

THOMAS B. M'CLINTIC.

The next business in order on the Private Calendar was the bill (S. 661) for the relief of the widow of Thomas B. McClintic, deceased.

The Clerk read the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STEPHENS of Mississippi. Mr. Speaker, I object.

Mr. MANN. Mr. Speaker, I object.

SAMUEL HENSON.

The next business in order on the Private Calendar was the bill (S. 1171) for the relief of Samuel Henson.

The Clerk read the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I object.

UNITED STATES MARSHAL, DISTRICT OF CONNECTICUT.

The next business in order on the Private Calendar was the bill (S. 1689) authorizing the accounting officers of the Treasury to allow in the accounts of the United States marshal for the district of Connecticut amounts paid by him from certain appropriations.

The Clerk read the bill, as follows:

Be it enacted, etc., That the accounting officers of the Treasury are hereby authorized to allow in the accounts of the United States marshal for the district of Connecticut amounts paid by him from the appropriation pay of bailiffs, etc., United States courts, 1912, to Selah G. Blakeman, $192; and from the appropriation pay of bailiffs, etc., United States courts, 1913, to Selah G. Blakeman, $363; and to Timothy E. Hawley, $513, notwithstanding the fact that said payees also served and received compensation as field deputy United States marshals.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

GEORGE H. PENROSE.

The next business in order on the Private Calendar was the bill (H. R. 3305) directing the accounting officers of the Treasury to credit and settle an account of Maj. George H. Penrose.

The Clerk read the bill, as follows:

Be it enacted, etc., That the accounting officers of the Treasury Department be, and they are hereby, directed to credit and settle the suspended account of Maj. George H. Penrose, Quartermaster Corps, United States Army, in the sum of $267.87, being the amount disbursed by him in August, September, October, and November, 1908, at Fort Benjamin Harrison, Ind., to Albert W. Carlson and Bruno Buschek, employees of the United States, which account was disallowed by the Auditor for the War Department August 26, 1910, and by the Comptroller of the Treasury on the 27th day of January, 1912.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ALEXANDER GILMORE.

The next business in order on the Private Calendar was the bill (H. R. 8077) for the relief of Alexander Gilmore.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Alexander Gilmore, out of any money in the Treasury not otherwise appropriated, the sum of $72.61, and said sum is hereby appropriated in payment of his share of the balance found due his late brother, David N. Gilmore, late of Company K, Thirty-fourth Regiment Massachusetts Volunteer Infantry.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I desire to ask the chairman of the Committee on Claims a question. In 1911 we passed a limitation act upon the filing of these claims, providing that no claims should be allowed unless filed on or before December 31, 1912.

Is it the policy of the committee where Congress passed a law fixing a limit of time in which claims of a certain character may be filed, and these are old war claims practically, that just as soon as that time has expired to report special bills in behalf of everyone who has not complied with that limitation act?

Mr. POU. Mr. Speaker, I will say to my friend from Illinois that the best answer I could give to that question is that the committee would only feel constrained, I think, to do that where there were extraordinary circumstances surrounding the particular case.

Mr. MANN. Well, with that explanation I will not object; the amount is not very much.

Mr. POU. We are trying as nearly as we can, I will say to the gentleman, to discourage just such cases as he has described. I will also say, further, to the gentleman that the committee in cases where the applicant for congressional help has been persistent in following up bills here from time to time, that we are putting an end to that practice by making an adverse report.

Mr. MANN. If the gentleman will pardon me for saying it, I would like to say this: I have watched claims bills in the House for a good many years and quite a large number of claims bills have been reported from the Committee on Claims on the Private Calendar, but never in my recollection have there been so few bad bills reported on this calendar of same number as there are on this calendar [applause], and I compliment the committee on its work.

The SPEAKER pro tempore (Mr. DUPRÉ). Is there objection? [After a pause.] The Chair hears none.

Mr. POU. Mr. Speaker, I can assure the gentleman that the committee appreciates highly what the gentleman has said, because there is no man who is so diligent in preventing bad claims from going through this House as the gentleman from Illinois. [Applause.]

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

HEIRS OF PETER DEEL.

The next business in order on the Private Calendar was the bill (H. R. 3843) for the relief of the heirs of the late Peter Deel.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of the late Peter Deel, $167.47, for services rendered in carrying mail on route No. 7487, Mississippi, from January 1, 1861, to May 31, 1861.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, and as far as I am concerned, I will not object later. This bill is of identically the same character as the first bill on the calendar, which the chairman of the Committee on Claims asked to have passed over. Why he did that I do not undertake to say. As far as I am concerned, I shall not object to the payment of this claim, although for a number of years I fought them; but Congress paid them, and I think there is quite a large amount yet to be paid; but at the same time if this bill is to pass, why should not the first bill on the calendar pass? It is one of the claims for carrying mails in the Civil War.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time.

Mr. POU. Mr. Speaker, I want to say to the gentleman from Illinois when the first bill which went over at my request was reached in the House some days ago we were hoping at that time to agree upon some consistent course in the committee with respect to all bills of that character, and it was for that reason that I asked that it be passed over. This second bill had escaped my attention and I was not observant of the fact that it was exactly similar to the first bill. The gentleman from Mississippi has insisted all along that the claim ought to be paid, and I think he is right; but the reason I asked that the first bill go over was because we were hoping to have an understanding between the members of the committee as to what we were going to do with claims of that character.

Mr. MANN. As I understand, there was something over a quarter of a million dollars of claims in the Post Office Department or the Treasury Department, where, probably, if one should be paid others should be paid without requiring the claimants to lay around or hunt around or beg around to get $50 or $150 allowed them.

Mr. POU. I think that is very true.

Mr. MANN. I do not know what the policy of the committee is going to be, but certainly if there are two bills just alike, and we pass one and refuse to pass the other, it will look like unfair discrimination.

Mr. JOHNSON of South Carolina. Go back and pass the other one. They are just alike.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The question is on the passage of the bill.

The bill was passed.

JAMES HARVEY DENNIS.

The next business in order on the Private Calendar was the bill (H. R. 11040) to carry out the findings of the Court of Claims in the case of James Harvey Dennis.

The bill was read in full.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. I wish to be heard on the merits of this bill when it comes before the House. Therefore I object now.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the Clerk will report the next bill.

ELLIS P. GARTON.

The next business in order on the Private Calendar was the bill (H. R. 9092) for the relief of Ellis P. Garton, administrator of the estate of H. B. Garton, deceased.

The bill was read in full.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next bill.

REFUND OF DUTIES ON WILD-CELERY SEED.

The next business in order on the Private Calendar was the bill (H. R. 1781) providing for the refund of certain duties incorrectly collected on wild-celery seed.

The bill was read in full.

The SPEAKER pro tempore. Is there objection?

Mr. CANTRILL. I object, Mr. Speaker.

Mr. CALDER. Will the gentleman withhold his objection for a moment?

The SPEAKER pro tempore. The gentleman from Kentucky objects and the Clerk will report the next bill.

Mr. POU. Mr. Speaker, in the interest of expediting the consideration of these bills, I ask unanimous consent that when the Clerk reads the title of the bill opportunity be given for objection then. If anybody objects to the consideration of a bill, I do not see the necessity of taking up the time of the House by reading it in full.

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. POU] asks unanimous consent that objection may be made immediately after the reading of the title of the bill reported. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects and the Clerk will report the next bill.

ESTATE OF WILLIAM H. WILLIS.

The next business in order on the Private Calendar was the bill (H. R. 10205) for the relief of the estate of William H. Willis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of William H. Willis, deceased, the sum of $36.57, in full settlement for transporting the United States mail in 1860 and 1861.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the committee amendment.

The Clerk read as follows:

Lines 7 and 8, strike out the words "eighteen hundred and sixty and."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

L. V. THOMAS.

The next business in order on the Private Calendar was the bill (H. R. 10172) for the relief of L. V. Thomas.

The bill was read in full.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to inquire whether the committee referred this bill to and received any reply from the Isthmian Canal Commission?

Mr. POU. I will say to the gentleman from Illinois that the inquiry was made, and a report was made on it, but that the letter was lost. We intended to have a copy, and we asked the Isthmian Canal Commission to furnish us it, but it has not been received up to this time. It contained, I think, a favorable recommendation.

Mr. STEPHENS of Mississippi. That is my recollection, Mr. Speaker.

Mr. MANN. Mr. Speaker, for the present I object. The bill will be reached soon on the calendar no doubt.

Mr. DIES. I did not know the letter from the Isthmian Canal Commission had been lost. A report was had from them—that is, a statement of the fact that he was injured in service.

Mr. STEPHENS of Mississippi. I would like to say that the gentleman from Texas [Mr. DIES] turned those papers over to me. I am quite sure they went back with the other papers, but they do not appear now. I do not know what became of them, but there was such a report with the papers.

Mr. MANN. I think the bill ought to go over until we get them.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next bill.

ESTATE OF PHILIP FELIX HERWIG, DECEASED.

The next business in order on the Private Calendar was the bill (H. R. 2540) for the relief of the estate of Philip Felix Herwig, deceased.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause an account to be stated by the proper accounting officers crediting on the books of the Treasury Department Philip Felix Herwig, deceased, late assistant treasurer of the United States at New Orleans, La., with $20,959.81, now charged against him by miscellaneous settlement No. 5810, of June 14, 1911, under an act of Congress approved March 4, 1911, said amount being the shortage occurring in the public moneys at the New Orleans Subtreasury during said Herwig's administration on account of the embezzlement of John H. Aufdemorte while employed in said subtreasury, as stated on page 5 of House Document No. 721, Sixty-first Congress, second session, and said claim is hereby remitted and satisfied.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

JAMES STANTON.

The next business in order on the Private Calendar was the bill (H. R. 3428) for the relief of James Stanton.

The bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CANTRILL. I object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. CANTRILL] objects.

Mr. ANTHONY. Mr. Speaker, will the gentleman reserve his objection, or at least state the ground on which he bases his objection?

Mr. CANTRILL. Without intending any discourtesy, Mr. Speaker, I will just say that I renew my objection.

The SPEAKER pro tempore. The gentleman from Kentucky objects.

LEGAL REPRESENTATIVES OF JONATHAN MORRIS.

The next business in order on the Private Calendar was the resolution (H. Res. 443) referring bill H. R. 5445 to the Court of Claims.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 443.

Resolved, That the bill H. R. 5445, for the relief of the legal representatives of Jonathan Morris, deceased, with the accompanying papers, be, and the same is hereby, referred to the Court of Claims for the findings of facts and conclusions of law.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the resolution.

The resolution was agreed to.

RELIEF OF CERTAIN LANDOWNERS, EAST BANK MISSISSIPPI RIVER.

The next business in order on the Private Calendar was the bill (H. R. 13581) for the relief of the landowners on the east bank of the Mississippi River in the counties of Warren, Claiborne, Jefferson, Adams, and Wilkinson, in the State of Mississippi, and in the Parish of West Feliciana, State of Louisiana.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I reserve a point of order on the bill, Mr. Speaker; also the right to object. This is a public bill, and has no place on the Private Calendar. The gentlemen who are interested in it ought to have it, at some proper time, referred to the Union Calendar. For the present I shall object.

The SPEAKER pro tempore. Does the gentleman from Illinois make a point of order or object?

Mr. MANN. I object now. I thought perhaps the gentlemen interested would want to look it up before they would take the time to have it considered.

The SPEAKER pro tempore. The point of order is well taken.

Mr. MANN. It seems to me there is no question about the point of order. If the Chair is prepared to rule upon it, all right.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects.

ORMOND M. LISSAK.

The next business in order on the Private Calendar was the bill (H. R. 1133) for the relief of Lieut. Col. Ormond M. Lissak.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects. The Clerk will report the next bill.

WILLIAM VAN DERVEER.

The next business in order on the Private Calendar was the bill (H. R. 1005) to reimburse William Van Derveer, of Millboro, Va., for excess revenue taxes assessed against and collected from him.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and dericted to pay to William Van Derveer, of Millboro, Va., out of any money in the Treasury not otherwise appropriated, $616.50, the same being for reimbursement for excess revenue taxes and accrued penalty collected from him by L. P. Summers, internal-revenue collector for the sixth Virginia district, and which said sum the Commissioner of Internal Revenue is without authority to refund under the law.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

C. JENSEN.

The next business in order on the Private Calendar was the bill (H. R. 7048) making appropriation for the relief of C. Jensen for injuries sustained from forest team.

The bill was read, as follows:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $41 to reimburse C. Jensen for injury and damages sustained to himself and team on the 8th day of May, 1913, at or near the Manti Forest Reservation, in Sanpete County, State of Utah, as the direct results of a runaway of a Forest Service team of said Forest Service, and without fault of the said C. Jensen.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

ESTATE OF HENRY S. STOYER.

The next business in order on the Private Calendar was the bill (H. R. 12778) for the relief of W. D. Stoyer, administrator of the estate of Henry S. Stoyer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to W. D. Stoyer, administrator of the estate of Henry S. Stoyer, out of any money in the Treasury not otherwise appropriated, the sum of $500, repaying the amount of the bond surrendered by the surety for the appearance of Henry S. Stoyer before the United States District Court for the Western District of Pennsylvania.

The SPEAKER pro tempore (Mr. WINGO). Is there objection to the present consideration of the bill?

There was no objection.

Mr. MANN. Mr. Speaker, I move to strike out the last word. This bill reads:

Repaying the amount of the bond surrendered by the surety—

For the appearance of the prisoner. I wonder if that is a common legal expression in Pennsylvania or elsewhere—

The amount of the bond surrendered by the surety.

I confess it is new to me. The accused died, but before learning of his death the surety paid the bond. I suppose the bill will get the money, but it is a queer legal expression.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

HELEN WAKEFIELD.

The next business in order on the Private Calendar was the bill (H. R. 1138) for the relief of Helen Wakefield.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of $20 to Helen Wakefield, on account of the loss of a registered letter containing $20, mailed by her at Nome, Alaska, February 19, 1902, and addressed to Nellie A. Clayton, San Francisco, Cal.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

C. E. ANDERSON.

The next business in order on the Private Calendar was the bill (H. R. 7091) for the relief of C. E. Anderson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to C. E. Anderson, packer, United States Geological Survey, the sum of $40, and said amount is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be in full payment of all losses incurred and damages sustained by the said C. E. Anderson in the purchase of a horse on April 25, 1910, for use by survey parties in Alaska.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

ELLA M. EWART.

The next business in order on the Private Calendar was the bill (H. R. 6420) for the relief of Ella M. Ewart.

The bill was read, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to reimburse Ella M. Ewart, a clerk in the post office at Marion, Ohio, the sum of $135, being the amount made good by her to the United States on account of a postal savings certificate fraudulently paid in said office without fault or negligence on her part.

SEC. 2. That the sum of $135 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry into effect the provisions of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

MARCUS L. PELHAM.

The next business in order on the Private Calendar was the bill (H. R. 5746) for the relief of Marcus L. Pelham.

The bill was read, as follows:

Be it enacted, etc., That in the administration of the pension laws Marcus L. Pelham shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a lieutenant in Company G, Eighth Regiment Connecticut Volunteer Infantry, on the 29th day of December, 1864: *Provided*, That no pension shall accrue prior to the passage of this act.

Mr. POU. Mr. Speaker, this bill was reported from the Committee on Military Affairs. There is a typographical error in the calendar. The bill does not come from the Committee on Claims.

Mr. MANN. Oh, let us pass it anyhow.

Mr. FOSTER. Let it go.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FOWLER. Reserving the right to object——

Mr. DIES. Mr. Speaker, this bill has not been considered by any committee, has it?

Mr. POU. Oh, yes; it was reported by the Committee on Military Affairs.

Mr. DIES. The calendar does not show that it has been reported by the Committee on Military Affairs.

Mr. FOWLER. Mr. Speaker, I want to ask as to the parliamentary status of the consideration of bills to-night.

I have not been properly advised I presume as to the agreement that was reached as to the character of bills that should be considered.

Mr. GREEN of Iowa. Mr. Speaker, I do not think there is any use in wasting time in this way, and I object.

RELIEF OF CERTAIN FIRE INSURANCE COMPANIES.

The next business on the Private Calendar in order was the bill (H. R. 4480) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900.

The Clerk read the bill at length.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). Is there objection to the consideration of the bill.

Mr. MANN. I object.

PARKER S. ROUSE.

The next business in order on the Private Calendar was the bill (H. R. 2667) for the relief of the legal representatives of Parker S. Rouse, deceased.

The Clerk read the bill, as follows:

Whereas Parker S. Rouse, late station assistant in the service of the United States Geological Survey, having been drowned while performing his duty on the 24th day of August, 1906: Therefore

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal representatives of Parker S. Rouse, deceased, the sum of $892, being the amount of salary and allowances for one year.

The SPEAKER pro tempore. Is there objection to the consideration of the bill.

There was no objection.

The following committee amendments were read:

In line 6 strike out the figures "892" and substitute in lieu thereof the figures "600"; in line 7 strike out the words "and allowances."

Mr. MANN. Mr. Speaker, a parliamentary inquiry. When would it be in order to move to strike out the preamble, after the passage of the bill or now?

The SPEAKER pro tempore. The Chair thinks it is in order now.

Mr. MANN. I move to strike out the last word. Does the gentleman from North Carolina want the preamble in?

Mr. POU. Mr. Speaker, I will ask unanimous consent that the preamble be stricken out.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the preamble be stricken out. Is there objection?

There was no objection.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

WILLIAM E. MURRAY.

The next business in order on the Private Calendar was the bill (H. R. 3920) for the relief of William E. Murray.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William E. Murray the sum of $720, and said sum of $720 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for personal injuries sustained by him without fault on his part and while in the discharge of his duties as a watchman in the Department of the Interior, as found by the Court of Claims, in findings of fact filed May 20, 1909, and printed in House Document No. 226, Sixty-first Congress, second session.

The following committee amendment was read:

In line 13, after the word "session," strike out the period and insert a semicolon and add the following:

"*Provided, however*, That no sum of money due or to become due to the said William E. Murray under this act shall be liable to attachment, levy, or seizure under any legal or equitable process whatever, but shall inure wholly to the benefit of the said William E. Murray."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JENNIE S. SHERMAN.

The next business in order on the Private Calendar was the bill (H. R. 12166) for the relief of Jennie S. Sherman.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $11,000 to Jennie S. Sherman or her heirs, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to make said payment.

The following committee amendments were read:

In line 5 strike out the figures "$11,000" and insert in lieu thereof the figures "$1,500."

In line 8 after the word "payment," strike out the period and insert in lieu thereof a semicolon, and add the following words:

"*Provided*, That no sum of money due or to become due to the said Jennie S. Sherman under this act shall be liable to attachment, levy, or seizure by or under any legal or equitable processes whatever, but shall inure wholly to the benefit of the said Jennie S. Sherman."

Mr. MANN. Mr. Speaker, the bill provides for the payment to Jennie S. Sherman or her heirs. Is she living or dead?

Mr. STEPHENS of Mississippi. At the last report she was barely living.

Mr. MANN. And then you provide that no money due or to become due shall be liable to attachment levies or seizure, and that it shall inure wholly to the benefit of the said Jennie S. Sherman. Suppose she is dead; can the heirs get the money under that provision?

Mr. STEPHENS of Mississippi. I would think not. The committee was trying to keep the money from the attorneys, who might otherwise get it. I believe the objection is well taken.

Mr. EDMONDS. Will the gentleman yield?

Mr. MANN. Yes.

Mr. EDMONDS. I would like to state that the subcommittee thought that it would be a good thing to put that in. She is the party injured, and we do not think it is necessary that anybody else should get the benefit of it.

Mr. DIES. Does not the gentleman think that if the words "or heirs" were inserted in line 10, after the word "Sherman," that that would cover it?

Mr. MANN. Yes.

Mr. DIES. Then, Mr. Speaker, I move to amend the committee amendment, in line 10, by inserting, after the word "Sherman," the words "or heirs," and also in line 3, page 2, after the word "Sherman," the words "or heirs."

The SPEAKER pro tempore. The gentleman from Texas moves an amendment to the committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 10, after the word "Sherman," insert the words "or heirs," and page 2, line 3, after the word "Sherman," insert the words "or heirs."

The amendment to the committee amendment was agreed to.

The amendment as amended was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. FOWLER. Mr. Speaker, ought not the title of the bill to be amended so as to incorporate the idea of the heirs?

The SPEAKER pro tempore. Does the gentleman from Illinois offer an amendment?

Mr. FOWLER. I suggest that the title be amended to conform to the bill, and ask unanimous consent to that effect.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. FOWLER] asks unanimous consent that the title of the bill be amended to conform to the text of the bill.

Mr. MANN. Mr. Speaker, I think the gentleman better suggest the amendment to the title.

Mr. FOWLER. After the word "Sherman," in the title of the bill, add the words "or her heirs."

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the title of the bill be amended in the manner which the Clerk will report.

The Clerk read as follows:

After the word "Sherman" in the title of the bill insert the words "or her heirs."

The SPEAKER pro tempore. Is there objection to the amendment to the title?

There was no objection, and it was so ordered.

SANDY CRAWFORD.

The next business in order on the Private Calendar was the bill (H. R. 4008) for the relief of Sandy Crawford.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sandy Crawford, of Chicago, Ill., the sum of $20,000, as damages for personal injuries sustained by the said Crawford while employed upon the rivers and harbors improvements at Riverton, Ala. The injuries occurred in 1897 while Crawford was withdrawing a charge of dynamite which failed to explode, and in the premature explosion which followed both eyes were destroyed, totally incapacitating him for manual labor for the rest of his life, and the injuries were caused through no fault of his own, but solely through his following out and performing a proper act by direction of the person in charge of the work: *Provided, however*, That no sum of money due or to become due to the said Sandy Crawford under this act shall be liable to attachment, levy, or seizure under any legal or equitable process whatever, but shall inure wholly to the benefit of the said Sandy Crawford.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, line 6, strike out the figures "$20,000" and insert in lieu thereof the figures "$2,500."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

Mr. MANN. Mr. Speaker, I move to strike out the last word. I would like to inquire of the gentleman whether it is the policy of the Committee on Claims to refer bills of this character to the department for a report? Here was a man who was in the river and harbor improvement service of the Government who claims to have been injured. I have no doubt that the claim is correct, yet ought not the bill be referred to the War Department for a report upon it? They must have some information. I find in the report a letter from the Judge Advocate General, and also one from a lieutenant colonel, Corps of Engineers, but these letters contain no facts. Did the committee have any information from the War Department as to the facts in the case?

Mr. METZ. Yes; it appears in the report.

Mr. MANN. Where?

Mr. METZ. On page 4 of the report there is a report from the War Department.

Mr. MANN. Oh, no.

Mr. METZ. And on page 5 there is another one.

Mr. MANN. Oh, no.

Mr. METZ. Then what does the gentleman call that correspondence?

Mr. MANN. I see this:

A copy of a report submitted to this office March 17, 1898, by the officer in local charge of the work on which Sandy Crawford was employed at the time the accident occurred is inclosed herewith.

But where is it? It is not here. That is not a report upon the bill.

Mr. POU. Mr. Speaker, I will say to the gentleman from Illinois that we have been following the policy of referring every bill to the department of the Government which is supposed to have information about it. In some cases the information is very full. There are a few exceptional cases about which they have no information at all, and this happens to be one of them. Whatever information we could get appears in the report here, and this bill, as are all other bills of a similar character, was referred to the department with a request that we be furnished any information they might have. I understand the information that we got was that this data was all they had upon the subject.

Mr. METZ. And the fact that the man was hurt without any fault of his own, some 17 years ago; that he lost the sight of both of his eyes; that he began first as a water boy; and has had to take care of himself ever since.

Mr. MANN. Yes; but we do not get that report from the department.

Mr. METZ. The department verifies it.

Mr. MANN. Where?

Mr. METZ. It is not here, but the committee had it. It is not here in the report, as I see.

Mr. POU. Mr. Speaker, I will say further that this man was not a regularly enlisted soldier.

Mr. MANN. I understand.

Mr. POU. He was an employee.

Mr. MANN. Yes; he was a civil employee; but they have a record of these things in general, and whether they have or not, we would like to know it if they have no record of that fact. Of course the report from the department is not printed in the report of the committee.

Mr. METZ. They do not deny any of the facts.

Mr. DIES. Mr. Speaker, I would like to say to the gentleman from Illinois that in the case he just objected to a moment ago, the case of Thomas, the report was not in full. It merely stated that he was injured while serving as a carpenter upon the canal, and that is about all the report consisted of, as stated in the report of the subcommittee. In a case of that kind, if objection is made because the report is not full, I suggest there is nothing about which to make a report.

Mr. MANN. I am not making an objection because the report is not full.

Mr. METZ. May I say, further, that in getting these reports I find that the Government rarely takes the blame for anything. There is simply a report made that so-and-so is injured, and that is all.

Mr. MANN. Oh, I hope the gentleman does not misunderstand my position.

Mr. METZ. I do not.

Mr. MANN. I do not say that the committee should follow the report of the department, or that Congress should be bound by it; but where there is a department that has information upon the subject, I think we are entitled to the information that they have. We use our own judgment on whether their information is correct or whether we agree with their opinions.

Mr. METZ. The evidence shows the man was hurt, and, after 17 long years, he ought to get some relief.

Mr. MANN. He may have been hurt as a result of his own negligence. We are never in the habit of taking ex parte statements.

Mr. METZ. The record shows that he was not hurt as a result of his own negligence.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

SERAPIO ROMERO.

The next business in order on the Private Calendar was the bill (H. R. 6014) for the relief of Serapio Romero, late postmaster at Las Vegas, N. Mex.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Serapio Romero, late postmaster at Las Vegas, N. Mex., the sum of $1,106.98, with interest from August 1, 1885, to date of passage of this act, on account of money paid by him to the Post Office Department at that time.

SEC. 2. That this act shall take effect from and after its passage.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the committee amendment:

The Clerk read as follows:

Strike out all of said bill after the enacting clause and substitute in lieu thereof the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Serapio Romero, ex-postmaster at Las Vegas, N. Mex., the sum of $1,106.98, on account of money paid by him August 1, 1885, to the Post Office Department, this being the amount embezzled by the assistant postmaster, W. E. Miller."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGE W. HOYT.

The next business in order on the Private Calendar was the bill (S. 54) an act for the relief of George W. Hoyt.

The Clerk read as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of George W. Hoyt, postmaster at Cheyenne, Wyo., in the sum of $11,236, due to the United States on account of money-order funds embezzled by Joseph Kingman, late assistant postmaster at Cheyenne, Wyo., in the year 1911; and the sum of $11,236 is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, for the payment of this claim.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 5, strike out the figures "$11,236" and insert in lieu thereof "$9,917.50."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Page 1, line 9, strike out the figures "$11,256" and insert in lieu thereof "$9,917.50."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

CLAIMS UNDER THE NAVY DEPARTMENT.

The next business in order on the Private Calendar was the bill (H. R. 14685) to satisfy certain claims against the Government arising under the Navy Department.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to pay the claims arising under the Navy Department hereinafter stated, the same being in full for and the receipt of the same to be taken and accepted in each case as a full and final release and discharge of the respective claims, namely:

First. To pay the owner of the barge *Ellie* for damages sustained to his barge while discharging coal alongside the U. S. S. *Birmingham* at the navy yard, Philadelphia, Pa., on June 23, 1910, $112.93.

Second. To pay the New England Navigation Co., Newport, R. I., on account of certain timbers, belonging to said company, used and destroyed by a party of enlisted men from the Navy while unloading an anchor from a railroad car on the company's wharf at Newport on August 20, 1910, $9.84.

Third. To pay Delaware, Lackawanna & Western Railroad Co., New York, N. Y., damages on account of the collision between their steam lighter *Bloomsburg* and the U. S. S. *Pawnee* in East River, N. Y., on April 9, 1910, $2,028.39.

Fourth. To pay the Southern Pacific Co. on account of damage to their dock at San Pedro, Cal., as a result of being struck by the U. S. S. *Lawrence* on September 13, 1909, $148.40.

Fifth. To pay damages in each instance arising out of the collisions between the U. S. S. *Samar* and the Fort gas-lighted buoy in the Woosung River, China, and with a Chinese junk anchored near this point, on April 10, 1910, $562.33.

Sixth. To reimburse Carl F. Deichman, who, in December, 1909, was United States consul at Nagasaki, Japan, for the payment by him of the cost of repairs to a Japanese postal launch, as the result of a collision with a Navy launch from the U. S. S. *Maryland*, in the harbor of Nagasaki, on December 28, 1909, $7.97.

Seventh. To pay the owners of the Norwegian steamship *Jethou* for damages on account of the collision between their vessel and a Navy coal barge in tow of the U. S. S. *Active* at the navy yard, Mare Island, Cal., on June 14, 1910, $7,290.31.

Eighth. To reimburse Paymaster William B. Rogers, United States Navy, on account of the payment by him of the cost of repairs to the wharf of the Seaboard Wharf & Warehouse Co. at Portsmouth, Va., damaged by the U. S. S. *Brutus* on June 7, 1909, $201.76.

Ninth. To pay the Commercial Pacific Cable Co. for damages to their Manila-Shanghai cable located in Manila Bay, P. I., caused by the anchorage of the United States Atlantic Fleet in the bay during the first week of October, 1908, $11,782.67.

Tenth. To pay the owner of the steamship *J. M. Linder* for damages suffered to his steamer as the result of a collision with the U. S. S. *Amphitrite* in the Mississippi River off Memphis, Tenn., on December 7, 1910, $1,135.83.

Eleventh. To pay the cost of repairs to Norfolk & Western Railroad Co. freight car No. 53259, on account of damages suffered at the navy yard, Charleston, S. C., on May 22, 1911, $12.24.

Twelfth. To pay the owners of the schooner *Dorothy B. Barrett* for damages to their schooner on account of the collision with the U. S. S. *Mayrant* off Cape Cod, Mass., on August 30, 1911, $838.40.

Thirteenth. To pay the owners of the British steamship *Harpalion* for damages to their steamer, suffered while discharging coal at the navy yard, Puget Sound, Wash., in September, 1911, $23.70.

Fourteenth. To pay the owners of the British steamship *Hampton* for damages suffered by their steamer while discharging coal at the naval coal depot, Tiburon, Cal., in May, 1911, $750.

Fifteenth. To pay the owners of the barge *Bell* for damages suffered as the result of the sinking of said barge at the navy yard, New York, N. Y., on June 24, 1911, $4,021.44.

Sixteenth. To reimburse Mr. I. H. Aiken, Pensacola, Fla., for the cost of making repairs to the barge *Dan* on account of injuries suffered while alongside the U. S. S. *Florida* in the harbor of Pensacola, Fla., on December 19, 1911, $583.84.

Seventeenth. To reimburse H. D. Martin, G. G. Benson, W. H. Spurlock, and W. E. Apple, at the time enlisted men in the Navy, for personal effects lost with the destruction by fire on June 8, 1912, of the United States radio station, Kodiak, Wood Island, Alaska, $1,891.50.

Eighteenth. To pay the owners of the British steamship *Strathord* for damages on account of injuries to their vessel while discharging coal at the naval coal depot, Tiburon, Cal., on August 28, 1912, $2,984.33.

Nineteenth. To pay the owners of the American schooner *J. Holmes Birdsall* for damages arising out of the collision between their schooner and the U. S. S. *Vermont* off the entrance of Chesapeake Bay on November 11, 1912, $5,814.72.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I think these claims ought to be paid where the Navy Department causes damages by collision. I am very sorry that the Committee on Claims in this bill allows damages for the loss of services of the vessels. In a good many cases we have had in the past with respect to these bills, really admiralty cases, Congress, I think, whenever a vote was taken on the subject—and there have been votes taken a good many times—has refused to make any allowance, after paying the damage, for the loss of time. Of course, if we pay for the loss of time in one case we ought to pay it in the other cases. It is true if they could bring a claim in a court of admiralty they would be entitled to recover for that, but it is a good deal like the payment of interest. We consistently refuse to pay interest on those claims which are not collectible legal claims. I wish we could get the department to follow that practice. Apparently that is not possible.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

COMMISSIONER OF INTERNAL REVENUE.

The next business in order on the Private Calendar was the bill (H. R. 14684) for the relief of the Commissioner of Internal Revenue.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit the Commissioner of Internal Revenue and his accounts with the sum of $801, being the value of 1,602 quarter-barrel beer stamps charged to him, stolen June 7, 1899.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A. J., T. W., AND C. C. HODGES.

The next business in order on the Private Calendar was the bill (H. R. 10007) for the relief of A. J. Hodges, T. W. Hodges, and C. C. Hodges.

The Clerk read as follows:

Be it enacted, etc., That the sum of $1,175 be, and it is hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to pay A. J. Hodges, T. W. Hodges, and C. C. Hodges for labor performed for the United States upon a written order of W. T. Wilkerson, colonel in the United States Army, commanding a post at Columbus, Tex., during the month of August, 1865.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill. [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

SAMUEL M. FITCH.

The next business in order on the Private Calendar was the bill (H. R. 10122) to credit Samuel M. Fitch, collector of internal revenue, first district of Illinois, on the books of the Treasury Department with the sum of $1,500, for cigar stamps lost or stolen in transit.

The bill was read in full.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FOWLER. I object.

Mr. DIES. Mr. Chairman, I hope the gentleman will not object. I examined that case, and it is a perfectly righteous one. Surely the gentleman from Illinois will withdraw his objection.

The SPEAKER pro tempore. Does the gentleman from Illinois [Mr. FOWLER] reserve his objection?

Mr. MANN. Of course he will object.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. FOWLER] objects. The Clerk will report the next bill.

JOHN D. BALDWIN.

The next business in order on the Private Calendar was the bill (H. R. 10767) for the relief of John D. Baldwin.

The bill was read, as follows:

Be it enacted, etc., That the sum of $80 be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to pay John D. Baldwin, of Junction City, Kans., for a horse killed by a fragment of a shell fired from a gun belonging to Siege Battery O, Seventh Regiment Artillery, while at target practice on the military reservation at Fort Riley, Kans., on December 6, 1900.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

JAMES T. M'KENNEY.

The next business in order on the Private Calendar was the bill (H. R. 6506) for the relief of James T. McKenney.

The bill was read in full.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. Reserving the right to object, I understand this bill is to pay a certain amount to a man who was injured after he had received the maximum amount under the employees' compensation act.

Mr. POU. That is true.

Mr. MANN. Well, I do not think that ought to go through by unanimous consent, and therefore I object.

Mr. CURRY. Will the gentleman withhold his objection for a moment?

Mr. MANN. I will be very glad to do so, but it will prevent several bills coming up to-night, and I will not withdraw my objection.

Mr. CURRY. It is all right, then.

Mr. POU. It will come up again.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects, and the Clerk will report the next bill.

WILLIAM A. HOWARD.

The next business in order on the Private Calendar was the bill (H. R. 13830) for the relief of William A. Howard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William A. Howard the sum of $2,000, out of any money not otherwise appropriated, for personal injuries received while working in the quartermaster's department of the Army transport service as yeoman on the U. S. Army transport *Crook*.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Line 5, strike out the figures "$2,000," and insert "$800."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

MRS. MAX S. RETTER.

The next business in order on the Private Calendar was the bill (H. R. 3435) for the relief of Mrs. Max S. Retter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Mrs. Max S. Retter, widow of Max S. Retter, late a commissary sergeant in the United States Army and superintendent of the national cemetery at Fort Leavenworth, Kans., on account of the death of said Max S. Retter, due to infection of the blood brought about while as said superintendent he received and reinterred, in line of duty, in July, 1907, several human bodies in a state of putrefaction contained in unsealed wooden boxes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, line 5, strike out the figures "$5,000" and insert "$1,000."

The SPEAKER pro tempore. The question is on the committee amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JOHN T. GLYNN.

The next business in order on the Private Calendar was the bill (H. R. 9421) for the relief of John T. Glynn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $125 to John T. Glynn, to reimburse him for damages to his clothing and for hospital charges incurred as the result of assisting an inspector of the Department of Commerce and Labor in serving warrants of arrest on certain aliens.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

HANNAH WALDO.

The next business in order on the Private Calendar was the bill (H. R. 10167) for the relief of Hannah Waldo.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hannah Waldo, widow of Charles Waldo, who lost his life September 9, 1913, as a result of asphyxia due to submersion by falling into the North River, N. Y.,

from the U. S. steamboat *Ellis Island*, owing to negligence on the part of the management of said boat in not providing a sufficiently strong fan rail, the same having given away, the sum of $10,000.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the sum of $1,500 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid to Hannah Waldo, widow of Charles Waldo, inspector in the Immigration Service of the United States, who lost his life in North River, September 9, 1913, by drowning, having fallen in said river because of the giving way of a defective fan rail, without negligence or fault of said Charles Waldo."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. MANN. Mr. Speaker, I congratulate the committee on their amendment to this bill, which provides for compensation on account of a man who lost his life by drowning. That is the language of the committee amendment. The original bill provides for compensation for the same man, who is stated to have lost his life "as a result of asphyxia, due to submersion by falling into the North River, N. Y." That bill was prepared by my friend from New York, Mr. CALDER, and bears marks which undoubtedly are the result of his college education. [Laughter.]

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the bill was passed.

RELIEF OF BOLOGNESI, HARTFIELD & CO.

The next business in order on the Private Calendar was the bill (H. R. 5859) for the relief of Bolognesi, Hartfield & Co.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FINLEY. Mr. Speaker, reserving the right to object, I would like to have somebody explain the bill.

Mr. CANTRILL. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. CANTRILL] objects. The Clerk will report the next bill.

THERESA A. MURRAY.

The next business in order on the Private Calendar was the bill (S. 75) for the relief of Theresa A. Murray.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Theresa A. Murray, widow of John P. Murray, late assistant forest ranger, who died August 3, 1911, from injuries received while in the performance of his duty and without fault on his part, the sum of $1,100, the amount of one year's salary at the rate of compensation which the said John P. Murray was receiving at the time of his death. And the sum of $1,100 is hereby appropriated out of any money in the Treasury not otherwise appropriated to carry out the provisions of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate bill?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

MARY S. CORBIN.

The next business on the Private Calendar was the bill (H. R. 10564) for the relief of Mary S. Corbin.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Mary S. Corbin, of Oconee County, S. C., widow of W. B. F. Corbin, who, while in the discharge of his duty as a deputy United States marshal, was murdered by Robert Belcher, Lou Belcher, J. B. Palmer, and Charles Palmer, violators of the United States postal laws and regulations, on the 8th day of March, 1909, the sum of $15,000 on account of the murder of her said husband while in the service of the Government of the United States.

With committee amendments.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

In line 4, after the word "pay," add the following: "out of any money in the Treasury not otherwise appropriated, to."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

In line 11 strike out the figures "$15,000" and insert in lieu thereof the figures "$1,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

SHERMAN LEWIS.

The next business in order on the Private Calendar was the bill (H. R. 13692) for the relief of Sherman Lewis.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Sherman Lewis, of Pomp, Morgan County, Ky., the sum of $154, as a reimbursement for expenses incurred for surgical and medical aid and hospital fees in having wounds treated which were received while in the discharge of his duties as deputy United States marshal, and for loss of time, suffering, and permanent disability resulting from said wounds.

With a committee amendment.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Amend, line 7, by striking out the figures "$2,154" and inserting in lieu thereof the figures "$154."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

MRS. C. D. CORBIN.

The next business in order on the Private Calendar was the bill (H. R. 10563) for the relief of Mrs. C. D. Corbin.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Mrs. C. D. Corbin, of Oconee County, S. C., widow of C. D. Corbin, who, while in the discharge of his duty as a deputy United States marshal, was murdered by Robert Belcher, Lou Belcher, J. B. Palmer, and Charles Palmer, violators of the United States postal laws and regulations, on the 8th day of March, 1909, the sum of $15,000, on account of the murder of her said husband while in the service of the Government of the United States.

With committee amendments.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

In line 4, after the word "pay," add the following: "out of any money in the Treasury not otherwise appropriated to."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Amend, page 2, line 1, by striking out the figures "$15,000" and inserting in lieu thereof the figures "$1,000."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

VICTORIA COFFMAN.

The next business in order on the Private Calendar was the bill (H. R. 9734) for the relief of Victoria Coffman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Victoria Coffman, wife of Henry Clay Coffman, deceased, out of any funds in the Treasury of the United States not otherwise appropriated, the sum of $10,000, to compensate her for the death of her husband, Henry Clay Coffman, as the result of injuries received while acting in the course of his duties as janitor of the Government building at Parkersburg, W. Va.

With the following committee amendment:

Page 1, line 7, strike out "$10,000" and insert "$1,200."

The amendment was agreed to.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

STANLEY J. MORROW.

The next business in order on the Private Calendar was the bill (H. R. 7484) for the relief of Stanley J. Morrow.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to pay to Stanley J. Morrow, formerly of Dakota Territory, but now of the State of Ohio, the sum of $3,498.48 out of any money in the Treasury not otherwise appropriated, in full satisfaction for one building and photograph materials and other property and damages to business resulting from the appropriation of said property by the War Department, at Fort Custer, Mont., in 1878–79.

With the following committee amendment:

On page 1, in line 5, strike out the figures "$3,498.48" and insert in lieu thereof "$163.65."

The amendment was agreed to.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

J. M. POTTER.

The next business in order on the Private Calendar was the bill (H. R. 13700) for the relief of J. M. Potter.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury of the United States not otherwise appropriated, to J. M. Potter, of Pikeville, Pike County, Ky., the sum of $2,140, as a reimbursement for expenses incurred for surgical and medical aid and hospital fees in having wounds treated which were received while in the discharge of his duties as deputy United States marshal, and for loss of time, suffering, and permanent disability resulting from said wounds.

With the following committee amendment:

In line 7, strike out "$2,140" and insert "$140."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

PIERSON BROS. & CO.

The next business in order on the Private Calendar was the resolution (H. Res. 453) for the relief of Pierson Bros. & Co.

The resolution was read, as follows:

Resolved, That the bill (H. R. 1056) for the relief of Pierson Bros. & Co., with the accompanying papers, be, and the same is hereby, referred to the Court of Claims for the finding of facts and conclusions of law.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

THOMAS HAYCOCK.

The next business in order on the Private Calendar was the bill (H. R. 2696) for the relief of Thomas Haycock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas Haycock the sum of $500 to reimburse him for the said sum paid by him to the Government in excess of the amount of the surety bond signed by him in behalf of the late postmaster at Tropic, Utah.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CANTRILL. I object.

The SPEAKER pro tempore. The gentleman from Kentucky objects. The Clerk will report the next bill.

MARY WELCH.

The next business in order on the Private Calendar was the bill (H. R. 12623) for the relief of Mary Welch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized, empowered, and directed to pay to Mary Welch, widow of James Welch, the sum of $5,000, as and for compensation for injuries sustained by her husband on October 31, 1888, while an employee in the United States navy yard at Brooklyn, in the State of New York, in the performance of his duties in and about the work of erecting an addition to the machine shops in the said United States navy yard.

With the following committee amendments:

Page 1, line 6, strike out "$5,000" and insert "$1,000."

At the end of the bill add:

"*Provided*, That no sum of money due or to become due to the said Mary Welch under this act shall be liable to attachment, levy, or seizure by or under any legal or equitable processes whatever, but shall inure wholly to the benefit of the said Mary Welch."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects. The Clerk will report the next bill.

MRS. THOMAS G. PRIOLEAU AND OTHERS.

The next business in order on the Private Calendar was the bill (H. R. 12792) for the relief of Mrs. Thomas G. Prioleau and others, heirs at law of Thomas G. Prioleau, deceased.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Thomas G. Prioleau and others, heirs a law of Thomas G. Prioleau, deceased, of Charleston, S. C., who came to his death aboard a Government vessel while engaged in the employment of the United States Government as property clerk, at a point known as Smithville, S. C., during the latter part of November, in the year 1910, the sum of $10,000.

With the following committee amendments:

In line 6 strike out the words "and other heirs at law" and insert the word "widow."

In line 7 strike out the word "deceased."

In line 12 strike out the figures "10,000" and insert the figures "1,620."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

By unanimous consent, the title was amended to read: "A bill for the relief of Mrs. Thomas G. Prioleau, widow of Thomas G. Prioleau."

FREDERICK J. ERNST.

The next business in order on the Private Calendar was the bill (H. R. 4405) for the relief of Frederick J. Ernst.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to Frederick J. Ernst the sum of $1,500, which sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, said sum to be payment in full for injury sustained by the breaking of a carboy of vitriol oil while storing the same for the United States Government at the Washington Navy Yard September 12, 1906.

The SPEAKER pro tempore. Is there objection to the consideration of the bill.

There was no objection.

Mr. MANN. Mr. Speaker, I move to strike out, in line 5, page 1 of the bill, the words "or so much thereof as may be necessary."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 5, strike out the words "or so much thereof as may be necessary."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

Mr. MANN. Mr. Speaker, how long will it be before the House adjourns?

The SPEAKER pro tempore. The order under which the House is operating provided that the House should be in session from 8 o'clock until 11 o'clock.

Mr. MANN. Will the House adjourn without motion at 11 o'clock? I am perfectly willing that this bill should be passed.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the bill was passed.

Mr. GOLDFOGLE. Mr. Speaker, I ask unanimous consent that the order of the House be modified so that we may sit until 11.30 o'clock.

Mr. FOSTER. I object.

ADJOURNMENT.

Mr. POU. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock p. m.) the House adjourned until to-morrow, Friday, April 10, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Cleveland Harbor, Ohio, with a view to the completion of the east breakwater and shore arm, including any plan for cooperation on the part of the city of Cleveland (H. Doc. No. 891); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Coquille River and bar entrance, Oregon, including consideration of any proposition for cooperation on the part of local interests (H. Doc. No. 890); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 12179) to establish in the War Department and in the Navy Department, respectively, a roll, designated as "the Army and Navy medal-of-honor honor roll," and for other purposes, reported the same with amendment, accompanied by a report (No. 512), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FAISON, from the Committee on the Merchant Marine and Fisheries, to which was referred numerous bills of the House, reported in lieu thereof a bill (H. R. 15505) to establish fish-hatching and fish-cultural stations in the States of Alabama, Arizona, Colorado, Florida, Indiana, Illinois, Maryland, New York, North Carolina, Oregon, Oklahoma, Texas, South Carolina, Massachusetts, and Washington, accompanied by a report (No. 513), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DALE, from the Committee on Pensions, to which was referred the bill (H. R. 15504) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 511); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 15377) granting a pension to Olive J. Hale, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FLOOD of Virginia: A bill (H. R. 15503) authorizing the appointment of an ambassador to the Republic of Chile; to the Committee on Foreign Affairs.

By Mr. FAISON (from the Committee on the Merchant Marine and Fisheries): A bill (H. R. 15505) to establish fish hatcheries and fish-cultural stations in the States of Alabama, Arizona, Colorado, Florida, Indiana, Illinois, Maryland, New York, North Carolina, Oregon, Oklahoma, Texas, South Carolina, Massachusetts, and Washington; to the Committee of the Whole House on the state of the Union.

By Mr. NORTON: A bill (H. R. 15506) providing for free homesteads on the public lands for actual and bona fide settlers, and reserving the public lands for that purpose, and providing for second homestead entries in certain cases; to the Committee on the Public Lands.

By Mr. RAKER: A bill (H. R. 15507) for the erection of a public building at the city of Quincy, State of California, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. FALCONER: A bill (H. R. 15529) for the relief of settlers on Northern Pacific Railroad lands, and for other purposes; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DALE (from the Committee on Pensions): A bill (H. R. 15504) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. BROWNE of Wisconsin: A bill (H. R. 15508) granting a pension to Frank Klott; to the Committee on Pensions.

By Mr. CHURCH: A bill (H. R. 15509) granting an increase of pension to William H. Haughawout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15510) granting an increase of pension to Samuel Turpin; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 15511) to pay Elmer E. Davis for overtime work in the United States quartermaster depot at Jeffersonville, Ind.; to the Committee on Claims.

By Mr. DAVENPORT: A bill (H. R. 15512) granting an increase of pension to James C. Wilkinson; to the Committee on Invalid Pensions.

By Mr. DILLON: A bill (H. R. 15513) for the relief of F. W. Schultz; to the Committee on Claims.

Also, a bill (H. R. 15514) authorizing the Secretary of the Interior to issue a patent to Simon Antelope for not to exceed 1 acre of land; to the Committee on Indian Affairs.

By Mr. FESS: A bill (H. R. 15515) granting an increase of pension to David H. Ogborn; to the Committee on Invalid Pensions.

By Mr. FLOOD of Virginia: A bill (H. R. 15516) granting a pension to Samuel Armistead; to the Committee on Pensions.

Also, a bill (H. R. 15517) granting a pension to William R. Green; to the Committee on Pensions.

By Mr. HELVERING: A bill (H. R. 15518) granting a pension to Anna E. Partch; to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 15519) for the relief of the estate of Levi Jones; to the Committee on War Claims.

By Mr. LANGLEY: A bill (H. R. 15520) granting an increase of pension to Moses D. Damron; to the Committee on Invalid Pensions.

By Mr. PROUTY: A bill (H. R. 15521) granting a pension to George W. Carr; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 15522) granting an increase of pension to Thomas Butler; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 15523) for the relief of certain purchasers of land under the act entitled "An act to authorize the drainage of certain lands in the State of Minnesota"; to the Committee on the Public Lands.

By Mr. SWITZER: A bill (H. R. 15524) granting a pension to Chloe A. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15525) granting a pension to Margaret I. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15526) for the relief of Hiram Pierce; to the Committee on Military Affairs.

By Mr. TAGGART: A bill (H. R. 15527) granting an increase of pension to Mary H. Hurlbut; to the Committee on Invalid Pensions.

By Mr. WALLIN: A bill (H. R. 15528) granting a pension to Rose Harris; to the Committee on Pensions.

By Mr. O'SHAUNESSY. A bill (H. R. 15530) granting an increase of pension to Thaptsey B. Phillips; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 15531) granting an increase of pension to Daniel L. Ordway; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of sundry citizens of Indiana and Michigan, against polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Hermann, Mo., against national prohibition; to the Committee on the Judiciary.

By Mr. ADAIR: Petitions of 60 citizens of Muncie, 75 citizens of Liberty Center, 400 citizens of Bluffton, 231 citizens of Portland, 220 citizens of Dunkirk, 350 citizens of Redkey, and 75 citizens of Modoc, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ALEXANDER: Petitions of 340 citizens of Albany, Mo., and 120 citizens of Blythedale, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ALLEN: Petitions of 257 residents of Cincinnati, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of 17 citizens of New Philadelphia, Ohio, protesting against House bill 7826, being the Sabbath observance bill; to the Committee on the District of Columbia.

Also, resolution of Eugene Snell Camp, No. 80, of the Spanish-American War Veterans, of Coshocton, Ohio, protesting against the proposed change in our national flag; to the Committee on the Judiciary.

Also, petition of 650 members of the Baptist Church of Granville, Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

Also, petition of 11 citizens of New Philadelphia, Ohio, in favor of House bill 12928, relative to compensatory time to postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of 47 citizens of Coshocton County, Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

By Mr BARCHFELD: Petition of sundry citizens of Heidelberg Borough, Pa., against national prohibition; to the Committee in the Judicary.

Also, petition of sundry citizens of the seventeenth ward of Pittsburgh, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. BALTZ: Petition of the Plymouth Congregational Church of East St. Louis, Ill., and the First Christian Church of Edwardsville, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the twenty-second Illinois district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARNHART: Petition of sundry citizens of South Bend, Bremen, Elkhart, Mishawaka, Pierceton, Plymouth, and Syracuse, all in the State of Indiana, in favor of Hobson-Sheppard prohibition amendment; to the Committee on the Judiciary.

By Mr. BARTON: Petitions of 150 citizens of Palisade, 100 citizens of Haigler, 40 citizens of Smithfield, 75 citizens of Superior, 57 citizens of Edison, 100 citizens of Benkelman, 320 citizens of Fairfield, and 50 citizens of Imperial, all in the State of Nebraska, in favor of national prohibition; to the Committee on the Judiciary.

By Mr. BELL of California: Petition of the Chamber of Mines and Oil, of Los Angeles, Cal., favoring opening to entry of mineral lands in the Colorado River Indian Reservation; to the Committee on Indian Affairs.

Also, petition of the Chamber of Commerce, Ontario, Cal., favoring child-labor bill; to the Committee on Labor.

Also, petition of the Victor Valley Chamber of Commerce, of Victorville, Cal., favoring an appropriation for Mohave River; to the Committee on Rivers and Harbors.

By Mr. BOOHER: Petitions of 518 citizens of Savannah, Mo., and 50 citizens of Clearmont, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRODBECK: Petition of the Young Woman's Christian Temperance Union of Peach Bottom, Pa.; the Hanover (Pa.) Ministerial Association; and the Mononghan Presbyterian Church of Dillsburg, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BROWNING: Petitions of 147 citizens of Haddonfield, 14 citizens of Woodstown, 100 citizens of Salem, 117 citizens of Westville, 80 citizens of Daretown, 100 citizens of Camden, 11 citizens of Pennsville, 20 citizens of National Park, and 60 citizens of Hancocks Bridge, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BURKE of Wisconsin (by request): Resolutions adopted by the Methodist Episcopal Church of Poynette, representing 200 people; by the First Methodist Episcopal Church of Watertown, representing 75 people; by the Willing Workers of Cambria, representing 50 people; by the Young People's Society Christian Endeavor of Lake Mills, representing 35 people; and by the Woman's Foreign Missionary Society of Poynette, all in the State of Wisconsin, praying for the passage of the joint resolution introduced in Congress to prohibit the sale, manufacture, transportation, importation, and exportation of intoxicating liquors for beverage; to the Committee on the Judiciary.

By Mr. BYRNS of Tennessee: Petition of sundry citizens of Nashville, Tenn., relative to Sabbath observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Nashville, Tenn., relative to House bill 12928, allowing compensatory time to postal employees; to the Committee on the Post Office and Post Roads.

By Mr. CRAMTON: Petitions of the Church of Christ of Algonac, the Methodist Protestant Church of Allenton, the Methodist Episcopal Church of Ubly, the Methodist Episcopal Church of Cumber, and of 30 persons of Capac, all in the State of Michigan, in support of the Hobson resolution for national prohibition; to the Committee on the Judiciary.

By Mr. DALE: Petition of the International Committee of Young Men's Christian Association, favoring House bill 14895, to establish Federal censorship of motion pictures; to the Committee on Education.

Also, petition of the Metropolitan Association of Retail Druggists, favoring House bill 13305, being the Stevens-Price maintenance bill; to the Committee on Interstate and Foreign Commerce.

By Mr. DILLON: Petition of various banks of South Dakota, favoring amendment to income-tax law; to the Committee on Ways and Means.

By Mr. DOOLITTLE: Petition of sundry citizens of Kansas, favoring establishment of a bureau of farm loans in the United States Treasury; to the Committee on Banking and Currency.

By Mr. ESCH: Petition of 30 citizens of North Freedom, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. FESS: Petition of the Business Men's Association of Georgetown, Ohio., favoring the passage of House bill 4900, for the erection of a monument to Gen. Ulysses S. Grant at Georgetown, Ohio; to the Committee on the Library.

By Mr. FITZGERALD: Petition of the board of management of the Pottery, Glass, and Brass Salesmen's Association of America, favoring Hamill retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of the Young People's Society of the Gustavus Adolphus Church of New York, favoring erection of a memorial to John Ericsson; to the Committee on the Library.

Also, petition of 415 citizens of Brooklyn, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. FLOOD of Virginia: Petition of 100 citizens of Weyers Cave, 400 citizens of Monterey, and 199 citizens of McDowell, all in the State of Virginia, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GARDNER: Petition of Division 12, Ancient Order of Hibernians, of Beverly, Mass., against Panama Canal tolls repeal; to the Committee on Interstate and Foreign Commerce.

Also, petition of the City Council of Quincy, Mass., favoring Hamill retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of the Litho. Foremen's Club of New York City, against anticoupon bill; to the Committee on Ways and Means.

Also, petition of Stanley Besse, of Newburyport, Mass., against national prohibition; to the Committee on the Judiciary.

Also, petition of 48 citizens of Haverhill, Mass., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Board of Selectmen of Milton, Mass., favoring Hamill retirement bill; to the Committee on Reform in the Civil Service.

By Mr. GOOD: Petition of 300 citizens of Liscombe, 750 citizens of Mount Vernon, 150 citizens of Cedar Rapids, 100 citizens of Elberon, 50 citizens of Morley, 100 citizens of Toledo, 180 citizens of Wyoming, and 80 citizens of Traer, all in the State of Iowa, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of the Woman's Christian Temperance Union of Mifflintown, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of L. Allen, of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

Also, petition of the Congressional Union for Woman Suffrage, of Washington, D. C., favoring woman-suffrage amendment to Constitution; to the Committee on the Judiciary.

By Mr. GREGG: Petition of sundry citizens of Texas, against national prohibition; to the Committee on the Judiciary.

By Mr. HAY: Petition of 150 citizens of Charlottesville, Va., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HELVERING: Petition of sundry citizens of Marysville, Kans., favoring House bill 13305; to the Committee on Interstate and Foreign Commerce.

Also, petition of 55 citizens of Concordia, 30 citizens of Norway, 132 citizens of Rydal, 225 citizens of Clay Center, and 31 citizens of Linn, all in the State of Kansas, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HINEBAUGH: Petition of sundry citizens of Illinois, against national prohibition; to the Committee on the Judiciary.

Also, petition of Balder Lodge, Independent Order of Vikings, of De Kalb, Ill., favoring erection of a memorial to John Ericsson; to the Committee on the Library.

Also, petition of Dekalb County (Ill.) Women's Christian Temperance Union, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HOUSTON: Petition of 150 citizens of Petersburg, N. C., and 125 citizens of Fayetteville, N. C., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HOXWORTH: Petition of various churches in the fifteenth Illinois district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Petition of G. C. Kern, Henry Greve, Albert J. Boland, and other citizens of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of the Richardson Drug Co., of Omaha, Nebr., favoring House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

Also, memorial of the Catholic Church Extension Society of the United States of America, of Chicago, Ill., against increased postage for second-class mail; to the Committee on the Post Office and Post Roads.

Also, petition of E. F. Cunningham, of Woonsocket, R. I., against national prohibition; to the Committee on the Judiciary.

By Mr. KIESS of Pennsylvania: Petitions from citizens of the fifteenth congressional district of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LANGHAM: Petitions of 60 citizens of Worthington, 30 citizens of Olivet, 55 citizens of West Lebanon, 300 citizens of Brockwayville, 47 citizens of Girty, and 36 citizens of Elderton, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEE of Pennsylvania: Petition of Local Union No. 2164, United Mine Workers of America, relative to strike conditions in Colorado; to the Committee on Mines and Mining.

By Mr. LESHER: Petitions of 1,300 citizens of Sunbury, 50 citizens of Forksville, and 125 citizens of Lansdowne, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEVY: Petition of Lynde Palmer, of New York, favoring House bill 14328 to prohibit transmission of false statements through the mails; to the Committee on the Post Office and Post Roads.

Also, petition of the Metropolitan Association of Retail Druggists, favoring House bill 13305, being the Stevens price-maintenance bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the International Committee of Young Men's Christian Associations, favoring House bill 14895, to establish Federal censorship of motion pictures; to the Committee on Education.

By Mr. LONERGAN: Petition of the People's Church of Christ, New Britain, Conn., in favor of national prohibition; to the Committee on the Judiciary.

Also, petition of 1,999 citizens, including members of Local No. 35, International Union of United Brewery Workmen, and others, of Hartford, Conn., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. McGILLICUDDY: Resolutions adopted by certain organizations of the State of Maine, favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. MAPES: Petition of the Polish National Benevolent Society of Grand Rapids, Mich., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Grand Rapids, Mich., against polygamy in the United States; to the Committee on the Judiciary.

Also, petition of sundry citizens of Michigan, favoring national prohibition; to the Committee on the Judiciary.

By Mr. METZ: Petition of 1,635 citizens of Brooklyn, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Brooklyn, N. Y., favoring House bill 12471; to the Committee on Naval Affairs.

Also, petition of sundry citizens of Brooklyn, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. MURRAY of Oklahoma: Petition of sundry citizens of Sapulpa, Okla., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Pauls Valley (Okla.) Commercial Club and Ada (Okla.) Commercial Club, relative to per capita payment to Chickasaw and Choctaw Indians; to the Committee on Indian Affairs.

By Mr. J. I. NOLAN: Petition of the San Francisco (Cal.) Labor Council, against House bill 11740, relative to a poll-tax on fishermen in Alaskan waters; to the Committee on the Territories.

By Mr. PAYNE: Petition of sundry citizens of Poplar, Ridge, Gorham, Macedon, Canandaigua, Williamson, Locke, and Rose, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PROUTY: Petition of 815 citizens of Des Moines, 140 citizens of Indianola, 200 citizens of Elkhart, 100 citizens of Minburn, 50 citizens of Cambridge, and 58 citizens of Ames, all in the State of Iowa, favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Letter from the Chamber of Commerce of San Francisco, Cal., favoring Senate bill 387, by Mr. POMERENE, providing for a uniform bill of lading; to the Committee on Interstate and Foreign Commerce.

Also, letter from the Red Bluff Union of Young People's Societies, 400 members, Red Bluff, Cal., favoring House joint resolution 148, relative to national prohibition; to the Committee on the Judiciary.

By Mr. RAYBURN: Petition of sundry citizens of Campbell and Greenville, Tex., favoring motion-picture censorship; to the Committee on Education.

By Mr. SMITH of Minnesota: Petition of the Paulian Young Men's Bible Class, of the Swedish Tabernacle, Minneapolis, Minn., and 733 citizens of Minneapolis, Minn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Petition of 75 citizens of Scotts, Mich., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 13 citizens of Battle Creek, Mich., favoring machinists' wage bill; to the Committee on Labor.

By Mr. STEPHENS of California: Petition of sundry citizens of California, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Chamber of Mines and Oil of Los Angeles, Cal., relative to mineral lands in Colorado River Indian Reservation; to the Committee on Indian Affairs.

Also, petition of Los Angeles (Cal.) Typographical Union, No. 174, against increased postage on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of the Chamber of Commerce of San Francisco, Cal., favoring Senate bill 387, providing for a uniform bill of lading; to the Committee on Interstate and Foreign Commerce.

By Mr. TEMPLE: Petition of H. B. Knowles and many others, of Beaver Falls, Pa., protesting against House joint resolution 168, relative to national prohibition; to the Committee on the Judiciary.

Also, petitions of 1,150 citizens of New Castle, 315 citizens of Beaver Falls, 501 citizens of Claysville, 568 citizens of Burgettstown, 150 citizens of Aliquippa, 480 citizens of Houston, and 270 citizens of New Brighton, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. TREADWAY: Petitions of 76 citizens of Adams, 566 citizens of Pittsfield, 127 citizens of Buckland, and 45 citizens of Granville, all in the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

By Mr. VOLLMER: Petition of 64 citizens of Iowa, against national prohibition; to the Committee on the Judiciary.

Also, petition of 32 citizens of Iowa, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Muscatine Typographical Union, No. 251, in favor of the Bacon-Bartlett bill (H. R. 1873); to the Committee on the Judiciary.

By Mr. WALLIN: Petition of various churches of the thirtieth New York district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of Mrs. Alma Tombaugh and 54 other citizens of Arlington, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of D. L. Custis and other citizens of Richwood, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Annetta Madden and 65 other citizens of Richwood, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Ed. Mayer and 3 other citizens of Wharton, Ohio, against House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of William Myers and 45 other citizens of Findlay, Ohio, against House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Albert H. Weaver and other citizens of Richwood, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of J. I. K. Brooks and other residents of Huntsville, Logan County, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Bell Porter and other residents of Huntsville, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. E. D. Rugg and 220 other citizens of Delaware, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Jay O. Stager and 75 other citizens of Arlington, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of J. W. Knapp and 40 other residents of Findlay, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Alfred Ankeney and 54 other citizens of Richwood, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of George Truesdale and 31 other citizens of Lima, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Ernie Bousman and 44 other citizens of Findlay, Ohio, against House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

By Mr. YOUNG of Texas: Petition of A. W. McWright, Longview, Tex., against national prohibition; to the Committee on the Judiciary.

Also, petition of 120 citizens of Gilmer, Tex., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

FRIDAY, *April 10, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we stand to-day in the presence of that great mystery of love, not that we have loved Thee but that Thou hast loved us, and hast given to us by revelation to know the length and breadth and height and depth of the love of God that passeth knowledge. We adore Thee for this expression of Thy care and of Thy love for men. We pray that the message that has not been exhausted in these 20 centuries, the message that comes from the tragedy of Calvary, may reach our hearts, may speak to us of higher things, and may lead us to the contemplation of that infinite purpose of God in human life. May our hearts be refined at the remembrance of that tragedy, and may our lives be brought into sweet subjection to the will of God in loving response to His infinite love for men. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

EMPLOYMENT OF CONVICTS IN FOREIGN COUNTRIES.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, in further response to a resolution of November 10, 1913, an additional report from the American consul general at Brussels, Belgium, in regard to the employment of convicts in foreign countries, which, with the accompanying papers, was referred to the Committee on Printing.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 75. An act for the relief of Theresa A. Murray;

S. 175. An act for the relief of Lawson Reno, collector second district of Kentucky;

S. 1689. An act authorizing the accounting officers of the Treasury to allow in the accounts of the United States marshal for the district of Connecticut amounts paid by him from certain appropriations;

S. 1884. An act for the relief of Phoebe W. Chase;

S. 3610. An act for the relief of C. E. Moore; and

S. 3843. An act for the relief of Bellevadorah Steele.

The message also announced that the House had passed the bill (S. 135) for the relief of Severin and Berthe L. Evensen, dependent parents of Sigurd Evensen, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 54) for the relief of George W. Hoyt, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 963. An act for the relief of Mrs. Andrew Rigganopolous;

H. R. 1005. An act to reimburse William Van Derveer, of Millboro, Va., for excess revenue taxes assessed against and collected from him;

H. R. 1138. An act for the relief of Helen Wakefield;

H. R. 2314. An act for the relief of Allen Edward O'Toole and others, who sustained damage by reason of accident at Rock Island Arsenal;

H. R. 2407. An act for the relief of the Pennsylvania Engineering Co., of the city of Philadelphia;

H. R. 2536. An act for the relief of John Streckfus;

H. R. 2540. An act for the relief of the estate of Philip Felix Herwig, deceased;

H. R. 2662. An act for the relief of Andrew J. Lawrence;

H. R. 2667. An act for the relief of the legal representatives of Parker S. Rouse, deceased;

H. R. 3305. An act directing the accounting officers of the Treasury to credit and settle an account of Maj. George H. Penrose;

H. R. 3435. An act for the relief of Mrs. Max S. Retter;

H. R. 3613. An act to reimburse Le Grand C. Cramer for amount of damages to his motor launch *Winninish* by the U. S. launch *Gunedmertrix* at Morris Heights, N. Y., on March 31, 1911;

H. R. 3843. An act for the relief of the heirs of the late Peter Deel;

H. R. 3920. An act for the relief of William E. Murray;

H. R. 4008. An act for the relief of Sandy Crawford;

H. R. 4405. An act for the relief of Frederick J. Ernst;

H. R. 6014. An act for the relief of Serapio Romero, late postmaster at Las Vegas, N. Mex.;

H. R. 6420. An act for the relief of Ella M. Ewart;

H. R. 7048. An act making appropriation for the relief of C. Jensen for injuries sustained from forest team;

H. R. 7091. An act for the relief of C. E. Anderson;

H. R. 7484. An act for the relief of Stanley J. Morrow;

H. R. 8077. An act for the relief of Alexander Gilmore;

H. R. 8203. An act to reimburse J. T. Nance;

H. R. 8562. An act for the relief of Kinder and Nicol;

H. R. 8893. An act for the relief of Mary E. Goodley;

H. R. 9421. An act for the relief of John T. Glynn;

H. R. 9734. An act for the relief of Victoria Coffman;

H. R. 10007. An act for the relief of A. J. Hodges, T. W. Hodges, and C. C. Hodges;

H. R. 10167. An act for the relief of Hannah Waldo;

H. R. 10205. An act for the relief of the estate of William H. Willis;

H. R. 10563. An act for the relief of Mrs. C. D. Corbin;

H. R. 10564. An act for the relief of Mary S. Corbin;

H. R. 10675. An act for the relief of the State board of harbor commissioners of the State of California;

H. R. 10767. An act for the relief of John D. Baldwin;

H. R. 11704. An act to pay Cowden & Cowden, of Amory, Monroe County, Miss., for the loss of a horse while being used by the Department of Agriculture;

H. R. 12166. An act for the relief of Jennie S. Sherman or her heirs;

H. R. 12778. An act for the relief of W. D. Stoyer, administrator of the estate of Henry S. Stoyer;

H. R. 12792. An act for the relief of Mrs. Thomas G. Prioleau, widow of Thomas G. Prioleau;
H. R. 13153. An act for the relief of Pete Jelovac;
H. R. 13692. An act for the relief of Sherman Lewis;
H. R. 13700. An act for the relief of J. M. Potter;
H. R. 13830. An act for the relief of William A. Howard;
H. R. 14084. An act for the relief of the Commissioner of Internal Revenue; and
H. R. 14685. An act to satisfy certain claims against the Government arising under the Navy Department.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, which were thereupon signed by the Vice President:

S. 474. An act to authorize the issuance of unqualified patents to public lands in certain cases;
S. 4943. An act to amend section 1 of an act of Congress approved April 9, 1912 (37 Stat., p. 80), entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park," and for other purposes; and
H. R. 4544. An act to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of sundry citizens of Franklin, Evansville, Cross Roads, Kokomo, Florence, and Lebanon, all in the State of Indiana; of sundry citizens of Charlevoix, Detroit, Berlin, and Ypsilanti, all in the State of Michigan, and of sundry citizens of Utica, Ohio, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Laurel, Del., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of South Bethlehem, Pa., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a petition of the Dames of the Loyal Legion of the State of Michigan, praying that the "Star-Spangled Banner" be made the national anthem of the United States, which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of the congregations of the Presbyterian Church of Bedford, the Methodist Episcopal Church of Intervale, the Congregational Church of Swanzey, the Epworth League of the First Methodist Episcopal Church of Claremont; of Mrs. George H. Bartlett, of Sunapee; and of Alvin Greene, of Greenville, all in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of Local Branch, United Spanish War Veterans, Department of New Hampshire, praying for the enactment of legislation granting pensions to widows and minor children of soldiers and sailors who served in the Spanish-American War, which was referred to the Committee on Pensions.

Mr. WORKS. I have a telegram relative to the disposition of oil lands, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the telegram was referred by the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

[Telegram.]

LOS ANGELES, CAL., *April 9, 1914.*

Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.:

Following statement of facts concerning remedial oil-land legislation telegraphed to-night to chairmen of Senate and House Committees on Public Lands. Will appreciate it if you will arrange to have copies of this statement furnished all members of these committees with such favorable comment as you can make consistently.

With reference to proposed remedial legislation concerning petroleum lands, we respectfully submit following facts among others. The great oil development of California was initiated and carried on under laws that were indefinite and unsuitable for the oil industry. Legitimate operators have been retarded by change of attitude of governmental departments, commencing over four years ago. Technical construction placed upon law has been remedied twice by acts of Congress. Attitude of departments has practically prevented securing patents for over four years, and now new technical constructions of the law, undoubtedly made with the best intentions, have resulted in financial embarrassment to many operators, in some instances to the point of bankruptcy, and placed a cloud upon property rights acquired under laws and customs followed for many years. At this time an enormous number of stockholders and fifty millions of investments are having a great injustice done them by these technical constructions. If the law were ever violated, a large proportion of the investment in the development of the industry is now in the hands of innocent purchasers from original locators. These interests find themselves now facing bankruptcy brought about by reasons of the attitude of the Government in bringing suits against operators, the marketers refusing to buy their oil on account of possible legal complications, and oil being removed from alternate sections by powerful corporations.

Congress is now asked to legislate affecting the future disposition of these lands, excepting those upon which patent has already been earned, and should at this time pass a bill to give immediate relief by providing for imposing a reasonable royalty of production until such time as titles can be adjudicated. Further, the leasing bill should be so amended that all occupants in good faith with substantial development be given a preferential right for lease under whatever terms and conditions may be provided in said law. Further, Congress should not include in said leasing bill provisions that would write into titles of these property interests conditions that would prevent cooperation of operators to market oil and make agreements for cooperative transportation, for the reason that such provisions while intended to prevent monopoly would fail of their purpose and make monopoly more complete.

NORMAN BRIDGE,
C. B. BARNES,
S. E. VERMILICA,
W. W. ORCUTT,
FRANK PIERCE,
For Oil Land Legislation Committee,
Chamber of Mines and Oil.

Mr. WORKS presented petitions of the Local Union of Young People's Societies, of Red Bluff; of the Sunday School of the Baptist Church of Sanger; and of the congregation of the Christian Church of Red Bluff, all in the State of California, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. STERLING presented a petition of sundry citizens of Yankton, S. Dak., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. WALSH (for Mr. MYERS) presented a petition of the Christian Endeavor Society of the Presbyterian Church of Missoula, Mont., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. BURTON presented petitions of sundry citizens of Cleveland, Ohio, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce of Cleveland, Ohio, remonstrating against the enactment of legislation providing for Federal inspection and grading of grain, which was ordered to lie on the table.

He also presented a memorial of Mitchell Post, No. 45, Department of Ohio, Grand Army of the Republic, of Springfield, Ohio, and a memorial of Eugene Snell Camp, No. 80, Spanish-American War Veterans, of Coshocton, Ohio, remonstrating against any change being made in the American flag, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry physicians of Piqua, Ohio, remonstrating against the adoption of certain amendments to the national narcotic bill, which was referred to the Committee on Interstate Commerce.

He also presented memorials of sundry citizens of the State of Ohio, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of the State of Ohio, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented a petition of the Kennebec Pomona Grange, Patrons of Husbandry, at Monmouth, Me., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. SMITH of Maryland presented memorials of sundry citizens of Baltimore City and Baltimore County, in the State of Maryland, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Baltimore County, Md., and a petition of the Lutheran Brotherhood, of Williamsport, Md., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and im-

portation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SMITH of Michigan presented petitions of sundry citizens of Orleans, Goodrich, Newaygo, and Lawrence, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Grand Rapids, Mich., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a resolution adoption by Subordinate Grange No. 1506, Patrons of Husbandry, of Galesburg, Mich., favoring the adoption of a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a petition of the congregation of the Baptist Church of Laingsburg, Mich., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. SHIVELY presented a memorial of Typographical Union No. 332, of Muncie, Ind., remonstrating against an increase in postal rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Wolcott, Lyons, Fremont, and West Manchester, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Indianapolis and Terre Haute, in the State of Indiana, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented petitions of sundry citizens of Mendon, Lawrence, and Goodrich, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the First Baptist Church of Adrian, Mich., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented a petition of Subordinate Grange No. 1506, Patrons of Husbandry, of Galesburg, Mich., praying for the enactment of legislation to establish a system of rural credits, which was referred to the Committee on Banking and Currency.

Mr. CRAWFORD presented a petition of sundry citizens of Yankton, S. Dak., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. KERN presented memorials of sundry citizens of Terre Haute, Ind., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. WILLIAMS presented a petition of sundry citizens of Tishomingo County, Miss., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. LODGE. I present a resolution adopted at the Boston Congregational ministers' meeting April 8, 1914, which I ask may be printed in the RECORD and referred to the Committee on Interoceanic Canals.

There being no objection, the resolution was referred to the Committee on Interoceanic Canals and ordered to be printed in the RECORD, as follows:

BOSTON CONGREGATIONAL MINISTERS' MEETING,
West Medford, Mass., April 8, 1914.

Senator HENRY CABOT LODGE,
Washington, D. C.

HONORED SIR: At the last meeting of this body, Monday, April 6, a body representing some 90 churches, with a membership of 20,000, the following resolutions were unanimously passed and copies ordered sent to the President, our Senators, and the Boston papers:

"Be it resolved by the Boston Congregational Ministers' Meeting, That we express our hearty approval of President Wilson and the House of Representatives in their action in regard to the repeal of the toll bill; also, that we commend our Senators in their support of such action and urge them by every power they possess to put above any possible suspicion the moral integrity of our Nation."

Respectfully,

HENRY FRANCIS SMITH, *Secretary.*

Mr. LODGE presented petitions of sundry citizens of Holyoke, Baldwinsville, Fiskdale, Foxboro, Revere, Leominster, South Lancaster, Pittsfield, Randolph, South Braintree, Brockton, and Worcester, all in the State of Massachusetts, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. CATRON presented a petition of sundry citizens of Tularosa, Mountain Park, and East Vaughn, all in the State of New Mexico, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

AIDS TO NAVIGATION IN ALASKA.

Mr. JONES. I present a letter from the Secretary of Commerce in relation to conditions on the Alaska coast and the necessity for aids to navigation. I ask that the letter may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, April 9, 1914.

MY DEAR SENATOR: Permit me to thank you for your kind note of the 6th, and particularly for this suggestion, which I quote from it:

"I wish you would advise me fully just what work you plan to do, and what appropriations you have asked for, and what it is hoped to do with each one, and whether there is any fund available for this work at this time."

I appreciate so highly the opportunity of answering your kind suggestion that I do so at length. Let me first state the general conditions and then one by one discuss the situation in each of the various branches of our service concerned.

House Document No. 577, of which copy is inclosed, speaks for itself. I invite your attention to the lists of wrecks that therein appears, together with the sad and wholly needless loss of life arising from them. I regard it as of primary importance that these disasters be stopped. The department is ready and willing to so act as to stop them, but it can not do it for lack of funds and equipment. Congress has authorized the building of a great Alaskan railway. I heartily approve this, but it approaches a mockery to have this undertaken while access to that railway, even in its preliminary stages, is rendered dangerous to life and property for lack of safeguards which we know how to provide and are anxious to provide, but for which we lack means. Nay, it is the fact that we have less means to-day for safeguarding the Alaskan coast than heretofore, because the Government itself has been a sufferer through the loss in Alaskan waters of the lighthouse tender *Armeria*, which has never been replaced. We have been obliged to borrow for Alaska from another district a smaller tender—the *Columbine*—for temporary use until we can get a new *Armeria*. Meanwhile the authorization for the *Armeria* lags and no appropriation is made for it. I greatly fear that the failure to provide promptly vessels and funds for the urgent duty of surveying and protecting the commerce of our Northwest and Alaska will mean further loss of vessels and of lives, which can be prevented by prompt and thoughtful attention to the actual facts of the case.

If I am putting this to you too plainly, I must ask to be pardoned, in view of the fact that the situation is so real to me that I must have it on record that my part has been fully done in bringing the facts to the attention of those who have the power to provide the necessary means for doing the work.

Let me now take up each bureau in its turn.

LIGHTHOUSE SERVICE.

I personally took up in Seattle a few days ago with the inspector in charge of lighthouse work in Alaska the work which is there to be done. We have an appropriation for a lighthouse and fog-signal station at Cape St. Elias which is to be given immediate care. It will probably, from the nature of the case, take two full seasons before this can be in operation. The work is one of great difficulty.

We have asked for $60,000 for additional aids to navigation on this coast—meaning buoys of various kinds and other minor lights and marks. The last appropriation for this purpose was $60,000, made on March 4, 1911. No funds for this purpose now exist. This fund of $60,000 is not only urgently required, but is required at once, and time is almost as important as money in the matter. If it be delayed until well on in the summer, I need hardly remind you how short the Alaskan season is and how impossible it will be to expend the money wisely ere the early winter comes on. Meanwhile lives and vessels are at stake. Therefore, say, $25,000 of this sum should be made immediately available.

Many requests have been received for aids to navigation. We have only means for replacing those that for one reason or another are damaged or destroyed. We can not add to the safety of the coast until we get this money. Aids should be established in the near future on the west coast of Prince of Wales Island, Peril Strait, Neval and Olga Straits, Sitka Harbor, and numerous other places which at present lack aids.

Depending upon the size and location, 30 or more lighted aids can be established for the sum recommended in addition to different buoys. No measure authorizing these aids has been passed in the House of Representatives, and in the absence of such authorization an appropriation for them is subject to a point of order in the House. Yet for lack of this authorization and appropriation it is the plain fact that human lives are at peril and commerce is endangered, while a hideous history of wrecks, in which the Government itself has been a sufferer, points the way to a certain future of disaster unless action is had and had quickly.

On May 20, 1912, the lighthouse tender *Armeria* was wrecked off Cape Hintchinbrook, Alaska. She was the largest in the Lighthouse

Service, and the only one regularly attached to the Alaska station. I need not tell you that the waters off the coast of Alaska, and particularly in those sections that lack modern lights, are very rough, and that a vessel is needed not only able to stay at sea in rough weather but to work in turbulent waters. The sum of $250,000 was authorized under the act of March 4, 1913, but upon studying the question I became satisfied that a vessel such as could be built for this sum would not be such as was required for the service. The great distances on the Alaskan coast require the carrying of fuel and cargo in unusual quantities, and the more so as the commerce increases and the normal demands grow. It is, in my judgment, much wiser to build a vessel now of sufficient size to cover the demands of the near future than it would be to build a vessel now too small for the known service only to call upon Congress a little bit later on for an additional ship. In other words, by adding $75,000 to the authorized cost of the new *Armeria* we may, for the total sum of $325,000, secure that for which a much larger sum would be required if the matter were treated in a different way. A measure authorizing the additional $75,000 has been approved by the House Committee on Interstate and Foreign Commerce and it is pending on the calendar in that House. Unless it is passed, an appropriation for the vessel is subject to the point of order, and under such conditions another year might pass with the consequent injury to the service and the continued risks to navigation. It should be remembered in this connection that it will take at least a year to build the vessel after she is authorized and funds provided, and that the distance she must necessarily go from her base of supplies is such as to require a ship of at least the very reasonable cost proposed because of the need for maximum cargo capacity. The sum of $325,000 for this ship is deemed entirely reasonable and an urgent necessity. Senate bill No. 2876, passed March 6, 1914, authorizes the increase of cost of this vessel to $325,000. It has not, however, been passed as yet in the House.

Your attention is further invited to the fact that there is no lighthouse depot in Alaska, and the work of the service there is crippled by the lack of such facilities. Temporary quarters are now rented at $325 per month, which rental would, of course, be stopped if the Government owned its own facilities, as it does elsewhere. Of course, we can not afford to install in rented quarters the most efficient facilities required for the Lighthouse Service, because a change in location might involve their whole or partial loss. We have in our estimates suggested (item 32) the wisdom of an allowance of $40,000 for the purchase of a site for a lighthouse depot and the necessary equipment.

An important improvement which directly affects the coast of Washington and indirectly assists Alaskan navigation is the light and fog-signal station for which we have estimated, to be located at or near Kellett Bluff, Henry Island, Wash. The sum we have asked is $40,000. It will greatly affect the greater part of the commerce between Puget Sound and Alaska. Vessels proceeding northward through Haro Strait in fog keep close to the west shore of San Juan Island, where the water is deep. They judge their position by the echo of their whistles from the precipitous shore of the island until they reach Mosquito Pass and Open Bay, where the uncertain currents are apt to cause them to lose their reckoning. Several large vessels have already been ashore in the vicinity of Kellett Bluff. There is a reservation of land for lighthouse purposes at this point, but no authorization as yet or appropriation for the station. Without discriminating against other lighthouse improvements urgently required elsewhere, it is the fact that the above should all of them be established with the least possible delay.

In our estimate for general expenses, Lighthouse Service, is included $20,000 for the installation of wireless telegraph on lighthouse tenders. This will equip five vessels. We have on the coasts of Oregon, Washington, and Alaska three ships—the *Heather*, the *Manzanita*, and the *Columbine*. There is now no possible means of reaching any of these ships except when they are actually in port. They can not, for example, be ordered to proceed to mark a certain danger or to rescue persons in peril because there is no means of communicating with them. In the interests of safety and efficiency it is, in my judgment, urgently required that this appropriation be approved. At any hour the absence of this radio apparatus, now common to all seagoing ships, is likely to cost far more than the total expense of installing it on all our ships. This installation, if permitted, would require an appropriation of $5,500 to provide for the salaries of the wireless operators, and this appears as a portion of our estimates.

COAST AND GEODETIC SURVEY.

House Document No. 577 herewith states, on page 3, the needs of this service as regards Alaska and the Northwest. On two points special stress should be laid. The first is the new vessels intended for this service, three of which are solely for Alaska surveys and three smaller ones for wire-drag operations. I have personally examined within a fortnight the vessels of this survey used for Alaskan work. The *McArthur* is 38 years old; the *Gedney* is 39 years old. Neither vessel should be permitted in service longer than is required to build and equip their successors. They are old wooden ships, only kept in service by scrupulous care, with old-fashioned single-cylinder engines, not economical in service, and with accommodations which, to say the least, are poorer than those furnished other Government officers in marine service. Neither has any electricity, and consequently no wireless. Both of them are very slow, and valuable time is lost that would be spent upon work because of the time it takes to move about. In this day a ship that when pushed can sail 9 knots at most is not an efficient tool. These vessels work in the most dangerous spots of the most dangerous coast of the United States, yet they are not such as can keep to the sea in the rough waters which are usual. They are not such as have modern methods of assisting other vessels when in danger, and no communication is possible with them when in service for lack of wireless. They are not constructed according to the modern marine ideas. They are worn out and old-type tools that should be discarded, because it is no longer safe and economical to use them

Our estimate contemplates the construction of six new vessels for the Coast and Geodetic Survey, three to be abou 75 feet long, intended to replace the expensive hired equipment now used, and to cost about $75,000, the other three to be of a larger type, of about 450 tons each, intended for Pacific coast work, to cost about $450,000 for the three.

The above is based upon my earnest belief that the work of surveying the coasts of Alaska and the Pacific Northwest calls for the best and most modern equipment in order that it may be done expeditiously, accurately, and safely.

This applies also to the next item, which is "Wire-drag apparatus."

This is a portion of the item in our estimates, "Field expenses, Pacific coast." The amount appropriated for this for the fiscal year ending June 30, 1914, was $165,000. We are asking for $225,000. Included in this is $30,000 for an additional wire-drag party to be employed on the coast of Alaska during the summer and along the Pacific coast during the winter. This item appears on page 3 of House Document No. 577.

A peculiarity of the Alaskan coast is the pinnacle rocks which rise abruptly in points from the bottom. Ordinary sounding apparatus, which is all we now have, will not find these. A case in point is the *State of California*, wrecked in Gambia Bay with a loss of 32 lives. She struck a pinnacle rock. The bay had been sounded and she had been in and out many times. The only means available for soundings, however, would not discover such a pinnacle. A wire-drag apparatus is a sure means of finding such rocks. One was requested several years ago for use in the Northwest, but was not granted. If it had been granted and if it had been put in use in Gambia Bay, the *State of California* would have been saved. It ought to be supplied and the money for it and for the force necessary to use it should be made available immediately. With such an apparatus the coast can be made safe. Without it, it would only be by accident that one of these pinnacles would be discovered.

Included in our estimates also is an item of $1,000 to be used for the purchase of plans for the above-named vessels.

STEAMBOAT-INSPECTION SERVICE.

I am sure you will agree that the situation in which this service exists upon the Pacific coast is an absurd one. There is but one supervising district, centered at San Francisco, which covers the whole Pacific shores of California, Oregon, and Washington, with their inland waters, extending up the Columbia, Sacramento, and other rivers. It includes Hawaii and the entire coast of Alaska and the rivers thereof. It hardly needs to be said that one supervising inspector has need to be gifted with miraculous powers to give this service due attention. Were it not for the fact that we have an exceptional force, all of whom I have personally met, upon the Pacific coast this service would be more a name than a reality. Fortunately, the subordinate officers of the service are of an exceptional quality.

In our estimates for the legislative, executive, and judicial appropriation bill we included one additional supervising inspector, to be established at Seattle, and provided for an increase of two local inspectors to assist him. I had the pleasure of stating the matter as clearly as I could to the Committee on Appropriations of the House of Representatives. They have reported the bill without this provision. From my personal knowledge of the situation I can assure you this is urgently required. Our force upon the Pacific is now insufficient. It is necessary for such inspectors as we have to work excessive hours and under exceptional difficulties in order to meet the normal demands of commerce. There has been complaint that vessels are unduly delayed for the examinations required by law. If this is so, it can not now be avoided, though I have known of our inspectors starting out at 3 o'clock in the morning to avoid this difficulty.

The Pacific coast expects, and properly so, a large increase of its commerce from the Panama Canal and from the development of Alaska. There is, under these circumstances, no wisdom in adding to the already excessive burdens of an overworked force. I earnestly request that this matter may have your thoughtful attention.

To maintain, as at present, under one supervising inspector offices located as far apart as St. Michaels, Alaska, Los Angeles, Cal., and Honolulu, Territory of Hawaii, is asking too much of human nature.

BUREAU OF FISHERIES.

This bureau has under its supervision the culture, maintenance, and care of the enormously valuable fisheries of the Pacific Northwest and of Alaska, the product of which, as you know, is many millions of dollars annually. It is to-day, and has long been, in the ridiculous position of having four inspectors to cover the entire water front of Alaska with no boats, so that in many instances they are obliged to call upon the parties they have to inspect for the means of transit whereby to do the inspecting, for the canneries are often placed where there are no regular means of transit.

We are asking the sum of $100,000 for the construction and purchase of vessels and boats in connection with the enforcement of the laws and regulations for the protection of the fisheries of Alaska, including one seagoing vessel, one light-draft tug, and six rapid motor boats, to be immediately available and to be available until expended.

In this connection we are asking an increase in our force of inspectors of from four men to eight men for this service. In this same connection we are asking that the sum hitherto appropriated of $75,000, which includes all the traveling expenses of the fisheries inspectors in Alaska, together with the hire of boats and all other necessary expenses, including the protection of the seal fisheries and the furnishing of food, fuel, clothing, etc., to the natives of the Pribilof Islands, transportation of supplies, hire of vessels, etc., shall be increased to $110,000.

If you desire further information in detail, let me say that the Commissioner of Lighthouses, the Superintendent of the Coast and Geodetic Survey, the Supervising Inspector General of the Steamboat-Inspection Service, or the Commissioner of Fisheries will take great pleasure in conferring with you, and I am myself entirely at your disposal in that matter. Let me add also that the disbursing officer of the department, Mr. Johannes, is personally familiar with the details of our estimates and appropriations, and he will with pleasure wait upon you in this matter on request.

May I ask your attention to pages 11 and 17 of my annual report, a copy of which is herewith, in which the above matters are briefly treated; also to page 104, paragraph 3, and pages 118, 131, 138, and 139?

I feel very keenly the importance of a forward movement in the Pacific Northwest and in Alaska, and am anxious to contribute thereto. Preliminary to this I instructed the Deputy Commissioner of Fisheries to visit Oregon and Washington in the early part of March, and I have myself just returned from a brief visit there. The Deputy Commissioner of Fisheries is under instructions to make a thorough examination personally of matters relating to his service in Alaska during the coming summer, and I intend, if permitted, to visit the Northwest and Alaska myself next year.

The value of the fisheries of the Northwest, both those in streams and those in the deep-sea waters, are of such importance to our food supply, not alone on the Pacific coast but in our eastern cities, that they should be treated with a considerate hand by those who control national funds. I need not tell you how deeply these interests are concerned in our foreign trade. The adequate improvement and maintenance of the services I have discussed above would not by any thoughtful man be considered a matter of expense. It would be regarded solely as a wise investment, certain to render very large returns.

I am taking the liberty of sending a copy of this letter to your colleague, Senator POINDEXTER, and to the Senators from California and Oregon, for I wish them to know the views of this department toward the great and important part of our country they represent. I am also sending a copy of the letter to Hon. JAMES WICKERSHAM, Delegate from Alaska, and to the chairman of the House Committee on Appropriations, whom I wish to be informed as fully as practicable in the matter.

I have no objection to your making this a portion of the CONGRESSIONAL RECORD if it shall seem wise to you to do so.

Yours, very truly,

WILLIAM C. REDFIELD,
Secretary.

Hon. W. L. JONES,
United States Senate, Washington, D. C.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 414), accompanied by a bill (S. 5207) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 169. Thomas T. Keibler.
S. 314. Ellen M. Vinton.
S. 325. Ruth A. Quien.
S. 368. Cornelia Bacon.
S. 381. Betsey E. Hannahs.
S. 606. Louisa A. Brown.
S. 710. Silas Rouch.
S. 711. William W. Mikels.
S. 712. William F. Steward.
S. 814. Lydia M. Salisbury.
S. 860. Martin B. Richardson.
S. 931. William A. Munroe.
S. 973. Charles S. Leonard (alias Abner L. Wilcox).
S. 990. Charles D. Butler.
S. 1024. Mathew Isaacs.
S. 1205. John L. Ogan.
S. 1329. Jerome Backus.
S. 1683. Addie St. Clair Hubbell.
S. 1694. Lot H. Fleming.
S. 1812. Mary P. Hammersly.
S. 1821. Ellen F. Marshall.
S. 1892. Julia A. Woods.
S. 1894. Augusta E. McLean.
S. 2020. Amanda McKenney.
S. 2028. John Stansell.
S. 2183. George W. Parsons.
S. 2301. Annie R. Stephenson.
S. 2323. William Hallihan.
S. 2325. Mary E. Read.
S. 2591. Margaret Kuster.
S. 2635. Frances E. Brown.
S. 2742. George H. Barmby.
S. 2760. Matilda C. Heilman.
S. 2792. Ezra Rice.
S. 2838. Ruth E. Putnam.
S. 2908. William M. McClure.
S. 3012. Arthur L. Brown.
S. 3076. Henry Willis (alias Henry Burns).
S. 3174. James Littleton.
S. 3184. Phebe A. Lewis.
S. 3330. Sarah I. B. Hammond.
S. 3331. Anna H. Hinckley.
S. 3334. Susan E. Mitchell.
S. 3493. Isabella Reed.
S. 3494. Jane M. T. Porter.
S. 3513. Aaron B. Hartman.
S. 3536. Edward B. Sawyer.
S. 3562. Ellenor M. Warren.
S. 3683. Mary H. Bacon.
S. 3756. John G. D. Bloomfield.
S. 3757. Catherine W. Hartman.
S. 3773. Emerette C. Hillman.
S. 3775. Annie Mellinger.
S. 3789. Harry N. Medbery.
S. 3809. Zach J. Burns.
S. 3811. Susan Thompson.
S. 3836. Priscilla Brewster.
S. 3861. Henry C. Byars.
S. 3900. Malachi Cordero.
S. 3965. William Greer.
S. 4008. Allen Brown.
S. 4025. William Miller, jr.
S. 4027. William R. Mathis.
S. 4033. Charles L. Stuck.
S. 4034. Silas Wright.
S. 4037. John Rosenberger.
S. 4118. William B. Scace.
S. 4127. William Day.
S. 4205. Charity C. Smith.
S. 4211. Oliver M. Mahan.
S. 4312. John T. Campbell.
S. 4327. Charles Overman.
S. 4337. Harrison Wilkins.
S. 4338. Elbridge G. Black.
S. 4365. Joseph Workman.
S. 4367. Jennie M. Heath.
S. 4371. Ellen M. O'Connor.
S. 4411. Almerian Dickey.
S. 4432. Isaac S. Maxwell.
S. 4460. Richard Riggs.
S. 4486. Noah W. Carr.
S. 4504. Timothy Ellison.
S. 4505. Alexander T. Buford.
S. 4512. John L. Jones.
S. 4520. Peter W. Jackson.
S. 4563. Starlin Stanfill.
S. 4592. James Irvine.
S. 4629. Rachel A. Chadwick.
S. 4637. Minna Rische.
S. 4643. Isaac N. Deppen.
S. 4655. Katherine M. Gray.
S. 4661. Edwin B. Parsons.
S. 4662. Francis D. Randall.
S. 4663. Maria C. Beegle.
S. 4683. Mary Reidi.
S. 4687. Sarah J. Apperson.
S. 4688. Harrison W. Smith.
S. 4697. Willis M. Hatch.
S. 4706. Caroline E. Van Wormer.
S. 4716. George Eichhorn.
S. 4717. Catherine J. Goodnight.
S. 4718. Wilkison B. Ross.
S. 4723. Jennie J. Sheehan.
S. 4728. John H. Gordon.
S. 4729. George W. Eaton.
S. 4732. George M. Mitchell.
S. 4735. Brazil Van Deusen.
S. 4736. John W. Preston.
S. 4737. Susan Arthur.
S. 4755. Elizabeth J. Wood.
S. 4769. Riley Adkins.
S. 4851. George F. Adamson.
S. 4860. John M. Broome.
S. 4866. James K. Wesley.
S. 4867. Martha Ann Rake.
S. 4868. Elizabeth Crawford.
S. 4869. Camwells P. Davis.
S. 4870. Samuel N. Johnson.
S. 4884. William Wallace, 2d.
S. 4902. John Wortman.
S. 4903. John A. Harris.
S. 4906. Andrew M. Sprague.
S. 4917. Robert Magill.
S. 4925. Frances M. Dumenil.
S. 4926. Amelia L. Love.
S. 4933. Mary J. Neary.
S. 4942. Lewis Stevens.
S. 4944. Lewis Stone.
S. 4953. Joseph J. Perry.
S. 4960. George Dimick.
S. 4986. Samuel Kelsey.
S. 4992. James L. Wing.
S. 4997. Edward Flood.
S. 4998. Andrew Hartman.
S. 5007. John D. Stahl.
S. 5008. Ruth Ella Irwin.
S. 5024. Louis C. White.
S. 5032. Oliver K. Landrew.
S. 5040. William H. Hopkirk.
S. 5041. Thomas S. Draper.
S. 5048. Jacob Harrold.
S. 5064. Thomas Bell.
S. 5073. Warren W. Braman.
S. 5074. Mary D. Ransom.
S. 5076. Russell D. Johnson.
S. 5095. John H. Collier.
S. 5099. Thomas J. Truss.
S. 5106. William A. McDonald.
S. 5112. Benjamin F. Clark.
S. 5119. Bertha M. Snow.
S. 5126. Edwin H. Glidden.

LAND IN THE CITY OF WASHINGTON.

Mr. POMERENE, from the Committee on the District of Columbia, to which was referred the bill (S. 5031) quieting title to lot 44, in square 172, in the city of Washington, reported it without amendment and submitted a report (No. 415) thereon.

SAFETY OF LIFE AT SEA.

Mr. SMOOT. From the Committee on Printing I report back favorably, with amendments, the order of the Senator from Indiana [Mr. SHIVELY], submitted on yesterday, relative to the printing as a Senate document the matter of the International Convention Relating to Safety of Life at Sea, and so forth, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 338).

The amendments were, in line 1, before the word "That," to strike out "*Ordered*" and insert "*Resolved*"; in the same line, after the word "That," to strike out "2,000 copies of"; in line 13, after the word "printed," to strike out "in one volume for the use of the Senate" and insert "as a Senate document, with accompanying illustrations, and that 2,000 additional copies be printed for the use of the Senate document room," so as to read:

Resolved, That the International Convention Relating to Safety of Life at Sea, the detailed regulations thereunder, the final protocol, and the "Voeux" expressed by the conference, all signed at London, January 20, 1914; the report from the United States commissioners to the International Conference on Safety of Life at Sea, giving a summary of subjects considered and the conclusions arrived at by the conference, together with the messages of the President of the United States transmitting the same; the memorial of the International Seamen's Union; and the report to the President of the United States submitted by Andrew Furuseth after his resignation as a commissioner from the *United States* be printed as a Senate document, with accompanying illustrations, and that 2,000 additional copies be printed for the use of the Senate document room.

The amendments were agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLAPP (by request):

A bill (S. 5195) to prevent discrimination in prices and to provide for publicity of prices to dealers and to the public; to the Committee on Interstate Commerce.

By Mr. DILLINGHAM:

A bill (S. 5196) granting a pension to Philamene B. Mahoney (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 5197) granting public lands to the city and county of Denver, in the State of Colorado, for public park purposes; and

A bill (S. 5198) to reserve certain lands and to incorporate the same and make them a part of the Pike National Forest; to the Committee on Public Lands.

By Mr. NELSON:

A bill (S. 5199) granting a pension to Melissa J. Gross; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5200) for the relief of Louis Woldenberg; to the Committee on Claims.

By Mr. TOWNSEND:

A bill (S. 5201) granting an increase of pension to Henry J. Sweet (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 5202) for the retirement of H. R. Drake; to the Committee on Military Affairs.

By Mr. SHIVELY:

A bill (S. 5203) to authorize the appointment of an ambassador to Chile; to the Committee on Foreign Relations.

By Mr. SMITH of Maryland:

A bill (S. 5204) for the relief of Alice H. Gilson (with accompanying papers); to the Committee on Claims.

By Mr. SHIELDS:

A bill (S. 5205) for the relief of the estate of Samuel P. Poe; to the Committee on Claims.

By Mr. JONES:

A bill (S. 5206) authorizing the issuance of patents in certain cases; to the Committee on Public Lands.

By Mr. POINDEXTER:

A bill (S. 5208) granting a pension to Marcia A. Ward; to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 5209) providing for an increase of salaries of the United States attorneys and the United States marshals for the eastern and western districts of Louisiana; to the Committee on the Judiciary.

By Mr. O'GORMAN:

A bill (S. 5210) to correct the military record of Nelson T. Saunders (with accompanying papers); to the Committee on Military Affairs.

AMENDMENTS TO LEGISLATIVE APPROPRIATION BILL.

Mr. O'GORMAN submitted an amendment proposing to increase the salary of the assistant clerk of the Committee on Interoceanic Canals from $1,440 per annum to $1,800 per annum, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Interoceanic Canals and ordered to be printed.

Mr. MARTINE of New Jersey submitted an amendment proposing to increase the salary of the civil engineer in the office of the Life-Saving Service from $1,800 to $3,000, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. JAMES submitted an amendment intended to be proposed by him to the omnibus claims bill, which was ordered to lie on the table and be printed.

INTERNATIONAL EXPOSITION OF SEA-FISHERY INDUSTRIES (H. DOC. NO. 894).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying paper, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

In view of a provision of law contained in the deficiency act approved March 4, 1913, that—

Hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event without first having specific authority of law to do so—

I transmit herewith for the consideration of Congress and for its determination whether it will authorize the acceptance of the invitation and communication from the Secretary of State, with regard to the invitation from the Government of the French Republic to that of the United States to be represented by a delegate at an International Exposition of Sea Fishery Industries, to be held at Boulogne-sur-mer from June 15 to October 1, 1914. It will be observed that the acceptance of this invitation will involve no special appropriation of money by the Government.

WOODROW WILSON.

THE WHITE HOUSE, *April 9, 1914.*

GEORGE W. HOYT.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 54) for the relief of George W. Hoyt, which were: In line 5, to strike out "$11,236" and insert "$9,917.50," and, in line 9, to strike out "$11,236" and insert "$9,917.50."

Mr. WARREN. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

SEVERIN AND BERTHE L. EVENSEN.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 135) for the relief of Severin and Berthe L. Evensen, dependent parents of Sigurd Evensen, which was: In line 12, to strike out "$360" and insert "$1,000."

Mr. BRYAN. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 963. An act for the relief of Mrs. Andrew Riganopolous;

H. R. 1005. An act to reimburse William Van Derveer, of Millboro, Va., for excess revenue taxes assessed against and collected from him;

H. R. 1138. An act for the relief of Helen Wakefield;

H. R. 2314. An act for the relief of Allen Edward O'Toole and others who sustained damage by reason of accident at Rock Island Arsenal;

H. R. 2407. An act for the relief of the Pennsylvania Engineering Co., of the city of Philadelphia;

H. R. 2536. An act for the relief of John Streckfus;

H. R. 2540. An act for the relief of the estate of Philip Felix Herwig, deceased;

H. R. 2662. An act for the relief of Andrew J. Lawrence;

H. R. 2667. An act for the relief of the legal representatives of Parker S. Rouse, deceased;

H. R. 3305. An act directing the accounting officers of the Treasury to credit and settle an account of Maj. George H. Penrose;

H. R. 3435. An act for the relief of Mrs. Max S. Retter;

H. R. 3613. An act to reimburse Le Grand C. Cramer for amount of damages to his motor launch *Winninish* by the United States launch *Gunedmertrix* at Morris Heights, N. Y., on March 31, 1911;

H. R. 3843. An act for the relief of the heirs of the late Peter Deel;

H. R. 3920. An act for the relief of William E. Murray;

H. R. 4008. An act for the relief of Sandy Crawford;

H. R. 4405. An act for the relief of Frederick J. Ernst;

H. R. 6014. An act for the relief of Serapio Romero, late postmaster at Las Vegas, N. Mex.;

H. R. 6420. An act for the relief of Ella M. Ewart;

H. R. 7048. An act making appropriation for the relief of C. Jensen for injuries sustained from forest team;

H. R. 7091. An act for the relief of C. E. Anderson;

H. R. 7484. An act for the relief of Stanley J. Morrow;

H. R. 8077. An act for the relief of Alexander Gilmore;

H. R. 8203. An act to reimburse J. T. Nance;

H. R. 8562. An act for the relief of Kinder & Nicol;

H. R. 8893. An act for the relief of Mary E. Goodley;

H. R. 9421. An act for the relief of John T. Glynn;

H. R. 9734. An act for the relief of Victoria Coffman;

H. R. 10007. An act for the relief of A. J. Hodges, T. W. Hodges, and C. C. Hodges;

H. R. 10167. An act for the relief of Hannah Waldo;

H. R. 10205. An act for the relief of the estate of William H. Willis;

H. R. 10563. An act for the relief of Mrs. C. D. Corbin;

H. R. 10564. An act for the relief of Mary S. Corbin;

H. R. 10675. An act for the relief of the State Board of Harbor Commissioners of the State of California;

H. R. 10767. An act for the relief of John D. Baldwin;

H. R. 11704. An act to pay Cowden & Cowden, of Amory, Monroe County, Miss., for the loss of a horse while being used by the Department of Agriculture;

H. R. 12166. An act for the relief of Jennie S. Sherman or her heirs;

H. R. 12778. An act for the relief of W. D. Stoyer, administrator of the estate of Henry S. Stoyer;

H. R. 12792. An act for the relief of Mrs. Thomas G. Prioleau, widow of Thomas G. Prioleau;

H. R. 13153. An act for the relief of Pete Jelovac;

H. R. 13692. An act for the relief of Sherman Lewis;

H. R. 13700. An act for the relief of J. M. Potter;

H. R. 13830. An act for the relief of William A. Howard;

H. R. 14684. An act for the relief of the Commissioner of Internal Revenue; and

H. R. 14685. An act to satisfy certain claims against the Government arising under the Navy Department.

LOCATION OF FEDERAL RESERVE BANKS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Secretary read Senate resolution 332, submitted by Mr. HITCHCOCK on the 8th instant, as follows:

Resolved, That the organization committee of the Federal Reserve Board be, and it is hereby, directed to send to the Senate copies of all briefs and written arguments made by each city applying to the organization committee for the location of a Federal reserve bank, together with the reasons relied upon by the organization committee in fixing the boundaries of the reserve districts and locating the reserve cities.

Mr. HITCHCOCK. Mr. President, my resolution does not imply any attack upon my part upon the organization committee of the Federal Reserve Board. There have been a number of such attacks coming from communities in different parts of the country and attacking the motives of the members of the Federal Reserve Board. I desire to disclaim any disposition to join in such attacks.

The purpose of my resolution is to secure from the committee itself exact information, information that will show: First, the evidence laid before the committee by the various communities which asked for the location of reserve banks; second, the evidence which was laid before the committee by the 7,400 banks themselves, when they voted an expression of their wish as to what district they desired to be attached to; and, third, the reasons which moved the committee finally to divide the country into 12 districts, and locate the cities as they did.

Mr. BRISTOW. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Kansas?

Mr. HITCHCOCK. I yield.

Mr. BRISTOW. Let me inquire if the resolution as framed will call for the information which the Senator has just referred to? I should like to know what was the expression of preference of the various banks as to what regional bank they should be attached to. Is that information called for?

Mr. HITCHCOCK. It may not be specifically called for, Mr. President, but I feel confident that the committee which asked the banks to vote will be very glad to send that information to the Senate in response to this resolution.

Mr. JAMES. If the Senator from Nebraska will permit me, I will state that the Secretary of the Treasury told me this morning that he had a statement prepared, which he is going to send to the newspapers and which is going to be printed in the RECORD, that will give the reasons for the selection of the regional banks, and will also comply with the suggestion of the Senator from Kansas [Mr. BRISTOW], giving the respective votes of the various banks in the regional districts upon the reserve bank they desired for that district.

Mr. HITCHCOCK. I am obliged to the Senator, and I appreciate the desire of the board to give publicity to this matter through the press. We have a right to have it here. Only a few months ago——

Mr. JAMES. I will state to the Senator that the Secretary of the Treasury has requested a Senator to present it, and have it printed in the RECORD when it is given out.

Mr. HITCHCOCK. That is all right enough; but I am asking for more, Mr. President. My resolution calls upon the board to submit to the Senate, as I have already stated, the arguments, data, and facts presented to the board by the 37 reserve cities which applied for the location of reserve banks, and also the votes which the 7,400 banks cast in expressing their preferences for reserve cities, and also the reason relied upon by the reserve board in making their final allotment.

I am not looking for a voluntary expression on the part of the reserve board. I am seeking to have the Senate given direct and certain information which it has a right to have, and which I have no doubt the reserve board will gladly present, in a form where it can be effective and helpful in this matter.

Mr. President, there is virtually only one question involved here. Did the organization committee violate the letter or spirit of the instructions that Congress gave it in the Federal reserve act? That is the only question there is. We have no right to investigate the motives of the board, and I am not disposed to do it. I believe the motives of the members are of the highest, and I have every respect for the individuals who constitute the board; I have perfect confidence in their good faith; but we have a right, as a branch of the legislative body, to inquire into the question whether or not the law was observed in letter and in spirit when the districts were laid out. The law authorized the committee to divide the country into districts, not more than 12 nor less than 8 in number. Under that discretion the committee did as it had a right to do, but, I think, unwisely; it divided the country into 12 districts. It went the limit, and in going the limit it added to its own difficulties enormously. It would have been comparatively easy to divide the country into 10 districts, and easier still to divide it into 8 districts. Each district which was added increased the difficulties which the board itself had to meet, reduced the strength of each district, and reduced the strength of the organization as a whole. Having done this, there was only one other thing for the board to do, and that was to comply with the definite and specific instructions of Congress in the allotment of districts.

Mr. President, these instructions are simple, and they are contained in a proviso which has specific emphasis and which reads as follows:

Provided, That the districts shall be apportioned with due regard to the convenience and customary course of business and shall not necessarily be coterminous with any State or States.

In other words, Mr. President, Congress intended in that proviso to direct a specific instruction to the board not to disturb the customary course of the banking business of this country, not to dislocate the banking customs of the country, and it intended specifically to direct the board to consult the convenience of the banks for the purpose of disturbing business as little as possible. The board evidently took this view of the case, because it asked the banks to vote to show what would be their convenience and what would be their custom of business.

I am not in a position, Mr. President, to speak for the whole country. I think in the main the division was as good as could have been made under the difficult circumstances of 12 districts, but I know there is some warrant for the loud protests

which are coming up from various parts of the country, and I believe those protests are based upon a violation of the instructions of Congress in this respect.

Take, for instance, district No. 10, which I know personally, because I am a resident of Omaha, and Nebraska is placed in district No. 10. We have 241 national banks in the State of Nebraska. Under this instruction of Congress the board asked those banks to vote to show their preference for a reserve city. How many of those 241 banks in Nebraska voted for Kansas City? Exactly 8. In other words, less than 4 per cent of the national banks of Nebraska asked to have Kansas City made the reserve center. Yet the whole State is placed in the district of which Kansas City is made the reserve city. I consider this an outrage. The bankers of Nebraska consider it an outrage. They are indignant over it. It means the dislocation of all their customary course of business. Whereas the course of business in the Central Western States runs east and west, they are asked abruptly to change it to north and south. Whereas the banks of Nebraska keep their balances in Omaha or in Chicago, they are asked hereafter to put their balances in Kansas City. Of course there are a few who keep their balances in Kansas City now, but they are negligible.

Under those circumstances I consider that a gross injustice has been done to Nebraska; a direct injury has been inflicted on the State. I believe the law has been violated by the committee, and I want to know what the reasons were which induced the committee to put the whole State of Nebraska in the Kansas City district.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Will the Senator from Nebraska yield to the Senator from Mississippi?

Mr. HITCHCOCK. I yield to the Senator.

Mr. WILLIAMS. What other territory is embraced in the tenth district besides the State of Nebraska?

Mr. HITCHCOCK. The Senator from Mississippi asks what other territory is embraced within the Kansas City district, and the question is a very pertinent one. The Kansas City district includes all the State of Wyoming—and practically no banks in Wyoming do any business with Kansas City now because they have no direct railroad connection—the whole State of Nebraska, the whole State of Colorado, the whole State of Kansas, the northern half of Oklahoma, the northern third of New Mexico, and a small ribbon of territory in western Missouri.

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I yield to the Senator.

Mr. CLAPP. I shall not make the inquiry I desire to propound in any spirit of hostility, but does the Senator from Nebraska expect, and do those who have brought this matter in here expect, that, as any possible result of all this, the selection can be changed? If it is thought that it can result in a change, then I think it is all well enough, perhaps, that we should take up the matter; but unless it does contemplate that in some way we can effectuate a change in this decision and get these matters corrected, I confess I can not see what we shall gain by bringing the matter into the Senate. I ask the question in all good faith.

Mr. HITCHCOCK. That is a perfectly fair question, Mr. President, and I am perfectly willing to meet it. I have no doubt that when the full Federal Reserve Board is established the matter will be laid before it in a proper way. The law provides that there shall be a power of review in the Federal board after the organization committee has made its first tentative division of the country; but, in order that the matter may be brought before the full board, an effort is necessary to collect the facts, to combine the arguments, and to bring the pros and cons into the same volume. That is what I desire to do. I desire the organization committee to send to the Senate the arguments of the 37 cities, the votes of the 7,000 national banks, their first and second preferences, if they had them, and the reasons of the board for making the selections as they did make them. I desire the whole thing to be bound in a single volume and, possibly, discussed.

Mr. SMITH of Georgia. Mr. President, I desire to suggest to the Senator from Nebraska that I know that information can not be published in a single volume. I saw the committee of my own State present their material, and it will take a couple of volumes—several volumes—to print what they have presented; but——

Mr. HITCHCOCK. Mr. President——

Mr. SMITH of Georgia. If the Senator will pardon me a moment, I do not mean by this that I object to the most thorough investigation of the material if it can be carefully preserved, because finally it should all be presented to the reserve board; the full reserve board should have the opportunity of seeing the material that the committee on organization had, and, of course, none of it ought to be lost. If it is to be sent to the Committee on Banking and Currency it should be put in such shape that it can be carefully preserved, of course, before it is so sent. I agree with that suggestion of the Senator; and finally it ought to go to the reserve board for their consideration.

Mr. CLAPP and Mr. SHAFROTH addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Nebraska yield?

Mr. HITCHCOCK. I first yield to the Senator from Minnesota.

Mr. CLAPP. What I wanted to ask was whether under the provisions of law already in effect in the usual course of procedure would not all these matters naturally come before the final tribunal to pass upon this question? What I am inquiring is, what is gained by the Senate taking up this matter? It seems to me all the evidence will go up on the review, and no doubt the parties in interest will also, in addition, present perhaps new arguments, if they are authorized so to do.

Mr. WILLIAMS. And they will ask for a review.

Mr. CLAPP. And they will ask for a review.

Mr. HITCHCOCK. Mr. President, I do not think that is a proper view to take of the case. The Senator from Minnesota may not know it, but the fact is that the banks of the country are afraid of these officials, and many of them will suffer, and many communities will suffer, rather than take aggressive action to overturn the preliminary considerations of the committee. If, however, the matter is brought here under the orders of the Senate and published, and an interest is shown in enforcing the letter and the spirit of the law in the body which passed the law, I think there will be much more likelihood of fair consideration being given to these suffering communities—and they are suffering—when the time comes for a final consideration. There is nothing extraordinary about this.

Mr. CLAPP. I have no question that communities will suffer; I believe this country will suffer in the long run. If I thought this agitation in the Senate would result in the correction of some of these mistakes—and that seems to be the view of the Senator from Nebraska—then, perhaps, we would be justified in discussion. We can not of our own force change that decision; but we may, perhaps, throw enough light on the matter so that the interest of the public will effectuate a change. I take it that is the view of the Senator.

Mr. HITCHCOCK. It is my purpose merely to gather information in an official and authoritative way——

Mr. CLAPP. That is all right.

Mr. HITCHCOCK. To show the Federal Reserve Board that the Senate expects the letter and the spirit of the law to be observed.

I have shown the situation with respect to one district, the tenth district. There is no doubt in the world that the banks in that district, the banking business, and the commercial interests will be seriously damaged. I will admit that it would be quite possible and quite reasonable to attach a part of Nebraska to the Kansas City district, if Kansas City is to be a reserve center; I will admit that there are along the southern tier of Nebraska a number of towns which have a natural banking connection with Kansas City; but to attach the whole State to Kansas City when only 4 per cent of the banks there asked for it and the rest overwhelmingly asked to be connected with Omaha or Chicago is an obvious wrong. Congress did not intend to uproot the banking customs of this country; it intended to observe them.

I do not know so much about the complaint which comes from New Jersey, but I am told that in the northern part of New Jersey there are communities in the very shadow of New York City, whose banks belong to the New York City Clearing House, which have been told to cut off their relations with New York and to make their reserve deposits in Philadelphia. There may be a reason for that; I want to know what it is.

Mr. WARREN. Will the Senator allow me to make a suggestion there?

Mr. HITCHCOCK. I yield to the Senator.

Mr. WARREN. The Senator from Nebraska is speaking as if he had expected the new regional banks to accommodate the communities and banks surrounding them or tributary to them along natural business lines. Is that his belief? I ask that because there seems to have been a total abrogation of that idea in the location of the reserve banks.

Mr. HITCHCOCK. I think the Senator goes too far in saying that. I think the reserve board had a very difficult task. I think it intended to comply with the evident desire of Congress

when it asked the various banks to vote; but I do think that after they had taken the votes of the banks they disregarded them in order to carry out some preconceived notions, opinions, or convictions of their own. I want them to send to the Senate the reasons which moved them in so doing.

Mr. WARREN. If the Senator will allow me to further interrupt him, what is his opinion as to the regional bank locations made in the great Northwest? It seems it will be left totally without its old banking connections if it is to be connected with the Kansas City regional bank. As to the State of Wyoming, there is not a hundredth part of the business, or perhaps a thousandth part of the business of Wyoming, banking or otherwise, which has natural connection with Kansas City.

Mr. HITCHCOCK. That is very true, and that is no doubt an injury to Wyoming. I realize that.

Mr. WARREN. The Senator from Nebraska knows that the boundary of the district in which Wyoming has been placed, after it leaves Kansas City, goes across the line into Texas, and from there to San Francisco, and the whole territory northwest of there which does its business with Salt Lake, Denver, Omaha, and Chicago and other places is made tributary to some point with which it has no considerable business connections. I do not understand the reason why, and I should be glad to have some one explain why that entire northwestern territory is to be grouped with a locality very far away to the southeast, with which it has no business and no business connection. Certainly no bank in my State asked for that connection and no class of business asked for it.

Mr. HITCHCOCK. Mr. President, what the Senator from Wyoming has said suggests to me the propriety of reading an editorial which has just been published in the Kansas City Journal. It reveals the fact that Kansas City did not even claim and did not ask for some of the territory which was allotted to her and to her regional bank in the assignment made by the organization committee. The editorial is from the Kansas City Journal of a recent date and reads as follows:

> While Kansas City did not get the territory claimed as naturally tributary to this city, it was allowed new territory, in a rapidly growing part of the West and Southwest, which in time will help to develop here one of the big Government institutions of the country. For instance, the committeemen drew the dividing line in Missouri between Kansas City and St. Louis a little farther west than Kansas City expected, giving St. Louis the benefit of one or two tiers of counties north and south through the State. It also cut off the extreme western tier of counties in the State of Arkansas from Kansas City's claim, and cut Oklahoma and New Mexico about in half, sending the southern half to Dallas, Tex.

Here is the pertinent part of the editorial to which I desire to call attention:

> But Kansas City gets all of Nebraska, when it claimed but the southern half; all of Colorado, when it asked for but that part east of the Rockies; and the entire State of Wyoming is added also to this city's territory.

Thus showing that the bankers in Kansas City who made up their claims did not even expect to get a large part of the territory which was finally allotted to them. They knew that they had no banking connections with that territory, and they did not even desire to claim something which was so far from their reach.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Nebraska yield to the Senator from Wyoming?

Mr. HITCHCOCK. I do.

Mr. WARREN. I dare say that there was not a single individual—certainly not a single banker—in Wyoming who either indorsed Kansas City or had the slightest expectation that it was possible for the State of Wyoming to be annexed in that manner to Kansas City. It would have been better for the business interests of Wyoming to have had one of the Federal reserve banks located at Denver or Salt Lake City or in some city in the western part of the country where business lines are all harmonious, or at Omaha, which is in a direct line and receives a large portion of the business of the northwestern country, or at Chicago. We are farther off, in a business way, from Kansas City than we are from Boston, Philadelphia, or New York, and it would have been just as proper to make that entire section of country—in fact, it would have been more proper to make it tributary to the Boston reserve bank than to the Kansas City reserve bank. And I say this with no disrespect to Kansas City. We all admire the great growth and success of that enterprising city, but it is too far away or too remote for successful banking cooperation.

Mr. HITCHCOCK. Mr. President, I took no part in the effort to locate a regional reserve bank in Omaha. I had a number of motives for not doing so. I felt that it would not be proper to make a personal effort with the men charged with carrying out the law, and I made no such effort. I am therefore not greatly disappointed that a reserve bank was not located in Omaha; but I do feel outraged that my city and my State are directed to do business with a city with which they have no natural banking relations. I am frank to say that if the bankers of Omaha are compelled to place their reserves in the reserve bank at Kansas City, that money will be dead money. It will not lead to the doing of business with Kansas City. I have the word of the bankers in my State that business will still be done with Chicago, that drafts will be bought and sold on Chicago, and the great current of trade east and west with Chicago will continue. It will simply be a detriment and a damage to compel the banks of Nebraska to deposit their money out of their natural territory. So far as Nebraska is concerned, the reserve bank with which it must deal might as well be located at Dallas, Tex., as at Kansas City.

I am not going to speak of the other reserve districts as established. I understand some other districts also feel aggrieved. I have no particular sympathy with a city that is disappointed that it did not get a regional reserve bank, but I do feel a sympathy with a district or a community that is compelled to tear up and change the banking customs and, at great inconvenience, to disturb the business which has grown up. The law did not contemplate any such transaction. I therefore think that this information should be procured from the board, and there should be brought here not only the arguments of the various cities and the vote of all the banks but the reasons of the board for locating the districts as they did. I ask this with all respect for the members of the reserve board, for whose character and whose motives I have the highest respect.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Michigan?

Mr. HITCHCOCK. I yield to the Senator.

Mr. TOWNSEND. I desire to state, in connection with what the Senator is stating, that the organization committee has provided that the upper peninsula of Michigan shall have its reserve bank at Minneapolis. When asked why that was done, they reported that the map showed that there was a railroad running from the upper peninsula to Minneapolis. The fact is that the whole upper peninsula of Michigan has direct connection with Chicago and does all of its banking business either through Chicago or Detroit. Its railroad connections with Chicago are ideal, and yet it is proposed to revolutionize the whole banking system by compelling a separation of Michigan into two parts and putting part of it in the Chicago district and the other part in the Minneapolis district, although both parts of Michigan as a whole do their whole banking business with the city of Chicago.

Mr. HITCHCOCK. Well, I imagine, Mr. President, that the board had a very serious difficulty there, and it made its work doubly hard when it started to establish 12 districts. It would have been an easy matter to establish 4 districts in the United States; it would have been comparatively easy to establish 8; but when the board undertook to establish 10 or 12, it undertook a task which was bound to lead to great dissatisfaction in all parts of the country, and it undertook to solve a problem in which the Senate should take an interest by calling for this information. I wish to renew my statement that I am not pressing the resolution in any spirit of antagonism to the board, but simply for the purpose of collating and bringing together all the information that can be obtained on the subject from an authoritative source.

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. HITCHCOCK. I yield the floor, unless the Senator has some question to ask.

Mr. OLIVER. No, Mr. President; I desire to secure the floor in my own right. I think the resolution of the Senator from Nebraska or some similar resolution ought to pass. The Senate is entitled to all possible information concerning the faithfulness with which these three officials performed the duties prescribed by the act of Congress. As prefatory to what I shall say upon this subject I send to the desk, and ask the Secretary to read, a resolution which I have some thought of offering, although I do not wish to offer it at this time.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

> *Resolved*, That the Committee on the District of Columbia is hereby directed to make an investigation as to the necessity of providing additional accommodations for the courts of the District of Columbia; and if, as a result of such investigation, the committee finds that a new courthouse is necessary, it shall report to the Senate as to the advisability of locating the same at Tennallytown or Chevy Chase Circle.

Mr. OLIVER. Mr. President, there is just as much common sense in locating the courthouse of the District of Columbia at Chevy Chase Circle as there is in some of the locations of the regional reserve banks.

Mr. GALLINGER. Tennallytown would be a better place.

Mr. OLIVER. Tennallytown, the Senator from New Hampshire suggests, is a better place. I rather think it is. It is just as reasonable to expect the litigants and jurors and witnesses in the District of Columbia to go to the extreme borders of the District to transact legal business as it is to expect the bankers and merchants of Baltimore to do their banking at Richmond, or those of Jersey City to go directly against the course of business to Philadelphia, or those of Pittsburgh to go to Cleveland.

Mr. President, the great city in which I have my home is not complaining that a regional reserve bank was not located there. It is not necessary to the prosperity and the welfare of that community to have it. They were willing to be joined with any city where they could do business without going directly against nature. This board of yours, Senators on the other side, is engaged in the very interesting but rather difficult process of making water flow uphill. According to a table which I have here, the city of Pittsburgh is placed in a district containing two other large cities—Cincinnati and Cleveland—with Cleveland as the center. Of these three cities Cleveland has banks with a total capital and surplus of $41,635,000; Cincinnati's banks have a total capital and surplus of $31,813,000; Pittsburgh's banks have a total capital and surplus of $130,037,000—more than 50 per cent in excess of Cincinnati and Cleveland combined.

The referendum that was sent out by these officials to the banks in the district showed, as a result, that 842 banks favored Cincinnati, 840 favored Pittsburgh, and only 345 favored Cleveland. It must be remembered that this district, which has no homogeneity at all, included a large amount of territory away down in Kentucky with which neither Cleveland nor Pittsburgh has any business connection whatever, and which ought not to have been placed in the same district with either one of those cities. This Kentucky territory is naturally tributary to Cincinnati, and the banks therein would undoubtedly favor that city; otherwise the referendum would have been overwhelmingly in favor of Pittsburgh.

All I have to say is this: Pittsburgh did not expect to be one of the banking centers. It is not complaining that it was not so selected, but the Pittsburgh bankers, without exception, asked, if that city should not be designated as a center, that they might be placed in the same district with either New York or Philadelphia, with which they had natural and continuing business relations. That request was turned down, because without the assistance of the great banking capital of Pittsburgh you could not create a district with Cleveland as a center that would have the necessary capital; and for some unexplained reason it seemed necessary that Cleveland should be selected. I will state that even the senior Senator from Ohio [Mr. BURTON], who lives in Cleveland, is reported in the newspapers—with how much truth I do not know—as having said that putting Pittsburgh in the same district with Cleveland was unreasonable.

Mr. BURTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Ohio?

Mr. OLIVER. I yield.

Mr. BURTON. I have said, and I think in fairness it should be said, that it is counter to the current of banking business. The natural affiliations of Pittsburgh would be with the East. The business relations between Pittsburgh and Cleveland are very close; but Pittsburgh naturally looks for banking accommodations to Philadelphia or New York.

Mr. OLIVER. That is as I understand it.

Mr. President, Pittsburgh is not complaining that it was not selected as one of the centers. It has nothing to say against Cleveland. It is a great city. It does complain, however, because it has not those relations with Cleveland which will make easy, so far as our city is concerned, the carrying out of the purposes of the act. It complains because its request to be put in with Philadelphia was turned down. In other words, it says to the reserve board:

> It was all very well to dissemble your love,
> But why did you kick me downstairs?

Mr. REED. Mr. President, that there should be some feeling of disappointment among those who reside in cities that were not fortunate enough to have a Federal reserve bank located in their midst is very natural. Every city in the United States was afforded the fullest opportunity to present its claims. After mature consideration the board made its selections. It is perfectly natural that those who failed should be disappointed. It is equally natural that a certain percentage of those who failed should make an outcry. That happens in every contest in life. It is easy enough to object upon some specific ground which, taken by itself, disassociated from all other conditions, will make a prima facie case of wrong; but in settling the location of these banks the board had to take into consideration many conditions which, when all placed together, give a very different light than is reflected from simply one particular fact which is torn from its context and allowed to stand alone.

I undertake to say that if the Senate were to begin an independent investigation of the location of these banks it never would make a real investigation. There would be a lot of debating, there would be a lot of assertions, there would be a great amount of energy expended, and probably there would not be three men in the whole Senate able to take the time to study this problem in detail as the reserve-bank committee studied it.

In the first place one purpose the board had in view was the establishment at various points of financial centers. It was to minimize the tremendous centralization of capital and capitalistic power in a few places. It was to decentralize as far as possible, having in view at all times the justice and equities of the situation.

It may be said, and will be said, that the board should not interfere with natural conditions, but the centralization which has grown up in this country in two or three points is not a natural condition. It is a condition which has been forced by virtue of the power of the greater wealth at one point over the lesser wealth in another. It is the old story of power gathering to itself power, and as it increases in power forcing the yielding upon the part of weaker places.

So one problem confronting the board was this great problem of decentralization. If Philadelphia, Pittsburgh, and all of the great cities of the East, with their enormous banking capital, had been put into a New York district, New York would have maintained under this new system the same supremacy to which she has now attained and to a large extent all of the evils sought to be corrected by this bill would have remained intact, and we would have added the force of law and the force of a governmental establishment to the present intolerable conditions.

Let me advert to one of the evils. It has been found upon examination that whereas the banks of Kansas City—I will use that city for illustration—gather large sums of money from the banks of the western and central portions of the country, they in turn loan back a very large percentage of that money, which goes into immediate circulation in the territory from which it was originally absorbed, and it remains there to transact the business of that section. I am not able at this moment to give exact figures, for I did not anticipate discussing the matter at this time—indeed, I did not know the resolution was pending—but I shall be prepared to give the figures in the near future. On the other hand, the city of New York, gathering in an enormously larger amount of money, had loaned back to the country only a very small percentage of it. If I were to speak now without the memoranda before me, I should say it is a fair statement that 85 per cent of all the country moneys deposited in Kansas City are loaned back to the country, while not to exceed 15 per cent of the moneys gathered into New York are loaned back again to the country.

It was to equalize conditions, to provide a means by which money would not all be congested in one overworked and overburdened financial center, that this bill was passed. That, at least, was one of its primary and fundamental reasons.

In carrying out that idea it was frequently necessary to turn back the tide of money that hitherto has been forced to New York by commercial and financial conditions, especially the latter, in order to create a bank of sufficient strength and power so that it could fulfill the functions contemplated by Congress when the bill was passed providing for the creation of the bank. Therefore it is not at all astonishing that some territory hitherto doing business with the great city of New York may find itself required to keep its reserves in some city farther west. Neither is it astonishing that some of the territory which hitherto has been tributary to the city of Chicago should be placed in a district cut off from Chicago. If that plan were not pursued, we should have enacted here a bill which would have resulted in the creation of one great center or head at New York, and a lesser head at Chicago, but still one completely overmastering in its power and in its resources, and the rest of the banks of the country would have been small, insignificant, subservient institutions. You would have had a sort of two-headed tadpole, a concern with two very large heads, an infinitesimal body, and

an elongated tail; and you would have continued the same financial and industrial overlordship which has been established by New York and by Chicago, not because of natural advantages so much as through the power of accumulated capital to draw to itself.

RADIUM-BEARING ORES.

The VICE PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the special order of business, which will be stated.

The SECRETARY. A bill (S. 4405) to provide for and encourage the prospecting, mining, and treatment of radium-bearing ores in lands belonging to the United States, for the purpose of securing an adequate supply of radium for Government and other hospitals in the United States, and for other purposes.

Mr. LODGE. Has the bill been read?

The VICE PRESIDENT. It has not. The bill is before the Senate as in Committee of the Whole.

Mr. LODGE. I ask for the reading of the bill.

Mr. WILLIAMS. How does the bill get before the Senate?

The VICE PRESIDENT. It was made a special order by order of the Senate for 1 o'clock to-day.

Mr. LODGE. I ask for the reading of the bill.

Mr. WALSH. The Senator from Missouri requests me to ask that the bill be temporarily laid aside until he concludes his remarks.

The VICE PRESIDENT. The Chair will be compelled to hold that that can not be done. If the bill is laid aside it will go back to the calendar.

Mr. WALSH. Then I can not accede to the request of the Senator from Missouri.

Mr. SMOOT. If the Senator from Missouri desires to discuss the resolution on the bill, he can do so.

Mr. REED. I am very much interested in the bill the Senator from Montana has in charge, and I shall be glad to discuss it for a few moments.

Mr. GALLINGER. Let the bill first be read. The request has been made.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill.

The VICE PRESIDENT. The Senator from Missouri has the floor.

Mr. GRONNA. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from North Dakota.

Mr. GRONNA. If this bill is not disposed of to-day, will it displace the unfinished business?

The VICE PRESIDENT. No.

Mr. GRONNA. I wish simply to call the attention of the Chair to Rule X, on page 12:

> Any subject may, by a vote of two-thirds of the Senators present, be made a special order—

I assume that that has been done and the bill has been made a special order—

> and when the time so fixed for its consideration arrives the presiding officer shall lay it before the Senate, unless there be unfinished business of the preceding day; and if it is not finally disposed of on that day it shall take its place on the Calendar of Special Orders in the order of time at which it was made special, unless it shall become by adjournment the unfinished business.

I simply wanted to call the attention of the Chair to the rule.

The VICE PRESIDENT. There is not any difference between the rule and the ruling of the Chair.

Mr. BRANDEGEE. Mr. President, may I make a parliamentary inquiry? What do the last few words read by the Senator from North Dakota mean—the words "unless it shall become by adjournment the unfinished business"?

The VICE PRESIDENT. It means if there is no unfinished business and the special order is not disposed of at the conclusion of the day's business it will become the unfinished business for to-morrow. The Senator from Missouri will proceed.

Mr. REED. Mr. President, as I have stated, I am greatly interested in the bill introduced by the Senator from Montana [Mr. WALSH], and I desire to say that I think it ought to have very serious consideration.

I was remarking a few moments ago, when I had the floor on the resolution of the Senator from Nebraska, that the great purpose, or one of the great purposes, of the regional-bank act was to decentralize and do away with the artificial, abnormal advantages of two great cities in this country. That object has been constantly, I think, in the minds of the very able gentlemen who located the banks. It is, of course, impossible to locate a regional bank that will embrace all the business of any community, because every community does business with every other community of the United States.

If there were a regional bank located in the city my friend from Nebraska has the honor to reside in and to so ably represent, the fact would remain that the merchants of that city would be obliged then, as they are now, to do business with every other city, hamlet, or village of the United States. The major portion of their business may now be transacted in Chicago, but it is not true that they do not transact business in Kansas City, and great quantities of it. I call the Senator's attention to one fact. In the year 1912, you marketed of Nebraska hogs at the stockyards in Kansas City 230,988; in 1913 you marketed 137,067.

Mr. HITCHCOCK. Does the Senator seriously claim that that is a large business?

Mr. REED. It is a large business for Nebraska.

Mr. HITCHCOCK. My dear sir, there were marketed in South Omaha during that same year several million hogs.

Mr. REED. Yes, but notwithstanding the fact that you had stockyards there, notwithstanding the fact that you had packing houses there, you still marketed nearly a quarter of a million of your hogs in Kansas City. That I only speak of for the purpose of illustrating the fact that lines of trade cross and recross.

Mr. HITCHCOCK. Will the Senator permit me?

Mr. REED. I have no doubt I can say to the Senator from Nebraska without any possible mistake that, on the other hand, we have sent from Missouri to the stockyards of Nebraska a very large amount of cattle, sheep, and hogs. But that only accentuates the fact that we are doing business with each other and that we are in the same general trade territory. I have not the figures before me because, as I stated, I had no notice that the resolution had been called up until some one advised me at my office and I came over here and found the Senator from Nebraska upon his feet, but I will undertake to say that there is a tremendous business of a general nature transacted between the people of Nebraska and the people of Missouri every year and that our relations are close and intimate. I trust they will become more so as time goes on.

Let me call attention to just one thing. If I am not mistaken in my figures, there are 13 trains running every day between Omaha and Kansas City. Some of those trains make the trip in about six hours' time. The trains are crowded with passengers. Omaha is not, therefore, required to go great distances to transact business. It is undoubtedly true that the major portion of its banking business has been done in the city of Chicago, and it is undoubtedly true that if, because the greater portion of Omaha's banking business has been done in Chicago, we should recognize that as a controlling fact, and therefore perpetuate the conditions, that same argument applied would result in keeping every particle of congestion which now exists of money in New York and in Chicago, and the dominance and control, which I claim is artificial, which I maintain is detrimental, would continue under the bank act.

Now, let me challenge attention to the further thought, if it be true, and it is true, and I think will not be gainsaid, that under our old system of doing business the dominance of the financial interests of New York and of Chicago has been maintained by means merely of the power of accumulated money, and if that is not a good thing for the general commerce of the country, then how is it to be met except by the establishment of new financial nuclei, if I may use that term? Wherever you locate one of these banks you are bound to the extent that bank does business to interfere with the present course of trade toward these two great centers. But if the doctrine be sound, if the argument be fair and logical, that it is well for the general country that we shall locate new centers, then certainly the State of Nebraska is to be benefited by having a bank located at Kansas City, because by the location of a bank at Kansas City you remove into the great Central West a portion of the financial power, and to that extent reduce the financial supremacy of the two great financial centers of the country as they now exist.

We have in what is known as the Missouri Valley a vast territory, the interests of all parts of which are almost identical with the interests of any particular part. I say to the Senator from Nebraska now that if the regional bank were located at his city and Kansas City and Missouri were placed in that territory it would be infinitely better for the State of Missouri than it would be to allow present conditions to obtain. If it be true that there is a general benefit to the great West and Central West to grow out of the decentralization of the financial power of this country, then the State of Nebraska will gain more by that than it possibly can by remaining tributary to the city of Chicago.

In this great valley lie Nebraska, Kansas, Oklahoma, parts of Colorado, and New Mexico, and Wyoming. It is the most rapidly developing portion of the United States; it is a part of the United States that is rich in agricultural and mineral resources and that has not yet found one-tenth of its real develop-

ment. It has grown with a rapidity that is almost beyond belief. Let me call your attention here to a few facts:

In 1875 the total bank clearings at Kansas City were $20,407,967. In five years' time they had mounted to $50,730,000, approximately a 65 per cent increase. In five years more they had gone from $50,730,000 to $223,389,419. In the next 10-year period they went from $223,389,419 to $520,870,447. In the next five years they went to $775,264,813. The next five years witnessed a jump to $1,197,905,558. In five years more—to wit, in 1910—the bank clearings had mounted to $2,634,557,738. In 1913 they had gone to $2,850,362,611.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. REED. I will yield in a moment. Kansas City ranks a part of the time sixth and a part of the time seventh in the bank clearings of the United States, while Pittsburgh ranks a part of the time sixth and a part of the time seventh. It is a neck-and-neck race between the great city of Pittsburgh and Kansas City, Mo.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. REED. I do.

Mr. THOMAS. I do not understand whether the figures just quoted by the Senator from Missouri are figures relating to the business of Kansas City or whether they represent what I think he said was the wonderful growth of the States west of Kansas City which were included in that district.

Mr. REED. I did make the statement that the country had wonderfully developed, and I began to illustrate it by the mere bank clearings of Kansas City alone, which is only a branch of what I intend to say. As to the rest of the country, I was coming to that later; but if the Senator wants to make an observation, of course I yield to him.

Mr. THOMAS. I prefer to make my observation concerning the country west of Kansas City after the Senator from Missouri concludes his statement.

Mr. REED. Since 1906 New York has actually shown a decrease of 9 per cent in its bank clearings.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED. I do.

Mr. WALSH. The matter before the Senate is Senate bill 4405. I supposed that probably I would be recognized by the Chair to have that bill laid before the Senate. I yielded to the Senator from Missouri assuming that he would require perhaps 5 or 10 minutes to conclude the remarks which he desired to make. I simply interrupt the Senator to say to him that under the rule I shall be obliged to give way at 2 o'clock.

Mr. REED. I did not know that, and I will conclude in the next three minutes. I was not aware of the fact that his bill was in the condition which he has stated, and I apologize for trenching on the Senator's time.

Boston shows a loss of 1 per cent, San Francisco an increase of 36 per cent, Pittsburgh an increase of 11 per cent, Minneapolis an increase of 36 per cent, Chicago an increase of 50 per cent, St. Louis an increase of 30 per cent, and Kansas City an increase of 113 per cent.

Mr. President, I had started to address the Senate upon the development of that entire section of country, but I realize since the statement of the Senator from Montana [Mr. WALSH] that I can not, in justice to him, trespass further upon his time. I thank him for his courtesy, and shall resume my remarks later.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Oliver	Smith, Ga.
Borah	Hitchcock	Overman	Smith, Md.
Brady	Hollis	Page	Smith, Mich.
Brandegee	James	Perkins	Smoot.
Bristow	Johnson	Poindexter	Sterling
Bryan	Kenyon	Pomerene	Sutherland
Burton	La Follette	Reed	Swanson
Catron	Lane	Robinson	Thomas
Chamberlain	Lee, Md.	Root	Thompson
Clapp	Lewis	Shafroth	Vardaman
Crawford	Lodge	Sheppard	Walsh
Dillingham	Martin, Va.	Sherman	Warren
du Pont	Martine, N. J.	Shields	West
Fall	Nelson	Shively	Williams
Gallinger	Newlands	Simmons	Works

Mr. SHEPPARD. I desire for the day to announce the absence of my colleague [Mr. CULBERSON], and his pair with the Senator from Delaware [Mr. DU PONT].

Mr. LEWIS. I desire to announce the absence of the senior Senator from West Virginia [Mr. CHILTON], because of illness in his family.

Mr. WALSH. I desire to announce the absence of my colleague [Mr. MYERS] on account of illness.

Mr. SMITH of Georgia. I desire to state that the junior Senator from South Carolina [Mr. SMITH] is necessarily absent from the city. He is paired with the Senator from South Dakota [Mr. STERLING].

Mr. SHIVELY. I desire to say that my colleague [Mr. KERN] is temporarily absent from the Chamber on official business. He is paired with the senior Senator from Kentucky [Mr. BRADLEY].

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY].

The VICE PRESIDENT. Sixty Senators have answered to their names. There is a quorum present.

Mr. WALSH obtained the floor.

Mr. HITCHCOCK. Will the Senator yield to me for a moment?

Mr. WALSH. Certainly.

Mr. HITCHCOCK. In view of the fact that the radium bill will take up the remainder of the morning hour at least, I ask that my resolution go over until to-morrow without prejudice.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

Mr. WALSH. Mr. President, for the further information of the Senate, I ask that the amendments reported by the committee be read.

The VICE PRESIDENT. The Secretary will state the amendments reported by the Committee on Mines and Mining.

The SECRETARY. On page 1, section 1, line 3, after the word "That," it is proposed to insert "hereafter."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. THOMAS. Mr. President, I understood that the bill was to be read merely for the information of the Senate. I certainly want to be heard before I am counted as agreeing to that amendment.

Mr. WALSH. The request was made that the amendments be read first for the information of the Senate.

Mr. THOMAS. That is what I understood. I do not want the amendments disposed of as being agreed to without having an opportunity to be heard.

The VICE PRESIDENT. The amendment will be considered as pending. The Secretary will state the next amendment.

The next amendment was, in section 1, page 1, line 9, after the word "provided," to strike out "and all said ores hereafter mined from lands which were not located under the mining laws of the United States and the States wherein the same are situated prior to the passage of this act shall be so sold and delivered"; and on page 2, line 16, after the word "issued," to insert "for lands located under this act: *Provided*, That if the United States shall at any time fail or refuse to purchase any such radium ores of sufficient value to be merchantable, extracted from any such lands so located, whether patented or unpatented, upon the tender of the same for sale in carload lots at any railroad station, the exclusive right of the United States to purchase such ore or any ores thereafter extracted from the mining claim from which the same were mined and from all other mining claims contiguous thereto and held in common therewith as well as the right to enter upon the same for failure diligently to mine any of such claims shall thereupon cease and the unrestricted right of disposition of all ores within such claims or extracted therefrom shall thereupon accrue to the owner, lessee, or other rightful occupant thereof," so as to make the section read:

That hereafter all deposits of carnotite, pitchblende, or other ores containing radium in sufficient quantity for extraction, in lands belonging to the United States, and the lands containing same, shall be subject to exploration, occupation, and purchase under the mining laws upon condition that said radium-bearing ores shall be exclusively sold and delivered to the United States as hereinafter provided, and the exclusive right of the United States to purchase and receive said ores from the owners of such lands, their lessees and assigns, together with the right of the United States to enter upon the lands so patented and mine, develop, and remove said radium-bearing ores in the event that the patentee, his lessees or assigns, shall fail to develop and mine such ores with reasonable diligence, upon payment to such patentee, his lessees or assigns, of the market value of the said ores so mined and removed, as fixed by the Secretary of the Interior under the provisions of section 4 of this act, less the cost of mining and removing same, shall be expressly reserved in any and all patents which may hereafter be issued for lands located under this act: *Provided*, That if the United States shall at any time fail or refuse to purchase and such radium ores of sufficient value to be merchantable, extracted from any such lands so located, whether patented or unpatented, upon the tender of the same for sale in carload lots at any railroad station, the exclusive right of the United States to purchase such ore or any ores thereafter extracted from the mining claim from which the same were mined and from all other mining claims contiguous thereto and held in common

therewith as well as the right to enter upon the same for failure diligently to mine any of such claims shall thereupon cease and the unrestricted right of disposition of all ores within such claims or extracted therefrom shall thereupon accrue to the owner, lessee, or other rightful occupant thereof.

The next amendment was to strike out all of section 2 and to insert in lieu thereof the following:

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to lease for the purpose of exploration and development of radium-bearing ores unallotted lands within Indian reservations now existing or hereafter established by act of Congress or Executive order in such quantities and upon such terms and conditions and under such rules and regulations as he may prescribe: *Provided*, That such radium-bearing ores when mined shall be sold and delivered to the United States as herein provided: *And provided further*, That all royalties derived from any such leases or rentals or other moneys paid on account of the same shall be deposited to the credit of the Indians entitled to occupy the reservation from which the same come to be expended for their benefit as the Secretary of the Interior may direct.

The next amendment was, in section 3, page 4, line 8, after the words "radium-bearing ores," to insert "from lands located under the provisions of this act," so as to make the section read:

SEC. 3. That the sale, gift, or other disposition of said radium-bearing ores from lands located under the provisions of this act to any person, association, or corporation other than the United States shall be unlawful, and any violation hereof shall subject any location made of patent issued to forfeiture, and the person, association, or corporation so selling, giving, or otherwise unlawfully disposing of said ores shall, upon conviction thereof, be punished by a fine of not less than twice the value of the ores so sold, given away, or unlawfully disposed of: *Provided*, That when, in the opinion of the Secretary of the Interior, special conditions arise which make such action necessary he may, by general order and public notice, permit the sale and delivery of said ores after or without tender to the United States, as he may deem advisable.

The next amendment was, in section 4, page 5, line 3, after the word "at," to strike out "such prices, to be fixed," and insert "the market price to be determined"; and on line 5, after the word "year," to strike out "as will insure the prospecting for and mining of such ores," so as to make the section read:

SEC. 4. That the Secretary of the Interior be, and he is hereby, authorized to erect, maintain, and operate a plant or plants for the concentration and treatment of radium-bearing ores and the extraction of the radium and by-products therefrom; to purchase radium-bearing ores mined from lands occupied and held under the provisions of this act at the market price to be determined by him from time to time and published in advance on the 1st day of January and of July in each year, and, if need arises, to purchase or accept radium-bearing ores from other sources; to sell the by-products of such ores at the best prices obtainable; and he shall make such disposition or use of the radium produced as will best serve the need of the people of the United States.

The next amendment was, in section 6, page 6, line 1, after the word "hereby," to strike out "authorized" and insert "appropriated," so as to make the section read:

SEC. 6. That there is hereby appropriated for the erection and general equipment of a suitable building or buildings for radium extraction the sum of $150,000, and for the necessary expenses connected with the purchase and treatment of radium-bearing ores and the extraction of radium therefrom during the fiscal year ending June 30, 1915, the further sum of $300,000.

The next amendment was to insert at the end of the bill a new section, as follows:

SEC. 7. That nothing herein contained shall be construed to affect or abridge the right, in good faith, to locate or appropriate (under existing laws) any public lands, whether mineral or otherwise, not known by the locator or appropriator to be of value because of any radium-bearing ores therein, and any patent issued for such lands so located or appropriated shall be unlimited in character except as in such laws provided, anything in this act to the contrary notwithstanding.

The next amendment was to insert at the end of the bill a new section, as follows:

SEC. 8. Except as herein provided the general laws in relation to the disposition of mining lands shall be applicable to the lands in this act referred to containing radium-bearing ores.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New Hampshire?

Mr. WALSH. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I wish to ask the Senator from Montana, who doubtless has given this matter much consideration, what information he can give us as to the curative properties of this substance in the treatment of cancer?

Mr. WALSH. I had intended to address myself to that feature of the matter in the very early part of the discussion.

Mr. GALLINGER. I have noticed that Mr. Gifford Pinchot, who assumes to have in charge everything that tends to uplift humanity, and who has in special charge the morals and the decencies of the Senate of the United States, has in a recent article declared——

Mr. WALSH. Mr. President, I have the article in my hand, and was about to ask that it be read from the desk in view of the fact that it relates to the amendments which the Senate has just heard read.

Mr. GALLINGER. That will answer my purpose and will save me the trouble of making a very brief statement which I had intended to make. The article the Senator from Montana is going to put in the RECORD is a very illuminating article. In its criticisms on the Senate it goes beyond the line of common decency, and I think it ought to be put in the RECORD for the purpose of showing what kind of man Mr. Pinchot is.

Mr. WALSH. I ask that the interview be read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

Mr. GALLINGER. Let the heading be read also.

The Secretary read as follows:

[From the Washington Post of Tuesday, March 24, 1914.]

ASSAILS RADIUM BILL—GIFFORD PINCHOT SAYS SENATE AMENDMENTS ARE INFAMOUS—CITES LOSS TO GOVERNMENT—PRESIDENT OF NATIONAL CONSERVATION CONGRESS, DECLARING ORIGINAL MEASURE WAS OBSTRUCTED BY LOBBY OF GRABBERS, DECLARES SUCH DELAY MAKES OFFENSE OF FOOD POISONERS LOOK SMALL.

Gifford Pinchot, as president of the National Conservation Association, issued the following statement last night regarding the radium situation in Congress:

"More than two months have elapsed since a joint resolution was introduced in Congress to reserve to the people of the United States the radium-bearing ores on the public lands. During this inexcusable delay 500 additional claims have been located by private persons, so that their content of radium—the only medical remedy for cancer—may be exploited for private profit. This was the object of those who cause the delay.

PUTS GOVERNMENT LOSS AT $1,500,000.

"It is officially estimated that the loss to the Government on the radium needed for its hospitals and the profit to the grabbers, if the grabbers have succeeded fully in their purpose, will be more than $1,500,000.

"At present at least half of our radium goes abroad. Our Government hospitals need 30 grams of radium at once, while 2 grams is all we have. There are constantly in this country 200,000 persons suffering from cancer, of whom 75,000 die each year.

"The brutal callousness of the men in Congress and out who, by delaying this bill, have delayed relief to this army of sufferers makes the offense of food poisoners look small.

PREPARED SECRETLY, HE SAYS.

"Obstruction by the radium lobby and its friends in Congress could not, however, last indefinitely. After delaying for two months the grabbers saw that the bill must soon be acted on. Accordingly, secret preparation was made to have it passed in a form that would appear to give the public what it needed, and yet leave the grabbers in substantial control of the situation.

"On March 16 the Walsh bill was reported with amendments. One of these provides that if the Government fails to purchase radium ore tendered to it at any railroad station, and derived from any claim reserved for Government use under the bill just once, the Government loses forever all right to buy radium from that claim, and from all contiguous claims in the same ownership.

"IMPUDENCE COULD REACH NO FURTHER."

"It would seem as if the cynical impudence of monopolists could reach no further. Yet the bill contains another clause under which all that is necessary to take the radium ore in any claim out from under the provisions of the bill, out of the reach of the Government, and into the sphere of the grabbers, is for the locator of that claim not to know when he locates it that it is valuable for radium.

"Another Senate amendment requires the Secretary of the Interior to pay for radium ore not a just price, but the 'market' price, which is an excessive monopoly price to-day.

"The Senate amendments to the radium bill are simply infamous. They make it a weasel bill, which withdraws from the people the benefits it pretends to give. If this bill passes in its present form, every man who votes for it will write himself down the servant of special privilege in one of its most abominable forms."

Mr. SUTHERLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Utah?

Mr. WALSH. I do.

Mr. SUTHERLAND. I should like to ask the Senator from Montana if he knows what is the exact position of Mr. Pinchot with reference to this matter. Does he insist that the lands supposed to contain radium ores should be absolutely withdrawn?

Mr. WALSH. I have no information concerning the position of the gentleman, except as it is disclosed in the article which the Senate has heard read.

Mr. SUTHERLAND. I judge from the article that that is his position—that he thinks all lands which are supposed to carry or are suspected of carrying radium ores should be withdrawn, which, of course, would be effectually to lock up the radium of which he thinks the country is so much in need.

Mr. WALSH. I might say to the Senator from Utah, however, that unfortunately the committee were not aided by any counsel or advice from Mr. Pinchot during their deliberations.

Mr. SUTHERLAND. I think that is quite fortunate.

Mr. WALSH. They conducted hearings extending over quite a period of time. The public were generally advised of the pendency of these hearings. I am very sure that the committee and every member of it would have been very glad to have Mr. Pinchot appear and give us the benefit of any ideas he had upon the bill.

Mr. GALLINGER. Mr. President, as the Secretary had a clipping from a different paper than that from which the clipping I hold in my hands was taken—mine having been taken,

I think, from a Philadelphia paper—I desire to read one paragraph that was omitted. It is in these words:

If this radium bill passes in its present form—

That is, in its amended form as proposed by the Senator from Montana—

every man who votes for it will write himself down the servant of special privilege in one of its most abominable forms. It is such cases as this that supply the reason, and, so far as they go, the good and sufficient reason, why so many people believe that the political power of private monopoly in Congress is stronger than the obligation of the public good, even when the saving of human life is at stake.

There are two or three other paragraphs from this remarkable article that I might read into the RECORD; but sufficient has already been disclosed to show the brutal animus of the author of the article.

Mr. WALSH. Mr. President, this fulmination from the president of the National Conservation Association admits of no construction except that some or all of the members of the Senate Committee on Mines and Mining have been faithless to the public interest. It very plainly implies either a corrupt connivance with, or else a stupid yielding to, the purposes of some greedy interest to monopolize the output of radium and radium-bearing ores in this country.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from California?

Mr. WALSH. I do.

Mr. WORKS. I should like to ask the Senator from Montana whether the committee determined to its own satisfaction that radium is a cure for cancer.

Mr. WALSH. There was no expression of opinion concerning the matter from the committee. I said to the Senator from New Hampshire [Mr. GALLINGER] that I hope to lay before the Senate, when I am permitted to go so far, so much of the testimony given to us as I think it is important for the Senate to have under consideration. If the Senator asks my own individual opinion about it, I should say to him that my own opinion is that of the medical world, that it is unquestionably a cure for cancer.

Mr. WORKS. Mr. President, I have not understood that it is by any means the sense of the medical world that radium is a cure for cancer. One of the objections I have to this bill—I do not mean to say that it is a controlling objection, but one objection——

Mr. WALSH. Mr. President——

Mr. WORKS. One objection, if the Senator will allow me a moment, is that we are practically indorsing radium as a cure for the disease of cancer. If we should be wrong about that, we shall be holding out false hopes, which might be very disastrous, to people who are suffering from this disease. We had a little experience of that kind not very long ago.

Mr. WALSH. Mr. President, I do not care to yield further to the Senator from California. I had intended to lay before the Senate such evidence as the committee think ought to convince the Senate that radium is a cure for cancer. After that is done, I shall be very glad to yield to the Senator to advance a contrary idea.

Mr. WORKS. Very well.

Mr. WALSH. But I submit that inasmuch as I propose to do so, and have said so, the course of my argument ought not to be interrupted by an attempt to refute what I intend to say about it.

Mr. WORKS. Mr. President, it is entirely unnecessary for the Senator to insist. A mere intimation from him that he does not desire to be further interrupted is amply sufficient.

Mr. WALSH addressed the Senate. After having spoken for five minutes,

TELEGRAMS OF SENATORS.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. Senate resolution 156, relative to telegrams sent by Senators.

Mr. WILLIAMS and Mr. McCUMBER addressed the Chair.

The VICE PRESIDENT. The Senator from Mississippi.

Mr. WILLIAMS. I yield to the Senator from North Dakota.

Mr. McCUMBER. I can not accept the yielding, because my purpose, I state frankly, is to substitute another measure for the unfinished business. I will say, if the Senator yields to me for that purpose, that that is the purpose for which I am asking recognition.

Mr. WILLIAMS. Mr. President, I do not want to say anything further upon the subject of the unfinished business now before the Senate. It is a very small matter and it is just awaiting a vote in order to dispose of it. The Chair had reached the point where the Chair had announced that the Secretary would call the roll upon the adoption of the resolution when the special order for that day interrupted the further proceeding. I should like very much to have a yea-and-nay vote right now and dispose of the matter, if possible; and I would for that reason, of course, resist any motion to displace the unfinished business. I do not think anything would be made by the motion the Senator suggests, because as far as I know there is no further debate to be had. The Senate has substantially decided the unfinished business by voting for a substitute which disposes of the original measure, and all it has to do now is to vote for the resolution as amended, which will produce no change in the result which it has already accomplished.

Mr. McCUMBER. Mr. President, upon information that I have from Senators, the resolution would not receive a vote at this time, as the Senator from Mississippi thinks. That being the case—and I leave it to the sense of the Senate—I will move that the Senate proceed to the consideration of Senate bill 120.

Mr. WILLIAMS. I do not believe that motion is debatable. Is it debatable?

The VICE PRESIDENT. It is not. The question is on the motion of the Senator from North Dakota to proceed to the consideration of Senate bill 120.

Mr. WILLIAMS. I made a parliamentary inquiry, but received no reply.

The VICE PRESIDENT. The Senator did receive a reply, that the motion is not debatable.

Mr. WILLIAMS. I beg the President's pardon; I did not hear him. Very well, then, let us have a vote.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from North Dakota to proceed to the consideration of Senate bill 120. [Putting the question.] The ayes seem to have it. The ayes have it, and the motion is agreed to.

Mr. WILLIAMS. I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The Chair lays Senate bill 120 before the Senate.

INSPECTION AND GRADING OF GRAIN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

Mr. WALSH. Before proceeding further, I desire to inquire from the Senator from North Dakota if he desires to have the debate on his bill continued at this time?

Mr. McCUMBER. I do, Mr. President. Perhaps I did not understand the Senator, but I desire the debate to continue upon the bill which has just been laid before the Senate upon motion.

Mr. WALSH. I suppose that I might follow the course adopted a little while ago and go on and make my remarks for the remainder of the afternoon.

Mr. McCUMBER. Will the Senator give me an idea how long he desires to speak?

Mr. WALSH. I imagine that I shall take perhaps about an hour.

Mr. McCUMBER. That is a pretty long time. I have kept this measure going for a long time, and there are Senators here ready to proceed.

Mr. NELSON. The Senator from Illinois [Mr. SHERMAN] wishes to speak on the bill this afternoon. He was momentarily called out of the Chamber, but will be back in a few minutes. It will be agreeable to let the Senator from Montana go on for a short time. The Senator from Illinois will be here very soon.

Mr. McCUMBER. Mr. President, under the rules of the Senate I presume that the Senator from Montana could even speak upon the other bill pending this one. I do not think that I could prevent him from doing that; and if the Senator will assure me that it will be for only a short time, it will not be necessary to lay aside the unfinished business for that purpose, but the Senator can proceed upon this bill.

[Mr. WALSH addressed the Senate. See Appendix.]

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Montana yield to the Senator from Pennsylvania?

Mr. WALSH. I do.

Mr. OLIVER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brady	Johnson	Page	Sterling
Bristow	Jones	Perkins	Sutherland
Bryan	Kern	Pittman	Swanson
Catron	Lodge	Shafroth	Thomas
Chamberlain	McCumber	Sheppard	Thornton
Colt	Martin, Va.	Sherman	Vardaman
Crawford	Martine, N. J.	Shively	Walsh
Gallinger	Nelson	Smith, Ga.	West
Gore	O'Gorman	Smith, Md.	Williams
Gronna	Oliver	Smoot	
James	Overman	Stephenson	

Mr. WALSH. I desire to announce that my colleague [Mr. MYERS] is absent on account of illness. I will advise Senators that he underwent a rather severe operation a day or two since, but is doing nicely, and his speedy recovery is expected.

Mr. PAGE. I was requested to announce that the Senator from Oregon [Mr. LANE], the Senator from Arkansas [Mr. ROBINSON], the Senator from Kansas [Mr. THOMPSON], the Senator from Oklahoma [Mr. OWEN], the Senator from Illinois [Mr. LEWIS], the Senator from Minnesota [Mr. CLAPP], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Michigan [Mr. TOWNSEND], the Senator from New Mexico [Mr. FALL], and the Senator from Arizona [Mr. ASHURST] are absent in attendance upon official duties in connection with the Senate.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. A quorum is not present.

Mr. SMOOT. I ask that the names of the absentees be called.

The PRESIDING OFFICER. The names of the absentees will be called.

The Secretary called the names of the absent Senators, and Mr. HOLLIS, Mr. LEE of Maryland, Mr. NORRIS, Mr. REED, Mr. ROBINSON, Mr. SIMMONS, Mr. THOMPSON, and Mr. TOWNSEND answered to their names when called.

Mr. ASHURST, Mr. CLAPP, Mr. LEWIS, Mr. LANE, Mr. OWEN, Mr. LA FOLLETTE, and Mr. FALL entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-six Senators having answered to their names, there is a quorum present. The Senator from Montana will proceed.

Mr. KERN. Will the Senator from Montana yield to me for a motion?

Mr. WALSH. I yield to the Senator from Indiana for that purpose.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Monday next.

Mr. McCUMBER. Mr. President, I suppose that is a debatable question.

Mr. GALLINGER. It is not debatable.

The PRESIDING OFFICER. The Chair rules that it is not debatable. The question is on the motion of the Senator from Indiana.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Montana will proceed.

[Mr. WALSH addressed the Senate. See Appendix.]

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Will the Senator from Montana yield to the Senator from North Dakota?

Mr. WALSH. I yield.

Mr. McCUMBER. I desire to say very briefly that while Senators are exploring all the present unexplored places of the earth in search of radium, would it not be quite proper that we should now leave that subject and allow the Senator from Illinois [Mr. SHERMAN], who has been waiting here for two hours to address himself to the particular subject in hand, to proceed with his discussion of Senate bill 120?

Mr. WALSH. The suggestion of the Senator from North Dakota is a very, very pertinent one. I feel that some apology is due to him for not yielding the floor earlier, and I want to do so when I remark, Mr. President, that we have all had the experiences which have been suggested by the Senator from Utah [Mr. SUTHERLAND]. We know that this deposit of radium-bearing ore exists and we may some time in the future find some other deposits. There is no doubt about that probability. The question is, What shall we do now with reference to the great commercial deposit of which we have the personal evidence and which, if exhausted, may possibly exhaust the supply that we will have until at some remote time in the future we shall be able to discover more?

I shall continue my discussion of the subject upon that point when I again have an opportunity to address the Senate.

[Mr. SHERMAN addressed the Senate. See Appendix.]

EXECUTIVE SESSION.

Mr. SHIVELY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 7 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, April 13, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 10, 1914.

SECOND SECRETARY OF THE EMBASSY.

Warren D. Robbins, of Massachusetts, now third secretary of the embassy at Paris, to be second secretary of the embassy of the United States of America at Mexico, Mexico, vice Henry F. Tennant, appointed secretary of the legation at Caracas.

THIRD SECRETARY OF THE EMBASSY.

John C. White, of Baltimore, Md., to be third secretary of the embassy of the United States of America at Mexico, Mexico, vice Henry F. Tennant, appointed second secretary of the embassy at Mexico.

CONSUL GENERALS.

Ralph J. Totten, of Tennessee, now consul at Montevideo, to be consul general at large of the United States of America, vice George H. Murphy, nominated to be consul general at Cape Town.

Joseph I. Brittain, of Ohio, now consul general at Coburg, to be consul general of the United States of America at Auckland, New Zealand, vice William A. Prickitt, resigned.

Leo J. Keena, of Michigan, now consul at Florence, to be consul general of the United States of America at Buenos Aires, Argentina, vice Richard M. Bartleman, nominated to be consul at Cienfuegos.

George H. Murphy, of North Carolina, now consul general at large, to be consul general of the United States of America at Cape Town, Cape of Good Hope, vice Richard Guenther, resigned.

Alexander W. Weddell, of Virginia, now consul at Catania, to be consul general of the United States of America at Athens, Greece, vice William H. Gale, nominated to be consul at Colon.

William J. Pike, of Pennsylvania, now consul at Reichenberg, to be consul general of the United States of America at Coburg, Germany, vice Joseph I. Brittain, nominated to be consul general at Auckland.

CONSULS.

Max J. Baehr, of Nebraska, now consul at Cienfuegos, to be consul of the United States of America at Berne, Switzerland, vice George Heimrod.

Richard M. Bartleman, of Massachusetts, now consul general at Buenos Aires, to be consul of the United States of America at Cienfuegos, Cuba, vice Max J. Baehr, nominated to be consul at Berne.

Charles F. Brissel, of Ridgewood, N. J., now vice and deputy consul and marshal at Amoy, to be consul of the United States of America at Bagdad, Turkey, vice Emil Sauer, appointed consul at Goteborg.

George E. Chamberlin, of New York, now consul at Cork, to be consul of the United States of America at Georgetown, Guiana, vice Rea Hanna.

Hernando de Soto, of California, now consul at Palermo, to be consul of the United States of America at Warsaw, Russia, vice Thomas E. Heenan, nominated to be consul at Fiume.

Leslie A. Davis, of New York, now consul at Batum, to be consul of the United States of America at Harput, Turkey, vice William W. Masterson, nominated to be consul at Durban.

Frederick T. F. Dumont, of Pennsylvania, now consul at Madrid, to be consul of the United States of America at Florence, Italy, vice Leo J. Keena, nominated to be consul general at Buenos Aires.

Robert Frazer, jr., of Pennsylvania, now consul at Malaga, to be consul of the United States of America at Bahia, Brazil, vice David R. Birch.

Wesley Frost, of Kentucky, now consul at Charlottetown, to be consul of the United States of America at Cork, Ireland, vice George E. Chamberlin, nominated to be consul at Georgetown.

William H. Gale, of Virginia, now consul general at Athens, to be consul of the United States of America at Colon, Panama, vice James C. Kellogg.

Percival Gassett, of the District of Columbia, now consul at Iquique, to be consul of the United States of America at Malaga, Spain, vice Robert Frazer, jr., nominated to be consul at Bahia.

George M. Hanson, of Utah, now consul at Hobart, to be consul of the United States of America at Sandakan, British North Borneo, vice Orlando H. Baker, deceased.

William A. Bickers, of Culpeper, Va., to be consul of the United States of America at Hobart, Tasmania, vice George M. Hanson, nominated to be consul at Sandakan.

Ross Hazeltine, of Indiana, now a consular assistant, to be consul of the United States of America at Cartagena, Colombia, vice Henry P. Starrett, nominated to be consul at Owen Sound.

Thomas E. Heenan, of Minnesota, now consul at Warsaw, to be consul of the United States of America at Fiume, Hungary, vice Samuel H. Shank, nominated to be consul at Palermo.

William P. Kent, of Virginia, now consul at Newchwang, to be consul of the United States of America at Leipzig, Germany, vice Nicholas R. Snyder, nominated to be consul at Reichenberg.

William W. Masterson, of Kentucky, now consul at Harput, to be consul of the United States of America at Durban, Natal, vice Stuart J. Fuller, appointed consul general at large.

David J. D. Myers, of Georgia, now consul at Puerto Cortes, to be consul of the United States of America at Iquique, Chile, vice Percival Gassett, nominated to be consul at Malaga.

Samuel H. Shank, of Indiana, now consul at Fiume, to be consul of the United States of America at Palermo, Italy, vice Hernando de Soto, nominated to be consul at Warsaw.

Felix Willoughby Smith, of New York, now consul at Aden, to be consul of the United States of America at Batum, Russia, vice Leslie A. Davis, nominated to be consul at Harput.

Nicholas R. Snyder, of Pennsylvania, now consul at Leipzig, to be consul of the United States of America at Reichenberg, Austria, vice William J. Pike, nominated to be consul general at Coburg.

Herman L. Spahr, of South Carolina, now consul at Breslau, to be consul of the United States of America at Montevideo, Uruguay, vice Ralph J. Totten, nominated to be consul general at large.

Henry P. Starrett, of Florida, now consul at Cartagena, to be consul of the United States of America at Owen Sound, Ontario, Canada, vice North Winship, nominated to be consul at St. Petersburg.

North Winship, of Georgia, now consul at Owen Sound, to be consul of the United States of America at St. Petersburg, Russia, vice Jacob E. Conner.

Joseph E. Haven, of Illinois, now consul at Roubaix, to be consul of the United States of America at Catania, Italy, vice Alexander W. Weddell, nominated to be consul general at Athens.

Walter F. Boyle, of Atlanta, Ga., to be consul of the United States of America at Ceiba, Honduras, vice Harold D. Clum, appointed consul at Corinto.

Lawrence P. Briggs, of Manton, Mich., to be consul of the United States of America at Saigon, Cochin China, vice Hubert G. Baugh.

B. Harvey Carroll, jr., of Houston, Tex., to be consul of the United States of America at Venice, Italy, vice James Verner Long.

John A. Gamon, of Glen Ellyn, Ill., to be consul of the United States of America at Puerto Cortes, Honduras, vice David J. D. Myers, nominated to be consul at Iquique.

John A. Gore, of Banner, Miss., to be consul of the United States of America at Turks Island, West Indies, vice Charles Forman, appointed consul at Moncton.

William J. Grace, of New York, N. Y., to be consul of the United States of America at Aden, Arabia, vice Felix Willoughby Smith, nominated to be consul at Batum.

Robertson Honey, of Scarsdale, N. Y., to be consul of the United States of America at Madrid, Spain, vice Frederick T. F. Dumont, nominated to be consul at Florence.

Theodore Jaeckel, of New York, N. Y., to be consul of the United States of America at Maskat, Oman, vice Homer Brett, appointed consul at Teneriffe.

Wilbur Keblinger, of Staunton, Va., to be consul of the United States of America at Malta, Maltese Islands, vice James Oliver Laing, appointed consul at Karachi.

Edwin Carl Kemp, of St. Petersburg, Fla., to be consul of the United States of America at St. Pierre, St. Pierre Island, vice John K. Baxter, appointed consul at Maracaibo.

Livingston T. Mays, of New Orleans, La., to be consul of the United States of America at Charlottetown, Prince Edward Island, Canada, vice Wesley Frost, nominated to be consul at Cork.

Henry C. von Struve, of Plainview, Tex., to be consul of the United States of America at Curacao, West Indies, vice Elias H. Cheney, resigned.

John J. C. Watson, of Louisville, Ky., to be consul of the United States of America at Roubaix, France, vice Joseph E. Haven, nominated to be consul at Catania.

Samuel H. Wiley, of Salisbury, N. C., to be consul of the United State of America at Asuncion, Paraguay, vice Cornelius Ferris, jr., appointed consul at Port Antonio.

RECEIVERS OF PUBLIC MONEYS.

Charles E. Harris, of Montpelier, Idaho, to be receiver of public moneys at Blackfoot, Idaho, vice John J. Guheen, resigned and term expired.

William U. Hews, of Glenns Ferry, Idaho, to be receiver of public moneys at Hailey, Idaho, vice Charles T. Harte, whose term will expire May 3, 1914.

REGISTERS OF THE LAND OFFICE.

John E. Williams, of Twin Falls, Idaho, to be register of the land office at Hailey, Idaho, vice Presley F. Horne, term expired.

Henry Heitfeld, of Lewiston, Idaho, to be register of the land office at Lewiston, Idaho, vice Thomas H. Bartlett, term expired.

PROMOTIONS IN THE NAVY.

Lieut. Commander William S. Whitted to be a commander in the Navy from the 11th day of January, 1914.

Lieut. Edward E. Spafford to be a lieutenant commander in the Navy from the 11th day of January, 1914.

Lieut. (Junior Grade) Henry K. Hewitt to be a lieutenant in the Navy from the 11th day of January, 1914.

Asst. Paymaster Harold C. Shaw to be a passed assistant paymaster in the Navy from the 2d day of August, 1913.

Paymaster George Brown, jr., to be a pay inspector in the Navy from the 19th day of February, 1914.

Chaplain Eugene E. McDonald, with rank of lieutenant commander, to be a chaplain in the Navy, with rank of commander, from the 30th day of March, 1914.

Chaplain Joseph M. F. McGinty, with rank of lieutenant, to be a chaplain in the Navy, with rank of lieutenant commander, from the 30th day of March, 1914.

Gunner Charles H. Foster to be a chief gunner in the Navy from the 3d day of February, 1914.

Gunner Charles H. Anderson to be a chief gunner in the Navy from the 3d day of February, 1914.

POSTMASTER.

TEXAS.

F. T. Roche to be postmaster at Georgetown, Tex., in place of William P. Fleming, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 10, 1914.

POSTMASTERS.

TENNESSEE.

Frank K. Mountcastle, Johnson City.
W. T. Strother, Clinton.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 10, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, our hearts go out in gratitude to Thee for the sublime manifestation of Thy love poured out on Calvary nineteen hundred years ago, which aroused in the heart of man a faith so sublime, a hope so inspiring, a love so profound and enduring, that the trend of life is heavenward. To live, to think, to will, to act in consonance with the eternal principles made manifest in the Christ spirit invites perfection. May it be ours thus to live that we may hasten the coming of Thy kingdom. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. HAY. Mr. Speaker, I call up the conference report on the bill H. R. 13765, the Military Academy appropriation bill, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Virginia calls up the conference report on the Military Academy appropriation bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report is as follows:

CONFERENCE REPORT (NO. 507).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13765) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1915, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 18, 19, 21, and 31.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 4½, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, and 34, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$380,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed in line 3 of said amendment insert "$600"; and the Senate agree to the same.

JAMES HAY,
K. D. MCKELLAR,
D. R. ANTHONY, Jr.,
Managers on the part of the House.

GEO. E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.

The Clerk read the statement as follows:

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE.

Amendment No. 1 of the Senate increased the appropriation for the pay of cadets from $375,000 to $390,000, and the House receded with an amendment which fixed the appropriation for that purpose at $380,000.

Senate amendments 2, 3, 4, and 4½ change the title of instructor of military engineering to that of professor, makes the rank that of lieutenant colonel, and reduces the pay from $600 to $500, and the House recedes.

Senate amendment 5 changes language and does not affect the amount appropriated, and the House recedes.

Senate amendment 6 reduces the appropriation made by the House from $5,500 to $4,900, and the House recedes.

Senate amendment 7 transposes the language from page 8 to page 4, providing for extra pay of noncommissioned officer in charge of Army service detachment mess, and the House recedes.

Senate amendments 8, 9, 10, 11, 12, 13, 16, and 29 add respectively to the amount appropriated 48 cents, 60 cents, 16 cents, 50 cents, 63 cents, 69 cents, 48 cents, and 50 cents, and the House recedes.

Senate amendment 14 strikes out the item which was transferred to page 4 by amendment 7, and the House recedes.

Senate amendment 15 strikes out 12 laborers and inserts 9, and the House recedes.

Senate amendment 17 strikes out 30 and inserts 35 cents per day for extra pay of three teamsters; this was a clerical error, and the House recedes.

Senate amendments 20 and 22 correct errors in calculation, and the House recedes.

Senate amendment 24 increases the appropriation $250, and the House recedes.

Senate amendment 25 inserts the words "book of reference, scientific periodicals, and stationery," and the House recedes.

Senate amendments 26, 27, and 28 change punctuation and language, and the House recedes.

Senate amendment 30 appropriates $1,000 for installation of steam heat and electric light in ordnance barracks and other buildings, and the House recedes.

Senate amendment 31 adds $1,000 to the appropriation, and the House recedes.

Senate amendment 32 provides for the purchase of one fire engine and equipment, $2,500, and the House recedes.

Senate amendment 33 adds the following words: "and for the enforcement of rules and regulations for the protection from contamination of the water supply," and the House recedes.

Senate amendment 34 adds $500 to the appropriation, and the House recedes.

Senate amendment 35 provides $800 for the cadet polo field, and the House recedes with an amendment providing $600 for that purpose.

The Senate added $19,909.79 to the bill as it passed the House, in conference $12,100 was deducted from the bill as it passed the Senate. The bill as agreed on in conference carries an appropriation of $996,099.54.

JAMES HAY,
K. D. MCKELLAR.
D. R. ANTHONY, Jr.

The SPEAKER. The question is on agreeing to the conference report.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. HAY. Certainly.

Mr. MANN. Mr. Speaker, I do not remember just what the Senate amendments 2, 3, 4, and 4½ are, but I notice the conference report says that they changed the title of instructor of military engineering to that of professor, makes the rank that of lieutenant colonel, and reduces the pay from $600 to $500. What does that reducing of pay mean?

Mr. HAY. That means that the officer who was appropriated for had the rank of captain, and in order to bring up his salary to the pay of lieutenant colonel, to which all of those professors are entitled, we had to appropriate in addition to his pay $600. The officer who will now have that place will have the rank of major, and we will have to appropriate to increase his pay to that of lieutenant colonel only $500.

Mr. MANN. Then what is meant is that you reduce the appropriation from $600 to $500?

Mr. HAY. Yes; and increase the rank from captain to major.

Mr. MANN. Reading it by itself it might give the impression that the pay of a lieutenant colonel was reduced. I did not know but that it was extra pay.

Mr. HAY. It is extra pay.

Mr. MANN. Extra pay from the pay of major?

Mr. HAY. Extra from the pay of major.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. HAY, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

PENSIONS.

Mr. LANGLEY. Mr. Speaker, this is the day set apart for the consideration of pension bills on the Private Calendar, and I call up the bill (H. R 14738) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole. I understand that there is no desire for general debate upon the bill, and I hope that there will not be any, as the legislative appropriation bill will come up again as soon as we finish these bills, and the gentleman in charge of it is anxious to hurry along with it.

The SPEAKER. The gentleman from Kentucky calls up a pension bill and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk reported the bill by title.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to dispense with the first reading of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read as follows:

The name of Catherine Beard, widow of Archibald Beard, late of Company A, Sixty-second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

Mr. BURKE of Wisconsin. Mr. Speaker, I move to amend by striking out, in line 7, the words "Sixty-second" and inserting in lieu thereof the words "Fifty-second."

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to return to page 3 to correct the spelling of a name

The SPEAKER. The gentleman asks unanimous consent to return to page 3 to correct the spelling of a name. Is there objection?

There was no objection.

Mr. LANGLEY. Mr. Speaker, on page 3, line 23, the name Bradock should be Brodock, and I ask unanimous consent that the bill be amended in that respect.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to amend the bill by changing the spelling of the name in the manner indicated. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. LANGLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

The foregoing bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 863. Catherine Beard.
H. R. 1180. Ida M. Fiala.
H. R. 1266. Rachel R. Wilson.
H. R. 2425. Elizabeth Humelbaugh.
H. R. 5010. Sarah Isabelle Smith.
H. R. 5311. Margaret Price.
H. R. 5760. Amy Day.
H. R. 5821. Mary A. Lucas (now Guild).
H. R. 5960. David Shultz.
H. R. 6359. Catharine E. McDonald.
H. R. 6546. Margaret Spencer.
H. R. 6602. Allen Hartwell.
H. R. 6620. Clara A. Collins.
H. R. 7131. Hannah M. Bradock.
H. R. 7456. Francis Mosena.
H. R. 7627. Victoria Capon.
H. R. 8448. George Congdon.
H. R. 8720. Julia A. Wilcoxon.
H. R. 8742. James Swegar.
H. R. 8747. Carrie E. Finch.
H. R. 9257. Jacob L. Biddinger.
H. R. 9399. Lucinda Kennedy.
H. R. 9497. John T. Gipson.
H. R. 9795. J. Caroline Fitzgerald.
H. R. 10016. Caroline Candus Criswell.
H. R. 10034. Frank Godfrey.
H. R. 10380. Julia Derigne.
H. R. 10431. Isabella Dodson.
H. R. 10491. Hannah E. Seaman.
H. R. 10562. Mary J. Smith (now Simpson).
H. R. 10623. Jason J. Tilyson.
H. R. 10676. James Flanagan.
H. R. 10690. Warren Morrill.
H. R. 10884. William H. S. Becker.
H. R. 10886. Alvah Withee.
H. R. 10916. Mary L. McEntire.
H. R. 11046. William Sanner.
H. R. 11146. George W. Larsh.
H. R. 11183. William H. Mather.
H. R. 11425. Catherine Webb.
H. R. 11473. Henry Fawley.
H. R. 11563. Peter Casserleigh.
H. R. 11599. Thomas McCafferty.
H. R. 11659. Tomasita M. Bustos.
H. R. 11798. Daniel K. Rowe.
H. R. 11869. James B. Pate.
H. R. 12022. Ruth B. Martin.
H. R. 12032. Sarah J. Ogden.
H. R. 12038. Charles La Marsh.
H. R. 12066. Albert J. Wilson.
H. R. 12154. John Loughmiller.
H. R. 12156. Margaret A. Wiles.
H. R. 12163. John K. Longnecker.
H. R. 12216. Washington Bently.
H. R. 12217. Eleazer Rusco.
H. R. 12269. Mary A. Thompson.
H. R. 12365. Duncan D. Gibbud.
H. R. 12490. Sara H. Jaynes.
H. R. 12491. Edwin S. Darrow.
H. R. 12492. Clinton L. Bartholomew.
H. R. 12551. Anna F. Willis.
H. R. 12552. Patrick Beston.
H. R. 12609. Anna Webber.
H. R. 12620. George R. Robinson.
H. R. 12717. Rufus H. Hopkins.
H. R. 12728. Miranda C. Whitaker.
H. R. 12777. William Eastlick.
H. R. 12827. Andrew W. Baldwin.
H. R. 12831. Agnes Clark.
H. R. 12843. Amy A. Hull.
H. R. 12883. Clara Troy.
H. R. 12899. Charles H. Hilfert.
H. R. 12901. Alice M. Atwater.
H. R. 12990. Charles Smith.
H. R. 13012. Michael Holland.
H. R. 13020. William H. Abbott.
H. R. 13058. Helen V. Doering.
H. R. 13097. Mary M. Roberts.
H. R. 13101. Michael Gannon.
H. R. 13189. Didama Colby.
H. R. 13258. Elizabeth J. Carroll.
H. R. 13313. Sarah Jane Nelson.
H. R. 13262. Benjamin Cloyed.
H. R. 13389. Nancy J. Narron.
H. R. 13395. John Emmons.
H. R. 13442. Margaret Powell.
H. R. 13474. Augusta Hendricks.
H. R. 13481. Fabius E. Phelps.
H. R. 13495. Lena Anne Shunk.
H. R. 13497. William E. Chick.
H. R. 13501. John Richards.
H. R. 13517. Alexander D. Smith.
H. R. 13572. Charlotte Gent.
H. R. 13577. Nathaniel H. Isbell.
H. R. 13650. Elias Shank.
H. R. 13658. William H. Smith.
H. R. 13681. Jesse D. Vargerson.
H. R. 13682. Benjamin F. Harless.
H. R. 13705. Sara A. Call.
H. R. 13726. Elijah S. Webster.
H. R. 13810. John H. Fralick.
H. R. 13838. George W. Allison.
H. R. 13849. Lyman H. Fowler.
H. R. 13875. Martin M. Eldred.
H. R. 13888. Thomas E. Larabee.
H. R. 13925. Alonzo B. Van Ausdall.
H. R. 13927. Alice E. Keating.
H. R. 13954. Henry C. Johnson.
H. R. 13994. John O'Brien.
H. R. 14055. Mary E. Bennett.
H. R. 14069. Peter Filiatreau.
H. R. 14081. William H. Shotwell.
H. R. 14131. Cyrenus Hathaway.
H. R. 14153. John K. Venance.
H. R. 14163. Lydia B. Lanning.
H. R. 14172. Joseph Wilson.
H. R. 14174. Johanna F. Niehaus.
H. R. 14296. Ruth A. Everett.
H. R. 14310. Henry C. Van Fleet.
H. R. 11454. James Chambers.

Mr. KEATING. Mr. Speaker, I call up the bill (H. R. 15071) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Colorado calls up a pension bill and asks unanimous consent that the bill be considered in the House as in the Committee of the Whole House. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk reported the bill by title.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to dispense with the first reading of the bill.

The SPEAKER. The gentleman from Colorado asks unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the bill for amendment.

The bill was read.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KEATING, a motion to reconsider the vote by which the bill was passed was laid on the table.

This bill is a substitute for the following bills referred to the Committee on Pensions:

H. R. 2674. Mary E. Ferrell.
H. R. 2787. Jesse L. Renfro.
H. R. 3032. John W. Smith.
H. R. 4172. Rebecca M. Gaunt.
H. R. 5167. Edgar E. Cummings.
H. R. 5994. Joseph E. Bilbo.
H. R. 6184. Willard W. Mitchell.
H. R. 6272. John W. Merriman.
H. R. 6551. John Prater.
H. R. 8540. Luther Detwiler.
H. R. 9050. Edith V. Pannett.
H. R. 9091. Este E. Buffum.
H. R. 9464. Elvina McDonald.
H. R. 10770. Elizabeth H. Hyde.
H. R. 10852. Fred Ingersoll.
H. R. 11086. Elizabeth Adams.
H. R. 12819. Mary T. Houston.
H. R. 12850. Agnes M. Frazier.
H. R. 13113. Vernie Agey.
H. R. 13187. George S. Smith.
H. R. 13535. Fred Bailor.
H. R. 13884. Sarah J. Offutt.
H. R. 14339. Eliza J. Whitson.
H. R. 14504. Michael Quinlan.
H. R. 14714. Sarah J. Dougherty.

Mr. KEATING. Mr. Speaker, I call up the bill (H. R. 15504) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER. The Clerk will report the bill.

The Clerk reported the bill by title.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill for amendment.

The Clerk read as follows:

The name of William R. Phillips, late of the Seventy-sixth Company, Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

Mr. FOSTER. Mr. Speaker, I move to strike out the paragraph just read, lines 6 to 8, inclusive, page 1.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, lines 6, 7, and 8, strike out the paragraph.

Mr. FOSTER. Mr. Speaker, I have always, as is well known to Members of this House, been in favor of paying pensions to those who are, in my judgment, justly entitled to them, and I would not now move to strike out this paragraph granting this pension if I did not feel that in this particular case the Government owed nothing in the way of pension to this soldier. When I read the report as given here, and I do not desire to place it in the RECORD unless it is thought best to do so, that reading convinces me, from the statements made by the physician in this case, that this man's difficulty is not due to his military services, but is due to his own vicious habits. I do not believe that in cases of this kind the Government should be expected to pay a pension to a man who, upon the face of the report, shows that such is the case, and so for that reason I have moved to strike this paragraph from the bill. I do it not with the idea of depriving a worthy soldier of a pension, because I believe thoroughly in the idea of paying a pension to those men who have volunteered their services in the defense of their country, for I believe in our country that when we depend largely upon volunteer soldiery we must provide for them in case they become incapacitated, or for their widows and orphans in case they lose their lives, but I can not stand here as a representative of the people and permit this kind of item to go into a bill without a protest from me, and therefore I move to strike it from the bill, and I think it ought to be done.

Mr. ANSBERRY. Mr. Speaker, as is well known in this House, I am in favor of the well-established policy of the Federal Government in reference to pension legislation, but upon reading the report to which my colleague [Mr. FOSTER] has referred, I join him in a request that the committee or the House strike out H. R. 472. The gentleman from Illinois has stated that he does not care to put this report in the RECORD, but a reading of the report, and especially the testimony of Dr. James I. Foster relating to this case, more particularly the last three or four lines of it, will give ample warrant to every man, whether he be in favor of the policy of pension legislation or not, to vote for the amendment offered by the gentleman from Illinois. It has been said on the floor of this House time and time again that the pension roll was a roll of dishonor, and as often I and other gentlemen have stood upon this floor and denied that slander. Only on last Wednesday, when the Spanish War widows' bill was up, I called attention to the record of Charles Francis Adams, jr., a veteran of the Civil War, and, as was said here, the grandson of one President and the great grandson of another, who so far forgot the duty that

he owed to his comrades in arms who are not so well provided with this world's goods as he is, and many of whom are dependent upon their pensions for the bare necessities of life, as to characterize the pension roll as a roll of dishonor. I shall challenge and deny that base slander whenever it is made, no matter how high the source from whence it comes. I am frank to say that if a bill similar to this one were put upon the pension roll that there would be some semblance of reason to support the statement made by Charles Francis Adams, jr. Since I have been in this House I have not voted for a pension bill of this character, nor do I intend to do so; and you know well that I take this action reluctantly. I dislike to oppose this committee, made up, as it is, of hard-working, conscientious gentlemen. My knowledge of the views on pension questions of some of the gentlemen of this committee, and particularly the acting chairman—I know he is familiar with pension legislation from three or four years' experience before the Pension Bureau, and I know that he does not favor this kind of legislation.

Mr. LANGLEY. Mr. Speaker, the gentleman knows, of course, I am not on the committee which reported this bill, and I know nothing personally about the facts, but I have read the report here, and I asked the gentleman if he noticed the statement in the report that the board of pension surgeons by whom he was examined says that the disability which the gentleman is evidently referring to did not contribute to the disease of rheumatism, of which the soldier is suffering, and that it also shows that there was other medical evidence in the case showing that he is wholly unable to work and can not walk without crutches on account of rheumatism; and the committee were of the opinion that the rheumatism was contracted in the service and line of duty, and so reported the bill favorably.

Mr. ANSBERRY. Yes; I have noticed that; and I have likewise read the statement that it was because of this testimony of Dr. Foster that the Bureau of Pensions rejected the claim and held that rheumatism was not contracted in service, but existed prior to enlistment.

Mr. LANGLEY. Is that the gentleman from Illinois [Mr. FOSTER]?

Mr. ANSBERRY. That is not the distinguished gentleman from Illinois, our colleague, who is an authority on pension legislation, particularly on the medical end of it.

Mr. LANGLEY. I want to say that I regret the gentleman from West Virginia [Mr. AVIS], who desired to be heard on this bill, has been called out of the Chamber. I wish he were here, as he has made a careful study of the case and knows more about it, perhaps, than any of us.

Mr. KEY of Ohio. Will the gentleman yield?

Mr. ANSBERRY. I will be glad to yield.

Mr. KEATING. Will the gentleman yield to me?

Mr. KEY of Ohio. I will.

Mr. KEATING. Mr. Speaker, this bill was very carefully considered by the members of the Pension Committee. It was not passed hastily. It was approved by the committee by what was practically a unanimous vote after very careful consideration. The gentleman from West Virginia [Mr. AVIS] who is a member of the committee, gave particular attention to this claim, and it was upon his presentation of the evidence that the committee waived a rule which it has enforced in the consideration of pension claims, and passed this bill.

Now, let us see what the facts are, Mr. Speaker. This young man enlisted in the United States Army. He was subjected to the usual examination. If he had rheumatism when he entered the service, that fact should have developed in the examination at that time, and the fact that it was not developed, and that he was given a clean bill of health at that time, estops us now from setting up the claim that he had rheumatism prior to enlistment. After he left the service and applied for a pension, alleging that rheumatism had been contracted in the service, the Pension Bureau referred him to a board of examining surgeons, and that board, after a complete examination, reported unanimously that the young man was entitled to a pension of $30 a month. And then a special examiner was sent into the field, and he succeeded in finding a physician who, relying on his memory, said that he believed he had treated this man for rheumatism prior to enlistment. And that was the only testimony submitted to refute the findings of the board of examining surgeons.

Now, when these facts were presented to the committee, together with the fact that the man is now in a soldiers' home in a helpless condition——

Mr. BARTLETT. May I interrupt the gentleman?

Mr. KEATING. Yes.

Mr. BARTLETT. This Dr. Foster, as I see from the report, does not pretend to give any evidence from any memorandum of the case which he had.

Mr. KEATING. That is what the doctor says. I read that portion of it so that it can be in the RECORD properly. He said:

> I remember treating him for rheumatism, derangement of the stomach, etc., in 1900 or in 1901. Now that I think of it——

Mr. BARTLETT. That shows that he had not any record.

Mr. KEATING. Surely not. It was in 1900 that he treated him. That is the evidence that the Pension Bureau accepted against the findings of the board of surgeons, and the man who is a victim of that finding is now in a soldiers' home in a helpless condition. After all those facts were presented to the Pension Committee and thoroughly thrashed out at a full meeting of that committee the claim was approved. I think our chairman was the only man who voted in the negative.

Mr. DIES. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. DIES. This man is in a soldiers' home that is maintained by the Government, and he is there cared for.

Mr. KEATING. And I will say to the gentleman in explanation that while the board of surgeons recommended that this man should have $30 a month, in consideration of the fact that he was in a soldiers' home we only gave him $12 a month. We did it because we thought he needed some tobacco and spending money. Of course, his board and clothing would be taken care of by the Government; so we fixed the pension at $12 a month. I regret that the gentleman from West Virginia [Mr. AVIS] is not here, because, as I say, he made a very careful study of this case and would be able to make a proper presentation. But, so far as I am concerned, I am prepared to defend the action of the Pension Committee, and I resent the suggestion of the gentleman from Ohio [Mr. ANSBERRY] that we are bringing in cases without consideration, because we are doing no such thing.

Mr. ANSBERRY. Will the gentleman permit a statement?

Mr. KEATING. Yes.

Mr. ANSBERRY. I did not criticize the committee for bringing in a bill without proper consideration. I criticized them for bringing in a bill of this kind, whether they considered it for a minute or two days.

Mr. KEATING. And I criticize the gentleman for making a statement of that kind without the records in the case.

Mr. ANSBERRY. I stated it on the testimony of Dr. Foster.

Mr. KEATING. The gentleman made the assertion in spite of the testimony given in this case by every physician who has considered it, with the single exception of Dr. Foster.

Mr. HOWARD. Will the gentleman yield?

Mr. KEATING. I will.

Mr. HOWARD. Does not the official medical record, as furnished by the department, show all through the record that this very trouble that Dr. Foster testifies to appears time and again?

Mr. KEATING. Yes; and we are not pensioning him for that.

Mr. HOWARD. No; you are not pensioning him for the real cause of his disability, but you are pensioning him for some isolated disease—conjunctivitis—which means a swollen eyelid.

Mr. KEATING. I have a most profound respect for the gentleman's knowledge of this subject, but I have more respect for the board of examining surgeons who passed on this case, and who say that he was entitled to $30 a month.

Mr. LANGLEY. And that board of surgeons were the official representatives of the bureau.

Mr. KEATING. Yes.

The SPEAKER. The question is on the amendment.

Mr. HOWARD. Mr. Speaker, I want to consume just a moment or two. The gentleman from Colorado [Mr. KEATING] has seen fit to rather criticize the gentleman from Ohio [Mr. ANSBERRY] and the gentleman from Illinois [Mr. FOSTER] for uttering a protest upon the incorporation of this particular bill in this omnibus bill.

I agree with the gentleman from Ohio [Mr. ANSBERRY] and I agree with the gentleman from Illinois [Mr. FOSTER], without any criticism on my part of the committee. I have just as much sympathy with the Spanish-American War soldiers as the gentleman from Colorado [Mr. KEATING] or the gentleman from Ohio or anybody else has.

But I think the criticism of this bill is justified in this case, I do not care what the gentleman from West Virginia [Mr. AVIS] would say if he were here. I do not care what the gentleman from Colorado says about this bill. If you gentlemen can read, the merits of this case are evident to you. As the Speaker said upon one occasion, "Any man who can read can

understand"; and I am very much tempted, in reading into this record upon this particular bill the reason why this claim is objectionable, and thus let the country know what sort of men the Pensions Committee of this House is seeking to put upon the pension roll as beneficiaries of the Government of the United States.

Here is a man whose present condition might elicit sympathy from some of the gentlemen on this committee, but what are we going to do about the worthy cases that are knocking at the door of Congress and asking for a pension—men who are morally fit to go on the pension roll of this Government? Here this committee goes out into the byways and hedges and into the woods of West Virginia and finds a moral offender, afflicted with an unmentionable disease, and throws him in the faces of men on the floor of this House who want intelligently to do justice to the country and to their constituents, and asks us to put him on the pension roll.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Georgia yield to the gentleman from Colorado?

Mr. HOWARD. Yes.

Mr. KEATING. It is only fair to say that this is not a West Virginia case, and that the gentleman from West Virginia [Mr. AVIS], in considering it, considered it simply as a member of the committee. He was not interested in it in a geographical way or otherwise, and I do not know where this man comes from.

Mr. HOWARD. I do not care where he comes from. If he comes from Georgia or from Kamchatka or from Ohio, he has no place on the pension roll of this Government. I am going to put the gentleman from Ohio [Mr. KEY], the chairman of this committee, and the gentleman from Colorado and any other gentleman on notice that whenever they bring in a pension case of any character where the claimant is attended with the trouble that this man suffers from, they are going to get a fight from me on that item before it goes into this omnibus bill.

As I say, there are plenty of worthy comrades of mine that are knocking at the door of Congress, asking for pensions, and all know that burden is heavy enough for the taxpayers to bear. I took one case to the gentleman from Colorado and the gentleman from Ohio, where a man in the discharge of his duty had his hands frozen off in the cold of Alaska. I have another case pending before the Pension Committee where an honorable man, suffering from varicose veins, lying upon a bed of suffering, is knocking at the door of this House for a pension and can not get it; and then you bring in here a pension for a man with this sort of a record and ask men to go home and look their wives in the face after voting to put such a claimant on the pension roll of this Government; it is a travesty and an outrage upon the real soldiers who fought in the Spanish-American War, or any other war. I say it is a shame and a disgrace to place in any document that will rest in the archives of this Government a report asking this Congress to give a pension to such a man as that. He is unworthy, and there is not a man on that committee that does not know it. [Applause.]

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. KEY of Ohio rose.

The SPEAKER. The gentleman from Ohio is recognized.

Mr. KEY of Ohio. Mr. Speaker, as the acting chairman of the Committee on Pensions when this bill was considered, I feel that I ought to make a statement at this time.

I am placed in rather an embarrassing position. The report, however, speaks for itself. My understanding of the rules of this House is that no Member is permitted to disclose what has transpired in committee, but since by colleague, the gentleman from Colorado [Mr. KEATING] has stated that I voted in the negative, I will reaffirm what he has said, and further state that I do not favor bills of this character, and I refused to support the item in committee and reserve the right to vote against it on the floor of the House. [Applause.]

Mr. DIES. Mr. Speaker, I am surprised at my friend from Ohio [Mr. ANSBERRY], and I am surprised at the chairman of the committee [Mr. KEY], that they should oppose this measure.

I can say to this House, from having made a very careful examination of practically all of the private pension bills that have been passed by this House in the last few months, that this bill, bad as it is, is no worse than numerous other bills which have been voted for and recommended by the various committees and passed by this House. The gentlemen now turn up their noses because this soldier had a venereal disease. Yet four weeks ago I called to the attention of the House and published in the CONGRESSIONAL RECORD the facts in the case of a pension based upon this precise disease.

Now, let me say to my friend from Ohio [Mr. ANSBERRY] if you have lost control of this Frankenstein monster that you have nurtured so diligently, and he is about to strike at you and back at you and your system, it is what any gentleman may expect who builds up Frankenstein monsters and sets them loose to prey upon the taxpayers of the country. The fact is, we have passed pension bills of every known description. When gentlemen have called attention to them they have been derided and accused of sectional hate and prejudice, and I am surprised, though pleased, that we have at last discovered in some pension bill some peculiar statement of fact concerning a man not entitled to prey upon the taxpayers of the country that has aroused the opposition of my friend from Ohio.

Mr. Speaker, I hope that he will pursue this road diligently. I am glad to turn over to him the fruitless and bootless enterprise in which I have been so long engaged, in inspecting these and various other exploitations of the Treasury of the country. Coming, as he does, from a section of country that is more favorable to pensions than the section I come from, I know his sweet voice will carry farther than mine and his influence will be more potent to stop these raids than mine has been. Mr. Speaker and gentlemen of the House, I turn over to you the new reformer of pension frauds, Mr. ANSBERRY, of Ohio. [Applause.]

Mr. ANSBERRY. Mr. Speaker——

The SPEAKER. The gentleman from Ohio has already spoken once, has he not?

Mr. ANSBERRY. I ask unanimous consent to proceed for two minutes.

The SPEAKER. If anybody else desires to speak, the gentleman will have to wait.

Mr. ANSBERRY. Mr. Speaker, nobody else has evidenced any desire to be heard.

The SPEAKER. Does anybody desire to speak upon this bill? If not, the Chair will recognize the gentleman from Ohio [Mr. ANSBERRY].

Mr. LANGLEY. Mr. Speaker, if no one else, in response to the Speaker's inquiry, addresses the House, will that preclude anyone from addressing it at this time after the gentleman from Ohio has finished?

The SPEAKER. Of course not. The spirit may move him after the gentleman from Ohio has gotten through. [Laughter.]

Mr. ANSBERRY. Mr. Speaker, I begin to doubt my own judgment when my position on pension legislation is indorsed by that arch enemy of all pension legislation the gentleman from Texas [Mr. DIES], because the gentleman in his opposition to pension legislation upon this floor—and he has opposed all pension legislation—has shown that he was absolutely without information with reference to the bills he was opposing, whether they were special bills or general bills. Now, from the statement made by the gentleman from Illinois, Dr. FOSTER, a man who ranked high in his chosen profession before he was called to another field of activity, all here who desire to do so can easily inform themselves as to why I am opposing this bill; and those whose good opinion I desire to retain know that my motives are of the best and that my position is inspired by a desire to promote proper pension legislation and not to retard it.

As I said in the beginning, when I find myself in the company of the gentleman from Texas [Mr. DIES] on a pension question I begin to doubt the correctness of my own judgment, and but for the fact that I have before me the last three lines of this report I believe I would be almost willing to withdraw the objection that I have to this bill. You gentlemen of this House must appreciate the effect that this report has upon me when, in spite of the fact that I find myself in the company of the gentleman from Texas [Mr. DIES] in opposing this bill, and despite the fact that I know the bad effect such association may have on my fortunes, I am going to stand by my original position and ask the gentlemen of this House not to make it possible for the gentleman from Texas [Mr. DIES] to come in here week after week and month after month, when pension bills are being considered, and point to this bill as evidence of the truth of the charge of Charles Francis Adams, jr., that the pension roll is a roll of dishonor. Strike out this, and to that extent you disarm the enemies of all pension legislation; and despite the fact that the gentleman from Texas has said that other bills of a similar character have been passed, giving men pensions because of venereal disease, and that that is the ground on which some pension bills were based, I challenge the gentleman to show any such cases, because no such cases exist. It is not the practice of these committees, and it is not the practice of the Pension Bureau, to grant a pension under those circumstances, and I defy the gentleman to produce the cases to which he has referred.

[Mr. WINGO addressed the House. See Appendix.]

Mr. LANGLEY. Mr. Speaker, our Committee on Invalid Pensions has never reported a bill like this since I have been a member of it, but I am going to vote to sustain the other committee, which I know does not deserve the criticism that has been made of it. I regret that the gentleman from Tennessee [Mr. AUSTIN], the author of the bill upon which this paragraph is based, is absent from the House on account of sickness, because I am sure that he would desire to be heard upon it, and that he could convince the House that this amendment ought not to prevail. I regret also that this is a case that can not be frankly and fully discussed in the House. I fear that as a result of the veiled insinuations made by certain gentlemen the House may be led into error and, not fully understanding the case, may do the soldier a grave injustice by assuming that the soldier's present helpless condition is due to his own vicious habits, which is not true.

Mr. HOWARD. Will the gentleman yield?

Mr. LANGLEY. Yes.

Mr. HOWARD. The gentleman says "veiled insinuations." I made no veiled insinuations.

Mr. LANGLEY. I had no reference to the gentleman from Georgia.

Mr. HOWARD. I made a frank, open, and unreserved statement.

Mr. LANGLEY. I did not refer to the gentleman from Georgia. He is always open, frank, and unreserved; sometimes too much so, I think, for his own good. As to this case, I desire Members of the House to know that the evidence clearly shows that the disability to which these "veiled insinuations" refer had nothing to do with the soldier's present condition. The evidence clearly shows that. Mr. Speaker, I know from observation and experience as an employee of the Government in pension work covering a good many years that there are hundreds—yes, thousands—of cases like this that have been allowed under the general law. It is purely a medical question, to be determined by medical experts, as to whether the unpensionable cause can be eliminated from the case. Rigid as they are in the Pension Office, they apply no such hard and fast moral test as is proposed here, and I do not think the country will approve of it either in cases of soldiers who have performed honorable service and are disabled as a result of it, as shown in this case.

There was a question in this case as to the existence of rheumatism prior to enlistment, and upon that question the bureau ruled adversely. But this committee, acting as a court of equity, has thoroughly considered the case and has decided that the great preponderance of evidence shows that the soldier is suffering from a disability contracted in the line of duty, and that he is helpless from that cause, and I believe the gentlemen who have criticized this case here to-day are too uncharitable.

Mr. KIRKPATRICK. Mr. Speaker, I desire to say, as a member of the Pension Committee, that that committee reached its conclusions in this case just as any jury in a court of law would—upon the evidence in the case. What was the evidence? Three reputable physicians said that in their honest judgment this man was entitled to $30 a month. The committee said, "We will give him $12 a month." I shall insist on the judgment of the Pension Committee being sustained. [Applause.]

The SPEAKER. The question is on the amendment to strike out.

The question was taken; and on a division (demanded by Mr. HOWARD) there were 56 ayes and 38 noes.

So the amendment was agreed to.

The Clerk proceeded and finished the reading of the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KEATING, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PETER SCOTT.

Mr. HAY. Mr. Speaker, I call up the bill H. R. 3885, on the Private Calendar, to remove the charge of desertion from the military record of Peter Scott.

The Clerk read the title, as follows:

A bill (H. R. 3885) to remove the charge of desertion from the military record of Peter Scott.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Can the gentleman from Virginia call up a bill and have it considered in the House without anything further being said?

Mr. HAY. The bill has not yet been reported.

Mr. MANN. Bills are not reported further than by title in the House.

Mr. HAY. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Virginia asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against the military record of Peter Scott, late of Company K, Fifty-sixth Regiment Ohio Volunteer Infantry, and to grant him an honorable discharge: *Provided*, That no pension, emoluments, or allowance of any description shall accrue by reason of this act prior to the date of approval thereof.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in the administration of laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Peter Scott, who was a private of Company K, Fifty-sixth Regiment Ohio olunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 10th day of July, 1864: *Provided*, That no pension, emoluments, or allowances of any description shall accrue by reason of this act prior to the date of approval thereof."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended.

On motion of Mr. HAY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

HOSEA STONE.

Mr. HAY. Mr. Speaker, I call up the bill H. R. 6220 on the Private Calendar.

The Clerk read as follows:

A bill (H. R. 6220) for the relief of Hosea Stone.

Mr. MANN. Mr. Speaker, bills to remove a charge of desertion are in order in the order they are on the calendar, but bills for the relief of people are not bills to remove charges of desertion and are not in order.

Mr. HAY. Mr. Speaker, I ask that the Clerk read the bill, and I think the reading of the bill will show that it is in order.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Homes for Disabled Volunteer Soldiers, or any branch thereof, Hosea Stone, late of Battery A, Fourth Regiment United States Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as of Battery A, Fourth Regiment United States Artillery, on the 21st day of July, 1865: *Provided*, That no pension shall accrue prior to the passage of this act.

Mr. MANN. Plainly, Mr. Speaker, that is not a bill to remove a charge of desertion.

Mr. HAY. Mr. Speaker, this bill is for no other purpose. The gentleman from Illinois probably remembers that President Roosevelt vetoed bills which removed the charge of desertion specifically on the ground that they changed the records in the War Department, and that that could not be done. In order to avoid that objection the form of the bills removing a charge of desertion was changed. All bills now removing the charge of desertion, in order that the men may be allowed the privileges which they might have, are put in the form in which this bill is, and that form is that he shall be considered as having an honorable discharge. The reason why he could not receive a pension is that he is carried on the records of the War Department as a deserter. For the last three Congresses, at least, these bills have been put in that form, and they have been held in order on days when bills for the removal of the charge of desertion are in order. Of course, if this bill is not in order, then no bill for the removal of a charge of desertion will ever be in order on this day.

The SPEAKER. There is no need for the gentleman proceeding further unless the gentleman from Illinois [Mr. MANN] has some good argument to present.

Mr. MANN. Mr. Speaker, I would like to be heard for a moment.

The SPEAKER. The Chair will hear the gentleman.

Mr. MANN. The rules provide that bills for the removal of charges of desertion are in order on this day.

The SPEAKER. If the gentleman will permit, is this bill practically a bill to remove a charge of desertion or not?

Mr. MANN. It is not.

The SPEAKER. Why not?

Mr. MANN. Several Presidents vetoed these bills to remove charges of desertion. Here is this bill which comes in place of a bill to remove the charge of desertion. Of course it is in lieu of a bill to remove the charge of desertion, because the Presi-

dent announced some time ago that he would veto bills which did remove the charge of desertion. Thereupon this bill comes in granting to the soldier certain rights, as though he were honorably discharged, but the charge of desertion still stands against him in the War Department. It is not removed. Of course we have the power to grant a pension to anyone, whether he was in the Army or out of the Army, whether he served throughout the war or whether he deserted. We have that power. That power is proposed to be exercised here, but the charge of desertion is not removed. It still stands in the War Department. We authorize the payment of a pension, notwithstanding the charge of desertion. We say that, for the purpose of administering the pension law, this man shall be considered as having been honorably discharged. I have no objection to the passage of these bills; but here is a bill on the Private Calendar along with a lot of other bills on the Private Calendar reported from committees which do not have the right of way to-day. I can see no reason why we should take up these special bills out of order.

The SPEAKER. The Chair will ask the gentleman from Illinois a question. The House has nothing to do with the records of the War Department. Is this bill practically a bill to remove a charge of desertion?

Mr. MANN. It is not.

Mr. HAY. In effect it is.

Mr. MANN. In effect it is to change the law as to this particular individual, which law provides that he can not receive a pension while the charge of desertion stands against him.

Mr. GARDNER. Mr. Speaker, will the gentleman from Illinois yield?

Mr. MANN. I will be glad to in a moment. The charge of desertion is not removed, but we undertake to remove this man from the provision of the law which forbids the payment of a pension while the charge of desertion stands. I yield to the gentleman from Massachusetts.

Mr. GARDNER. Mr. Speaker, is it not true that a soldier who has deserted can not reenlist, and if the charge of desertion is removed only for the purpose of his receiving a pension, he can not, nevertheless, reenlist. In other words, is the contention correct that this is the equivalent of the removal of a charge of desertion?

Mr. MANN. Certainly not. It does not remove the charge of desertion.

Mr. GARDNER. And the man could not reenlist, even if sound, if we should pass this bill.

Mr. MANN. Nor can he get an honorable discharge. The War Department will not issue the discharge to him on this bill.

Mr. HAY. Mr. Speaker, does the Chair desire to hear anything further?

The SPEAKER. The Chair does not desire to hear anything more. The Chair is ready to rule. The rule provides:

On the second and fourth Fridays of each month preference shall be given to the consideration of private pension claims and bills removing political disabilities and bills removing the charge of desertion.

This is the second Friday. The bill under consideration provides:

That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Hosea Stone, late of Battery A, Fourth Regiment United States Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as of Battery A, Fourth Regiment United States Artillery, on the 21st day of July, 1865: *Provided*, That no pension shall accrue prior to the passage of this act.

This man stands charged as a deserter in the records of the War Department. There has always been a great prejudice against pensioning deserters. The gentleman from Massachusetts [Mr. GARDNER] stated what the law is, but no one conversant with the facts believes that the records of the War Department are perfect. The Chair, as a Member of the House, has been trying for 20 years to get a pension for a green Scotchman who served four years in the Army, and who served in four different regiments, but who is marked as a deserter three different times. This man would get sick or would be shot and would go into the hospital and come out and reenlist in the first regiment that came along. It is just this session that the Chair has been able to get the charge of desertion against this man removed.

The bill under consideration is clearly, in the mind of the Chair, equivalent to a bill to remove the charge of desertion. To use a very common expression, it seems to the Chair it is sort of whipping the devil around the stump; but nevertheless and notwithstanding the opinion of the Chair is that it is a bill to remove the charge of desertion, as far as the House can do it. The point of order of the gentleman from Illinois [Mr. MANN] is therefore overruled.

The Clerk will report the bill.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The bill has been reported. How does it now get before the House?

Mr. HAY. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Virginia asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. LANGLEY. Mr. Speaker, before that question is put I desire to be heard a few moments. I want to ask the gentleman from Virginia [Mr. HAY] a question or two. I am not opposed to this bill—at least, I do not think I am, if I correctly understand the case. The distinguished Speaker said a moment ago that he had spent 20 years trying to get removed an unjust charge of desertion resting against one of his constituents and is just now getting the bill through the House. I am not quite old enough yet to have had the privilege of working that long in Congress on a desertion case, but if my people honor me as long as they have him by a seat in this body the chances are, in view of the rate of progress I have made thus far, that I will take his laurels away from him by breaking his record of 20 years of effort in some cases in which I have been making a similar effort. No man, the honorable Speaker not excepted, has tried harder than I have to get passed bills giving the relief that is proposed by this bill to a number of old soldiers in my district who are unjustly charged with desertion. I have one case in mind—that of John F. Rudd, a splendid old citizen in Magoffin County, in my district, and one who has a record that any soldier should be proud of. He belonged to the Eighth Kentucky Infantry, the regiment which is entitled to the priceless honor of having first reached the summit of Lookout Mountain in that famous battle, concerning which Gen. Hooker, in his report, said:

Several regiments were detailed to scale the summit, but to the Eighth Kentucky must belong the distinction of having been foremost to reach its crest and at sunrise to display our flag from the peak of Lookout amid the wild and prolonged cheers of the men whose dauntless valor had borne them to that point.

John F. Rudd not only belonged to that immortal regiment but to the company of it which led in reaching the summit. He is said to have been, moreover, one of the first 12 to reach it. He served out his term of enlistment and reenlisted as a veteran volunteer, serving altogether two years and seven months. He was granted a furlough and went home. While on furlough disease of eyes developed, and when his furlough expired the disease was so severe that he had to be led by some one when walking, so nearly blind was he. Not only was he wholly unfit for military duty, but he was unable to do anything, and could not have reached his command if he had undertaken it. This condition continued until after the close of the war. Indeed, he has not yet recovered. These facts are proven by nearly a dozen witnesses, most of whom I know personally to be men of the highest character and entitled to the fullest faith and credit on oath. He was charged with desertion because he did not return to his command upon the expiration of his furlough and did not report the reason for his failure to return. The War Department declines to remove the charge, and properly, because of the utterly absurd limitations that Congress has placed upon the power of the department to remove such charges. I have been trying now for nearly eight years to get Congress to pass a bill for his relief. I had it up in the Sixtieth Congress and I have had it up in every Congress since that time. I have spent days and days on it. Time and again I have been before subcommittees urging a favorable report, and two or three times I have gotten a favorable report, but every time something would happen to prevent me from getting a report from the full committee so as to get it as far along as the case we are now considering is. And it has not been my fault, either. It is inconceivable that a soldier with such a record could be a deserter.

Mr. Speaker, I just happened to think of this case and mentioned it as a typical illustration of my experience on this subject. I could name a good many others in my district who are unjustly charged with desertion and in whose behalf I have worked just as hard as I have for my good old friend Rudd. This is my fourth term in Congress, and I have not been able to get a single bill of this character as far along as this one is. This case may be a more meritorious one than mine are, but I doubt it. I have met with no better results at the War Department. I know of cases in which soldiers were charged with desertion because of absence from their command when it

was shown by other records that they could not return because they had been captured by the enemy and were held as prisoners of war, and yet it was impossible to get the charge of desertion removed in these cases. I have only been able to get one charge of desertion removed by the department. In that case the soldier was dead, and the widow was denied a pension because the soldier was charged with desertion because he did not return to duty after a battle in which he was engaged with his command. After I took the case up and called attention to the fact that the soldier was never heard from after the battle into which he marched with his company, a field hospital record was found showing that he was admitted to it from the battle field on account of wounds received in action, and that he died there.

The department actually deliberated for months on the question as to whether under the law it had power to remove this desertion charge. It finally decided that it had. I am not blaming the department. It is the fault of our ridiculous law on the subject, and that law was framed by gentlemen who did not understand conditions that existed during the war in the border States and who were unconsciously biased on the subject because they did not understand them and measured the question by their knowledge of conditions in their own sections. In the border States like Kentucky there was a constant guerrilla warfare going on, particularly in the mountain section. Soldiers went home under proper military authority, and before their leave expired they were cut off by the enemy and it meant almost certain death for them to undertake to return to their command, and before it was possible for them to return their command had moved away to some point where they could not reach it in time to be mustered out. They were charged with desertion. Again, a soldier might go home on furlough, as Rudd did, and after getting there he becomes physically unable to return. If he applies for a removal of the charge, the application is denied because the law requires him to prove not only that he was physically unable to return to duty but that the disability was contracted in the service and line of duty, and of course he can not prove that because it is not true. Such cases as these create the necessity for special legislation as is proposed in the pending bill.

When we undertake this, gentlemen howl about pensioning deserters. Mr. Speaker, I am opposed to pensioning deserters, too, but I would rather a thousand times pension some of them than be guilty of aiding my Government in keeping against one brave, loyal old soldier the infamy of a desertion charge that is unjust, to say nothing of depriving him of the bounty of his Government he has so faithfully served and whose assistance he so much needs in his old age.

Those of you who have had occasion to examine the act of 1889 governing this question of the removal of charges of desertion know that it is inequitable, unjust, and ridiculous when applied to such cases as the ones I have described. I have tried to get it amended, but that seems impossible. The only other course is to pass these special bills. The trouble about it is that you do not pass enough of them. I hope that this soldier served two or three years, like Rudd did, so that——

Mr. HAY. I will say to the gentleman that this one served four years.

Mr. LANGLEY. So much the better, then. I am heartily in favor of the bill, and all I ask is to please let some of these old fellows in my district have the same sort of relief.

The SPEAKER. The time of the gentleman has expired.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

LUCIEN P. ROGERS.

Mr. HAY. Mr. Speaker, I call up the bill H. R. 8688.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 8688) granting an honorable discharge to Lucien P. Rogers.

Mr. HAY. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to grant an honorable discharge to Lucien P. Rogers, who served without enlistment as a private in Company F, Seventy-fourth Regiment Illinois Volunteer Infantry, from August 11, 1862, to June 27, 1864.

The committee amendment was read, as follows:

Strike out all after the enacting clause and substitute the following: "That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Lucien P. Rogers shall hereafter be held and considered to have been in the military service of the United States as a member of Company F, Seventy-fourth Regiment Illinois Volunteer Infantry, from November 1, 1863, to June 28, 1864, and to have been honorably discharged from that service on the last-named date."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. HAY. Mr. Speaker, I ask that the title be corrected to conform with the text of the bill.

The SPEAKER. Without objection, the title will be amended so as to conform to the text.

There was no objection.

The title was amended so as to read: "A bill for the relief of Lucien P. Rogers."

WILHELMINA ROHE.

Mr. HAY. Mr. Speaker, I call up the bill H. R. 11166.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 11166) for the relief of Wilhelmina Rohe.

Mr. HAY. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws John Rohe shall be hereafter held and considered to have been drowned in Nagasaki Harbor, Japan, on the 20th day of March, 1901, in line of duty and while in the service of the United States as a private in Company M, Twenty-sixth Regiment United States Volunteer Infantry.

The bill was ordered to be engrossed and read a third time; was read the third time and passed.

JACOB BARGER.

Mr. HAY. Mr. Speaker, I call up the bill H. R. 11256.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 11256) granting relief and an honorable discharge to Jacob Barger.

Mr. HAY. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to have the bill read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws Jacob Barger shall hereafter be held and considered to have been mustered as a private in Company E, Fourteenth Regiment Illinois Volunteer Cavalry on the 20th day of June, 1864, and to have been honorably discharged on the 1st day of March, 1865; and that the Secretary of War is hereby authorized and directed to issue an honorable discharge to the said Jacob Barger in accordance with this act.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HAY. Mr. Speaker, I move to amend the bill by striking out all of lines 9, 10, and 11, after the word "sixty-five," in line 9.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, by striking out all of lines 9, 10, and 11, after the word "sixty-five" and insert a period.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. HAY. Mr. Speaker, I move that the title be corrected in accordance with the text.

The SPEAKER. Without objection, the title will be corrected in accordance with the text.

There was no objection.

The title was amended so as to read: "A bill granting relief to Jacob Barger."

W. D. M'LEAN, ALIAS DONALD M'LEAN.

Mr. HAY. Mr. Speaker, I call up the bill S. 1829.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 1829) for the relief of W. D. McLean, alias Donald McLean.

Be it enacted, etc., That in the administration of the pension laws W. D. McLean, alias Donald McLean, who was a sergeant in Company K, Sixty-fifth Regiment Illinois Volunteer Infantry, and sergeant of Company F, Tenth Regiment Ohio Volunteer Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of the last-named regiment on the 1st day of November, 1864.

The SPEAKER. The question is on agreeing to the Senate bill.

Mr. MANN. Did they get unanimous consent to consider this?

Mr. HAY. Mr. Speaker, I ask unanimous consent to consider it in the House as in the Committee of the Whole.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was read a third time and passed.

The SPEAKER. That is the man to whom I was referring awhile ago. [Applause.]

Mr. LANGLEY. I heartily congratulate the Speaker upon his final success. I hope his case may afford him a precedent which will enable me to get like relief in several cases equally deserving in my district.

ALONZO D. CADWALLADER.

Mr. HAY. Mr. Speaker, I call up the bill H. R. 1090.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 1090) for the relief of Alonzo D. Cadwallader.

Mr. HAY. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That Alonzo D. Cadwallader be, and he is hereby, held and considered to have served as a private in Company K, Seventeenth Regiment Michigan Volunteer Infantry, from the 27th day of June, 1862, to the 30th day of September, 1862.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. MONDELL. Mr. Speaker, I would like to have a statement made of the facts on which it is to be held and considered that this gentleman served. Did he actually serve?

Mr. HAY. He did; yes. I will state to the gentleman that the gentleman from Michigan [Mr. HAMILTON] can give him all the information he desires on this bill, and therefore I yield to the gentleman from Michigan.

Mr. HAMILTON of Michigan. Mr. Speaker, when this same bill passed the House——

Mr. MONDELL. I do not care about the bill. I would like to know about the service——

Mr. HAMILTON of Michigan. I am going to tell you about it——

Mr. MONDELL. The alleged service.

Mr. HAMILTON of Michigan. I am going to proceed now to tell you about it. This same bill passed the House on the 14th of February, 1913. Alonzo D. Cadwallader enlisted on June 27, 1862, and was mustered in in August of that year. He immediately went into the service and participated in the Battle of Antietam and the Battle of South Mountain. He was a boy under 15 years of age then, and, discipline having been threatened for some slight breach of duty, he and a companion started for Michigan. He was arrested and taken out of the custody of the officer by writ of habeas corpus, and afterwards received from the War Department an honorable discharge under the law. So there is no question of an honorable discharge involved here; but there are two records in the War Department, one that he departed on September 20 and another that he departed on September 30. He himself swears that he left on September 30. His companion on the trip swears that he left on September 30, and there is abundance of other testimony to the same effect. The records of the War Department, as I said, are conflicting.

Mr. MONDELL. And this is important in view of the fact that the gentleman would not be pensionable unless the date was as he has affirmed.

Mr. HAMILTON of Michigan. The gentleman realizes the importance of it.

Mr. HOWARD. Will the gentleman yield for a minute?

Mr. HAMILTON of Michigan. Yes.

Mr. HOWARD. He was just a boy, was he not?

Mr. HAMILTON of Michigan. Yes; he was a boy under 15 years of age.

Mr. HOWARD. As I understand it, he deserted immediately after the bloody Battle of Antietam?

Mr. HAMILTON of Michigan. Yes; but he did not call it deserting.

Mr. HOWARD. Do you believe that anybody could blame this boy for deserting after the Battle of Antietam?

Mr. HAMILTON of Michigan. If he had been a little older perhaps he would have stayed.

Mr. HOWARD. I say we should take into consideration the fact that he was a boy.

Mr. HAMILTON of Michigan. Just this word further. Just as soon as he could, he enlisted again——

Mr. SLOAN. Will the gentleman yield?

Mr. HAMILTON of Michigan. And they got him out again.

Mr. SLOAN. Will the gentleman yield?

Mr. HAMILTON of Michigan. He wanted to go to war.

Mr. SLOAN. Perhaps you can satisfy the objection of the gentleman from Georgia if you called it the Battle of Sharpsburg instead of Antietam.

Mr. LANGLEY. Is he pensioned?

Mr. HAMILTON of Michigan. No.

Mr. LANGLEY. But he will get a pension as soon as you get this bill through.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

MARCUS L. PELHAM.

Mr. HAY. Mr. Speaker, I call up the bill H. R. 5746.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 5746) for the relief of Marcus L. Pelham.

Mr. HAY. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to have the bill reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws Marcus L. Pelham shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a lieutenant in Company G, Eighth Regiment Connecticut Volunteer Infantry, on the 29th day of December, 1864: *Provided*, That no pension shall accrue prior to the passage of this act.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I would like to ask if this is the removal of a charge of desertion?

Mr. HAY. No. I will state to the gentleman that this is a removal of penalties incurred by court-martial.

Mr. MANN. Of course, if I had known what I was up against a while ago, I should not have made the point of order. But I supposed the decision of the Speaker, for whose decisions I have the greatest of respect, covered cases of this kind, so that the rules ought to read, "Bills for removing the charge of desertion," "to remove the penalty of court-martial," and various other things that one could imagine, which separated men from the Army. I would like to ask the distinguished gentleman from Connecticut [Mr. DONOVAN] with reference to this bill, if I may.

Mr. HAY. I suggest to the gentleman from Illinois that he let the gentleman's bill go through.

Mr. MANN. There was no objection made to its consideration. It is before the House.

Mr. HAY. Yes.

Mr. MANN. I tried to get it through last night. The calendar showed that it was reported from the Committee on Claims. Here is a bill reported, and the calendar shows that it was reported from the Committee on Claims. The Committee on Military Affairs called it up. It is alleged to remove the charge of desertion, and yet it seems there was no desertion. I think we ought to have the gentleman explain, so that we will know what it is, briefly. [Laughter.]

Mr. DONOVAN. Mr. Speaker, the bill is to remove the charge found by a court-martial against Lieut. Pelham for violating the rules of the commanding officer; not for desertion, but for issuing an order for two canteens of whisky.

Mr. LANGLEY. Was it Kentucky whisky? [Laughter.]

Mr. DONOVAN. Now, that was done 50 years ago.

Mr. MANN. What became of the whisky? [Laughter.]

Mr. DONOVAN. Well, according to the evidence, it was drunk by some men who were plastering a building for the people in the camp. The officer was recommended for clemency by every member of the board who tried him—or seven out of eight—but notwithstanding that recommendation the commanding officer approved of the finding.

Mr. HOWARD. Mr. Speaker, will the gentleman yield for a question?

Mr. DONOVAN. With pleasure.

Mr. HOWARD. These men who were plastering this house were cold and wet, if I understood the gentleman to say before the committee?

Mr. DONOVAN. Yes, sir.

Mr. HOWARD. And this officer, out of the kindness of his heart, gave them these two little canteens of liquor, and they tried him and court-martialed him for that?

Mr. DONOVAN. Yes, sir.

Mr. FOSTER. That is enough. [Laughter.]

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. MANN. I will not say to the gentleman from Connecticut that I desire a quorum present. [Laughter.]

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGE GARDELLS.

Mr. HAY. Mr. Speaker, I call up House bill 1291, Private Calendar No. 138. That is the last one.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of pension laws George Gardells shall hereafter be held and considered to have been honorably discharged from the military service of the United States as private in Company B, Fifth Regiment New York Volunteer Cavalry, on the 19th day of April, 1864: *Provided*, That no pension shall accrue prior to the passage of this act.

Mr. HAY. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Virginia [Mr. HAY] asks unanimous consent to consider the bill in the House as in the Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was again read.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. HAY. Mr. Speaker, I ask that the various bills be reconsidered and laid aside.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

JOHN S. M'KINNEY.

Mr. ALLEN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 3192, waiving the age limit for appointment as cadet engineer in the Revenue-Cutter Service of the United States in the case of John S. McKinney. It is No. 35 on the Private Calendar.

The SPEAKER. The Clerk will report the bill.

Mr. MANN. Mr. Speaker, I shall object to any of these bills being considered in the House.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects.

Mr. ALLEN. Will not the gentleman withhold his objection for a moment?

Mr. MANN. No. I do not propose to go into the merits of any particular proposition.

Mr. ALLEN. I wish the gentleman would reserve his right to object.

Mr. MANN. I know that. That is the reason why I do not. I have no objection to the gentleman's particular bill, but I do object to this class of bills.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. As I understand, the Speaker ruled a few moments ago on the occasion of a bill to remove the charge of desertion. Are not cases on this calendar to remove desertions and grant pensions in order on this day? After the desertions have been exhausted and all other bills that have been covered by that rule, are not other bills in order?

The SPEAKER. Yes. You have to take them in order, as they come. You have to resolve the House into Committee of the Whole for the consideration of bills on the Private Calendar, and go down the line.

Mr. HOWARD. I wanted to understand if that was in order.

The SPEAKER. The Chair will state that if anybody had raised a point of order against the last bill that was passed here, the Chair would have sustained it. But nobody raised the point.

Mr. LANGLEY. What was the matter with the bill?

The SPEAKER. It did not remove the charge of desertion.

Mr. LANGLEY. I raised that question privately with the gentleman from Connecticut [Mr. DONOVAN], and he said it was on all fours with the other bills.

The SPEAKER. The gentleman did not raise it with the Chair, and it was not on all fours with the others.

Mr. KAHN. That was the one before the last one.

The SPEAKER. The Chair is talking about the court-martial bill.

LEAVE OF ABSENCE.

Mr. AUSTIN, by unanimous consent, was granted leave of absence for one week, on account of illness.

INTERNATIONAL EXPOSITION OF SEA-FISHERY INDUSTRIES (H. DOC. NO. 894).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Senate and House of Representatives:

In view of a provision of law contained in the deficiency act approved March 4, 1913, that—

Hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event without first having specific authority of law to do so.

I transmit herewith for the consideration of Congress and for its determination whether it will authorize the acceptance of the invitation and communication from the Secretary of State with regard to the invitation from the Government of the French Republic to that of the United States to be represented by a delegate at an International Exposition of Sea-Fishery Industries, to be held at Boulogne-sur-Mer from June 15 to October 1, 1914. It will be observed that the acceptance of this invitation will involve no special appropriation of money by the Government.

WOODROW WILSON.

THE WHITE HOUSE, *April 9, 1914.*

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, the legislative appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Texas [Mr. GARNER] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, the legislative, executive, and judicial appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15279, the legislative appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Page 63, line 10, "Mints and assay offices."

Mr. ROBERTS of Nevada. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Nevada [Mr. ROBERTS] offers an amendment, which the Clerk will report.

Mr. JOHNSON of South Carolina. Mr. Chairman, we have not reached that point yet.

The CHAIRMAN. The amendment is not now in order. The paragraph has not been read, as the Clerk advises me.

Mr. MANN. That does not make any difference. The gentleman has the right to offer to insert it as a new paragraph.

The CHAIRMAN. The Clerk advises the Chair that he had already begun to read the paragraph. Does the gentleman desire to offer his amendment after the words "mints and assay offices"?

Mr. ROBERTS of Nevada. Yes.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Nevada [Mr. ROBERTS].

The Clerk read as follows:

Insert, after line 10, page 63, as a new paragraph the following:
"Mint at Carson, Nev.: Assayer in charge, $1,800; chief clerk, $1,800; in all, $6,600.
"For wages of workmen and other employees, $5,000.
"For incidental and contingent expenses, $5,000."

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all gentlemen who desire to offer amendments of a like nature be now permitted to offer them, and that all the amendments be pending. I do that with a view to expediting the consideration of the bill. Possibly we can agree upon time for debate upon all these amendments.

Mr. MANN. Mr. Chairman, how would it do to read down to "government in the Territories," on page 66, with the agreement that after being read an amendment may be offered to any portion of the bill between "mints and assay offices" and "government in the Territories"?

Mr. JOHNSON of South Carolina. That is perfectly agreeable to me. I think we ought to do that.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the Clerk read from line 10, page 63, to line 16, page 66, and that then amendments may be offered to any portion of the bill thus read. Is there objection?

Mr. BURKE of South Dakota. Mr. Chairman, reserving the right to object, there are some amendments that will be offered proposing to reinstate certain assay offices that have been omitted from this bill that are appropriated for in existing law. All I desire is the understanding that this portion of the bill shall be read as indicated by the gentleman from Illinois, and then that it shall be in order to offer these amendments and discuss them.

Mr. MANN. Yes; any germane amendment.

The CHAIRMAN. That the bill, from line 10, page 63, to line 16, page 66, shall be considered as one paragraph, and that amendments may be offered to any portion of it after it is read.

Mr. BURKE of South Dakota. I do not understand that the gentleman's request is to treat this as one paragraph.

Mr. MANN. So far as the reading of it is concerned.

The CHAIRMAN. So far as the reading of it is concerned. Is there objection?

There was no objection.

Mr. FOWLER. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. FOWLER. I desire to inquire if it is understood that the right to interpose points of order will be preserved?

The CHAIRMAN. It will. The Clerk will read.

The Clerk read as follows:

MINTS AND ASSAY OFFICES.

Mint at Denver, Colo.: Superintendent, $4,500; assayer, $3,000; superintendent melting and refining department, $3,000; superintendent coining department, $2,500; chief clerk, $2,500; cashier, $2,500; deposit weigh clerk, $2,000; bookkeeper, $2,000; assistant assayer, $2,200; assayer's assistant, $2,000; assistant cashier, $1,800; clerks—2, at $2,000 each; 2, at $1,800 each; 4, at $1,600 each; 2, at $1,400 each; 1, $1,200; private secretary, $1,200; in all, $47,200.

For wages of workmen and other employees, $94,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in melting and refining department and coining department, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coin, $35,000.

Mint at New Orleans, La.: Assayer, who shall have general charge of the institution as under section 3560, Revised Statutes, and who shall be a practical assayer, $2,500; assistant assayer, $1,500; chief clerk, who shall perform the duties of cashier, $1,500; in all, $5,500.

For wages of workmen and other employees, $5,350.

For incidental and contingent expenses, $3,000.

Mint at Philadelphia: Superintendent, $4,500; engraver, $4,000; assayer, $3,000; melting and refining department—superintendent $3,000; assistant superintendent, $2,000; superintendent coining department, $2,500; chief clerk, $2,500; assistant assayer, $2,200; cashier, $2,500; bookkeeper, $2,500; deposit weigh clerk, $2,000; assistant cashier, $1,800; curator, $1,800; clerks—1, $2,000; 2, at $1,700 each; 8, at $1,600 each; 1, $1,500; 6, at $1,400 each; 1, $1,300; 3, at $1,200 each; 3, at $1,000 each; in all, $70,300.

For wages of workmen and other employees, $300,000.

For incidental and contingent expenses, including new machinery and repairs, cases and enameling for medals manufactured, expenses of the annual assay commission, wastage in melting and refining and in coining departments, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, and not exceeding $1,000 in value of specimen coins and ores for the cabinet of the mint, $65,000.

Mint at San Francisco, Cal.: Superintendent, $4,500; assayer, $3,000; superintendent melting and refining department, $3,000; superintendent coining department, $2,500; chief clerk, $2,500; cashier, $2,500; bookkeeper, $2,000; assistant assayer, $2,200; assistant cashier, $1,800; assistant bookeeper, $1,800; assayer's assistant, $2,000; deposit weigh clerk, $2,000; clerks—1, $2,000; 2, at $1,800 each; 4, at $1,600 each; 2, at $1,400 each; 2, at $1,000 each; private secretary, $1,400; in all, $48,000.

For wages of workmen and other employees, $122,500.

For incidental and contingent expenses, including new machinery and repairs, wastage in the melting and refining department and in the coining department, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coin, $40,000.

Assay office at New York: Superintendent, $5,000; assayer, $3,000; superintendent of melting and refining department, $3,000; chief clerk, $2,500; cashier, deposit weigh clerk, and assistant assayer, at $2,500 each; assayer's assistant, $2,000; bookkeeper, $2,350; assistant cashier, $1,800; clerks—2, at $2,000 each; 4, at $1,800 each; 1, $1,600; 1, $1,500; 1, $1,250; 7, at $1,000 each; private secretary, $1,400; in all, $51,100.

For wages of workmen and other employees, $80,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in the melting and refining department, and loss on sale of sweeps arising from the treatment of bullion, $60,000.

Assay office at Seattle, Wash.: Assayer in charge, who shall also perform the duties of melter, $2,750; assistant assayer, $2,000; chief clerk, who shall also perform the duties of cashier, $2,000; clerks—1, $1,700; 1, $1,600; 1, $1,400; in all, $11,450.

For wages of workmen and other employees, $15,000.

For incidental and contingent expenses, including rent of building, $6,000.

Mr. FOWLER. Mr. Chairman, I reserve a point of order.

The CHAIRMAN (Mr. CLARK of Florida). The gentleman will state it.

Mr. FOWLER. On page 64, in line 10, the bill carries a provision for $4,000 for an engraver. The statute provides for a salary of $3,000. I make a point of order against the provision because there is no authorization of law.

Mr. JOHNSON of South Carolina. Mr. Chairman, before I will either concede or deny that the point of order is well taken I ask that I may make a short statement.

I regret very much that in the consideration of this bill so many points of order have been raised against the salaries provided for in it. Many of these salaries were fixed by statute more than 50 years ago. In many cases there has been no legislation changing the legal salary, but Congress, by unanimous consent, so to speak, many years ago, on account of changed conditions, increased the appropriations. So from year to year these salaries were provided for, not in the sums fixed by the original law creating the offices, but in the sums carried in the previous appropriation bill.

Wherever this committee has increased a salary over what it was in the last bill we are ready and willing to explain to the committee why we made the change, but the committee did not feel it incumbent upon it to go back 20 or 30 or 40 years and inquire what induced the Congress to change the amount of the appropriation at that time. I think it very unfortunate that these salaries have not been adjusted and provided for by law. I hope that before this bill reaches its final stages and becomes a law we will be able to fix in this bill or some other separate bill the salaries of all the Government employees provided for in the legislative, executive, and judicial appropriation bill.

We speak of these appropriations as "current" and "permanent." A permanent salary is one that has been fixed definitely by law. The appropriation bill shows upon its face that it is operative from the 1st day of July, 1914, until the 30th day of June, 1915. It therefore follows, Mr. Chairman, that if we appropriate for a given salary or a given office, it only provides for that salary or that office for that particular period of time unless the word "hereafter" is used in the clause, and then it becomes permanent law.

Mr. MURDOCK. Will the gentleman yield right there?

Mr. JOHNSON of South Carolina. Yes.

Mr. MURDOCK. A permanent law fixing a salary may be passed in a separate statute, or it may be a provision in the current appropriation bill, with the word "hereafter."

Mr. JOHNSON of South Carolina. Yes. If I could get the word "hereafter" used anywhere in this bill before it becomes the law, then that would apply to all these salaries, not only for the current year but until Congress should otherwise provide by law.

Mr. MURDOCK. There is so much confusion about it that I wish the gentleman would explain whether the salary that a Congressman receives to-day is provided for by permanent statute, or is it simply provided in the current appropriation bill?

Mr. JOHNSON of South Carolina. It is a statutory enactment.

Mr. MURDOCK. When was that law enacted?

Mr. JOHNSON of South Carolina. That law became effective March 4, 1907.

Mr. MURDOCK. Was it passed as a separate statute?

Mr. JOHNSON of South Carolina. It was passed in an appropriation bill. An amendment came back from the Senate, and that amendment was agreed to with an amendment, which was in the form of a permanent law providing that—

On and after March 4, 1907, the salary of Senators, Representatives, and Delegates in Congress shall be.

Mr. MURDOCK. And it was the inclusion of the word "hereafter" which made it permanent law.

Mr. JOHNSON of South Carolina. It was the using of the words "on and after March 4, 1907, the compensation shall be." When that law was enacted it did not apply to the Congress which enacted it, but only to succeeding Congresses.

Mr. MURDOCK. I have had a good many disputes at different times with people on that proposition as to just how that increase was made. Would a point of order have lain against that proposition?

Mr. JOHNSON of South Carolina. No; a point of order would have been good against it if it had been proposed in the House of Representatives, but when the Senate amends a bill, no matter what the amendments may be, the House must consider those amendments. We may reject a Senate amendment or we may agree to it with an amendment.

Mr. MURDOCK. And the law raising the salaries of Congressmen and Senators never was subject to a point of order in the House?

Mr. JOHNSON of South Carolina. No. Mr. Chairman, that is the difference between what is called a statutory salary and a salary provided for in current law.

There are many bureaus of the Government that are provided for by law, but the law creating this bureau did not provide for the force and fix the salaries. In cases of that kind the law carried in an appropriation bill is what we call the current law and the law that fixes the salaries. In other cases offices have been created from time to time, and at the time the office was created the salary was fixed. For instance, when the office of the Third Assistant Secretary of State was created the salary was fixed at $2,500. Long years ago Congress began to appropriate $4,500, and the committee in making up this bill brought it forward at $4,500.

Now, I hope that with this explanation of the action of the committee all members of the committee will understand the attitude of the Committee on Appropriations—that we have not attempted to raise salaries, that we have taken conditions as we find them. It is a bad system, which ought to be remedied by legislation. Wherever we have increased or reduced a salary we feel that we are subject to criticism if any criticism will lie, and we are perfectly willing to explain our action. [Applause.]

Mr. FOWLER. Mr. Chairman, I ask unanimous consent to occupy 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. FOWLER. Mr. Chairman, I have listened with much interest to the statement made by the distinguished gentleman from South Carolina, chairman of the Subcommittee on Appropriations. That he is an honorable gentleman, an able gentleman, and a high-minded, conscientious gentleman goes without saying. [Applause.] That every member of the committee is of equal integrity, honesty, and ability I have no doubt. [Applause.] I could not confer a higher compliment on any other group of Members in this House than is justly deserved by the members of the Committee on Appropriations.

Mr. Chairman, I realize that the irregularities in this bill as a whole is an inheritance and does not lie at the door of this committee alone, but at the door of the Committees on Appropriations for the last 50 years as well. It has been the custom to increase statutory salaries in the annual current appropriation bills without authority and against the plain provisions of the statute. I regret exceedingly, Mr. Chairman, that such conditions confront us, and I feel that it is our plain duty to right these wrongs at the earliest opportunity. It will require time and talent to classify and equalize the salaries of all the positions in the public service. The distinguished chairman of the Subcommittee on Appropriations has just stated on the floor of this House that it is the honest intention of the Committee on Appropriations to classify and equalize the salaries of the various officers and employees of this Government by separate bill in the House during this session or by doing so in the Senate; and relying implicitly upon the good faith of the statement of the distinguished gentleman from South Carolina, I feel that all that can be reached in the further consideration of this bill by points of order to other irregularities has already been accomplished by the emphasis which I have made by points of order against the irregularities in that part of the bill which has been read, and that they will be cured by the revision of salaries by the Committee on Appropriations, as indicated by its chairman.

The points of order which I have interposed against previous portions of this bill relate almost solely to an increase of salaries above statutory provisions. I did this because I regarded it as my duty to do so. I promised my people in my campaign that if I became their public servant my conduct in this great body should be clean. While I can not vote for this bill with any irregularities in it, yet, Mr. Chairman, I feel, in the light of the statement which the gentleman has made, that there will be an honest effort for the purpose of classifying and equalizing the salaries, and that I have done my duty. I trust that we may soon see all irregularities in appropriations eliminated and the door closed against graft of every kind in the public service.

Mr. Chairman, I can not allow one matter which is in the press this morning to go without comment. It is stated in the Washington Post of this morning that I cut out of this bill by points of order all of the provisions for collecting the income tax. Such statement is without foundation and without any reason whatever, because that provision has been approved by the committee, and the bill carries now $1,000,000 for the purpose of collecting the income tax.

I have never complained at press articles heretofore. I have been praised by them and I have been lambasted by them, but I have always regarded that the one is as good an advertisement as the other. For that reason I have never complained. I say to the newspapers of this country, whether they are owned or controlled by predatory wealth or whether they represent the plain people of the country: Go on, boys; do as you please. Public opinion will right the wrongs in our Government and take care of the people of this country for all time to come.

Mr. Chairman, in the light of the statement which the gentleman has made, and for the purpose of getting through with the duties of Congress, I withdraw the point of order, with the understanding, Mr. Chairman, that there will be a sincere, high-minded, conscientious effort made to right the wrongs which have been pointed out in the bill and as exist in other parts of the bill not pointed out. I feel that I have discharged my duty. [Applause.]

The CHAIRMAN. The gentleman from Illinois withdraws his point of order.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that the amendment pending may be withdrawn in order that I may offer the following amendment.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the pending amendment be withdrawn that he may offer the following.

Mr. MANN. Reserving the right to object, let us know what the amendment is.

The CHAIRMAN. The Clerk will report the amendment.

Mr. MANN. I have no objection.

The CHAIRMAN. The Chair will state that the amendment does not state in what part of the bill it is to go.

Mr. JOHNSON of South Carolina. On page 66, after line 15.

The Clerk read as follows:

On page 66, after line 15, insert a separate paragraph, as follows:

"Whenever an appropriation has been or is specifically made by any general appropriation act for the annual salary or compensation of any office, officer, or employee, the amount so appropriated shall thereafter be the legal annual salary or compensation for such office, officer, or employee, beginning with the fiscal year or other period for which such appropriation is made, whether less or greater than the annual salary or compensation theretofore provided by law and shall be so received by the person occupying such position."

Mr. MURDOCK. Mr. Chairman, I reserve a point of order on that proposition. What is the object of it?

Mr. JOHNSON of South Carolina. It seeks to make the salaries in the current law proper in this bill without being subject to points of order.

Mr. MURDOCK. Mr. Chairman, if I remember rightly, and I think I do, a great many of these supply bills carry appropriations in words to the effect that the salary of a particular office shall be so much per year, but while the present occupant holds the office there shall be so much additional. Does this cover that in as permanent law?

Mr. JOHNSON of South Carolina. No; that is legislation for a particular individual, and not for somebody who may come after him.

Mr. MANN. It would be only an amount additional while he held the office.

Mr. MURDOCK. Would it be permanent law for that period?

Mr. MANN. It would be permanent law as long as he held the office for the next appropriation act. In other words, under this amendment, if the office carried a salary of $3,000 and $500 additional while the present occupant holds the office, that would be in order next year on the bill, if the same man still holds the office.

Mr. MURDOCK. Mr. Chairman, I make the point of order.

Mr. MANN. Mr. Chairman, will the gentleman not reserve his point of order?

Mr. MURDOCK. Certainly.

Mr. MANN. Mr. Chairman, it is impossible by legislative statute to fix the salaries of officials in the Government service all the way down the line. It is impossible for various reasons. One is that it becomes necessary at times to increase or decrease a salary. Of course we can decrease the salary as we want to. Another reason is that in the growth of the Government service we keep adding officials, and every one familiar with legislation in the House knows that appropriation bills have the right of way and have to be considered, and it is impossible by legislative bills to bring in provisions to create 500 or 5,000 offices and fix the salaries for the same. So it is perfectly evident that practically the only way in which we can make provision for the ordinary offices of the Government service is through the appropriation acts. Most of these provisions are subject to a point of order, because there is no legislative provision outside of the appropriation act for the creation of the office in the first place.

When this particular bill was under consideration a number of years ago, at one time two gentlemen of the House started in to take everything out of it. Nearly everything did go out of it for a while. Those gentlemen showed at that time, as has been shown within the last few days, the impossibility of the House itself legislating and making appropriations except prac-

tically by unanimous consent, if anybody desired for any reason at all to make the point of order.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. COX. If the proposed amendment be adopted, it will be permanent law.

Mr. MANN. I will get to that in a moment.

Mr. COX. I wish the gentleman, in connection with that inquiry, would inform the committee whether or not if the amendment be adopted it will apply to employees appropriated for in the other appropriation bills, or does it apply only to employees carried in this bill?

Mr. MANN. We come now to the proposition of whether there is any legislative method by which Congress can give itself the right to provide for these offices, without such a change of the rules as will prevent men making points of order on matters where a point of order ought to be made, or will prevent their reserving points of order. What does this proposed amendment seek to do? It simply proposes that if Congress last year or this year makes an appropriation for an office providing a salary for it specifically, it shall be in order—that is what it amounts to—next year to consider that item. If this amendment becomes a law this year, then an appropriation, whether in this bill or any other appropriation bill, fixing an office at such a salary is to be considered as the law next year. Of course, it is the law for the current year. As soon as an appropriation act becomes a law, there is a law for the current year for the office and the salary. Years ago we reached the conclusion that where the salary was not permanently fixed, and it was by arbitrary ruling of the Chairman and has been followed ever since, we would consider the salary fixed in the current law. The effect of this amendment is that each successive year the law of the previous year fixing an office and a salary shall be considered a warrant for doing it again.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, as a matter of practice it only brings it before the House. If we fix an office and a salary in this year's law at $5,000, and it be changed in the next year's law, then the next year's law remains the law until it is changed. It merely gives the House a chance to consider the proposition under the rules of the House. Of course, as a matter of fact, when we provide for one of these offices—say, the Deputy Comptroller of the Currency, at a certain salary, on which a point of order was made yesterday—the amount we fix is the law for the current year; but under the rules of the House—and I doubt whether there is any way of changing the rules without depriving Members of the rights which they ought to have—that office, so far at least as two of the salaries are concerned, not being provided for by specific law, is subject to the point of order. Anyone can make that point of order, and the House then, if the point be made, has no chance to consider the proposition. Under the proposed amendment, if it becomes a law, the House will have a chance to consider the matter. It will not authorize an increase in salary. An increase in the salary would still be subject to a point of order. The House might still decrease the salary; and if decreased, that would be the law for the next year.

Mr. JOHNSON of South Carolina. And in that connection I would suggest to the gentleman that it would be in the power of the House to abolish the office.

Mr. MANN. Oh, entirely.

Mr. JOHNSON of South Carolina. It would give the House absolute control of the situation at any time.

Mr. MANN. Entirely; and if abolished, it would go out of the law.

Mr. J. I. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. J. I. NOLAN. The statement has been made here within the last few days that points of order from session to session have been made against increases in salaries, where the statute provided a lower salary, and that in nearly every instance the salary which went out on a point of order was restored in the Senate, and that consequently all of the time devoted to the matter in the House was wasted.

Mr. MANN. That is correct. That has always been the experience of the House ever since I have been a Member of it. For instance, in this bill we have stricken out of the bill entirely the provision for the Bureau of Engraving and Printing, the paragraph for the Commissioner of Internal Revenue, the paragraph for the Life-Saving Service, so far as general officers are concerned. Of course we know they will either be restored here by unanimous consent or they will be restored in the Senate. We have got a very complex proposition. Under the rules a point of order, being good against an office that is not provided for by law, may be made against an office, although it has been in existence for 50 years, because the rules do not contemplate that the appropriation act itself is the law beyond the fiscal year for which the appropriation is made. Now, the rules could easily be changed, but if you change the rules and cut out the right to make points of order against new legislation or against matter which is not authorized by law, you would deprive Members of a very useful privilege in the House, and one of frequent use and very much in the interest of the public service. Now, my friend from Kansas [Mr. MURDOCK] asked a while ago if this House would make permanent law where you provided an increase of salary in some place while the present occupant held the office. Take for instance—I think it is still carried—our very efficient clerk to the Committee on Appropriations. I do not remember now, but I think we made an extra provision while the present occupant held the office. If this provision went into the law this year, he would be paid the $3,000 or $4,000 and the $500 or $1,000 extra while the present occupant held the office, and that item in that form would be in next year's appropriation bill if the same person held the office. You do not have to make the appropriation unless you desire to, but it would be in order; and while on that subject it is sometimes a good deal cheaper for the Government and probably more efficient in the service to increase——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Just one moment—to increase the salary temporarily while the present occupant holds it than it is to increase it permanently, so that the new man who comes in shortly after the other man gets the same salary of the very efficient man who went out.

Mr. JOHNSON of South Carolina. Does the gentleman from Kansas make the point of order, or has he been convinced?

Mr. MURDOCK. Mr. Chairman, I reserved the point of order. As I have observed the operations of the House, Mr. Chairman, there are two kinds of salary appropriations. One is permanent law and the other is current law. Wherever the appropriation is made in keeping with the provisions of permanent law no point of order lies, but where the committee exceeds the amount provided for by the statute a point of order does lie. In a service here extending over 10 years I have seen on two occasions committees meet some hardship because of that provision in the rules. Years ago the gentleman from Georgia, Mr. HARDWICK, and the gentleman from Illinois, Mr. Prince, made such a fight, if I remember correctly, upon the military appropriation bill.

Mr. MANN. On this bill.

Mr. MURDOCK. I have always believed it was made on the military appropriation bill, but I may be mistaken.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. MURDOCK. Go ahead.

Mr. GARRETT of Tennessee. The moving cause on that occasion on the part of one gentleman who took that course grew out of a bill before the Committee on Military Affairs, but the points of order were made upon the legislative bill.

Mr. MURDOCK. Whatever the motive a great number of years have passed since there have been any disturbances of that kind here in the Committee of the Whole. This legislative, executive, and judicial bill has never had hard sledding before in the experience of the gentleman from South Carolina. Until now it has had the ordinary course that an appropriation bill usually follows. This year the gentleman from Illinois [Mr. FOWLER] has challenged each item which exceeded the statutory amount, and he was entirely within his rights in doing so. He did delay the bill. But we are now half through with it, and the gentleman from Illinois [Mr. FOWLER], who is not here now, made a statement that he had ceased to make these points of order, and having made that statement he retired from the Chamber; and I take it that he does not intend to make any further points of order against increases over permanent law.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. MURDOCK. I will.

Mr. BYRNS of Tennessee. I just want to remind the gentleman that he made that statement with the expressed understanding that some provision either of this kind, or in a separate bill, would be adopted.

Mr. MURDOCK. That does not, however, go to the point I am making. This bill, as has been the case with appropriation bills in scores of instances before, will probably go on through the Committee of the Whole now without any very serious obstruction. But if you pass this amendment you make a change of great importance in the practice here. And I say seriously,

there is not 2 per cent of the men now present who know what is in the amendment and what it accomplishes, let alone the entire membership of this House. This amendment here attempts to make a permanent change in the rules of the House when there is not a quorum present in the Committee of the Whole, when there are less than 100 men here. The total membership of the House is 435. Now, I do not know how serious the impairment the amendment offered would work to the rights of Members here. It certainly would infringe materially the right of each individual Member, because it covers in every item in this bill and makes it, for at least one year's time, permanent law. I do not think a matter of this kind and of this moment should be disposed of with dispatch and with this small attendance, and I propose to make the point of order, and I hope it will lie.

Mr. TOWNER. Will the gentleman permit?

Mr. MURDOCK. I will.

Mr. MANN. It is the most expensive point of order the gentleman can make.

Mr. MURDOCK. I do not yield to the gentleman from Illinois, and I call the gentleman from Illinois to order.

The CHAIRMAN. Does the gentleman from Kansas yield to the gentleman from Iowa [Mr. TOWNER]?

Mr. MURDOCK. I will say to the gentleman from Illinois, and then I will yield to the gentleman from Iowa, that there is no disposition on my part to delay this House, and in my experience in the House I do not think that I have delayed the House one-hundredth part of the time that the gentleman from Illinois has.

Has my time expired, Mr. Chairman?

The CHAIRMAN. The gentleman's time has expired.

Mr. MANN. It expired some time ago.

Mr. MURDOCK. I can, I suppose, in order, without being interrupted by the gentleman from Illinois [Mr. MANN], out of order, make a point of order.

Mr. FITZGERALD. Mr. Chairman, I wish to occupy a moment.

The CHAIRMAN. Does the gentleman from Kansas [Mr. MURDOCK] make the point of order or reserve the point of order?

Mr. MURDOCK. I made the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. FITZGERALD. One moment. I hope the gentleman will permit me to make a brief statement. I ask the gentleman to reserve his point of order.

Mr. MURDOCK. Will the gentleman from New York [Mr. FITZGERALD] undertake to protect me from the gentleman from Illinois [Mr. MANN] if I would like to ask him a question?

Mr. FITZGERALD. I can not protect anybody but myself, and I have a lot of trouble doing that, Mr. Chairman. If the gentleman wishes to ask a question, I will yield to him.

Mr. MURDOCK. I would like to yield to the gentleman from New York if the gentleman from Illinois will permit me——

Mr. FITZGERALD. One moment——

The CHAIRMAN. The committee will be in order. Does the gentleman from Kansas reserve the point of order at the suggestion of the gentleman from New York [Mr. FITZGERALD]?

Mr. MURDOCK. Conditionally. Will the gentleman from New York [Mr. FITZGERALD] yield to me?

Mr. FITZGERALD. No; I will not yield.

Mr. MURDOCK. Mr. Chairman, if I am not——

Mr. FITZGERALD. He can not make terms with me.

Mr. MURDOCK. Then I make the point of order.

The CHAIRMAN. The gentleman has the right to make the point of order or reserve it. And after it is reserved the gentleman from Kansas [Mr. MURDOCK] can make it at any time.

Mr. MURDOCK. I have made the point of order once, Mr. Chairman, and I now renew it.

The CHAIRMAN. The point of order is sustained. The question is on the amendment offered by the gentleman from Nevada [Mr. ROBERTS].

Mr. FITZGERALD. What amendment was offered by the gentleman from Nevada?

Mr. MANN. Let us go ahead with the other matter.

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again read.

Mr. MANN. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York [Mr. FITZGERALD] desire recognition?

Mr. FITZGERALD. No; not just at present.

Mr. MANN. I would like to make a suggestion. There are a number of these amendments to be offered on both sides of the House with reference to assay offices, and so forth. Could we not agree upon length of debate in the committee so that we will know about it?

Mr. JOHNSON of South Carolina. How much time does the gentleman desire?

Mr. MANN. We want about an hour and 10 minutes. That time will be divided up mostly in 5-minute speeches, and a few 10-minute speeches.

Mr. JOHNSON of South Carolina. You mean an hour and 10 minutes on that side?

Mr. MANN. Yes; including the gentlemen on that side of the House who wish to support the amendment, and the gentleman from Washington [Mr. HUMPHREY] also.

Mr. JOHNSON of South Carolina. Mr. Chairman——

Mr. MANN. We would like to have the amendments voted on as they are offered, however.

Mr. JOHNSON of South Carolina. I do not believe we will occupy more than 10 minutes on this side of the House.

Mr. MANN. I do not care how much time the gentleman may occupy if he will yield an hour and 10 minutes to some one on this side to yield to those Members whom I have on the list here. I do not want to control the time. I suppose the amendments will be offered in alphabetical order, probably, and separately, and then the amendments can be voted on as they come along, without further debate, and the time for debate be fixed only.

Mr. JOHNSON of South Carolina. Did I understand the gentleman from Illinois [Mr. MANN] to say he wanted the hour in favor of the amendments?

Mr. MANN. The gentlemen desire this length of time, which makes an hour: Mr. BURKE of South Dakota, 10 minutes—this is not the order in which they are—Mr. SMITH of Idaho, 10 minutes; Mr. FRENCH, 10 minutes, Mr. JOHNSON of Utah, 5 minutes; Mr. HOWELL, 5 minutes; Mr. BRYAN, 5 minutes; Mr. ROBERTS of Nevada, 5 minutes; Mr. EVANS, 5 minutes; Mr. MONDELL, 5 minutes; and I have not the length of time the gentleman from Washington, Mr. HUMPHREY, wants.

Mr. JOHNSON of South Carolina. Those gentlemen will occupy about 50 minutes?

Mr. MANN. The gentlemen whose names I have read will occupy 60 minutes, I understand, and then there will be 10 minutes more.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that debate on these amendments with respect to the assay offices be limited to two hours, one hour to be controlled——

Mr. MANN. One hour and 10 minutes, if you please.

Mr. JOHNSON of South Carolina. One hour and 10 minutes, to be controlled by whom?

Mr. MANN. Anyone who will take charge of it. The gentleman from Wyoming [Mr. MONDELL] is on the committee.

Mr. JOHNSON of South Carolina. One hour and 10 minutes to be controlled by myself, if I see fit to use it.

Mr. MANN. With this understanding, that these amendments will be offered and debated by the gentlemen who are in favor of them, and by the gentleman from South Carolina [Mr. JOHNSON], if he desires, against them, and then the vote taken upon the amendments.

Mr. JOHNSON of South Carolina. Certainly. In other words, each side will have 1 hour and 10 minutes for debate, if it cares to use it.

Mr. MANN. Very well.

The CHAIRMAN. Will the gentleman from South Carolina now submit his request for unanimous consent?

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that the debate on all the amendments restoring the mints and assay offices be limited to an hour and 10 minutes in favor of the amendments and to a like period of time against them, if I see fit to use the time—the gentleman from Wyoming [Mr. MONDELL] to control the time in favor of the assay offices, and I to control the time against them.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent that the debate on all amendments seeking to restore mints and assay offices be limited to 2 hours and 20 minutes, 1 hour and 10 minutes to be controlled by the gentleman from Wyoming [Mr. MONDELL] and 1 hour and 10 minutes to be controlled by the gentleman from South Carolina [Mr. JOHNSON] himself.

Mr. MANN. That is, with the understanding that the amendments are to be offered and voted upon as we go along.

The CHAIRMAN. With the understanding that the amendments shall be offered and voted upon as we proceed. Is there objection?

Mr. EVANS. Reserving the right to object, Mr. Chairman, do I understand that these amendments are to be voted on exactly as we go along and thereafter the debate on them is to be closed?

Mr. MANN. Yes. If we stated we would have 2 hours and 10 minutes' debate here, there would not be anybody in the Hall within 15 minutes. The fact is that the gentlemen who want to be heard on these propositions want to be heard by the Members of the House; and I suppose that what the committee does in one case will probably be done in the other cases, although there may be some special advantages in one case over another.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] is recognized.

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not care to be recognized now.

The CHAIRMAN. The gentleman from Wyoming [Mr. MONDELL] is recognized.

Mr. MONDELL. Mr. Chairman, I yield five minutes to the gentleman from Nevada [Mr. ROBERTS].

The CHAIRMAN. The gentleman from Nevada [Mr. ROBERTS] is recognized for five minutes.

Mr. ROBERTS of Nevada. Mr. Chairman, there is no Member of this House who has a higher regard for the personnel of the Committee on Appropriations than myself. I realize something of the work which they have to perform, and I realize how diligently they have gone about it. But I believe that in failing to make an appropriation for the mints and assay offices in the West they have striven to economize along the lines where they did not fully understand conditions in order that they might make appropriations along the lines with which they were more familiar.

We do not ask these assay offices in the West for the purpose of keeping men in office. We do not do so for the purpose of bringing money into the Government Treasury. We do so for the purpose of keeping assay offices open to the miners of the West and to promote a great industry. In the assay office at Carson City there were over 800 different deposits made during the last fiscal year. Why, the State of Nevada has produced, gentlemen, something like a billion and a half dollars of gold and silver for this country since it was admitted into the Union. Where is there another State that can come forward with such figures? And yet members of the Committee on Appropriations bring in here bills for appropriations to erect monuments to the memory of dead men. [Laughter.] You can not walk around the great city of Washington without bumping into monuments on all sides.

I do not believe you should throw aside a great industry like the mining industry and at the same time erect your monuments. If you have any monuments to erect, erect them after you have provided for the industries that need protection. I do not object to going ahead and erecting a monument in behalf of George Washington and Thomas Jefferson and John Ericsson and those others. It is all right. But let us legislate for the industries first. You spend thousands of dollars to go out and catch bugs. You spend thousands of dollars to send men down to South America and elsewhere abroad to find out agricultural and trade conditions. At the same time what are you doing for the workingmen out in the West?

Take it in Carson City, where I live. There you have an assay office. First it was a mint. You destroyed that. Then you made it an assay office, and now the Treasury Department has so hampered the officials in that office that they can not handle the money that would come in there if they had proper guards there to protect it.

Look at our State to-day. It is the greatest silver-producing State in the Union. Still we have to send our products to Denver and San Francisco. Why cry over the expenditure of the few thousand dollars necessary to maintain that assay office? Why, the money we are asking for and which you refuse to appropriate to us for the mining industry would not buy gasoline for the automobiles that are used here to-day by the "great commoners" and "economists." [Laughter.] Why, it would not buy gasoline for your Democratic Members who are in favor of economy.

Gentlemen, I say it is a mistake, and I say it not only with reference to the assay office in my own State, but I say it also in behalf of every other assay office. We ought to have more of them. I am glad you left poor old New Orleans something. You made a little provision for her. I am glad you did. This matter is not sectional with me. I am glad also that you took care of some of these other States. But do not forget Nevada. [Applause.]

The CHAIRMAN. The time of the gentleman from Nevada has expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, is it desired to use any more time on that amendment?

Mr. MONDELL. Not on that amendment.

Mr. JOHNSON of South Carolina. Mr. Chairman, these assay offices perform no governmental function. They simply furnish a market to people who are engaged in gold mining. In other words, a person who has bullion to sell can carry it to an assay office, the Government pays him for it, and then the Government bears the expense of transporting it to the Treasury in Washington or to some mint.

We have a Bureau of Mines. We endeavor to encourage mining. We expend large sums of money to help people to study the mining industry. But the only people who are provided with a governmental market for their products are the people who produce gold bullion. Assay offices relieve owners of bullion from paying transportation charges to the mints.

Mr. COX. Mr. Chairman, will the gentleman yield right at that point?

Mr. JOHNSON of South Carolina. Yes.

Mr. COX. Can the gentleman inform the committee how much these transportation charges amount to on the part of the Government from these various assay offices, either to the United States mints or to the United States Treasury, per year, or approximately the amount?

Mr. JOHNSON of South Carolina. I have here figures for Carson City. The expenses of operating the Carson City Mint were $14,160.53. The earnings of that office were $3,072.10. The freight upon the bullion which they shipped was $1,103.13.

Mr. COX. The Government, lost, then, upward of $11,000 last year?

Mr. JOHNSON of South Carolina. The loss was between ten and eleven thousand dollars. I have made the calculation hurriedly.

Mr. ROBERTS of Nevada. Will the gentleman yield?

Mr. JOHNSON of South Carolina. Now, gentlemen, you understand that every mint is an assay office. Any person who has gold bullion to sell can send it to the mint at Denver or San Francisco or Philadelphia, and the Government will assay it and pay him for it. I repeat, these assay offices serve as markets where miners sell their bullion, and the Government pays the cost of transporting the bullion from the assay office to the mint.

Mr. ROBERTS of Nevada. Is it not a fact that the Government of the United States, especially in the last few years, has been aiming to abolish all of these assay offices, and has it not even gone so far as to try to do away with the San Francisco Mint? And is it not a further fact that Congress did not make appropriations enough to allow the Goldfield mines in my district, the richest in this country, to send their money to Carson, where it can be properly protected? You made an appropriation of $2,000 or $3,000——

Mr. JOHNSON of South Carolina. Now, if the gentleman wants to ask a question, let him ask it. I did not yield to him to make a speech. The gentleman has had his own time.

Mr. ROBERTS of Nevada. It is all a part of my question. I put a question mark after it now. [Laughter.]

Mr. JOHNSON of South Carolina. No; we have not tried to abolish all the mints and assay offices. We have never tried to abolish Philadelphia or Denver. We never tried to abolish San Francisco as an assay office, and we made a mistake in trying to abolish it as a mint. If we had not had that provision in the bill, we would have carried it through.

Mr. SMITH of Idaho. The gentleman has stated the earnings of the office at Carson as compared with the receipts. Will the gentleman kindly enlighten the committee as to the earnings at New Orleans in comparison with the receipts, inasmuch as the committee are retaining New Orleans in the bill?

Mr. JOHNSON of South Carolina. We are discussing Carson City now.

Mr. SMITH of Idaho. I know; but I am asking the gentleman about New Orleans.

Mr. JOHNSON of South Carolina. When we get to New Orleans we will discuss it.

Mr. SMITH of Idaho. This is an opportune time to furnish the committee with the information.

Mr. JOHNSON of South Carolina. We have not stricken New Orleans from the bill because the Director of the Mint has said he needed it, but he has said he did not need the others at all. Let me tell you. At Carson City they handled $735,000 worth of bullion at a cost to the Government of $14,160, and the Government paid the transportation on the bullion from Carson City to San Francisco or Denver or Philadelphia, wherever it was necessary to send it.

Gentlemen, these assay offices do not perform any governmental function. Let us do away with them.

Mr. MONDELL. Mr. Chairman, when the gentleman inquired as to whether there were any others who desired to

speak on this amendment I did not know of anyone, but the gentleman from California [Mr. RAKER] desires to be heard on this particular amendment. I realize that the gentleman from South Carolina [Mr. JOHNSON] has the right to close the debate, but I should like to yield to the gentleman from California [Mr. RAKER] if the gentleman from South Carolina does not object.

Mr. JOHNSON of South Carolina. I have no objection. I do not care how you use your time.

Mr. MONDELL. I yield to the gentleman from California [Mr. RAKER] five minutes.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, I want to agree with what the gentleman from Nevada [Mr. ROBERTS] has said in regard to the mint at Carson City. It is but a short distance from the large territory adjoining California that is very productive in gold and silver. A great part of our product goes to the Carson City Mint, particularly that on the east side of the mountains, and from there over the ridge to San Francisco. In fact, Carson City is a convenient place to handle the business, and it has been a very valuable Government function in the mining territory that has produced so much wealth for this country in times of need and stress, and to-day it is an aid to the operation of those mines. Everybody familiar with that country is clearly in favor of developing the mines and in seeing that they produce the greatest possible output, and that the bullion, washings, and meltings may be disposed of at these assay offices.

The small producers take their little amounts of $50, $100, and $200 worth of mineral to the assay office. It is deposited there. They get their checks upon the United States subtreasury at San Francisco or elsewhere, and the assay office is a place where the small miner may exchange his product and advance the interests of the country around him, as well as the country generally. I believe that Congress ought not to do away with these assay offices. You ought not to give these prospectors and miners less opportunity than you give to so many other people in this country. In giving them a place where they can dispose of their product no one is injured, and it adds that much to the wealth of the country, and aids in the distribution of money and in the development of the country. The retention of this assay office at Carson City is detrimental to no one, but is an advantage not only to Nevada but to California. It is not only an advantage to the Western States, but to every State and every individual in this country, and instead of curtailing these assay offices, it seems to me, we ought to extend them. You ought not to handicap this industry when you are encouraging and advancing others. You spend millions upon rivers and harbors, to give cheaper transportation to the people, so that they may get cheaper and better articles; but when it comes to a product that goes all over the world, you say we ought to put a handicap upon it and begin to close down, to shrink, to tie up this industry. Instead of doing that you ought to develop it still further. The report of the Secretary of the Treasury, as well as a statement of the Treasury Department in the hearings, says that this appropriation ought to be allowed. On page 305 of the annual report of the Secretary of the Treasury for the fiscal year ending June 30, 1913, the Director of the Mint says:

> If these offices are to be maintained at all, the appropriations should be sufficient for the employment of competent assayers and helpers to safely and promptly care for the bullion. The assayers are authorized to buy all of the gold bullion offered and to draw checks on the Treasury of the United States in payment therefor. This is an important responsibility, and should only be trusted with men of technical ability and substantial character. The estimates submitted for the fiscal year 1914 are made upon the lowest possible basis consistent with the proper administration of these offices.

He goes on and recites the efforts of Congress to abolish these offices, states in his report that they are necessary, estimates for the amount, and then states that they should be properly provided for.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Chairman, this House has gone on record heretofore on the question of abolishing these assay offices. If my memory serves me correctly, a year ago there were not over half a dozen or a dozen votes against the proposition to abolish them. The Senate placed them back in the bill, and in conference between the House and the Senate the appropriations were greatly reduced. The gentleman from South Carolina has referred to the fact that there is not an assay office in existence to-day, outside of those where mints are in operation and possibly the Seattle office, that is not costing the Government to-day more money than it brings in by way of earnings.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. BYRNS of Tennessee. For a question.

Mr. SMITH of Idaho. Does that statement apply to the assay office in New York City?

Mr. BYRNS of Tennessee. No; it does not.

Mr. SMITH of Idaho. I think the gentleman will find that it does. I think if he looks at the record he will see that it runs behind $75,000.

Mr. BYRNS of Tennessee. There is an entirely different reason why the assay office should be maintained in New York City. The same argument will not apply to New York City that applies to the assay offices in the interior of the country. As a matter of fact, the Director of the Mint stated that not only ought the assay office to be in New York, but that if the mint was not already located in Philadelphia the mint should be there also.

Now, as to the amendment offered by the gentleman from Nevada with reference to Carson City. The value of the gold and silver deposits in 1913 was only a little over $735,000. The earnings were $3,072 and the expenses to the people of this country were $14,160.55. Now, what real good does an assay office perform, so far as the people are concerned? It is nothing more nor less than a convenience and saving to those who mine the gold; it saves them the expense of paying the cost of carrying the bullion to the mint.

Mr. ROBERTS of Nevada. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. ROBERTS of Nevada. Is it not a fact that mining is an industry and that the Agricultural Department in this country costs the Government a good deal of money?

Mr. BYRNS of Tennessee. Oh, the gentleman talks about what the Government ought to do for the miners. The Government is spending more than $662,000 every year for the benefit of the miners—not the corporations which mine the gold, but for the benefit of the men that work and dig in the mines. So when the gentleman undertakes to say that this appropriation is for the benefit of the miner, I deny the proposition. It is for the benefit of the gold-mining corporations in most cases, because the Director of the Mint stated, with reference to one of these assay offices, that five-sixths of the gold mined in the vicinity of that office was mined by one great gold corporation. I refer particularly to the office at Deadwood, S. Dak.

Mr. RAKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. RAKER. Taking the assay office and the mint together, does not the Government come out the better by $500,000?

Mr. BYRNS of Tennessee. If the gentleman takes the assay offices and the mints together; but I submit, Mr. Chairman, that they are wholly separate and distinct, and it is hardly fair for the gentleman to favor maintaining the Carson assay office merely because the mints at Denver and Philadelphia and San Francisco bring in a great profit to the Government by way of seignorage.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 29 and noes 37.

So the amendment was rejected.

Mr. FRENCH. Mr. Chairman, I ask the Clerk to report my amendment.

The Clerk read as follows:

> Amend by inserting as a new paragraph, after line 7, page 66, the following:
> "Assay office at Boise, Idaho: Assayer in charge, who shall also perform the duties of melter, $2,000; assistant assayer, $1,500; chief clerk, who shall also perform the duties of cashier, $1,200; in all $4,700. For wages of workmen and other employees, $3,000; for incidental and contingent expenses, $2,000."

Mr. MONDELL. Mr. Chairman, I yield 10 minutes to the gentleman from Idaho [Mr. FRENCH].

Mr. FRENCH. Mr. Chairman and gentlemen of the committee, I have offered this amendment in the language of the estimates for the assay office at Boise, Idaho. It is my judgment that the estimate is short of that which the office really should require, but in view of the fact that the committee has cut the office entirely from the bill, I have deemed it best to offer an amendment in the language of the estimates that the department has made. For several years the Committee on Appropriations of the House has endeavored to abolish the assay office at Boise and other assay offices in the country, and as regularly the Congress has emphasized its opinion that these assay offices ought to be maintained by reinserting them in the bill.

I think it was about two years ago that the committee reported a bill abolishing not only the assay offices that the committee now proposes to abolish, but, as well, proposing to abolish the offices at Seattle, San Francisco, and New Orleans. These are States represented by large delegations on the floor of the

House. The assay offices that you now propose to abolish are represented by States that have from one Member on the floor, as the case of Nevada, that we have just considered, to three from the State of South Dakota. The other States all have a representation here of but two Members. The idea is suggested by a member of the committee that these assay offices must be abolished in the interest of economy, because they do not pay the operating expenses. Go, if you please, to the assay office in New Orleans, and there we find that the assay office is being operated at a greater loss to the Government than the loss in the assay office at Boise, and yet the committee says, "Well and good, we will retain that office, but we will abolish the office in Boise." Go to the New York assay office, and that is maintained only a few hours' travel from the mint at Philadelphia, and yet there is an assay office maintained at a loss to the Government of $25,000 annually. Yet you say that a different condition obtains there than in my State. New York has the chairman of the Appropriations Committee. New York has a large delegation on the floor of this House, and Idaho has but two Members and not a Member upon that committee. I shall not suggest that there has been expediency in planning and retaining in the bill several assay offices, including the one at New Orleans.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. For a question.

Mr. PAGE of North Carolina. Mr. Chairman, the gentleman has made a statement in respect to the members of the Committee on Appropriations, with reference to the abolition of the assay offices. The very first assay office to be abolished was in my State, and I happen to be a member of the Committee on Appropriations.

Mr. FRENCH. I think the gentleman will hardly compare the returns to that office—the amount of bullion placed there to be assayed—with the bullion in the office in my State or in any other State of the West.

Mr. PAGE of North Carolina. No; nor would the expenses incurred be at such great variance in reference to the receipts as they are in the gentleman's State.

Mr. FRENCH. That is probably true; but they handle a very small amount of bullion in North Carolina, and the expense necessarily would be much less.

Mr. PAGE of North Carolina. In answer to that statement, the State of North Carolina produces more gold than any State east of the Rocky Mountains, and Charlotte had as good a case as is the gentleman's, or as possibly any other assay office in the West.

Mr. FRENCH. And after all, that assay office, or the locality around there that produces gold, is not far away from Philadelphia. In my State the assay office is situated in Boise, a distance of a thousand miles from Denver, a distance of some thousand miles from Seattle or from San Francisco. It is situated in the heart of a district that last year brought to the office to be assayed upward of $1,000,000 of bullion.

The statement made a few moments ago by a member of the committee that the assay offices are maintained in the interest of the big gold companies does not hold true in my State, least of all. In that State there were separate deposits of nearly 1,000 last year, and of the entire amount of upward of $1,000,000 of bullion deposited, 90 per cent was deposited by those who brought less than $1,000 each. More than 95 per cent was deposited by those who brought less than $2,000, and only 5 per cent deposited by producers who produced in excess of $2,000, if you will count those who, through convenience, placed their deposits in the hands of some merchant or some one in the locality to send to the office at Boise.

Gentlemen of the House, you are appropriating millions of dollars annually for the encouragement of other industries and for the encouragement of many of the resources of this country. Mention was made a few moments ago of the paltry sum of a little over a quarter of a million dollars which has been appropriated for the encouragement and betterment of the mining industries. Turn to the Agricultural appropriation bill and there you will find $400,000 appropriated in the last bill which was passed for the eradication of the cattle tick in the Southern States. For the investigation of the dairy industry there was appropriated $250,000. For an experiment station a few miles from this city you appropriated $16,500—more than it costs to operate the assay office in my State. There is a total of two and a quarter million dollars appropriated for the animal industry department. Go next to plant industry. You will find there for the investigation of certain diseases, for the control of orchard pests, etc., an expenditure of thousands of dollars. For the control of the boll weevil in the South, $378,000—a total in that one department alone of upward of $3,000,000. For the Bureau of Entomology there was appropriated $850,000, and for the Biological Survey, $230,000. You can go through the Agricultural Department and you will find these generous appropriations—appropriations that ought to be made—but I submit that we should be as jealous of the mining industry of this country and encourage it even as we encourage the agricultural industry.

We are appropriating millions of dollars for the improvement of our rivers and harbors, and why? Because it means convenience to the people living along the river. It does not net the Government any profit. If you rest your appropriations upon the basis of profits to this Government as a government, considering the Treasury of the United States as a receptacle of those profits, you would not appropriate for the Agricultural Department and you would not appropriate for the improvement of rivers and harbors, nor for the Post Office Department, nor many of the departments that are maintained for the pure convenience of the people alone. Here is a section of country that is accommodated by an assay office. The people, as I have indicated, who bring their bullion there represent the small producers. They are people who, if required to send their bullion to the mints at Denver or San Francisco or other points, would be required to handle bullion by bringing it to the banker or some business man, who would necessarily for his own protection have to make a charge for conducting that business. As it is, the bullion is handled largely in my section of the country as a matter of convenience on the part of the business man extended to his customers. Abolish the assay office, and you will need to place the handling of bullion on a strictly business basis, and these producers, hardy men as they are of the western country, men who are laying the foundations for still greater development, will be required to go to those who act as middlemen and pay them something for their work and the responsibility they assume in sending the bullion produced to the big mints of the country. I appeal to the House to continue this great convenience for the accommodation of the people I represent.

Mr. MONDELL. Mr. Chairman, will the gentleman from South Carolina have more than one speaker on this amendment?

Mr. JOHNSON of South Carolina. That is all.

Mr. MONDELL. Mr. Chairman, I yield five minutes to the gentleman from Idaho [Mr. SMITH].

Mr. SMITH of Idaho. Mr. Chairman, I desire to enter my earnest protest against the action of the Committee on Appropriations in eliminating from this bill the provisions for the assay offices in the Rocky Mountain country, and while I speak especially for Boise I think they all should be retained.

Mr. Chairman, it is the policy of every civilized country to offer every encouragement toward the development of the material resources within its borders, and the United States is no exception to the rule. For that reason the Government in the early history of the western country sent expeditions at great expense across the continent to discover its extent and its agricultural and mineral possibilities with a view of bringing to the attention of the people of the country the opportunities which that section offered. Among these expeditions authorized by the Government was the Lewis and Clark expedition in 1804–1806, the Bonneville expedition in 1831–1833, and the expedition of Gen. Frémont, in 1843–44.

After the discovery of gold in California, in 1848, thousands of hardy, adventurous men in the eastern country flocked to the Pacific coast. Many of them struck out into the interior of the country on prospecting tours, and some of them located valuable gold and silver deposits in the Rocky Mountain States. With a view of encouraging these prospectors the Government established several assay offices, most of which have been in successful operation for over 40 years, and which aided materially in the rapid development of the mineral resources of the western country by affording a convenient place for the prospectors and miners to secure the exact value of the gold ore which they were able to locate and extract.

It is now proposed on the part of some of our eastern Representatives who are evidently unacquainted with the western country and the importance of encouraging the development of its mineral resources to abandon these offices by withholding the appropriation for their continuance.

The only objection which has been urged against continuing this appropriation is that these offices are not quite self-sustaining. If that argument were applied to every appropriation, many of the bureaus of the Government could not remain in existence.

It has always been the policy of the Government to deliver the United States mail to any point where there was a comparatively small settlement, with a view of encouraging the people to strike out into the frontier. In many sections of the Rocky

Mountain country every piece of mail that is delivered costs the Government many times the amount of postage required. In the remote sections of Alaska it is authoritatively stated that each letter costs $2 to deliver, and yet no one seriously objects to this expenditure. If this liberal policy had not been pursued by the Government, many of the settlements in the remote sections would have been abandoned, as civilized people insist on having open communication with the outside world.

In order to remind the House of what is being done to encourage the development of the resources of the country in other directions, attention is invited to the following appropriations authorized in the Agricultural appropriation bill as it passed the House. I am heartily in favor of all of these appropriations, believing that the money is well expended and that great benefits will result from the service to be rendered the various lines of industry which it is proposed that these appropriations shall benefit.

United States Weather Bureau Service	$1,668,270
Bureau of Animal Industry	2,245,026
Bureau of Plant Industry	2,320,455
Purchase and distribution of seed	257,000
Bureau of Chemistry	1,076,481
Investigation of soils	359,235
Bureau of Entomology	450,370
Prevention of the spread of moths	207,540
Investigations relating to the habits of birds, animals, etc.	230,090
Bureau of Crop Estimates	274,180
Office of Experiment Stations	1,901,020
Office of Markets	200,000
Experiments in production of live stock in the cane-sugar and cotton districts	50,000

None of these appropriations are reimbursable. We hear of no arguments against these expenditures on the ground that the various bureaus are not self-sustaining. They are intended to advance the general welfare of the people of the country at large, with special reference to the best interests of those who earn their living through the cultivation of the soil. There are many other similar appropriations made annually for the benefit of the people. We expend thousands of dollars in the employment of special agents and business experts who traverse nearly all the civilized countries to study trade relations with a view of widening our export trade.

Large appropriations are made in the employment of hundreds of physicians in the Marine-Hospital Service who cooperate with other members of their profession in combating various diseases. We have constantly employed at a large expense agricultural experts who are scattered all over the country, especially in the Southern States, delivering lectures to the farmers and assisting them in getting the largest possible returns from the cultivation of the soil. This money is all well expended for the general good of the Nation, but none of it comes directly back to the Treasury.

Why should you demand that the assay offices throughout the western country, which are almost self-sustaining, be discontinued? Why should not the prospector and miner be afforded a convenient market for his products as well as the farmer, the horticulturist, or the stock raiser?

It seems to me, in view of the fact that the prospector and miner incurs a much greater risk than those engaged in the other industries mentioned, that he should have special consideration. He may work an entire season with his pick and shovel without any remuneration. In his efforts to locate pay ore he risks his health and his life in traversing the mountains, frequently alone and hundreds of miles from civilization, depending upon the food he can carry with him or the game he may be able to kill for sustenance. But for his defiance of the elements, his fortitude, and his intrepidity millions of dollars which have found their way into the wealth of this country would still be in the bowels of the earth. It would be more sensible, in my opinion, to offer him an incentive by a direct appropriation double the value of the gold which he may extract, rather than to discourage him by not providing markets for the results of his toil.

These assay offices are in existence to-day because of a law placed upon the statute books nearly a half century ago authorizing and defining their functions. In my opinion, Mr. Chairman, it is unfair to attempt to put them out of existence by withholding the necessary appropriation for conducting them. If it is honestly believed that they should be abandoned, why do you not introduce a bill providing for their abandonment and have it regularly considered by the Committee on Mines and Mining, which, under the rules of this House, has all matters in charge affecting the mineral resources of the country, when an opportunity would be afforded those who are really advised in regard to the necessity of continuing these offices to appear before the committee and submit arguments, which I am sure would appeal to those who are not prejudiced.

In my opinion, Mr. Chairman, it is no part of the functions of the Committee on Appropriations to arbitrarily attempt to abandon these offices, which are regularly authorized by existing statutes. It is proposed by the Committee on Appropriations that this law be practically repealed by withholding the necessary appropriations to continue these offices in effect. The Committee on Mines and Mining is largely composed of western men, who are fully advised in regard to all matters affecting the mineral resources of the country, while the Committee on Appropriations, having this bill in charge, has but one member from west of the Missouri River.

It is not right, it is not fair, to proceed in this manner, and you are not observing that degree of consistency in regard to the best interests of the country which should characterize every Member of this body.

It is rather singular, Mr. Chairman, that it is proposed to continue the assay office at New Orleans, at an expenditure of $19,969.60, while the earnings are only $3,704.60. This office is described in the law as a "mint," for the purpose, evidently, of making it appear that there are reasons for its continuance which do not apply to the continuance of offices in the Rocky Mountain country, regardless of the fact that no minting has been done at New Orleans since July 1, 1911. It is, as everyone knows, hundreds of miles from the mineral section of the country producing the precious metals.

If it were proposed to abandon that office, I venture to say that every Member of Congress from that section of the country would arise in protest, and yet there appears to be no more reason for its existence than those it is proposed to abandon.

Is there a single Member here who would not oppose the curtailment of the appropriation for the Bureau of Animal Industry, the Bureau of Plant Industry, the Office of Markets, for experimenting in the production of live stock in the cane-sugar and cotton-raising districts, or for the eradication of the boll weevil? Why, then, should you not be willing to extend to the mining States the small consideration which we are demanding in connection with the retention of these assay offices?

As a matter of fact, Mr. Chairman, the mints and assay offices throughout the country are a source of profit to the Government when taken collectively, as the seigniorage represents an income of nearly $5,000,000 per annum over expenditures. The assay offices throughout the country gather up the silver and gold and it is concentrated at the mints, just as the mail is gathered up at the small post offices for the larger cities.

If the plan suggested by the committee were to be followed out with reference to the Post Office Department, you would be abandoning thousands of offices where the expense of carrying and distributing the mail does not equal the receipts, and have the mail handled only at the larger towns and cities where it can be handled at a profit.

In view of the fact that the gold supply was $5,000,000 less last year than the previous year, it is certainly a wise thing to do to offer every encouragement to the prospectors and miners to continue their explorations into the mineral sections with a view of finding new prospects and developing new mines. I feel confident that if the members of the Committee on Appropriations who insist on abandoning these offices were to make a careful study of the effect of their action upon the prosperity of the country by personally visiting the mining States, they would not, in order to save a few thousand dollars per annum, strike this cruel blow to the mineral industry of the country at large and the Rocky Mountain States in particular.

Mr. Chairman, the people of my country feel very deeply in regard to the question of abandoning these assay offices, and, as an indication of their interest in the matter, I desire to call attention to the fact that at a recent convention, held at Boise, Idaho, by the members of the Idaho Mining Association, strong resolutions were adopted urging the support and maintenance of these assay offices in the mining States, which I will submit for your consideration. [Applause.]

The commercial clubs of the State have also given the matter careful consideration, and have passed resolutions urging that these offices be continued, some of which are as follows:

Resolutions adopted by the Idaho Mining Association in convention at Boise, Idaho.

Whereas it is a permanent and well-established policy of the United States Government to assist in the development of the natural resources of the country; and

Whereas the wisdom of this action is proven beyond all doubt by the upbuilding and establishment of the greatest Nation and the most progressive Government; and

Whereas in the aforesaid development and assistance our Government is now appropriating and expending millions of dollars in extending and perfecting the agricultural production. In fact, the Agricultural Department was established for the sole purpose of the betterment and increasing the products of the soil; and further, many millions are appropriated every year for the assistance, comfort, and protection of the citizens of the whole country; and

Whereas the mining of the precious metals is one of the most necessary and important industries of the United States, because it produces the basic value of wealth and the medium of circulation which is the life of all business transactions; and

Whereas the forerunner and pioneer of all mining development is the rugged and worthy prospector, who endures the hardships and who reaps such a small reward for his labor, and who gives more to the world with less recompense than any other class of citizens; and

Whereas the United States assay offices located in the mining States are a most potent factor for the protection and aid of the prospector or small miner, who would otherwise be at the mercy of the refinery and private assayer in disposing of his small product of precious metals; and

Whereas this Government can ill afford not to maintain and support these assay offices, when the appropriation of so small a sum as $100,000 is all that is required: Therefore be it

Resolved by the Idaho Mining Association, in convention assembled, That all Senators and Representatives in Congress be, and they are hereby, requested and urged to use all honorable means to secure the appropriation for the support and maintenance of the assay offices in the mining States; and be it further

Resolved, That a copy of this resolution be forwarded to the Senators and Representatives.

—

Resolution of the Idaho State League of Commercial Bodies.

At the convention of the Idaho State League of Commercial Bodies, held November 6 and 7, the following resolution was unanimously adopted:

"Believing that the abolishment of the assay office at Boise would be a serious blow to the mining industry of the State at large, owing to the fact that the majority of deposits are made by prospectors and miners in small amounts, these persons suffering by the abolishment thereof: Therefore be it

"*Resolved*, That we indorse the efforts being made by our representatives in Washington in the interests of the assay office."

R. N. CHILDS, *Secretary*.

—

Resolutions adopted by the Commercial Club, Payette, Idaho.

Whereas the Government assay office in Boise, Idaho, which has been maintained for many years and which is of great accommodation and usefulness to prospectors, is in danger of being abolished by the Congress of the United States; and

Whereas the usefulness and convenience of this assay office and others in the western mining States still exists and their maintenance is an encouragement to the miners and mining industry: Be it

Resolved, That this club do all in its power to further the maintenance of this assay office, and that the secretary of this club be instructed to communicate with Hon. ADDISON T. SMITH, our Congressman, asking that he use his efforts in having this office continued.

—

Resolution.

POCATELLO, IDAHO, *January 12, 1914*.

We, the members of the Pocatello and Bannock County Commercial Club in body assembled pass resolutions:

"Whereas it being the contention of eastern Members of the Congress that the western people are not interested in the retention of the assay offices: Be it

"*Resolved*, That it is the sincere desire and wishes of the people of this county to remonstrate against the efforts of abandoning these assay offices, which have been established for the past half century and which have been and always will be a source of great convenience as well as encouragement to the prospector, as well as to the public at large, giving them benefits in numerous ways, as well as inducing to bring forth from mother earth its unlimited wealth."

COMMERCIAL CLUB,
By GEO. STALL, *Secretary*.

—

Resolutions of the Elmore Development League, of Mountain Home, Idaho.

MOUNTAIN HOME, IDAHO, *January 16, 1914*.

Hon. ADDISON T. SMITH, M. C.

DEAR SIR: At a regular meeting of the above league the following resolution was adopted and a copy ordered transmitted to you:

"*Resolved*, That we view with disappointment the attempt on the part of certain Members of Congress to abolish the assay office at Boise, Idaho, as also the movement to deny said office a sufficient appropriation to maintain it."

There appears to be a misapprehension by these Members advocating the abolishing of said office as to its patrons and its usefulness to the public. Hundreds of miners and prospectors who spend their summers in the mountains and along the streams of Idaho and eastern Oregon working small claims, panning out small quantities of gold, bring the results of their season's work to the assay office and convert it into cash, said assay office being the only place where they may obtain pay for their product without long delay in shipping to distant mint stations.

To abolish the office would prove a hardship to these miners and prospectors, and particularly to Elmore County, a large percentage of whose population is engaged in mining, and in our opinion would do much to discourage the search by the individual for the precious metals.

It is not the mining companies that need the office, but rather the individual miner and prospector who goes out and pans the streams and scours the mountains in search of the metal of ultimate redemption.

We therefore urge each Senator and each Representative in Congress from the State of Idaho to use his eloquence and best efforts for the retention and maintenance of said assay office.

—

Resolutions of the Rupert Commercial Club, Rupert, Idaho.

JANUARY 26, 1914.

The Rupert Commercial Club being in regular session this day, and a quorum being present and the consideration of the matter of the discontinuance of the Government assay offices in the Western States coming up for consideration by the club at this time, and the members of the club being in possession of the knowledge of the facts in the premises and of the attitude of some of the Members of Congress on the subject; and

Whereas there is a disposition on the part of some of the Members in Congress to favor the discontinuance of the assay offices in some of the Western States; and

Whereas we believe that these assay offices are a great inducement to the prospectors and a great convenience to the mining interests: Now, therefore,

We the members of the Rupert Commercial Club, in regular session assembled, do hereby resolve, That the said Government assay offices should be continued for the benefit of the mining interests of this country and as an inducement to the prospector to assist in the development of this great western country, and we do most earnestly remonstrate against any action being taken toward the discontinuance of these offices, and that we do most heartily commend the action of our Congressman, the Hon. ADDISON T. SMITH, in his attitude in Congress on this matter.

—

STATE OF IDAHO,
County of Minidoka, ss.

I, W. R. Hyatt, the regularly elected, qualified, and acting secretary of the Rupert Commercial Club, do hereby certify that, among other things, the Rupert Commercial Club did pass the foregoing resolution at a regular meeting of the club on said date.

W. R. HYATT, *Secretary*.

Only a few days ago I received a telegram from the committee on resolutions of the Boise Chapter of the Idaho Mining Association, calling attention to the fact that no country has ever been prosperous under a declining production of gold, which is appended hereto:

BOISE, IDAHO, *April 2, 1914*.

Hon. ADDISON T. SMITH,
House of Representatives, Washington, D. C.:

Boise Chapter of Idaho Mining Association calls your attention to the fact that no country in the world has ever been prosperous under a declining gold production; that our gold production declined $5,000,000 during 1913; that abolishing of western assay offices will accentuate this decline by making mining conditions more rigorous; that it would be better to abolish New York City assay office than abolish any assay office in any gold-producing district. Your attention is also called to the fact that excess of earnings over expenditures at the Boise assay office for the last nine months were over $31,000. Kindly give copies of this telegram to Representative FRENCH and Senators BORAH and BRADY and members of the appropriate committees of the House and Senate.

J. B. ELDRIDGE,
ROBERT N. BELL,
E. W. JOHNSON,
CLINTON H. HARTSON,
RAVENEL MACBETH,
Committee on Resolutions.

I also submit in connection with my remarks an editorial from the Mining World of December 27, 1913, containing splendid arguments in favor of the continuance of these assay offices which it is proposed to abandon:

MINOR ASSAY OFFICES OF THE GOVERNMENT.

It has been urged as an objection to the minor assay offices that they are not self-sustaining, but as a matter of fact there is no reason why they should be. The mint service, like many other departments of the Government, was not established primarily as a profit-making business, but for the accommodation of the public, and the net cost to the Government for the maintenance of the six offices now in existence is less than $100,000 per annum. These so-called "minor offices" are located at Boise, Carson, Deadwood, Helena, Salt Lake City, and Seattle. The office at St. Louis was discontinued June 30, 1911, and that at Charlotte June 30, 1912.

The excess of operating expenses over fees collected during the fiscal year 1912 at the New York assay office was $117,098.96, while at the seven other offices—Boise, Carson, Deadwood, Helena, Salt Lake, Seattle, and Charlotte—at all these combined the excess was only $90,228.51, a difference against the New York office of $26,870.45.

The Philadelphia Mint, the most splendidly equipped institution of its kind in the world, is only two hours from New York, and anyone having business with the latter city could with almost equal facility transact that business with Philadelphia. Yet for the sake of the trifling convenience it is to the New York banks to have an assay office there, we are called upon to expend more than is required to maintain seven assay offices, the two nearest of which are not less than 400 miles apart, and which are scattered among the gold-producing States, just where they are needed, and which accommodate thousands of people. It should be remembered also that the poor man is the one who is benefited by these small offices; they make it possible for him to continue the business of prospecting, and it is the prospector who in the first instance has discovered the great mines which have added so much to the wealth of the Nation.

If, then, the offices which fail to collect enough in fees to offset their operating expenses should be put out of business, the New York office should be the first to go, since that costs more than all the rest combined. But it is said that that office is worth the cost because of the accommodation it affords to trade; then if this justifies the expenditure, we are even more justified in expending whatever sum may be necessary to maintain a sufficient number of smaller offices to accommodate the men who are taking wealth out of the ground at the risk of life and limb and at great uncertainty of any return upon their investment, particularly when it is remembered that by minting their product the Government makes a direct profit of $5,000,000 annually, and that the sum required for their maintenance is less than $100,000. One would scarcely argue that the New York banker is entitled to more consideration than the western prospector.

It has been said that the New York office can not be compared with the smaller offices; they certainly can not be compared to the advantage of New York. But if it is still insisted that the minor offices should be self-supporting we find, taking the reports of the Director of the Mint for the last 10 years, which we have—1903–1912, inclusive—that the Government has made an average annual profit on the mint service of $5,429,005.10. It is evident that were the minor offices credited with a share in this profit proportionate to the amount of bullion handled by each all of them would be self-supporting.

As, however, it may be urged that the Government would receive as much bullion and make this profit if all the smaller offices were dis-

continued, it is proposed that the charges to be collected be so increased as to cover all operating expenses and leave this profit intact.

During the 10-year period mentioned the purchases of bullion of all kinds averaged annually $207,668,838.71, and the operating costs $1,637,949.77, or 0.78 per cent. But during the first half of this period it cost 0.86 per cent, while during the latter half it fell to 0.71 per cent, and for the last year mentioned—1912—it was only 0.69 per cent. Most of the reduction was made in the minor offices, and there were further reductions made in the years (fiscal) 1913 and 1914.

The present method of computing charges on bullion purchased is so complicated that neither Congress nor the public generally understand it. It is proposed, therefore, that whenever bullion is presented at any of the mints or assay offices it shall be melted and assayed and the value computed as at present: from the total value of gold and silver thus ascertained shall be deducted a flat charge of $2.10 on all deposits below $300 in value, and at the rate of 70 cents for each additional $100 or fraction thereof. That where the deposit consists of very impure bullion an additional charge shall be collected sufficient to cover the cost of additional treatment, but that with this exception no charge shall be made at any of the mints or assay offices on bullion deposited to be purchased by the Government, save and except the above-mentioned charge of 70 cents per each $100 in value.

This change in charges shall not be understood to affect in any way the so-called bar charge made at the mints and at the assay office in New York when the bars are sold to the public.

This charge of 70 cents per $100 in value is ample to cover all the cost to the Government of taking the bullion from the miner and making it into coin, including the cost of transportation from the assay offices to the mints. The miners in the gold-producing States and the traders in New York will be accommodated as at present, and there will remain to the Government an annual profit of over $5,000,000 to pay interest on capital invested and wear and tear on plant.

Annexed is a table in support of these figures taken from the annual reports of the Director of the Mint:

Year.	Reference page.	Total bullion operated upon.
1903	7	$159,700,469.83
1904	10	226,888,758.10
1905	16	175,904,480.45
1906	8	186,888,975.26
1907	8	241,699,459.55
1908	11	326,630,042.00
1909	5	192,314,693.00
1910	8	165,890,779.00
1911	14	220,023,123.00
1912	11	180,747,607.00
Total, 10 years		2,076,688,387.19
Average		$207,668,838.71
Total for first five years		991,082,143.19
Average		198,216,428.64
Total for last five years		1,085,606,244.00
Average		217,121,488.80

Year.	Reference page.	Earnings.	Expenditures.	Profits.
1903	6	$8,699,656.69	$1,805,208.56	$6,894,448.13
1904	10	6,909,438.51	1,896,834.17	5,012,604.34
1905	118	5,035,737.66	1,540,341.00	3,495,396.66
1906	110	3,707,927.47	1,578,798.10	2,129,129.37
1907	124	10,179,064.01	1,777,797.02	8,401,266.99
1908	102	10,942,900.98	1,955,843.24	8,987,057.74
1909	106	7,263,861.04	1,727,471.06	5,536,389.98
1910	84	4,869,672.54	1,463,471.39	3,406,201.15
1911	88	6,118,293.71	1,372,686.38	4,745,607.33
1912	88	6,943,896.17	1,261,046.80	5,682,849.37
Total		70,670,448.78	16,379,497.72	54,290,951.06
Average		7,067,044.87	1,637,949.77	5,429,095.10
Total expenditures first five years				$8,598,978.85
Average				1,719,795.77
Total expenditures last five years				7,780,518.87
Average				1,556,103.77
Gross expenditures to value of bullion handled:				Per cent.
For total period of 16 years				0.78
For first 5 years				.86
For last 5 years				.71
For 1912				.69

Mr. Chairman, if this ill-advised action on the part of the Committee on Appropriations is sustained, it will result in irreparable injury to the mining interests of the West and to thousands of prospectors and small mine operators in that section. The prospectors would be especially injured, as this worthy class of men depend upon an immediate return from each clean-up, with which to secure funds to purchase needed supplies. If they are required to send their gold a long distance, with consequent high carrying charges, they would be greatly handicapped and probably forced to cease operations. In several sections of Idaho and other Western States the mining industry is reviving. Some recent good discoveries have been made which have stimulated the prospectors, and they are preparing to enter into explorations in increasing numbers, and these assay offices are as much of a necessity to-day as they were when first established.

If they are abandoned, these prospectors and miners must ship their ores to a private refinery or be obliged to send them to a mint or assay office a long distance off, and to wait weeks for returns or sell their ores to a private dealer at a price fixed by him. If those who are determined to abolish these offices on the ground of economy, and who will not accept the recommendations of the Representatives and Senators from the mining States, will take the trouble and time to thoroughly investigate the matter I am confident that they would not insist upon the arbitrary action which is contemplated.

The members of the Committee on Appropriations would doubtless resent the suggestion on the part of the western Representatives that they are not advised in regard to the needs of their own respective districts or localities, and yet they insist upon disregarding the arguments and appeals made by these western Representatives in behalf of an industry which is peculiar to that section of the United States.

I realize that the Committee on Appropriations must exercise great discretion in framing an appropriation bill, but it is a singular fact that the reductions proposed apply to the western country, which is not represented upon the committee, and not to the East and South.

I appeal to the Members of this House to support the amendment providing for the continuance of these assay offices and not to follow the recommendation of the Committee on Appropriations in this instance. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Mr. Chairman, is the gentleman from Wyoming going to use any more time on this amendment?

Mr. MONDELL. No.

Mr. BYRNS of Tennessee. Mr. Chairman, the same reasons apply for the abolishment of the assay office at Boise City as apply to Carson City. Practically there is no difference in the amount of deposits received at the two places and practically no difference in the amount of expenditures, and also as to the earnings. There were 957 depositors at Boise in the year 1913 as compared with 891 at Carson City. The value of the gold and silver deposits was $1,022,087.29 as compared with $735,000 at Carson City. The earnings of the assay office at Boise were $3,908.21, while the expenditures were $14,868.80.

Mr. FRENCH. May I ask the gentleman a question?

Mr. BYRNS of Tennessee. I will yield for a brief question.

Mr. FRENCH. Is the gentleman acquainted with the fact that the earnings of the assay office at New Orleans are $5,250, while the expenses are $18,500, and that the expenses over the receipts are greater than they are at Boise, and yet you retain the one at New Orleans?

Mr. BYRNS of Tennessee. If the gentleman will be patient for a moment, I was coming to the question of stating the reason for the action of the committee in retaining the mint and assay office at New Orleans. That was done at the instance of the Director of the Mint, and I desire to call the attention of the committee to the hearings, on page 246, in which he makes this statement:

> If you are going to consider the offices individually, the three that are entitled to more consideration than the others are Seattle, New Orleans, and Deadwood. That is my judgment. The Deadwood office comes so near paying its own way that I include it. If there should be an increase in production, or as much increase as there was last year over the year before, the office would be self-sustaining.

Now listen:

> New Orleans is an important port, and with the completion of the canal will be more so. Its deposits are chiefly from Central and South America. Moreover, there are $22,500,000 in silver dollars stored in its vaults which can not be conveniently moved, and must be guarded.

Mr. HOWELL, Mr. FRENCH and Mr. SMITH of Idaho rose.

The CHAIRMAN. Does the gentleman yield?

Mr. BYRNS of Tennessee. Not just at this moment. And it was because of that statement of the Director of the Mint that it is necessary to maintain this office in New Orleans for the reasons stated and also because of the storage of this immense amount of silver dollars that the committee decided that it would be proper to maintain that office.

Mr. FRENCH. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. For a brief question.

Mr. FRENCH. This was for the accommodation of the producers of Central and South American States in preference over the producers in our own United States?

Mr. BYRNS of Tennessee. Oh, not by any means. What the Director of the Mint meant to convey to the committee was that it was for commercial reasons that that place should be maintained, just as we maintain the assay office at New York, but of course for a much greater and more important reason. It is, of course, important to encourage the importation of gold into this country, whether it comes from South America or Europe.

Mr. FRENCH. Will the Idaho case have a stronger standing if the depositors were those who send their deposits from outside the United States?

Mr. BYRNS of Tennessee. I have just said it is important that gold be imported into this country for commercial reasons. As a matter of fact, these assay offices are used almost entirely by corporations mining gold.

Mr. RAKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Not now. These assay offices do not benefit the miner in the mines, but it is for the benefit of the corporations which mine the gold, and saves them the expense of sending their bullion to the mint, as they should do, rather than to ask the people of this country to send it there at their expense. Now, there is no reason why the gold miners of Idaho can not send their gold bullion to Denver. I do not know how many miles it is, but it is not a great distance, and it would not cost them very much. As a matter of fact, the cost of shipping from Boise was $1,103.13, and I have just stated the depositors were 957 during the year 1913. Now, so far as I can see, that is the only benefit that can be derived from the continuation of these assay offices in the interior of the country, simply to provide free transportation to these corporations and individuals who mine the gold.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Idaho.

The question was taken, and the Chairman announced the noes seemed to have it.

Mr. FRENCH. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 33, noes 38.

So the amendment was rejected.

Mr. BURKE of South Dakota. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. There is an amendment pending, offered by the gentleman from Montana [Mr. EVANS], which the Clerk will report.

The Clerk read as follows:

At the end of line 7, on page 66, insert a separate paragraph, to read as follows:

"ASSAY OFFICE AT HELENA, MONT.

"Assayer in charge, $2,000; chief clerk, who shall also perform the duties of cashier, $1,400; assistant assayer, $1,500; in all, $4,900.

"For wages of workmen and other employees, $3,000.

"For incidental and contingent expenses, $2,000."

Mr. MONDELL. Mr. Chairman, I yield five minutes to the gentleman from Montana [Mr. EVANS].

Mr. EVANS. Mr. Chairman, the amendment I have offered proposes to restore an item providing for the assay office at Helena, Mont., and involves an expenditure of not to exceed $6,000. I sincerely trust and hope that on the vote on this amendment we will make as much progress as we did on the last amendment, and if so, we will at least retain this one assay office for all that great western country. We will spend under this proposed amendment less than $10,000. The receipts of this office last year were $4,000, so the net expense to the Government, if this office is maintained, will be approximately $6,000 a year. In the Helena assay office last year they took care of approximately $2,000,000 worth of bullion, at a cost of about $9,000 to the Government.

It has been suggested here so often that I dislike to repeat it that you are spending millions of dollars in the Agricultural Department, you are spending hundreds of thousands of dollars for the eradication of hog cholera; you are spending millions upon millions in commerce, in the improvement of rivers and harbors, and in a hundred other ways, yet you seem to begrudge us a few thousand dollars for the mining interests of the country.

The State of Montana, which is represented, as has been suggested, by only two Members here, has produced in its territorial and statehood days about $400,000,000 in gold. The assay office in Helena has handled more than $80,000,000 of that amount, and only at a cost of three-fourths of 1 per cent for the handling thereof.

Now, we sincerely feel that the maintenance of that office is not in the interests of the corporation or the miner of gold in large quantities. There were eight hundred and some depositors at the Helena office last year. The big fellow can take care of himself. It is the small man; it is the man who brings there $200 or $500 that we want to assist. Those men go out into those little canyons and mine four or five months with their sluice boxes and gum boots, and there is one place where they can get their money without delay. They want to deal directly with the Government and get all that they are entitled to.

The average individual has not the opportunity or the facilities for testing for fineness, or weight even, and if he does handle the prospectors' gold he wants a profit for it, while the Government does not. And I want to impress upon you gentlemen who believe that this particular assay office and all assay offices are maintained in the interest of the big miners that you were never so mistaken in your lives. The man who does not receive any attention at the hands of the people of this country is the fellow who goes out and mines and prospects—the fellow who takes a burro and a pick and shovel, a side of bacon and some beans, and endures the hardships of a rigorous climate and a wild country and the absence of civilization, who sleeps out on the mountain side or under some protecting tree or in some improvised cabin. He is the fellow who profits by this business, and not the big miner. The miners at Anaconda and Butte and Great Falls, who have big works, have means to send their gold, and probably do send it, to Denver or San Francisco.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. EVANS. With pleasure.

Mr. STEPHENS of Texas. Will the gentleman from Montana tell us whether or not the prospector he has been describing can go to one of these assay offices and have his samples assayed at Government expense, or does he have to pay for it?

Mr. EVANS. I think, so far as assaying is concerned, he has to pay about $2.

Mr. STEPHENS of Texas. Is not that the same price you would have to pay if you went to a private assay office?

Mr. EVANS. I think our average assay is about $3 in the State of Montana.

Mr. STEPHENS of Texas. It would be of some advantage, then, to the prospector, because it would be cheaper than he would have to pay to a private party?

Mr. EVANS. Undoubtedly so.

Mr. STEPHENS of Texas. But, then, it is supposed to be a better assay and one on which he can rely?

Mr. EVANS. It is an honest, square assay. Oftentimes the individual assay—and I do not say it in disparagement of people engaged in that work—will show less than it really should, and will enable certain parties to acquire property which they should not acquire.

Mr. STEPHENS of Texas. I quite agree with the gentleman, and I see no reason why a prospector, in order to better his condition in life, should not be aided by the Government just as much as the man who is following the plow or is herding cattle on the range.

Mr. EVANS. Gentlemen, the prospector made that western country. We have discriminated against him from time immemorial, as far as that is concerned. For the last 10 years we have treated him niggardly in connection with our Forestry Service out there. We have excluded him from great opportunities. We are getting along better now.

For 10 years the prospectors and small miners in my State have been harassed and annoyed by a swarm of special agents and Forestry Service men, who, knowing nothing whatever about mines and mining, have assumed to dictate to and regulate the affairs of every man who had the courage, ambition, and energy to go out into the mountains and seek to wrest from nature the precious minerals which the Almighty placed there. These prospectors, who for years have traversed the hills and valleys of all that mountainous country, seeking its hidden treasures, have found themselves in recent years made the object of attack by a lot of inexperienced, young, college-bred fellows, drawing a salary of $1,000 or $1,500 a year. They, by reason of the power of the Government behind them, have harassed these men, until prospecting is becoming a lost art with our people.

Again, the rules and regulations governing the Forest Service and the rules and regulations of the Interior Department pertaining to mining claims and the right to prospect upon the public domain have been so framed, construed, and enforced as to be a burden upon these people. Even the Congress of the United States has been hesitating and dilatory about the enactment of laws which would encourage and promote the mining industry, particularly in the West. There are bills pending to-day, both in this House and the Senate, looking toward a revision of the mining laws, and all of them are apparently being opposed by men coming from other sections of the country, who know nothing whatsoever about the mining industry or the wants, needs, hopes, and aspirations of the people of this rich mining region. And when we come here asking for only a mere pittance of an appropriation, amounting, as I suggest, to an expenditure of less than $10,000, we are told by gentlemen in control of this bill that the assay offices serve no useful purpose and are used only, or very largely, by the large mining concerns, who are seeking to burden the Government with that expense rather than bear it themselves. Such a

statement shows only the absence of information on the part of the speaker.

If you will turn to the report of the hearing on this very bill, on page 244, you will find that Mr. Roberts, Director of the Mint, testified, in answer to a direct question, as follows:

The small depositors care more for the services of the assay offices than the large ones do; they get returns more promptly than they would upon shipments to the mint.

That statement should refute the suggestion repeatedly made upon the floor of this House that these assay offices are maintained in the interest of the large mining companies.

Take the office under consideration, which handled last year $2,000,000 worth of bullion, with 827 depositors, and assume for the sake of the argument that half of that bullion was deposted by 10 large mining companies. Each of those companies would then have deposited on an average of $100,000—surely you would not consider a company which deposited less than $100,000 in a year's time a large concern—and you still have left 817 depositors, whose business aggregated $1,000,000, or a little more than a thousand dollars apiece. Certainly you would call a man who in a year's time does only a thousand dollars' worth of business a small business man, and you would not rate him as a big mining man or concern.

The report of the Director of the Mint shows that $80,000,000 worth of gold has been handled through this office in the past 40 years at an expense of less than three-fourths of 1 per cent. Now, if you abolish this office the resultant cost to the man who produces this gold will be multiplied many times. So long as this office remains in existence a man with a few hundred or a thousand dollars' worth of gold can take it there, and within the course of 24 hours have its fineness tested and receive a draft upon the Government of the United States for its value, less a very meager charge, which, as I remarked, amounts to less than three-fourths of 1 per cent. But abolish this office and the man who has a few hundred or a thousand dollars' worth of gold must ship it to Denver or San Francisco, pay the transportation charges and wait many days for his returns. The result will be that the small miner, after having endured the hardships of a summer's toil, must take his gold to the pawnbroker or the small merchant and there dispose of it. Neither the pawnbroker nor the merchant is qualified to test the fineness of this metal, nor is he prepared to correctly weigh and give to the producer its actual value. In his transactions with the miner he is looking for a profit, he is going to be on the safe side, and he is therefore going to pay to the miner 2, 3, or 5 per cent less than its real value in order to make himself safe in the transaction. And I say without fear of contradiction that in the handling of the $2,000,000 worth of mineral which passed through the Helena office last year the cost to the producer under the circumstances I have related would be from $40,000 to $100,000. And here we are in the Halls of Congress anxious and willing, in an effort to save the Government six or eight thousand dollars—we are willing that those 827 miners and prospectors shall sacrifice the sum of from $40,000 to $100,000.

Ah, but we are told by the gentlemen who have charge of this bill that in maintaining this and similar assay offices we are perverting the functions of the Government, that at the expense of the Government we are furnishing a market for the product of the western miner, and that to do so is a perversion of the real functions of government. Why, my good friends, if you will turn to page 122 of the very bill we have under consideration you will find that the committee has reported an appropriation of $75,000 to be expended under the direction of the Secretary of Commerce to further promote and develop the foreign and domestic commerce of the United States. If we can disburse $75,000 to find a market for the manufacturers of the manufacturing States, can we not in all fairness and justice expend the pittance of $6,000 to find a market for the products of the hardy pioneers and prospectors of that great western country? And the $75,000 mentioned in this bill is only a fractional part of the money which is annually expended by the Government for the express purpose of finding and furnishing a market for our products. We maintain a consular agent to promote the commercial welfare of this country in every part of the world; we spend millions of dollars on statistics and crop reports for no purpose in the world except to enhance the market value of the product of the producer.

At the risk of repeating some of the things I have tried to tell you, I desire to read a statement from the assayer in charge of the Helena office:

These offices are so vital to the mining industry in the West that it is nothing short of a crime to abolish them.

The great injury would come to the small miners, who bring their gold to these offices and within a short time receive payment for its value. They depend upon an immediate return from each clean up to meet their pay rolls and purchase needed supplies. To force them to send their gold a long distance, with consequent high carrying charges, would mean that a number of small properties which are now conducted under decent profit would be compelled to shut down, throwing a large number of men out of employment, making a general stagnation in various small camps.

The mining development of this section of the country served by these offices is now entering upon a revival, which means a great deal to the country if it is properly fostered and aided instead of being hampered by attacks of this nature.

The uses of these offices to the miner are best shown by the records. Take the assay office in this city, which has been in existence since 1874. Since that time it has smelted and paid over $80,000,000 in gold bullion. The cost to the Government for handling this immense sum has been a little less than three-fourths of 1 per cent, or at the rate of about $15,000 a year.

The convenience of the local office has been of untold benefit. Eleven counties in the State of Montana sent to the Helena office last month gold bullion of the amount of $136,695.55. A very large percentage of the producers of this gold bullion is composed of small miners, who bring to the office anywhere from 1 ounce to a thousand dollars, and they consequently would suffer the most if the office was abolished. When these small savings are melted and the value determined, the owner is at once given the cash for his gold. The cost for this service is about $2. If he were obliged to resort to a private refinery, the expense would be prohibitive.

This is a matter of vital importance to the entire West, not only to the people engaged in the industry but to the wholesale, mercantile, and manufacturing industries furnishing supplies and machinery.

If the men who are attempting to abolish these offices on the ground of economy would come here and make an honest investigation, they would not only cease this campaign but would inaugurate one for the enlargement and support of these assay offices.

The committee in charge of this bill proposes to continue the assay office at New Orleans, in a territory which does not produce an ounce of gold, and the reason assigned for such continuation is as follows:

We have an assay office at New Orleans because we expect it to be an important port in our business relations with Central and South America when the Panama Canal is opened.

If that statement be correct, and use is to be made of this assay office, it must be used by people mining gold in Central and South America, and I submit to the membership of this House that if it is important that we should look out for the welfare of the miners of Central and South America, then it is at least equally important that we should look out for the welfare of the miners of Montana, and, in short, of all that great Rocky Mountain country, which has produced the great bulk of the gold that forms the basis of our circulating medium in the United States. Indeed, if I had the power, I should establish in every metalliferous mining State of the Union a Government experiment station, as we have established agricultural stations, to the end that the Government might use its good offices in teaching men how to mine and how to save these metals when once taken from the earth. As a member of the Mines and Mining Committee of this House, I have joined with my associates, and we now have before this body a bill asking for the establishment of at least eight of these stations. The amount of gold, silver, copper, and zinc and other metals which annually goes into the dump heap for lack of knowledge of treatment is simply appalling. There are hundreds of mines to-day in our western land where the tailings of the dump of 20 years ago are now being worked over and returning good compensation for the workmen.

We are an extravagant and wasteful people, but in the matter of this amendment I can not bring myself to believe that we are extravagant or wasteful when we allow this pittance of an appropriation that will redound to the benefit of so many worthy men who are serving the Nation so well, and who now need, if not the hand of charity, at least the hand of justice extended to them.

One of the members of the committee in charge of this bill has displayed some acrimony and has in effect charged that this is a raid upon the Public Treasury, and that Members who are joining with me in an effort to retain this office are unfaithful to the party pledges and their country. He argues that the party now in control of this House pledged the country an economical administration and a reduction of the appropriations. In this last statement I heartily join with him. I believe the party should be faithful to its pledges; that the country should have an economical administration; and that the appropriations should not be larger this year than last. But I suggest to the gentleman that if he will readjust his appropriations in such a manner that equity may be done to all parties, then our party pledges may be carried out to the letter. For instance, if the appropriations made for the Agricultural Department, or the Interior Department, as the case may be, for the support and maintenance of some of the special agents who carry on a system of espionage against the men trying to reclaim a 160-acre lot of land as a homestead or trying to secure patent to a mining claim, he can soon save ample money to maintain this office. I assume that one of these special agents must draw a salary of at least $1,500 a year. His expenses in the field probably amount to $1,000 more. Release

three of these men and you will have done a real service to the people of the West. Nothing is more distasteful to that great, generous, free-hearted people of the West than to have some one representing the Government continually dogging them, spying upon them, and otherwise hampering them in their efforts to make a living. That very system sent into Canada last year 130,000 men, taking with them the best blood, brawn, brains, and citizenship of this country, not to mention the $130,000,000 they also took.

But, Mr. Chairman, it was not my purpose to talk of the hardships of the homestead entrymen. I hope to make that the subject of some brief remarks to this House at a future time. I am dealing now with the prospector, that unique character known nowhere except in the great Rocky Mountain States and the Pacific slope. He is the man who has produced the gold of this country during the last 50 years, and a most worthy and remarkable character he is. The country, and the West particularly, are indebted to him more than they can ever repay. Generous, hospitable, self-reliant, and always optimistic, he has been the forerunner of civilization everywhere. No storms have been so fierce that he would not brook them; no region has been so inaccessible, so barren, or so desolate that he would not explore it; no mountain has been so high that he would not cross it—always cheerful, always hopeful, always sure the phantom which he seeks lies just beyond. His efforts often terminate in failure, poverty, and distress, and yet he never complains. With the coming of another season he takes his pack horse, his pick and shovel, his meager supply of provisions, and once more explores the lonely fastnesses of the mountains and the gulches, to bring back at the end thereof a few hundred dollars. And now we, the great Congress of the United States, representing a rich, munificent, generous Nation, begrudge the poor prospector the right to get the face value for the product of his weary months of toil, and ask that he be compelled to sacrifice his gold over the counter of some grasping money changer.

I therefore appeal to you, gentlemen of the South and East, to give me the benefit of your votes and pass this amendment, which means so much to these people. Gentlemen, I thank you.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EVANS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, I would like to have the Chair notify me at the expiration of five minutes.

Mr. Chairman, it is urged in opposition to these amendments and to the retention of these assay offices that they do not perform a necessary and essential governmental function. That is true to but a very limited extent. If it were true, the fact would not justify abolishing these offices, for of all the great volume of our appropriations as a Government a very large proportion of them are for purposes not necessary in the administration of government, but for the encouragement of enterprise and development useful and helpful to all of the people.

But these assay offices do perform a valuable governmental function, and a governmental function which we propose to shift from these various assay offices to the mints. The shifting of these functions from the assay offices to the mints will not relieve the Government from all of the expense that the assay offices entail. It is my opinion that with the transfer of these duties from the assay offices to the mints we shall find a demand for enough additional help at the mints practically to cover as large a sum as the expense incurred at the assay offices. In addition to that, by abolishing the assay offices we shall lessen the Government's revenues.

The presence of these assay offices in the mining communities prompts and encourages the individual miner in sending his individual bullion to the mint and in seeking assays, and so we have a much larger return than we would have if these shipments were consolidated and sent to the far-distant mints. So that the abolition of these offices will result in but very little saving to the Government on the one hand, and, on the other hand, it will very considerably reduce the income which the mints now have.

A gentleman suggested a moment ago that these assay offices were maintained largely for the benefit of large mining corporations. Gentlemen familiar with the situation know that that is not true. The gentleman from Montana [Mr. EVANS] has just called attention to the fact that there are few large precious-mineral mining operations in his State, and that practically all of the business at the Helena assay office is with prospectors, men operating small mines, largely men producing gold by the labor of their own hands. That is true also with regard to the Boise office, and it is true to a certain extent with regard to all of these offices. A million and a half of bullion was received last year at this particular office at an expense of about $10,000, or two-thirds of 1 per cent, a net expense to the Government of about one-tenth of 1 per cent of the bullion handled. And yet it is proposed to do away with and abolish this great encouragement to the miners of the country in order that we may save possibly a few thousand dollars in the maintenance of this particular assay office.

Why, gentlemen know that we are appropriating all the time for numberless services for the people in many lines for the encouragement and development of industry. These assay-office appropriations are largely for the same purpose and along the same lines. There is no appropriation proposed in this bill or that will be suggested as an amendment to the bill so useful, so beneficial, in encouraging the development and production of the precious metals as the amendments now proposed.

Mr. Chairman, I reserve the balance of my time.

Mr. JOHNSON of South Carolina. Mr. Chairman, it is not necessary to take up much time on this proposition. The Government appropriates a large sum of money to encourage agriculture. Large appropriations are made to encourage commerce. The Government appropriates much money to aid mining. It encourages manufactures. But nowhere, except in gold mining, is it claimed that it is necessary for the Government to appropriate money in order to make local markets for the people to dispose of their products. The Government does not appropriate money to purchase the products of the farmers, in order to save the farmer the cost of transporting his products to the markets. It does not appropriate anything to transport the manufactures. It does not transport coal or copper. But when it comes to gold mining we are told that we ought to appropriate about $100,000 a year to maintain local markets for the owners of bullion. That is the whole situation.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from California?

Mr. JOHNSON of South Carolina. Yes.

Mr. RAKER. How much are we appropriating now for the Bureau of Markets under the Agricultural Department for the very purpose of securing markets for the farmers?

Mr. JOHNSON of South Carolina. My dear sir, we are appropriating a sum of money, not for the purpose of establishing markets, but for the purpose of teaching people methods of marketing. But you know how to market your gold. All you have to do is to put it an envelope or a box and send it to a mint.

Mr. HOWELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Utah?

Mr. JOHNSON of South Carolina. Yes.

Mr. HOWELL. I just wanted to correct the gentleman from South Carolina in his figures. He made the statement that it cost $100,000 a year to maintain these assay offices. As a matter of fact, it costs something like $50,000 to maintain them.

Mr. JOHNSON of South Carolina. The gentleman interrupted me before I got through. The total expense of the assay offices that we omit from the bill was about $95,000 in 1910. The earnings of the offices I have not stated, but they are insignificant.

Mr. Chairman, I do not care to take up the time of the committee. The Committee on Appropriations, replying once for all to all the charges of discrimination, desire it understood that we have not discriminated against anybody. We left the office at Seattle for commercial purposes. It is important that we should encourage the importation of gold. Therefore we have an assay office at Seattle to receive gold brought from Alaska; otherwise the Alaska gold might go to Canada. We have a great assay office in New York City, because it is the commercial center of the Western Hemisphere. We have a mint at New Orelans, because we expect it to be an important port in our business relations with Central and South America when the Panama Canal is opened. And besides that, the Director of the Mint needs the New Orleans mint on account of the deposits of more than twenty millions of money there.

We think that these other institutions are not necessary. We appreciate the earnest advocacy of gentlemen who are interested in them, and I wanted to see their statements go into the RECORD, showing that they made a splendid fight. But their contention can not be maintained.

Mr. SMITH of Idaho. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Idaho?

Mr. JOHNSON of South Carolina. Certainly.

Mr. SMITH of Idaho. The gentleman made a statement just there that is not borne out by the facts when he said that the cost of these assay offices that are proposed to be abandoned is about $95.000 a year.

Mr. JOHNSON of South Carolina. I calculated the cost in my head. Here are the figures for 1913. I will put them in the RECORD if you want them.

Mr. SMITH of Idaho. As a matter of fact, you must subtract the earnings of the offices. If that is done, the expenses are reduced very materially.

Mr. JOHNSON of South Carolina. What place are we discussing now; Helena, Mont.?

Mr. SMITH of Idaho. Yes.

Mr. JOHNSON of South Carolina. All right. I will give you the figures for Helena. The earnings were $6,438 and the expenses were $18.500. It cost $12,000 more than the earnings.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. EVANS].

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. EVANS, Mr. RAKER, and Mr. MONDELL demanded a division.

The committee divided; and there were—ayes 31, noes 32.

Mr. EVANS and Mr. MONDELL demanded tellers.

Tellers were ordered, and the Chairman appointed Mr. EVANS and Mr. BYRNS of Tennessee.

The committee again divided; and the tellers reported—ayes 32, noes 27.

The CHAIRMAN. On this question the ayes are 32, the noes are 27, and the amendment is agreed to.

Mr. JOHNSON of South Carolina. I make the point of no quorum, Mr. Chairman.

The CHAIRMAN. Evidently there is no quorum present. The Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Adair	Edmonds	Kreider	Pou
Aiken	Estopinal	Lee, Ga.	Powers
Anthony	Fairchild	L'Engle	Prouty
Austin	Ferris	Lenroot	Rauch
Barchfeld	Fess	Lesher	Reilly, Conn.
Borchers	Finley	Levy	Riordan
Borland	Floyd, Ark.	Lewis, Md.	Roberts, Mass.
Brodbeck	Francis	Lindbergh	Rothermel
Broussard	Gard	Lindquist	Rucker
Brown, W. Va.	Gardner	Linthicum	Rupley
Browne, Wis.	George	Lobeck	Sabath
Bruckner	Gillett	Loft	Sharp
Burgess	Gittins	Logue	Sherwood
Burke, Pa.	Goeke	McAndrews	Sisson
Burnett	Goldfogle	McDermott	Slayden
Butler	Goodwin, Ark.	McGillicuddy	Slemp
Byrnes, S. C.	Gorman	McGuire, Okla.	Smith, Md.
Campbell	Goulden	McKellar	Smith, Minn.
Candler, Miss.	Graham, Pa.	Madden	Sparkman
Cantor	Green, Iowa	Mahan	Stafford
Cantrill	Greene, Vt.	Maher	Stanley
Caraway	Griest	Manahan	Steenerson
Carew	Griffin	Martin	Stephens, Nebr.
Carlin	Gudger	Merritt	Stevens, N. H.
Carter	Guernsey	Metz	Stout
Cary	Hamill	Miller	Sumners
Casey	Hart	Moon	Talbott, Md.
Clancy	Hayes	Moore	Talcott, N. Y.
Clayton	Heflin	Morin	Tavenner
Coady	Helvering	Morrison	Taylor, Ala.
Connolly, Iowa	Hill	Moss, W. Va.	Thomas
Conry	Hinds	Murray, Mass.	Thompson, Okla.
Copley	Hobson	Neeley, Kans.	Towner
Crisp	Hoxworth	Neely, W. Va.	Townsend
Cullop	Hughes, W. Va.	Nelson	Treadway
Dale	Hulings	Oglesby	Tuttle
Dent	Humphreys, Miss.	O'Hair	Underwood
Dershem	Johnson, Ky.	O'Leary	Vare
Dickinson	Jones	O'Shaunessy	Wallin
Difenderfer	Kahn	Palmer	Walsh
Donohoe	Keister	Patten, N. Y.	Walters
Dooling	Kelley, Mich.	Peters, Me.	Whaley
Doremus	Kennedy, Conn.	Peterson	Whitacre
Driscoll	Kindel	Plumley	White
Eagan	Knowland, J. R.	Porter	Wilson, N. Y.
Eagle	Korbly	Post	Winslow

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the legislative, executive, and judicial appropriation bill, H. R. 15279, and finding itself without a quorum, he had directed the roll to be called, in accordance with the rule, and reported the names of the absentees to the House.

The SPEAKER. Two hundred and forty-eight Members—a quorum—have answered to their names. The committee will resume its session.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, the legislative, executive, and judicial appropriation bill, with Mr. GARNER in the chair.

Mr. MONDELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Wyoming will state it.

Mr. MONDELL. I understand that the Chair had announced the vote on the amendment before the gentleman from South Carolina made the point of no quorum. Am I correct?

The CHAIRMAN. Yes; the Chair had announced the result before the gentleman from South Carolina made the point of no quorum. The Chair would like to ask the gentleman——

Mr. JOHNSON of South Carolina. Mr. Chairman, I have not heard the Chairman announce the vote yet, but I was on my feet trying to get recognition to make the point of no quorum.

The CHAIRMAN. The Chair was about to ask the gentleman from South Carolina if he sought recognition from the Chair when the vote was announced?

Mr. JOHNSON of South Carolina. I have not heard the result announced yet. I was on my feet trying to make the point of no quorum. If the Chair says he announced the result before I made the statement, I do not deny it; but I made the point as quickly as I could.

The CHAIRMAN. The gentleman comes within the spirit of the rule at least, if not within the letter of it. The Chair realizes that in trying to expedite the consideration of the bill he sometimes announces the result very quickly. In this instance he may not have recognized the gentleman from South Carolina when he was on his feet.

Mr. MONDELL. I am surprised that the gentleman from South Carolina did not hear the result announced. Everyone else heard it.

Mr. BYRNS of Tennessee. Regular order!

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Montana.

Mr. EVANS. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk again reported the amendment.

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. EVANS) there were 81 ayes and 72 noes.

Mr. JOHNSON of South Carolina. Tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from South Carolina demands tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. EVANS and Mr. JOHNSON of South Carolina.

The committee again divided; and the tellers reported that there were 91 ayes and 67 noes.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. BURKE of South Dakota.

On page 65, after line 12, insert the following:

"Assay office at Deadwood, S. Dak.: Assayer in charge, who shall also perform the duties of melter, $1,800; clerk, $1,000; assistant assayer, $1,200; assayer's assistant, $1,000; in all, $5,000.

"For wages of workman and other employees, $2,000; for incidental and contingent expenses, new machinery, etc., $500."

Mr. MONDELL. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota.

The CHAIRMAN. The gentleman from South Dakota [Mr. BURKE] is recognized for 10 minutes.

Mr. BURKE of South Dakota. Mr. Chairman, the amendment that I have offered proposes to restore an item providing for the assay office at Deadwood in South Dakota. I regret exceedingly the absence on account of illness of my distinguished colleague [Mr. MARTIN], who for so many years has been an able and faithful Member of this House, because Deadwood is his home; if he were here, I am sure that he would present the reasons why this amendment should prevail in a more intelligent and convincing manner than I can.

I am very glad, Mr. Chairman, to see that this House, as usual, whenever a matter is presented that has merit, usually recognizes and adopts it, as the amendment that was just adopted which restored the item for an assay office at Helena demonstrates that fact. The gentleman from Montana, in the brief time that he had, convinced the House of the merit of his proposition. I shall hope to be able to convince you of the merit of the amendment that I have offered to provide for continuing the assay office at Deadwood, and will say that the amendment is the existing law and the amounts named are less than the estimates submitted by the Secretary of the Treasury for this office for the next fiscal year.

Deadwood is located in the Black Hills, in the western portion of South Dakota, and is said to be the richest hundred

square miles in the world. There are employed in mining thousands of employees, and a population of 50,000 people is dependent upon the mining industry.

The annual gold production of the Black Hills is between seven and eight million dollars, and South Dakota ranks fourth in the gold production of the States of the Union. I have a statement furnished by the Director of the Mint, being the preliminary estimate of the Bureau of the Mint and the Geological Survey of the production of gold and silver in the United States during the calendar year 1913, which is interesting, and I will incorporate it in my remarks. The statement is as follows:

State or Territory.	Gold.		Silver.	
	Fine ounces.	Value.	Fine ounces.	Commercial value (at $0.6045).
Alabama	390	$8,062	84	$51
Alaska	715,104	14,782,512	379,575	229,453
Arizona	183,972	3,803,039	3,390,846	2,049,766
California	972,601	20,105,447	1,527,026	923,087
Colorado	891,069	18,420,031	9,159,367	5,536,837
Georgia	478	9,881	84	51
Idaho	66,109	1,366,605	9,573,328	5,787,077
Illinois	.....	.....	3,659	2,212
Michigan	.....	.....	429,014	259,339
Missouri	.....	.....	33,763	20,410
Montana	148,908	3,078,202	13,035,841	7,880,166
Nevada	594,003	12,279,131	15,092,190	9,123,229
New Mexico	40,833	844,086	1,525,133	921,943
North Carolina	5,391	111,442	2,268	1,371
Oregon	66,322	1,370,987	158,594	95,870
South Carolina	96	1,985	13	8
South Dakota	348,179	7,197,498	168,231	101,696
Tennessee	373	7,711	124,009	74,963
Texas	6	120	428,490	259,022
Utah	164,480	3,400,103	12,269,088	7,416,664
Virginia	170	3,514	23,706	14,330
Washington	53,476	692,021	263,090	159,038
Wyoming	1,475	30,491	3,729	2,254
Philippine Islands	38,073	787,039	9,974	6,029
Porto Rico	54	1,116	9	5
Total	4,271,562	88,301,023	67,601,111	40,864,871

Mr. Chairman, the members of the Committee on Appropriations, attempting to justify discontinuing Deadwood and other assay offices, argue that their only function is to provide a home market for the bullion that is mined in the locality of the offices. I want to emphasize what the gentleman from Montana stated, that there are functions performed by these assay offices as of great importance as that of providing a market for the bullion, and I also want to corroborate him in his statement that these offices are not for the convenience and accommodation so much of the large mining companies as for the prospectors and small producers.

It happens that I was in Deadwood last month and visited the assay office and also talked with many people interested in mining, and I am able to express first-handed reasons why the assay office should not be discontinued. It does provide a home market for the bullion as has been suggested, and the miners receive quicker returns from the sale of their bullion than they could by shipping it elsewhere. I learned that the office serves hundreds of individuals in the matter of ore assay, and that it has requests for assays not only from the locality but from different parts of the United States. The maintenance of the office is of great value to the prospectors who are seeking for new mines. I found that the Government officials employ the assaying department in investigating applications for mineral patents on public lands, mining operators who ship their ores to custom mills; and in case of a difference between the miner and the miller the assaying office is frequently requested to make the "umpire" assay upon which settlement is based. Prospective investors in mining properties go to the Government assay office knowing they will get a reliable assay, and persons owning mineral land feel that they are protected by being able to get a Government assay, which is not only more reliable but much cheaper than can be obtained from a private assayer. It not only inspires confidence in the investor, but is a protection to the mine owner.

These, Mr. Chairman, are the functions that, in my judgment, justify the maintenance not only of the Deadwood office but the other assay offices proposed to be discontinued, if this bill is not amended. Another argument—and the principal one made by members of the Committee on Appropriations—why the assay offices should not be continued is that they are not self-supporting. There is no justification for such an argument; and when we consider the large amount that we are annually appropriating and expending in the Agricultural Department and other departments for experimental purposes, obtaining information and conducting certain surveys, and doing other things from which there is no direct return, something can certainly be expended to encourage the great mining industry of this country. The Deadwood assay office happens to be one, and about the only one of all of them, that is self-supporting. The gentleman from Tennessee [Mr. BYRNS], in reading from the hearings, read as follows:

If you are going to consider the offices individually, the three that are entitled to more consideration than the others are Seattle, New Orleans, and Deadwood. That is my own judgment.

While they leave out Deadwood, they include Seattle, and yet that office is maintained and operated at an expense of something over $34,000 per year to the Government; they also provide for New Orleans, yet it is operated at an expense to the Government of over $16,000; and both of these offices appear to be continued largely on account of gold imported from foreign countries; and it would seem to me if we maintain assay offices for bullion mined abroad, and at great expense to the Government, we certainly ought to continue an assay office that is self-supporting and that accommodates our own producers.

While at Deadwood I also obtained from the assay office the figures showing the earnings for the last fiscal year and also showing what it cost to operate the office. I found there were over 800 deposits, and that it purchased gold bullion of the gross value of $7,511,662; the earnings of the office were $12,526.90; its operating expenses were $10,589.99, showing a profit to the Government of $1,936.91. This may not include the expense of freight and transportation, which, if charged, would show that it cost altogether a little more to operate the office than it earned; but I submit the amount is a mere bagatelle. As already stated, Seattle and New Orleans are maintained at considerable expense, while Deadwood is practically self-sustaining; and this, I submit, destroys the argument of the gentlemen who are attempting to discontinue this office, and justifies beyond any question that it ought to be maintained, and therefore I hope my amendment will prevail.

The Committee on Appropriations, in a report submitted by the gentleman from South Carolina [Mr. JOHNSON], only last year, in reporting the legislative bill, included a provision for the assay office at Deadwood, thereby recognizing that the office ought to be continued, and conditions are no different now than they were then, and I am surprised that the item was omitted from this bill, and had hoped, when the matter was brought to his attention, that he would accept the amendment I have offered.

In conclusion, I ask the members of this committee to be consistent. You have just voted to put in an amendment for the assay office in Montana. You were justified in doing so, and your action was based upon a meritorious showing; and the merits of this case being much greater, I again appeal to you to be consistent and vote for the amendment I have offered, which provides for continuing the assay office at Deadwood.

I send to the Clerk's desk and ask to have read some telegrams received by me in relation to this matter.

The Clerk read as follows:

DEADWOOD, S. DAK., *April 4, 1914.*

HON. CHARLES H. BURKE, M. C.,
Washington, D. C.:

On behalf of the whole mining industry in the Black Hills and its indirect connections, we urge you to try to have the House grant the full $9,200 appropriation, as per Secretary of Treasury's estimate, for assay office here. This will put it on a basis that will help hundreds of small prospectors who lack funds for private assays, and will greatly stimulate the industry by increasing prospecting.

H. W. TROTH,
Secretary Deadwood Business Club.

DEADWOOD, S. DAK., *April 6, 1914.*

HON. CHARLES H. BURKE, M. C.,
House of Representatives, Washington, D. C.:

On behalf of the Wasp No. 2 Mining Co., I desire to protest against the proposed discontinuance of the Deadwood assay office. It would work a great injury to the mining interest of this section. Our company produces about $300,000 gold per annum, for which we have been getting prompt return at the assay office here. Its discontinuance would work a great disadvantage to us, as it would, indeed, to every producer and prospecting concern in the Hills. Do your utmost for its retention.

D. A. MCPHERSON,
President Wasp No. 2 Mining Co.

DEADWOOD, S. DAK., *April 6, 1914.*

HON. CHARLES H. BURKE, M. C.,
Washington, D. C.:

Urge appropriation of $9,200 for maintenance of Deadwood assay office. The mining industry of the Black Hills will be greatly crippled and inconvenienced if the office is abolished.

TITANIC GOLD MINING CO.,
W. S. EDLER, *President.*

LEAD, S. DAK., *April 4, 1914.*

Hon. CHARLES H. BURKE, M. C.,
House Office Building, Washington, D. C.:

Lead citizens join with Deadwood in asking that strong effort be made to retain Deadwood assay office, with proper appropriation, as requested by telegram of Deadwood Business Club. We sincerely feel that mining interests of this section are entitled to that much recognition.

CHAMBERS KELLAR.

DEADWOOD, S. DAK., *April 7, 1914.*

Hon. CHARLES H. BURKE, M. C.,
Washington, D. C.:

We urge you to bring strong argument before the House in favor of retaining Government assay office here, discontinuance of which will involve additional expense and inconvenience to mining companies.

NEW RELIANCE GOLD MINING CO.

M. JOHNSON of South Carolina. Mr. Chairman, the last remark made by the gentleman from South Dakota in his appeal to the Members of the House to be consistent must be music to the ears of the House. We have already voted down a proposition to put an assay office in Nevada and we have voted down a proposition to put an assay office in Idaho. We voted in a proposition to put an assay office in Montana.

Mr. EVANS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Carolina. Certainly.

Mr. EVANS. The gentleman means to continue an office in Montana, not to put one in.

Mr. JOHNSON of South Carolina. Well, the committee left it out. So far as the Deadwood office is concerned, I desire to call attention to the testimony on page 243:

Mr. JOHNSON. The next assay office is at Deadwood. Deadwood does a fairly good business, does it not?

Mr. ROBERTS. Deadwood really makes a very good claim for consideration.

Further on we asked him:

As a matter of fact, Mr. Roberts, most of the bullion received at Deadwood is from one great corporation, is it not?

Mr. ROBERTS. Yes, sir; the Homestake Mining Co. is the big depositor at that office.

Further on he asked what proportion this great corporation furnished to the Deadwood office, and his reply was that he should say that five-sixths of the deposits come from that corporation.

Mr. MONDELL. Will the gentleman yield?

Mr. JOHNSON of South Carolina. Now, gentlemen, if you want to take the responsibility of putting a market at Deadwood, S. Dak., for the benefit of a great mining corporation, in order that that corporation may avoid the expenses of shipping its bullion to the mint, you have that privilege; but that is all it is.

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Wyoming?

Mr. JOHNSON of South Carolina. For a question.

Mr. MONDELL. Assuming that most of this bullion is furnished by the Homestake Mining Co. does not change the fact, does it, as stated in the hearings, and the gentleman did not read that part of it, that this mining company or the miners generally paid $13,208 for the privilege of using this assay office, which only cost the Government $1,000 more?

Mr. JOHNSON of South Carolina. I thought the gentleman wanted to ask a question, and I yielded on that condition.

Mr. MONDELL. I ask the gentleman if it is not——

Mr. JOHNSON of South Carolina. I decline to yield further, if the gentleman takes that long to ask a question.

The CHAIRMAN. The gentleman declines to yield.

Mr. JOHNSON of South Carolina. In other words, he testified it did not cost very much to run this office over and above its earnings.

Mr. MONDELL. Less than $1,000.

Mr. JOHNSON of South Carolina. Mr. Chairman and gentlemen, the assay offices perform no governmental function. They are markets for bullion. I can not see any reason why, if the Government is going to establish markets to buy bullion, it should not establish markets to buy wheat, cotton, corn, and cattle and pay the transportation charges to the centers where those things are needed. That is the whole question, and it is not necessary to say anything more about it. I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, it may seem somewhat strange, but I hope it is not out of place, to remind Members on this side of the House that the Democratic platform pledged us in favor of economy and to the abolishment of useless offices; but it did not declare, Mr. Chairman, that the party favored economy at the expense of Republicans and the abolition of useless offices in territory represented in this House by Republicans while favoring a different doctrine wherever a Democratic Representative would be affected. In a few months I shall be called upon in the discharge of my official duties to review the record that this Democratic House shall have made in its authorization of the expenditure of the public moneys. Whenever I think of the horrible mess that I shall be called upon to present to the country on behalf of the Democratic Party [laughter on the Republican side] I am tempted to quit my place. I am looking now at Democrats who seem to take amusement in soliciting votes on the floor of this House to overturn the Committee on Appropriations in its efforts to carry out the pledges of the Democratic platform. They seem to take it to be a huge joke not to obey their platform [laughter and applause on the Republican side] and to make ridiculous the efforts of the members of our party who do try to live up to the promises they made to the people. I know that some Members on this side are voting continually for appropriations because they fear the wrath of the public if they do not vote out of the Public Treasury assistance for everything anyone suggests. I have in my hand a letter which is somewhat characteristic of the correspondence which I receive daily.

If I placed my political fortunes above my sworn duty under the law, I would not attempt to carry out the promises of the Democratic platform, but I should place myself at the head of this band of Treasury looters upon every occasion. Here is a letter from one of my constituents complaining that an increase of 700 per cent had not been made for one of the public services in the Federal Government. He writes that the failure to make the increased appropriation—

is a blow aimed straight at one of the most beneficent works now carried on by our Government, and I take pleasure in assuring you that unless this action is rescinded those responsible for the iniquity will be made to suffer by thousands of men who are wide-awake on this question and know what is what. I personally pledge myself to use all possible means as an individual and as minister of a New York church, and as a citizen generally, to strike at you, and strike good and hard, unless you move heaven and earth to make good on this proposition. The time has gone by when such nonsense as this can be taken lightly. Hoping to hear from you favorably upon this matter, and at an early date, believe me.

Think of a minister of the Gospel at this Eastertime writing a letter couched in such language to a public official! [Laughter.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield to the gentleman five minutes more.

Mr. FITZGERALD. Mr. Chairman, if I were to be affected in the performance of my public duties by such communications from misguided and misinformed ministers of the Gospel, it would be a sorry day for this country. [Applause.] No one can picture the difficulties and the troubles of men who, fortunately or——

Mr. KINDEL. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York [Mr. FITZGERALD] yield to the gentleman from Colorado?

Mr. FITZGERALD. I prefer not to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. FITZGERALD. I am not well. It is some effort for me to speak, and I should not attempt to do so if I did not feel that my colleagues upon the floor seem either to be so indifferent to a very perilous situation for our party, or else, which I do not wish to believe, have so far forsaken Democratic practices and Democratic principles as not to deserve to continue in control of this Government. I would not attempt to speak under these circumstances if I did not hope, Mr. Chairman, to awaken them to a realization of what the situation is. Few men can realize the difficulties and the troubles of those who under our system of Government, either fortunately or unfortunately, are compelled to pass upon the recommendations of officials charged with the administration of public affairs. Every man in every branch of the Federal Government, every man at the head of a branch of the Federal Government, naturally believes that his work is the most important work to be done. If he were not an enthusiast for his work he would not be worth while being connected with it. Upon us, however, as the direct representatives of the people, upon us as the guardians of the Public Treasury, devolves the important duty of scrutinizing and reviewing requests made by those officials and the determining of the extent to which appropriations shall be made. If we are to be swayed from our duty by the appeal of every misinformed or misguided man, or if we are to vote appropriations merely because some popular, well-liked, attractive Member of the House urges us to do so, then we shall surely, Mr. Chairman, make such a record in this House as not only to invite but to deserve the condemnation of the country.

We charged the Republicans for 12 years of my service in the House under Republican administrations with being grossly extravagant and reckless in the expenditure of the public money. I believed that charge to be true. I believed that my party,

when placed in power, would demonstrate that the charges we had made in good faith were true. We are entitled to the help and to the support of the Members on this side of the House in honest efforts to carry out the pledges of the Democratic Party, and in our attempts to show that what we charged in order to get in power was true. We have not had that support. Our Democratic colleagues have not given that support to us thus far during this session of Congress. They have voted against recommendations they should not have voted against. They have unnecessarily piled up the public expenditures until the Democratic Party is becoming the laughing stock of the country.

I appeal to them now before it is too late, I appeal to them now before we have gone beyond recall, to stop the conduct of which they have been guilty. Do not continue to vote for these improper and improvident appropriations. Those who propose to continue to do so should at least have the courage openly to assert upon the floor of this House that they believe that the professions of the Democratic Party have not been made in good faith, that they can not be carried out, and that we are not entitled to power because of those professions. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I ask to have the Chair inform me when five minutes have elapsed.

Mr. JOHNSON of South Carolina. I thought the gentleman said that he had not any further speech to make.

Mr. MONDELL. I had not expected to say anything, except in case the gentleman from South Carolina mentioned Deadwood.

Mr. JOHNSON of South Carolina. The "gentleman from South Carolina" has not mentioned Deadwood.

Mr. MONDELL. I would like to talk of Deadwood, if the gentleman will allow me. Of course, if the gentleman is afraid to have anything said in regard to this item, I will sit down.

Mr. JOHNSON of South Carolina. That is all. You said you did not have anything further to say.

Mr. MONDELL. The gentleman from New York [Mr. FITZGERALD], for whom I have the very highest regard and respect, appeals to us on the ground of economy, and I want to say to the gentleman he need not confine his appeal entirely to that side of the House.

Mr. FITZGERALD. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. FITZGERALD. I did confine it to this side of the House, I will say to the gentleman. I did not address my remarks to that side of the House at this time.

Mr. MONDELL. Well, it will be hearkened to, no doubt.

Mr. FITZGERALD. I did not address myself to that side of the House.

Mr. MONDELL. It will be hearkened to within reason; and as a member of the committee over which the gentleman so ably presides, I have followed him, and shall continue to follow him, in all reasonable economies, even when he uses his pruning knife to a point that I think is somewhat dangerous, and where I think it likely that it may mean possible harm to the public service.

I desire to call to the attention of the House the fact that the passionate appeal of the gentleman from New York [Mr. FITZGERALD] is all about a matter of one thousand one hundred and eighty-six dollars and some odd cents. In other words, this great public institution, established at Deadwood, in the center of the famous Black Hills of the Dakotas, a great many years ago, maintained there and doing useful and beneficial work all these years, is to be discarded. We are to close its doors and terminate its usefulness simply because it costs $1,186 more than it takes in.

Why, the gentleman from New York himself within a year, as chairman of the Committee on Appropriations, reported this item in an appropriation bill, and it can not be possible that conditions have so changed in a short twelvemonth that the Treasury is in serious danger on account of the very small net outlay at this office.

The gentleman from South Carolina [Mr. JOHNSON] did not read all that was said respecting the Deadwood assay office in the hearings. He did not call attention to the fact that the Director of the Mint stated that this was one of the assay offices that came nearest paying its way; that it cost but a little more than a thousand dollars above the receipts, and that it was performing a useful public service.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Tennessee?

Mr. MONDELL. I do not think that the Treasury is in any danger by reason of the maintenance of this useful institution.

Mr. BYRNS of Tennessee. I will ask the gentleman if the Director of the Mint, Mr. Roberts, did not say that the only reason he had for including Deadwood with New Orleans and Seattle was that the expenses of Deadwood were a little more than the earnings.

Mr. MONDELL. And the only argument that the able chairman of the committee made was on the ground of expense. As a matter of fact, there is no expense involved except the sum of $1,186.

Mr. BYRNS of Tennessee. The gentleman is mistaken. He misunderstood the argument of the gentleman from South Carolina.

Mr. MONDELL. And the Deadwood Assay Office, long established, is useful and helpful to the people of that great mineral region, and should be maintained. [Applause, and cries of "Vote! Vote!"]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Dakota [Mr. BURKE].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BURKE of South Dakota. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 51, noes 70.

Mr. MANN. I ask for tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. JOHNSON of South Carolina and Mr. BURKE of South Dakota to act as tellers.

The committee again divided; and the tellers reported—ayes 56, noes 69.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment by Mr. HOWELL: Insert after line 7, page 66, the following:

"Assay office at Salt Lake City, Utah: Assayer in charge, who shall also perform the duties of melter, $2,000; assistant assayer, $1,500; chief clerk, who shall also perform the duties of cashier, $1,200; in all, $4,700.

"For wages of workmen and other employees, $2,500.

"For incidental and contingent expenses, $2,000."

Mr. MONDELL. Mr. Chairman, I yield to the gentleman from Utah [Mr. HOWELL].

The CHAIRMAN. The gentleman from Utah [Mr. HOWELL] is recognized.

Mr. HOWELL. Mr. Chairman, in the face of the proceedings in the House this afternoon I have great hopes that in time the gentleman from South Carolina [Mr. JOHNSON] in charge of the bill will come to take a broader view of the principle involved in the establishment of these assay offices than the few dollars of expense that now so completely blinds his larger vision. I say that I am hopeful, for he has shown considerable progress, as I shall show, in that direction. Two years ago, following this same shortsighted and mistaken idea of economy, the committee proposed to destroy, by refusing the necessary appropriations, not only the assay offices in the five gold and silver mining States now marked for destruction, but included the mints at San Francisco and New Orleans and the assay office at Seattle. This was a heroic and a large effort at economy from the viewpoint of the committee compared with the petty economy now recommended.

The reversal of their action on the mint at San Francisco, the mint at New Orleans, and the assay office at Seattle lends substance to the hope that the committee is making progress toward a broader view of the whole question. It would be ungenerous to say that the numerical strength in the House of the States whose mints and assay offices have not been disturbed had weight with the committee. Even though the facts and figures give some color to the suggestion, I prefer, however, to see in the new attitude of the committee the evidence of light and progress. But while yet conceding their former mistake, the committee strongly persists in an effort to destroy the assay offices in five of the great gold and silver mining States. It is true that the numerical strength in the House of these five States is not large, but the cause they represent will be found to be invincible.

This question is not a new one. This is not the first time the Representatives from these States have been ridden over roughshod in the House on this question, only to see their efforts later succeed by a gracious yielding to similar demands of the Senate. If the committee is now withholding the appropriation for these five assay offices merely for trading purposes in adjusting differences in the bill, which I strongly suspect, it is a shameless humiliation of their colleagues in the House for the purpose of magnifying the Senate in the eyes of the States concerned.

These five assay offices have been established for many years. Their creation was based on sound and just principles of national policy. The five gold and silver mining States, now so flagrantly discriminated against, pour into the lap of the Nation annually a gold and silver stream of more than $60,000,000, imparting a stimulus to and quickening of all the arteries of commerce. In this vast region, comprising more than 500,000 square miles of rich mineral territory, the Government is maintaining five assay offices, many hundreds of miles distant from each other. The purpose of these assay offices is to enable the miner to turn his precious metal over to the Government at a reasonably convenient place to be converted into basic money. But to maintain these assay offices for the convenience of the miner and to enable him to receive the value of his production promptly and without the intervention of middlemen, and to transport the bullion deposited thereat, will require an appropriation of from $60,000 to $70,000 per annum, and this is the issue before the House.

Mr. Chairman, I beg the House to consider this question in its larger aspects and not be blinded by the specious arguments for a penny-wise and shortsighted policy. The Government rightly exercises the sovereign and exclusive right of converting gold into the form in which it is chiefly used as money. The miner who produces gold is denied the right of converting it into this form. Why should the Government require the miner to send his gold to New York or Denver or San Francisco and bear the expense of transportation? His gold takes on no added value by this process. Its value is fixed and determined and is worth as much in money at the place of production as at any place in the country. The Government, exercising the exclusive and sovereign right of converting this gold into money, ought not to force the producer of it to suffer an unnecessary loss without any added value given in sending his product to points far removed from the place of production. The Government should justly recognize this burden as a part of the expense attending the exercise of its sovereign and exclusive right to coin money and regulate the value thereof. Why harp upon the trivial expense of transporting the gold by the Government? With the inauguration of the parcel-post system an arrangement can easily be effected by which the bullion from the various assay offices can be sent in this way to the mint, and the cost would only amount to taking money out of one pocket and putting it into another.

If you destroy these assay offices you impose upon the miner's gold a tax which deprives him of its full value in the place where it is produced, to which he is justly entitled. Now, the gentleman from South Carolina [Mr. JOHNSON] brings up what he considers an analogy in wheat and corn and oats, and iterates and reiterates the argument that, inasmuch as the Government does not convey those products to the great centers of consumption free of charge, there is no reason why the Government should pay for the transportation of gold to the mints. In answer to such fallacious and specious pleas, I need only say that if the Government fixed a permanent and uniform value on farm products in all sections and monopolized the privilege of converting them into the form in which they are chiefly used, then I would say that the Government should establish markets where such products are produced. It would be absolutely unreasonable to ask the farmer to transport wheat thousands of miles if the Government exercised the sovereign and exclusive right of converting it into flour. But in the matter of gold the Government exercises the sovereign and exclusive right to coin it. If the owner had the privilege of converting it into the form in which it is chiefly used, he would have no occasion to send it to the mint.

So I contend that the Government should accept the gold in the place where it is produced by reason of the particular and exclusive rights which it reserves in the matter of coinage. Gentlemen who have preceded me have made citations showing the appropriations annually made for the encouragement and development of agriculture. We all agree in the wisdom of this policy, yet in many instances the appropriations are plainly for the benefit of particular sections. In comparison with what the Government appropriates for agriculture, this small contribution, even conceding for the argument no obligation on the part of the Government to receive gold at convenient points of production, is clearly insignificant. There is one item, however, in the agricultural bill that is strikingly analogous to the purpose of the appropriation for assay offices, viewed even from the standpoint of the gentlemen from South Carolina [Mr. JOHNSON]. The House has established in the Department of Agriculture a Division of Markets. We have appropriated this session $200,000 to aid the farmer in marketing his product. Is there any more reason or justice in spending public money to find markets for farmers' produce by bringing the consumer and producer in close touch with each other than in spending $70,000 to eliminate middlemen and enable the producer of gold to deal quickly and directly with the Government? But there is another feature of this question that I desire the House to consider. The committee which has refused the necessary appropriation to maintain assay offices in the mining States where gold is produced, because of the petty expense involved, have continued the mints at New Orleans and at New York. The former is maintained at great expense, ostensibly for the convenience of the producer of gold in Central America. That is, foreign producers, regardless of expense, must be accommodated, but our own States, for petty, small, parsimonious, and niggardly economy, are completely ignored. Is this Democratic economy? Is this fair to our own citizens? Again, in the face of the tearful appeal of the gentleman from New York [Mr. FITZGERALD] for economy's sake to sustain the committee in striking down these assay offices, I want to remind the House that only a few days ago we appropriated $600,000 to enlarge the assay office at New York City. We are maintaining an assay office in that city at an expense of more than half sufficient to maintain all these other offices it is proposed to abolish. Gentlemen of the Congress, has it come to this, that hundreds of thousands of dollars are freely given for the convenience and benefit of the traffickers in bullion, but not one dollar for the producer of the gold? [Applause.]

Gentlemen, the men engaged in mining deserve well of their country. The brave, undaunted men who go out into the wilderness, climb the mountains, and scale the peaks and wrest from the miserly rocks this wealth, the commercial lifeblood of the Nation, do not deserve this unjust discrimination. They are engaged in one of the great industries that demands pluck and energy and an unfaltering hope. The treasures of the hills are securely locked from the weak and the faint-hearted. To unlock the door of nature's treasure vaults and bring forth her glittering wealth demands the most sterling qualities of manhood.

The assay office at Salt Lake City was established by act of Congress May 13, 1908. Scarcely had it begun operations when its existence was threatened by adverse legislation. This has retarded its usefulness and discouraged business connections with it. Its equipment has been removed from premises first leased for it to suitable quarters in the Federal Building. This removal diminished its volume of business for the year. Now there will be no further expense for rent. The amendment I have proposed is in accordance with the estimate submitted by the Secretary of the Treasury, and includes only $4,700 for assayer, assistant assayer, and clerk. These offices require men of character and ability, and the salaries are placed at the very lowest point at which proper and efficient officers can be secured. With the probable earnings of the office at present there is involved the trifling sum of about $6,500 to maintain it. I am confident that, when firmly and permanently established, its business will so increase as to make it nearly self-supporting. Salt Lake City is the geographical center and metropolis of an extensive mining field embracing all of Utah and reaching out into adjoining States. Two transcontinental railway lines furnish quick and ample communication east and west, while the Oregon Short Line and connecting lines, extending from Los Angeles to Portland, bring it into close and intimate communication north and south. A system of branch lines radiate from it to all the leading mining districts. Its location in the center of a vast and marvelously rich section of diversified resources destines it to be the future metropolis of the West. Upward of fifty millions in metals is produced annually from the mines of Utah alone, not mentioning other mining regions naturally tributary to it, of which nearly five millions is gold. You ought to establish a mint, but I am asking the retention of an assay office.

Mr. MONDELL. I yield to the gentleman from Utah [Mr. JOHNSON].

Mr. JOHNSON of Utah. Mr. Chairman and gentlemen of the committee, I desire to register a protest against the discontinuance of the assay office at Salt Lake City and also the other offices of the surrounding States. These offices I believe to be performing a laudable public purpose. They are important, so far as the mining industry is concerned. The Government assay office located in close proximity to where the precious metals are produced tends in no small degree to the promotion of that great industry. It enables the miner to ascertain the value of his product and to find a place where he can dispose of it and obtain its just value.

It is not the fact that the principal patrons of the assay offices, especially the one I represent, are the large corporations and institutions, but it is a fact that they serve the man who takes his pick and his shovel, his blankets and his provisions

and goes to the hills, to the mountains, and there digs into the sides of the mountains, or goes into the streams and erects sluice boxes and washes out the gold. When he shall have done so, in a week or a month he cleans up his little earnings, takes them to the assay office near by, ascertains the value, receives his money, and renews his stock of provisions and returns to the hills in search of more. That is the class of men that is benefited the most by the assay offices.

The assay office furnishes him a market near at hand, where he can ascertain the value and dispose of his product. It obviates the necessity of his going to the banker or commissioner and paying not only the expenses of the transportation of the metal to the mints, but the percentage or commission, which is considerable, for transacting the business for him in order that he may obtain a market for his product.

Now, gold produced from the mines and by the prospectors are not on a parity with products of the farm and many other industries, where there is a large competition for profits. The Government of the United States is the principal purchaser in this special commodity. The Government of the United States coins it into money and puts it into the channels of trade. It is that article that must stand at the back of every instrument of credit in the land. I contend that these assay offices are a great national benefit, that this industry should be kept up, that they should be promoted, and that the Government should extend to them such aid as may be reasonable by the establishment of reasonable assay offices where it is found that they will be of benefit. I think it is a false economy to abolish these offices and thereby discourage the prospectors, discourage the men who go into the hills and dig out this precious material.

There is no class of men that are benefited more than the man of small means, the lessee of mines who goes into the mine, gets his carload of ore, conveys it to the mills where it is reduced, and then when he gets the bullion takes it to the assay office, ascertains the value, and disposes of it.

Mr. Chairman, in extending my remarks on the amendment of Mr. HOWELL, of Utah, to make provisions for the continued operations of the assay office at Salt Lake City, Utah, I wish to say that to discontinue said assay office will greatly discourage the prospectors and miners in a small way in my State; it will be regarded by them as a direct blow at their industries. It will place them at the mercy of the money changers of the land. It will deprive them of the Federal protection from extortion, which they have heretofore enjoyed, and place the product of their labor at a discount. It is legislation which directly affects the pioneers of the mining activities of the Western States, which have done so much in upholding the credit of this Nation by contributing large amounts of gold and silver to the Government's Treasury. And the only argument against the continuation of said assay offices is "that they do not pay running expenses; that the receipts from the fixed charges of the offices are not equal to the expenses incident to their operations," and "that public money should not be expended in the protection or promotion of any special enterprise or undertaking, or to any special section of our country; that there should be equal rights to all and special privileges to none." That is genuine Democratic doctrine, but let us examine just how you are applying your doctrine in this case. The New York assay office does not pay running expenses; there is a deficiency for last year of over $26,000. Why do you not apply your doctrine to that office? Why not abolish it for the very selfsame reasons upon which you propose to abolish the Salt Lake and other offices? What about the New Orleans office, where the deficiency is yet greater? Why not abolish it upon the same principle? Why not abolish the Seattle office, where there is a deficiency? What reason can you advance for the retention of the Helena office, in the State of Montana, where there is also a deficiency?

The majority of this House know that there are other and deeper reasons why they dare not abolish these offices, and yet they stand upon the same grounds that the Salt Lake office occupies. As to other industries, you spend millions of dollars each year to promote agriculture, and to which I do not object; you spend millions of dollars each year for rivers and harbors, for bridges, and many other local improvements, all in violation of your principles as above announced; yet you discriminate against the miner in some sections and in his favor in others. What reason, may I ask, do you find for maintaining an assay office at Helena, Mont., that does not equally apply to the office at Salt Lake? The same question may with equal propriety be asked as to the offices at New York, New Orleans, Seattle, and Helena. I am at a loss to understand how, upon principle, a Member of this House can justify a vote for any one of these offices and against any other of them. It seems to me that you are playing directly into the hands of stock gamblers and monopolistic banks by such action.

In the year 1912—I have no later figures at hand—Utah produced, in round figures, $12,500,000 in gold and silver, the greater part of which found its way into the Government mints and was coined and at once become a national asset, stimulating credit and trade; became at once taxable and contributed its proportion to the support of the National and State Governments. The Government fixes its own price at which it will purchase this commodity, and it has but little, if any, competition in its acquisition, because it reserves to itself the exclusive right to coin it into money, the principal use to which it is applied. Why should it not maintain stations or assay offices in close proximity to where it is produced, and thus facilitate its production and disposition? Such would be the policy of private business engaged in the purchase of a commodity. Why not of the Government? But if you have determined upon the abolishment of these assay offices, why do you not repeal the act by which they were created, and thereby do directly that which you are now accomplishing by your indirect action, so that the people might know just what your intentions were?

Mr. JOHNSON of South Carolina. This is the weakest and the most indefensible of all the weak and indefensible propositions we have discussed.

Mr. HOWELL. Will the gentleman yield?

Mr. JOHNSON of South Carolina. For a question.

Mr. HOWELL. I want to give the gentleman one item of information about the assay office at Salt Lake. It was only established about three years ago, and its life has been in jeopardy ever since. It has not been able to establish the business that it would if it had not been threatened.

Mr. JOHNSON of South Carolina. The gentleman is not asking a question, he is making a speech. There were just 300 deposits during the last fiscal year, not one for each working day.

Mr. HOWELL. Let me make one more statement.

Mr. JOHNSON of South Carolina. No; I can not yield. Now, the idea of keeping an assayer and an assistant assayer and not have one deposit a day! In 1913 they earned $1,761.69 and they spent $14,648.87. Gentlemen, I do not want to burden the committee by stating anything further on this proposition.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah.

The question was taken; and on a division (demanded by Mr. MANN) there were 38 ayes and 59 noes.

So the amendment was rejected.

Mr. BRYAN. I believe there are five minutes remaining, and I want to make a statement.

Mr. MONDELL. I yield five minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Chairman, on behalf of the city of Seattle, which was taken care of so nicely by this committee, we want to tender our thanks. It is true that the Representatives of the city of Seattle, two of us on the floor, and my colleague from a neighboring city of Washington [Mr. FALCONER] have been standing by the other westerners who have lost their assay offices. In doing this, however, we have been following a Democratic doctrine.

Eighteen years ago a great and peerless Democratic leader startled the Nation with a speech which contained this sentiment:

> The miners who go 2,000 feet into the earth or climb 2,000 feet upon the cliffs and bring forth from their hiding places the precious metals to be poured into the channels of trade are as much business men as the few financial magnates who, in a back room, corner the money market of the world.

And so, as we looked over these estimates here and we saw that the city of New York, with its Wall Street, its trust magnates, and its monopolists, was going to retain an assay office and mint, and that Philadelphia and the great cities of the East were going to retain theirs, notwithstanding the New York office lost annually $30,000 for the Government, we thought we would stand by our neighbors and associates from the great Northwest, and so we have voted to-day with Arizona, Montana, South Dakota, and Utah.

Seattle is a great city. We lost the regional reserve bank that we thought we were entitled to; but after all, since this great committee is going to save us this assay office where we can dump our tons of gold into the Government's lap and have it coined into money of the United States of America, we will get along all right. Seattle, the queen city of the Northwest, is a thousand miles away from the Golden Gate, and we have to send millions of our money down there to the regional reserve bank; but we will not miss it, because we have this assay office, and out from the gold mines of our State and from the moun-

tains of gold in Alaska will come on the Government railroad that you have ordered constructed tons upon tons of gold.

Our assay office out there has received since 1898 435 tons of gold and it has been coined into $218,612,649.14, and in 1913 it handled $8,255,580 in pure gold, so you could not very well take our assay office from us, and we are glad of it. We are able to take care of ourselves without a regional reserve bank, but we could not spare this assay office. We have a habit in Seattle of going out into our back yards when we need money, taking a shovel, and digging down and getting a shovelful of gold, putting it into a bucket and taking it to the assay office. We could easily send a few millions to San Francisco to help the bankers down there, but if you took away our assay office we would have to establish one of our own.

Mr. SELDOMRIDGE. Mr. Chairman, will the gentleman yield?

Mr. BRYAN. Yes.

Mr. SELDOMRIDGE. Would there not be more remuneration in digging up dirt in the back yards of Seattle than serving as Members of Congress?

Mr. BRYAN. Oh, we serve in Congress through pure patriotism. [Laughter.]

My colleagues, I wish I could tell you a part of the beautiful and thrilling story of Seattle. Why, we have 300,000 people, and the next time you take the count we will have a million. We can send our gold to the South and to the East, but we would not part with one of our loyal and happy citizens for all the regional reserve banks in the country. We are not all rich, but we have no slums; no wearied laborers do piecework on man-killing machines out there; we do not have paupers and a dependent population. Say, men, they do not go to sleep there when they work, and eight hours is the limit. The children do not work in factories; they go to school. The working women are busy only eight hours, and then they go to their homes. I am sorry for that part of the country for which we appropriate $300,000 to stamp out some kind of ticks that pester the cattle, but we do not have ticks or mosquitoes or bedbugs or jiggers in Seattle. I cheerfully and with sympathetic heart voted for the $400,000 to check hog cholera. Our hogs are healthy, and we can pay our part without missing it.

Seattle! Why, it is the healthiest city in the United States, barring none, and we are getting healthier every year. In 1911 the death rate was 8.87 per thousand; in 1912 it was 8.52; and in 1913, 8.31.

How the people of Seattle do love the light! It is the best lighted city in the world, and the people enjoy city light in their homes furnished by the municipal lighting plant at less than one-half the price charged in your eastern cities.

Our schools excel those of the Capital City and are free, from kindergarten to postgraduate. A recent report on various American cities developed the fact that Seattle had less illiteracy within its borders than any other city in the country.

Why, we are now taking charge of the street-car systems, and the city will before long own its own trolleys and charge a 3-cent fare.

Would you like to know about our parks? Well, we have 1,803 acres of parks bought, owned, paid for, and maintained by the people. Your parks in this city are entirely unfit for comparison, except for your statuary. You have more marble men in these little cramped-up playgrounds. We have parks, and we have lakes and drives and flowers and fountains. But that is not a start of what we have out there besides this assay office. We have 94.47 square miles in our city limits, with a harbor frontage of 140 miles. We have 57 steamship lines and 400 street cars in service. Six transcontinental railroads—six, mind you—haul freight and passengers to our city, and they do not everlastingly holler for higher freight rates, either. They are entering upon a great era of new building just outside the city and up and down and over and across the State.

Just a few more things, and I will stop. We have 70 public schools, and 155 teachers in our university—all free, too. We have 31 miles of boulevards, 178 miles of paved streets, 737 miles of planked and graded streets, 950 miles of cement walks, 5,816 incandescent street lights, 960 arc street lights, and 1,671 cluster-light poles.

Oh, I am always ashamed of the Nation's Capital when I get back to Seattle; and the Government does not pay a cent of taxes in Seattle or help in any other way; no Washington, D. C., half-and-half policy there.

But I have not told you near all. We have 225 churches and 27 banks in Seattle, the tallest building in the world outside of New York, and, would you believe it, we have the longest dock in the United States—2,580 feet long.

Just think of this: Roses bloom all the year round, and the average temperature is 52°. It never gets hot in summer and rarely ever freezes in winter.

Do you know a city like that does not have to have a regional reserve bank? In Seattle the women vote, the people think, and everything moves. We have the gold, and plenty of it; and, as I said at the outset, I thank the committee for leaving the assay office with us, for if we had no assay office what would we do with our gold? My friends here insist that I must wind up these remarks with the closing words of the Chicago speech to which I referred, so I insist that if you took our assay office and left on our hands all these tons and tons of gold, we would have to say:

You shall not press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold.

[Laughter and applause.]

[By unanimous consent, Mr. FRENCH was granted leave to extend his remarks in the RECORD.]

Mr. MANN. Mr. Chairman, I move to amend by striking out, on page 64, the following language:

Mint at New Orleans, La.: Assayer, who shall have general charge of the institution as under section 3560, Revised Statutes, and who shall be a practical assayer, $2,500; assistant assayer, $1,500; chief clerk, who shall perform the duties of cashier, $1,500; in all $5,500.
For wages of workmen and other employees, $5,350.
For incidental and contingent expenses, $3,000.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 64, strike out the following language, beginning on line 1:
"Mint at New Orleans, La.: Assayer, who shall have general charge of the institution as under section 3560, Revised Statutes, and who shall be a practical assayer, $2,500; assistant assayer, $1,500; chief clerk, who shall perform the duties of cashier, $1,500; in all, $5,500.
"For wages of workmen and other employees, $5,350.
"For incidental and contingent expenses, $3,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. Cox) there were—ayes 36, noes 38.

So the amendment was rejected.

Mr. MANN. A Democratic stronghold is safe.

Mr. SMITH of Idaho. Mr. Chairman, I move to amend, on page 64, line 1, by striking out the word "mint" and inserting in lieu thereof the words "assay office."

As a matter of fact, there is no mint at New Orleans and there has been no money coined there for nearly four years; but it looks more important to call it a mint.

The CHAIRMAN. The gentleman from Idaho offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 64, line 1, strike out the word "mint" and insert in lieu thereof the words "assay office."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Idaho.

Mr. JOHNSON of South Carolina. Mr. Chairman, that amendment is not in order, and I make the point of order against it. They have already moved to strike out that paragraph and you can not offer a further amendment to perfect it.

Mr. LANGLEY. It is to perfect the paragraph.

Mr. BARTLETT. Mr. Chairman, the point of order is this: The law fixes a mint at New Orleans and not an assay office, and this is a new proposition, which is a change of law.

Mr. LANGLEY. Mr. Chairman, is it not too late to make the point of order after the Chair put the affirmative vote?

The CHAIRMAN. There has been no discussion on the amendment——

Mr. SMITH of Idaho. Yes.

The CHAIRMAN. The Chair thinks the point of order is well taken, that this is a change of existing law.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. After the gentleman offers an amendment and discusses it——

The CHAIRMAN. The gentleman did not discuss it.

Mr. LANGLEY. Yes.

Mr. MANN. I do not want to take advantage of the gentleman from South Carolina——

The CHAIRMAN. Then the Chair is of opinion that the point of order comes too late.

Mr. JOHNSON of South Carolina. Let us vote it down; but the Chair put the question before you can make any statement.

The CHAIRMAN. If the gentleman from South Carolina will indulge the Chair, he is trying to make a statement. The gentleman from Idaho offered an amendment and discussed the amendment, and the Chair put the question and declared the

result and then started to put the other side and the gentleman from South Carolina made the point of order. The Chair thinks the point of order came too late, and the question now is on the amendment offered by the gentleman from Idaho.

The question was taken, and the amendment was rejected.

Mr. JOHNSON of South Carolina. Mr. Chairman, there is an amendment pending on page 52, line 6.

Mr. MANN. Will the gentleman let that go over?

Mr. JOHNSON of South Carolina. No, Mr. Chairman; I want to get through with this business to-day. We have been all day on one proposition.

The CHAIRMAN. The Clerk will report the amendment.

Mr. HUMPHREY of Washington. Mr. Chairman, I hope, it is now 6 minutes of 6 o'clock——

Mr. JOHNSON of South Carolina. I desire to finish this thing.

The Clerk read as follows:

Page 52, line 6, strike out the figures "$10,000" and insert in lieu thereof "$30,000."

Mr. HUMPHREY of Washington. Mr. Chairman——

Mr. BARTLETT. Mr. Chairman, I understood this amendment was to be considered with the others, and debate was at an end upon the proposition.

Mr. HUMPHREY of Washington. Oh, no; that is not it. I do think, however, the gentleman ought to consent to let this go over. I am almost inclined to make the point of order. I hope the gentleman will let this go over until to-morrow.

Mr. JOHNSON of South Carolina. The agreement entered into was only as to the assay offices, and the gentleman is entitled to five minutes if he wants it.

Mr. HUMPHREY of Washington. I ask the gentleman if he will not let this go over and the committee now rise?

Mr. JOHNSON of South Carolina. Oh, no.

Mr. HUMPHREY of Washington. Mr. Chairman, I would like to have the attention of the committee for a moment.

In the hearings, on page 234. I find that the chairman asked this question of the Director of the Mint:

Mr. JOHNSON. You are now asking for $30,000 for freight on bullion and coin for the year 1915. You were given only $10,000 for the current year. How are you getting along with $10,000?

Mr. ROBERTS. We are not getting along at all. We had to practically cease receiving bullion at some of the assay offices.

And then, further down, Mr. Roberts said:

We presented the matter to the committees at the session last summer, and nothing being done, we discontinued the purchase of bullion at these assay offices except on condition that the depositors would pay the express charges to the mints.

And then, further down, the chairman of the committee said:

The only difference between that condition and the present condition would be that instead of the Government paying the express on it to the mint the owner would pay the express himself?

Now, I submit to the committee that they ought not to take the position that practically closes these assay offices. Inasmuch as Congress has seen fit to retain them, they ought not to attempt to abolish them indirectly. Mr. Chairman, I will wait until the gentleman from South Carolina gets through talking, as I wish his attention. I was in hopes I could induce him to listen to some things I had to say. I do not think the gentlemen of the committee intended to be placed in the position of doing indirectly what the Congress had decided they should not do.

Now, the result of it has been that these assay offices—and in speaking for Seattle I am speaking for all of them—were practically compelled to close their doors because of the fact that they had no money to transport this bullion, and under those circumstances they refused to take it. I do not know whether they had a legal right to do it or not, but they did it.

In the city of Seattle, for illustration: A miner returns from Alaska. He has already paid from $4 to $10 a thousand to get his gold to the city of Seattle. He takes it to the assay office, and they demand $1.50 more a thousand, and he either has to pay that or send it to San Francisco and pay the expressage, and then pay the cost of the exchange if he has the money sent to him at Seattle. The result of that will be that the miner will go over to Vancouver, British Columbia; and the only reason that gold has not been going over there—several million dollars of it—instead of coming to Seattle was because the people of Seattle themselves paid the cost of the transportation of this bullion. The miner who comes from Alaska can stop at Vancouver on his way and have his gold assayed without costing him one penny.

The question comes as to whether or not the committee ought to place itself in that attitude, not only antagonistic to the interests of the miners of Alaska and the others who bring their gold to the city of Seattle or any of these other assay offices, but they are placing themselves directly aganist the will of Congress. I admit they have a perfect right to make a fight on these assay offices and abolish them if they can—and perhaps from their standpoint, at least, they ought to be abolished. But I do not think the gentlemen want to be placed in the position of attempting to do indirectly what Congress says they shall not do directly.

If the gentleman is willing to give me some assurance, in case these assay offices remain in the bill, that they will have a reasonable amount carried for the transportation of this bullion, I do not care to press this amendment. All I want is that this matter should be taken care of.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, I will place in the RECORD a statement relative to this matter from the Chamber of Commerce of Seattle:

SEATTLE ASSAY OFFICE.

The maintenance of a gold-purchasing institution at Seattle by the Government answers a twofold purpose; it not only provides a place for the Alaska miner to dispose of his product at the nearest permanent location possible, but it places the proceeds from the sale of his gold at the point desired—the place where he purchases his supplies.

It would not be practicable for the Government to purchase the gold in Alaska, for the reason that there are several large producing districts, and no one institution could serve the needs of all, as the districts are widely separated, namely, Juneau, Nome, Fairbanks, and Iditarod; besides, the proceeds from the sale of Alaska bullion are not required at any of these points, but at Seattle, where nearly all the Alaska supplies are procured.

If an assay office were not maintained at Seattle, it would mean that Alaska bullion would have to be transported 1,000 miles farther for disposition than at present, and that extra distance wholly by rail—Seattle to San Francisco or Denver—with a transfer from water to rail at Seattle in any event. This would mean an additional cost in transportation, the loss of at least five days' interest on the value of the Alaska product, as that is the least time possible to get bullion from Seattle to San Francisco and the proceeds for same returned to Seattle where it is needed. Further, if the bulk of the Alaska bullion should go to Denver or San Francisco and the returns sent to Seattle in Denver or San Francisco exchange, the Seattle banks, undoubtedly, would be compelled to impose exchange on same, which they do not impose on the Government drafts now issued in Seattle for assay office purchases, all of which would fall on the Alaska miner. Further, we should not overlook the fact that any material increase in cost of marketing the Alaska product might divert it to the Canadian assay office at Vancouver, British Columbia.

If anything needs encouragement at the hands of the Government, surely it is the Alaska mining industry, for the prospector there has to undergo great hardships; a rigorous climate to combat, high cost of food, frozen ground to be thawed out before digging, and, after all these, the chance of a shortage of water with which to extract the gold from the soil he has so laboriously dug out. These conditions are hardly conceivable to one not personally familiar with that Territory, and are unknown in other mining localities in this country.

It is astonishing to think that an institution that affords the benefits as does the Seattle office should be forced continually to offer reasons for its right to exist. Since the opening of that office in July, 1898, to the end of the fiscal year June 30, 1913, there have been received deposits of bullion amounting to $211,363,034.76. The total appropriations received for its installation and maintenance amount to $681,665.98; of this amount there has been returned to the Treasury of the United States, unexpended, the sum of $45,527.48, leaving a net disbursement for the period of $636,138.50; the total earnings of the office for charges, etc., collected during the period were $343,553.81; the amount of the property on hand, according to the inventory taken June 30, 1913, was $21,920.46, showing the net cost to the Government for operating the institution from July 15, 1898, to June 30, 1913, a period of 15 years, to be $270,664.23.

The appropriation of $41,550 for the current year is ample to properly take care of all the Alaska product that could possibly be sent to an assay office for purchase. There undoubtedly will be returned at the close of this year to the Treasury of the United States unexpended balances of the current years appropriation amounting to $8,500, as the receipts of the office for the year will fall below the normal amount; due to the shortage of water in all the Alaska mining districts during the past season the entire appropriation will not be needed this year.

As to the further expense to the Government for transporting bullion from the assay office to a mint subsequent to purchase, it seems unjust to add this further cost to the heavy burden the Alaska miner already has to bear. It is hardly to be believed, yet it is a fact, that the Alaska miner has to pay from $4 to $10 per thousand to get his gold to the Seattle office. Were he to pay the further transportation charge for having his bullion shipped from the assay office to either the mint at Denver or San Francisco it would mean the addition of $1.50 per thousand to the already heavy transportation charges which Alaska bullion has to stand, if instead he did not divert his bullion to the Canadian office at Vancouver, British Columbia.

From $12,500 to $15,000 annually will cover the cost of transporting the Alaska bullion from the Seattle office to a mint, and this amount should be allowed by the Government, if that office is to be maintained, for the benefit of Alaska.

It would not be necessary to ship to a mint the bullion purchased at the Seattle assay office if that institution were furnished with a refinery, for then the Alaska bullion could be melted into refined certificate bars instead of unparted bars as at present, and stored in Seattle to be used for commercial purposes or for shipment to the Orient.

Attention is called to the fact that, according to reports of the Director of the Mint for the fiscal year 1912, the latest received, the eight assay offices of the mint service, exclusive of the institutions at Philadelphia, San Francisco, Denver, and New York, cost the Government only $102,493.51 net to maintain, including cost of transportation of bullion from the assay offices to the mints during the year 1912.

All of these institutions undoubtedly are beneficial to the mining interests of the various localities in which they are situated. This Government expenditure for the year, of $102,493.51, in behalf of the mining industry is small compared with the amounts appropriated for the agricultural interests, Forestry Service, etc.

It may be interesting to know that the amount expended by the Government for the Philadelphia Mint during the year 1912 was $487,-

315.21; the earnings of that institution, exclusive of seigniorage, were $133,192.28, leaving a net expense to the Government for the year of $354,122.93, or more than three times the amount expended during the same period for the eight assay offices.

When one stops to consider the fact that the expenditure of the $102,493.51 for the eight assay offices undoubtedly resulted in great good, serving as a stimulus to the mining industries in the various localities in which these offices are located, while the expenditure of $354,122.93 at Philadelphia is for an institution not located in or near a mining locality. The work performed there might just as well be done at New York. It is surprising that these assay offices should be harassed continually and this other institution and other branches of the service continue to receive bountiful support from the Government.

The discontinuance of the Seattle office would benefit the Wells, Fargo Express Co and a private smelter at San Francisco, as follows: Any bullion deposited at the Seattle office now goes to Denver and the Wells, Fargo Express Co. has to compete with three other express companies for the business; on shipments of bullion and coin out of Denver it can only get a portion of that business. If the Alaska bullion went to San Francisco, where it would very likely go if the Seatle office should close, unless it went to the Canadian assay office at Vancouver, British Columbia, the Wells, Fargo Express Co. would have the exclusive haul to San Francisco and would handle all shipments of coin and bullion out of that place, as it controls the express situation in that city. Any diversion of gold bullion from Seattle to San Francisco would benefit the smelter there, for that concern would then be able to purchase gold which it can not get now, as the gold received at the Seattle office is consigned to the Government.

This office receives the largest quantity of virgin bullion of any office of the Government outside of the mints, not excepting the one at New York.

Mr. JOHNSON of South Carolina. Mr. Chairman, in 1913, when all these assay offices were in operation, the amount used for freight was $23,000. We have dispensed with four of them. After this we will have to transport less bullion from New York to Philadelphia, and, unless something shall develop that this committee does not now know about, we will not need the money that the gentleman is asking for in his amendment; so I hope that the committee will vote it down.

Mr. HUMPHREY of Washington. Will the gentleman yield for a question? I find that last year—and I think you are slightly mistaken in regard to your figures—that for transportation of bullion from Seattle alone the Government paid $8,802, and I know that the citizens of the city of Seattle——

Mr. JOHNSON of South Carolina. You know the citizens never spend anything.

Mr. HUMPHREY of Washington. I know they did.

Mr. JOHNSON of South Carolina. You are talking about the present year and not about last year.

Mr. HUMPHREY of Washington. Well, if the gentleman will just wait now, I will state it.

Mr. JOHNSON of South Carolina. You appeared before the committee and made the statement that the people of Seattle made up a purse this year, not last year.

Mr. HUMPHREY of Washington. Put it whatever year you want. The Government paid out $8,802, and the citizens of Seattle paid out, according to the last account I had, something like $1,600. If that be true, if you transport the bullion next year from Seattle, it will take all of the $10,000 and will leave nothing for New Orleans or Helena or New York. And upon that point I called on the Director of the Mint——

Mr. JOHNSON of South Carolina. New York does not need any. She does not ship any bullion.

Mr. Chairman, this appropriation is large enough as it now stands, and I call for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. HUMPHREY].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 31, noes 49.

So the amendment was rejected.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move that the committee do now rise.

Mr. BRYAN. Mr. Chairman, I make the point of no quorum.

Mr. HUMPHREY of Washington, Mr. BRYAN, Mr. JOHNSON of Washington, Mr. LAFFERTY, and Mr. FALCONER were granted unanimous consent to extend their remarks in the RECORD.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] moves that the committee do now rise.

The motion was agreed to; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15279, the legislative, executive, and judicial appropriation bill, and had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives, by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On April 2, 1914:

H. R. 9671. An act to appropriate $5,000 to erect a suitable monument on the battle grounds at the Horse Shoe, on the Tallapoosa River, in the State of Alabama.

On April 3, 1914:

H. R. 4618. An act to increase the limit of cost for increased quarantine facilities at the port of Portland, Me.; and

H. R. 8683. An act to authorize and direct the Secretary of the Treasury to relinquish the rights of the United States in and to a part of a certain alley in the city of Marshalltown, Iowa.

On April 6, 1914:

H. R. 1262. An act for the relief of Hugh P. Strong;

H. R. 2733. An act authorizing J. A. Matheny, of Colony, Wyo., to make homestead entry;

H. R. 11102. An act providing that marriage of a homestead entryman to a homestead entrywoman shall not impair the right of either to a patent, after compliance with the law a year, to apply to existing entries; and

H. R. 13612. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1914 and for prior years, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12169. An act providing for an additional appropriation for a public building in the city of Monroe, N. C.; and

H. R. 13765. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1915, and for other purposes.

DANIEL THEW WRIGHT.

Mr. CLAYTON. Mr. Speaker, I present the following privileged report from the Committee on the Judiciary.

The SPEAKER. The gentleman from Alabama [Mr. CLAYTON] offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 446 (H. Rept. 514).

Resolved, That the Committee on the Judiciary be directed to inquire and report whether the action of this House is necessary concerning the alleged official misconduct of Daniel Thew Wright; whether he has accepted favors from lawyers appearing before him; whether he has permitted counsel for a street railway company to indorse his notes while said counsel was retained in business and causes before his court; whether he has performed the services of lawyer and accepted a fee during his tenure of judicial office, in violation of the statute of the United States; whether he has collected and wrongfully appropriated other people's money; whether he has purposely changed the record in order to prevent reversal of causes wherein he presided; whether he has borne deadly weapons in violation of law; whether he is guilty of judicial misconduct in the trial of a writ of habeas corpus to an extent which provoked a reviewing court of the District of Columbia to justly characterize the trial as a "travesty of justice"; whether he has arbitrarily revoked, without legal right, an order of a judge of concurrent jurisdiction appointing three receivers, so as to favor his friend by appointing him sole receiver; whether he is morally and temperamentally unfit to hold judicial office; and whether he has been guilty of various other acts of personal and judicial misconduct for which he should be impeached.

That this committee is hereby authorized and empowered to send for persons and papers, to administer oaths, to employ, if necessary, an additional clerk and stenographer, and to appoint and send a subcommittee whenever and wherever necessary to take testimony for the use of said subcommittee.

That the subcommittee shall have the same power in respect to obtaining testimony as is herein given to the said Committee on the Judiciary; and the Speaker shall have authority to sign and the Clerk to attest subpœnas for any witness or witnesses.

That the expenses incurred in this investigation shall be paid out of the contingent fund of the House.

Mr. MANN. Mr. Speaker, I reserve the right to object for the present.

Mr. CLAYTON. Mr. Speaker, I ask that the report be now read.

The SPEAKER. The Clerk will read the report.

Mr. CLAYTON. That is what I have presented to the House—the report.

The Clerk read as follows:

"Mr. CLAYTON, from the Committee on the Judiciary, submitted the following report to accompany H. Res. 446:

"The Committee on the Judiciary, having had under consideration House resolution No. 446, report the same back with the recommendation that it be amended to read as follows, and as so amended that it be adopted:

"'*Resolved*, That the Committee on the Judiciary be directed to inquire and report whether the action of this House is necessary concerning the alleged official misconduct of Daniel Thew Wright, an associate justice of the Supreme Court of the District of Columbia; whether he has corruptly accepted

favors from lawyers appearing before him; whether he has corruptly permitted counsel for a street railway company to indorse his notes while said counsel was retained in business and causes before his court; whether he has performed the services of a lawyer and accepted a fee during his tenure of judicial office, in violation of the statute of the United States; whether he has collected and wrongfully appropriated other people's money; whether he has purposely and corruptly changed the record in order to prevent reversal of causes wherein he presided; whether he has borne deadly weapons in violation of law; whether he has arbitrarily revoked, without legal right, an order of a judge of concurrent jurisdiction appointing three receivers, so as to favor his friend by appointing him sole receiver; and whether said judge has been guilty of any misbehavior for which he should be impeached.

"'And in making this investigation the said committee is hereby authorized to send for persons and papers, administer oaths, take testimony, employ a clerk and stenographer, and is also authorized to appoint a subcommittee to act for and on behalf of the whole committee whenever and wherever it may be deemed advisable to take testimony for the use of said committee. The said subcommittee while so employed shall have the same powers in respect to obtaining testimony as are herein given to said Committee on the Judiciary, with a sergeant at arms, by himself or deputy, who shall serve the process of said committee or subcommittee and shall attend the sitting of the same as ordered and directed thereby. The Speaker shall have authority to sign and the Clerk to attest subpœnas for any witness or witnesses.

"'The expense of such investigation shall be paid out of the contingent fund of the House.'"

Mr. MURDOCK. Mr. Speaker, will the gentleman from Alabama yield?

Mr. CLAYTON. Yes.

Mr. MURDOCK. Wherein does the amendment differ from the original resolution?

Mr. MANN. I reserve a point of order, Mr. Speaker.

Mr. CLAYTON. It does not differ in any material respect, but it puts it in better form, I think.

Mr. MURDOCK. This is the regular course that is followed in these cases?

Mr. CLAYTON. It follows substantially the resolution adopted in the Hanford case.

Mr. MANN. Modified to suit the charges in this case?

Mr. CLAYTON. Yes, sir.

Mr. MANN. May I ask the gentleman a question? Do these resolutions usually provide for the employment of a clerk and a stenographer?

Mr. CLAYTON. They do in some cases; yes.

Mr. MANN. That is necessary, in the gentleman's opinion?

Mr. CLAYTON. It is necessary. In fact, it was done in the Speer case and it was done in the Hanford case.

Mr. MANN. Was this a unanimous report from the committee?

Mr. CLAYTON. There was no disagreement in the committee.

Mr. MANN. Mr. Speaker, I withdraw my reservation of the point of order.

The SPEAKER. The question is on agreeing to the substitute in lieu of the original resolution.

The substitute was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

CHANGE OF REFERENCE.

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent for a change of reference in the case of the bill (H. R. 15493) granting a pension to Maggie Feavel from the Committee on Invalid Pensions to the Committee on Pensions.

Mr. MANN. Mr. Speaker, that can be done through the basket, without going through the House.

The SPEAKER. The Clerk will change the reference of that bill.

Mr. QUIN. Mr. Speaker, I ask that the bill (H. R. 13581) for the relief of the landowners on the east bank of the Mississippi River, in the counties of Warren, Claiborne, Jefferson, Adams, and Wilkinson, in the State of Mississippi, and the parish of West Feliciana, State of Louisiana, which was erroneously referred to the Private Calendar, be referred to the Union Calendar, as of the same date that it was referred to the Private Calendar.

The SPEAKER. This is the bill which was called up last night, is it not?

Mr. QUIN. Yes.

The SPEAKER. The gentleman from Mississippi asks unanimous consent for the change of reference of this bill from the Private Calendar to the Union Calendar. Is there objection?

Mr. FITZGERALD. Does it belong on the Union Calendar? It can not go there unless it belongs there.

Mr. MANN. It belongs on the Union Calendar. It would go there by order of the Speaker.

The SPEAKER. The Chair has examined the bill. It belongs on the Union Calendar. The Chair understands that the gentleman from Illinois [Mr. MANN] made a point of order against it last night for the same reason.

Mr. MANN. I reserved a point of order against it.

The SPEAKER. The Chair hears no objection, and it is referred to the Union Calendar.

EQUAL SUFFRAGE—LEAVE TO EXTEND REMARKS.

Mr. LAFFERTY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD briefly on the subject of equal suffrage.

The SPEAKER. The gentleman from Oregon [Mr. LAFFERTY] asks unanimous consent to extend his remarks on the subject of equal suffrage. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 15 minutes p. m.) the House adjourned until Saturday, April 11, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Potomac River from Washington, D. C., to Cumberland, Md. (H. Doc. No. 893); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a letter from the Secretary of State relative to an item of appropriation in the amount of $2,000 to enable the United States to be represented by the Public-Health Service in the Sixth International Sanitary Conference of American States, to be held at Montevideo, Uruguay, in December, 1914 (H. Doc. No. 892); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LESHER: A bill (H. R. 15532) to authorize the provision of accommodations for the United States courts in the Federal building at Sunbury, Pa., and to increase the limit of cost for said building accordingly; to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Colorado: A bill (H. R. 15533) granting public lands to the city and county of Denver, in the State of Colorado, for public park purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 15534) to reserve certain lands and to incorporate the same, and to make them a part of the Pike National Forest; to the Committee on the Public Lands.

By Mr. ALEXANDER: A bill (H. R. 15535) to amend section 4131 of the Revised Statutes of the United States of America, relating to the renewal of licenses; to the Committee on the Merchant Marine and Fisheries.

By Mr. BAILEY: A bill (H. R. 15536) providing for the granting of local self-government to the people of the District of Columbia and creating the city of Washington an independent municipal corporation; to the Committee on the District of Columbia.

By Mr. KALANIANAOLE: A bill (H. R. 15537) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other Government offices at Honolulu, Territory of Hawaii, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. MOORE: Resolution (H. Res. 462) requesting the Secretary of Commerce to take steps to incorporate an "acknowledgment whistle" in the "Rules to Prevent Collisions at Sea"; to the Committee on the Merchant Marine and Fisheries.

By Mr. DEITRICK: Resolution (H. Res. 463) amending the rules of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 15538) granting a pension to Hugh Kesterson; to the Committee on Invalid Pensions.

By Mr. BEAKES: A bill (H. R. 15539) granting an increase of pension to Augustus W. Fellows; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15540) granting a pension to Arena Ducat; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15541) granting a pension to Horton Mosher; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 15542) granting a pension to Anna Wilmer; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 15543) granting a pension to Annie Hubbard; to the Committee on Invalid Pensions.

By Mr. FALCONER: A bill (H. R. 15544) authorizing the issuance of patents in certain cases; to the Committee on the Public Lands.

By Mr. GREGG: A bill (H. R. 15545) granting an increase of pension to Jennie McC. Harrison; to the Committee on Pensions.

Also, a bill (H. R. 15546) granting an increase of pension to Mahala A. Payne; to the Committee on Pensions.

Also, a bill (H. R. 15547) granting an increase of pension to Mary Jane Ragan; to the Committee on Pensions.

Also, a bill (H. R. 15548) granting an increase of pension to Julia Ann Teague; to the Committee on Pensions.

Also, a bill (H. R. 15549) for the relief of J. B. Fleming; to the Committee on Claims.

By Mr. HAMLIN: A bill (H. R. 15550) granting a pension to Wilhelmina Haesemeyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15551) granting a pension to Maria Lohmann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15552) granting a pension to Louise Bredehoft; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 15553) to correct the military record of Patrick Philben; to the Committee on Military Affairs.

By Mr. McANDREWS: A bill (H. R. 15554) for the relief of Lawrence E. Donohoe; to the Committee on Claims.

By Mr. MITCHELL: A bill (H. R. 15555) for the relief of William H. Corcoran; to the Committee on Claims.

Also, a bill (H. R. 15556) granting a pension to Alice B. Homer; to the Committee on Pensions.

By Mr. MONDELL: A bill (H. R. 15557) for the relief of Anna Miller; to the Committee on Claims.

By Mr. PALMER: A bill (H. R. 15558) granting an increase of pension to Isabella Hess; to the Committee on Invalid Pensions.

By Mr. PATTON of Pennsylvania: A bill (H. R. 15559) granting an increase of pension to Lorenzo English; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 15560) granting an increase of pension to Martina Neuhaus; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 15561) granting an increase of pension to Harris Bell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15562) granting a pension to W. E. Nelms; to the Committee on Pensions.

Also, a bill (H. R. 15563) for the relief of H. C. Foley; to the Committee on Military Affairs.

Also, a bill (H. R. 15564) granting an increase of pension to Andrew J. Grant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15565) granting an increase of pension to William N. Wakefield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15566) granting an increase of pension to Elijah Cate; to the Committee on Invalid Pensions.

By Mr. J. M. C. SMITH: A bill (H. R. 15567) granting a pension to Margaret Parish; to the Committee on Invalid Pensions.

By Mr. STEVENS of New Hampshire: A bill (H. R. 15568) granting a pension to Hannah J. Seccombe; to the Committee on Pensions.

By Mr. TALBOTT of Maryland: A bill (H. R. 15569) for the relief of William Henry; to the Committee on Claims.

By Mr. THOMSON of Illinois: A bill (H. R. 15570) granting an increase of pension to Harriet E. Hall; to the Committee on Invalid Pensions.

By Mr. TRIBBLE: A bill (H. R. 15571) for the relief of John H. Kirk; to the Committee on Claims.

By Mr. WHITE: A bill (H. R. 15572) granting an increase of pension to Louise C. Smithson; to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 15573) granting an increase of pension to Isabella W. Williams; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the United Daughters of the Confederacy of Independence, Mo., relative to the reimbursement of cotton-tax moneys collected from 1862 to 1868; to the Committee on Ways and Means.

Also (by request), petition of sundry citizens of Indiana, Pennsylvania, and Michigan, against polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petitions from 10 individual churches, also petitions signed by 277 citizens from the ninth congressional district of Missouri, in behalf of the Hobson resolution for national constitutional prohibition; to the Committee on the Judiciary.

By Mr. ADAIR: Petitions of 80 citizens of Lapel, 1,002 citizens of Berne, 1,145 citizens of Elwood, 550 citizens of Anderson, 105 citizens of Ridgeville, 180 citizens of Farmland, 155 citizens of Wells County, 40 citizens of Bluffton, 150 citizens of Liberty Center, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Decatur, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ALLEN: Petitions of 220 citizens of Cincinnati, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of sundry citizens of Altoona, Pa., favoring passage of House joint resolution 117, relative to submitting the liquor question to the States; to the Committee on the Judiciary.

Also (by request), petitions of Fred Balla, F. J. Campbell, Frank Jablowski, Joseph M. Suhre, Henry Wacker, jr., Frank Lindner, Edward H. Zimmock, Richard Krause, Martin Hasse, N. P. Baltzerson, William Bisek, William Seibel, Adam Schmiermond, David Taylor, John Knapp, Joseph Roselmofsky, Severn Fitz, Joseph A. Schlatter, John Anetz, Conrad Gerhardt, and Frank A. Gross, all of Johnstown, Pa., against national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of John C. Abell and others, of Johnstown, Pa., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BALTZ: Memorial of various members of Samuel T. Hughes Camp, No. 307, protesting against any change in the American flag; to the Committee on the Judiciary.

Also, memorial of Local Union No. 349, of Lenzburg, Ill., favoring an investigation of the labor situation in Colorado; to the Committee on Rules.

By Mr. BARTHOLDT: Petition of 275 citizens of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

Also, petitions of 10 churches and 252 citizens of St. Louis, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Automobile Supply Co., of Kansas City, Mo., favoring passage of House bill 13305; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Henry B. Albers and others, of Florissant, Mo., favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

Also, petitions of the Hamilton Browne Shoe Co. and other business firms of St. Louis, Mo., protesting against the anti-coupon bill; to the Committee on Ways and Means.

Also, petitions of sundry citizens and business houses of St. Louis, Mo., protesting against national prohibition; to the committee on the Judiciary.

Also, petitions of 63 citizens of Eureka, Mo., and 40 citizens of Kirkwood, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of F. P. Renkel, of St. Louis, Mo., favoring passage of House bill 14994; to the Committee on the Judiciary.

By Mr. BURKE of Wisconsin (by request): Resolutions adopted by Welsh Christian Endeavor Society, representing 42 citizens; by Missionary Society of Welsh Methodist Episcopal Church, representing 43 citizens; by Rosedale Presbyterian Church, representing 60 citizens, all of Cambria, Wis., and by Waldo Baptist Church, representing 90 citizens, and Woman's Christian Temperance Union, representing 40 citizens, all of Waldo, Wis., and by United Brethren Church, representing 30 citizens, of Cascade, Wis., praying for the passage of a joint resolution to amend the United States Constitution so as to forever prohibit the sale, manufacture, transportation, importa-

tion, and exportation of intoxicating liquors for beverages; to the Committee on the Judiciary.

Also, petitions signed by 110 farmers of Dodge County, Wis., asking that the act of Congress approved March 3, 1913, entitled "An act to prevent the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, and for regulating traffic therein," be so amended as to exempt all cheese from the requirement that on the outside of each package be marked the weight and quality of its contents; to the Committee on Agriculture.

By Mr. CARY: Petition of the American Malting Co. and citizens of Milwaukee, Wis., against national prohibition; to the Committee on the Judiciary.

By Mr. CURRY: Petitions by 26 residents of the third California congressional district, against the adoption of national constitutional prohibition; to the Committee on the Judiciary.

Also, petition of 11 citizens of Stockton, Cal., for establishment of censorship of motion pictures in interstate commerce; to the Committee on Education.

Also, resolutions by Robert Hedden, for the Loyal Workers' Society, of Napa; George L. Lobdell, for the First Christian Church of Stockton; Mrs. Frances Christian, for the Antioch Woman's Christian Temperance Union, of Antioch; and Rev. James Whitaker, for the Central Methodist Episcopal Church, of Sacramento, all in the State of California, in favor of national constitutional prohibition; to the Committee on the Judiciary.

By Mr. DICKINSON: Petition of 37 citizens of Warrensburg and 35 citizens of Knobnoster, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of sundry citizens of the State of Kansas, favoring bureau of farm loans (H. R. 11755); to the Committee on Banking and Currency.

By Mr. DUNN: Petition of sundry citizens of Chicago, Ill., against Sabbath observance bill; to the Committee on the District of Columbia.

Also, petition of 2,784 citizens of Rochester, 909 citizens of Webster, 125 citizens of West Webster, and 115 citizens of Irondequoit, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DYER: Petition of the Woman's Christian Temperance Unions of Albany, Clifton Hill, and Bogard, all in the State of Missouri, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Monahan Antiseptic Co., of Chicago, Ill., and citizens of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

Also, petition of Chicago Typographical Union, No. 16; Tri-City Central Trades Council, of Granite City, Ill.; and Amalgamated Association of Street and Electric Railway Employees of America, Covington, Ky., favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of the W. E. Shipley Machinery Co., of Philadelphia, Pa., relative to bill prohibiting exclusive agencies; to the Committee on the Judiciary.

Also, petition of Charles H. Davis, of Cambridge, Mass., favoring Kern-McGillicuddy bill; to the Committee on the Judiciary.

Also, letter of Hal H. Smith, of Detroit, Mich., relative to the Kern-McGillicuddy compensation bill (H. R. 14994); to the Committee on the Judiciary.

By Mr. EAGLE: Petitions of various voters of the eighth congressional district of Texas, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GARNER: Petition of sundry citizens of Texas, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Dallas (Tex.) Association of Credit Men, favoring House bill 14328, relative to transmission of false statements through the mails; to the Committee on the Post Office and Post Roads.

By Mr. GILMORE: Memorials of the city council of Quincy, Ill., and board of selectmen of Milton, Mass., relative to the retirement of civil-service employees; to the Committee on Reform in the Civil Service.

Also, petition of 125 citizens of Sharon, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GOEKE: Petitions of 85 citizens of Glenkam and 200 citizens of West Cairo, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Illinois: Petition of 400 citizens of Virden, 200 citizens of Owaneco, 100 citizens of Irving, 200 citizens of Hillsboro, 900 citizens of Springfield, 157 citizens of Taylorsville, and 150 citizens of Nokomis, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of Local Union No. 1475 of the United Mine Workers of America, of Panama; Local Union No. 694, of Girard; Subdistrict No. 9, of District 12, United Mine Workers of America, of Pana; and Local Union No. 146, United Mine Workers of America, of Divernon, all in the State of Illinois, favoring investigation of Colorado strike conditions; to the Committee on Mines and Mining.

By Mr. GRAHAM of Pennsylvania: Petition of the Ralph E. Weeks Co., of Scranton, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of William F. Van Pele, of Philadelphia, Pa., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GREEN of Iowa: Petitions of 250 citizens of Fontanelle, 60 citizens of Anita, 120 citizens of Audubon, 140 citizens of Greenfield, 100 citizens of Sioux City, 35 citizens of Oakland, 65 citizens of Tennant, 100 citizens of Oakland, 25 citizens of Jamaica, 45 citizens of Council Bluffs, 120 citizens of Audubon, 350 citizens of Atlantic, and 100 citizens of Elliott, all in the State of Iowa, for constitutional prohibition of liquor traffic; to the Committee on the Judiciary.

Also, resolution by the Local Council Bluffs Socialist Party of America, favoring an investigation of troubles in Colorado mining districts; to the Committee on Rules.

By Mr. HAMLIN: Papers to accompany a bill (H. R. 14677) granting a pension to Lida Beal; to the Committee on Invalid Pensions.

Also, papers to accompany a bill (H. R. 15333) granting a pension to Minnie D. Mitchell; to the Committee on Invalid Pensions.

Also, papers to accompany a bill (H. R. 14566) to correct the military record of Andrew Ballon; to the Committee on Military Affairs.

By Mr. HAMMOND: Petition of sundry citizens of Sherburn, Minn., favoring House bill 12928, relative to Sunday labor by postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Sherburn, Minn., against Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. HARDWICK: Petition of the Merchants and Manufacturers' Association and sundry citizens of Augusta, Ga., relative to levee construction at Augusta, Ga.; to the Committee on Rivers and Harbors.

By Mr. HAWLEY: Petitions of various voters of the first congressional district of Oregon, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. HOXWORTH: Petition of the Nazarine Sunday School, St. David, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KELLY of Pennsylvania: Petition of 1,425 citizens of McKeesport, Pa., and 350 citizens of Oakmont, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Memorial of the Norwich Belting Co., favoring increase of postal rates on periodicals; to the Committee on the Post Office and Post Roads.

Also, memorial of the Interstate Grocer Co., of Joplin, Mo., favoring passage of House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

By Mr. KINDEL: Petition of 185 citizens of Denver, 35 citizens of Keota, 50 citizens of Otis, 38 citizens of Yuma, 100 citizens of Berthoud, 10 citizens of Bellevue, 100 citizens of Fort Collins, 40 citizens of Kelly, 60 citizens of Walsenburg, 80 citizens of Akron, and 75 citizens of Evans, all in the State of Colorado, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Camp No. 2, Patriotic Order of Americans, of Denver, Colo., against changing the United States flag; to the Committee on the Judiciary.

Also, petition of sundry citizens of Denver, Colo., against national prohibition; to the Committee on the Judiciary.

By Mr. KINKAID of Nebraska: Petitions of 400 citizens of Elm Creek, 115 citizens of Long Pine, 32 citizens of North Loup, and 12 citizens of St. Paul, all in the State of Nebraska, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LESHER: Petition of 1,423 citizens of Sunbury, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LIEB: Petitions of E. F. Hubbard, Charles Morell, Arthur Shaw, Peter Wilming, John Kramer, Fred Baumeyer, George Horn, James Fritsch, Charles L. McGregor, Ed Martin, Conrad Moll, Perry Lampton, Harry Asmann, Roy Tillery, William Wheatley, Harry Theuerkauf, George Buckhanan, Ed

Hedderich, Buford Watson, C. Powell, all of Evansville, Ind., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of Frank Greoing, of New Britain, Conn., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MARTIN: Petition of the Conservation Congress, Pierre, S. Dak., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of A. N. Vandervelder, Gregory, S. Dak., against national prohibition; to the Committee on the Judiciary.

By Mr. MERRITT: Petitions of 450 citizens of Gouverneur, 131 citizens of Woodstown, 30 citizens of Wadhams, 53 citizens of Moire, 40 citizens of Malone, 250 citizens of Peru, and 85 citizens of Madrid, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MOSS of Indiana: Petitions of the First Baptist Church of Clinton; the Baptist Church of Coalmont; the Methodist Episcopal Church of Knightsville; the Mattox Methodist Episcopal Church, of Terre Haute; the Trinity Methodist Episcopal Church, of Terre Haute; the Methodist Church of Dana; the Plainfield Baptist Sunday School, of Plainfield; the Woman's Christian Temperance Union of Greencastle; the Christian Church of Clinton; the United Brethren Church of Cloverland; the Young People's Christian Endeavor of Universal; the Christian Endeavor Union of Clinton; and the Bethlehem Sunday School, of Universal, all in the State of Indiana, in favor of House joint resolution 168, for nation-wide prohibition; to the Committee on the Judiciary.

Also, petitions of 55 citizens of Brazil, 175 citizens of Terre Haute, 38 citizens of Vigo County, 47 citizens of Cloverland, 25 citizens of Clinton, 75 citizens of Dana, 143 citizens of Cloverdale, 27 citizens of Rockville, and 115 citizens of Roachdale, all in the State of Indiana, in favor of House joint resolution 168, for nation-wide prohibition; to the Committee on the Judiciary.

By Mr. MURRAY of Oklahoma: Petition of the Scoby Sunday School, of Paoli, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. O'LEARY: Petition of F. E. Willits, of New York State, relative to legislation in regard to trustees of savings banks; to the Committee on Banking and Currency.

By Mr. O'SHAUNESSY: Petition of F. E. Farnhand and J. F. Hildreth, of Providence; 150 citizens of Newport, 47 citizens of Portsmouth, and 100 citizens of Harrisville, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Daggett-Miller Co., of Providence, R. I., favoring the Harrison bill (H. R. 6282); to the Committee on Ways and Means.

Also, petition of the Commissioners of Shell Fisheries, of Providence, R. I., favoring an appropriation for the Bureau of Fisheries, Department of Commerce; to the Committee on Expenditures in the Department of Commerce.

Also, petition of the Newport (R. I.) Board of Trade, favoring Senate bill 3063, providing additional clerical assistance for Supervising Architect, Treasury Department; to the Committee on Expenditures in the Treasury Department.

Also, petition of the Executive Council of the National Association of Shell Fish Commissioners, favoring appropriation for Bureau of Fisheries, Department of Commerce; to the Committee on Expenditures in the Department of Commerce.

By Mr. PADGETT: Petitions of 100 citizens of Dickson, 75 citizens of Spring Hill, 75 citizens of Charlotte, 150 citizens of Franklin, 250 citizens of Centerville, all in the State of Tennessee, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PAIGE of Massachusetts: Petitions of 3,175 citizens of Fitchburg, 320 citizens of Clinton, 208 citizens of Gardner, 99 citizens of Oakham, 75 citizens of West Brookfield, 575 citizens of South Lancaster, 210 citizens of Leominster, and 15 citizens of Dana, all in the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PAYNE: Petition of sundry citizens of Geneva, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. REED: Petitions of William H. Dalton, Albert S. Bartlett, M. B. Wheelock, John G. Hutchinson, Albert Boulanger, George H. Warfield, A. J. Kesiron, Charles Beland, Joseph G. Plant, Thomas Potte, L. L. Lallosher, Edmond St. Pierre, all of the State of New Hampshire, against national prohibition; to the Committee on the Judiciary.

Also, petitions of Sylvester B. Huchins, Joseph A. Cate, Maurice E. Russell, Albert S. Emerson, Percy H. Walker, S. E. Roberts, Allen Burr, Charles E. Fifield, Clifton C. Pinkham, R. W. Price, Dana Bradley, Warren E. Bradley, G. W. Lamper, William A. Bradley, F. S. Plummer, George W. Gilman, Belle H. Mooney, Charles H. Davis, F. W. Leach, Wilbur A. Gooch, Willie E. Rhines, Nathaniel Phillips, Page D. Gooch, John E. Card, all of the State of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

By Mr. REILLY of Wisconsin: Numerous petitions of business men of various cities of the sixth Wisconsin congressional district, in support of House bill 5308, that legislation may be enacted which will compel concerns selling goods direct to consumers entirely by mail to contribute their portion of funds in the development of the local community, the county, and the State; to the Committee on Ways and Means.

Also, petition of sundry citizens of the sixth Wisconsin district, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the sixth Wisconsin district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROGERS: Petition of sundry citizens of Woburn, Mass., against national prohibition; to the Committee on the Judiciary.

By Mr. RUSSELL: Petition of sundry citizens and churches of Missouri, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SELDOMRIDGE: Petition of the Roaring Fork (Colo.) Stock Growers' Association, protesting against passage of the Kent bill, relative to leasing of public lands for grazing purposes; to the Committee on the Public Lands.

Also, petitions of 35 citizens of Flagler, 60 citizens of Walsenburg, 111 citizens of Colorado Springs, 100 citizens of Paonia, 150 citizens of Hugo, 49 citizens of Loma, 204 citizens of Olathe, 20 citizens of Clifton, 200 citizens of Grand Junction, 35 citizens of Salida, all in the State of Colorado, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Hall of Empire Grange, No. 148, Patrons of Husbandry, of Fort Collins, Colo., favoring passage of the Bathrick bill for farm credits; to the Committee on Banking and Currency.

Also, petition of Union Label League No. 1, of Denver, Colo., protesting against increase of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. SELLS: Petitions of 365 citizens of Erwin, Tenn., and 50 citizens of New Tazewell, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Petitions of 50 citizens of Schoolcraft, Mich., and 45 citizens of Vicksburg, Mich., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Subordinate Grange, No. 1506, of the Patrons of Husbandry, of Galesburg, Mich., favoring Bathrick bill (H. R. 11897); to the Committee on Banking and Currency.

By Mr. SPARKMAN: Petition of 40 citizens of Palma Sola, 200 citizens of Dunnellon, and 120 citizens of Bellevue, all in the State of Florida, favoring national prohibition; to the Committee on the Judiciary.

By Mr. TOWNER: Petitions of the Christian Church of Corydon, representing 200 citizens; the Woman's Christian Temperance Union of Corning, representing 200 citizens; the Woman's Christian Temperance Union of College Springs, representing 55 citizens; 30 citizens of Centerville; the Methodist Episcopal congregation of Braddyville, representing 150 citizens; and the Union Church Meeting of Blanchard, representing 200 citizens, all in the State of Iowa, relative to national prohibition; to the Committee on the Judiciary.

By Mr. WALLIN: Petition of the Niskayuna Woman's Christian Temperance Union of Schenectady, N. Y., favoring the enactment of legislation abolishing polygamy and establishing national prohibition; to the Committee on the Judiciary.

By Mr. WHITE: Petition signed by Rev. Henry H. Kelsey and some 30 others, of Marietta, Ohio, favoring the adoption of a constitutional amendment for nation-wide prohibition; to the Committee on the Judiciary.

Also, petition signed by Charles F. Robinson, of Zanesville, Ohio, and some 20 others, favoring the adoption of a constitutional amendment for nation-wide prohibition; to the Committee on the Judiciary.

Also, petition signed by C. Cooley, of Robins, Ohio, and some 20 others, protesting against the adoption of a constitutional amendment for nation-wide prohibition; to the Committee on the Judiciary.

By Mr. WHITACRE: Petition of various voters of the State of Massachusetts, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. WOODRUFF: Petition of 28 citizens of Bay City, Mich., and 200 citizens of Prescott, Mich., favoring national prohibition; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 11, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We hail with joy and gratitude, our Father in heaven, the approach of another Easter, with its profound significance, filling the heart anew with hope, faith, and love, for since light is stronger than darkness, right than wrong, so life is stronger than death. It quickens the pulsations of the heart, soothes the sorrowing, illumines the dark valley, fills the great beyond with light divine, and makes the whole world kin. "For we know that if our earthly house of this tabernacle were dissolved, we have a building of God, an house not made with hands, eternal in the heavens."

So long Thy power has blest me, sure it still
Will lead me on
O'er moor and fen, o'er crag and torrent, till
The night is gone,
And with the morn those angel faces smile,
Which I have loved long since, and lost awhile.

So may our lives be stronger, our hopes burn brighter, and our work be more efficient in all that makes for the betterment of mankind. In the spirit of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHANGE OF REFERENCE.

By unanimous consent, the reference of the bill H. R. 10729, making appropriations for the printing and publishing of maps and reports relating to the kelp beds on the Pacific coast, was changed from the Committee on Agriculture to the Committee on Printing.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill.

The SPEAKER pro tempore (Mr. HAY). The gentleman from South Carolina moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes.

The Clerk, proceeding with the reading of the bill, read as follows:

GOVERNMENT IN THE TERRITORIES.

Territory of Alaska: Governor, $7,000; 4 judges, at $7,500 each; 4 attorneys, at $5,000 each; 4 marshals, at $4,000 each; 4 clerks, at $3,500 each; in all, $87,000.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I listened yesterday evening with a great deal of delight to the distinguished gentleman from New York [Mr. FITZGERALD] when he delivered his lecture to gentlemen on that side of the House about economy, and I congratulate the gentleman from New York that his lecture probably saved the Government $1,000. I want to call the attention of the committee who have been talking economy—and I am not criticizing them for doing that—to a matter that came up during the discussion of the Agriculture bill. While that bill was under consideration I called the attention of the House to the publicity bureaus that were supposed to exist. The chairman of the committee denied that he had any knowledge of such an organization, and I have no doubt that he was perfectly frank and truthful in that statement.

But I want to call the attention of the House, and especially the members of this committee who have the bill in charge, to the fact that I hold here in my hand, sent out from the Forestry Service under frank, an article praising the performances of that service. I have here another one that was sent to me by an editor in Kansas—sent out from the same source, and, of course, for the same purpose—telling what a great institution the Forestry Service is. That was sent out under frank. I have here some other articles sent out from the Agricultural Department, not from the Forest Bureau, that is under frank. One of them is an article that is to be released for the Sunday papers April 19. It goes on to tell at great length about cockroaches—a very interesting article—and I will have an opportunity to give the papers something that is really news, because I will give it out several days before it is released. This startling information about cockroaches ought to reach the people at the earliest possible moment.

Mr. MURDOCK. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. MURDOCK. The gentleman says this was sent out under a frank. Does he mean a frank or a penalty envelope?

Mr. HUMPHREY of Washington. Under frank in a penalty envelope. I have them here. I call attention to the law, especially as applied to the Agricultural Department. As I understand, the law reads as follows:

Provided further, That no part of this appropriation shall be paid or used for the purpose of paying for, in whole or in part, the preparation for publication of any newspaper or magazine article, but this shall not prevent the giving out to all persons without discrimination, including newspaper and magazine writers and publishers, of any facts or official information of value to the public.

There can be no question but that this is in direct violation not only of the spirit but express words of the statute, to prepare and send out these articles at Government expense.

Mr. BARTLETT. Will the gentleman yield for a question?

Mr. HUMPHREY of Washington. Yes.

Mr. BARTLETT. Is the article sent out in the penalty envelope prepared in any department?

Mr. HUMPHREY of Washington. Yes; the Forestry Service, in the Department of Agriculture, prepares and sends out these in relation to that service. It is in the letterhead, and on the envelope it says, "Official business" and "penalty for private use is $300"; on the other corner are the words "U. S. Agricultural Department, Forest Service." On the bottom it is marked in large letters, "News matter." I understand this stuff goes to most of the newspapers in the United States.

I have no direct information myself, but I was told that the preparation and sending out of these articles amounts to $100,000 annually.

Mr. BARTLETT. Let me say to the gentleman that the provision he has read with reference to the prohibition, as I understand, was carried in the last Agriculture bill and also in the deficiency bill.

Mr. HUMPHREY of Washington. I understand it is in the Agriculture bill.

Mr. BARTLETT. There was a prohibition against the use of any money for that purpose in the deficiency bill, put in by an amendment offered by the gentleman from Massachusetts [Mr. GILLETT].

Mr. HUMPHREY of Washington. That was the very purpose of my calling this matter to the attention of the House this morning, to find out where this money comes from—what fund do they draw upon? I asked yesterday, and they said that it did not appear in any appropriation bill.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. I ask for two minutes more.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendment thereto close in two minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on the paragraph and amendment thereto close in two minutes. Is there objection?

There was no objection.

Mr. HAMILTON of Michigan. What is the purpose of this news letter to which the gentleman refers?

Mr. HUMPHREY of Washington. The purpose of all of these letters that I have seen, or at least the main purpose of those sent out from the Forest Service, is to exploit the work of that service and to show the wonderful things they are doing, to make some explanation of their useless existence. One of them goes into detail as to how they spend their time in the winter up in some of these Northern States, and how they pass the time on windy days, how they take advantage of bad weather to run up their accounts. My purpose in calling this to the attention of the House was this: If correctly informed, about $100,000 a year is expended simply for exploiting these different bureaus, and is done in direct contravention of the statute. When the distinguished gentleman from New York [Mr. FITZGERALD] was talking yesterday about economy I could not help thinking that this ought to be brought to his attention and to the attention of the country, and perhaps a saving could be made by having the departments obey the law.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. DIES. Does not the gentleman think it is a little late to call attention to extravagance in the Agricultural bill, after that bill has been passed, and when we are considering another bill, and does not the gentleman think that if he were proceeding in the interest of economy he should have called attention to the matter while the Agricultural bill was under consideration?

Mr. HUMPHREY of Washington. Mr. Chairman, the gentleman is mistaken. I did call this to the attention of the House when the Agricultural bill was under consideration. If the gentleman had been in the Chamber a moment ago he would have heard me state that. The chairman of the Committee on Agriculture stated at that time that he knew nothing about such a practice, and denied that it existed. I have no doubt that he stated the facts as he understood them. One gentleman on this side of the House, the gentleman from Iowa [Mr. HAUGEN], made a statement that if any such practice was being followed, it ought to be stopped. Since that time some people evidently seeing my remarks in the RECORD have sent me these articles. As I said a moment ago, I am trying to find out where they get the money. It does not appear in these bills, and I think it ought to be called to the attention of the committee.

To further enlighten the country I will publish in the RECORD some of this very valuable self-advertisement practiced by the Agricultural Department and paid for by the Government. Also an editorial comment thereon.

[Released for Sunday papers April 19, 1914. Office of Information, United States Department of Agriculture.]

METHODS OF EXTERMINATING COCKROACHES.

SUCCESSFUL TRAPS ARE DESCRIBED AS SUBSTITUTE FOR DISAGREEABLE INSECT POWDERS AND DANGEROUS POISONS—FUMIGATING WITH PYRETHRUM POWDER RECOMMENDED.

WASHINGTON, D. C.

With the approach of warm spring weather, cockroaches multiply rapidly and leave their winter hiding places. If cockroaches are troublesome in the house, the following simple remedy, recommended by one of the Department of Agriculture's scientists, will unquestionably destroy great quantities of the pest and keep them in check as effectively as troublesome insect powders and dangerous poisons:

Mix one part of plaster of Paris and three or four parts of flour. Place this dry mixture in a saucer or on a flat piece of wood or tin, where roaches are numerous. Near by place another flat plate containing pure water. Supply a few inclines of wood or cardboard from the floor to the edge of the plate or saucer to give easy access. Float one or two thin pieces of wood on the water so that they will touch the edge of the dish. The insects readily eat the plaster mixture, become thirsty, and drink. The water makes the plaster set in the intestines and kills the roach. Such traps may be placed in pantries, and bakeries in particular, with good results.

Another simple trap which has been successfully used is the following: A deep vessel or jar is partially filled with stale beer, for which roaches seem to have a special fondness. A number of flat strips of rough wood are placed at an incline against the vessel and bent over so that they project into the interior a few inches. The roaches climb up the inclined sticks to get the beer, and slip off into the vessel.

This trap proves more attractive to certain species of roaches than to others. The so-called oriental cockroach is more readily attracted by this trap than the "Croton bug." The latter received its name because it came into prominence at the time of the completion of the Croton system of waterworks in New York City. The extension of this system gave it means of entering into residences and greatly encouraged its spread. Dampness of water pipes is favorable to it, and it may be carried by the pressure of the water long distances through the pipes without injury. This roach has so multiplied in the eastern United States that it has now become the commonest and best known of the domestic species.

A French trap that has been used with success is the following: Some attractive bait, such as stale beer or flour or sliced raw potato, is placed in a box, the cover of which is replaced by four glass plates inclined downward, funnellike, and closely joined, except at the bottom. The roaches fall from these pieces of glass into the box and are unable to escape.

There are various poisons which, it is asserted, are fairly effective as remedies against roaches. The only one of these that seems to give satisfactory results is a phosphorus paste, sold in the form of pills. It consists of sweetened flour paste containing 1 to 2 per cent is phosphorus, and is spread on bits of paper or cardboard and placed in the runways of roaches. This mixture has been used very successfully in the department to free desks from Croton bugs, numbers of the dead insects being found in the drawers every day during the time the poison was kept about. As phosphorus is poisonous to human beings and domestic animals, besides being highly inflammable, it should be used very carefully.

Considerable relief may be gained by a liberal use of pyrethrum powder. It is not a perfect remedy, however, and is at best but a temporary expedient, while it soils shelves and other objects over which it is dusted. It should be used fresh and liberally applied. Roaches are often paralyzed by it when not killed outright, and the morning after an application the infested premises should be gone over and all dead or partially paralyzed roaches swept up and burned.

Pyrethrum may also be burned in an infested apartment. The smoke and vapors generated by the burning of this insecticide are often more effective in destroying roaches than the application of the substance in the ordinary way as a powder. There is no attendant danger of explosion, and the only precaution necessary is to see that the room is kept tightly closed for from 6 to 12 hours.

That this pest has long been known in this country is evident from the following description, written in 1748, in Catesby's Natural History of Carolina:

"The cockroach.—These are very troublesome and destructive vermin, and are so numerous and voracious that it is impossible to keep victuals of any kind from being devoured by them without close covering. They are flat, and so thin that few chests or boxes can exclude them. They eat not only leather, parchment, and woolen, but linen and paper. They disappear in winter and appear most numerous in the hottest days in summer. It is at night they commit their depredations and bite people in their beds, especially children's fingers that are greasy. They lay innumerable eggs, creeping into the holes of old walls and rubbish, where they lie torpid all the winter. Some have wings and others are without—perhaps of different sexes."

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[From the Forest Service, United States Department of Agriculture.]

FORESTERS COMPLETE WINTER WORK.

Foresters who have just returned from winter work in the White Mountains of New Hampshire report that, while some hardship is entailed, as much can be accomplished in the dead of winter as in summer.

In most of the Government's field service it is usually thought best to work in the North during the summer months and in the South during the winter, the idea being to do the work with the least difficulty. In appraising lands for purchase under the Weeks law for the eastern national forests, however, the Forest Service has had to disregard latitude and season, because it was necessary to expedite the work in the North. During the past winter two camps of men have been estimating and valuing the forests which the Government contemplates purchasing on the slopes of the White Mountains.

WORK ON SNOWSHOES.

Because of the softness of the constantly falling snow, the work was done mainly on snowshoes. At times the temperature has been around 20° below zero for considerable periods, and the parties now in report some occasions when the thermometers registered nearly 40° below. The crews were housed in winter camps like those of the lumberjacks, and in order to make full use of the short winter days they were out by daylight and did not return until dark. The work of the crews required continuous walking. Diameters of trees were measured and the number of logs estimated in all merchantable trees growing on parallel strips 4 yards wide and 40 rods apart. From these estimates the full amount of timber was calculated.

THE CREW LEADER.

One man, the crew leader, used a compass to keep the men in the desired direction, mapped the country traversed, kept account of the distances covered as determined by actual measurement, and recorded all the information regarding timber. The other members of the crew measured the timber and gave their figures to the leader, who tallied them. The actual work, however, did not end with all-day climbs through snow on the mountain sides, with frequent exposure to the sweep of winds on the higher ridges and divides; during the long winter evenings, or on days when the snowstorms were so severe that outside work was impossible, the figures gathered were tabulated and the information grouped, so as to show the quantities of timber suitable for various products—such as saw timber, spruce for paper pulp, or birch for spool making. During the whole winter, however, it was noted that stormy days caused no more loss of time than in summer, and the health of the men in the party was, as a rule, better than in hot weather.

It is said that the men became quite inured to the cold and liked it, one of the principal advantages being the absolute freedom from insects such as gnats and mosquitoes. While these same crews might appreciate an assignment to the same region for the following summer, those who have the work in charge say it may be the lot of these same men to be assigned to the pine regions of the South during the hottest weather of August.

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[From the Forest Service, United States Department of Agriculture.]

FEDERAL OFFICER SPEAKS AT FORESTRY MEETING.

ST. PAUL, MINN., *March 24*.

J. Girvin Peters, chief of the office of State cooperation of the Federal Forest Service, spoke at the thirty-eighth annual meeting of the Minnesota State Forestry Association here to-day in favor of the acquisition by the State for forestry purposes of a portion of its 3,000,000 acres of waste land now available for such use. He pointed out that the State should take over this land because it is better able than private owners to practice forestry. He advocated that most States, and Minnesota in particular, should own the larger areas, should bring them back to productiveness as rapidly as possible, and should keep them constantly productive. To insure the best possible use of the forest lands of the State, he laid stress upon a combination of public ownership and public regulation.

The principal advantages to be gained from public ownership of the forests are, according to this authority, first, a continuous timber supply, which will assure a stable lumber industry and the steady employment of labor; second, protection of water resources, public recreation grounds, and game refuges; and, third, dependent on them, a constant source of revenue, not only to individuals through forest products and tourist traffic, but to the State itself through leases and sales of timber.

He told what other States have done, and indicated that Minnesota might well follow the lead of New York, which has a State forest area aggregating more than 1,600,000 acres. Pennsylvania ranks second with about 1,000,000 acres, Wisconsin third with 400,000, Michigan fourth with 230,000, South Dakota fifth with 75,000, and Minnesota sixth with 43,000.

Mr. Peters ventured the prediction that private owners will not voluntarily practice forestry until a timber shortage has forced the price of lumber up high enough to make tree growing profitable, and said that in the meantime the supply on the national forests will have to be relied on to relieve the situation, with the States doing their part in supplementing the work of the Federal Government.

Upon the much-discussed question of the relation between State and Federal ownership he made the broad distinction that State ownership looks to the interest of the individual State, while the Nation must care for national interests as a whole, and emphasized the fact that there is every reason for the closest cooperation between the two agencies. State forests, he says, are necessary to supplement national forests, and the efforts of both State and Nation will accomplish none too much. Yet he characterized the demand in certain quarters for State control of national forests as a movement whose object was to turn vast public resources over to private exploitation.

Speaking of Minnesota itself, Mr. Peters said that the proposition to retain and set aside as State forests approximately 1,000,000 acres of the 3,000,000 which the State owns is unquestionably a wise move, par-

ticularly in the light of the revenue which may be expected from the area. He assured the delegates to the convention that the areas which may be acquired have splendid possibilities for timber production and constant returns, concluding his remarks with the statement that "it is clearly in the interest of this State that the people should adopt the proposed amendment to the constitution and set aside the area permanently and forever as a State forest."

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[Released for Tuesday, September 2, 1913. Office of Information, United States Department of Agriculture.]

TO GIVE FARMERS CROP NEWS BY TELEGRAPH.

WASHINGTON, D. C.

In order to give to the farmer immediate news of detailed crop conditions in his own State as reported by the Government the Department of Agriculture about the middle of September will make a test experiment with a new system of circulating crop information by telegraph. The detailed statement giving information by States has hitherto been furnished to the farmers of the several localities in printed form and only by mail. As a result it took from 7 to 10 days for this information to reach the farmers in distant States through the post offices.

The department will try this test first in six States—Illinois, Missouri, Minnesota, Iowa, Kansas, and Texas. The Government crop news for each of these States will be telegraphed to a central point in that State. There the information will be quickly reproduced and mailed to all the newspapers in the State. In this way every paper, not merely the large dailies, but the county-seat and small-town papers, even in the most distant States, should be in possession of this information within from 12 to 18 hours after it is issued. As far as possible the information will be sent out so as to reach the small weeklies in time for use in their Thursday and Friday editions.

This new service has been effected through a cooperative arrangement between the Bureau of Statistics and the Weather Bureau officials. In each State the Weather Bureau has a man provided with modern facilities which will enable him to print and mail the telegraphed facts to every newspaper within a few hours. The printed matter thus circulated will give these newspapers (a) a full list of the crops; (b) the average condition of each crop for 10-year periods in that particular State; (c) the condition of the State crops for September 9. In the adjoining column will be given the same data for the United States, so that the farmers who read these notices can compare the crops in their State as of September 9 with the 10-year averages of their own State and in the same way with the average condition throughout the United States on September 9 and for 10 years.

These data are to be supplied for the reason that the condition of crops actually within a State has more effect on prices within that State than the conditions for the country at large.

The cost of this service, it is found, will be only nominal. All that will be necessary will be to telegraph the figures for two columns, and this can be done at a cost of not more than 75 cents for each State.

If the contemplated experiment is a success and the newspapers cooperate by publishing this special-service information, the plan will be extended eventually to serve the farmers of all the States.

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[From the Boston Transcript, Wednesday, September 3, 1913.]

"CANNED NEWS" IN WASHINGTON.

It seems more than a mere coincidence that at this time, when the administration is being subjected to the closest scrutiny by the country and numerous weaknesses in its various departments have been disclosed of so serious a character that even its friends make little effort to conceal their anxiety, the idea of the departmental press agent is being developed in Washington on a scale never dreamed of by its originators. This is particularly true with respect to the Department of Agriculture, which is branching out into the publicity field in a manner that would put a professional lobbyist to blush and would cause an outcry from the White House if attempted outside the inner circle of the powers that be. The latest scheme of Secretary Houston and his immediate subordinates is a telegraphic service "to give to the farmer immediate news of detailed crop conditions in his own State as reported by the Government," and the promise is held forth that this invasion of the publicity field will be formally inaugurated about the middle of the present month.

In addition to being a further indication of the policy of the administration to play politics with one of the executive departments and coddle the man with the hoe in an effort, presumably, to placate the agriculturist and catch the "Squash Center" vote, the plan, if carried to its logical conclusion, will serve further to concentrate the control of news from Washington. Doubtless the wealthy planters of Illinois will be as delighted as astounded to be informed by night letter that corn is the principal crop of that State, while thousands of farmers in Kansas will be gratified to hear over the palpitating wire that their fields lately were visited by a protracted dry spell, thus confirming their worst suspicions. Telegraphing to Topeka news of the recent drought would come about as near to carrying pig iron and soft coal to Pittsburgh as the brilliant geniuses now presiding over the destinies of Government at the capital could go. But after the crop reports, what next? Will it not be an easy step from this to the transmission of other "news" from the producer to the consumer? And what interests will be served by the elimination of the middleman, the newspaper man stationed in Washington for the purpose of ascertaining for his paper the information that it wants, not what some official thinks it should have? Means have been found for the evasion of the plain intent of Congress in eliminating press agents in the Government departments. Several of them have "soft" berths in the Agricultural Department, and judging by the current civil-service advertisements there is great clamor for more. Congressman Tawney, when chairman of the Appropriations Committee of the House of Representatives, recognized the danger of news censorship in the departments, and provisions were placed in appropriation bills for its elimination. But the evil appears to be growing. Telegraphic service to the farmers may be as cheap as is claimed, but it looks suspiciously like the nose of a camel thrust under the tent. The neck and the hump doubtless will show themselves in due time.

The Clerk read as follows:

For incidental and contingent expenses, clerk hire, not to exceed $2,250; janitor service, not to exceed $900; traveling expenses of the governor while absent from Juneau on official business; repair and preservation of executive mansion, including $700 for painting; stationery, lights, and fuel, to be expended under the direction of the governor, $7,850.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. Last evening I desired to say a few words on the Seattle assay office, but owing to the great speed with which that paragraph was closed I did not have the opportunity. I now need a few minutes to call attention to some statements from an article entitled "Cabinet government in the United States," printed in 1879, in the International Review, by Thomas W. Wilson, now the President of the United States—Woodrow Wilson.

Mr. JOHNSON of South Carolina. Mr. Chairman, we had 2 hours and 20 minutes of debate yesterday for the discussion of these assay offices.

Mr. MANN. Mr. Chairman, I will say to the gentleman from South Carolina that we had 4 minutes still remaining on this side out of the hour and 10 minutes to which we were entitled.

Mr. JOHNSON of South Carolina. We have already voted on the proposition.

Mr. JOHNSON of Washington. Then, if the gentleman from Illinois will permit, I should like to have those 4 minutes in addition to my 5 minutes.

An article in the book I have here directly answers the statement just made by the gentleman from Texas [Mr. DIES]. Further, in this article written by Thomas W. Wilson in 1879, and published in the International Review, I sincerely believe one finds the key to the attitude of the present occupant of the White House. Thomas W. Wilson's article is Woodrow Wilson's "guide, buckler, and rock." Thomas W. Wilson, as a writer, declares that Congress is irresponsible, and that it does the very things of which my colleague, Mr. HUMPHREY of Washington, has complained.

Mr. HAMILTON of Michigan. Who is Thomas W. Wilson?

Mr. JOHNSON of Washington. He is Woodrow Wilson, now President of the United States. He says that Congress is a deliberative body in which there is little deliberation, a legislature which legislates with no real discussion. He says that committees can not properly do the work and that full debate at the right time is not allowed. Thomas W. Wilson says that with the cabinet form of government platforms must mean something, and that broken promises will end in broken power. Thomas W. Wilson says, also, that a President can seldom make himself a leader, and that Cabinet officers are but little better than chief clerks.

Mr. MURDOCK. Who is Thomas W. Wilson?

Mr. JOHNSON of Washington. He is Woodrow Wilson, President of the freest Nation on God's footstool. He is Woodrow Wilson, and Woodrow Wilson is this Democratic administration, body, boots, and breeches. Thomas W. Wilson is Woodrow Wilson, who is leading on in this gradual overthrow of representative government; who has, as Senator CUMMINS said in Chicago yesterday, "for the time being obliterated Congress."

Thomas W. Wilson says in this book that there is no one in Congress to represent the Nation and no method by which the Executive can be supported, and argues for a cabinet form of government. He says:

Congress is a conglomeration of inharmonious elements, a collection of men representing, each in his neighborhood, each his local interest; all of it is at best only a limping comparison between the conflicting interests of the innumerable localities represented. There is no guiding of harmonizing power.

He advocates a cabinet government, with greatly extended powers. Concerning debate and the necessity for no gag rule, Thomas W. Wilson writes back in 1879, when he was but 23 or 24 years of age:

The main objection to a representative assembly should be the discussion of public business. They should legislate as if in the presence of the whole country, because they come under the closest scrutiny and fullest criticism of all the representatives of the country speaking in free and open debate. Only in such an assembly, only in such an atmosphere of publicity, only by means of such a vast investigating machine can the different sections of a great country learn each other's feelings and interests.

On that subject alone, I infer from the rule which limited debate on the tolls-repeal bill and prevented any possible amendment of it, Thomas W. Wilson has different views from Woodrow Wilson.

But he writes still further and stronger in favor of open debate. He says:

It is not enough that the general course of legislation is known to all. Unless during its progress it is subjected to a thorough, even a tediously prolonged, process of public sifting, to the free comment of friend and foe alike, to the ordeal of battle among those upon whose vote its fate depends, an act of open legislation may have its real intent and scope completely sealed by its friends and undiscovered by its enemies, and it may be as fatally as mischievous as the darkest measures of an oligarchy or a despot.

Then he says a little further on:

When the budget is submitted to the House for its consideration, only a very limited time is allowed for its discussion. Where, then, is there room for a thorough discussion?

Mr. Chairman, is not that exactly what happened to the Panama Canal tolls repeal bill 10 or 12 days ago? Mr. Chairman, did not the Executive acquiesce in the limiting of that debate?

Mr. Chairman, does the following paragraph from Thomas W. Wilson's article in this musty volume of a magazine, which has long since ceased publication, give the answer? I quote:

The President can seldom make himself recognized as a leader; he is merely the executor of a sovereign legislative will; his Cabinet officers are little more than chief clerks or superintendents in the executive departments, who advise the President as to matters in most of which he has no power of action independently of the concurrence of the Senate.

Note that line about Cabinet officers being little more than chief clerks. Why, that is even worse than being "knocked into a cocked hat." Perhaps with this light before us my colleague, Mr. HUMPHREY of Washington, was quite right in suggesting that the salary of the Secretary of State should be but $6,000 a year.

Thomas W. Wilson also says:

Congress as a body is not readily punishable. Left to their own resources, they—

Congress—

would be as helpless as any other mass meeting.

That view seems to explain the lectures the Sixty-third Congress has received, as well as the advice to do things, "right or wrong." Apparently, too, it explains the vote of some Democratic Congressmen.

In this article Thomas W. Wilson intimates that no high-spirited man would long remain in the office of Presidency in which he was not permitted to pursue a policy, and that if defeated by both Houses he would naturally resign. He says:

If defeated by both Houses he would naturally resign, and not many years would pass before resignation upon defeat would have become an established precedent, and resignation upon defeat is the essence of responsible government.

Mr. Chairman, that is the way British Cabinets resign, and the way Presidents of some Republics other than this resign. But it is not the American way; it is as un-American as some other things this Congress is asked to do.

Mr. Chairman, Thomas W. Wilson in this article says:

In spite of constitutional barriers the legislature has become the imperial power of the State, as it must become under every representative system. * * * Complete separation of the legislative and executive branches long since led that able and sagacious commentator upon the Constitution, Chief Justice Story, to remark: "If it would not have been safe to trust the heads of departments, as representatives, to the choice of the people, as their constituents, it would have been at least some gain to have allowed them seats, like Territorial Delegates, in the House of Representatives, where they might freely debate without a title to vote.

Concerning committees of Congress Thomas W. Wilson says, in paragraphs taken by me at random:

Congress is a deliberative body in which there is little real deliberation; a legislature which legislates with no real discussion of its business. Our Government is practically carried on by irresponsible committees.

Almost all the real business of the House is transacted by committees. Unless the rules of the House be suspended by a special two-thirds vote every bill introduced must be referred, without debate, to the proper standing committee, with whom rests the privilege of embodying it, or any part of it, in their reports or of rejecting it altogether.

The House very seldom takes any direct action upon any measures introduced by individual Members. Its votes and discussions are almost entirely confined to committee reports and committee dictation. The whole attitude of business depends upon the standing committees. Even the discussions upon their directive reports are merely nominal—liberal forms, at most.

The last paragraph but one in Thomas W. Wilson's article says:

It—

Congress—

is a despotism which uses its power with all the caprice, all the scorn for settled policies, all the wild unrestraint which makes the methods of other tyrants so hateful to freedom.

Mr. Chairman, Thomas W. Wilson's article of 1879 is, I believe, a key to present administration activities and a guide to what may be expected—further Executive dictation, and further Federal usurpation. No wonder the words of Senator CUMMINS stand out when he says:

When I speak of the Democratic administration I mean Woodrow Wilson. The overthrow of representative government does not seem to have excited alarm, but the day will come when the country will understand better than it does now how vital it is to preserve independence of legislative authority.

Mr. Chairman, Thomas W. Wilson's article is entitled "Cabinet Government in the United States." It is printed in the International Review for August, 1879, a magazine which during its life was jointly circulated in England and the United States. I shall not take further time to read from the article at this time, but I ask unanimous consent to place further extracts in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

For legislative expenses, namely: Salaries of members, $21,600; mileage of members, $9,178.20; salaries of employees, $5,160; printing of laws, $3,500; rent of legislative halls and committee rooms, $2,000; stationery, supplies, printing of bills, reports, etc., $3,500; in all, $44,938.20, to be expended under the direction of the governor of Alaska.

Mr. MANN. Mr. Chairman, on that I reserve the point of order.

Mr. MURDOCK. Mr. Chairman, I will ask the chairman of the committee what mileage we pay the members of the Alaska Legislature?

Mr. JOHNSON of South Carolina. In Alaska it is 15 cents a mile.

Mr. MURDOCK. One way?

Mr. JOHNSON of South Carolina. Both ways.

Mr. MANN. Under whose direction are these expenditures now made?

Mr. JOHNSON of South Carolina. The governor is at the head of all the Territorial officials, and supervision is generally under him, just as is provided in this bill. The accounts are finally audited in the office of the Auditor for the Interior Department, but it is under the governor's supervision.

Mr. MANN. If the gentleman happens to know, what change does this make from existing practices?

Mr. JOHNSON of South Carolina. All the items referred to in the paragraph, lines 3 to 9, aggregating $44,000, are expended under the superintendence of the governor or the control of the governor. He remits the account to the Auditor for the Interior Department for auditing.

Mr. MANN. Evidently some question has arisen or this new language would not be in the bill. I just wondered what it was. Of course, the expenditures are made in accordance with the acts of Congress which specifically fix what the expenses shall be or may be. The next item—may I ask the gentleman if the purpose of that is to permit the Secretary of the Interior to revise the estimates for the legislative expenses?

Mr. JOHNSON of South Carolina. Yes. I will say to the gentleman that the estimates come direct to the Secretary of the Treasury, without any jurisdiction over these people. He makes no revision, makes no inquiry. When we go to make up the bill we have not anybody who can tell us anything about it. There should be supervision or investigation by the Secretary of the Interior.

Mr. MANN. Does not the law practically fix all of these items?

Mr. JOHNSON of South Carolina. Yes; but we think they ought not to expend that amount without inquiry into it.

Mr. MANN. I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order, and the Clerk will read.

The Clerk read as follows:

For judges of circuit courts, at $4,000 each, so much as may be necessary, for the fiscal year 1915.

Mr. MANN. Mr. Chairman, I move to strike out the last word. They used to refer to the fiscal year as the fiscal year of 1914–15. Then we got into the practice of referring to the fiscal year ending June 30 of a certain year. Now, do I understand the Committee on Appropriations to say that they have reached the conclusion to simply say "the fiscal year 1915," and that that is to be the practice hereafter?

Mr. JOHNSON of South Carolina. There is a statute fixing the fiscal year from July 1 to June 30, inclusive.

Mr. MANN. I know the fiscal year commences July 1 and ends June 30, but it has been referred to as the fiscal year—for instance, this one, the fiscal year 1913–14. I notice in this case they say "the fiscal year 1915." The custom has been to say "the fiscal year ending June 30" of a certain year. Of course, it will shorten it up if this becomes the practice of Congress and the department, and I do not think it is a bad practice, but I asked why the Committee on Appropriations had reached that conclusion.

Mr. JOHNSON of South Carolina. Why is it necessary to put in the language when the statute fixes the fiscal year?

Mr. MANN. The statute does not fix the name of the fiscal year.

Mr. JOHNSON of South Carolina. No; but we are making appropriations here for a year referring back to the date for the fiscal year beginning July 1, 1914.

Mr. MANN. I think myself it might be a very good practice to always refer to the fiscal year by the date of June 30 of the year which ends, though that never has been the practice here-

tofore. If the Committee on Appropriations is going to follow that practice, I have no objection to it. I think anything that will shorten up these titles is a good thing.

The CHAIRMAN. The pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

For legislative expenses, namely: Furniture, light, telephone, stationery, record casings and files, printing and binding, indexing records, postage, ice, water, clerk hire, mileage of members, and incidentals, pay of chaplain, clerk, sergeant at arms, stenographers, typewriters, janitors, and messengers, $30,000: *Provided*, That the members of the Legislature of the Territory of Hawaii shall not draw their compensation of $200 or any mileage for an extra session, held in compliance with section 54 of an act to provide a government for the Territory of Hawaii, approved April 30, 1900.

Mr. MURDOCK. Mr. Chairman, I move to strike out the last word. What mileage do members of the Hawaiian Legislature get? Do they get the same as the Alaskan members?

Mr. JOHNSON of South Carolina. No, sir; I do not think it is so much. In Alaska they have a long distance to travel. In some cases travel is by dog sleds. It is very expensive traveling in Alaska. I am having the law of mileage in Hawaii hunted up. The mileage in Alaska is two or three times as much as it is in Hawaii.

Mr. MURDOCK. How old is this act which prohibits their taking mileage for extra sessions?

Mr. JOHNSON of South Carolina. That limitation has been placed upon the appropriation bills for a number of years.

Mr. COX. Mr. Chairman, I will say to the gentleman I think the mileage allowed members of the Hawaiian Legislature is 10 cents a mile, while the mileage allowed members of the Alaskan Legislature is 15 cents a mile. I know I am correct in regard to the mileage of Alaska, and I may not on the other, but I *think* I am.

Mr. MURDOCK. Does the gentleman know the origin of this statute?

Mr. COX. No; I do not. I have never looked it up.

Mr. BYRNS of Tennessee. So far as the mileage in Alaska is concerned, it is stated that the sum allowed is not sufficient to pay more than a portion of them their mileage expenses, owing to the fact that some of them are compelled to travel by dog teams in January and February.

Mr. MANN. We had quite a debate on the mileage in Alaska when the Alaska Territorial bill was passed.

Mr. MURDOCK. Did the gentleman from Illinois hear what the gentleman from Tennessee said—that the mileage of Alaska did not meet the expenses?

Mr. MANN. I know that that is claimed to be the fact.

Mr. BYRNS of Tennessee. I referred only to a portion of the members. It met the expenses of a portion of them, but as to a good many it did not——

Mr. MANN. That is, as to some members?

Mr. BYRNS of Tennessee. As to the second, third, and fourth judicial divisions it is claimed the mileage does not pay anything like their actual traveling expenses.

Mr. MURDOCK. There has been no complaint from Hawaii?

Mr. BYRNS of Tennessee. No; none I have heard of.

Mr. BRYAN. The usual mileage in the States is 10 cents a mile. Nearly every State in the Union has a rate of 10 cents a mile, and that is what it is in the State of Washington, and it is customary for the Territories, except in Alaska, where the exception is made.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting the articles to which I referred a little while ago.

The CHAIRMAN. The gentleman from Washington [Mr. HUMPHREY] asks unanimous consent to extend his remarks in the RECORD. Is there objection [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

Office of Inspector General: Clerks—1 of class 4, 2 of class 3, 3 of class 2, 1 of class 1; messenger; assistant messenger; messenger, $600; in all, $12,560.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee if this paragraph carries with it three messengers?

Mr. JOHNSON of South Carolina. Yes; it does. It carries a messenger, assistant messenger, and messenger at $600.

Mr. HOWARD. One messenger, assistant messenger, and then another full messenger at $600. Is there any great necessity for this man to have three messengers? We want to start out now and economize a little, on the idea expressed by the gentleman from New York [Mr. FITZGERALD] yesterday. I want to ask the gentleman from South Carolina if there is a necessity for having three messengers to wait on him down there?

Mr. MURDOCK. May I ask the gentleman from Georgia what that first messenger gets?

Mr. HOWARD. That is what I do not know.

Mr. JOHNSON of South Carolina. This is the same appropriation that has been made heretofore, and I can only state to the gentleman that the Inspector General has to be in touch with every other office in the War Department, and there has to be a constant passing from his office to the other offices.

Mr. HOWARD. Mr. Chairman, I have noticed in the War, State, and Navy Building that they have so many messengers they are in the way of one another. I have been there a thousand times since I have been in Congress, and I do not think I have ever seen one doing anything but sitting down. Now, I want to see if the gentleman from New York [Mr. FITZGERALD] was in earnest yesterday when he accused the Democratic Party of all sorts of high crimes and misdemeanors, and I am going to offer an amendment to strike out, in line 17, the last messenger, the item "messenger, $600," page 69.

The CHAIRMAN. The gentleman from Georgia [Mr. HOWARD] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 69, line 17, strike out the words "messenger, $600."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. FITZGERALD. Mr. Chairman, I am glad that what I said yesterday has had the effect, at least, of bringing the gentleman from Georgia to the point where he is willing to economize to the extent of $600 for a messenger about whom he knows nothing. He was one of the Democrats I had in mind yesterday. He seemed to treat it as a joke to solicit votes upon this side of the House to overturn the Committee on Appropriations. If this is his conscience offering, I am sure he is to be congratulated upon the reformation which has taken place in his conscience.

Mr. HOWARD. Mr. Chairman, I am glad the gentleman from New York has left the gap open for me to say a few words as to his statement on yesterday, in which he denounced his colleagues on this side of the aisle.

This is not a conscience offering. I have never had to make a conscience offering for anything I ever did. The Appropriations Committee in some cases is penny-wise and pound-foolish. I remember that in the last Congress I offered an amendment here to strike out a million dollar appropriation for an electric lighting plant, when a private corporation in the city of Washington had made a proposition to this Congress, by which a saving of $56,000 a year in the operating expenses for lighting public buildings could be made, and the gentleman from New York, the chairman of the Committee on Appropriations, got up here and insisted upon the Government of the United States spending a million dollars for an electric-lighting plant, when we had a contract by a corporation of reputation that would save this Government $56,000 a year, and enter into such a contract for an indefinite period.

The Democratic Party is not guilty of the conduct with which the gentleman from New York charged them on yesterday. [Applause.] The Democratic Party is not guilty of the willful extravagance that the gentleman said yesterday we were guilty of. We are not violating the party platform. And I will make the assertion that in all the bills the gentleman has brought in here, that on the floor of this House not one million dollars has been added to them by amendments from those not members of the committee. The trouble with the gentleman from New York [Mr. FITZGERALD] is that he has assumed all the wisdom of the Democratic Party and all the economical policies of the Democratic Party to himself, and when Members on this floor who read the hearings before the committee honestly differ with him about the economic administration of the Government he gets up here and denounces the party that gave him his seat in Congress and gave him political birth.

And I think, as a matter of fact, it ill becomes the gentleman from New York to put all the Democratic Party in the same category with himself. It is all right when the gentleman from New York wants an increase in an appropriation; but when a gentleman from a far western State comes in here and asks for a little $9,000 crumb that will accommodate all the gold miners in the vast western territory, and because other Members on this floor that have the same rights that you have delegated to yourself differ with you, you get up here and denounce the Democratic Party and say that we are unworthy to hold the power of this Government in our hands. I say that I want to repudiate, sir, any such statement. And if this Democratic administration exceeds in making appropriations over those of Republican administrations, blame the chairman of the committee and members of the Committee on Appropriations and the other appropriating committees, but do not blame the rank and file of this House, who have nothing to do with making up these bills. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment.

Mr. FITZGERALD. Mr. Chairman, the gentleman referred to another spasmodic, ineffectual attempt that he seems to have made to economize. He said he moved to strike out of an appropriation bill last year an item carrying $1,000,000 for an electric lighting plant. How easy it would have been for the gentleman to have accomplished his purpose if he had either been sufficiently informed of the rules of the House or had really intended to have the item eliminated. The item was subject to a point of order. It carried legislation to establish an electric lighting plant in this city in order to take the Government of the United States out of the grasp of the lighting monopoly which dominates this city. It was based upon the experience that Congress has had in the operation of the Capital power and lighting plant for the lighting and heating of this Capitol and the Library of Congress. It was to be a duplicate plant, and it had been demonstrated that there would be great economy in the lighting and heating of all the public buildings owned or rented by the Government by the erection of this plant. The gentleman says he tried——

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Georgia?

Mr. FITZGERALD. In a moment. He tried, he says, to strike it out by a motion, when all that was necessary for him to do at any time during the 45 minutes the matter was discussed before the point of order which had been reserved was finally withdrawn would have been for him to have insisted upon the point of order and thus eliminate the provision to put the Government in a position where this lighting trust would not have the Government at its mercy.

Another attempt of the gentleman from Georgia——

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. And let me say this to the gentleman from Georgia: In what I said yesterday I was not condemning all of the gentlemen upon this side of the House. I had in mind the gentleman from Georgia, and those like him, who are voting with the solid phalanx upon that side of the House in which the Progressives, with Mr. MURDOCK, of Kansas, were unitedly following the lead of the astute leader of the minority [Mr. MANN]. I thought then that if the country could have seen the picture of this heroic band of Progressives, blindly and docilely following the leadership of their arch enemy, Mr. MANN [laughter], in order to pile up the expenditures and keep increasing the burdens upon the people, how delighted they would be.

That is the category in which I placed the gentlemen upon this side of the House who with their votes made it possible, with the solid vote on that side, to overcome the Democratic majority; and it is upon such gentlemen that the condemnation of the public will fall; and I hope it will, because they do not deserve anything else.

Mr. HOWARD. If the gentleman will permit, Mr. Chairman, I would like to say, Thank God, the condemnation of the country will not fall as heavily upon me as a Democrat as it has already fallen upon the gentleman from New York [Mr. FITZGERALD]. [Laughter.]

Mr. GOOD. Mr. Chairman, I wish to oppose the amendment offered by the gentleman from Georgia [Mr. HOWARD].

I hope that whatever difference there may be between Members on that side of the House our action upon this amendment may be based upon good and sufficient reasons. There is no reason why this messenger should be stricken from the roll. In striking some of the messengers and employees from the bill we must adopt a certain policy. For instance, we must inquire whether or not we are going to injure the public service; and if we are not going to injure the public service, then we must inquire whether we are going to reverse the policy that has been adopted and turn out the worthy employees who have served the country well and faithfully a number of years and who now, because of advanced age, are not able to perform the full amount of service that a man in the enjoyment of all of his energy and youth might perform. I read, as follows, from the hearings on page 278:

> Of the employees of The Adjutant General's office, 75 are reported unable, on account of age or other infirmities, to do the amount of work an employee fully equipped for the position could do.

Now, it is a fact——

Mr. DIES. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Texas?

Mr. GOOD. I yield to the gentleman.

Mr. DIES. Does the gentleman attribute this deplorable condition in a large measure to this holy and sacred civil-service system that we were complaining about as impracticable the other day?

Mr. GOOD. No; it is not on account of that.

Mr. DIES. Does not the gentleman think the old spoils system, about which we go into fits every few days, would remedy or rectify this complaint about "deadwood" in the public service?

Mr. GOOD. Not at all. The fact is that in a great many departments of the Government there are men and women employed who have been serving the Government for a number of years, who have nothing but their salary to support them, and the question of determining whether the Government shall now adopt a policy that will continue in the service those persons who served the country well, but who are not as vigorous as they once were on account of age and infirmities, is a question that deserves earnest consideration. Are we to turn out an employee simply because he is getting old?

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Texas?

Mr. GOOD. In a moment I will yield. But here in the War Department we have already in the last year worked a reduction of 8 per cent in the force. There are now employed under The Adjutant General something like 400 clerks, some of whom are carried at a very low salary as messengers and assistant messengers. Why we should jump on one of these little assistant messengers, some person who is receiving this small salary, I can not understand. But if you are going to adopt such a policy, do not jump on one man. Take 75 of them.

That is all there is to it. You can not save money simply by removing here one of those humble persons who receive a salary of $600 a year. And yet, Mr. Chairman, those messengers and assistant messengers are doing a great deal of work, and they are detailed to do innumerable things, which if not done by this cheap help, if not performed by those whom you would turn out and who would have to go to some almshouse, this work would have to be performed by clerks who receive larger salaries. In that case the cost to the Government would, no doubt, be at least as much as it now is, if not more.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. DIES. Mr. Chairman, we heard just a day or two ago—in fact, every few days we hear—a wail go up from that side of the Chamber to the effect that somebody is about to make inroads upon the sacred, honored, useful, and holy civil-service system.

Now, I want to be candid about the matter. I have for this system very little regard—almost as little regard as for the old spoils system that it supplanted. The trouble about the old spoils system was that politicians used the public offices to reward their political friends. The trouble about this civil-service system, as it is spoken of, is that it is beginning to fill the departments of the Government with useless and helpless employees who are no longer capacitated to earn their salaries, but who are kept upon the pay roll as a sort of gratuity or as a sort of pension, which is not only an unjust appropriation or expenditure of the public money but which clogs the service and prevents younger and more useful persons from securing the promotions in the service which they are entitled to receive.

This civil-service system has been in operation only a few decades; I believe less than three. But already, according to the statement of the gentleman [Mr. GOOD], who just preceded me, in one little department they have 50 or 60 employees who are utterly incapacitated to render service.

Mr. GOOD. The gentleman, I am sure, does not want to misquote me.

Mr. DIES. No. What did the gentleman say, then?

Mr. GOOD. I read from the hearings to the effect that certain employees, on account of age and other infirmities, were not able to do the amount of work that people fully equipped for their positions would do.

Mr. DIES. Precisely.

Mr. GOOD. I did say they were doing a great amount of work.

Mr. DIES. And the fact is, Mr. Chairman, in all of the departments of the Government there is coming to be a large list of old, decrepit persons, who are rendering practically no service to the Government. And this holy system of civil service, at present in its youth, when it reaches a mature manhood, when it reaches its natural growth in this country, will fill every department of this Government with old, decrepit men and women, who can not be kicked out under your system, and who will remain on the pay roll under your civil-service system to clog the departments of the Government and to draw salaries from the taxpayers of the country without rendering any serv-

ice for those salaries. And bad as the old spoils system was, it was a better system than the civil-service system as administered in the Government to-day.

Mr. Chairman and gentlemen of this House, you have had this civil-service system now since 1884. Already it is clogging the departments of the Government. Already old men and women hardly able to walk are being helped from their homes to their jobs, where they render practically no service. What will it be in another 25 or 30 years, when these old men and women, 60, 70, 80, 90, and 100 years old, are filling all of the departments of the Government? Then you will wish for some sort of a system, whether a spoils system or no, that will take out of the service and out of the departments of the Government some of this superannuation which renders no service to the Government of the United States. So far as I am concerned, bad as the old spoils system was, I think it would be a good thing to see it come back for a little while, to clean out the Augean stables in Washington. I should like to see another Andrew Jackson come to the White House and put Democrats in every department of this great Government of ours. [Applause on the Democratic side.]

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and amendments thereto close in five minutes.

Mr. MURDOCK. I should like five minutes.

Mr. MANN. I should like five minutes.

Mr. PAYNE. I should like five minutes myself. This is a very important question.

Mr. MURDOCK. I want to talk on the amendment offered by the gentleman from Georgia.

Mr. TOWNSEND. I regret exceedingly that my good friend from Georgia [Mr. HOWARD] said what he did about the chairman of the Appropriations Committee, the gentleman from New York [Mr. FITZGERALD]. Of course the gentleman from New York needs no defense or words of praise from me; but I can not sit silent and fail to testify to what I believe is the settled opinion of the great majority of the Members upon this side, that there is no man on either side of this aisle who exceeds Mr. FITZGERALD in fidelity, in ability, and in all the qualifications that we ask for in a successful Representative of the people in this House. [Applause.] I want to say that I have sat here, as other Members have, and have seen Mr. FITZGERALD just as diligent in opposing what he considered unjust appropriations for his own State—yes, and for his own city—as he ever has been in opposing what he considers unjust appropriations for any other part of this country. You all know that that is a fact. We hear it from the fellow members of his committee that he devotes long hours every day, industriously and ably, to the work of preparing the great supply bills. We see him on the floor here displaying a knowledge of the details of those bills that is little less than wonderful. To my mind it is almost a marvel, the mastery he has of the facts and figures connected with these great appropriations, and we never observe on his part any disposition to favor any part of the country, least of all his own part.

Mr. ELDER. I think what the gentleman says about the chairman of the Committee on Appropriations is true; but, at the same time, does not the gentleman think that the Members here have the right to exercise their judgment without being berated for exercising it as best they may?

Mr. TOWNSEND. The gentleman from New York [Mr. FITZGERALD] gave a very sufficient answer to that when he told the gentleman from Georgia [Mr. HOWARD] that he lacked no opportunity to achieve the end that he sought in the matter of the appropriation for an electric lighting plant. Although at times the gentleman from New York [Mr. FITZGERALD] has a manner suggesting some acerbity of temper, I have never seen on his part any disposition to cut off reasonable debate on this side or the other side of the Chamber. It seems to me that perhaps the gentleman [Mr. ELDER] has confused a little quickness of action and has mistaken it for an indisposition to allow proper debate.

Mr. HOWARD. Does the gentleman think there was any justification for any cool, level-headed man to make the absurd statements about the Democratic Party that the gentleman from New York made on the floor of this House yesterday, simply because he was mad? [Applause.]

Mr. TOWNSEND. I will say to the gentleman from Georgia that I happen to be aware of the fact—and I regret exceedingly that I am not at liberty to give the details—that the gentleman from New York [Mr. FITZGERALD] has not confined his warning to the Members on this floor as to the dangers of extravagance, but has issued that warning in other and very highly placed offices in Washington. He is sincere in this, and if you gentlemen will allow him his own manner of stating it—and not become alarmed because he does not always act with the appearance of patience, and if you will consider the matter rather than the manner of the discussion—we will all be benefited greatly. [Applause.]

Mr. MANN. Mr. Chairman, the position of chairman of the Committee on Appropriations has some flowers connected with it, but it has a great many obstacles and difficulties to surmount. Yesterday the House in committee had voted an appropriation for an assay office at Helena, by the aid of a few Democrats, and with a practically solid Progressive and Republican vote. Then the proposition came before the House for an assay office at Deadwood, which every one concedes has a little more merit in it than the Helena assay office. The gentleman from New York [Mr. FITZGERALD] was hard pressed. The only way in which he could defeat this proper amendment was to endeavor to excite partisanship and to read the riot act on the Democratic side of the House. Whatever criticism may be made to-day of his speech yesterday everyone must admit that it was effective, because these gentlemen who are now criticizing him voted with the gentleman from New York yesterday and not with this side of the House when we took the vote.

Mr. HOWARD. Will the gentleman permit an interruption right there? I want to state that I did not. I voted to restore this assay office, and I will do it again to-day, irrespective of what the gentleman from New York thinks about it.

Mr. MANN. We are very glad to have the support of the gentleman from Georgia. I looked over the House yesterday, when we were standing up, and I did not see the gentleman from Georgia standing up, but I am willing to take his statement.

Mr. HOWARD. Well, the gentleman——

Mr. MANN. I take the gentleman's statement freely and fully. Whatever may be the case as to the gentleman from Georgia, it had the effect that the gentleman from New York desired. Now he is proceeding again this morning and seeking to taunt the Progressives on this side of the House for, as he says, following my lead. Well, if that was the case, it would not be anything to their detriment, because I frequently follow the lead of the Progressives on this side of the House on these propositions. The truth is, the gentleman from New York [Mr. FITZGERALD], seeking to solidify his side of the House when they are breaking away on nearly every proposition, is trying to taunt this side of the House. It is true that the Republicans and the Progressives, formerly in one family, have been having a little family quarrel, but you had better not mix in it on that side of the House. [Laughter.] In the main the gentlemen on this side of the House, both Republicans and Progressives, think alike, believe alike, and work together in this House, and will elsewhere, and in the end they will get together, and then woe to your side of the House. [Laughter and applause on the Republican side.]

Mr. MURDOCK. Mr. Chairman, the gentleman from Illinois [Mr. MANN] is partially right. We will get together, but the gentleman from Illinois will come to us. [Laughter.] The gentleman from New York [Mr. FITZGERALD] was slightly in error in one statement he made. He said that yesterday we voted with the gentleman from Illinois. It may have appeared so to some, but the fact is the gentleman from Illinois voted with me. [Laughter and applause.]

The gentleman from New York has on, I think, only temporarily, an acid disposition, and I think I know the history of it. He has a trying place—a responsible place—and sometimes his responsibilities weigh rather heavily upon him. Not so very long ago he became deeply concerned over his control as chairman of a great committee through the circumstance that he lost on the floor of the House the control of a great appropriation measure. It is an unusual thing, and it could only come through disaffection on his side of the House. I refer to the deficiency measure. He lost control of it, but owing to the leniency and good nature of the Speaker he was spared the humiliation of the actual loss. He was reappointed a conferee, a thing which, I think, is all right.

But, Mr. Chairman, I did not rise to take part in his difficulty. The Democrats are having a hard time of it. There is no question about that, and they are going to have an increasingly hard time of it, so far as the appropriation bills are concerned. You are under the necessity of practicing economy, and economy, so far as my observation goes, in this House is a lost art. [Laughter.]

I am against the amendment offered by the gentleman from Georgia, and I hope that he will withdraw it. I think he offered the amendment in a spirit of—let us say irritation—toward the committee. He offers to strike out the job of a poor messenger, who probably gets only $600 a year. Here is a great bill carrying salaries for assistant secretaries of $5,000,

for chief clerks $4,500, $4,000, and $5,000. Here is a poor messenger up here—I do not know him and the gentleman from Georgia does not know him, the members of the committee do not know who he is—getting probably only $600 a year. Does the gentleman from Georgia think that he could live in Washington on that salary, and does the gentleman from Georgia think he ought to strike down an unknown friend up here in the department because of this atmosphere in the House just now?

Mr. HOWARD. Will the gentleman yield?

Mr. MURDOCK. Yes.

Mr. HOWARD. I want to say that I am not against this messenger. I had to introduce some sort of an amendment in order to say a few words.

Mr. MURDOCK. I am glad of that; it does the gentleman from Georgia credit.

Mr. HOWARD. I did not expect the amendment to prevail.

Mr. MURDOCK. We took a half a vote and it looked as if it would carry.

Mr. HOWARD. I think there are certain things further along in the bill that would be better out of it, and I will ask the aid of the gentleman from Kansas, and I now withdraw my amendment.

Mr. MURDOCK. I hope the gentleman will not withdraw his amendment until I finish, for I want to say that the Progressive Party is not going to get together with the Republican Party. [Applause on the Democratic side.] The Progressive and Republican Parties are distinct. I hope I may have the attention of the gentleman from New York, because on one occasion yesterday the Progressives voted with you.

Mr. FITZGERALD. I hope the gentleman is not going to apologize for that. [Laughter.]

Mr. MURDOCK. No; listen. The Democratic Party has taken away from the great southern seaport of New Orleans the reserve bank; you have destroyed the advantage that that great seaport had through the Panama Canal by your action on the Sims repeal bill the other day, and you have broken the back of the sugar industry of which New Orleans is the center in the South. The Republican Party through its leadership yesterday attempted to take away the New Orleans Mint, and I am glad to say that the Progressives stood against the Democrats when they were against Louisiana and stood with the committee against the Republicans when they were against Louisiana. And, gentlemen, I may say to both sides here that in the election this fall we will get the first foothold in the solid South that any party besides the Democratic Party has had for 50 years. There will be Progressive Congressmen from Louisiana on this floor after March 4, 1915.

Mr. MANN. You stand as much chance in Louisiana as you stand anywhere else. [Laughter.]

Mr. MURDOCK. We have a bully chance there. [Laughter.]

Mr. GLASS. Will the gentleman yield?

Mr. MURDOCK. Yes.

Mr. GLASS. I would like to ask the gentleman from Kansas if he does not think that what he said demonstrates the absolute silliness of the charge that politics of the organizing committee had anything to do with it?

Mr. MURDOCK. I do not think so; I do not think there is any good reason for drawing a reserve line through the middle of that great State, sending the people of one half to Dallas and of the other half to Atlanta.

Mr. GLASS. Does the gentleman think that the organization committee was simple enough to be trying to play Democratic politics in Louisiana by doing what he says?

Mr. MURDOCK. If they tried, they did not accomplish it, as the elections next November will show.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. PAYNE rose.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on the pending paragraph and all amendments thereto close in five minutes. I do not want to be discourteous, but positively I am not going to permit this debate upon extraneous matter to go on any longer, even though some gentleman undertakes to make the point of no quorum. I am going to confine gentlemen to a discussion of the bill. I hope the gentleman from New York may have five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. PAYNE. Mr. Chairman, I may not use all of that time, because I am in favor of this committee getting on with this bill. The gentleman from Kansas [Mr. MURDOCK] disclosed his political sagacity at the conclusion of his speech. I could not understand why he was voting to continue a mint at New Orleans, but the cat is now out of the bag. He thinks that the Democratic Party have been doing all sorts of bad things to the people in New Orleans, with which I agree, and thinks that by voting for half a dozen employees in a mint in New Orleans he is going to carry the State of Louisiana for the Bumble Bee Party. [Laughter.] He does not seem to realize what everybody else in the United States does, that his party was biggest at the borning and that it has grown beautifully less ever since. He did not even appreciate the returns from New Jersey. Whatever difference of opinion there may be as to what the statistics about that election show, it still remains a painful fact that whereas his party had about 12,000 votes in Passaic County in 1912, it got down to 611 in the election the other day. They are growing beautifully less, and not by degrees. It is coming in an avalanche, and still the gentleman thinks he has some standing. He will not run for Congress in the old district in Kansas. Why? He knows what the result would be if he runs for membership in this House, but he proposes to run for Senator from Kansas, and he well knows what the result will be. He knows he will be left behind, but he has an idea that running for Senator is a bigger funeral for him than running for the House. [Laughter.]

Mr. Chairman, the genial gentleman from Kansas will either be fighting with the Republican Party, as he fought for so many years, at the next election, or he will go clean over to the Democratic Party and claim that in that way he has carried New Orleans and the State of Louisiana. [Laughter.]

I am in sympathy with my colleague from New York [Mr. FITZGERALD] in trying to cut down the extravagances of the Democratic Party. He sees that this economy plank has been split all to pieces, and there is nothing but a few slivers of it left, and so yesterday, in desperation, he tried to save one of the slivers by cutting out this assay office up there at Deadwood. It saved only $1,186, it is true, but that is an awfully big saving for the chairman of the committee to make with this Democratic Congress on his hands. [Laughter.] And to-day he grasps at this opportunity offered by the gentleman from Georgia [Mr. HOWARD] to save $600 at the expense of this poor messenger, whom nobody knows and who does not seem to have any friends in the House. Six hundred dollars! That will be nearly $1,800 altogether that he has saved. Think of it. And possibly the gentleman from Georgia [Mr. HOWARD]—it seems to be working on his mind; I do not see him here now——

Mr. HOWARD. Oh, here I am. [Laughter.]

Mr. PAYNE. Possibly the gentleman from Georgia, when it comes to voting in the House on the question of increasing the salary of the Members' clerks from $1,500 to $1,800, will see a new light and will cut off the $300 that he wanted to get for his clerk. Possibly he may do that.

Mr. Chairman, these things are all in the index. He knows if he cuts out the provision for this $600 messenger it will be put in at the other end of the Capitol and come back here, and that we will yield. The Deadwood assay office will get in over there at the other end of the Capitol and will come back here and we will yield, so that these two great economies will not be realized.

I understand the gentleman from Illinois [Mr. FOWLER], whom I see smiling before me, the other day cut out a million dollars for collecting the income tax by his raising a point of order.

Mr. FOWLER. Mr. Chairman——

Mr. PAYNE. Oh, I can not yield just now. Whether that is true or not, Mr. Chairman, the gentleman knows that that million dollars will go into the appropriation bill over in the other end of the Capitol, that it will come back here, and that he knows that we will yield, and that all of the points of order which he raised here will be of no avail, and that he was simply taking up the time of the House. When the bill comes back from the other place those things will all be in it, as the gentleman well knows.

Mr. MURDOCK. Mr. Chairman, will the gentleman from New York yield to me on the subject of funerals?

Mr. PAYNE. Oh, Mr. Chairman——

Mr. MURDOCK. The gentleman stated that I was seeking a funeral of magnitude in Kansas by running for the Senate instead of for the House. Does the gentleman from New York really think I could have a bigger funeral out in Kansas as a candidate for the Senate than he brought to the Republican Party through his tariff bill? [Laughter.]

Mr. PAYNE. Mr. Chairman, the gentleman again shows his lack of information. By reading the RECORD I find that the gentleman the other day repeated that old slander, which, if he is intelligent enough to read, he ought to know is a slander—

that we raised the tariff instead of lowering it. There is no intelligent man in this House who can read the report of the Government who does not know that that is false, and the gentleman ought to know it.

Mr. GLASS. Is this an indication that the Republican Party and the Progressive Party are getting together? [Laughter.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HOWARD. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Office, Chief, Quartermaster Corps: Assistant and chief clerk, $2,750; 5 principal clerks, at $2,250 each; clerks—15 of class 4, 25 of class 3, 44 of class 2, 85 of class 1, 50, at $1,000 each; 10, at $900 each; advisory architect, $4,000; inspector of supplies, $2,500; draftsmen—3, at $1,800 each; 7, at $1,600 each; 5, at $1,400 each; supervising engineer, $2,750; hydraulic and sanitary engineer, $2,000; civil engineer, $1,800; electrical engineer, at $2,000; electrical and mechanical engineer, $2,000; marine engineer, $3,500; assistant marine engineer, $1,800; sanitary and heating engineer, $1,800; blue-print operator, $900; 6 messengers; 14 assistant messengers; 12 laborers; laborers—1, $600; 1, $480; in all, $376,370.

Mr. FOWLER. Mr. Chairman, on page 71, lines 3 and 4, I make the point of order against the words "Assistant and." Mr. Chairman, there is no authorization for this term. There is a provision in the statute for a chief clerk, but there is no such provision authorizing an assistant and chief clerk. Mr. Chairman, this is one of the ways which has been adopted in the past for the purpose of giving some kind of show or reason for increasing salaries above the statutory amount, and I desire to cut out of the bill all of these jug handles to statutory offices used as excuses for increasing salaries above the statutory amount.

Now, Mr. Chairman, the senior Member of this House [Mr. PAYNE] a while ago said I cut out by points of order $1,000,000 for the collection of the income tax. He does not know anything about this bill, that goes without saying. His remarks expose his want of intelligence concerning the progress this committee has made in the consideration of this bill. All that he knows about this bill is what somebody has told him, and I am surprised at his taking a newspaper report, which somebody may have read in his presence, as evidence as to what is in this bill, because there is not a word of truth either in the press report concerning this matter or in the statement made by the gentleman from New York. I am tired, Mr. Chairman, of men posing here hypocritically as economists and practicing it not at all. I voice the sentiments of the gentleman from New York [Mr. FITZGERALD] for real economy in these appropriation bills, and cite him to this unwarranted increase in salaries to show him that he can make a real and substantial reduction of the extravagances in Congress by following the plain provisions of the statute, and I trust that he will do so. He has been trying to economize by his able management of appropriation bills on the floor of this House. There has been a tendency to extravagance on the other side of the House by voting almost unanimously for every crank proposition that happens to be proposed, aided by a few Members on this side of the House, thereby piling up useless appropriations on this great measure. We should stand together and redeem our pledges to the people—economy will not come by accident. It will require concerted action on this side of the House.

Mr. JOHNSON of South Carolina. Mr. Chairman, just a word, if I can have the attention of the committee.

The CHAIRMAN. This is a discussion on the point of order, and the Chair would very much like to hear the gentleman. The committee will be in order.

Mr. JOHNSON of South Carolina. The Army appropriation bill authorized the Secretary of War to consolidate three bureaus under the term of "Quartermaster Corps." Under the authority given in the Army appropriation bill the three corps were consolidated into one. No particular offices were created, and Gen. Aleshire, who is at the head of the Quartermaster Corps, arranged the offices under the authority given by the Army appropriation bill as provided by this section. The appropriation for 1913 was $425,700. For the current year is carried $378,670, and the bill now before the committee carries a little less. There is no law providing for this particular office, except as this bureau was organized by authority of law in the Army appropriation bill. I do not care anything about it. On page 100, section 3, of the Army appropriation bill, is this language:

That the office establishments of the Quartermaster General, the Commissary General, and the Paymaster General of the Army are hereby consolidated, and shall hereafter constitute a single part of the War Department, which shall be known as the Quartermaster Corps and of which the chief of the Quartermaster Corps created by this act shall be the head.

The CHAIRMAN. Will the gentleman from South Carolina permit the Chair to ask him a question?

Mr. JOHNSON of South Carolina. Yes.

The CHAIRMAN. In the consolidation of these offices was there any office at that time known as assistant and chief clerk?

Mr. JOHNSON of South Carolina. No, sir.

The CHAIRMAN. Well, the Chair thinks the point of order is well taken and sustains the point of order.

Mr. BARTLETT. Mr. Chairman, may I ask the gentleman from South Carolina, because I have been asked about it, if this bill does not provide for certain positions in the Quartermaster's office. In this bill there is provided a hydraulic and sanitary engineer at $2,000. What has become of the person who now fills the office of experienced builder and mechanics? Is he dropped from the rolls?

Mr. JOHNSON of South Carolina. Mr. Chairman, of course, I have no knowledge of the personnel of these offices. Gen. Aleshire said before the committee that he could get along without that office or without that man. I did not know whether the place was vacant.

Mr. BARTLETT. I am not undertaking to alter our bill, but I have been asked about it, and I wanted to know what was the purpose, as I could not answer. I am told that the man who fills this place is an employee who has been there for some 30 years, and he has been a very efficient employee, and I have been asked what is to become of him if he is to be employed by the Government. Now, this bill authorizes the employment and provides for a sanitary engineer at $2,000, as I understand it, but that does not provide for "an experienced builder and mechanic, at $2,500."

Mr. JOHNSON of South Carolina. Gen. Aleshire said this:

I recommend that we do away with the position of experienced builder and mechanic at $2,500.

Since this bill has been under consideration it has been brought to my attention that that would deprive one man of his place. The committee had no knowledge of the fact when making up the bill. We followed the recommendation of Gen. Aleshire.

Mr. BARTLETT. I just wanted this statement made so there could be the reason given, that the committee did not simply arbitrarily cut off people or a place by not providing for the necessary work of the department, but that it only complied with the recommendation of the Quartermaster General.

Mr. JOHNSON of South Carolina. That is absolutely true. No member of the committee has any knowledge of who had filled the office or whether it was filled.

Mr. BARTLETT. The sole purpose of the inquiry was to elicit the facts, which I have done, from the gentleman from South Carolina.

Mr. IGOE. I want to say to the gentleman that the man who is kept out under the provisions of the bill as reported by the committee has been in service 24 years.

Mr. JOHNSON of South Carolina. I have been informed of that since the bill was under consideration.

Mr. IGOE. The name was not mentioned in the report.

Mr. JOHNSON of South Carolina. The gentleman understands that it is the practice in the departments when they expect to dispense with an office not to fill it when a vacancy occurs. In a case of this kind ordinarily, if it is not brought to our attention, we assume that a vacancy exists and they do not care to fill it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For purchasing and supplying uniforms to park, Monument, and bridge watchmen, $2,800.

Mr. COX. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman in charge of this bill why the necessity of the Government buying these uniforms for these park and bridge watchmen? Does it buy their uniforms all the time, or only their first uniforms when put to work?

Mr. JOHNSON of South Carolina. No; Congress a few years ago adopted the policy of furnishing uniforms for the park policemen. They are paid only $60 a month. That compensation is very small, so Congress made an appropriation to buy uniforms, and it has been continued ever since.

Mr. COX. How many uniforms do they buy them each year?

Mr. JOHNSON of South Carolina. They say that an overcoat will last at least two seasons. A winter suit and a summer suit are furnished each year. The summer uniforms cost only about $16. The winter uniforms cost more.

Mr. COX. We do not buy uniforms for the police in the city of Washington?

Mr. JOHNSON of South Carolina. No; but we pay them higher salaries than park policemen get.

Mr. COX. That may be right, but it does not look right to me at all.

The Clerk read as follows:

Of the foregoing amounts appropriated under Public Buildings and Grounds, the sum of $35,275 shall be paid out of the revenues of the District of Columbia.

Mr. MANN. Mr. Chairman, I move to strike out the last word. According to my memoranda there is no change in the appropriation in any of these items under the head of "Public buildings and grounds." Am I in error about that?

Mr. BYRNS of Tennessee. That is right.

Mr. MANN. Then why is the amount charged to the District of Columbia increased by $2,400? As I understand, the practice is under the law that in these items that relate to care of parks, and so forth, in the District one-half of the expense is charged to the District. Now, there being no difference at all in this bill from the current law as to the items, why is the amount charged to the District increased?

Mr. JOHNSON of South Carolina. Because the Senate increased the amount last year, but did not change the total charge to the District. But we are correcting that in this bill.

Mr. MANN. So the District is a winner this year by $2,400?

Mr. JOHNSON of South Carolina. That is right.

Mr. MANN. I am glad to know of one occasion when the District gets ahead of this House.

Mr. JOHNSON of South Carolina. It often wins.

The Clerk read as follows:

NAVY DEPARTMENT.

Office of the Secretary: Secretary of the Navy, $12,000; Assistant Secretary, $5,000; chief clerk, $3,000; private secretary to Secretary, $2,500; clerk to Secretary, $2,250; private secretary to Assistant Secretary, $2,000; clerk to Assistant Secretary, $2,000; disbursing clerk, $2,250; stenographer, $1,800; clerks—3 of class 4; 2 of class 3; 4 of class 2; 5 of class 1; 1, $1,100; 4, at $1,000 each; stenographer, $1,200; telegraph operator, $1,100; 2 copyists; carpenter, $900; 4 messengers; 4 assistant messengers; 3 laborers; messenger boys—3, at $600 each; 1, $420; 1, $400; telephone switchboard operator; assistant telephone switchboard operator; in all, $75,260.

Mr. FOWLER. Mr. Chairman, I reserve a point of order for the present on the paragraph. I desire to ask, referring to line 10, why there should be a private secretary to the Assistant Secretary created at a salary of $2,000?

Mr. JOHNSON of South Carolina. The Secretary of the Navy appeared before the committee and made a very earnest appeal that we allow him $2,500 for this private secretary.

Mr. MANN. He is not asking about the secretary to the Secretary of the Navy.

Mr. FOWLER. A private secretary to the Assistant Secretary.

Mr. JOHNSON of South Carolina. That is the man that I am talking about. The Secretary urged that we allow the man $2,500. He is a class 4 clerk now. The committee finally decided to appropriate for him under that title at $2,000. You will notice a line or two later that we have reduced the number of clerks of class 4 by one. The total increase is $200, $500 less than the Secretary believed the man was worth and ought to have.

Mr. FOWLER. In line 12, on the same page, you have three clerks, and you drop one. Is that the place where you drop the clerk?

Mr. JOHNSON of South Carolina. That is right. For the present year there are four; we drop one. A class 4 clerk is filling that place now.

Mr. FOWLER. I also desire to inquire of the gentleman concerning the Assistant Secretary. His salary is fixed by statute at $4,500. The bill carries a salary of $5,000; and while I am on that, I call his attention also to the chief clerk, whose salary is fixed at $2,500 when there is no Assistant Secretary and at $2,200 when there is an Assistant Secretary. I desire to call the attention of the chairman to that.

Mr. JOHNSON of South Carolina. I will say to the gentleman from Illinois that that is another one of those cases where the Congress has appropriated in excess of the amount fixed by the law creating the office, as I have explained to him on other occasions.

Mr. FOWLER. You just have been gradually increasing it from time to time until it has reached $3,000?

Mr. JOHNSON of South Carolina. Yes.

Mr. FOWLER. And that has been without any statutory authority?

Mr. JOHNSON of South Carolina. Without any statutory authority, except the current appropriation bill.

Mr. FOWLER. Well, with the explanation of the chairman, I withdraw the point of order, unless somebody else wants to reserve it.

Mr. MANN. I reserve the point of order. I will say to the gentleman that I have no objection, so far as I am concerned, to increasing the clerk's salary. There is reason for that, and I assume there was good reason given to the committee. Here it is proposed now to give to the Assistant Secretary of the Navy a private secretary in addition to a private clerk?

Mr. JOHNSON of South Carolina. Yes, sir.

Mr. MANN. Does the gentleman think it is feasible to do that with the Assistant Secretary of the Navy without doing the same thing with the other Assistant Secretaries in the Government service? Is there any other Assistant Secretary who gets a private clerk and a private secretary in addition?

Mr. JOHNSON of South Carolina. The gentleman knows that whenever we set a precedent the tendency is to take advantage of it, if possible. But I want to call the gentleman's attention to one thing: In some of the departments there are several Assistant Secretaries, but in the Navy Department there is only one. I think the Assistant Secretary really needs the help.

Mr. BYRNS of Tennessee. Mr. Chairman, if the gentleman from South Carolina will yield, I will say to the gentleman from Illinois that from the statement in the hearing, made by the Secretary of the Navy, it appears that the duties of this particular secretary to the Assistant Secretary are much more important than those of the ordinary private secretary. His duties are very responsible. He looks over all the expenditures before the Secretary and the Assistant Secretary go over them, and the Secretary of the Navy made this statement:

As brought out in my hearings, the employee who is now filling this position, besides performing the duties of private secretary to Mr. Roosevelt, carefully scrutinizes and studies requisitions for supplies, services, and materials, and subsequently the bids for furnishing same, with the result than an estimated saving has been effected, since March 4, 1913, of something like $150,000.

Mr. MANN. Of course I do not believe that, and I doubt if the gentleman does.

Mr. BYRNS of Tennessee. I read that to show that this employee has some very important and responsible duties to perform, and for that reason the committee felt it was proper to increase his salary from $1,800 to $2,000.

Mr. MANN. I ask the gentleman if he thinks it is a feasible proposition for Congress to give to one Assistant Secretary a confidential clerk and a private secretary and to refuse them to another Assistant Secretary, say, in another department, as, for example, the War Department?

Mr. BYRNS of Tennessee. The conditions are different in this case from those in the War Department.

Mr. MANN. Is it proper for the departments to conform to a uniform classification, or for us to bob around just as they wish to organize their service? Has the Assistant Secretary of War a private clerk and a private secretary in addition?

Mr. BYRNS of Tennessee. The gentleman will recall that the War Department really has two Assistant Secretaries. They are not so designated by name, but the chief clerk acts as Assistant Secretary by law.

Mr. CALDER. Mr. Chairman, this man is already provided for, I will inform the gentleman from Illinois, as a clerk of class 4. That is an exempted position. It is a position under the classified service.

Mr. MANN. Of course it is in the classified service.

Mr. CALDER. It is exempt.

Mr. MANN. Well, if it is exempt, it is so by order of the President, who can issue a special order about anyone. Here is the Assistant Secretary of War, the Assistant Secretaries of the Treasury, the Assistant Postmasters General, the Assistant Secretary of Agriculture, the Assistant Secretary of Commerce, and the Assistant Secretary of Labor, who get along without designating two private secretaries. Along comes a new Assistant Secretary of the Navy, and he wants two private secretaries so designated. I do not believe it is a good thing. If you are going to do it for all of them, treat them on the same basis.

Mr. JOHNSON of South Carolina. Does the gentleman make a point of order? It is subject to a point of order.

Mr. MANN. I make a point of order on the language on page 79, line 10, "private secretary to the Assistant Secretary, $2,000."

Mr. BYRNS of Tennessee. The point of order is well taken.

Mr. JOHNSON of South Carolina. Yes; the point of order is well taken.

The CHAIRMAN. The point of order is sustained.

Mr. JOHNSON of South Carolina. Mr. Chairman, on page 79, line 12, I move to strike out the word "three," referring to clerks of class 4, and insert in lieu thereof the word "four," so that it will read "four of class 4."

Mr. MANN. So far as I am concerned, I am willing to make it "clerk at $2,000."

Mr. JOHNSON of South Carolina. We had better let it stay as it is.

The CHAIRMAN (Mr. ELDER). Will the gentleman from South Carolina state his amendment again?

Mr. JOHNSON of South Carolina. Let it go, Mr. Chairman.

The CHAIRMAN. Does the gentleman withdraw his amendment?

Mr. JOHNSON of South Carolina. No.

The CHAIRMAN. I suggest that the gentleman from South Carolina repeat his amendment again, so that the Clerk can report it.

Mr. JOHNSON of South Carolina. On line 12, page 79, strike out "three" and insert "four."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Carolina [Mr. JOHNSON].

The Clerk read as follows:

Amend, page 79, line 12, by striking out the word "three" and inserting the word "four."

Mr. HOWARD. Mr. Chairman, I would like to ask the gentleman from South Carolina a question. A point of order has just been made against this secretary. Is this man to be used for the same purpose as the one who was stricken out? Is that the effect of it?

Mr. JOHNSON of South Carolina. We are simply putting him back in the bill where he is now.

Mr. HOWARD. I make a point of order on the amendment.

Mr. MANN. The point of order will not lie.

Mr. JOHNSON of South Carolina. It is not subject to a point of order.

The CHAIRMAN. This amendment is simply to restore the present number of clerks, and the point of order will not apply.

Mr. HOWARD. Then I withdraw my point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. JOHNSON].

The amendment was agreed to.

Mr. JOHNSON of South Carolina. Mr. Chairman, on line 19 of page 79 I move to strike out the figure "2" and insert a cipher.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 79, line 19, by striking out the figure "2" and inserting a cipher.

Mr. JOHNSON of South Carolina. So that it will read "$75,060."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Office of Solicitor: Solicitor, $4,000; law clerks—1, $2,500; 1, $2,250; 1, $2,000; clerks—1 of class 4, 1 of class 3, 1 of class 2, 1, $840; messenger, $600; in all, $16,990.

Mr. FOWLER. Mr. Chairman, I reserve a point of order for the purpose of inquiring of the gentleman why the salary of the solicitor has been increased so rapidly since the act of April 28, 1902. It was only $2,500 then. The increase has been made since that time to $4,000. Now, has there been any additional responsibility added to this office since that time?

Mr. JOHNSON of South Carolina. Mr. Chairman, I would state to the gentleman that we have not increased the amount over the current law. This is a very important office. This lawyer must pass upon contracts involving $50,000,000 a year. He is responsible for the proper legal administration of that vast amount of business.

Mr. FOWLER. What I wanted to know is whether he has an increased responsibility over that of 1902?

Mr. JOHNSON of South Carolina. Oh, yes; the gentleman knows that the appropriations for the Navy have been very largely increased and the work is very much greater.

Mr. FOWLER. I am aware of that fact. Is it for that reason that his burdens are increased?

Mr. JOHNSON of South Carolina. Yes, sir.

Mr. FOWLER. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

Judge Advocate General, United States Navy: Law clerk, $2,200; clerks—1 of class 4, 1, $1,300, 2 of class 1, 3 at $1,000 each, 1, $900; assistant messenger; in all, $12,320.

Mr. GLASS. Mr. Chairman, I move to strike out the last word. With some degree of reluctance, but purely to keep the record straight, I want to call attention for a moment to the fact that the gentleman from Nebraska [Mr. SLOAN], on day before yesterday——

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not in order.

Mr. GLASS. Mr. Chairman, I ask unanimous consent to make a statement for three minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that he may make a statement for three minutes. Is there objection?

Mr. GOOD. Reserving the right to object, I know it is embarrassing for the gentleman from South Carolina [Mr. JOHNSON], chairman of the subcommittee, to object to requests of gentlemen on that side, but this appropriation bill has already been shot full of holes with speeches that are foreign to the subject, and anyone trying to follow the debate on the bill will find all subjects under the sun discussed. For that reason I object.

The CHAIRMAN. The gentleman from Iowa objects.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BARTLETT having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 54. An act for the relief of George W. Hoyt; and

S. 135. An act for the relief of Severin and Berthe L. Evensen, dependent parents of Sigurd Evensen.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Bureau of Steam Engineering: Chief clerk, $2,250; clerks—1 of class 4; 2 of class 3; 2 of class 2; 1, $1,300; 3 of class 1; 1, $1,100; 4 at $1,000 each; 1, $900; assistant messenger; laborers—2 at $660 each; 2 at $600 each; messenger boy, $600; draftsman, $1,400; assistant draftsman, $1,200; in all $27,390.

Mr. FOWLER. Mr. Chairman, on page 86, line 16, I move to strike out the figures "$1,400" and insert the figures "$1,800."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 86, line 16, after the word "draftsman," strike out "$1,400" and insert in lieu thereof "$1,800."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order on the amendment.

Mr. FOWLER. Mr. Chairman, if the amendment is subject to a point of order, I should like to have it settled now. I do not want to waste time. It is not subject to a point of order, because $1,800 is the satutory salary fixed by permanent law.

Mr. BYRNS of Tennessee. Can the gentleman refer to the statute?

Mr. FOWLER. It is the statute which fixed all the salaries under this department.

The CHAIRMAN. The Chair understands that the rule is that when a gentleman makes the point of order it is up to the gentleman proposing the amendment to produce the authority.

Mr. FOWLER. The Chair has stated the rule correctly. The statute fixes this salary at $1,800. I did not suppose there would be any disagreement about that.

Mr. BYRNS of Tennessee. We are under the impression that there is no statutory provision which authorizes this salary. We have reported it in this bill just as it is carried in the current law.

Mr. FOWLER. I know it was carried this way last year.

Mr. BYRNS of Tennessee. At $1,400.

Mr. FOWLER. Yes; but the statute provides for a salary of $1,800.

The CHAIRMAN. Has either gentleman the statute there?

Mr. FOWLER. The clerk of the Committee on Appropriations, who is here, is an authority on this question, and I have as much right to his services as any other Member on the floor of the House.

Mr. BYRNS of Tennessee. I am not complaining about that. I am willing that the gentleman shall have time to find the statute.

Mr. FOWLER. Mr. Chairman, on page 70 of the Revised Statutes of the United States, volume 2, 1878, the statute provides—

One draftsman, at a salary of $1,800 a year.

That is under the head of "Bureau of Steam Engineering."

The CHAIRMAN. The point of order is overruled. The Chair recognizes the gentleman from Illinois.

Mr. BYRNS of Tennessee. Mr. Chairman, will the Chair reserve his decision until we can examine into the matter? I ask unanimous consent that this be passed for a few moments until we can examine the statute further.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that this paragraph be passed temporarily without prejudice. Is there objection?

Mr. FOWLER. Mr. Chairman, I do not want to pass it very long.

Mr. BYRNS of Tennessee. We will go right back to it as soon as we can get the statute.

The CHAIRMAN. Does the gentleman from Illinois object to the request of the gentleman from Tennessee?

Mr. FOWLER. I do not object. I want to expedite the business of the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR.

Office of the Secretary: Secretary of the Interior, $12,000; First Assistant Secretary, $5,000; Assistant Secretary, 4,500; chief clerk, including $500 as superintendent of buildings, who shall be chief executive officer of the department and who may be designated by the Secretary to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries, $4,000; assistant to the Secretary, $2,750; assistant attorney, $2,500; 2 special inspectors, whose employment shall be limited to the inspection of offices and the work in the several offices under the control of the department, at $2,500 each; 6 inspectors, at $2,500 each; chief disbursing clerk, $2,500; clerk in charge of supplies, $2,250; clerk in charge of mails, files, and archives, $2,250; clerk in charge of publications, $2,250; private secretary to the Secretary, $2,500; clerks—4 at $2,000 each, 13 of class 4, 18 of class 3, 21 of class 2, 24 of class 1, 3 at $1,000 each; returns office clerk, $1,600; female clerk, to be designated by the President, to sign land patents, $1,200; 8 copyists; multigraph operator, $900; assistant multigraph operator, $720; typewriter repairer, $900; 2 telephone switchboard operators; 9 messengers; 7 assistant messengers; 21 laborers; skilled mechanics—1, $900; 1, $720; 2 carpenters, at $900 each; plumber, $900; electrician, $1,000; laborers—1, $600; 6 at $480 each; packer, $660; 2 elevator conductors, at $720 each; 8 charwomen; captain of the watch, $1,200; 40 watchmen; additional to 2 watchmen acting as lieutenants of watchmen, at $120 each; engineer, $1,200; assistant engineer, $1,000; 7 firemen; clerk to sign, under the direction of the Secretary, in his name and for him, his approval of all tribal deeds to allottees and deeds for town lots made and executed according to law for any of the Five Civilized Tribes of Indians in the Indian Territory, $1,200; in all, $275,820.

Mr. FOWLER. I reserve a point of order against the paragraph.

The CHAIRMAN (Mr. GARNER). The gentleman from Illinois reserves a point of order against the paragraph.

Mr. BYRNS of Tennessee. I was going to ask that we return to the amendment offered by the gentleman from Illinois, on page 86, line 16, under the head of "Bureau of Steam Engineering," to which a point of order was made. I withdraw the point of order. There is statutory authority for the salary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. FOWLER. Mr. Chairman, I desire to be heard for a moment on the amendment.

Mr. MONDELL. Mr. Chairman, I ask that the amendment be reported again.

The CHAIRMAN. If there be no objection, the amendment will be again reported.

The Clerk read as follows:

Page 86, line 16, after the word "draftsman," strike out "$1,400" and insert in lieu thereof "$1,800."

Mr. FOWLER. Mr. Chairman, I understand that the draftsman in this bureau is a very important man. His salary is fixed by the statute at $1,800, not a very large salary as compared with the other salaries of men in like bureaus. I desire to call the attention of the committee to the fact that on page 88, under the Bureau of Ordnance, there is a mechanical draftsman at $3,000, also a draftsman at $1,800, and an assistant draftsman at $1,400. The draftsman carried at $1,800 receives the statutory allowance. I am unable to understand why a man performing like duties in the Bureau of Steam Engineering, who has no assistant at all, should have his salary cut from $1,800 to $1,400. It may be possible that in the Bureau of Ordnance there is a little more work to be done by the draftsman, but under the Bureau of Steam Engineering there is undoubtedly a necessity for this place, or it would have been dropped long ago. This man is among those who are known as the low-salaried men. On page 86 the salary of a chief clerk has been increased from $1,800 to $2,250, an increase of $450. On page 88 the salary of the chief clerk in the Bureau of Ordnance was changed from $1,800 to $2,250, and there is a like increase on page 88 in the Bureau of Medicine and Surgery. On the same page the chief clerk in the Bureau of Yards and Docks is increased from $1,800 to $2,250, an increase of $450, and there are numerous increases right along in this very same department under bureaus and divisions of like character as the draftsman in the Bureau of Steam Engineering.

Mr. Chairman, I ask only for fair play. I cite these instances to show the effect of the condition of past legislation on appropriation bills. That there is a need of classification, that there is a need of equalizing in salaries, no man on the floor of this House will dispute, because the system of increasing salaries above the statutory provision has been going on from time to time until this bill has become a disgrace, not only to Congress but to the United States. I am not charging it to this committee, because the conditions constitute an inheritance which is a problem for us to solve, but we ought to do it deliberately, intentionally, and successfully.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FOWLER. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOWLER. Mr. Chairman, I trust that the House will be fair with this poor laboring man, because while it embodies mental skill it also couples with it manual labor. I trust that the House will be fair to this low-salaried man. I trust that you will not cut his salary $400 below the provisions of the statute, and at the same time, in the same paragraph, increase the salaries of the chief clerks from $1,800 to $2,250. This man undoubtedly deserves our consideration. He undoubtedly earns his statutory salary. I know that the committee, from what has been said on the floor of the House, has copied this provision from the bill which was passed in the last session of the Sixty-second Congress.

Mr. Chairman, I am in favor of economy. I have always voted for economy on the floor of this House. I expect to do so as long as I am a Member, and I stand with the honest, conscientious men who are charged with the solemn duty to provide efficiency for the Government by means of economy, such as will command the respect of the country at large; but when a low-salaried man has his salary cut from that which is fixed by law, I believe it is our duty to deal fairly with him. It is no violence to the law to place his salary at $1,800. It is no violence to the honor of this House to do it. It is no violence to any precedents to do it. It is in harmony with the plain provisions of the statute enacted making his salary $1,800.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I want to say to the gentleman from Illinois that the committee has not reduced this man's salary. The salary provided in this bill is the same salary that has been provided for many years past. Neither has the committee, as the gentleman's language would imply, increased the salary of the chief clerks to which he has referred from $1,800 to $2,250. The Navy Department has not submitted any estimate for an increase in this man's salary, nor has this bureau. No one has asked for it. The man himself, so far as the committee knows, does not ask for it. Of course if the House wants to give him $1,800 when the Navy Department has not asked for it, when there is no living individual except the gentleman from Illinois [Mr. FOWLER], who seems to have some interest in it, has asked for it, that is all right, for it is the privilege of the House.

The gentleman speaks of the salaries paid to other draftsmen in other bureaus. I want to call the gentleman's attention to something that he has evidently overlooked, and that is that under this bureau there is carried a lump-sum appropriation of over $36,000, out of which various draftsmen are paid, the salaries ranging all the way from $1,000 to $2,500 a year. I submit to the gentleman that this is a $1,400 man down there in the Bureau of Steam Engineering, otherwise he would be paid an additional salary out of this lump sum. The bureau has the right to do that if they think his services are worth it. I want to remind the gentleman that if he increases this salary to $1,800, in all probability this man who is now drawing $1,400 will not get the increase, because, as I said, he is a $1,400 man, as is shown by the fact that that is all that he has been paid, and it is all that the department asks for him.

Mr. FOWLER. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. FOWLER. I want to ask a question, but permit me to say that I have no interest in this man.

Mr. BYRNS of Tennessee. I do not mean to intimate that the gentleman has, and I withdraw any such suggestion, if I made it.

Mr. FOWLER. He is not my man at all.

Mr. BYRNS of Tennessee. I did not mean to make any such insinuation.

Mr. FOWLER. In the Bureau of Equipment, on page 81, you have draftsmen at $2,000 and one at $1,700, and another one at $1,200. The $1,700 draftsman was probably the original $1,800 draftsman fixed by the statute. Why should you carry in this case and in two or three other cases a drafts-

man at $1,800 in harmony with the statute, and then in the instance in which I point out in my amendment drop the draftsman down to a salary of $1,400?

Mr. BYRNS of Tennessee. The gentleman does not mean to say that he is under the impression that every man who calls himself a draftsman necessarily ought to be paid the same salary. We have clerks in the department of class 4 who draw $1,800 and other clerks who receive salaries as low in amount as $900. The same thing is true of draftsmen. We have draftsmen in this department who draw various salaries; some under this lump sum draw as high as $2,500. Why? Because their services are worth $2,500. They have the skill and experience which entitles them to draw $2,500. There are others who draw $1,800 and others $2,000.

Mr. FOWLER. Does not the statute provide for a salary of $1,800 in this bureau?

Mr. BYRNS of Tennessee. Precisely. The statute does provide for a draftsman at $1,800, but this bill, as I have said to the gentleman, carries a lump-sum appropriation, out of which 19 draftsmen are paid, and their salaries range from $2,500 down to $1,000 a year.

Now, I submit to the gentleman that if this man who is drawing $1,400 as a draftsman under this provision of the bill was worth $2,000 or $1,800, then those in charge of this bureau could very easily pay him that sum out of the lump sum, but the reason he is not getting more than $1,400 is because those in charge evidently think that his services are not worth any more than $1,400.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Illinois——

Mr. MURRAY of Oklahoma. Mr. Chairman, I recognize the gentleman from Illinois [Mr. FOWLER] as an advocate of economy, but I want to call his attention to the fact that one of the greatest elements of economy is the element of time and space. The gentleman from Illinois in dealing with this bill is to be admired like one would admire the poem Tennyson's Brook, because it runs on forever. Men may come and men may go, but our neighbor, the "old settler," goes on forever. [Laughter.] I would like to say to my good neighbor that we ought to get through with this bill so that we could pass some others, so some of us who are inclined to aid him in his work of economy could have the time to aid him up in his district.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman reserved a point of order against the paragraph beginning in line 15, page 91. Does the gentleman desire to withdraw the point of order or make it?

Mr. FOWLER. Mr. Chairman, I reserved a point of order on this paragraph, and I call the attention of the committee that in their revision and equalization of the salaries and classification of public positions that the provision of the statute fixes the salary of the First Assistant Secretary at $3,500, whereas the bill carries a provision for $5,000; that the Assistant Secretary's salary is fixed by the statute at $3,500, and that the provision of the bill is $4,500; and, in line 22, the chief clerk, who may be designated by the Secretary to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries, $4,000 is provided for, whereas the statute only provides for $2,200.

I do this, Mr. Chairman, to show the committee where there might be an economy and a large saving. I also, Mr. Chairman, do this for the purpose of getting into the RECORD the statute which provides for these different salaries. I think the public ought to know that. I put in a month of nights on this bill, and I think I am familiar with some parts of the statute bearing upon the question of salaries. I am glad to hear the bugle voice of my friend "Alfalfa Bill" put in his gentle warning of what he will do in the future in politics. I am glad to have the assurance of his sonorous voice over in my district ringing from the hills and mountain tops.

Mr. COX. The gentleman has no mountains.

Mr. FOWLER. Oh, the Ozarks, the beautiful Ozarks are there, and to stay forever. [Applause.] Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

Office of Assistant Attorney General: Assistant attorneys—1, $3,000; 2, at $2,750 each; four, at $2,500 each; 7, at $2,250 each; 11, at $2,000 each; medical expert, $2,000; clerks—4 of class 3 (1 of whom shall act as stenographer and 1 of whom shall be a stenographer and typewriter), 1 of class 1; in all, $65,850.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word, and I send to the Clerk's desk to have read for the information of the committee the estimate made by the department covering this item.

The CHAIRMAN. The Clerk will read.

The Clerk began the reading.

Mr. BARTLETT. Mr. Chairman, is this an amendment?

Mr. MONDELL. This is presented for the information of the committee, not an amendment. My motion was to strike out the last word.

Mr. JOHNSON of South Carolina. The motion is to strike out the last word, and the gentleman does not offer this as an amendment?

Mr. MONDELL. I send it up for the information of the committee. This is the paragraph just read as estimated.

The Clerk read as follows:

Three members of a board of appeals, to be appointed by the Secretary of the Interior, at $5,000 each; assistant attorneys—1, $3,750; 3, at $2,750 each; 8, at $2,500 each; 9, at $2,250 each; 9, at $2,000 each; medical expert, $2,000; clerks—1 of class 4; 4 of class 3 (one of whom shall act as stenographer and one of whom shall be a stenographer and typewriter); 3 of class 2; 1 of class 1; in all, $100,850.

Mr. MONDELL. Mr. Chairman, the estimate which I have sent up and which has just been read involves an increase in this item by three attorneys at $5,000 each to act as a board of appeals, one additional attorney at $2,750, four additional attorneys at $2,500, and two additional attorneys at $2,250. There are also some changes made in other salaries in the paragraph. The estimate increases the amount $35,000. I do not offer this as an amendment, first, because I have no hope of having it adopted if I should offer it; second, because I am not fully convinced that all of the additional places asked for are necessary, but I am convinced that at least a part of the additional assistance asked for by the Secretary of the Interior should be granted. I think it highly important that we should establish at an early date in the Secretary's office a board of appeals. The condition of affairs in the Secretary's office, particularly with regard to appeals from the Land Office, is such as to call for a very considerable increase, if those appeals are to be disposed of within a reasonable length of time. It is important, in my opinion, that we should have in that office a board of appeals, consisting of attorneys of wide experience and qualifications, competent to pass upon the great number of exceedingly important questions that are coming before that office on appeal. Thousands of cases come to the Secretary's office from the Land Office, many of them involving controversies over lands worth thousands and tens of thousands and hundreds of thousands of dollars. Not only has there been a delay in the disposition of those cases, but in the opinion of many of those who have had business in the Secretary's office they have lacked in that office a sufficient number of attorneys of such character and standing and ability as to command the entire confidence and respect of litigants before the department. I introduced a number of years ago a bill providing for appeal to the courts from the decisions of the Secretary of the Interior in land cases.

I am still inclined to think that we should have such a provision for such appeals incorporated into law. The present Secretary of the Interior seems to be of the opinion that if we could have this board, a board of reasonably well paid attorneys, a board to which could be appointed men of wide experience and high standing in their profession, that their decisions would be free from any reasonable ground for criticism and would command respect of those interested in the cases to be decided. As the matter now stands, the office of the Assistant Attorney General in the Interior Department is so overburdened with work—the attorneys have so many cases to decide and there is such a variety of questions to be decided—that people having matters before the department feel that their cases do not have the consideration that they should have.

The CHAIRMAN (Mr. COX). The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I shall not ask the committee to vote on this matter now. I do believe that the committee should give very earnest consideration and attention to the situation in the Secretary's office. The work is piling up there; cases are grievously delayed. Those having business with the Government in connection with public-land matters wait months and years for a decision; and then, in the condition of congestion in the office, the lack of a board of final appeal, the litigants before the office in many cases feel that their matters have not received proper and unbiased consideration when they are decided. This situation ought not to be continued. The Secretary of the Interior is a good lawyer and has high executive ability. He is earnestly endeavoring to perform his duty in that great office, and he is entitled to the force

he needs for the proper conduct of his office and for the proper disposition of the business which comes before it. I hope at an early day this board will be created and some additional attorneys will be given to that office.

I extend my remarks by placing in the RECORD the following memorandum in regard to these increases:

There should be created in the Interior Department a board of appeals, to consist of three persons, whose duties would be to hear and determine upon all matters coming before the Interior Department on appeal from the bureau officers, except pension matters. The salaries to be paid to the members of the board should not be less than $5,000 each per annum. Under the present assignment of work these duties are now imposed upon the First Assistant Secretary, and a consideration thereof involves much more time than the general hours of work in the department. With such a board the First Assistant Secretary could in a great measure be relieved of this large and exacting volume of work, thus enabling him to devote more time to matters of administration, and in this way the Secretary of the Interior would be greatly relieved.

The increases herein recommended are for five additional attorneys, one at $2,750 and four at $2,500. The increase of two in the $2,250 class is merely in lieu of two attorneys at $2,000, the number of attorneys at $2,000 being correspondingly reduced. There is pressing need for increase in the number of attorneys, due to the great increase in the amount of work coming before the office of the Assistant Attorney General for consideration. This increase in work has been noted for several years in the estimates submitted, but no increase has been granted in the working force. The following table, covering the past five years, shows how steadily this increase has continued:

Cases and miscellaneous matters.

Years ending Oct. 1:	
1909	4,755
1910	13,301
1911	16,609
1912	34,783
1913	48,870

Beginning with the year 1909 the force was unable to keep the work current. The result has been that the cases on appeal from the decision of the Commissioner of the General Land Office, involving claimed rights under the several public-land laws, have steadily accumulated until there are now pending undisposed of 2,144 cases. With the present force a case can not be reached for examination for from nine months to a year from receipt of the record on appeal. The records in these cases average 300 pages and often reach 3,000 or more pages.

These cases generally reach the department only after successive appeals from the local land officers to the Commissioner of the General Land Office, and from the latter officer to the Secretary of the Interior, and the final disposition or settlement of a controversy affecting public lands is often delayed from two to three years. It is submitted that such a delay works unnecessary hardship and often injustice to public-land claimants, and it can only be relieved by an increase in the number of attorneys in the office of the Assistant Attorney General to handle these controverted matters.

The reduction in attorneys at $2,000 is only recommended by way of an addition of two in the $2,250 class. In conclusion, it should be said that when the character of work performed by the attorneys in the office of the Assistant Attorney General is understood, it will be readily seen that the salaries provided for in this estimate are far below those paid for like class of work in the other departments.

The increase in the stenographic force is based upon the necessities incident to increase in the force of attorneys.

Mr. LLOYD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. JOHNSON of South Carolina. Mr. Chairman, I want to say that the Commissioner of the General Land Office appeared before the committee and made a very intelligent, a very exhaustive, and a very interesting statement. We were very much impressed with him. He indicated a very thorough knowledge of the land laws and the land business. He suggested to the committee a scheme of reorganization and a different plan of making appropriations for the different land offices throughout the country. We were not quite ready to entirely change the method of making the appropriation from the method pursued for many years, but we are impressed by the fact that the suggestions are well worth serious consideration, and we expect to further consider them as we have the opportunity. Now, if the gentleman will withdraw his pro forma amendment, I ask unanimous consent to return to page 90 for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to return to page 90 for the purpose of offering an amendment.

Mr. MANN. Let us hear the amendment reported first.

The Clerk read as follows:

On page 90, line 2, strike out the following: "in all, $3,400," and insert in lieu thereof the following: "clerks—1 of class 2, 1 of class 1; 1, $1,100; 1, $1,000; in all, $8,100.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The CHAIRMAN. The question now is on the amendment.

The amendment was considered and agreed to.

The Clerk read as follows:

General Land Office: Commissioner, $5,000; assistant commissioner, $3,500; chief clerk, $3,000; chief law clerk, $2,500; 2 law clerks, at $2,200 each; 3 law examiners of surveyors general and district land offices, at $2,000 each; recorder, $2,000; chiefs of divisions—1 of surveys $2,750; 1, $2,400; 10 at $2,000 each; assistant chief of division, $2,000; law examiners—13 at $2,000 each, 10 at $1,800 each, 18 at $1,600 each; clerks—27 of class 4, 51 of class 3, 74 of class 2, 77 of class 1, 65 at $1,000 each; 65 copyists; 26 copyists, at $720 each; 2 messengers; 10 assistant messengers; messenger boys—10 at $600 each, 6 at $480 each; 6 skilled laborers, who may act as assistant messengers when required, at $660 each; 16 laborers; laborer, $480; packer, $720; depositary acting for the commissioner as receiver of public moneys, $2,000; clerk and librarian, $1,000; in all, $631,250.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I submit, for the information of the committee, the estimate which was submitted by the department in lieu of this item. It is as follows:

Commissioner, $5,000; assistant commissioner, $3,500; chief clerk, $3,000; chief law clerk, $3,000; 2 law clerks, at $2,200 each; 3 law examiners of surveyors general and district land offices, at $2,000 each; recorder, $2,000; chiefs of divisions—1 of surveys, $2,750; 1, $2,400; 10 at $2,000 each; assistant chief of division, $2,000; law examiners—13 at $2,000 each, 10 at $1,800 each, 18 at $1,600 each; clerks—27 of class 4, 52 of class 3, 77 of class 2, 84 of class 1, 68 at $1,000 each; 67 copyists; 26 copyists, at $900 each; 2 messengers; 10 assistant messengers; messenger boys—10 at $600 each, 6 at $480 each; 6 skilled laborers, who may act as assistant messengers when required, at $660 each; 16 laborers; laborer, $480; packer, $720; depositary acting for the commissioner as receiver of public moneys, $2,000; clerk and librarian, $1,000; in all, $655,430.

That estimate proposes an increase of clerks to the number of 16. It increases the salary of 26 copyists from $720 to $900 and contemplates an increase of the appropriation of $24,180. I wish it were possible to impress the committee with the wisdom and advisability of adopting the recommendations as made by the Commissioner of the General Land Office. There is no office under the Government so badly in need of additional force as the General Land Office. This is the people's business. We spend millions of dollars for sundry and divers forms of investigation. Most of them are helpful and proper I hope and trust, but some of them we could very well get along without. Certainly while we are doing this so liberally as we are we should not neglect the real business of the Government, and particularly the business of the Government as transacted with its own citizens whom it is inviting to go on the public domain and improve and develop it.

The Land Office in many branches at the present time is grievously behind in its work. The business, contrary to expectations, has not decreased in the actual number of cases to any considerable extent. But if it had, there would still be the increased business that comes by reason of the fact that the Land Office is giving additional and greatly detailed attention to each and every case. The Land Office touches and has to do with every case in ways now that it had not formerly. We are going into very great detail in examining questions as to the character of the land and in the careful examination of matters relating to a compliance with the law by entrymen.

Mr. MANN. Will the gentleman yield?

Mr. MONDELL. Certainly.

Mr. MANN. Will the gentleman state in a general way what is the work that the Land Office does of this character that needs to be done at once?

Mr. MONDELL. The salaries paid under this head go to the assistant commissioner, the chief clerk, and to practically all of the clerks of the department. All the work of the Land Office of the Government originates, as the gentleman knows, in the field, in the field divisions, or in 102 local land offices. There the initial acts are performed under which the entryman declares his intention to assert a claim to a tract of Government land. There his final proof of his compliance with the law is made. These cases are forwarded from the local land offices to the General Land Office. The General Land Office examines the applications to see if they are regular. If they are not regular, it sends them back.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. They send them back that the applications may be perfected; send them back that inquiry may be made as to the character of the land in question. When final proofs

come to the Land Office they must be examined as to whether the entryman has proved complete compliance with the law. They must be compared with the plats in order to make it clear that the lands sought are lands of the character contemplated to be taken under the law under which the entryman makes his entry. And between these two periods of initial entry and final proof innumerable questions are constantly arising which are brought to the attention of the Land Office, namely, complaint that the entryman is not complying with the law in this, that, or the other particular; the question as to whether the land he occupies is mineral or nonmineral; questions as to the entryman's qualifications to make this particular kind of an entry. Those questions, examined in the field, coming up from the local land offices, and referred back and forth, must be taken care of.

In addition to that there are the applications of the States under the Carey Act, States applying for lands here, in order that they may reclaim them under what is known as the Carey Act—an infinite amount of detailed business in regard to that sort of thing, and taken care of in one branch of the office. Then, there are questions of rights of way for canals, for ditches, railroads, and telegraph lines. There are innumerable questions arising under applications for the use of public land under easements of many kinds and character contemplated and provided by the law. Then, there is the old question of swamp lands, not yet fully settled, and still being disposed of in some of the Southern States. There are the questions that come before the surveying division, relating to the survey of the public lands, their platting. There are questions with regard to withdrawals and restorations, questions which a few years ago were entirely unknown.

And so I might go on for an hour, and then not be able to enumerate in full detail the infinite variety of questions and problems coming before this office. These are affairs of the people. They ought to have prompt attention. They ought to have attention by a force of competent and well-paid clerks, and yet this office has gone on year after year and year after year with its increasing business, with its constantly multiplying questions, without any considerable increase of force or salaries, without any increase whatever for years of the regular force. This is a proposition to put into the regular force some clerks that have been employed for some time under special appropriations, and a few additional clerks, and to increase the compensation of some 26 copyists who are now receiving from $720 a year to $900 a year. These clerks in the main are either stenographers or typewriters, and reasonably expert, or they are clerks of experience in other land-office lines; it is ridiculous to ask anyone well qualified in any of these lines to work for $720 a year. The fact is that a considerable number of them will be dropped from the rolls unless we adopt an amendment like this. I am not offering the amendment, but simply submitting it for information, because I realize the committee will not accept it. The House in Committee of the Whole is not likely to override the committee any more since the speech of the gentleman from New York [Mr. FITZGERALD] yesterday.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask that I may have two minutes more.

The CHAIRMAN. The gentleman from Wyoming [Mr. MONDELL] asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, I am in harmony with the desire of the gentleman from New York [Mr. FITZGERALD] to keep down expenditures. I do not feel, perhaps, the responsibility that he does in the matter of Federal expenditures. Still I hope I am honestly and sincerely, as a member of this committee, opposed to unreasonable and unnecessary expenditures. But here is a service of the Government that is suffering or will suffer after the 1st of July. We are caring for it temporarily under special appropriation. We made an appropriation of $20,000 the other day in the deficiency act. Here is a service of the Government and of the people that is bound to suffer and suffer seriously unless we provide this extra help. We ought to increase the salary of the commissioner, for it is an office of greater responsibility than many offices under the Government in which men are receiving $6,000 to $7,000. We ought to increase the salary of the assistant commissioner; we ought to increase the salary of many of these clerks, but my amendment proposes no increases of salaries among the higher paid officials. It proposes an increase of salaries among certain classes of clerks, and proposes an addition of some 16 clerks to the present force of the General Land Office. I very, very sincerely regret that the committee did not see its way clear to accept these proposed increases. I trust that if these changes are made elsewhere, they will be accepted by the committee without question, for they are greatly needed.

The following memorandum was submitted to the committee as indicating the need of these increases:

As to the additional clerical force estimated for herein—namely, 1 clerk, at $1,600; 3 clerks, at $1,400; 7 clerks, at $1,200; 3 clerks, at $1,000; 2 copyists, at $900—7 of said force are required and made necessary on account of the extra work entailed upon the office by the three-year homestead law of June 6, 1912 (37 Stat., 123). Owing to the continued difficulties encountered in the adjudication of claims under the said three-year law, and because of the many conservation withdrawals and eliminations, the time required in the adjudication of claims has increased. At the present time, because of the loss of the 24 temporary employees provided for the fiscal year 1913, sundry civil act of August 24, 1912 (37 Stat., 455), the work in the General Land Office is seriously delayed, and many complaints are being made.

The remainder of the additional force is required and made necessary in order to retain upon the permanent roll the two clerks now employed under the appropriation for "Completing field notes of surveys, etc., in Minnesota and North Dakota," sundry civil act of June 23, 1913 (38 Stat., p. 47), and the seven clerks now employed under the appropriation for "Deposits by individuals for surveying the public lands," repayments by railroad companies, act of July 2, 1864 (13 Stat., 365, sec. 21). Provision for the employment of these seven clerks for the current fiscal year 1914 is made by the general deficiency appropriation act of March 4, 1913 (37 Stat., 924). The work of completing the field notes and drafting necessary for the proper filing of plats of surveys in the abandoned districts of Minnesota, North Dakota, Louisiana, and Florida is not yet finished, but the work as it comes in from time to time does not consume the entire time of the two clerks engaged thereon, and they have been employed upon other duties connected with the work of surveys requiring expert knowledge. The additional appropriation within the last two years for surveys and resurveys, amounting to nearly 100 per cent, has necessarily increased the labor in this office of proper supervision and expert technical examination, so that it was believed that an additional force might result in not only clearing away the arrears of work but keeping the work up to date. Actual experience after this had been tried showed the increased amount of returns of surveys required the full time of the expert force, and that although the arrears were reduced, yet the number of people engaged was insufficient to do more than keep abreast of the current work. In consequence the force of experts secured for the purpose of bringing up the arrears of work on returns of surveys seems to be necessary in order to prevent the work from falling into arrears in the future, and the above number of clerks is recommended for continuation, having been found efficient and having been trained to render the best technical examinations upon the surveys. As the sundry civil act of August 24, 1912, carrying an extra number of clerks was terminated on June 30, 1913, by failure of Congress to reappropriate the amount for the salaries, it was necessary to secure permission from Congress in the general deficiency act of March 4, 1913, to employ the fund created by railroad repayments under the act of July 2, 1864, for the purpose, but this permission was granted only for one year, and the above estimate is intended to provide for the employment of the extra clerks beyond that time, or from July 1, 1914. If the force is not provided for at that time, the work of examination of surveys in this office prior to their acceptance will be seriously retarded. Seven of the clerks mentioned are expert surveyors and skilled in the practice of making the necessary tests of the work which is essential to secure their accuracy. The other two clerks are required for the clerical assistance necessary for the prompt disposal of the work.

Mr. NORTON. Mr. Chairman——

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on the pending paragraph and amendments thereto close in five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. NORTON. Mr. Chairman, I concur generally with the statements made by the gentleman from Wyoming [Mr. MONDELL]. I know that at the present time the Interior Department is very much behind with its work. The delay of the work in this department is the cause of much worry and inconvenience and loss of time and money to a large number of people in my district. Yesterday I was greatly interested in the statements made by the gentleman from New York [Mr. FITZGERALD] concerning the already broken promises and broken platform pledges of his party. With him I regret that it seems evident his party is again going to demonstrate its unfitness as a political party to properly direct this Government. It now seems evident that before the close of this Congress there are to be more broken party promises and more broken platform pledges by the misguided party on that side of the House. In this connection I wish to address the House for a short time on the subject of rural-credit legislation. The alluring promises this administration has made to the people of this country on this subject I trust will not be promises made to the ear, only to be broken to the hope.

Mr. Chairman, it is our proud boast that we are the most progressive, the most prosperous, and the most highly civilized nation in the world. And this is on the whole true. But in our youthful pride of power and wealth and rank as a nation we frequently too long overlook lessons of vital value that we may well learn from older nations—lessons to which, if timely heed is given, will guide us safely farther on our way to more permanent national power, prosperity, and happiness. We have learned much and have much still to learn from others in the sisterhood of nations.

Within the last few years it has been brought very clearly to our attention that in the extension of the service and in the

efficiency of our Parcel Post System we are decades behind other leading nations of the world. Now, we are earnestly and actively endeavoring to improve this system and to extend its usefulness to our people in a way to surpass all other nations.

The recent rapidly increasing cost of living and the lack of our agricultural production to keep pace with the increase of our population has drawn our attention to some of the reasons for the depopulation of many of our farming districts and the cause of the large ratio of increase of our urban over our rural population.

Of all industries agriculture is the most important. It far surpasses in importance mining, manufacturing, or commerce. It is that one industry upon which all others are dependent. It is almost axiomatic that as those engaged in agriculture succeed so the nation ultimately succeeds. The fact that our agricultural development and production is not keeping pace with the increase of our population is a serious cause for the Nation's alarm.

Recent study of the social and economic questions involved in agricultural life and work in this country has led to the discovery that one of the chief causes of the growing tendency of the movement from the farm to the city is the exorbitant interest rates that farmers are required to pay for credits necessary to carry on their business of farming.

In the United States there are about 6,360,000 farmers. The farm property of this country is valued at more than $40,000,000,000, according to the Thirteenth Decennial Census. The farmers of the Nation are paying interest on about $6,000,000,000 of farm credits at an annual rate of interest of between 8 and 9 per cent.

In the leading agricultural countries of Europe those engaged in farming are able to secure credits for about one-half the average rate paid in this country. In Germany the rate on short-time loans made to farmers through the Raiffeisen banks and similar organizations average rather less than 4½ per cent per annum. Long-time loans, or land-mortgage loans, as made by the Landschaften and similar associations, are made at an average rate of interest of something less than 4 per cent. A remarkable difference in interest rates on farm credits in this country and in the leading agricultural countries of the world, you say. Yes; and here is where we in this country have much to learn and much needed work to do.

This most important, and in effect, far-reaching difference is due to well-developed cooperative systems of rural credits, and in addition direct Government aid for rural credits in the leading agricultural countries of Europe, and to an almost entire lack of cooperative rural-credit systems and practically no Government aid for rural credits in this country.

President Taft during his administration strongly recommended a thorough study of rural-credit conditions in this and in foreign countries and the enactment of legislation for the betterment of conditions in this country.

Under the authority of a provision contained in the Agricultural appropriation act approved March 4, 1913, President Wilson appointed a commission of seven members to cooperate with the American commission assembled under the auspices of the Southern Commercial Congress to investigate and study in European countries cooperative land-mortgage banks, cooperative rural-credit unions, and similar organizations and institutions devoting their attention to the promotion of agriculture and the betterment of rural conditions.

The members of the American and the United States commissions sailed for Europe on the 26th of May of last year and spent several months studying agricultural conditions abroad. The very valuable reports of both commissions have been placed before this Congress.

Following the recommendations of the United States commission, contained in Senate Document No. 380 of this session of Congress, Senator FLETCHER has introduced Senate bill 4246 and Representative Moss has introduced the same bill as H. R. 12585. This bill provides for the organization of a sytsem of land-mortgage banks under Government supervision. These banks are given the right to issue land-mortgage bonds not to exceed fifteen times the amount of the capital and surplus of the bank and secured by an equal amount of first-mortgage loans to farmers. All mortgages made to and all debentures of these land-mortgage banks are to be exempt from State and Federal taxes.

The interest rate charged to the farmer must not be more than 1 per cent annually greater than the rate of interest the land-mortgage bonds for the series including the mortgage loans may be sold for by the bank. The so-called farm-land banks provided for in the Moss-Fletcher bill are highly privileged private profit-sharing joint-stock companies. There is no guarantee under the system proposed in the bill that the farmers of this country will be given credits at reasonable rates of interest in all sections of the country and in the section most needing low interest charges.

I am opposed to the Moss-Fletcher bill because, while it affords a great many special privileges to those who under its provisions may engage in banking to furnish credits to farmers, it does not guarantee fair and reasonable rates of interest to the farmer and fails to provide that much-needed protection for the farmer from extortionate commissions and interest rates. In writing from the International Institute of Agriculture at Rome, Italy, under date of February 26, 1914, to Senator FLETCHER, Hon. David Lubin, referring to the Moss-Fletcher bill, has this to say:

> I find it to be in substance a plan for mortgage banks by bankers, instead of being for cooperative mortgage associations "operated by farmers for farmers." If bill S. 4246 passes, I believe it would tend to standardize the farm-mortgage business as to lend itself readily to an understanding between the proposed banks for the general control of terms and interest rates to the exclusion of a voice in the matter by the farmers. In short, it seems to me that the bill would be likely to create an artificial barrier between the farmer and the lending public.

Mr. Lubin is a recognized authority in this country and in Europe on questions pertaining to farmers' cooperative associations and to rural credits. Speaking of Mr. Lubin, the American commission, in its report before this Congress, says:

> The members of the American commission can not refrain from indicating their obligations to Mr. Lubin, the instigator of the International Institute of Agriculture, and the man without whom the American commission and its European work would have been impossible.

The Moss-Fletcher bill in its present form simply provides for another phase of the old game of lending money to private profit-sharing banks to lend to the farmers of the country.

Some time ago I introduced H. R. 12755, a bill for the establishment of a farm-credit bureau in the Department of Agriculture to reduce the rate of interest on farm mortgages and to encourage agriculture and the ownership of farm homes. The provisions of this bill and the fundamental principles on which it is founded will, I believe, best meet the needs of a rural credit system for this country at this time, and in their practical operations will result in encouraging the organization and development of real cooperative rural credit associations in all parts of the country.

The purpose of the act which I propose is stated in section 3 to be "To loan money upon the security of farm mortgages direct to farmers, to farmers through the agency of farm-credit associations, or as hereinafter provided." The term "farmer," for the purpose of this act, shall be construed to mean any person, firm, or corporation engaged exclusively in the business of tilling the soil and raising farm products, or that hereafter shall be engaged in the said business. The term "farm-credit association" shall be construed to mean any association of farmers who actually reside upon and operate farms organized for the purpose of procuring better credit facilities with which to conduct the business of raising farm produce and which shall comply with regulations by the board hereafter created.

The bureau is to be under the charge of a commissioner appointed by the President for a term of 10 years, and to be removed only for cause and after a fair hearing. This long term for the commissioner and the provisions of section 19 of the bill aim to take the bureau and its work entirely out of politics. Section 4 of the bill provides for a farm-credit board to prescribe procedure, regulations, and forms for the farm-credit bureau not specifically provided for in the bill.

The farm-credit board is given the authority to establish branch bureaus in each of the several States if found to be for the best means of carrying out the purpose of the proposed act. The farm-credit board is to consist of the Secretary of the Treasury, the Secretary of Agriculture, the Postmaster General, and two farmers who shall fairly represent the agricultural interests of the different sections of the country.

Loans are made by the bureau direct to farmers at a rate of interest not to exceed 4 per cent. Loans may also be made by the bureau to farmers through farm-credit associations or designated financial associations acting as agents of the bureau, under regulations prescribed by the farm-credit board. In the latter case, provided that the associations shall become security for all mortgages made through them, the commissioner of the bureau is authorized to pay the farm-credit associations a commission annually of not to exceed one-half of 1 per cent on the loans thus made. This is an important provision of the bill and one under which much assistance and encouragement can be given by the Government to the organization and development of farm cooperative credit associations, which will not only assist in the making of long-time loans but will provide the short-time credits needed by their members.

The terms of every loan extending over more than five years must contain a provision for its amortization, or reduction, by

annual or semiannual payments on account of the principal. That the administrative expenses of the system may be the lowest possible, postmasters, post-office inspectors, rural carriers, United States district attorneys, and other officers and employees of the Government are required to cooperate with the bureau in the making and collecting of these loans.

The fund from which loans are to be made is to be provided by the sale of United States 20-year bonds, bearing interest at not to exceed 3½ per cent.

The chief and practically only criticism that has been offered to the system I have proposed is that it involves serious class legislation for the Government to loan money direct to farmers. Now, in my judgment this question of fair and reasonable interest rates on rural credits is one that involves much more than the farmer. If the benefits to be derived from lower interest rates on farm credits were only to accrue to the farmer, such a criticism might be well made. When we see every day people leaving the farm for the city and ceasing to be producers and becoming consumers instead; when we find farm production in this country is increasing much less rapidly than our population; when we recall that between 1900 and 1910 our urban population increased 34 per cent while our rural population during the same period increased but 11 per cent, we can come to no other conclusion but that any governmental action or aid that will increase the number of farmers in this country and encourage better farming and the raising of more farm produce will benefit all classes in our Nation. European countries have had the same problem to deal with that now confronts us. Nearly all of them have proceeded far and very successfully in its solution. Having found that it was of the first and greatest importance to have many people on the farms so that food for all the people might be raised, European Governments have done a great deal for agriculture during the past 50 years.

To-day the leading nations in the world are lending money secured from the sale of Government bonds, or secured from taxes, to farmers, either directly to farmers or to farmers through cooperative credit associations. Several nations and provincial and State governments are now guaranteeing bonds and debentures issued against farm mortgages. On this question the United States commission, in its report now before this Congress, says:

> In every instance in Europe where Government capital has been granted to establish mortgage credits the results have been favorable.

FRANCE.

In France the Credit Foncier was established in 1852.

In the beginning it was given a Government subsidy of 10,000,000 francs, and has since received from the Government many special concessions. Under the law of March 31, 1899, district agricultural-credit banks were established, and 40,000,000 francs and an additional yearly contribution of 3,000,000 francs were placed at their disposal.

GERMANY.

In Germany several of the principalities guarantee mortgages, debentures, and obligations to depositors based on loans to farmers. The State guarantees the mortgages and all debentures of the Land Bank of Weisbaden, Prussia. This bank has about 30 branches. All its capital was originally borrowed upon bonds. In the 70 years that this Government land bank has been in existence it has not lost a dollar on land mortgages.

ENGLAND.

In studying the problem of landlordism and the condition of the tenant farmer in Ireland, England discovered that it was an idle waste of time and energy to talk self-help to the interest-racked farmers of Ireland. In 1903 the English estate commission was established by the British Government and the expenditure of £100,000,000 authorized. More than $400,000,000 of this amount has already been expended. The farmer who borrows pays an annual rate, including interest and amortization, of 3¼ per cent. The loan fund is borrowed by the Government on its certificates at 2¾ per cent, redeemable in 30 years. Anyone who has read the history of Ireland during the past 10 years knows the wonderful effect this Government aid to farm credits has wrought among the farmers of that land.

DENMARK.

Denmark has loaned more than 30,000,000 crowns directly to its farmers. The rate of interest charged is 3 per cent. Denmark is increasing its loans to farmers at the rate of 4,000,000 crowns a year.

NORWAY.

Through the Mortgage Bank of the Kingdom of Norway, located at Christiania, loans are made up to 60 per cent of the value of the property, mortgaged for a term of 40 years at 4½ per cent interest. All the capital stock of this bank belongs to the Government, and all bonds issued by it are obligations of the Government. The constitution of this bank states that its aim is to procure for proprietors of real estate facilities for raising money on their property. The administration of the banks is intrusted to a board of directors of three members. Two are chosen by the Storting and one is nominated by the King.

OTHER COUNTRIES.

Italy, Austria-Hungary, Servia, Bulgaria, Australia, and Switzerland all give direct Government aid to rural credits.

RUSSIA.

The Peasants' Land Mortgage Bank in Russia was organized in 1882. It was authorized in 1895 to purchase the large holdings of landlords, and was provided by the Russian Government with additional capital for this purpose. The lands are divided into small tracts and sold to actual farmers. The payment of the purchase price extends for as long as 55½ years. The rate of interest charged the peasant purchasers, including amortization and cost of administration, amounts to 4½ per cent.

NEW ZEALAND.

New Zealand, since the advances act was put into operation in 1895, has been loaning money to its farmers at interest rates of from 4 to 4½ per cent. The loan fund has been mainly secured by the issue of Government bonds paying an interest rate of 3 to 3½ per cent. Naturally at first there was bitter opposition to the enactment of a law for Government loans in New Zealand. It is not surprising to learn that much of the opposition came from those who were making large profits under the old system. Now no political party in New Zealand opposes the new system.

In the report for the year 1907 of the United States consul to New Zealand this statement appears in reference to Government loans to farmers in that country:

> The loans have been a great boon to struggling farmers, who were paying as high as 8 per cent on their mortgages. Immediately this money became available interest came tumbling down to 4 per cent.

An English authority on economics makes this reference to Government loans in New Zealand:

> The world over, one of the greatest obstacles in the way of the small farmer, and the large one, is the difficulty of getting capital. Often there is no money to be borrowed in the district where he lives, or if there is, it is in the hands of rich neighbors or banks, who know nothing but their bond and the pound of flesh. But in New Zealand the settler has only to go to the nearest post office to get into communication with a money lender, who charges no commission or brokerage, and no fees, except for actual expenses; never exacts usury, offers no cut-throat mortgages for signatures, will let him have any amount from as little as $125 to as much as $15,000, does not try to induce him to borrow more than he really needs, gives him 36½ years to pay the money back, and accepts it from him in small installments on the principal with every payment of interest, so as to make it as little of a burden as can be; will allow him, if he happens to have $25 to spare, to pay it at any time to reduce his indebtedness, and when it finds itself making a profit out of its business, instead of accumulating a fortune, gives him the benefit by reducing his rate.

PHILIPPINE ISLANDS.

In 1907 a government agricultural bank was established by the Philippine government, with a capital of $500,000 provided from government funds. This bank is now making mortgage loans to our brown brother farmers in the Pacific. The operation of this government agricultural bank has been, according to reports before this House, to greatly lower interest rates and to decrease usury in all the Provinces of the Philippine government.

Should this Congress enact a law providing for Government loans direct to farmers and to farmers through cooperative credit associations, it will not be venturing upon a new, untried, or dangerous field of proper government function.

It may be too much to trust that this administration will enact legislation for a practical system of rural-credit legislation. But the day is not far distant, I now predict, when the fundamental principles of the legislation I have proposed will be written into our statutes and will be welcomed and approved by many of those now in opposition. This Government, as other older Governments, must rise to the demands of new industrial and social conditions. It must squarely meet the problems of to-day. The popular conceptions of the proper functions of government should not be too lightly considered by the representatives of the people in this American Congress.

While I do not wish to be understood as maintaining that wise and practical rural-credit legislation will relieve all the inequalities that to-day are imposed upon the farmer in this country, I am confident it will go a long way to make life on the farm more comfortable, more enjoyable, more profitable, and more attractive.

In conclusion, I wish to call attention to this statement made by a German writer pertaining to influence of rural credit organizations on agricultural conditions in Germany:

About an hour's walk from Neuwied on the Rhine is situated on a plateau bordering the Westerwald the little village of Anhausen. This district is not very fertile and the inhabitants are mostly small peasant proprietors, some with only sufficient land to graze a single ox or cow. An owner of 10 acres is a rich man. Before the year 1862 the village presented a sorry aspect; rickety buildings, untidy yards, in rainy weather running with filth, never a sight of a decently piled manure heap; the inhabitants themselves ragged and immoral; drunkenness and quarreling universal. Houses and oxen belonged with few exceptions to Jewish dealers. Agricultural implements were scanty and dilapidated; and badly worked fields brought in poor returns. The villagers had lost confidence and hope, they were the serfs of dealers and usurers. To-day Anhausen is a clean and friendly looking village, the buildings well kept, the farmyards clean even on workdays; there are orderly manure heaps on every farm. The inhabitants are well if simply clothed, and their manners are reputable. They own the cattle in their stalls. They are out of debt to dealers and usurers. Modern implements are used by nearly every farmer, the value of the farms has risen and the fields, carefully and thoroughly cultivated, yield large crops. And this change, which is something more than statistics can express, is the work of a simple Raiffeisen bank.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For connected and separate United States and other maps, prepared in the General Land Office, $20,000: *Provided*, That of the United States maps procured hereunder 7,200 copies shall be delivered to the Senate and 14,400 copies shall be delivered to the House of Representatives 500 copies shall be delivered to the Commissioner of the General Land Office, and the residue shall be delivered to the Secretary of the Interior for distribution. And all maps delivered to the Senate and House of Representatives hereunder shall be mounted with rollers ready for use.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on a subject not included in the bill.

The CHAIRMAN. Is there objection?

Mr. MURDOCK. Reserving the right to object, may I inquire what is it about?

Mr. MONDELL. I delivered an address in Philadelphia a few days ago on the Mexican situation, and I would like to place it in the RECORD, if I may.

Mr. MURDOCK. I have no objection.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MURDOCK. May I ask the chairman of the committee if this is the usual amount for maps?

Mr. JOHNSON of South Carolina. Yes, sir.

Mr. TOWNSEND. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New Jersey [Mr. TOWNSEND] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Indian Office: Commissioner, $5,000; assistant commissioner, $3,500; second assistant commissioner, who shall also perform the duties of chief clerk, $2,750; financial clerk, $2,250; chiefs of divisions—1, $2,250; 1, $2,000; law clerk, $2,000; assistant chief of division, $2,000; private secretary, $1,800; clerks—20 of class 4, 31 of class 3, 38 of class 2, 2 at $1,500 each, 68 of class 1, including 1 stenographer, 32 at $1,000 each, including one stenographer; 34 clerks at $900 each; messenger; four assistant messengers; 4 messenger boys, at $360 each; expert accountant, $2,000; forester, $3,600; draftsman, $1,400; irrigation engineer, $2,000; examiner of irrigation accounts, $1,800; draftsman, $1,200; 2 clerks at $720 each; in all, $328,150.

Mr. FOWLER. Mr. Chairman, on page 96, lines 6 and 7, I make a point of order against the following:

Second assistant commissioner, who shall also perform the duties of chief clerk, $2,750.

Mr. JOHNSON of South Carolina. Mr. Chairman, the point of order is well taken.

The CHAIRMAN. The point of order is sustained.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent to change the total.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. MANN. I notice that in this case the committee has changed the title of "copyist" and has put them in as clerks at $900. What was the special reason for making the distinction between the Indian Office and the General Land Office in that particular?

Mr. BYRNS of Tennessee. I will state to the gentleman that the only reason is that the suggestion was made by the commissioner and those who appeared before the committee, and really there is no distinction between these clerks and the copyists who are paid $900.

Mr. MANN. I understand that is the case in both of them, and they in each instance, both in the Land Office and the Indian Office, asked that these copyists be changed to clerks and paid the salary of $900. The committee complied with that request as to the Indian Office, but in the more responsible office—the Land Office—they seemed to have declined to grant the request. What is the distinction?

Mr. BYRNS of Tennessee. In the Indian Office there are both clerks and copyists at $900 each, whereas there are no clerks at $900 in the General Land Office. This was changed simply for the purpose of abbreviating the bill and consolidating the places.

Mr. MANN. I notice on the contrary, if I am correct. You may have had some clerks at $900, but you have five clerks at $900 in the current law who were formerly copyists. They were promoted from copyists to clerks, and from $720 to $900. Now, you add to the number of copyists and call them "clerks." Where it is "29 copyists" under the existing law you change it to "34 clerks, at $900," in the Indian Office. I am not complaining of that, but I ask why the distinction between the Indian Office and the General Land Office? Is it a fact that there is a little more of a politician—no; I will not say that; but a man a little more in the public eye—in the Indian Office than there is in the General Land Office? I think both of them are very competent.

You largely increase the number of clerks also in the Indian Office, but you made no increase whatever in the Land Office. Is it a fact that the committee thinks it more important to keep up to date the work of the Indians than it is to keep up to date the work for the white settlers on the public domain? Take this instance: Here we open an Indian reservation. We permit white settlers to go on that reservation, and, under the homestead laws and otherwise, the money goes to the Indians. Now, you expedite the work on the Indian side of it, but decline to expedite the work on behalf of the white settlers. Why the distinction?

Mr. BYRNS of Tennessee. I want to say to the gentleman that the committee, of course, acted without any intent of doing any particular office an injustice. The increase of clerks under the Indian Office was due to certain heirship investigations and work that had to be done under the law by the Commissioner of Indian Affairs, and these clerks were necessary in order to perform that additional work.

Mr. MANN. I will agree with the gentleman as to that.

Mr. BYRNS of Tennessee. So far as the change from copyists to clerks in the Indian Office is concerned, and the failure to change from copyists to clerks in the Land Office, that is simply due to the fact that there are no clerks in the General Land Office at $900, whereas there were some in the Indian Office.

Mr. MANN. I beg the gentleman's pardon. There were no clerks in the Indian Office at $900 except five copyists, who were advanced last year from the position of copyists to $900 clerks.

Mr. BYRNS of Tennessee. I was speaking of the current law. There are clerks in the Indian Office under the current law who draw $900.

Mr. MANN. There were five. They were formerly copyists.

Mr. BYRNS of Tennessee. The committee thought it was wholly unnecessary to take up space in the bill by carrying clerks at $900 and copyists at $900, when, as a matter of fact, these particular clerks and copyists perform exactly the same character and kind of work. That is the only reason.

Mr. MANN. Yes; but the copyists get $720. That is what they get now. You increased the salaries in the form——

Mr. JOHNSON of South Carolina. Oh, no; the gentleman is in error. The salary fixed for a copyist, unless some other amount is mentioned in the appropriation bill, is $900. We have some copyists who do not receive $900, but where persons are carried in the bill as copyists, without any amount being stated, they get $900.

Mr. MANN. I was thinking it was $720. But the work is the same, or practically the same, for these so-called copyists in both offices.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn.

Mr. MONDELL. Mr. Chairman, I have no desire to criticize the committee for the increases made in the Indian Office. The committee has added 13 clerks there—2 at $1,600, 4 at $1,400, and 7 at $1,200—and it has also increased salaries. I have no criticism to make of that. I think it is entirely proper that it should have been done; but I want to emphasize what the gentleman from Illinois [Mr. MANN] just stated. The committee, which has increased the facilities for doing this work on behalf of the Indians, has declined to increase the facilities on behalf of our white settlers. Further than that, the work of the Indian Office does not lay upon its clerks generally the responsibilities that the General Land Office does. A good deal of their work could be left undone without a very great amount

of loss to anyone, in my opinion, although I think that the work is useful and helpful.

The work of the General Land Office, on the contrary, from the field is work that must be disposed of in some way or other; must be taken care of. A decision must be made. Some man's rights, some man's interest, and in every case the interests of the Government are involved. A decision must be rendered, and in providing for work of that character we should not be niggardly. We certainly ought to take the word of a man who makes the showing that is made by the office of the Commissioner of the General Land Office. The Commissioner of the General Land Office is perhaps in some respects not quite as active a personality as the distinguished gentleman who is Commissioner of Indian Affairs. They are both very high-class men, both exceedingly worthy men, both good men for their positions.

The Commissioner of the General Land Office is perhaps too modest about the needs of his office. Perhaps he did not emphasize the needs of his office as in the opinion of the subcommittee he should have done; but he did make a clear statement, a statement that is to me conclusive. I have placed a part of that statement in the RECORD, showing how badly that office is in need of additional help in order to take care of the work of the Government, the work of the people who are endeavoring to develop the public domain, the people who are building homes, the people who are building irrigation work, the people who are building railroads, the people who are extending the cultivated area of the country and building up and developing its resources. The committee did very well by the Indian Office. I am glad they did. It is a great office, and it has a worthy head. It is too bad that the committee did not see fit to do as well by the Land Office.

The CHAIRMAN. If there be no objection the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Pension Office: Commissioner, $5,000; deputy commissioner, $3,600; chief clerk, $2,500; assistant chief clerk, $2,000; medical referee, $3,000; assistant medical referee, $2,250; 2 qualified surgeons, at $2,000 each; 15 medical examiners, at $1,800 each; 8 chiefs of divisions, at $2,000 each; law clerk, $2,250; chief of board of review, $2,250; 47 principal examiners, at $2,000 each; private secretary, to be selected and appointed by the Commissioner of Pensions, $2,000; 16 assistant chiefs of divisions, at $1,800 each; 3 stenographers, at $1,600 each; disbursing clerk for the payment of pensions, $4,000; deputy disbursing clerk, $2,750; 3 supervising clerks in the disbursing division, at $2,000 each; clerks—100 of class 4, 100 of class 3, 285 of class 2, 350 of class 1, 74 at $1,000 each; 61 copyists; 30 messengers; 16 assistant messengers; 17 skilled laborers, at $660 each; 20 messenger boys, at $400 each; superintendent of building, $1,400; 23 laborers; 10 female laborers, at $400 each; 15 charwomen; painter, and cabinetmaker, skilled in their trades, at $900 each; captain of the watch, $840; 3 sergeants of the watch, at $750 each; 20 watchmen; engineer, $1,200; two firemen; in all, $1,618,350.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 97, line 9, strike out the word "fifty" and insert "sixty," and strike out the word "seventy-five" and insert "eighty-nine," and, in line 17, strike out the sum "$1,618,350" and insert "$1,645,350."

Mr. JOHNSON of South Carolina. Mr. Chairman, I want to make a brief statement. In my explanation of the bill in general debate I stated in perfect good faith that there were vacancies enough in the Pension Office to take care of the reductions that had been made. In that I was wrong. They did not have and will not have, on July 1, 1914, as many vacancies as there are reductions.

Since this bill was reported to the House I have visited the Pension Office and have examined the administrative audit work. The committee making up the bill were under the impression from the hearings that there was duplication in the Pension Office. My investigation shows that they are not duplicating work, but that they are doing what the Comptroller of the Treasury requires them to do under the Dockery law, to wit, they are making an administrative audit, which they had not made prior to November, 1913. For that reason I feel that we were wrong in striking out the 25 clerks, and this amendment is to restore that number to the bill. The bill, when amended, will provide all the clerks estimated for by the Commissioner of Pensions.

The amendment was agreed to.

Mr. FOWLER. On page 97, in line 17, I desire to offer an amendment to strike out "$1,200" and insert in lieu thereof "$1,400."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 97, line 17, strike out "$1,200" and insert "$1,400."

Mr. FOWLER. Mr. Chairman, I trust that the committee will consent to this amendment. The bill in various places carries provisions for engineers at $1,400. This is the Bureau of Pensions. It is a very big plant, and it carries a great deal of responsibility on the part of the engineer in order to keep that immense building properly heated.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. FOWLER. Yes; I will yield.

Mr. BYRNS of Tennessee. Is the gentleman aware that the heat for the Pension Building all comes from a central heating plant?

Mr. FOWLER. Yes; and that is true of all, or nearly all, the large buildings.

Mr. BYRNS of Tennessee. Oh, no; I beg pardon.

Mr. FOWLER. It is true of a great many of the department buildings.

Mr. BYRNS of Tennessee. Does not the gentleman think $1,200 is a pretty good salary for a man who does not have anything to do with the actual heating of the building?

Mr. FOWLER. He has the responsibility of looking after the building in the capacity of an engineer.

Mr. BYRNS of Tennessee. The Government pays the engineer of the Winder Building only $1,000, and the engineer of the Civil Service Commission Building $840.

Mr. FOWLER. There is no statutory provision for the engineer of the Winder Building, as I understand. If there is, I could not find it. But where there is a chief engineer you have been paying $1,400. Here is an engineer who takes care of the Pension Bureau, and there is no reason why his salary should be cut down.

Mr. BYRNS of Tennessee. We are not cutting it down.

Mr. FOWLER. Yes.

Mr. BYRNS of Tennessee. He gets the same in this bill as he got last year and the year before.

Mr. FOWLER. Oh, well; that is no argument at all. Because John Jones steals Jim Smith's horse is no reason Jim Smith should steal John Jones's horse.

Mr. BYRNS of Tennessee. It is an answer to the gentleman's plain statement that we are cutting down the salary.

Mr. FOWLER. I am not yielding to the gentleman. If this man has been wronged in the past, he is a laboring man, and there is no reason why the committee should wrong him now. He is a laboring man; he is afraid to ask for even the statutory salary. He knows that nobody has been before your honorable committee to represent him. He knows that nobody has ever come to plead his case; he knows that he is compelled to take the salary that is given him—it does not make any difference what it is. I have had examples of that within the last week, where men have come and told me that they were afraid to ask for their statutory salary because they are afraid they would lose their jobs. I have had letters to that effect, unsigned, saying that they were afraid to sign their names for fear they would lose their jobs.

Mr. BYRNS of Tennessee. Does not the gentleman from Illinois think that if what he says is true and this state of facts exist under the civil service he ought to make complaint and see that these people are protected in their rights?

Mr. FOWLER. Mr. Chairman, I am not talking about the civil service.

Mr. BYRNS of Tennessee. This is under the civil service.

Mr. FOWLER. It is not civil service, as far as the salary is concerned. No civil-service rules have anything to do with salaries. It is a statutory salary, and it ought to be given to this man.

I repeat that he is a laboring man, and he stands by his organization; and I think in all matter of human kindness that this committee—and I have never complained of the committee directly, because, as I said to you, these irregularities are a statute inheritance from past legislation—but there is a wrong being done this poor laboring man, and you ought to concede it here and right the wrong.

Mr. BYRNS of Tennessee. If there are officials in the city of Washington who are making it so that a clerk or a laboring man can not ask for an increase of salary, does not the gentleman think that as a friend of the clerk and the laboring man he should see to it that the facts should be made known?

Mr. FOWLER. Mr. Chairman, as a friend of the laboring man I was one of the men that helped to initiate the law to do away with the cloture on the employees of this country, so that they could be free.

The CHAIRMAN (Mr. Cox). The time of the gentleman from Illinois has expired.

Mr. FOWLER. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. The gentleman from Illinois asks for two minutes more. Is there objection?

There was no objection.

Mr. FOWLER. I say that I helped initiate the law that repealed the cloture preventing clerks from asking what they pleased in the Post Office Department. I do not know; I am not familiar with the rules in the other departments enough to know whether men are deprived of their labor in seeking their rights, but I do know that I have had that complaint made to me within the last week. Whether it is well founded or not I can not say. But by some means there is a condition hovering over laboring men, so that they are afraid to ask even for the salary provided by the statute. How you can justify yourselves in increasing salaries of men drawing princely sums and refuse to give this poor laboring man his statutory salary I fail to understand.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. FOWLER) there were 3 ayes and 28 noes.

So the amendment was rejected.

Mr. JOHNSON of South Carolina. Mr. Chairman, although the amendment has been voted down, I think it is but fair that I should make a brief statement. I move to strike out the last word. The gentleman read from the act of 1873, which created this position at $1,400. That act was repealed by the act of January 20, 1874, so the statutory salary is not $1,400.

Mr. FOWLER. I would like to see the act, because I do not think it was repealed.

Mr. JOHNSON of South Carolina. The engineer at the Pension Office has no very difficult duties to perform. That building is heated from a central heating plant. The people in charge of the building have not asked for any greater salary, and the committee has no knowledge of it.

Mr. FOWLER. Mr. Chairman, I move to strike out the last two words. I ask the gentleman from South Carolina to read the statute into the RECORD so that we may see whether it was repealed.

Mr. JOHNSON of South Carolina. It repeals the law that the gentleman just quoted from.

Mr. FOWLER. No; it does not do it. I do not want to be misrepresented in that way.

Mr. JOHNSON of South Carolina. I will read it:

Be it enacted, etc., That so much of the act of March 3, 1873, entitled "An act making appropriations for legislative, executive, and judicial expenses of the Government for the year ending June 30, 1874," as provides for the increase of the compensation of public officers and employees, whether Members of Congress, Delegates, or others, except the President of the United States and the justices of the Supreme Court, be, and the same is hereby, repealed.

Does not that repeal all of them?

Mr. FOWLER. No; it does not. It does not apply to this salary.

Mr. JOHNSON of South Carolina. Of course it does.

Mr. FOWLER. I insist that it does not.

Mr. JOHNSON of South Carolina. It is said that doctors differ, and I am sure that lawyers differ now. I would not say that I am the better lawyer than the gentleman from Illinois.

Mr. FOWLER. I do not care if the gentleman does say so, it would be no discredit to me.

The Clerk read as follows:

During the fiscal year 1915 not more than 25 per cent of the vacancies occurring in the classified service of the Bureau of Pensions herein above provided for shall be filled except by promotion or demotion from among those in the classified service in said bureau. And the salaries or compensation of all places which may not be filled as herein above provided for shall not be available for expenditure, but shall lapse and shall be covered into the Treasury.

Mr. MANN. Mr. Chairman, on that I reserve the point of order. When this was inserted in the current law the first time, there was a good reason for it, but I doubt whether there is any reason for it now.

Mr. JOHNSON of South Carolina. The gentleman refers to the duplication?

Mr. MANN. I mean the reduction of 75 per cent.

Mr. JOHNSON of South Carolina. Oh, I beg the gentleman's pardon. I was speaking of the provision that the work should not be duplicated.

Mr. MANN. This provision was inserted in the appropriation act before the Sherwood pension bill was passed. Then, when the Sherwood pension bill was passed, as I recall, we made a special appropriation in a lump sum of $200,000 for additional services in the Pension Office. Before that the work was being rapidly reduced. We now carry in this appropriation bill not only all the clerks that were carried in the appropriation act for the current year, but nearly all of those who were employed under the $200,000 lump-sum appropriation, which would appear to indicate that there is need for these men in the office now. Will there be such a reduction during the next year that you can cut off 75 per cent of the vacancies without any question?

Mr. JOHNSON of South Carolina. Mr. Chairman, the committee was under the impression that we could do that. The purpose was to let vacancies take care of the clerks in excess of the requirements. The commissioner, however, I want to say, is very insistent that the committee made a mistake in putting that provision into the bill. I believe myself that with the force that we have given the commissioner in this bill he could get along very well if he filled only one-fourth of the vacancies.

Mr. MANN. That may be; I do not know; but there was a very large amount of extra work put on this bureau, which I think everyone would like to have kept up currently. Would it not be just as well to leave this out for a year and see whether there is the opportunity to reduce these places? Before the Sherwood law was passed it was perfectly patent that the Pension Office had so gotten up with its work that you could cut off most of the clerks as they went out of the service; that is, not fill the vacancies. I doubt whether we are prepared to do that now. If the Commissioner of Pensions thinks that we can not, I will make the point of order. I will ask the gentleman if the commissioner was agreeable to this provision?

Mr. JOHNSON of South Carolina. When I said the matter was subject to the point of order, I had reference to another section, to which I thought the gentleman was taking exception. I hardly think this is subject to a point of order.

Mr. MANN. Possibly not, under the Holman rule.

Mr. JOHNSON of South Carolina. I think, Mr. Chairman, we would better leave it in the bill. I do not think we will bring any hardship on the Pension Office.

Mr. MANN. If the committee has given personal consideration to the subject, I do not care to insist upon a personal opinion.

The Clerk read as follows:

The Commissioner of Pensions shall, on or before July —, 1914, rearrange the Finance Division and the office of the disbursing clerk for the payment of pensions in the Pension Office and reorganize the forces employed therein so as to eliminate useless work and prevent duplication of labor.

Mr. MANN. Mr. Chairman, on that I reserve the point of order.

Mr. JOHNSON of South Carolina. That is subject to the point of order. That is what I thought the gentleman referred to a moment ago. It is clearly subject to a point of order. As I have already stated to the House, it is really unnecessary. I do not think there is duplication. They are giving the administrative audit under the Dockery law.

Mr. MANN. Then I make the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For per diem, when absent from home and traveling on duty outside the District of Columbia, for persons employed in the Bureau of Pensions, detailed for the purpose of making special investigations pertaining to said bureau, in lieu of expenses for subsistence, not exceeding $3 per day, and for actual and other necessary expenses, including telegrams, $125,000.

Mr. RAKER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 98, after line 15, insert:

"For an additional force of five special examiners for one year at $1,300 each, $6,500; and no person so appointed shall be employed in the State from which he is appointed, and any of those now employed in the Pension Office or as special examiners may be reappointed if they be found to qualify."

Mr. MANN. Mr. Chairman, on that I reserve the point of order.

Mr. RAKER. Mr. Chairman, this is intended to provide for the five inspectors in this service that have been provided for in the appropriation bills since the McKinley administration. The current law, I think, provides for 45 inspectors, 40 from the classified service and 5 to be appointed by the Commissioner of Pensions. These people go out and look up special cases, do special work of a high class, and are personally selected by the Commissioner of Pensions. Just one sentence from the commissioner shows the situation:

I can see how it might be an advantage for the commissioner to have an opportunity to procure people to do certain work without having them pass a civil-service examination.

These positions have been provided for during some 20 years, and are still performing the work each year. It seems to me that they ought to be retained. They are necessary and proper. Forty are selected now from clerks in the office as inspectors, but the five provided for in this particular amendment are those

who can be appointed specially by the Commissioner of Pensions, so that he may send out men in the various districts. No man shall be detailed for service in the State from which he comes or in which he is a resident. They are to look after questions of fraud and impersonation and the improper handling of the pension service or the disposition of the money. I have understood that the Commissioner of Pensions has written to the chairman of the committee urging that the amendment be allowed.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Carolina. I do.

Mr. MANN. The current law carries 45 special examiners?

Mr. RAKER. Yes.

Mr. MANN. And they are left out of this bill?

Mr. RAKER. All of them; yes.

Mr. MANN. What is to become of them?

Mr. RAKER. They are just left out entirely.

Mr. MANN. Well, it is very seldom we drop anybody in the Government entirely.

Mr. RAKER. The record I have here shows the commissioner recommended that 40 be eliminated, but that 5 be retained. They are special appointees of the commissioner. The present commissioner, Mr. Saltzgaber, has already appointed these five men and recommended——

Mr. MANN. No; he appointed the 45.

Mr. RAKER. No; the 40 were under the civil service, but the 5 were not.

Mr. MANN. How did they get in the classified service and how did the others get out? The provision of the law is precisely the same for the 45. Now, why is it that the 40 are in the classified service and the 5 are not at all?

Mr. RAKER. They have always taken them from the office, they have taken these 40 from the clerks in the office and have sent them out to do this work. That is what this report says here.

Mr. MANN. They may have been taken from clerks in the office, but they are examiners when appointed.

Mr. RAKER. Sure; that is what they are.

Mr. MANN. The law reads:

For an additional force of 45 examiners for one year, etc., and no person so appointed shall be employed in the State from which he is appointed and any of those now employed in the Pension Office or as special examiners may be reappointed if they be found to be qualified.

Mr. RAKER. Forty of those have been doing the work, and of course this will eliminate the 40 from the bill, and the commissioner believes that 40 can be taken from the office force—competent clerks—if it is necessary, but the 5 are given such territory, and no man can do his work in the territory from which he comes. He has no personal interest or knowledge of individuals, but goes out and looks up the facts and does the work specially that the commissioner desires to have done in these investigations, and the commissioner testified what it is these men do, and he ought to have the opportunity to continue these men in their places under his personal supervision and of his personal choice for the purpose of doing the kind of work which is of a high class and requires men of a good deal of stamina, courage, and ability to perform in a great many cases.

Mr. MANN. Of course these examiners have not been carried very long, I suppose.

The CHAIRMAN. The time of the gentleman has expired. Does the gentleman from Illinois insist upon the point of order?

Mr. MANN. Mr. Chairman, I reserve the point of order while I ask the gentleman from South Carolina what information the committee has on this subject. Last year we provided 45 special examiners in the Pension Office for one year. We are told now that 5 are out of the classified service and 40 are within the classified service, although the provision of the law is identically the same as to all of them. Is there any necessity for continuing them?

Mr. JOHNSON of South Carolina. Mr. Chairman, the estimates called for 5. Forty of them were dropped. The committee in making the bill dropped them all. The testimony of the commissioner, which I suppose the gentleman from Illinois has read——

Mr. MANN. I have not read it. I do not bother myself with such things.

Mr. JOHNSON of South Carolina. The commissioner was asked the question as to whether he thought the five should be continued in the service, and he said that he did not know very much about it and appeared indifferent. The committee was not impressed that the commissioner was very particular about the item, and we did not provide any special examiners at all. Since this bill has been made up and reported to the House the commissioner insists that he now sees very great necessity for the continuation of these men, which he did not know when he was before the committee.

Mr. MANN. Is this a necessity for the service or a political necessity for five appointees not in the classified service?

Mr. JOHNSON of South Carolina. I have a letter which I received last evening. I am sorry I did not bring it with me. He said that since he appeared before the committee he had made an investigation that convinced him that he ought to have the five men. That is the substance of the letter. The gentleman from Alabama [Mr. CLAYTON] has a copy of the letter.

Mr. CLAYTON. Mr. Chairman, I move to strike out the last word.

Mr. MANN. Mr. Chairman, I will yield to the gentleman from Alabama.

Mr. CLAYTON. Very well. I thought the gentleman had yielded the floor. I have a copy of the letter to which the gentleman from South Carolina [Mr. JOHNSON] has made reference, and it is as follows:

APRIL 10, 1914.

Hon. J. T. JOHNSON,
House of Representatives.

MY DEAR MR. JOHNSON: In making appropriations for the Bureau of Pensions it is earnestly recommended that the pending bill be so amended as to provide for the appointment of five special examiners in the terms of the current appropriation act. This amendment may be inserted on page 98, following line 15, as follows:

"For an additional force of five special examiners for one year, at $1,300 each, $6,500, and no person so appointed shall be employed in the State from which he is appointed; and any of those now employed in the Pension Office or as special examiners may be reappointed if they be found to be qualified."

This is in accordance with the estimates submitted by the Interior Department. Under existing law provision is made for 45 special examiners, and 5 of this number, by authority of the civil-service regulations, may be appointed without examination. This exception was permitted because it was believed to be necessary in the conduct of the business of the Pension Office for the commissioner to appoint a few men in whom he has absolute confidence to conduct inquiries or investigations in regard to matters wherein judgment, discretion, and loyalty to the Commissioner of Pensions is required. The five men who now fill these excepted positions as special examiners are young and very competent men who have proved their worth since their appointment in December, 1913. The efficiency of the office would be lessened in a material degree if the power of the commissioner to appoint such a corps of trusted men should be abrogated by statute, and this will be especially true if the pending bill in favor of the widows of soldiers of the Spanish War and Philippine insurrection shall become a law.

When I appeared before the committee on January 22 I was asked, with reference to these five special examiners:

"Is there any particular necessity for retaining these five?"

I replied: "There is a difference of opinion about that. Personally I have no positive views on the subject. I am very indifferent about it. I can see how it might be an advantage for the commissioner to have an opportunity to procure people to do certain work without having them pass a civil-service examination." (Page 435, hearings before subcommittee.)

At that time I was not as fully advised as to the need for employing these five special examiners, nor as to the merits of the persons holding these positions, as I am now. Mature reflection and inquiry into the matter has led me to the conclusion that I ought to make this definite recommendation, that these five positions should continue to be provided for by law.

Very truly, yours,

——— ———, *Commissioner.*

Mr. MANN. Mr. Chairman, let me ask the gentleman from Alabama in my time. Here are 45 examiners who were provided for for one year. It seems that through some Executive order or otherwise 5 of them were taken out of the classified service and made what we usually call political appointees. Now we find we can drop 40 who are in the classified service without any difficulty, but we run up against the same old difficulty about dropping anybody getting appointments outside of the classified service. Would the gentleman be embarrassed—I do not wish to embarrass him in any way at all—but may I ask him how this matter was called to his attention—by one of the appointees?

Mr. CLAYTON. I answer the gentleman frankly; yes. It does not embarrass me to tell the truth about it.

Mr. MANN. I am not criticizing it myself.

Mr. CLAYTON. I had it called to my attention in that way. And I have conferred with other Members on this side, and the representations of the commissioner are such that they lead me to believe this amendment ought to be adopted.

Mr. MANN. As I understood this letter, it said that there would be a special need for these examiners if the bill passes into law providing pensions for widows of Spanish War veternas.

Mr. CLAYTON. That is one of its statements.

Mr. MANN. Would it not be just as well to see whether that bill passes into law?

Mr. CLAYTON. That is only one of the reasons given by the commissioner for the retention of these five men.

Mr. MANN. That is the only reason that I caught.

Mr. CLAYTON. And he finds that it is necessary for the correct administration of the affairs of his office to have these

five men. He says that upon his official responsibility, and I hope the gentleman will not make any further objection. I understand there are employees, although I may be mistaken in this, who are similar to these, and have been occupying similar positions and have been at the command of the commissioner ever since the McKinley administration, and that this is not an unusual thing.

Mr. MANN. I understand that this is an entirely unusual thing myself.

Mr. CLAYTON. And I think it is a proper thing to do. The gentleman from Illinois knows that I rarely interfere in an appropriation bill. This is one of the times when I thought it just and proper to do so.

Mr. MANN. I sincerely hope and believe, if the gentleman is interested in one of these people, that he get a better place.

Mr. CLAYTON. The gentleman is hardly fair in making that remark. He is usually very generous and fair in his statements.

Mr. MANN. I do not see how anybody can take any exception to that. I said, "if the gentleman is interested."

Mr. CLAYTON. I am not offended, I may say, at what the gentleman has said. I am interested because the commissioner has given a good reason for the retention of these five men.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLAYTON. Mr. Chairman, I move to strike out the last word.

Mr. MANN. I make the point of order. If the gentleman wants to be heard, I will reserve it.

Mr. CLAYTON. About all I know of the matter, Mr. Chairman, is what is stated by the commissioner here in the letter which I have read to the committee. As I understand it, similar positions have been carried before, although I have not had an opportunity to examine that matter, and would not state it as a fact. But I have given my best information. I think the amendment is entirely proper, and I hope the gentleman will not insist upon his point of order.

The CHAIRMAN. Will the gentleman from Illinois [Mr. MANN] state the grounds for the point of order?

Mr. MANN. In the first place, there is no authority for the appointment of examiner at all, and, in the second place, there is certainly no legislative authority for saying that they shall not be employed in the State from which they are appointed. Of course, that is pure legislation. There is no authority of law for the appointment of these examiners.

The CHAIRMAN. Has the gentleman from California [Mr. RAKER] the law authorizing the appointment?

Mr. RAKER. I have not any special provision, but it has been in the act ever since the McKinley administration. I forget the exact date. It seems to me it is appropriate to be retained upon this bill.

The CHAIRMAN. The Chair is ready to rule unless the gentleman from South Carolina [Mr. JOHNSON] has some statute authorizing this appropriation. [After a pause.] The point of order is sustained. The Clerk will read.

The Clerk read as follows:

Patent Office: Commissioner, $5,000; first assistant commissioner, $4,500; assistant commissioner, $3,500; chief clerk, $3,000; 2 law examiners, at $2,750 each; 3 examiners in chief, at $3,500 each; examiner of interferences, $2,700; examiner of trade-marks and designs, $2,700; first assistant examiner of trade-marks and designs, $2,400; 6 assistant examiners of trade-marks and designs, at $1,500 each; examiner of classification, $3,600; 43 principal examiners, at $2,700 each; examiners—63 at $2,400 each, 73 at $2,100 each, 88 at $1,800 each, 110 at $1,500 each; financial clerk, who shall give bonds in such amount as the Secretary of the Interior may determine, $2,250; librarian, $2,000; 6 chiefs of divisions, at $2,000 each; 3 assistant chiefs of divisions, at $1,800 each; private secretary, to be selected and appointed by the commissioner, $1,800; translator of languages, $1,800; clerks—9 of class 4, 9 of class 3, 17 of class 2, 130 of class 1, 90 at $1,000 each; 3 skilled draftsmen, at $1,200 each; 4 draftsmen, at $1,000 each; messenger and property clerk, $1,000; 90 copyists; 50 copyists, at $720 each; 4 messengers; 25 assistant messengers; 14 laborers, at $600 each; 42 laborers, at $540 each; 40 messenger boys, at $420 each; in all, $1,316,890.

Mr. FOWLER. Mr. Chairman, I move to strike out the last word.

Mr. MANN. Mr. Chairman, I reserve a point of order against the paragraph.

Mr. FOWLER. I desire to ask the chairman of the committee a question. In line 12, page 99, is a provision for 90 copyists. What is the salary of the copyists? A thousand dollars?

Mr. JOHNSON of South Carolina. Nine hundred dollars. That is where no salary is mentioned the law fixes it at $900.

Mr. FOWLER. The statute fixes it at $1,000. I have it here with me. It is a copy which is issued and furnished to the Patent Office. That is the reason I asked the question, because I thought there was a discrepancy about that and I want to get an understanding about it. The statute provides in the act creating it for 35 copyists, drawing a salary of $1,000 a year each. Now, the number has been increased until it has reached 90, and the reason I asked the question was that I might get clearly in mind whether this statute was being followed now by the Patent Office or by the authorities in carrying out this salary.

Mr. JOHNSON of South Carolina. Section 167 of the Revised Statutes is the law fixing the compensation of copyists at $900 a year.

Mr. FOWLER. I have the Patent Office law in my hand—a pamphlet which is furnished to the Patent Office—for 1912, and I procured a copy of it in order that I might have the law that governed this bureau or division, or whatever it might be called. And here is the copy, if the gentleman desires to look at it.

Mr. JOHNSON of South Carolina. I can not account for the discrepancy. I will read to the gentleman:

The annual salary of clerks and employees in the departments, if compensation is not otherwise prescribed, shall be as follows—

And it includes "copyists and counters, $900."

Mr. FOWLER. That is, where they are not otherwise provided for by law. But here is a provision in this particular case by statute.

Mr. JOHNSON of South Carolina? Where is the law?

Mr. FOWLER. Here it is. I have submitted it to the gentleman from Georgia [Mr. BARTLETT], and he can submit it to you. It is considered to be the law that governs the Patent Office to-day. They have it issued in pamphlet form, and a gentleman in that office has kindly supplied me with it.

Mr. JOHNSON of South Carolina. I see the gentleman has a pamphlet in his hand that says the salary of a copyist is $1,000, but the statute says $900.

Mr. FOWLER. The statute says "where it is not otherwise provided for." I went through the law, and I marked it, putting "$1,000" above, and I see in other places it is carried at $900, and that is the reason I raised the question.

Mr. JOHNSON of South Carolina. I think we can get the gentleman straight on that. The gentleman from Georgia has called my attention to the statute. It says "copyists of drawings." That is different from "copyists" within the meaning of the law.

Mr. BARTLETT. I want to say that if he will refer to that paper which he has in his hand he will find it refers to page 75 of the Revised Statutes, which fixes the salary of "copyists of drawings" in the Interior Department at $1,000; and this provision in the bill does not refer to copyists of drawings.

Mr. JOHNSON of South Carolina. "Copyists of drawings" are not "copyists."

Mr. BARTLETT. It says "copyists of drawings, $1,000."

Mr. FOWLER. I think there is no question myself but that the salary is $1,000—none whatever.

Mr. BARTLETT. The gentleman's book says "copyist of drawings."

Mr. FOWLER. Yes; but it is under this Patent Office.

Mr. BARTLETT. Yes.

Mr. FOWLER. And that is the statute.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FOWLER. Mr. Chairman, I ask for two minutes longer.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. FOWLER. I see on page 99 an increase in the messenger boys' salary from $360 to $420. Was that by request of the head of this department or division?

Mr. BYRNS of Tennessee. Yes; I will say to the gentleman that that increase was at the request of the Patent Office.

Mr. FOWLER. It was increased in accordance with the request of somebody in authority there?

Mr. BYRNS of Tennessee. Yes. The Commissioner of Patents requested it.

Mr. FOWLER. Why did you leave out an appropriation for one skilled laborer at $1,200?

Mr. BYRNS of Tennessee. Because the commissioner did not want it.

Mr. FOWLER. I see you carry 14 laborers at $600 each.

Mr. BYRNS of Tennessee. That is because the Commissioner of Patents said he needed them.

Mr. FOWLER. Is not that one way of getting rid of a statutory salary of a laboring man? Here you have some at $600 and here is a statute providing for a skilled laborer at $1,200.

Mr. BYRNS of Tennessee. I do not think there is a laborer in the gentleman's district who does no more work than is required of these positions who would not be glad to receive the amount paid them. Their work is by no means laborious,

nor does it require any skill. The explanation as to why we did not provide for the skilled laborer at $1,200 is that the Commissioner of Patents did not need his services, and it would be unjust to the people of this country to provide $1,200 for a laborer when his services were not needed.

Mr. FOWLER. Then you did put in 14 laborers, without any statute at all, at the low salary of $600 a year?

Mr. BYRNS of Tennessee. That was because the commissioner said he needed them at that rate.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. MANN. Mr. Chairman, I would like to inquire about the chief clerk in the office of the Commissioner of Patents. I think there is no direct provision of law for a chief clerk in the office of the Commissioner of Patents at all, but we have had heretofore a chief clerk there under this provision, "Chief clerk, who shall be qualified to act as principal examiner." May I ask why that qualification is left out in the language of this bill?

Mr. BYRNS of Tennessee. For the simple reason that the chief clerk in the Patent Office, as the committee understood, is not required in fact to have the knowledge of a principal examiner. His duties are entirely separate and apart from those of a principal examiner, and we thought there was no necessity for carrying it in the bill; that the language was mere surplusage.

Mr. MANN. The chief clerk in the Patent Office has to handle a great many communications and papers that come in which require him, if he is to be of any value at all, to have some knowledge of patents. Hence that provision was put in the law some years ago so that you would have a chief clerk there who would know something of the subject. It seems to me, if you are going to have a chief clerk in the Patent Office he should have, like the Commissioner of Patents, some knowledge of patents.

Mr. BYRNS of Tennessee. I submit that that is a question resting with the Commissioner of Patents. This is a civil-service position. That language would limit the Commissioner of Patents in the selection of his chief clerk. The committee thought it was unnecessary.

Mr. MANN. This is a classified position under the civil service, and with the requirement left in that the chief clerk shall be qualified to act as a principal examiner the Civil Service Commission will give one examination, but with that requirement left out they would give an entirely different examination. Otherwise the chief clerk in the Patent Office might be the same as the chief clerk in the War Department or the chief clerk in the Agricultural Department. But here was a provision that we inserted purposely some years ago, so as to require the chief clerk to have a knowledge of patents.

Mr. BYRNS of Tennessee. I can only say to the gentleman that it is perfectly plain that the chief clerk is not required to have the knowledge that a principal examiner ought to possess. He attends to the correspondence of the office and looks after those details, and the committee thought that the Commissioner of Patents ought not to be restricted in choosing or selecting his chief clerk. This places no limitation on him. The other language did. Therefore we took off the limitation.

Mr. MANN. I do not know how much experience the Committee on Appropriations has had with the Patent Office, but the dealings I have had with the Patent Office lead me to believe that a chief clerk ought to have some knowledge of patents, if he is at all qualified to be chief clerk in that office.

Mr. BYRNS of Tennessee. The committee left it out for the reason I have stated. The position is a civil-service position, and has to be selected from the classified service, and the committee thought it was unwise to place any limitation on the Commissioner of Patents. Of course, he can select a man with that knowledge if he wants to do so. Striking out these surplus words does not prevent it.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I make a point of order on the language on page 98, lines 17 and 18, "chief clerk, $3,000."

Mr. BARTLETT. But, Mr. Chairman, the law provides in the Patent Office for one chief clerk at a certain salary. Does the gentleman make a point of order on the salary?

Mr. MANN. I make a point of order on the place, "chief clerk, $3,000."

Mr. BARTLETT. The point of order is good on the salary.

Mr. MANN. The point of order is good on what I make it.

Mr. BARTLETT. It is good as to the salary, but there is a position of "chief clerk in the Patent Office, at $2,500."

The CHAIRMAN. The point of order is sustained.

Mr. BYRNS of Tennessee. I move to amend, Mr. Chairman, by inserting after the figures "$3,500," on line 17, page 90, the words "chief clerk, $2,500."

Mr. WATKINS. Mr. Chairman, I make a point of order on that. It is just as objectionable as the other. The Chair sustained a point of order on the item "chief clerk, $3,000," because it did not incorporate the language that had been incorporated in the bill for a long time heretofore.

The CHAIRMAN. The gentleman from Louisiana will permit the Clerk to report the amendment, and then the Chair will hear the gentleman. The Clerk will report the amendment.

The Clerk read as follows:

After the figures "$3,500," in line 17, page 98, insert the words "chief clerk, $2,500."

The CHAIRMAN. The gentleman from Louisiana makes the point of order on what ground?

Mr. WATKINS. On the ground that that language alone will make new law, will change existing law; that it will change the statute which has already been enacted on that same proposition, the same feature of the law, the present law reading: "Chief clerk, who shall be qualified to act as principal examiner, $3,000." If you leave out that qualifying language, if you do not add the language, "who shall be qualified to act as principal examiner," it would be changing the existing law. The existing law is to the effect that he shall be qualified to act as principal examiner. It is exactly the same as if there were a law——

Mr. BARTLETT. Where does the gentleman get the existing law?

Mr. WATKINS. I get the existing law from the previous act.

Mr. BARTLETT. That was an appropriation act.

Mr. WATKINS. That is the law now.

Mr. BARTLETT. Of course, I need not argue to the Chair that an appropriation act which is itself a violation of the statute is not good law to carry an office permanently. I should be glad to have this salary $3,000, and we have simply offered this amendment to try to save this man's salary. The statute, as I have read it to the Chair, is—

In the Patent Office, 1 chief clerk at a salary of $2,500.

The other provision to which the gentleman refers is simply carried in an appropriation bill.

Mr. WATKINS. I wish to call the attention of the Chair to the fact that there are repeated decisions to the effect that whenever an appropriation bill enacts a special feature of law, extraneous and distinct from the amount appropriated, that provision becomes law. I could cite numerous instances in which a certain proviso has been attached to an appropriation, and that restriction or qualification embedded in the law becomes the statute law of the country.

The CHAIRMAN. The Chair is very free to say to the gentleman from Louisiana that he would like to see some of those citations. In the consideration of this bill the Chair has been calling upon the Committee on Appropriations to furnish the law whenever a point of order has been made. In this instance they do furnish it. The statute provides for a chief clerk, at $2,500. The gentleman from Louisiana is making a point of order against that provision of the statute, because the former appropriation bill carried some other condition, which undoubtedly would be against the rules, and would be subject to a point of order if the amendment was offered in that language.

Mr. WATKINS. If the Chair will bear with me a moment, I will cite an authority. This amounts to a great deal more. It qualifies the appropriation, and says:

Who shall be qualified to act as a principal examiner.

The law denominates the kind of person who shall be qualified to act as chief clerk. I raise the point of order that the amendment changes the law as to the qualifications of the chief clerk. I have not been asked to cite an authority of this kind before, but on the spur of the moment I recall the fact that in 1899 there was a river and harbor appropriation bill which enacted a provision that certain classes of material should be allowed to be taken out of the stream, and among the classes incorporated in the bill it omitted to mention logs. The courts, in passing upon that question, said that was a statute; that although there was an appropriation carried in the bill, still, being an appropriation bill, there were restrictions and limitations and conditions in it to be complied with, which became the law.

The CHAIRMAN. The gentleman's time has expired. The Chair calls the gentleman's attention to the fact that the rule applying to river and harbor appropriations is entirely different from that applying to any other appropriation bill passed by the House. That is new law entirely. As the Chair under-

stands it, the rule is that an appropriation must be in accordance with the statute and not in accordance with an appropriation bill, where the previous appropriation bill conflicts with statute law. The statute in this instance authorizes a chief clerk at $2,500. The point of order is overruled.

Mr. WATKINS. Mr. Chairman, I offer a substitute for that amendment.

The CHAIRMAN. The gentleman from Louisiana offers a substitute, which the Clerk will report.

Mr. WATKINS. I move to substitute $3,000 for $2,500, and to add the words of the previous appropriation law—

Who shall be qualified to act as a principal examiner.

The CHAIRMAN. The Clerk will report the proposed amendment of the gentleman from Louisiana.

The Clerk read as follows:

Page 98, line 17, after the figures "$3,500," insert: "Chief clerk, who shall be qualified to act as a principal examiner, $3,000."

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order.

Mr. WATKINS. I want to be heard on the point of order.

Mr. BARTLETT. I understand the gentleman from Tennessee wants to make the point of order against the amendment which adds to it, but is willing that the amendment should stand at $3,000.

Mr. WATKINS. Mr. Chairman, this is in conformity with the law already in existence and is in the exact verbiage. The current law says "chief clerk, at $3,000, who shall be qualified to act as a principal examiner." It seems to me that the disposition of all parties is to allow this chief clerk at $3,000, but the commissioner wants a man qualified to perform the duties of the office. If we made an appropriation for an Attorney General or an Assistant Attorney General, we would say an Attorney General who had a license to practice law or who was a man who had had experience in the law. If we were appropriating for a Surgeon General, we would say for a man qualified as a physician or a practitioner of medicine, something to show the qualifications. This is what the Commissioner of Patents says:

DEPARTMENT OF THE INTERIOR,
UNITED STATES PATENT OFFICE,
Washington, D. C., April 4, 1914.

Hon. J. T. WATKINS,
House of Representatives, Washington, D. C.

MY DEAR SIR: The chief clerk, Mr. Woolard, has just reported to me the substance of his conversation with you this morning in reference to the legislative appropriation bill, H. R. 15279.

In the reported bill the omission of the qualification of the chief clerk, which has been carried in the appropriation acts for several years, is a matter of some concern to me. I do not know how the change came about. It is very desirable that the chief clerk of the Patent Office possess technical knowledge equal to that of the higher grade examiners. Without such qualification the chief clerk will not be able to handle the vast mass of technical correspondence coming into the office, which otherwise would engage the attention of the commissioner and the assistant commissioners. It is also necessary that the chief clerk be well versed in patent law and the practice of the Patent Office, in order that inventors and attorneys who seek information may be correctly advised. From two to three hundred persons call at the chief clerk's room every day, and many of these inquiries are in relation to conditions existing in pending applications for patent. The chief clerk should be qualified to understand all questions arising in these cases and be able to fully advise the applicants accordingly.

Were the chief clerk not so qualified, it would be necessary to refer these inquiring inventors to the examining divisions in which their cases are lodged, and this would cause such interruptions as would be positively detrimental to the service.

It is distinctly in the interest of good administration to continue in the appropriation acts the provision that the chief clerk of the Patent Office shall be qualified to act as a principal examiner, and I beg you to accept my thanks for your kind offer to look after the matter.

Yours, very truly,

THOMAS EWING,
Commissioner of Patents.

This is a letter from the Commissioner of Patents who has recently been appointed and who wants a chief clerk who is qualified for the duties of that office.

The CHAIRMAN. The Chair is ready to rule. The Chair's attention has been called to the fact that there is no statute authorizing a clerk at $3,000 under any condition. Therefore the point of order against the amendment is well taken. The provision in the last appropriation act carrying $3,000 does not make it a permanent statute. The point of order is sustained.

Mr. GOOD. Mr. Chairman, I offer the following amendment to the amendment.

The Clerk read as follows:

Add to the amendment the words "who shall be qualified to act as principal examiner."

Mr. BYRNS of Tennessee. Mr. Chairman, I raise a point of order against that.

Mr. MADDEN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MADDEN. The gentleman from Louisiana [Mr. WATKINS] made a point of order against the proposal to appropriate $2,500 for a chief clerk. The Chair, I notice, in ruling rules on the point of order made by my colleague on the $3,000 proposition, but has taken no cognizance of the point of order made by the gentleman from Louisiana.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] made a point of order against the provision as it stands in the bill, and the Chair sustained the point of order. The gentleman from Tennessee offered an amendment to make it $2,500. The gentleman from Louisiana [Mr. WATKINS] made a point of order against that amendment, and the Chair overruled the point of order. Then the gentleman from Louisiana offered an amendment making it $3,000, with certain conditions, to which amendment the gentleman from Tennessee made a point of order, and the Chair sustained it.

Mr. GOOD. Mr. Chairman, going over the appropriations, I believe it has always been the policy of the committee, if they have any, to give that language which the head of the great department requests, unless it appears that there is some good reason why the language should not be used. For a number of years the chief clerk of the Patent Office has received $3,000 a year, and the appropriations carried the provision that he should have the qualifications of a principal examiner. There was very good reason why that language was placed in former appropriation bills. I do not recall of any officer or person offering a single suggestion why this language should be stricken out. The Commissioner of Patents appeared before the subcommittee and he gave testimony upon this very subject. I read from the hearings:

Mr. BYRNS. Does the chief clerk perform any of the duties of examiner?

Mr. EWING. He takes charge of a very large amount of correspondence which would have to go to the examining divisions for answer if he were not familiar with the practice of the office.

Mr. BYRNS. The reason I ask that question——

Mr. EWING (interposing). That is the reason that is in there.

Mr. BYRNS. I notice he is carried in this bill, and probably has been carried in the law for several years, as "chief clerk, who shall be qualified to act as principal examiner."

Mr. EWING. Yes; the reason being that he ought to know as much about the practice of the office as a principal examiner. It is necessary that he be able to answer the letters that come in and answer them intelligently.

Now, in addition to that I understand that if an application relating to an improvement in agricultural machinery comes to the office it is sent to the examiner who knows about that subject. If it has relation to chemistry, it is sent to an examiner who knows something about that subject; but when letters come in regard to appeals or something of that kind, they go to the principal examiner or the chief clerk, and if he can perform the duties at all he must have the qualifications to act as a principal examiner. There is not a word in all of these hearings that shows this language should be stricken out. I want to ask, in the name of good and efficient service in that department, one of the departments of the Government that is paying its own way, why we should interfere with the work of the Commissioner of Patents by not giving him the language that he wants in order that he may perform under this administration the duties of that office, just as in former years the commissioner had a chief clerk who could perform the duties that devolved upon him. The duty devolving upon the office of the chief clerk is to know in regard to the examination of applications for patents and things of that kind. It seems to me we are striking right at the good of the service. I do not know what it is all about. I would like to have some one point out to me where there is a word in these hearings where any officer of the Government asks that these words that give to the Commissioner of Patents an efficient service should be stricken out.

Mr. BYRNS of Tennessee. Mr. Chairman, I have no personal interest in this matter. It is a matter of no personal concern to me. I have had reasons given as to why this language was inserted in the beginning and why it has been maintained for years, but I am not going to undertake to repeat those statements at this time. I can only say that as a matter of fact the exclusion of these words does not deprive the Patent Commissioner of the right that he now has. If he wants a chief clerk who is qualified to perform the duties of a principal examiner he can get him, and get him under the civil service, without the necessity of these words. These words simply place a limitation upon the commissioner in the selection of his chief clerk, which, in my judgment, should not exist.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. GOOD. The truth is it places the commissioner in the position he does not want to be placed in, so that a Member of the House of Representatives or a Senator can say, "Here is a man for that place, take him"; and the commissioner can not answer that the man has not the qualifications to act as an

examiner, because you will have stricken those words from the appropriation. That is the position in which it places the commissioner.

Mr. BYRNS of Tennessee. Oh, no. This position is under the civil service. It is not a place without the civil service, and no Senator or Representative can go down there and undertake to have his political adherent put in the place. It is strictly under the civil service. I want to say to the gentleman, so far as I am concerned, I have no one whom I want to see made chief clerk. I do not know any one in the Patent Office who is or could be an applicant for that position.

Mr. GOOD. Even if it is under the civil service, if this provision is stricken out it enlarges the opportunity for Members to go and urge that some particular person who is on the classified list be appointed chief clerk, even though he has not the qualifications to perform the duties of that office.

Mr. BYRNS of Tennessee. Mr. Chairman, the Patent Commissioner is a man who knows the duties required of this office to an eminent degree, and I believe he is a man who would not appoint as chief clerk one who was not capable of performing those duties. I believe these words ought to be removed and the commissioner left free to select a man from the classified list, without being required to select any particular man who may now be qualified as a principal examiner to the exclusion of all others in the service.

I make the point of order.

The CHAIRMAN. The point of order is sustained. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. BYRNS of Tennessee. Mr. Chairman, I move to strike out the figures "$1,316,890" and substitute "$1,316,390," in line 15.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 99, line 15, strike out the figures "$1,316,890" and insert in lieu thereof the figures "$1,316,390."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For the investigation of rural education and industrial education, including personal services in the District of Columbia and elsewhere, and no salary shall be paid hereunder in excess of $3,500 per annum, $30,000.

Mr. TRIBBLE. Mr. Chairman, I move to strike out the last word. I want to find out why the committee did not give this department the amount the Bureau of Education asked for. The Bureau of Education asked for $50,000 for investigation of industrial and rural education, and as that is one of the most important sections of this bill it seems to me it should not be passed over lightly. I will ask the chairman to give the reason why they did not allow this increase?

Mr. JOHNSON of South Carolina. Mr. Chairman, in answer to the gentleman I will say that for the investigation of rural education and industrial education and school hygiene we gave the commissioner an increase of 100 per cent over the current appropriation. We did not give the commissioner all that he asked for, because the Commissioner of Education, like many other gentlemen at the head of Government bureaus, is an enthusiast on this subject. He is very much interested——

Mr. TRIBBLE. Does not the gentleman think the Commissioner of Education should enthuse over rural and industrial education, and does not the gentleman think that this House should enthuse over it also?

Mr. JOHNSON of South Carolina. We have given an increase of 100 per cent.

Mr. TRIBBLE. Fifty thousand dollars for rural education and industrial education, it seems to me, is a very small amount.

Mr. JOHNSON of South Carolina. Well, Mr. Chairman, if we make all the appropriations we are called upon to make, we will bankrupt the Government.

Mr. MANN. Will the gentleman yield?

Mr. TRIBBLE. Certainly.

Mr. MANN. I think both the gentlemen will recall the fact that we have just passed a bill for industrial education—for an investigation and report to Congress on the subject of industrial education.

Mr. BARTLETT. The Senate passed it and sent over the bill.

Mr. JOHNSON of South Carolina. That bill is the law.

Mr. MANN. We passed the Senate bill.

Mr. TRIBBLE. Mr. Chairman, in view of this explanation and statement and the apparent opposition to the increase, I will not insist on a vote on the amendment to increase this amount to $50,000 at this time, but I hope to bring it up at a later date if funds are not provided for this purpose in the bill referred to by the gentleman from Illinois.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

There was no objection.

The Clerk read as follows:

Office of Superintendent of the Capitol Building and Grounds: Superintendent, $6,000; chief clerk, $2,000; chief electrical engineer, $3,000; civil engineer, $2,400; 2 draftsmen, at $1,200 each; 2 clerks, at $1,200 each; compensation to disbursing clerk, $1,000; messenger; person in charge of the heating of the Supreme Court and central portion of the Capitol, $1,000; laborer in charge of water-closets in central portion of the Capitol, $660; 7 laborers for cleaning the Rotunda, corridors, Dome, and old library portion of Capitol, at $660 each; 2 laborers in charge of public closets of the House of Representatives and in the terrace, at $720 each; bookkeeper and accountant, $2,200; in all, $29,960.

Mr. BUCHANAN of Illinois. Mr. Chairman, I move to strike out the last word, for the purpose of securing some information. I would like to ask the committee why it is we have here $660 for laborers in the Capitol corridors and only $600 for laborers in the Patent Office? What is the difference?

Mr. JOHNSON of South Carolina. As the gentleman knows, there are different kinds of labor. Some of it is skilled and some is unskilled. The committee has no personal knowledge of the laborers who are provided for. The heads of departments come before us and ask for so many laborers at $720 and so many at $660 and so many at $600, and we supply them.

Mr. BUCHANAN of Illinois. Does the gentleman know what is the duty of those two different positions—the Patent Office and the Capitol here—that makes this difference of $60 a year?

Mr. JOHNSON of South Carolina. In the Patent Office they handle papers.

Mr. BUCHANAN of Illinois. Yes. What do they do at the Capitol?

Mr. JOHNSON of South Carolina. In some places they scrub floors, and that is what they do in the Capitol. Besides, they have no fixed hours in the Capitol. They remain until we adjourn, and then clean up the building, no matter what the hour.

Mr. BUCHANAN of Illinois. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the department and its several bureaus and offices, including not to exceed $6,500 for the Civil Service Commission, $81,000; and, in addition thereto, sums amounting to $27,650 shall be deducted from other appropriations made for the fiscal year 1915, as follows: Surveying public lands, $1,000; protecting public lands and timber, $2,000; contingent expenses of offices of surveyors general, $2,000; Capitol Building and repairs, $150; Geological Survey, $2,100; Bureau of Mines, $1,500; Indian warehouses, $500; Five Civilized Tribes of Indians, $1,000; Indian schools, $17,000; Freedmen's Hospital, $400; and said sums so deducted shall be credited to and constitute, together with the first-named sum of $80,000, the total appropriation for stationery for the department and its several bureaus and offices for the fiscal year 1915.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I think the amount on page 103, line 17, should be $81,000 instead of $80,000. It refers to the sum in line 6, which was $80,000 last year and has now been increased to $81,000.

Mr. JOHNSON of South Carolina. Mr. Chairman, it appears to me this is a misprint.

Mr. MANN. I do not care what you call it.

Mr. JOHNSON of South Carolina. We will verify the figures.

Mr. MANN. I just suggest the gentleman offer an amendment so as to correct it.

Mr. JOHNSON of South Carolina. I have no objection.

Mr. MANN. I suggest it to the gentleman.

Mr. JOHNSON of South Carolina. What are the correct figures?

Mr. MANN. It should be $81,000, the same as it is in line 6, as it refers to the same sum as in line 6.

Mr. BARTLETT. If $81,000 is the correct amount, it ought to be $81,000 here.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move, in line 17, page 103, to insert "$81,000" where it is "$80,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 103, line 17, strike out "$80,000" and insert "$81,000."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

That no expenses chargeable to the foregoing appropriations for clerk hire and incidental expenses in the offices of the surveyors general shall be incurred by the respective surveyors general in the conduct of said offices, except upon previous specific authorization by the Commissioner of the General Land Office.

Mr. MONDELL. Mr. Chairman, I offer the amendment which I send to the Clerk's desk. I move to strike out all of page 104,

beginning with line 18, all of 105, all of 106, down to and including line 7, and insert in lieu thereof the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Beginning with line 18, page 104, strike out down to and including line 7, on page 106, and insert in lieu thereof the following:

"For salary of surveyor general and ex officio secretary of the Territory of Alaska, at $4,000 per annum, $4,000; for salaries of surveyors general of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, at $3,000 per annum each, $33,000; for salary of surveyor general of South Dakota, at $2,000 per annum, $2,000; for salaries of clerks in the offices of the surveyors general, $185,400; contingent expenses, offices surveyors general, $20,600."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming.

Mr. MONDELL. Mr. Chairman, my amendment does not change the amount carried in the bill. It simply consolidates the appropriations for clerks in the 13 surveyors general offices and the appropriations for contingent expenses, leaving the amount as it is carried in the bill. This change is recommended by the officials of the Department of the Interior having these matters in charge. I think the change should be made. It has been apparent for a number of years past that appropriating separately for the clerks in each one of these 13 offices and for contingent expenses in each one of the offices was not economical and in the best interests of the public service. The trouble is that with this division of clerk hire and contingent expenses into 13 different items there is a temptation on the part of a surveyor general to use all of his contingent fund for fear if he does not do that he is likely to have a less amount next year. There is a temptation on the part of the surveyor general to keep all of the clerks that can be employed within the sum appropriated for his office, whether their services are entirely necessary or not. Let me call the committee's attention to this fact—and I note the gentleman from Georgia [Mr. BARTLETT] is giving attention to it—that we have 102 local land offices, and we place the contingent expenses and the clerk hire for those offices in a lump sum. The same reasons that control in that should control with the surveyors general offices. In the year 1913, of these two funds, clerk hire and contingent expenses, $23,000 were returned to the Treasury owing to the fact that in some of these offices it was impossible for them to use the amount of money which the bill allowed them. And yet in some of the offices the work was so heavy that, in the case of the Utah office, for instance, it is now 20 months in arrears. In a number of these surveyors general offices the work is in arrears from 6 to 12 months, and they can not catch up with it so long as we give them this fixed sum for clerk hire, whereas other offices, where work is not so great, could get along with considerably less. There is not any doubt in my mind but that there could be a saving and would be a saving of from $10,000 to $15,000 of we followed this consolidation of these estimates.

And let me call the committee's attention to this fact: There was a time when the surveyors general could reasonably estimate the amount of clerk hire and the amount of contingent expenses in their offices, because there was a time when, upon their recommendations, the apportionment for surveys was made. That was the time when they contracted for the surveys. They knew how much they were asking for as their part of the apportionment. They generally got it. They knew then how many surveys would be executed in their district; they knew how many clerks they would need and how much of contingent expenses they would need, approximately, to take care of that amount of surveys. But when we adopted the new system of surveys a couple of years ago we took from the surveyors general——

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. We took from the surveyor generals the control over the amount of surveys in their district, and the Secretary lodged that, under his regulations, with the surveying division of the General Land Office. Now a surveyor general when he makes up his estimate for clerk hire and for contingent expenses has no means of determining how much surveying will be done in his district. He therefore does not know accurately how much he will need in the way of clerk hire. The result is that we go on giving these offices about the same amount for clerks that we did years ago, with the result that, whereas a year ago the office in the State of Washington did not use the amount appropriated for that office by $6,000, the Utah office ran behind, until it is nearly two years behind with its work.

Mr. BARTLETT. I am inclined to be for this amendment, but I would like to ask how this change of method of appropriating the money is going to expedite the business? I have not found that out yet.

Mr. MONDELL. In this way, if the gentleman will allow me. For instance, for the surveyor general's office in Utah we have granted in this appropriation, segregated as it is, the same amount as last year. On that amount they can not possibly catch up with their work, but if this was a lump-sum appropriation the commissioner when he found the work was getting slack out in Washington or elsewhere could take one clerk or two clerks or three clerks from the offices where work was slack and send them to the points where they were needed. As it is they are bound hard and fast by the apportionments we make in this legislative bill.

Mr. BARTLETT. Would not the gentleman's purpose be subserved as well by making a proviso to that item providing that the commissioner should, if necessary, use clerks in one place or another?

Mr. MONDELL. Oh, yes; if the gentleman wanted to do it in that cumbersome way. It would be exceedingly cumbersome to divide it up into 13 different appropriations and then say that it could be used as a lump-sum appropriation.

Mr. BARTLETT. The gentleman says they want to use clerks?

Mr. MONDELL. We got into the habit of dividing these sums up years ago, when the surveyors general were very jealous of their prerogative, when they absolutely controlled things with regard to surveys, when they knew what areas of surveys would be executed in their districts in a year, under those circumstances we segregated these items. There was not the best of reasons for doing it then, but by reason of changing the method of surveys there is no good reason for it now at all. It is a cumbersome and unbusinesslike way of doing the public business. The department has asked for no increase. They have called our attention to the reasons, and the reasons are as clear as day, for the changes in the form of the appropriations.

Settlers on the public lands in Utah must wait 20 months now from the time the returns of the surveys reach the surveyor general's office before they are taken up, and it takes from 3 to 6 months after they are taken up before they can be disposed of. That is 2½ years from the time a survey is made before settlers can file upon the land. There is no reason why that condition should exist. We can cure it without increasing the appropriation a penny by simply providing that these funds can be used where the Secretary of the Interior finds that they are needed.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, I think, on the information before the committee, we had better not reverse a long-established practice in the Land Office in regard to these appropriations. I hope the amendment will be voted down.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. MADDEN. Mr. Chairman, I think it is time we were going home, and I suggest that there is no quorum present. It is Saturday evening, the evening before Easter Sunday, and everybody wants to celebrate. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman makes the point of no quorum.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. HAY having resumed the chair as Speaker pro tempore, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes, and had come to no resolution thereon.

CHANGE OF REFERENCE.

Mr. HAYES. Mr. Speaker, I ask unanimous consent for a change of reference of the bill H. R. 10235, which was referred to the Committee on Appropriations. I ask that it be referred to the Committee on Printing.

The SPEAKER pro tempore. The gentleman from California [Mr. HAYES] asks unanimous consent that the bill which he has described be referred to the Committee on Printing——

Mr. MANN. Reserving the right to object——

Mr. FITZGERALD. I reserve the right to object. What is this bill?

Mr. HAYES. It is the bill (H. R. 10235) making appropriations for the printing and publishing of maps and reports relating to the kelp beds on the Pacific coast.

Mr. FITZGERALD. I object for the present. I want to look at the bill to see what it is.

Mr. MANN. I hope the gentleman will reserve his objection.

Mr. FITZGERALD. I will look at the bill, and it can come up at another time.

Mr. MANN. That is true; but this morning the same sort of a bill, which had been referred to the Committee on Agriculture at the request of the gentleman from South Carolina [Mr. LEVER] was transferred to the Committee on Printing.

Mr. HAYES. It is the same bill, but a mistake was made. It was originally referred to the Committee on Agriculture, where it does not belong.

Mr. FITZGERALD. It can go over until Monday. I will look at the bill. I just want to know what it is.

The CHAIRMAN. The gentleman from New York objects.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GORDON, for one week, on account of important business.

To Mr. VOLLMER, for one week, on account of important business.

LEAVE TO EXTEND REMARKS.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address by Samuel Gompers, president of the American Federation of Labor, on exempting labor unions from the Sherman Antitrust Act.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MANN. When was it delivered? Is it a recent address?

Mr. MURDOCK. It is not an address. It is a communication.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned until Monday, April 13, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 14377) to amend section 4472 of the Revised Statutes, reported the same without amendment, accompanied by a report (No. 515), which said bill and report were referred to the House Calendar.

Mr. HOUSTON, from the Committee on War Claims, to which was referred the bill (H. R. 12578) authorizing the Secretary of the Treasury to make an examination of certain claims of the State of Missouri, reported the same without amendment, accompanied by a report (No. 520), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FERRIS, from the Committee on the Public Lands, to which was referred the bill (H. R. 15469) to amend an act entitled "An act to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States, or their successors in interest," approved March 2, 1911, reported the same without amendment, accompanied by a report (No. 519), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BYRNES of South Carolina, from the Committee on War Claims, to which was referred the bill (H. R. 8696) for the relief of Nathaniel F. Cheairs, reported the same without amendment, accompanied by a report (No. 517), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 14681) for the relief of Frances L. Snell, reported the same with amendment, accompanied by a report (No. 518), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3622) granting an increase of pension to Giles A. Woolsey; Committee on Invalid Pensions discharged and referred to the Committee on Pensions.

A bill (H. R. 15396) granting a pension to Lewis M. Benaway; Committee on Invalid Pensions discharged and referred to the Committee on Pensions.

A bill (H. R. 15493) granting a pension to Maggie Feavel; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 15574) to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work; to the Committee on the Merchant Marine and Fisheries.

By Mr. WEBB: A bill (H. R. 15575) donating the old iron fence around Vance Park, Charlotte, N. C., to the Mecklenburg Declaration of Independence Chapter, to be placed around Craighead Cemetery, near Sugar Creek Church, in Mecklenburg County; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Maryland: A bill (H. R. 15576) to change the date of the inauguration of the President and Vice President of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. PARK: A bill (H. R. 15577) to refund the amount paid illegally for cotton tax, to be used in pensioning Confederate soldiers and widows of Confederate soldiers; to the Committee on War Claims.

By Mr. WATKINS: A bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary; to the Committee on Revision of the Laws.

By Mr. KONOP: A bill (H. R. 15579) to amend Schedule O of public act No. 16, of October 3, 1913; to the Committee on Ways and Means.

By Mr. LLOYD: A bill (H. R. 15580) providing for carrying in the mails reply letters and postal cards without prepayment of postage; to the Committee on the Post Office and Post Roads.

By Mr. SPARKMAN: A bill (H. R. 15581) to provide four customs collection districts for the State of Florida; to the Committee on Ways and Means.

By Mr. STEPHENS of Texas: Resolution (H. Res. 464) authorizing the Clerk of the House to pay, out of the contingent fund of the House, the sum of $1,200 to Katharine Kirby for services rendered; to the Committee on Accounts.

By Mr. ROGERS: Memorial of the Massachusetts House of Representatives, requesting Congress to pass legislation providing for public ownership and operation of coal assembly; to the Committee on Interstate and Foreign Commerce.

By Mr. GILMORE: Memorial of the Massachusetts House of Representatives, requesting Congress to pass legislation providing for public ownership and operation of coal mines; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BORLAND: A bill (H. R. 15582) granting an increase of pension to Annie Egan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15583) granting an increase of pension to Martha E. Stone; to the Committee on Invalid Pensions.

By Mr. BRITTEN: A bill (H. R. 15584) granting a pension to Anna Louden; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 15585) for the relief of the estate of William Nix; to the Committee on War Claims.

By Mr. GOEKE: A bill (H. R. 15586) granting a pension to Martha J. McMiller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15587) granting an increase of pension to George W. Miller; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 15588) for the relief of William H. C. Bowen, United States Army, retired; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 15589) granting a pension to Mrs. James Finnegan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15590) granting a pension to Albertus L. Myers; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 15591) granting an increase of pension to Henry Brandenburgh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15592) granting an increase of pension to James H. McGuire; to the Committee on Invalid Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 15593) to correct the military record of John Muldowney; to the Committee on Military Affairs.

By Mr. MONDELL: A bill (H. R. 15594) granting an increase of pension to William S. Mason; to the Committee on Invalid Pensions.

By Mr. MOSS of Indiana: A bill (H. R. 15595) granting an increase of pension to James W. Jamison; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 15596) granting an increase of pension to John B. Abbott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15597) granting an increase of pension to Edgar C. Hamilton; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 15598) granting a pension to Mary Edwards; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 15599) granting a pension to James J. Gardner; to the Committee on Pensions.

By Mr. STONE: A bill (H. R. 15600) granting an increase of pension to Mary A. Wright; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 15601) for the relief of the heirs of David G. Stockwell; to the Committee on War Claims.

Mr. THOMPSON of Oklahoma: A bill (H. R. 15602) for the relief of William Guy; to the Committee on Claims.

By Mr. WEBB: A bill (H. R. 15603) granting a pension to Mary N. Nichols; to the Committee on Pensions.

Also, a bill (H. R. 15604) granting an increase of pension to Ephraim Lunsford; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the District of Columbia Commandery of the Military Order of the Loyal Legion, protesting against amending the Constitution of the United States; to the Committee on the Judiciary.

Also (by request), memorial of the States of Indiana and Michigan, protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. AINEY: Petition of the South Harford (Pa.) Book Club, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of 12 citizens of Coshocton, Ohio, in favor of House bill 12928, relative to Sunday work for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of 67 citizens of Wayne County, Ohio, against nation-wide prohibition; to the Committee on the Judiciary.

Also, petition of 24 citizens of Coshocton, Ohio, against House bill 7826, being the Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. BAILEY (by request): Protest of Gottlieb Karynski, Alex J. Rierb, J. P. Samuel, Fred Steppern, Emil Jilg, William Schmolz, John Beidel, Vincenzio Beyeur, and John Malsret, all of Johnstown, Pa., against national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of various voting citizens of Roaring Springs, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), memorial of sundry citizens of Juniata and Altoona, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petition of the South Side Presbyterian Church, of Pittsburgh, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the sixteenth and nineteenth wards of Pittsburgh, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. BARTLETT: Petitions of the Woman's Christian Temperance Union and 20 ladies, of Zebulon, Ga., and the Centenary Church Sunday School, of Macon, Ga., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BELL of California: Petition of 4,208 citizens of Pasadena, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 3,840 citizens of Long Beach, Cal., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CALDER: Petitions of sundry citizens of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. CAMPBELL: Petition of sundry citizens of Kansas, against Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. CARY: Petition of the Milwaukee Clearing House Association, relative to regional banks; to the Committee on Banking and Currency.

By Mr. CLARK of Florida: Petition of the Methodist Episcopal Church of Panama City, Fla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. COOPER: Petition of G. F. Harbridge, of Racine, Wis., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. COX: Petitions of the Fairview United Brethren Church, of Central, Ind.; the German Methodist Episcopal Church and the Methodist Episcopal Church and sundry citizens of Huntingburg, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CRAMTON: Petition of sundry citizens of Memphis, Mich., favoring passage of House bill 12928, as to time of postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Memphis, Mich., protesting against the Keating Sunday-observance bill; to the Committee on the District of Columbia.

By Mr. CURRY: Petitions of French Camp, Woman's Christian Temperance Union, of Sacramento; F. E. Willard Memorial; the Central Methodist Episcopal Epworth League, of Sacramento; the Sacramento County Woman's Christian Temperance Union; the Quarterly Conference Evangelical Association, of Sacramento; the Vine Hill Woman's Christian Temperance Union, of Martinez; the United Brethren Church of Woodbridge; and the Roberts Island Union, of Stockton, all in the State of California, in favor of national constitutional prohibition; to the Committee on the Judiciary.

By Mr. DALE: Petitions of Nathan Groberg and M. Salzman Co., of Brooklyn, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DILLON: Petitions of various business men of the State of South Dakota, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. DONOVAN: Petitions of sundry citizens of Fairfield County, Conn., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Frederick P. Wood, of Stamford, Conn., favoring passage of the Hamill bill, relative to retirement of aged employees of the Government; to the Committee on Reform in the Civil Service.

By Mr. DOOLITTLE: Memorial of the Farmers' Commercial Club, of Lamar, Colo., and sundry citizens of the State of Kansas, favoring establishment of a bureau of farm loans; to the Committee on Banking and Currency.

By Mr. DYER: Petitions of sundry citizens of New Hartford, Mo., and C. W. Woods, of St. Louis, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of the Conrades Manufacturing Co. and the George F. Dittmann Boot & Shoe Co., of St. Louis, Mo., favoring passage of a bill to prohibit false statements through the mails; to the Committee on the Post Office and Post Roads.

Also, petitions of various churches and citizens of Missouri, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Kinloch Telephone Co., of St. Louis, Mo., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Wesco Supply Co., of St. Louis, Mo., favoring passage of House bill 13305, to prevent discrimination in prices, etc.; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of the Evangelical Church of Norwalk, Wis., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Milwaukee Clearing House Association, protesting against division of Wisconsin territory as assigned to regional reserve banks; to the Committee on Banking and Currency.

Also, petition of Barbers' Union, No. 21, of La Crosse, Wis., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. FRANCIS: Memorial of the First Baptist Church, of Cadillac; the Loomis Park Baptist Church; the Jackson and St. Paul's Evangelical Lutheran Church, of Richmond, all in the State of Michigan, favoring amendment abolishing polygamy in the United States; to the Committee on the Judiciary.

By Mr. GARNER: Petitions of sundry voters of the fifteenth congressional district of Texas, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GILMORE: Petitions of 880 citizens of Brockton, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GORDON: Petitions of A. E. Hoose, of Painesville; of G. E. Tillotson and 19 other citizens of Brunswick; together with the petitions of the Woman's Home Mission of Euclid, the Chagrin Falls Christian Church, the Fairport Harbor Christian Church, the Brunswick Woman's Christian Temperance Union, the Painesville Woman's Christian Temperance Union (Young People's Branch), the Brunswick Methodist Episcopal Church, and the Lakewood Methodist Episcopal Church, all in the State of Ohio, representing a total membership of 6,489 persons, requesting early and favorable action on House joint resolution 168, relative to national prohibition; to the Committee on the Judiciary.

Also, petition of S. J. Traughton and 386 other citizens of Cleveland, Ohio, together with the petition of M. C. Schmitt, of Bedford, Ohio, and 42 other citizens of Cuyahoga County, Ohio, protesting against House joint resolution 168 and Senate joint resolutions 50 and 88 and similar prohibition measures introduced in Congress as an unwarranted interference with the rights of all American citizens and a usurpation by the Federal Government of a domestic question belonging to the States; to the Committee on the Judiciary.

By Mr. HAMLIN: Papers to accompany a bill (H. R. 14678) granting a pension to Christiana Oetting; to the Committee on Pensions.

Also, papers to accompany a bill (H. R. 15300) granting a pension to W. D. Allee; to the Committee on Invalid Pensions.

Also, papers to accompany a bill (H. R. 15550) granting a pension to Wilhelmina Halsemeyer; to the Committee on Invalid Pensions.

Also, papers to accompany a bill (H. R. 15551) granting a pension to Maria Lohmann; to the Committee on Invalid Pensions.

Also, papers to accompany a bill (H. R. 15552) granting a pension to Louise Bildeholf; to the Committee on Invalid Pension.

Also, papers to accompany a bill (H. R. 4097) granting a pension to M. N. Isenberg; to the Committee on Invalid Pensions.

By Mr. HOUSTON: Petitions of sundry citizens of Bedford, Coffee, and Lincoln Counties, State of Tennessee, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HULL: Petitions of sundry citizens of the fourth congressional district of Tennessee, favoring national prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Petition of sundry citizens of St. Louis, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the American Wine Co. and the St. Louis Frog & Switch Co., of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

Also, petition of Charles Scudder, jr., of St. Louis, Mo., favoring House bill 13305; to the Committee on Interstate and Foreign Commerce.

Also, petition of the George F. Dittman Boot & Shoe Co., of St. Louis, Mo., favoring bill to prohibit transmission through the mails of false statements for purpose of procuring credit; to the Committee on the Post Office and Post Roads.

Also, petition of the Prufrock-Litton Furniture Co., of St. Louis, Mo., relative to anticoupon bill; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island: Memorial of the Union Match Co., of Omaha, Nebr., favoring passage of House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

By Mr. KINKAID of Nebraska: Petitions of sundry citizens of Loup City, Mason City, Ord, Sidney, Minature, and North Loup, all in the State of Nebraska, favoring national prohibition; to the Committee on the Judiciary.

By Mr. J. R. KNOWLAND: Petition of the Chauffers' Union, Local No. 265, San Francisco, Cal., and of 4 other citizens of San Francisco, protesting against the passage of House joint resolution 168 and Senate joint resolutions 50 and 88, relative to national prohibition; to the Committee on the Judiciary.

Also, resolutions adopted by the Ontario Chamber of Commerce, of Ontario, Cal., favoring the passage of House bill 12292, being the Federal child-labor bill; to the Committee on Labor.

By Mr. LANGHAM: Petitions of Norman Butler and C. H. Hipple, of New Bethlehem, Pa., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LEE of Pennsylvania: Memorial of the United Mine Workers of America, Local No. 918, of Girardville, Pa., favoring Federal investigation of mining troubles in Colorado; to the Committee on Rules.

By Mr. LESHER: Petition of 275 citizens of Milton, Pa., and 1,785 citizens of Bloomsburg, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LIEB: Petitions of Jacob Matz, John Baer, Henry N. Poggemeier, John Sauer, Joseph S. Urich, Joseph Schnatz, William Schriek, George Hollerbach, Charles J. Kastner, Thomas Schofield, C. W. Mueller, Fred Voss, Paul Dalp, John Runck, Otto Brandley, Frank X. Stocker, Edward Schmidt, William Biggs, John Langel, and Clifton M. Keeton, all of Evansville, Ind., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of various members of the Brotherhood of the Advent Christian Church of Bristol, Conn., in favor of national prohibition; to the Committee on the Judiciary.

By Mr. MURRAY of Oklahoma: Petition of sundry citizens of Muskogee, Okla., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Barber Post, No. 81, Grand Army of the Republic, of Stroud, Okla., relative to widows' pension limitation of 1890; to the Committee on Invalid Pensions.

By Mr. PATTON of Pennsylvania: Petition of the Current Event Club, of Bradford, Pa., favoring passage of Federal child-labor bill; to the Committee on Labor.

Also, petition of 56 citizens of Nittany Valley, 208 citizens of Curwensville, 155 citizens of Mount Jewett, 181 citizens of Kushequa, 80 citizens of Coalport, 160 citizens of Duke Center, 403 citizens of Dubois, 416 citizens of Bradford, 772 citizens of Clearfield, 132 citizens of Mahaffey, and 200 citizens of Port Allegany, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. POST: Petition of Dr. V. W. Hunt and 20 other physicians of Piqua, Ohio, against national narcotic bill (H. R. 6282); to the Committee on Ways and Means.

By Mr. REED: Petitions of 86 members of the Sunday School of the Baptist Church of Laconia; 55 members of the Christian Endeavor Society of the First Baptist Church of Laconia; 300 members of the North Woodstock Free Baptist Church, of North Woodstock; 33 members of the United Congregational Church of Fremont; 500 members of the Presbyterian Church of Bedford; 150 members of the Methodist Episcopal Church of Intervale, all in the State of New Hampshire, favoring national prohibition of the liquor traffic; to the Committee on the Judiciary.

By Mr. REILLY of Connecticut: Petitions of various voters of the third congressional district of Connecticut, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of New Haven, Conn., favoring passage of House bill 12928, to amend the postal and civil-service laws; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of New Haven, Conn., protesting against the passage of the Sunday-observance bill; to the Committee on the District of Columbia.

By Mr. REILLY of Wisconsin: Petitions of various merchants, associations, and voters of Wisconsin, against the passage of pending prohibition resolutions or any other similar measures; to the Committee on the Judiciary.

Also, petitions of various voters and malting companies of Wisconsin, protesting against the passage of pending prohibition measures; to the Committee on the Judiciary.

By Mr. ROBERTS of Massachusetts: Petitions of sundry citizens of Massachusetts, remonstrating against the adoption of an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors and beverages; to the Committee on the Judiciary.

Also, petition of sundry citizens of Massachusetts, remonstrating against the enactment of House bill 7826, being the Sabbath observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Massachusetts, favoring the passage of House bill 12928, relative to Sunday hours for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of the Young People's Society of Christian Endeavor of the Broadway Congregational Church, of Somerville, Mass., by Alter B. Wiley, president, praying for an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors and beverages; to the Committee on the Judiciary.

Also, petition of the Park Avenue Methodist Episcopal Church, of Somerville, Mass., by Rev. J. Franklin Knotts, pastor, praying for an amendment to the Constitution to prohibit the manufacture and sale of intoxicating liquors; to the Committee on the Judiciary.

Also, petitions of various voters in the ninth congressional district of Massachusetts, protesting against the adoption of an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors and beverages; to the Committee on the Judiciary.

By Mr. SIMS: Petition of various business men of Tennessee, favoring House bill 5308, providing for a tax on mail-order houses; to the Committee on Ways and Means.

Also, petition of 176 citizens of Savannah, 737 citizens of Huntington, 26 citizens of Selmer, 75 citizens of Renton, 50 citizens of Malesus, 100 citizens of Adamsville, and 69 citizens of Camden, all in the State of Tennessee, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: Petition of 10 citizens of Potlach, Idaho, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SPARKMAN: Petition of various members of the official board of the Methodist Episcopal Church at Panama City, Fla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TEMPLE: Papers to accompany House bill 12656; to the Committee on Pensions.

By Mr. WEBB: Petition of 980 citizens of Washington, D. C., and sundry citizens of Avery County and Hickory, N. C., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of Pearl D. Landen and 18 other citizens of North Lewisburg, Ohio, in favor of the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, papers to accompany House bill 15026, for the relief of John W. Cupp; to the Committee on Claims.

SENATE.

MONDAY, *April 13, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast begotten us unto a lively hope by the resurrection of our Lord Jesus Christ from the dead. Thou hast called us to an inheritance incorruptible, undefiled, and that passeth not away. We pray for hearts responsive to the message of this blessed season. Through the ministry of the awakening springtime may we turn our hearts toward Thee as the flowers open their petals to the sun. Thou dost speak to us words of hope and cheer and life that out of the ministry of this season we may go forth making larger plans—plans for eternity. May we know the power of an endless life. We ask for Christ's sake. Amen.

The Journal of the proceedings of Friday last was read and approved.

MESSAGE FROM THE HOUSE.

A messa[ge] from the House of Representatives, by J. C. South, its Chief [Clerk], announced that the House agrees to the report of the c[ommit]tee of conference on the disagreeing votes of the two H[ouses] on the amendments of the Senate to the bill (H. R. 13765) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1915, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 12169. An act providing for an additional appropriation for a public building in the city of Monroe, N. C.; and

H. R. 13765. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1915, and for other purposes.

RAILROAD RATES.

Mr. THOMAS. Mr. President, in view of the fact that the Senator from Iowa [Mr. CUMMINS] will to-day address the Senate upon the financial condition of the railroads of the United States, I feel justified in directing the attention of the Senate to some recent correspondence from Mr. W. S. McCarthy, who is the secretary of the traffic bureau of Salt Lake City, bearing directly upon that subject, but more particularly upon a feature of Union Pacific finance which, if true, is of the very greatest importance. The first letter is dated the 1st of April. I will read it:

SALT LAKE CITY, UTAH, *April 1, 1914.*

Hon. CHARLES S. THOMAS,
United States Senate Chamber, Washington, D. C.

DEAR SIR: The inclosed newspaper clippings attracted my attention to a phase of Union Pacific affairs which seems to have entirely escaped notice. If my premise is correct, this matter is of such vast importance, particularly to the West, as to require thorough investigation and the application of a remedy, forever putting a stop to such practices.

As I understand, the Union Pacific Railroad Co. is about to distribute to its holders of common stock as a dividend the proceeds of a bond issue.

In 1901, immediately following legislation in this State legalizing such action, the Union Pacific Railroad Co. issued bonds for $100,000,000, to be used for the purchase of Southern Pacific. (See Mr. Harriman's testimony in case No. 993, in equity, vol. 2, p. 741.)

Within the past year, by reason of the decision in that case, the Union Pacific Railroad Co. was required by the Government to dispose of its holdings in Southern Pacific, through sale of which it again came into possession of a large part of the fund created by the $100,000,000 bond issue.

With the consent, as I understand, of the Department of Justice, this fund was then invested in Baltimore & Ohio Railroad Co. stock which, it appears, it is now proposed to distribute, with the addition of some cash, as a dividend to holders of Union Pacific common.

Apparently the Department of Justice did not look beyond the sale of Southern Pacific to ascertain the origin of the money invested in that property by Union Pacific.

My information as to that statement—and I receive it direct from the department—is that they did look beyond it and determined that they were not legally able or authorized to interfere with or direct the disposition of that fund.

The fact that the bonds, which are subject to call in whole or in part at 102½, were not retired when the fund which they created was recovered through the sale of Southern Pacific indicates no present intention on the part of the Union Pacific to retire them. Up to December, 1906, $12,741,000 of these bonds had been converted into common stock, the authorized issue of which was increased $100,000,000 to provide for their conversion.

Trans-Missouri lines have filed with the Interstate Commerce Commission, effective April 1, 1914, a tariff advancing rates to Utah from 5 to 20 per cent.

This advance, Mr. President, will affect my State quite as seriously as it will our neighboring State of Utah.

In the interview quoted in the newspaper article herewith inclosed Mr. B. L. Winchell, director of traffic of the Union Pacific system, defends this increase as necessary because of interest on bonds which his company has to meet.

It has been asserted by Union Pacific officials that the 10 per cent return which their common stock has been paying is not unreasonable; therefore, if they are to maintain rates on a basis which will give them this return and the bond issue is permitted to run for 50 years, which does not now seem at all unlikely, the people in the territory through which the Union Pacific system operates and where there is no potential competition to assist in holding its rates at a reasonable level will be required to carry the financial burden which the following figures show:

Original bond issue	$100,000,000
Less amount converted to common stock	12,741,000
	87,259,000
Interest on $87,259,000 at 4 per cent	3,490,360
Dividends on $12,741,000 common stock at 10 per cent	1,274,100
Annual charge	4,764,460

Or a total payment in 50 years of $238,223,000, with the principal $100,000,000 still due.

It seems to me that we should not permit this condition to be fastened upon us without protest, and thus for ourselves and our posterity assume an obligation of over $300,000,000.

I feel that, provided it is not already too late and there is any way to do so, immediate action should be taken to compel the Union Pacific Railroad Co. to now retire the bonds issued for a purpose which the Supreme Court has since declared illegal, instead of passing the money along to the pockets of their holders as a dividend.

I am bringing this matter to the attention of yourself and a number of other Senators and Congressmen, whose names, for reasons which I deem sufficient, have been carefully selected, for the purpose of having the Department of Justice directed in the proper manner to take immediate action in the premises before this distribution is fully accomplished, requiring the Union Pacific Railroad Co. to use the fund now in hand to retire the issue of bonds which originally created it.

If such a thing as justice exists, there certainly must be some way to thwart the avarice of this corporation and prevent the imposition of this burden of debt upon present and future generations.

It is my belief that no Member of the Congress of the United States can willingly permit such wrongs as this to be inflicted upon the people of the country; that, realizing the importance of the situation, you will adopt such prompt, vigorous measures as may be necessary.

I shall much appreciate an acknowledgment of this letter advising me of your action.

Very respectfully, W. S. MCCARTHY.

To this letter there are some appendixes, some clippings, which I will ask to have printed with the letter, but which I shall not at present read.

The matter referred to is as follows:

WARRANTS ARE SENT TO STOCKHOLDERS—UNION PACIFIC MAKES ARRANGEMENTS FOR PAYING THE EXTRA DIVIDEND DECLARED MARCH 2.

BOSTON, *March 12.*

The Union Pacific Railroad Co. has sent to all common-stock holders a warrant which is to represent the extra dividend composed of cash, Baltimore & Ohio common stock and Baltimore & Ohio preferred stock, declared by the directors to holders of record March 2.

In order to preserve the equity of everyone the stock does not sell ex this dividend. The books are closed, and the committee on security of the stock exchanges have ruled that it will not sell ex-dividend until further notice, which means that it will not be ex-dividend until after the lawsuits are officially settled. The committee on securities of the exchange has ruled that pending settlement of the lawsuits the dividend warrants must accompany all certificates of stock. Anyone who has stock on the exchange at this time is also selling the dividend warrants, as the quotation on the exchange includes both.

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EQUITABLE TO ATTACK UNION PACIFIC PLAN.

NEW YORK, *February 26.*

The Equitable Life Assurance Society, it was authoritatively learned to-day, will institute legal action to restrain the Union Pacific Railroad Co. from distributing its holdings of Baltimore & Ohio stock and a cash dividend of $3 to holders of Union Pacific common. Such a disbursement plan was recently announced. The Equitable holds $1,618,000 par value of Union Pacific preferred.

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WINCHELL GIVES PLAN TO REDUCE FREIGHT RATES—TRAFFIC DIRECTOR OF UNION PACIFIC SAYS CITIES MUST AGREE.

Jobbing centers and cities west of the Missouri River will have to form themselves into an organization and representatives from each of them must go into conference and decide upon what will be the freight rates from eastern and coast points and then present the rates made to the railroads for their sanction, according to B. L. Winchell, traffic director of the Union Pacific system, who arrived in Salt Lake yesterday. He referred to the fights being waged before the Interstate Commerce Commission by the various commercial clubs and traffic bureaus in the West as "one town pulling the blanket off another and the other town attempting to get the bedclothes back." Mr. Winchell takes the position that the cities and towns affected by freight-rate increases and decreases west of the Missouri River should decide the matter of territory for themselves and not bring the railroads of the country into the wrangle.

Mr. Winchell said he did not care to discuss the proposed increase in freight rates from Missouri River points to Salt Lake and Utah common points, as he thought a discussion of the matter might lead into the elementary principles of making freight rates, which would consume much time. He did take the position, however, that the freight rates upon commodities to any point did not affect the selling price. As an example he cited that Missouri orchardists refused to sell their apples for 25 cents a barrel last season, and that the freight rate upon a barrel of apples to Chicago is only 30 cents, yet the retail price of apples in Chicago was 55 cents a peck. He attributed the high prices to commission men and to conditions of the trade. He defended the proposed increase of freight rates according to the tariffs which have been filed with the Interstate Commerce Commission on the ground that the Union Pacific system had fixed charges, such as interest upon bond issues and other matters, that, although it has one of the lowest operating expenses in the country; it must have more money in order to make betterments and pay a reasonable return upon the money invested.

GOING TO COAST.

Mr. Winchell is on his way to Los Angeles to look after matters in connection with the traffic of the Union Pacific system. He is the highest paid traffic director in the world, receiving $50,000 a year for his services, and is considered to be one of the greatest traffic experts in the world. While he fought away from questions directed at the basis of freight rates, and especially upon the higher cost of transportation of westbound shipments of scoured wool compared with clothing, yet he talked freely of matters affecting freight tariffs into jobbing centers west of the Missouri River.

"Every city on the trans-Missouri lines has been asking for freight-rate reduction," said Mr. Winchell. "In Denver they are asking that the rates be reduced from Denver to Idaho points, as they consider Idaho Denver's territory. Salt Lake considers Idaho its territory, and there is Boise to contend with, so you see that a traffic man has his troubles. The only thing for Omaha, Kansas City, Denver, Salt Lake, and other centers in the West to do in the matter of freight rates is to have committees from their different commercial organizations to meet and define the jobbing territories of the various cities. These committees should decide what would be a reasonable freight rate to these various points and then put the matter up to the railroads. As it is one town is pulling the blanket off another and the other fellow is trying to get back the bedclothes.

"By that I mean that if Salt Lake receives a reduction in freight rates, that Denver wants a reduction, too. It is the same all over the country. Let the towns decide the matter for themselves, and it will save thousands of dollars to the railroads every year.

"I see that one argument which is being put up for lowering of freight rates, especially upon the Union Pacific lines, is that the Union Pacific system's operating expenses are only 50 per cent of the gross income. In other words, 50 per cent of all the money it receives is known as net income. When Mr. Harriman took charge of the Union Pacific it was a road which was not paying. He dumped wagonloads of money into the property. Roadbeds were reconstructed, grades were eliminated, motive power was supplied, and new equipment purchased. It took millions of dollars to bring the Union Pacific to the point where it could handle the traffic and be a paying road. While it has a net income of 50 per cent of the gross earnings, yet there is a large amount of money which must be paid out each year for interest on bonds. All of the 50 per cent is not profit. We have built up a surplus, and that surplus is what is running these fine fast passenger trains through this western country.

NET INCOME HIGH.

"It is true that the net income of the Union Pacific is greater than the net income of the Pennsylvania. The operating expenses on the Pennsylvania are 71 per cent of the gross income. This is caused by short hauls and many terminals. In the West we have long hauls and few terminals, but the cost of construction of the lines, the amount of money necessary to equip the road, and every other consideration costs much higher. We are making betterments every day, and these cost money.

"It is a hard matter to please all. The greatest trouble that we experience is that there are so many rate experts in this country who do not know what they are talking about. More traffic men have grown up since the fight on rates began who do not understand the conditions than can be counted. Owing to misstatements and other matters, the public has been led to believe that the railroads of the United States are trying to rob them. I can not see where the consumer benefits by a reduction of freight rates. In Georgia the rate upon wool blankets shipped from New York was reduced 25 cents a hundred pounds. Immediately upon the rate going into effect the price of blankets went up. Nothing other than the supply and demand regulates the price of commodities and freight rates do not affect it.

"As to general business conditions, they have not been what they should, but we hope for the best. We should talk with optimism and look upon the bright side, as the pessimistic view of conditions will not help matters any, and in all probability would cause business to be worse. We hope for the best and will do all we can to make times good."

Mr. Winchell is accompanied by Mrs. Winchell, who knows something about the making of rates, in addition to the knowledge possessed by her husband. Mrs. Winchell can tell the freight rates upon commodities to Chicago, and takes the position that the rates have nothing whatever to do with the high cost of living. The party left for Los Angeles on the Overland express.

Mr. THOMAS. Upon its receipt I communicated with the Department of Justice, and was informed that the amount realized from the Union Pacific from the sale of its stock in the Southern Pacific in excess of the amount of the Southern Pacific stock exchanged for Baltimore & Ohio stock amounted to a par value of $88,357,600, and that the Union Pacific Co. must have realized from the sale thereof somewhere in the neighborhood of $70,000,000.

On the 4th day of April Mr. McCarthy wrote me an additional letter, which I will also read:

SALT LAKE CITY, UTAH, *April 4, 1914.*

Hon. CHARLES S. THOMAS,
United States Senate Chamber, Washington, D. C.

DEAR SIR: Supplementing my letter of the 2d and referring to the attached article concerning the denial of the petition of the Equitable Life Insurance Society for an injunction to restrain the Union Pacific Railroad Co. from making the distribution regarding which I wrote you, here, again, the origin of the fund in question appears to have been entirely overlooked. It is referred to by the supreme court justice as "accumulated surplus or profits," instead of as the proceeds of a bond issue, which it actually is.

Please particularly note that about the time these bonds were issued there was also authorized an issue of $100,000,000 in common stock to provide for their conversion.

The privilege of conversion at par expired May 1, 1906, but what is there to prevent a corporation which juggles its finances in the manner now under consideration from reinstating the conversion privilege at their pleasure. Consider that were they to now so arrange, the interest rate on the total amount would immediately jump to the 10 per cent they claim the right to earn on common stock, and the total amount of the obligation at the end of the 50-year period instead of being $238,000,000 would be something like $400,000,000, with the principal of $100,000,000 still due.

When railroad companies which have hitherto been regarded as highly respectable and honorable are discovered manipulating financial affairs in this manner, it seems time that a thorough analysis of the financial transactions of every railroad in the country be made to ascertain their actual conditions, so that when, as at the present time, carriers bring to bear upon conscientious public officials the pressure of perverted public sentiment in the effort to club them into submission and compel acquiescence to their demands reliable data may be at hand for the public information.

Very respectfully,

W. S. MCCARTHY.

I also append a clipping which accompanies this letter:

UNION PACIFIC MAY CUT THE BIG MELON—EQUITABLE COMPANY LOSES ITS SUIT TO PREVENT DISTRIBUTION OF MANY MILLIONS.

NEW YORK, *April 2.*

Supreme Court Justice Greenbaum to-day denied the petition of the Equitable Life Assurance Society for an injunction to restrain the Union Pacific Railroad Co. from distributing, as a special dividend to holders of common stock, $80,000,000 in cash and stock of the Baltimore & Ohio Railroad.

The Equitable sued to restrain the railroad on the ground that the holders of preferred stock in the Union Pacific were entitled to share in the dividend or else have the $80,000,000 regarded as an asset and held by the road. The Baltimore & Ohio stock was acquired by the Union Pacific from the Pennsylvania Railroad in a deal whereby the Union Pacific released its Southern Pacific holdings, as required by the Supreme Court decree dissolving the Harriman system.

It is understood that the Equitable will appeal from to-day's decision. In his decision Justice Greenbaum said:

"If the defendant corporation has the right to accumulate a surplus, it has the right to invest that surplus in securities, and if those securities appreciate in value there is no reason why the profits should not be regarded as profits of the business of the corporation.

"The agreement, however, reads that the preferred stock is entitled to no other or further share of profits than dividends in each and every fiscal year not exceeding 4 per cent a year, payable out of net profits. The preferred stockholders have regularly received a 4 per cent annual dividend.

"To hold now, because of the unusually large or extraordinary dividend is declared from accumulated surplus or profits, that the preferred stockholders are entitled to participate therein would be to nullify and override the existing contract between the two classes of shareholders."

Mr. President, it is perhaps within our common recollection that about the year 1901 the Union Pacific Railroad was authorized by the Legislature of the State of Utah, under whose laws it was incorporated, to issue $100,000,000 in bonds in addition to the bonds already carried by that corporation, the avowed object of which was to secure control of the Southern Pacific Railroad Co. The bonds were issued and sold and the money was used for that purpose. Afterwards and up to the time of the judicial dissolution of that combination the Union Pacific Railroad Co. was in control of the Southern Pacific system through the ownership of a majority or at least a controlling interest in its stock.

Now, the Supreme Court of the United States last year declared that this acquisition by the Union Pacific of the control of the Southern Pacific was in violation of the laws and decreed its dissolution; in other words, that the bond issue was made for illegal purposes, not tolerated or justified by law, and therefore without legal force or effect. Consequently the merger was dissolved and the Union Pacific was required to sell or otherwise dispose of its shares of stock in the Southern Pacific. In doing that it has realized a sum of over $70,000,000 in cash plus a very large proportion of the stock of the Baltimore & Ohio in exchange of Southern Pacific stock with the Pennsylvania Co. for its interest in that corporation.

It would appear from this correspondence that instead of using the money thus realized from the sale of its interest in the Southern Pacific for the retirement of the bonds, the sale of which enabled it to obtain the money in the first place, it proposes to divide it as a dividend among the holders of its common stock, leaving this huge obligation of $100,000,000 unlawfully created as a permanent and perpetual burden upon the patrons of the railroad who are to be taxed in order to pay the annual interest and ultimately its principal amount, with no addition to the assets of the road as the equivalent of that sum or any part of it.

If these letters state the facts correctly, they constitute a stupendous injustice, perhaps the worst which in all the various stages of railway manipulation of stocks and bonds has yet disfigured the history of American transportation lines. Money raised upon bonds needed and justified for a specific purpose, and that purpose afterwards declared unlawful, is now to be used for the purpose of paying an enormous dividend to the owners of common stock, the total of which is the equivalent of $100,000,000, represented by a debt of the same amount for which the company receives no consideration.

Hence, Mr. President, I think it is something to which the attention of the country generally and the attention of the Committee on Interstate Commerce of this body should be specifically directed in order that its consummation may be prevented, if possible, because just as sure as this money is paid just so sure will this bond issue remain a permanent burden, and it will be utilized hereafter, as it is now, as an excuse for demanding an increase in the rates of traffic to the patrons of the road to obtain money to meet fixed charges, the continuation of which can neither be palliated nor excused.

Mr. NEWLANDS. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. THOMAS. I yield.

Mr. NEWLANDS. The Senator has made an allusion to the Interstate Commerce Committee with reference to this matter. I wish to say that I have written to the Attorney General, inclosing a similar communication which I received upon this subject.

Mr. THOMAS. I know that a number of Senators—the senior Senator from Utah [Mr. SMOOT], for example—have received similar letters.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield to the Senator.

Mr. SMOOT. I will say to the Senator that I also received a copy of the letter which he has read, and I took the question up with the Attorney General. This morning I am in receipt of a letter from the Acting Attorney General in which he states that, so far as the Department of Justice is concerned, they can do nothing in the matter whatever; and it was virtually intimated to me the other day that the only action that could be taken in the matter was to begin a suit in the courts of Utah, as the Union Pacific Railroad Co. was organized under the laws of that State.

Mr. THOMAS. Mr. President, such was the information which was communicated to me in a direct interview with the assistant to the Attorney General, except that nothing was said as to the institution of an action in the State of Utah.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. THOMAS. I yield to the Senator.

Mr. CUMMINS. Mr. President, it may be observed that I have given notice of my desire to speak this morning; and, while I am very glad to have the statement of the Senator from Colorado, because it furnishes an admirable introduction to what I am about to say, I hope it will not lead to any general debate.

Mr. THOMAS. Mr. President, I shall only make one or two observations and then take my seat.

I want to impress upon the Senate the fact that, while this, if true, is perhaps the most indefensible, it is not the only instance of the increase of the capitalization of the railroads not for the public benefit or for the improvement or extension of their lines, but for consolidation or dividend or speculative purpose.

Mr. President, before taking my seat I merely want to advert to the recent action of some of the other railroads in discontinuing trains and laying off their men to the extent of 40,000 in number. If Mr. McCarthy's charges are true, the railways must not complain if the public lend a willing ear to the charge that they are depriving 40,000 families of bread, for how long we know not, merely as a feature of their general purpose to utilize their tremendous power to create a public sentiment, and, at the same time, a condition, both of which shall bear upon the action of the Interstate Commerce Commission and force it to grant their demands and tax the American people through an unneeded and undeserved increase in the rates of transportation, which, once granted, will be asserted as a necessity to the roads and their requirements for all future time. I do not assert this as a fact, but the public are suspicious, and justly so, when people reflect upon such instances of railway finance as the Union Pacific Co. is now supplying them.

NATIONAL PEACE CELEBRATION AT VICKSBURG, MISS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the governor of Mississippi, which will be printed in the RECORD and referred to the Committee on Appropriations.

The letter is as follows:

MISSISSIPPI EXECUTIVE DEPARTMENT,
Jackson, April 8, 1914.

By authority of the State legislature, Mississippi proposes to commemorate the fiftieth anniversary year of the return of peace to our beloved country by a general reunion of veterans.

Now, therefore, as a condition precedent to extending an official and most cordial invitation to all veterans of the Civil War, Union and Confederate, to attend and participate in the ceremonies and exercises of the State's proposed national peace celebration and reunion, to be held on the Vicksburg battle field in October, 1915, I, Earl Brewer, governor, do hereby memorialize the Congress of the United States to appropriate a sum sufficient in amount to provide, in a camp on the Vicksburg National Military Park, all needed comforts and conveniences for the veterans who then and there come together in reunion on Mississippi's invitation.

Sincerely,

EARL BREWER,
Governor of Mississippi.

PETITIONS AND MEMORIALS.

Mr. MARTINE of New Jersey presented a petition of sundry citizens of Salem, N. J., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. THOMPSON presented petitions of 1,800 members of the Sunday schools of Labette County, Kans., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Seneca, Kans., praying for the enactment of legislation to establish a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a petition of sundry citizens of Marysville, Kans., praying for the enactment of legislation to prevent

discrimination in prices and to provide for publicity of prices to dealers and to the public, which was referred to the Committee on Interstate Commerce.

Mr. VARDAMAN. I send to the desk a letter from the Brotherhood of Locomotive Firemen and Enginemen, of Laurel, Miss.; one from the Order of Railway Conductors of America, of Vicksburg; another from the International Brotherhood of Locomotive Engineers; and another from the Brotherhood of Railroad Trainmen, of Meridian, Miss. The letters call for the passage of the immigration bill retaining the literacy-test clause. I ask that th letters may be printed in the RECORD.

There being no objection, the letters were ordered to lie on the table and to be printed in the RECORD, as follows:

BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEMEN,
Laurel, Miss., April 10, 1914.

Senator JAMES K. VARDAMAN,
Washington, D. C.

DEAR SENATOR: On behalf of an organization having a considerable membership that desires the illiteracy test enacted into law precisely as it passed the House, February 4 last, by a two-thirds vote, I beg to urge you to vote in favor of keeping the test in the bill just as it is and unamended, and that you give the bill your aggressive support and powerful influence so that it may become a law this session.

Our national legislative representative has appeared before the House Committee on Immigration and fully explained our position and the position of our members and I will not intrude further on your good time to argue or explain the matter. As members of the organization we want this done for the good of the working people of this country whether native or foreign born, and we assure you it will be appreciated.

Hoping to hear from you with reference to it, I am,
Very respectfully, yours,

CHAS. E. MAY,
Recording and Financial Secretary Lodge 798.

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ORDER OF RAILWAY CONDUCTORS OF AMERICA,
VICKSBURG DIVISION, No. 231,
Vicksburg, Miss., April 9, 1914.

Senator JAMES K. VARDAMAN.

DEAR SIR: On behalf of an organization having a considerable membership that desires illiteracy test enacted into law precisely as it passed the House February 4 last, by a two-thirds vote, I beg to urge you to vote in favor of keeping the test in the bill just as it is and unamended, and that you give the bill your aggressive support and powerful influence, so that it may become a law this session.

Our national legislative representative has appeared before the House Committee on Immigration and so fully explained our position and the position of our members that I will not intrude further on your good time to argue or explain the matter. As members of the organization we want this done for the good of the working people of this country, whether native or foreign born, and we assure you it will be appreciated.

Hoping to hear from you with reference to it, I am,
Very respectfully, yours,

VIC. LEVI,
Secretary Vicksburg Division, No. 231,
Order of Railway Conductors.

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INTERNATIONAL BROTHERHOOD OF LOCOMOTIVE ENGINEERS,
Vicksburg, Miss., April 10, 1914.

Hon. J. K. VARDAMAN,
United States Senate, Washington, D. C.

DEAR SIR: The Brotherhood of Locomotive Engineers' officers and legislative representative shown need of illiteracy test immigration bill voted for in House by every Mississippi Congressman before House Immigration Committee coinciding with findings of congressional investigation, urge your aid in pushing it through the Senate this session.

Yours, very truly,

J. M. GARVEY,
Secretary and Treasurer Division 281,
Brotherhood of Locomotive Engineers.

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BROTHERHOOD OF RAILROAD TRAINMEN,
QUEEN AND CRESCENT LODGE, No. 373,
Meridian, Miss., April 8, 1914.

Hon. JAMES K. VARDAMAN,
United States Senate, Washington, D. C.

DEAR SENATOR: As secretary of Queen and Crescent Lodge, No. 373, Brotherhood of Railroad Trainmen, representing a membership of 250, I am directed to address a communication to you for the purpose of enlisting your valued support toward having enacted into law the illiteracy test in the immigration bill, H. R. 6060, precisely as it passed the lower House February 4 last by a two-thirds vote, and I beg to urge that you vote to retain the test in the bill just as it is, unamended, and that you give the bill your aggressive support and powerful influence, that it may become a law this session.

We are glad to note that the lower House was unanimous, and trust the same conditions will obtain in the Senate.

Our national legislative representative appeared before the House Committee on Immigration and so fully explained our position in the matter that I will not intrude further on your valuable time to argue or explain the matter. As members of the above organization we desire this done in the interests of the working people of this country, whether native or foreign born, and we assure you it will be duly appreciated.

Hoping to hear from you in reference thereto, I beg to remain,
Very respectfully, yours,

E. B. MCLEAN,
Secretary, 113 Twenty-fourth Avenue.

Mr. BURTON presented petitions of sundry citizens of Ohio, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Ohio, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of Lookout Camp, No. 466, Sons of Veterans, Division of Ohio, remonstrating against any change being made in the American flag, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Columbus and Cleveland, in the State of Ohio, praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, which were referred to the Committee on the Judiciary.

He also presented a memorial of Local Union No. 2259, United Mine Workers of America, of New Philadelphia, Ohio, remonstrating against the treatment of "Mother" Jones in the Colorado mining district, which was referred to the Committee on Education and Labor.

Mr. CATRON presented a petition of sundry citizens of Otero County, N. Mex., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. POMERENE presented a memorial of the Independent Aid Society of Cleveland, Ohio, remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which was ordered to lie on the table.

He also presented a petition of Bethlehem Council, No. 45, Daughters of America, of Cincinnati, Ohio, praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. OLIVER presented memorials of sundry citizens of Pennsylvania, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry organizations of Pennsylvania, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented petitions of sundry unions of the United Mine Workers of Pennsylvania, praying for an investigation into the conditions existing in the mining districts of Colorado, which were ordered to lie on the table.

Mr. TOWNSEND presented petitions of the Woman's Christian Temperance Union of Shelby; of sundry citizens of Van Buren County, Manistique, Hopkins, Ypsilanti, East Jordan, and Boyne City, and of the Holt Sunday School, of Holt, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented the memorial of C. W. Roemer, of Detroit, Mich., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Chippewa, Mich., praying for the adoption of a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a petition of Local Union No. 1352, Brotherhood of Carpenters and Joiners, of Grand Rapids, Mich., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a memorial of Henry F. Wallace Post, No. 160, Department of Michigan, Grand Army of the Republic, of Corunna, Mich., remonstrating against any change being made in the American flag, which was referred to the Committee on the Judiciary.

Mr. POINDEXTER presented a memorial of Local Union No. 2373, United Mine Workers of America, of Burnett, Wash., remonstrating against the treatment of miners in the mining districts of Colorado and Michigan, which was ordered to lie on the table.

Mr. McLEAN presented a petition of Tunxis Grange No. 13, Patrons of Husbandry, of Bloomfield, Conn., praying for the enactment of legislation to establish a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a memorial of the Socialist Party, of Norwich, Conn., remonstrating against the present conditions

among the miners of Colorado, which was ordered to lie on the table.

He also presented a petition of the Manufacturers' Association of Bridgeport, Conn., praying that the business interests of the country be given an opportunity to be heard on the pending "trust" legislation, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Moving-Picture Machine Operators' Union, No. 273, of New Haven, Conn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Swedish Congregational Church of Naugatuck and the Methodist Episcopal Church of Seymour; of Putnam Grove, No. 6, Woodmen Circle, of Danbury; and of Enighet Lodge, No. 42, Independent Order of Good Templars, of South Manchester, all in the State of Connecticut, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. CLAPP presented memorials of sundry citizens of Minneapolis, Shakopee, and Winona, all in the State of Minnesota, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of New Sandon, Minneapolis, Mora, Pipestone, and Duluth, all in the State of Minnesota, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. KERN presented memorials of sundry citizens of Terre Haute, Ind., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Medaryville, Thorntown, Anderson, and Indianapolis, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. WORKS presented memorials of the Alaska Fisherman's Union, and of the Sailors' Union of the Pacific, of San Francisco, Cal., remonstrating against the enactment of legislation to provide a poll tax upon male persons in the Territory of Alaska and the extension of such legislation so as to include fishermen residing temporarily in Alaskan Territory, which were referred to the Committee on Territories.

Mr. WARREN presented a memorial of Local Union No. 2752, United Mine Workers of America, of Sublet, Wyo., remonstrating against the conditions of the miners in the mining districts of Colorado and Michigan, which was ordered to lie on the table.

Mr. NELSON presented memorials of sundry citizens of Shakopee and Winona, in the State of Minnesota, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Swedish Evangelical Lutheran Bethany Church, of Duluth, Minn., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented the recommendations of the grand jury of Ramsey County, Minn., in the nature of a petition, praying for the enactment of legislation to restrict the sale of opium, morphine, and other poisonous drugs, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Waseca, Minn., praying for the enactment of legislation to authorize the monthly payment of pensions, etc., which was referred to the Committee on Pensions.

Mr. BRADLEY presented memorials of 51 citizens of Daviess, Campbell, Kenton, Jefferson, and Fayette Counties, all in the State of Kentucky, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of five citizens of Kentucky, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of Ohio River Lodge, No. 294, Brotherhood of Locomotive Firemen and Enginemen, of Russell, Ky., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. SHIVELY presented memorials of 2,284 citizens of Terre Haute, Ind., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of Lodge Hall, Independent Order of Vikings, of Hammond, Ind., praying that an appropriation be made for the erection of a monument to the memory of Capt. John Ericsson, which was referred to the Committee on the Library.

He also presented a memorial of sundry citizens of La Fayette, Ind., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the congregation of the First Reformed Church of Goshen, Ind., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Fowler and of Marshall County, and of the congregations of the Indiana Avenue Christian Church and the Hope Presbyterian Church, of South Bend, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. DU PONT presented petitions of Milford Grange, Patrons of Husbandry, of Milford, and of sundry citizens of Bridgeville, Oak Grove, and Seaford, all in the State of Delaware, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SMITH of Michigan presented a petition of sundry citizens of Detroit, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Grand Rapids, Mich., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Shelby and Bloomingdale; of the congregation of the Methodist Episcopal Church of Wheeler; of the Women's Embroidery Club and of the Woman's Christian Temperance Unions of Cassopolis, Goodrich, Richland, Waldron, and Elsie, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented petitions of sundry citizens of Brunswick and Readfield and of the congregations of the Methodist Episcopal Church of East Corinth, the Methodist Episcopal Church of Mechanic Falls, and the First Methodist Episcopal Church of Belfast; of Chelsea Grange, No. 215, Patrons of Husbandry, of Chelsea; and of White Oak Grange, Patrons of Husbandry, of Warren, all in the State of Maine, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a memorial of Local Union No. 273, Moving Picture Machine Operators' Union, of New Haven, Derby, Ansonia, Wallingford, and Meriden, all in the State of Connecticut, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Church of Christ of Stony Creek, the Methodist Episcopal Church of Norwich, and the First Baptist Church of Putnam, all in the State of Connecticut, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of Tunxis Grange, No. 13, Patrons of Husbandry, of Bloomfield, Conn., praying for the

enactment of legislation to establish a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a petition of Typographical Union No. 329, of Waterbury, Conn., praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, which was referred to the Committee on the Judiciary.

Mr. GRONNA presented a petition of sundry citizens of Oriska, N. Dak., and a petition of the Commercial Club of Grand Forks, N. Dak., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

HEARINGS BEFORE THE COMMITTEE ON INTEROCEANIC CANALS.

Mr. BRISTOW, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 334, submitted by Mr. O'GORMAN on the 8th instant, reported favorably thereon, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Interoceanic Canals, or any subcommittee thereof, be authorized to send for persons and papers, to administer oaths, to employ a stenographer at a cost not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject that may be pending before or referred to said committee, and to have such hearings printed for the use of the committee; that the expenses of such hearings be paid out of the contingent fund of the Senate upon vouchers approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

HALL-GARRISON & CO.

Mr. SAULSBURY, from the Committee on Foreign Relations, to which was referred Senate resolution 295, calling upon the Secretary of State of the United States to immediately transmit to the Senate all documents on file in his office or in or under his possession relating to the claim of Hall-Garrison & Co. against the Republic of Nicaragua, submitted by the Senator from New Jersey [Mr. MARTINE] on the 12th ultimo, submitted an adverse report (No. 416) thereon, which was agreed to, and the resolution was postponed indefinitely.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POMERENE:

A bill (S. 5211) to amend section 1225, Revised Statutes, as amended by act approved September 26, 1888, etc.; to the Committee on Military Affairs.

By Mr. LEWIS:

A bill (S. 5212) to authorize the United States Government to build a certain number of merchant-marine vessels and own the same and launch the same upon seas for interstate and international trade, and lease the same to corporations, associations, or persons upon such terms as may be equitable and just, applying the proceeds of the said lease to the payment of the bonds issued for the money to be expended in the building of the ships, and to reserve to the United States the right to convert the ships to national defense at any time in the opinion of the President and Secretary of the Navy such shall be necessary;

A bill (S. 5213) to create a national commission for interstate commerce and industry, and to consolidate the regulation and supervision into a single body, of transportation, banking, finance, and manufacturing, and for the abolishment of all other commissions or agencies in conflict therewith; and

A bill (S. 5214) to authorize the Government of the United States to possess itself of the highways used for transportation of interstate commerce and for the possession and ownership of all utilities for the transportation of interstate commerce and passengers, and for the leasing of said systems to private operators with provision of regulation of rates of fare and freight and of compensation of workmen by the United States; to the Committee on Interstate Commerce.

By Mr. THOMPSON:

A bill (S. 5215) granting a pension to Ida Copple (with accompanying papers); to the Committee on Pensions.

A bill (S. 5216) for the relief of Phil Sours (with accompanying papers); to the Committee on Claims.

By Mr. CUMMINS:

A bill (S. 5217) granting an increase of pension to Benjamin Stevens (with accompanying papers); and

A bill (S. 5218) granting a pension to Justine M. Thrift; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 5219) to provide for one United States commissioner in each city of certain population and fixing a salary therefor; to the Committee on the Judiciary.

By Mr. POINDEXTER:

A bill (S. 5220) providing an appropriation to equip and put in the field a wire-drag party for surveying the navigable waters of the Alaskan coast; to the Committee on Appropriations.

A bill (S. 5221) granting a pension to Annie Neff; to the Committee on Pensions.

By Mr. WORKS:

A bill (5222) granting an increase of pension to Emma F. Webster (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 5223) to correct the military record of John H. Kidd (with accompanying papers); to the Committee on Military Affairs.

By Mr. BORAH:

A bill (S. 5224) granting a pension to Helen M. Winchester (with accompanying papers); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 5225) granting a pension to Georgia Miller (with accompanying papers);

A bill (S. 5226) granting a pension to Anna P. Ragan (with accompanying papers); and

A bill (S. 5227) granting an increase of pension to Rebecca J. Higgins (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 5228) granting an increase of pension to Andrew Winter (with accompanying papers); to the Committee on Pensions.

By Mr. GORE:

A bill (S. 5229) for the purchase of a building and lot as a mine rescue station at McAlester, Okla.; to the Committee on Mines and Mining.

By Mr. CHILTON:

A bill (S. 5230) granting an increase of pension to Sarah J. Deloe;

A bill (S. 5231) granting an increase of pension to Mrs. William H. Shanley (with accompanying paper);

A bill (S. 5232) granting a pension to Sarah M. Goff (with accompanying paper);

A bill (S. 5233) granting a pension to Lucinda Patterson (with accompanying paper);

A bill (S. 5234) granting a pension to Roy H. Walden (with accompanying papers);

A bill (S. 5235) granting a pension to William J. Murphy (with accompanying papers);

A bill (S. 5236) granting pensions to Alice Henshaw, Mabel Henshaw, Myrtle Henshaw, and Howard Henshaw (with accompanying papers);

A bill (S. 5237) granting an increase of pension to E. W. Stephenson (with accompanying papers);

A bill (S. 5238) granting a pension to J. B. Conley (with accompanying papers);

A bill (S. 5239) granting an increase of pension to Louisa Swanger (with accompanying papers);

A bill (S. 5240) granting a pension to Anthony Krass (with accompanying papers);

A bill (S. 5241) granting a pension to Vincent Woodyard (with accompanying papers);

A bill (S. 5242) granting a pension to Maggie Burcham (with accompanying papers);

A bill (S. 5243) granting an increase of pension to John A. Gross (with accompanying papers);

A bill (S. 5244) granting a pension to Ollie McFee (with accompanying papers);

A bill (S. 5245) granting a pension to Mrs. C. E. Scott (with accompanying papers);

A bill (S. 5246) granting an increase of pension to Henry Miller (with accompanying paper);

A bill (S. 5247) granting a pension to Mary D. Pearson (with accompanying paper);

A bill (S. 5248) granting a pension to William D. Evans (with accompanying paper); and

A bill (S. 5249) granting a pension to Oley P. Winn (with accompanying papers); to the Committee on Pensions.

A bill (S. 5250) for the relief of William Lloyd (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 5251) for the relief of John H. Jones (with accompanying paper);

A bill (S. 5252) for the relief of William D. Graham (with accompanying papers); and

A bill (S. 5253) for the relief of the estate of William Ferguson, deceased (with accompanying paper); to the Committee on Claims.

By Mr. GRONNA:

A bill (S. 5254) authorizing the Secretary of the Interior, in his discretion, to sell and convey a certain tract of land to the Mandan Town and Country Club; to the Committee on Public Lands.

A bill (S. 5255) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against The United States; to the Committee on Indian Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BRYAN (for Mr. FLETCHER) submitted an amendment proposing to amend the act of August 30, 1890, so as to permit the opening of the ports of Tampa, Fla., and Key West, Fla., for the admission of cattle for slaughtering purposes from Venezuela, Honduras, and Mexico, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. SMITH of Michigan submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. WORKS submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. SAULSBURY submitted an amendment proposing to appropriate $32,000 for rewiring the rooms in the State, War, and Navy Department Building, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. LANE submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. WALSH (for Mr. MYERS) submitted an amendment proposing to make available the fund derived from the act approved July 2, 1864, and the appropriation "Surveying within land grants (reimbursable), act of March 2, 1895," for office work upon surveys under these acts in the offices of the surveyors general in the General Land Office, etc., intended to be proposed by him to the legislative, executive, and judicial appropriation bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Appropriations.

CHARLESTON (S. C.) COALING STATION.

Mr. THORNTON. I send to the desk and ask to have read, for the junior Senator from Tennessee [Mr. SHIELDS], a letter addressed to that Senator on a matter pending in the Senate.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

BEWLEY-DARST COAL CO.,
Bristol, Va.-Tenn., March 30, 1914.

Hon. JOHN K. SHIELDS,
Washington, D. C.

MY DEAR SENATOR: I thank you for your letter of the 21st instant, in reply to my telegram of the 18th.

You ask me for a full statement of the matter under consideration, and I give it with pleasure, in my crude way, and as I believe it to be.

The matter at issue can be briefly defined as a fight between the large coal producers of Pennsylvania, Maryland, and West Virginia located on the lines of the Baltimore & Ohio, Chesapeake & Ohio, and Norfolk & Western, and Pennsylvania Railways with allied lines, commonly called the Coal Trust, and the coal producers of Tennessee, Kentucky, and Virginia, whose mines are located on the Southern Railway. The prize over which battle is being waged is an all-important one, to wit, the coal markets of the West Indies, South America, and Panama Canal, and, to a considerable extent, the markets of the Carolinas. Freight rates and dockage facilities at ports of export are the dominating factors. Without competitive rates and dockage and ship-loading facilities at some south Atlantic port, preferably Charleston, the coal fields located on the Southern Railway will be restricted to local markets as heretofore, and, as a matter of course, further development will be retarded, if not entirely prohibited. The Southern Railway has for years promised its coal producers an outlet to sea through Charleston, but nothing has been done—not a move made toward redeeming that promise, except to put in an export rate to Charleston. But they might as well put in a rate to the moon. Never a ton of coal will move on that rate until docks and loading apparatus are installed. The Louisville & Nashville is putting in these facilities at the Gulf ports. The Norfolk & Western, Chesapeake & Ohio, and Virginian Railways have them in at Norfolk, but not a move has the Southern Railway made. Why?

Right recently the Clinchfield Coal Corporation, a company financed by Thomas F. Ryan, Blair & Co., and other Wall Street magnates, and the Stonega Coke & Coal Co., a Philadelphia company, both of which concerns are closely related to the Coal Trust, have acquired extensive water frontage at Charleston with a view to building, owning, and operating private docks. I presume they have a legal right to do this, but the railroads should not be permitted to join with them in a scheme which will give one or two companies a monopoly of the export business. The Southern Railway should build and operate its own docks and be in position to give fair treatment to all the coal operators on its lines. This looks to me like a move on the part of the Coal Trust to get its grip on the throat of the coal industry of the South, as it has in the North, and legal or legislative action should be taken at once to protect the interests of the independent and small operators, who are not financially able to build and own their own docks. Failure to take such action at the proper time in the North enabled the trust to bankrupt and drive out of business the small operators, and I trust such a condition will never come about in the South. The failure of the Southern Railway to build its own docks, as it has long promised to do, thereby giving all coal producers on its line a "square deal," as Theodore Roosevelt would say, seems mighty strange and peculiar and excites suspicion. We naturally look for the reason, and I figure it out this way: The Southern Railway is owned, financed, officered, and operated by J. P. Morgan & Co. The Coal Trust is, to a great extent, a Morgan interest. All the directors of the Southern Railway Co. are named by Morgan & Co. Several of them have vast holdings in Coal Trust property. Neither Morgan & Co. nor any of the Southern Railway directors have financial interest in any mines located on the Southern Railway, unless it be the Stonega Coke & Coal Co., which company has its mines in Virginia on the Virginia & Southwestern Railway. The rates on coal made by the Southern Railway have not been such as to encourage the development of coal properties located on its lines. Why? The Lord knows it needs the tonnage and revenue. There can only be one sensible and logical conclusion, and that is that the Coal Trust indirectly, or possibly directly, outlines the policy of the Southern Railway in the matter of establishing coal rates and in building coal docks at Charleston or other Southern ports.

The Coal Trust is strongly represented on the directory of the Pennsylvania Railroad; the Pennsylvania Railroad controls the Norfolk & Western Railway by stock ownership; the Norfolk & Western Railway has for a long while, as I firmly believe, practically dictated to the Southern Railway its rates on coal into the Carolinas. Why? It was to the interest of the Coal Trust to have its markets broadened and the market of the Southern Railway mines narrowed, as much as possible, in the Carolina territory.

The Norfolk & Western and Chesapeake & Ohio Railways, Coal Trust lines, have long had export rates and facilities at Norfolk. The Southern Railway should have had like facilities at Charleston for the past 10 years, but they have failed to put them in, have remained absolutely passive and inactive, and let the export business move over the Norfolk & Western and Chesapeake & Ohio lines through Norfolk, when they should have had a fair share of it. I again say, Why?

There is only one answer—too much Coal Trust influence; and I say the matter should be fully investigated, and by a special Senate committee and not by the Interstate Commerce Commission nor by the regular Senate Committee on Interstate Commerce.

If the Southern Railway is innocent of any wrong, an investigation will not hurt it, but will exonerate and relieve it of all suspicion. If it is being used illegally and improperly by its officers, directorate, or financial backers, to the detriment of its own interests or to the injury of its patrons and the country it serves, that fact should be shown and the wrong corrected.

I beg to urge you to support Senator TILLMAN'S resolution, and to resist any effort which may be made to refer the matter to the Interstate Commerce Commission.

With kindest regards, I am,

Sincerely, yours,

JAKE BEWLEY.

Mr. BRYAN. I send to the desk and ask to have printed in the RECORD, without reading, a letter similar in substance to the letter which was sent to the desk by the Senator from Louisiana [Mr. THORNTON], and which was read, upon the alleged discrimination against the south Atlantic ports in the matter of coal transportation.

There being no objection, the letter was referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

1850 MINTWOOD PLACE,
Washington, D. C., March 28, 1914.

Hon. N. P. BRYAN,
United States Senate, Washington, D. C.

DEAR SIR: As a winter resident of Florida and a producer of coal in southwestern Virginia, I take the liberty of drawing to your attention the resolution recently introduced by Senator TILLMAN covering the investigation of coal rates and routes to Charleston, S. C., and the southeastern territory, including the State of Florida.

The investigation should not affect the movement of Alabama coal through the port of Pensacola, which movement will largely increase with the opening of the Panama Canal; nor will it in any way decrease the importance of that great port. It will, however, uncover conditions in the Southeast, under which the cost of fuel at tidewater is maintained at a figure high enough to confine the major portion of the supply to mines in Pennsylvania, Maryland, and West Virginia, shipping by water from Philadelphia, Baltimore, and Virginia ports, to the exclusion of coals mined in the South, and this is the cause of the complaint.

The effect of these high prices is to increase the cost of manufacturing at the southern ports and to increase the cost of bunkering coastwise and foreign steamers trading there.

There is no justification of higher rates on fuel from southern mines to southern ports—Jacksonville to Norfolk, inclusive—than from northern mines to northern ports—Norfolk to New York, inclusive—and the application of similar rates to any port south of Cape Hatteras will reduce the cost of fuel at all points in eastern and southern Florida and enable southern coal to compete in the open markets of the world with all coals.

It is wrong to force the South to buy coal from the northern mines when it has its home supply, and it should not be overlooked that every ton of coal purchased in the North takes money out of the South, while every ton used from mines on the Southern Railway, for example, not only builds up that line but the money paid for it remains in the South.

It is likewise wrong to tax those interior towns in the Southeast which are endeavoring to build up a manufacturing business by the

prevailing high railroad rates on fuel, which are far in excess of the rates charged to points equidistant but located on the Pennsylvania system, for example.

I will be glad to discuss these matters with you in Washington should you so desire.

Touching the real interest of the South, I do not consider any question before the Senate of more importance.

Yours, truly, FRANK C. WRIGHT.

LOCATION OF FEDERAL RESERVE BANKS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The Secretary read Senate resolution 332, submitted by Mr. HITCHCOCK on the 8th instant, as follows:

Resolved, That the organization committee of the Federal Reserve Board be, and it is hereby, directed to send to the Senate copies of all briefs and written arguments made by each city applying to the organization committee for the location of a Federal reserve bank, together with the reasons relied upon by the organization committee in fixing the boundaries of the reserve districts and locating the reserve cities.

Mr. HITCHCOCK. I desire to amend the resolution by inserting in line 5, after the word "with," the words "the poll of the banks and."

Mr. President, in view of the fact that the Senator from Iowa [Mr. CUMMINS] has given notice that he desires to address the Senate on the railroad question, and in view of the further fact that the Senator from Missouri [Mr. REED] desires to speak on this resolution of mine, I ask that it go over until to-morrow without prejudice.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution will go over without prejudice.

RAILROAD RATES.

Mr. CUMMINS. Mr. President, in the midst of the furious controversy respecting the tolls which ought to be imposed upon a few ships which may pass through the Panama Canal it may be that I can not interest the Senate in the subject which I have proposed for discussion. I do not belittle this controversy, for it involves the self-respect of a nation; and yet I beg to remind Senators that an advance in railroad rates of 5 per cent will amount to more in one year than all the tolls paid by all the ships that will go through the canal in 12 or 15 years, and more than our coastwise ships, if they were charged full tolls, would pay in more than half a century. Indeed, I think I am within the truth when I say that an advance of 5 per cent upon the railroad rates of this country would amount in one year to more than all the tolls that would be paid on all the coastwise ships, at the rate now fixed for foreign shipping, in more than 75 years. However important our commerce by way of Panama may become, it will always be insignificant when compared with the transportation of land carriers.

There is now pending before the Interstate Commerce Commission an application for a general increase of all freight rates in the eastern district of the United States. It will, I assume, be tried and determined upon its merits, and what I am about to say must not be considered as an attempt to influence the conclusion which the commission may reach. The commission will hear the evidence or arguments of counsel and render its judgment free, I am sure, from any extrinsic appeal or suggestion.

If the examination of the financial and physical condition of the railroads were confined to the forum in which the cause to which I have referred is upon trial, I would doubt the propriety at this time of a discussion of any phase of the general subject in the Senate, but, unfortunately, a broader and infinitely more important issue is being tried before the court of last resort—the people of the United States.

In connection with the proceeding before the commission there is in progress the most comprehensive, energetic, and persistent campaign I have ever witnessed to make the people of the country believe that the effort of the Government to regulate railways, railway rates, and railway practices has resulted in dismal, disastrous failure; that the Government in its endeavor to protect the people has impoverished the transportation companies; that it has driven them to the very verge of bankruptcy and ruin; that it has destroyed their credit and rendered them incapable of performing the service which commerce demands; that it has outlawed them from the confidence of capital and exiled them from the field of the investor.

This extraordinary campaign has filled the newspapers with headlines, with dispatches, with letters, and with editorials. It has taken possession of the magazines out of which week after week issue appeals for justice to the decadent railroads and to the despondent railroad managers, and it gives dinners and holds banquets where the eloquence of the postprandial orator paints lurid pictures of empty treasures, of worn-out tracks, of falling bridges, and dilapidated equipment. I have collected and preserved a great volume of evidence showing what the campaign is and how it is carried forward, but inasmuch as all that I have said is as well known to all of you as it is to myself, I will go no further by way of proof than to mention a few of the startling things that are being said and done.

In the last issue of Munsey's Magazine there is an article by Mr. Frank A. Munsey himself. Mr. Munsey is a man of great wealth and great energy. His prominence in literature, finance, and politics gives his declarations an unusual significance. Among other things, he says:

> Starving the railroads and hostility to capital are responsible for our business depression and industrial stagnation. The Government has overplayed its hand in humiliating capital and breaking up our big enterprises. Its obvious worry lest somebody, somewhere, somehow, might make a dollar has been overdone. Continue this policy of starving the railroads and we shall continue to starve ourselves, and shall have no good times. Let the railroads make a decent living, and the wheels of enterprise will leap into activity.

He then reviews the situation, insisting that the farmer and manufacturer who produce everything that the railroads carry can not bring about good times; that the merchants, middlemen, and consumers who buy, sell, and use the products of the farm and factory can not restore good conditions, but that the railroads which merely carry the things that the farmer and the manufacturer produce and the things which the merchants, middlemen, and consumers buy, sell, and use can instantly reinvigorate the whole body of business and will do it if the Government ceases to oppress them. Having thus reasoned himself into the belief that the way in which to lift the industries of the country from the depression into which they have fallen is to build more track and buy more equipment, although the railroads can not use what they have, he writes:

> Forcing railroad managements into a position where they have been compelled to squeeze paltry dividends out of half-fed, half-nourished properties that they might keep their roads out of bankruptcy is a rotten policy.

You can scarcely take up a newspaper in these days but that you see the substance of what I have just read from Mr. Munsey reiterated. In the New York Times of Saturday two weeks ago there appeared under bold headlines the statement that the New York Central had dismissed 25,000 workmen since December 1, 1913, and that the Pennsylvania Railroad had been compelled to discharge 15,000; and in the same paper was an account of the speech of Daniel Willard, president of the Baltimore & Ohio Railroad and chairman of the presidents' committee of railroads in official classification territory, in which he referred to the case pending before the Interstate Commerce Commission and declared that the railroads were without sufficient money to maintain their properties and conduct their business; that men having money to invest would not put it in railroads unless they could be assured of a safe and satisfactory return, and so on in like strain throughout an extended and interesting address.

On Monday morning last a Washington paper printed a letter from Mr. E. P. Ripley, president of the Atchison, Topeka & Santa Fe Railroad system, complimenting the editors of the paper upon their clear understanding of the railway situation and their forcible and able discussion of the subject. Mr. Ripley, after bestowing these commendations, proceeded at great length to show how miserably inadequate freight rates now are and how impossible it will be for the roads to do the business of the country unless their revenues were substantially increased.

I could cite, I think, a thousand of these instances occurring within the last year or two, all directed toward a single end, namely, to prove the charge so picturesquely made by Mr. Munsey that the Government is starving the railroads, and that they will shortly become a great scrap heap unless the Government reverses the policy which it has hitherto pursued.

I do not inquire whether the campaign is being carried on to affect the commission, for we all feel that it can not be swerved a hair's breadth from the path of its duty, but I do assert that the movers in this campaign are trying to do an infinitely more objectionable thing. They are trying to pervert and mislead the judgment of the people. They are trying to awaken sympathy by false pretenses. They are trying to deceive the country with exaggerated cries of suffering and distress in order to escape the control which experience has demonstrated should be imposed upon all corporations which undertake a public service.

My purpose is to take a hand and bear a part in this campaign and bring forward some facts which have hitherto been

overlooked or suppressed. I do not mean that they have been ignored in the proceeding before the commission, but they have not been impressed upon the public mind; and what I shall say is, I hope, but the beginning of an attempt to put the people of this country into the possession of all the facts which relate to this great factor in the life of the Nation.

It is utterly wrong for any man to say that there is hostility in the hearts of our people toward railroads. It is a contradiction in terms. The happiness and prosperity of the country are dependent upon the safety, adequacy, and efficiency of transportation. Everybody desires that every railroad shall be well constructed, well equipped, and well operated. Everybody knows that these things can not be accomplished unless the compensation for the service rendered is sufficient to pay for maintenance and operation and so to reward the capital invested that those who have money to invest will look upon the enterprise as an attractive one. I recognize that the duty which the Government has undertaken of regulating railway rates and railway practices is a difficult one, and I have no doubt that at times and places some injustice is done to the railroads, just as I have no doubt that at other times and places injustice is done to the people whose interests the Government is trying to guard.

There ought, however, to be an end of the ceaseless and senseless clamor which I have heard for years that the people, through their Government, are intent upon inflicting an injury upon an instrumentality vital to their own welfare. It is as absurd as it is untrue, and the demagogue who appears now and then and attempts to enhance his popularity by indiscriminate attacks upon railroads is no more to be despised nor condemned than the speaker or writer who weaves into his story the assumption that the Government is purposely endeavoring to harass, injure, and destroy these great highways of commerce. I have no doubt that there are rates that ought to be increased. I have no doubt that there are rates that ought to be decreased. This is a problem for the commission, and with it I have nothing to do. My sole object is to put before the country in a brief, concise way certain facts that are perfectly well known to those who have investigated the subject, which are accessible to every student of railroad history, but which most men, absorbed as they are in their several avocations, have neither the time nor the opportunity to ascertain.

Before I enter upon the particular inquiry before me I desire to remind the Senate that the rates now prevailing were substantially all made by the railroads themselves. It is, of course, a mere estimate, but I hazard the statement that more than 95 per cent of the freight revenues of the railroads are derived from freight rates made and published without any interference whatsoever upon the part of the Government. If they are insufficient as a whole, the fault lies, in the first instance at least, with the traffic bureaus of the several transportation companies. One thing more I ask you to bear in mind as I proceed. It will, I think, be admitted by everyone that the physical condition of the railroads is better at this moment than ever before in their history. I mean that the roadbeds are safer, the rails better and heavier, the bridges sounder and stronger, the station houses and other structures more commodious and permanent, the equipment more adequate and lasting, and the locomotive power greater than at any other time since the first railway train started on its journey.

It follows, of course, that the railroad property devoted to the public service is more valuable at this moment than at any other moment since railroads began. We ought to understand that we are dealing with the most complete railroad system that this world has ever seen, prepared to render more and better service than it ever rendered before, and all the declamation about the railroads passing into decay and becoming unsafe or insufficient is the rankest, baldest nonsense.

If the Senate will permit a preliminary statement, it is beyond doubt that the railroads are now—that is, for the last three or four months—experiencing a somewhat severe depression; the volume of traffic is greatly diminished as compared with one, two, or three years ago. The comparisons that I shall institute presently end with 1913, and they are sufficient for my immediate purpose, because I suppose that no one will claim that because we are in the midst of an industrial depression, in which people are not producing as much as they did, when people are not buying or consuming as much as they did, and many men are dismissed from the railway service, being unnecessary to carry on the business of the companies, that therefore rates should be advanced.

The depression began about the 1st of October last and has grown more serious with each month since that time. I shall not pause to inquire into the causes of the unfortunate situation, for if I were led into such an investigation I would be compelled to examine a subject that ought not to be treated as an incident of a discussion, but as its chief purpose. It suffices to say that for some reason people are not buying as much as they did; manufacturers are not producing as much as they did; consequently, there is not so much to haul from one part of the country to another. There is probably more railroad equipment now idle because it can not be put to use than was ever idle before. This condition may account in part for the dismissal of railroad employees whose services are no longer required. If there was work for them to do, they would continue to earn for their employers the revenues that were formerly received. I hope, and I may add that it is my belief, that these distressing conditions will be temporary and that speedily business will resume its normal proportions.

In this partial suspension of activity the railroads suffer just as all other industries suffer, and we must bear with patience the misfortune that has fallen upon the whole country.

The 70,000 men, if that be the number, who have been dismissed from the railway service find their counterparts in many times 70,000 men who have been dismissed from the industrial service of the country, and it is no fairer to ask the Government of the United States to guarantee to the railroad companies continued employment than it would be to ask that it shall guarantee to all the workingmen of this country continuous and profitable employment. We must all suffer in common this depression of which we are so conscious and the existence of which I think must be admitted.

It can not, however, be claimed that railroad rates must shift with these passing fluctuations in trade, for that would be the equivalent of insisting that while the farmer and manufacturer and the merchant must have their lean years and their fat years the railroads must be guaranteed that the capital which they have employed shall at all times receive the maximum reward.

With these general observations, I invite your attention to the especial facts which seem to me that all of us should have in mind when we are considering the charge that the Government has oppressed and is gradually destroying the railroads.

For many of the tables I shall use I am indebted to Mr. Clifford Thorne, one of the railroad commissioners of my own State, whose competency and industry in the field of transportation rates, their regulation and adjustment, are not surpassed by any man in the country. I have necessarily resorted to other sources of information, which I shall endeavor to identify as I proceed.

Contrary to the arrangement which seems to be natural, yet for reasons which will quickly appear, I invite your attention first to the study of this question, What is a reasonable rate of return upon invested capital? It is always a question of fact, for its correct answer depends upon the circumstances which surround the investment. It is not material to indulge in conjecture and speculation. There is but one way in which to discover the answer, and that is to ascertain what men with money are willing to take for its use when invested in various ways.

The pure money rate accepted and received by investors is best illustrated by the average yield upon investments in representative Government bonds. In these securities risk is practically eliminated and ordinarily they are not taxable. I have a table before me which shows the actual rates of interest yielded by investments in the obligations of the following Governments: United States, Great Britain, France, and Germany. Observe that I am not stating the rate of interest which the obligation bears, but the rate of interest yielded to the investor. The table comprises the years from 1890 to 1909, both inclusive. I give the first and the last of these years: United States, 2.43 per cent and 2.52 per cent; that is, in 1890 the average rate yielded by the Government bonds of the United States—these are 4 per cent bonds, I may say—was 2.43, and in 1909 it was 2.52. In Great Britain—and I am speaking now, of course, of British consols—in 1890 the average rate yielded was 2.88 per cent and in 1909 2.98 per cent. In France in 1890 the average rate was 3.32 per cent; in 1909, 3.09 per cent. In Germany in 1890 it was 3.45 per cent and in 1909 it was 3.34 per cent. With the consent of the Senate, I shall insert in my remarks without further reading the table, which has been prepared by an eminent statistician and appears in one of the reports of the National Monetary Commission.

The VICE PRESIDENT. Is there objection? The Chair hears none, and permission to do so is granted.

The table referred to follows.

Actual rates of interest yielded by investments in bonds of the American, British, French, and German Governments.

	United States fours of 1907 and 1925.	English consols, 2¾ and 2½ per cent.	French rentes, 3 per cent.	German threes.
1890	2.43	2.86	3.32	3.45
1891	2.65	2.88	3.19	3.52
1892	2.89	2.85	3.09	3.48
1893	3.04	2.81	3.10	3.43
1894	2.79	2.73	3.01	3.31
1895	2.89	2.60	2.95	3.03
1896	3.14	2.49	2.95	3.02
1897	2.73	2.45	2.91	3.07
1898	2.69	2.49	2.93	3.14
1899	2.47	2.57	2.97	3.31
1900	2.18	2.77	2.99	3.46
1901	1.97	2.93	2.98	3.36
1902	1.98	2.92	2.99	3.25
1903	1.99	2.82	3.07	3.28
1904	2.09	2.84	3.09	3.33
1905	2.00	2.79	3.04	3.33
1906	2.04	2.84	3.08	3.42
1907	2.18	2.98	3.18	3.57
1908	2.44	2.91	3.13	3.62
1909	2.52	2.98	3.09	3.54

Mr. CUMMINS. It will thus be seen that five years ago—I have not been able to secure the information since that time, and I do not look upon time as material—that capital was willing to accept investments in these securities for a return of from 2.52 per cent in this country to 3.34 per cent in Germany.

The table I have just used appears in one of the reports of the National Monetary Commission, Senate document 570, Sixty-first Congress, page 281. It was taken from an investigation prepared and published by W. C. Mitchell, of the University of California, called "Rates of interest and prices of investment securities, 1890 to 1909."

Now I come to probably a more material thing. For the purpose of instituting a comparison Mr. Mitchell—mark you I do not make this selection—selected 10 typical railway companies and tabulated the actual rates of interest yielded by investments in their bonds. I ask to have the latter table incorporated in my address without reading it at length. Possibly I ought at this point to state the railroads that were selected by Mr Mitchell. They were the Chicago & Eastern Illinois; the Missouri, Kansas & Texas; the Wabash; the Chesapeake & Ohio; the Chicago, St. Paul, Minneapolis & Omaha; the Chicago, Burlington & Quincy; the Central Railroad of New Jersey; the Chicago, Milwaukee & St. Paul; the New York, Chicago & St. Louis; and the West Shore. I am now, of course, speaking of bonds alone.

The VICE PRESIDENT. Without objection, the table referred to by the Senator from Iowa will be printed in the RECORD.

The table referred to is as follows:

Actual rates of interest yielded by investments in 10 American railway bonds, by years, 1890–1909.

	C. & E. I.	M., K. & T.	Wabash.	C. & O.	C., St. P., M. & O.	C., B. & Q.	C. R. R. of N. J.	C., M. & St. P.	N. Y. C. & St. L.	W. S. R. R.
	Per cent.	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*	*Per cent.*
1890	5.24	5.20	4.99	5.09	4.96	4.53	4.55	4.39	4.38	3.88
1891	5.28	5.25	5.06	5.11	5.06	4.92	4.61	4.79	4.42	3.96
1892	5.03	5.04	4.81	4.85	4.84	4.73	4.53	4.49	4.18	3.90
1893	5.16	5.17	4.95	5.00	4.97	4.94	4.60	4.42	4.30	4.02
1894	5.14	5.04	4.83	4.75	4.63	4.72	4.40	4.46	4.04	3.87
1895	5.07	4.76	4.72	4.59	4.56	4.64	4.36	4.38	3.87	3.82
1896	5.12	4.92	4.80	4.72	4.65	4.80	4.34	4.28	3.89	3.85
1897	5.02	4.78	4.76	4.48	4.28	4.51	4.47	3.96	3.78	3.72
1898	4.71	4.57	4.54	4.29	4.12	4.07	4.46	3.83	3.80	3.69
1899	4.32	4.34	4.26	4.12	3.97	3.47	4.23	3.59	3.71	3.56
1900	4.27	4.40	4.20	4.12	4.09	3.42	4.07	3.61	3.71	3.57
1901	3.90	4.11	4.08	4.00	3.83	3.40	3.81	3.59	3.66	3.54
1902	3.84	4.05	4.07	4.01	3.81	3.50	3.63	3.51	3.73	3.55
1903	4.15	4.13	4.24	4.19	4.09	3.69	3.84	3.70	3.89	3.70
1904	4.10	4.06	4.15	4.12	4.03	3.72	3.78	3.68	3.83	3.72
1905	3.95	3.97	4.08	4.04	3.79	3.61	3.69	3.59	3.70	3.70
1906	4.06	4.03	4.24	4.10	3.97	3.78	3.89	3.71	3.82	3.80
1907	4.44	4.24	4.60	4.45	4.27	4.08	4.11	3.95	4.07	3.97
1908	4.33	4.15	4.63	4.32	4.18	4.04	4.04	3.93	4.04	3.95
1909	4.14	4.01	4.24	4.13	3.95	3.94	3.89	3.87	3.94	3.89

Mr. CUMMINS. The foregoing rates of return are not the average on the face value of the security, but the actual yield, computed from the annual return and the actual price the investing public pays for such securities. The method of making the computation is described in the language of Mr. Mitchell, as follows:

The lowest and highest prices of these bonds in each month of 1890–1909 were obtained from the Financial Review. The means between these extreme quotations were struck after accrued interest, as of the middle of the month, had been deducted. Then net yields were computed for each month from these mean quotations by the aid of bond tables.

Description of the railway bonds included in the foregoing table.

Name of railway.	Name of bonds.	Medium of payment.	Dates of—		Amount of issue in millions of dollars.			Rates of interest.
			Issue.	Maturity.	Authorized.	Outstanding.		
								Per cent.
Chicago & Eastern Illinois	General consolidated and first mortgage		1887	1937	30	4	20	5
Missouri, Kansas & Texas	First mortgage	Gold	1890	1990	40	39	40	4
Wabash	do	do	1889	1939	34	23	34	5
Chesapeake & Ohio	First consolidated mortgage	do	1889	1939	30	22	28	5
Chicago, St. Paul, Minneapolis & Omaha.	Consolidated mortgage		1880	1930	30	13	16	6
Chicago, Burlington & Quincy	Nebraska extension bonds secured by deposit of first mortgage bonds of Nebraska branch roads.		1887	1927	(1)	25	23	4
Central Railroad of New Jersey	General mortgage	Gold	1887	1987	50	35	45	5
Chicago, Milwaukee & St. Paul	General mortgage, series "A"	do	1889	1989	150	9	49	4
New York, Chicago & St. Louis	First mortgage	do	1887	1937	20	20	19	4
West Shore Railroad	First mortgage, guaranteed by the New York Central		1885	2361	50	50	50	4

[1] $20,000 per mile.

It is sufficient to say that in 1890 the interest yielded upon these investments ranged from 3.88 to 5.24, and that in 1909 the rate actually yielded upon the investments ranged from 3.87 to 4.14. I am still speaking of the rate of interest actually yielded to the investor and not the rate borne by the obligations themselves. The conclusion is apparent and can not be gainsaid. It is that during these 20 years the public was willing to put its money into these bonds and receive as a reward upon the capital an annual return as indicated. As a supplement to the table upon which I have just commented I append a table showing the rate of interest actually paid upon the bonded debts of the railways in the United States and in Great Britain from 1899 to 1912.

I take the liberty of reading a very little from this table, for it is not only vastly interesting, but it is gratifying to the pride of every American.

In the United States—I am considering now the funded debt of the roads—in 1899 the average interest paid upon the funded debt of all the railroads—and I am not speaking now of short-time notes, but of bonds—was 4.42 per cent. In 1911,

that being the last year for which I have information upon this point, the average rate of interest paid was 3.82 per cent. That was the general rate paid by the railroads of this country upon their bonds in 1911.

The railroads in England and Wales in 1899 paid 3.42 per cent, and in 1912 they paid 3.39 per cent. You will observe that the rate in England in 1912 was not appreciably less than that paid in the United States in 1911. In Scotland the same kind of securities paid in 1899, 3.57 per cent, and in 1912 they paid 3.57 per cent. In Ireland the same kind of securities paid in 1899, 3.99, and in 1912 they paid 3.81 per cent, almost the identical interest paid by our railroads in 1911.

The average rates of interest paid on all railway bonds in America and Great Britain during the last 10 years for which comparative figures were available are as follows:

Rate of interest.

	United States funded debt.	England and Wales, loans and debenture.	Scotland, loans and debt.	Ireland, loans and debt.
1899	4.42	3.43	3.57	3.99
1900	4.33	3.43	3.56	4.03
1901	4.34	3.43	3.56	3.99
1902	4.34	3.42	3.55	3.98
1903	4.28	3.42	3.55	3.81
1904	4.18	3.39	3.55	3.80
1905	4.16	3.39	3.56	3.80
1906	4.05	3.39	3.56	3.78
1907	4.11	3.39	3.56	3.77
1908	3.92	3.40	3.56	3.81
1909	3.90	3.39	3.57	3.81
1910	3.89	3.40	3.57	3.81
1911	3.82	3.40	3.57	3.81
1912	.....	3.39	3.57	3.81

I hope you will bear these facts in mind, for they will become highly material when I reach the inquiry relating to the demands upon and distribution of the net revenues of the railroads in this country.

I now present certain tables taken from Bulletin No. 21 of the United States Census, Department of Commerce and Labor, showing the outcome of investments in certain railway stocks.

I pass now from bonds and come to stocks. These tables are prepared by Mr. Myers, a well-known statistician of the Bureau of the Census, now a statistician, I think, in the Department of Commerce, though I am not sure about that. They show at great length the investments in railway bonds and also the average market price of railway stocks and the rate per cent of annual return to the investor.

Anyone who desires to ascertain the status of railway stocks in the United States has only to refer to this most exhaustive and comprehensive table in order to secure full information upon that subject.

I can not detain you by a close analysis of these tables. It answers my present purpose to say that railway bonds yield a little over 4 per cent and stock about 5 per cent.

These are the rates of investment in this country. Just now it may be that bonds are difficult to sell, but that is not material to the point that I am attempting to make.

I present these facts for no other purpose than to show the composite public judgment respecting a fair return upon investments in railway properties and to give us a basis for the further inquiry into the amount of net revenue necessary in order to sustain the financial credit of railway companies among those who have money to invest and to enable us to answer the question so persistently propounded, Are the revenues from existing rates adequate to maintain the credit of capital obligations in the markets of the country? I am not considering the adequacy or inadequacy of the existing revenues to make returns upon a fair valuation of the railway property. I recognize that under the decisions of the courts a particular rate is to be tested by this standard, but we do not know what the fair value of the railway property is, and will not know until the Interstate Commerce Commission concludes the labor it has now undertaken.

I may pause here to say that if the principle or rule laid down by the New Jersey Utilities Commission, concerning which we had much to say recently and which Senators well understand, is applied to the railroads of this country, the value of this property will, in my judgment, be four, five, or six billion dollars more than its present capitalization. If the other rule is applied to the railway property, it is likely that its value will be found to be less than its present capitalization. It all depends upon the estimate which the Interstate Commerce Commission shall finally make with regard to the intangible value of the railroad property as to the conclusion which it may reach; but if this intangible value is added, then I have no doubt whatever that the railroads will be entitled to an increase. If you add four, five, or six billion dollars to the value of the railroad property in the United States, the railroads must secure an additional revenue of something like $300,000,000 a year in order to enable them to earn the same rate of return upon that value which they now earn upon their capitalization. I am hoping that, notwithstanding all our misadventures, we will not suffer that great disaster; but time alone can tell.

I repeat that I am not addressing myself to the issue which must arise when it becomes possible to ascertain the value of the property that renders the public service, but I am endeavoring to look into the sufficiency of the revenues to maintain the railroads in physical efficiency to pay all operating expenses and to hold their present capitalization in the confidence of the investing public.

Second. In logical sequence we ought next to ascertain the amount and character of the outstanding railroad securities in the hands of investors, the value of which has so been impaired by the severity and injustice of governmental supervision that they have been practically driven from the market places not only of our own country but of the world. The last reliable information on this subject will be found in the report of the Interstate Commerce Commission for 1911. The report shows that after deducting duplicated and intercorporate holdings the aggregate at par of all the debts—I am not now confining myself to bonded debts, but all debts; I mean, of course, net debts—and stocks of the railway companies was $15,008,707,570, of which $9,164,460,201 consisted of bonds and $5,844,247,369 of stocks. I shall not dwell upon the fact, well known by every student of the subject, that a very large proportion of the stock was originally issued either without any valuable consideration or upon the payment of a small proportion of its par value.

We have but to recall the overcapitalization of the Chicago, Rock Island & Pacific; of the Chicago & Alton; of the St. Louis & San Francisco; of the New York, New Haven & Hartford—I hesitate to speak of that, although I had it on my tongue—we have but to remember what was so graphically described this morning by the Senator from Colorado [Mr. THOMAS] as to the action of the Union Pacific in borrowing $100,000,000 for the purpose of acquiring an entire railroad, or an interest in an entire railroad, and when it was compelled to forego that enterprise, instead of using the money that it borrowed for the purpose of discharging the obligation thereby created, it distributes the stock which had been acquired in the Baltimore & Ohio Railroad and distributes the cash which remained or had been covered into the treasury on account of the loan as a stock and cash dividend among its stockholders—my friend from Colorado says "common-stock holders," and I have no doubt that is so—a chapter in railroad financing humiliating to the people of the United States, because they had not hitherto enacted such legislation as would make an act of that sort impossible, and humiliating because it seems to be now reasonably certain that for all time to come the people of this country must bear the burden created by this most—I will not say unprecedented, because unfortunately it has too many precedents—but this utterly indefensible proceeding on the part of the Union Pacific Railway Co. I only hope that when the Interstate Commerce Commission comes to consider the value of these properties for the purpose of rate making it will be strong enough to eliminate these false financial operations and will impose upon the country only the burden that it ought to bear, and that the value of the property of the Union Pacific Railway Co. will be ascertained without any reference to these increases in the capital stock. It is also well known that a large part of the capital stock of railway companies was originally put out in the form of stock dividends, a device employed to capitalize either the unearned increment or betterments and extensions paid for out of surplus net earnings; that is to say, net earnings often accumulated through the imposition of excessive rates.

I am dealing with the question to-day upon the basis that we must care for the entire capitalization. We have not yet reached the time when we can sift the good from the bad and relieve the people of the burden of these financial operations. It may be we can do so in the future; we have not done so up to this time; and I am taking up this question and looking at it just as though we must care for all the capitalization which these companies have from time to time issued. It is claimed, and it may be true, that some, if not all, of this watered stock has been made good, either by the natural increase in the value of railway property, especially of rights of way and the like, or by its enlargement from earnings. This phase of the history of railway capitalization is at once the most interesting and the most regrettable chapter of the Nation's development, but its recital must be postponed until another opportunity presents itself.

For the purpose I have in view at this time, I take the capitalization as it is, not, mark you, as a basis of rate making,

for it has been repeatedly declared that it is not the foundation upon which rates are to be constructed. I take it, as I have more than once said, to determine whether the tendency of railroad revenues leads us to the conclusion that they will give these securities the proper standing in the markets of this and other countries. I am not able to state with absolute accuracy the exact increase in capitalization since 1911, inasmuch as many of the financial operations in which the railway companies have engaged have involved the refunding, or substitution of securities, as well as additions to them. I believe, however, that it is entirely safe to say that the added net debts do not exceed $350,000,000, and that the added stock is not more than $250,000,000. If, then, the funded obligations, or bonds and other debts, of the railway companies aggregate substantially $9,400,000,000, and if, as we have seen, the average rate of interest is not more than 4.2 per cent, the sum annually required to pay the interest upon the railway debt is $394,000,000; and the sum required to pay a 5 per cent dividend—and we have seen that the American public is willing and anxious to invest its money in railway stocks which pay a 5 per cent dividend—is $310,000,000, making a total of $704,000,000 required to pay all the interest upon the railway debt and to pay a 5 per cent dividend upon all the capital stock now outstanding.

To test the accuracy of these results, I suggest that the actual interest paid in 1911 was $380,412,000, and the actual dividends paid in that year were $291,000,000. It will not be forgotten that I have already shown conclusively that under normal conditions investors are glad to put their money in railway bonds yielding substantially 4 per cent interest, and in railway stocks paying 5 per cent dividends. It may be that just at this moment investors require a little more than 4 per cent upon bonds and 5 per cent upon stocks; but if it be so, the condition is but temporary; and it can not be fairly insisted that to care for a fluctuating or temporary condition it is necessary that additional revenues shall be granted to these companies. It is not to be denied that there are times and circumstances at which, and under which, it is difficult to secure money for any purpose or upon any security, but if we are living in such a time and surrounded by such circumstances, the misfortune must be attributed not to the regulation of our railways but to other conditions from which the people suffer, and which we must all endure until happily they may pass away.

Third. These considerations bring me to an examination of the past and present revenues of the railroads and to the task of tracing the tendency which these revenues disclose. Now, mark you, I am dealing with this as a problem affecting all the railroads of the United States. I have not selected those railroads whose application is now pending before the Interstate Commerce Commission.

I hold in my hands a table showing the total revenue, the total expense, including taxes, and the net revenue of all the railroads in the United States, beginning with 1890, and ending with 1913. It is divided into periods of five years, with the exception of the last four years, and it exhibits the average of each of these items for each of the periods, and in that connection states the percentage of increase in net revenue over the first year, 1890. The net revenue of all the railroads in 1890 was $328,576,192 and in 1913 was $814,331,842. I want that firmly impressed upon the mind, that last year the net revenues of all the railroads of the United States, after deducting taxes, was $814,331,842, a net increase of 147.80 per cent over 1890, a larger increase than for any other year in the twenty-four, save one—1910.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Iowa yield to the Senator from Connecticut?

Mr. CUMMINS. I am glad to yield.

Mr. McLEAN. I am interested in many of the statements the Senator is making. I should like to ask him a question. Has he the dividends paid in 1911?

Mr. CUMMINS. I have. I mentioned that figure a moment ago.

Mr. McLEAN. That was in 1911, as I understand?

Mr. CUMMINS. Yes. I have not the dividends paid last year.

Mr. McLEAN. I understood the Senator to say that in 1911 the total of dividends was $290,000,000.

Mr. CUMMINS. Two hundred and ninety-one million dollars.

Mr. McLEAN. Did that include dividends from surplus?

Mr. CUMMINS. The $291,000,000? It did not.

Mr. McLEAN. It did not include any dividends from surplus?

Mr. CUMMINS. I do not know what the Senator means by "dividends from surplus."

Mr. McLEAN. I think there was about $90,000,000 paid from surplus—that is, it was not earned in 1911.

Mr. CUMMINS. I do not think so.

Mr. McLEAN. And I think something like $100,000,000 was paid from subsidiary roads—leased roads.

Mr. CUMMINS. I do not remember, and I can not answer that question; but if so, the earnings for 1911 were greater than for any other year in the history of railroads prior to that time, save 1910.

Mr. McLEAN. My inquiry was directed to that point because I should like to know what the stockholders got, not in dividends declared by operating and leased lines but in dividends actually paid.

Mr. CUMMINS. I have not those figures for 1913, nor do I believe that anybody has. That is a matter entirely at the pleasure of the railroad companies. I shall show presently that if the railroad companies did not pay dividends of 5 per cent or more in 1913 it was because they thought they had a more profitable use for their money, and that they spent more money in 1913 than they ever before spent in the history of the railroads, and deducted more for maintenance and operation and for equipment in 1913 than they ever before deducted in the history of the business in the United States.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. CUMMINS. I yield.

Mr. CLARK of Wyoming. I wish to ask the Senator if later on, in considering this comparison between 1900 and 1913, he takes into consideration at all the difference in the mileage of 1913 and 1900? He gives the total of the net earnings.

Mr. CUMMINS. Oh, yes.

Mr. CLARK of Wyoming. And I suppose that depends more or less upon the mileage.

Mr. CUMMINS. I make that comparison, of course, later on.

The average net revenue for the first period—now, this is from 1890 to 1894, inclusive—was 2.06 per cent over 1890. In the case of the average net revenue for the second period—that is, the one ending with 1899—the increase over 1890 was 7.69 per cent. For the period ending in 1904 the increase over 1890 was 64.36 per cent. For the period ending in 1909 the average increase over 1890 was 111 per cent.

Now, I will read the next four years, because the full period has not elapsed. In 1910 the net revenue of the railroads was $824,241,301. That is 150.85 per cent increase over 1890.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa further yield to the Senator from Connecticut?

Mr. CUMMINS. I do.

Mr. McLEAN. I have been told that the net dividend received by the stockholder was less than 2 per cent, and I was interested to know about that.

Mr. CUMMINS. I do not know what they paid in 1913. I only know what they had to pay. If they did not desire to pay it, of course they may have had reasons which were satisfactory to them; but I have not the information suggested by the Senator from Connecticut.

In 1911 the net revenue was $766,398,000. That was 133 per cent increase over 1890. In 1912 the net revenue was $737,584,000—124.48 per cent increase over 1890. In 1913, which is the last year of which we have a completed report, the net revenue, as I have more than once stated, was $814,221,842—larger than in any other year of railroad history save in 1910; and 1910 seems to be conceded by all who have studied the subject to have been an exceptional and extraordinary year.

Now, let us see. Here the railroads have $814,000,000 applicable for distribution among their bondholders and their stockholders. In order to discharge the full obligation for interest on bonds, the companies pay substantially, as I have shown, $394,000,000. Deduct this amount from the total net revenue and we have the remaining sum of $420,000,000 applicable for dividends. This means that the railway companies as a whole earned enough in 1913 to pay 7 per cent upon all their capital stock, whereas we have seen that 5 per cent, or, at the most, 5½ per cent, actually paid makes such stock attractive to the investing public and is sufficient to invite complete confidence.

There is no dispute with regard to these facts. The railway companies do not dispute that they earned $814,000,000 in 1913. If they did, they earned enough to pay all their interest, both on long-time and short-time obligations, and to pay 7 per cent upon their capital stock. If they had taken 2 per cent and used it as surplus—and it would be fair and reasonable for them to do that, I think—they still would have had 5 per cent upon their entire capital stock for distribution.

The most remarkable thing about the table to which I have referred is the tendency which it establishes, namely, a strong, undeniable upward direction in net revenues. The net revenue last year was, in round numbers, $120,000,000 more than the

average for the five-year period ending with 1909. It was $270,000,000 more than for the five-year period closing with 1904. It was $460,000,000 more than for the five-year period ending with 1899, and was $475,000,000 more than for the five-year period terminating with the year 1894.

It is almost unbelievable that in the face of these facts intelligent men will continue to denounce the attitude of the Government toward the railroads as hostile or unjust.

I ask to incorporate in my remarks, without further reading, the table to which I have just been referring.

The PRESIDING OFFICER. Without objection, the table will be inserted.

The matter referred to is as follows:

Tendency of earnings and expenses of American railways.

Year.	Total revenues.	Total expense (including taxes).	Net revenue.	Increase over year 1890.
				Per cent.
1890	$1,051,877,632	$723,301,440	$328,576,192	.....
1891	1,096,761,395	765,167,988	331,593,407	.....
1892	1,171,407,343	815,051,491	356,355,852	.....
1893	1,220,751,874	864,435,988	356,315,886	.....
1894	1,075,361,797	769,539,596	303,822,201	.....
Average	1,122,852,008	787,499,301	335,332,708	2.06
1895	1,075,371,462	765,552,848	309,818,614	.....
1896	1,150,169,376	812,959,835	337,209,541	.....
1897	1,122,089,773	795,662,608	326,427,165	.....
1898	1,247,325,621	861,801,500	385,524,121	.....
1899	1,313,610,118	903,306,631	410,303,487	.....
Average	1,181,713,270	827,856,684	353,856,586	7.69
1900	1,487,044,814	1,009,760,784	477,284,030	.....
1901	1,588,526,037	1,081,341,642	507,184,395	.....
1902	1,726,380,267	1,170,714,184	555,666,083	.....
1903	1,900,846,907	1,315,388,421	585,458,486	.....
1904	1,975,174,091	1,400,592,607	574,581,484	.....
Average	1,735,594,423	1,195,559,528	540,034,896	64.36
1905	2,082,482,406	1,454,076,831	628,405,575	.....
1906	2,325,765,167	1,611,662,886	714,102,281	.....
1907	2,589,105,578	1,828,828,189	760,277,389	.....
1908	[1] 2,393,805,989	1,754,103,022	639,702,967	.....
1909	2,418,677,538	1,689,972,424	728,705,114	.....
Average	2,361,967,336	1,667,728,670	694,238,665	111.29
1910	2,750,667,435	1,926,426,134	824,241,301	150.85
1911	2,789,761,669	2,023,363,517	766,398,152	133.25
1912	2,768,963,853	2,031,379,377	737,584,476	124.48
1913	3,057,163,763	2,242,941,921	814,221,842	147.80

[1] Revenues and expenses for years subsequent to 1907 are not entirely comparable to previous years because of change in classification of accounts.

Basic figures from 1890 to 1911 (both included), taken from statistical reports of the Interstate Commerce Commission. Those for years 1912 and 1913 taken from Bulletin of Revenues and Expenses of steam roads in the United States for month of June, 1913—summary for United States of large roads (having miles operated in 1912 of 219,666.45, and in 1913 of 221,748.58 miles), having more than $1,000,000 operating revenue.

Figures for 1890–1907 are taken from the Annual Statistical Report of the Interstate Commerce Commission. Commencing in 1908 the commission omitted in said annual reports the figures for switching and terminal companies.

A somewhat comparable figure would therefore be obtained by using the commission's Bulletin of Revenues and Expenses, which continued to include said switching and terminal companies. We have done this in the table given below.

Final figures for 1912 and 1913, however, will probably be larger than given in this table, because for those years the bulletins only give the statistics for companies having more than $1,000,000 operating revenues, while for previous years they also gave the figures for smaller roads.

The use of the final figures given in the commission's Annual Reports of Statistics of Railways for the United States, or those given in the Bulletin, does not materially change the general trend. Illustrating this, we here insert figures from 1908, using the said bulletins:

Year.	Total revenues.	Total expense (including taxes).	Net revenue.	Increase over year 1890.
				Per cent.
1908	$2,421,542,005	$1,770,920,845	$650,621,160	.....
1909	2,443,312,232	1,704,523,460	738,788,772	.....
Average[1]	2,372,441,478	1,674,002,442	698,439,035	112.57
1910	2,786,679,616	1,951,524,155	835,155,461	154.17
1911	2,818,780,398	2,044,620,071	774,160,327	135.61
1912	2,768,963,853	2,031,379,377	737,584,476	124.48
1913	3,057,163,763	2,242,941,921	814,221,842	147.80

[1] The above average is computed for the five-year period 1905–1909, by using the figures for 1905–1907, as given in preceding tables, with these revised figures for 1908–9.

Mr. CUMMINS. I now come to the point just suggested by the Senator from Wyoming [Mr. CLARK].

Mr. LEWIS. Mr. President, will the Senator allow me to ask him a question?

Mr. CUMMINS. Certainly.

Mr. LEWIS. It is whether his tables comprehend any statement as to how much of that net return was put into the construction of new railway lines or newly projected lines.

Mr. CUMMINS. The table I shall shortly offer to the Senate will show just how much has been put in under maintenance of ways, structures, and equipment. I do not know how much of the 7 per cent to which I have just been referring was distributed by the railroads in the way of dividends, or how much of it was invested by them in the enlargement or extension of their lines.

Mr. LEWIS. Mr. President, I do not desire to divert the Senator from his very thoroughly prepared address. I have no doubt the table will sufficiently inform me. I appreciate the Senator's response.

Mr. CUMMINS. To further establish the unvarying tendency already so completely proven, I call attention to the two fundamental units of transportation ordinarily used by statisticians and always employed by the Interstate Commerce Commission. I mean the train-mile and the mile of road. I will not consume the time that would be necessary in order to analyze them, and will content myself with the assertion that they still further show the ever-increasing net revenue. I can not refrain, however, from suggesting that in 1890 the net earnings of all the railroads per mile of line were $2,300, while in 1913 the net earnings were $4,233 per mile of line, a larger net earning than in any year since fire was kindled in a locomotive engine.

Last year for every mile of railroad—I am speaking of course of the first track, the single-track railroad—for every mile of railroad in the United States there was earned $4,233, and that is nearly double the earnings per mile of 1890 and is greater than the earning per mile in any other year in the history of this business.

Mr. NELSON. Does the Senator refer to net earnings?

Mr. CUMMINS. I am now referring to net earnings.

I have a most interesting table upon this subject, which I desire to incorporate in my remarks. The table shows the earnings of all the railroads of the country per train-mile, as well as per mile of line. I think possibly I may be pardoned if I refer a little more at length to the last table.

In 1890 the average gross earnings per mile were $6,725. In 1913 the gross earnings per mile were $13,787. In 1890 the operating expense was $4,425 per mile. In 1913 the operating expense was $9,554 per mile.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Connecticut?

Mr. CUMMINS. I yield.

Mr. McLEAN. Does the Senator take the figures from the report of the Interstate Commerce Commission?

Mr. CUMMINS. No; I get the figures from the reports of the railroad companies.

Mr. McLEAN. I should like to ask the Senator if in those reports there are no duplications? To make clear what I mean, a leased line may pay a certain revenue to the operating line, and the operating line includes that in its report, so that there is a duplication. Has the Senator's attention been called to that?

Mr. CUMMINS. All the duplications have, as I am informed, been eliminated in the table. The net earnings per mile, as I said before, were in 1890 $2,300, and in 1913 $4,233. The chief reason for the great increase in gross as well as net revenue is found in the density of the traffic in later years as compared with earlier years. I beg to submit tables on that subject which will be found most instructive as well as interesting.

I ask that these tables be also printed as a part of my remarks without reading. They show the increase in density of traffic throughout the United States during the 24 years.

The PRESIDING OFFICER. If there be no objection, leave will be granted.

The tables referred to are as follows:

Tendency of earnings and expenses, American railways.

Year.	Operating revenues.	Operating expenses.	Net revenue from operation.	Increase over year 1890.
				Per cent.
1890	$1,051,877,632	$692,093,971	$359,783,661	.....
1891	1,096,761,395	731,887,893	364,873,502	.....
1892	1,171,407,345	780,997,996	390,409,347	.....
1893	1,220,751,874	827,921,299	392,830,575	.....
1894	1,075,361,797	731,414,322	341,947,475	.....
Average	1,122,832,008	752,863,096	369,968,912	2.83

Tendency of earnings and expenses on American railways—Continued.

Year	Operating revenues.	Operating expenses.	Net revenue from operation.	Increase over year 1890.
				Per cent.
1895	$1,075,371,462	$725,720,415	$349,651,047	
1896	1,150,169,376	772,989,044	377,180,332	
1897	1,122,089,773	752,524,764	369,565,009	
1898	1,247,325,621	817,973,276	429,352,345	
1899	1,313,610,118	856,968,999	456,641,119	
Average	1,181,713,270	785,235,300	396,477,970	10.20
1900	1,487,044,814	961,428,511	525,616,303	
1901	1,588,526,037	1,030,397,270	558,128,767	
1902	1,726,380,267	1,116,248,747	610,131,520	
1903	1,900,846,107	1,257,538,852	643,308,055	
1904	1,975,174,091	1,338,896,253	636,277,838	
Average	1,735,594,423	1,140,901,927	594,692,497	65.29
1905	2,082,482,406	1,390,602,152	691,880,254	
1906	2,325,765,167	1,536,877,271	788,887,896	
1907	2,589,105,578	1,748,515,814	840,589,764	
b1908	2,393,805,989	1,669,547,876	724,258,113	
1909	2,418,677,538	1,599,443,410	819,234,128	
Average	2,361,967,336	1,588,997,305	772,970,031	114.84
1910	2,750,667,435	1,822,630,433	928,037,002	157.94
1911	2,789,761,669	1,915,054,005	874,707,664	143.12
d1912	2,768,963,853	1,914,960,351	854,003,503	137.37
d1913	3,057,163,763	2,118,585,897	938,577,866	160.87

(b) Change in accounting classification slightly offsets comparison with previous years.

(d) Figures from Bulletin of Revenues and Expenses for June, 1913.

NOTE.—Figures for 1890–1907 are taken from the annual statistical reports of the Interstate Commerce Commission. Commencing in 1908, the commission omitted in said annual reports the figures for switching and terminal companies.

A somewhat comparable figure would therefore be obtained by using the commission's Bulletin of Revenues and Expenses, which continued to include said switching and terminal companies. We have done this in the table given below.

Final figures for 1912 and 1913, however, will probably be larger than given in this table, because for those years the bulletins only give the statistics for companies having more than $1,000,000 operating revenues, while for previous years they also gave the figures for smaller roads.

The use of the final figures given in the commission's annual reports of statistics of railways for the United States, or those given in the bulletin, does not materially change the general trend; illustrating this, we here insert figures from 1908, using the said bulletin:

Year.	Operating revenues.	Operating expenses.	Net revenue from operation.	Increase over year 1890.
				Per cent.
1908	$2,421,542,005	$1,687,144,976	$734,397,029	
1909	2,443,312,232	1,615,497,234	827,814,998	
Average[1]	2,372,441,478	1,595,727,489	776,713,988	115.88
1910	2,786,679,616	1,846,702,780	939,976,836	161.26
1911	2,818,780,398	1,935,511,581	883,268,817	145.50
1912	2,768,963,853	1,914,960,351	854,003,503	137.37
1913	3,057,163,763	2,118,585,897	938,577,866	160.87

[1] The average above is computed for the five-year period 1905-1909 by using the figures for 1905–1907, as given on preceding page, with these revised figures for 1908–9

Tendency of earnings and expenses of American railways per train-mile.

Year.	Revenue per train-mile (all trains).	Increase over year 1890.	Cost of running a train 1 mile (all trains).	Increase over year 1890.
		Per cent.		*Per cent.*
1890	$1.44231		$0.96006	
1891	1.43345		.95707	
1892	1.44649		.96580	
1893	1.43229		.97272	
1894	1.36958		.93478	
Average	1.42402	[1] 1.21	.95808	[1] 0.21
1895	1.35947		.91829	
1896	1.39567		.93838	
1897	1.38194		.92918	
1898	1.45449		.95635	
1899	1.50436		.98390	
Average	1.41919	[1] 1.60	.94522	[1] 1.55
1900	1.65721		1.07288	
1901	1.72038		1.12292	
1902	1.82350		1.17960	
1903	1.91380		1.26604	
1904	1.93960		1.31375	
Average	1.81270	25.68	1.19104	24.06

[1] Decrease.

Tendency of earnings and expenses of American railways per train-mile—Continued.

Year.	Revenue per train-mile (all trains).	Increase over year 1890.	Cost of running a train 1 mile (all trains).	Increase over year 1890.
		Per cent.		*Per cent.*
1905	$1.97906		[1] 1.32140	
1906	2.07547		1.37060	
1907	2.17741		1.46993	
1908	2.11269		1.47340	
1909	2.16789		1.43370	
Average	2.10250	45.77	1.41380	47.26
1910	2.24628	55.74	1.48865	55.06
1911	2.24824	55.88	1.54338	60.76

Tendency of earnings and expenses of American railways per train-mile.

Year.	Net revenue per train-mile (all trains).	Increase over year 1890.
		Per cent.
1890	$0.48225	
1891	.47638	
1892	.48069	
1893	.45957	
1894	.43480	
Average	.46674	[1] 3.22
1895	.44118	
1896	.45729	
1897	.45276	
1898	.49814	
1899	.52046	
Average	.47397	[1] 1.72
1900	.58433	
1901	.60646	
1902	.64390	
1903	.64776	
1904	.62585	
Average	.62166	28.91
1905	.65766	
1906	.70487	
1907	.70748	
1908	.63929	
1909	.73419	
Average	.68870	42.81
1910	.75763	57.10
1911	.70486	46.16

[1] Decrease.

NOTE.—Basic figures taken from statistical report of the Interstate Commerce Commission.

No figures are obtainable for any year subsequent to 1911.

Tendency of earnings and expenses of American railways per mile of line.

Year.	Gross earnings from operation.	Operating expenses.	Net earnings.	Increase over year 1890
				Per cent.
1890	$6,725	$4,425	$2,300	
1891	6,800	4,538	2,262	
1892	7,213	4,809	2,404	
1893	7,190	4,876	2,314	
1894	6,109	4,163	1,946	
First group (mean)	6,807	4,562	2,245	[1] 2.39
1895	6,050	4,083	1,967	
1896	6,320	4,248	2,072	
1897	6,122	4,106	2,016	
1898	6,755	4,430	2,325	
1899	7,005	4,570	2,435	
Second group (mean)	6,450	4,287	2,163	[1] 5.96
1900	7,722	4,993	2,729	
1901	8,123	5,269	2,854	
1902	8,625	5,577	3,048	
1903	9,258	6,125	3,133	
1904	9,306	6,308	2,998	
Third group (mean)	8,607	5,654	2,952	[2] 28.35
1905	9,598	6,409	3,189	
1906	10,460	6,912	3,548	
1907	11,383	7,687	3,696	

[1] Decrease. [2] Increase.

Tendency of earnings and expenses of American railways per mile of line—Continued.

Year.	Gross earnings from operation.	Operating expenses.	Net earnings.	Increase over year 1890.
				Per cent.
1908	$10,491	$7,320	$3,171	
1909	10,356	6,851	3,505	
Fourth group (mean)	10,458	7,036	3,422	48.78
1910	11,553	7,658	3,895	69.35
1911	11,433	7,850	3,583	55.78
1912	12,605	8,718	3,888	69.04
1913	13,787	9,554	4,233	84.04

Figures for 1890–1907 are taken from the annual statistical report of the Interstate Commerce Commission. Commencing in 1908, the commission omitted in said annual reports the figures for switching and terminal companies; a somewhat comparable figure would therefore be obtained by using the commission's Bulletin of Revenues and Expenses, which continued to include said switching and terminal companies. We have done this in the table following.

Final figures for 1912 and 1913, however, will probably be larger than given in this table, because for those years the bulletins only give the statistics for companies having more than $1,000,000 operating revenues, while for previous years they also gave the figures for smaller roads.

The use of the final figures given in the commission's Annual Reports of Statistics of Railways for the United States, or those given in the bulletin, does not materially change the general trend. Illustrating this, we here insert figures from 1908, using the said bulletins:

Year.	Gross earnings from operation.	Operating expenses.	Net earnings.	Increase over year 1890.
				Per cent.
1908	$10,613	$7,934	$3,219	
1909	10,486	6,933	3,553	
Fourth group (mean)[1]	10,508	7,067	3,441	49.61
1910	11,636	7,711	3,925	70.65
1911	11,589	7,958	3,631	57.87
1912	12,605	8,718	3,888	69.04
1913	13,787	9,554	4,233	84.04

[1] The above mean is derived by using the foregoing figures for the years 1908–9 with those for the years 1905–1907, as shown in the preceding table.

Authority: Annual Statistical Reports of the Interstate Commerce Commission for years 1890–1911. For the years 1912 and 1913 figures were taken from Bulletin of Revenues and Expenses of Steam Roads for the Month of June, 1913.

Density of traffic and earnings of American railways.

Year.	Number of tons hauled 1 mile per mile of road.	Increase over year 1890.	Average number of tons per train mile.	Increase over year 1890.
		Per cent.		*Per cent.*
1890	487,245		175.12	
1891	502,705		181.67	
1892	543,365		181.79	
1893	551,232		183.97	
1894	457,252		179.80	
First group (mean)	508,360	4.33	180.47	3.06
1895	479,490		189.69	
1896	523,832		198.81	
1897	519,079		204.62	
1898	617,810		226.45	
1899	659,565		243.52	
Second group (mean)	559,955	14.92	212.62	20.27
1900	735,366		270.85	
1901	760,414		281.26	
1902	793,351		296.47	
1903	855,442		310.54	
1904	829,476		307.76	
Third group (mean)	794,810	63.12	293.38	67.53
1905	861,396		322.26	
1906	982,401		344.39	
1907	1,052,119		357.35	
1908	974,654		351.80	
1909	953,986		362.57	
Fourth group (mean)	964,911	98.03	347.67	98.53
1910	1,071,086	119.97	380.38	117.21
1911	1,053,566	116.23	383.10	118.76

Density of traffic and earnings of American railways—Continued.

Year.	Average revenue per ton hauled 1 mile (in mills).	Average haul per ton	
		Typical haul on average railway.	Typical haul of all railways regarded as a system.
1890	9.41	119.72	
1891	8.95	120.00	
1892	8.98	124.89	
1893	8.78	125.60	
1894	8.60	[1]125.88	
First group (mean)	8.94	123.22	
1895	8.39	124.13	
1896	8.06	126.48	
1897	7.98	130.52	
1898	7.53	132.09	
1899	7.24	131.04	246.58
Second group (mean)	7.84	128.85	
1900	7.29	130.87	242.73
1901	7.50	135.03	251.98
1902	7.57	131.04	239.10
1903	7.63	132.80	242.35
1904	7.80	133.23	244.30
Third group (mean)	7.56	132.59	244.09
1905	7.66	130.60	237.56
1906	7.48	132.33	240.89
1907	7.59	131.71	242.05
1908	7.54	143.83	253.94
1909	7.63	141.87	251.10
Fourth group (mean)	7.58	138.07	245.11
1910	7.53	138.31	249.68
1911	7.57	142.88	254.10

[1] In the 1905 Annual Statistical Report of the Interstate Commerce Commission the following note is given under table appearing on page 67: "A few items in this summary differ from corresponding ones previously shown, the adjustments being chiefly due to corrections recently submitted by one of the larger roads."

The table as given only carries the adjusted figures back to the year 1895. The adjustment involves the following items in the table given: "Tons reported as carried" and "Typical haul on the average railway."

In the above table we have used the adjusted figures for the column "Typical haul on average railway," as given in the 1905 report, from 1895; for years prior to 1895 the 1895 statistical report of the commission was used.

Authority: Eighth, Eighteenth, and Twenty-fourth Annual Reports of the Interstate Commerce Commission on the statistics of railways in the United States.

NOTE.—The number of tons per train-mile prior to 1900 are computed by finding the average per revenue freight-train mile including 75 per cent of revenue mixed-train miles. Beginning with 1900 the total of revenue mixed-train miles has been included by the commission in the basis.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

Mr. McCUMBER. I ask unanimous consent that the unfinished business may be temporarily laid aside for the purpose of allowing the Senator from Iowa to complete his remarks.

The PRESIDING OFFICER. There being no objection, that course will be pursued. The Senator from Iowa will proceed.

Mr. CUMMINS. The proof I have offered respecting net earnings would seem to leave little doubt of their sufficiency to pay full interest upon the bonded debt and a generous dividend upon the stock, and I now take up the further misunderstanding which has been created by the uninformed speakers and writers in the campaign to which I have already referred. It is said, in substance, that, granting the adequacy of the net earnings as shown in the railway reports, these net earnings have been secured by a false economy in the expenditures for maintenance of both ways and structures and equipment; that is to say, that the railroads in their anxiety to preserve their net revenues have cut down their allowances for maintenance, and thus impaired the safety and efficiency of the railroad property. This claim is without the least foundation in fact. The truth of the matter will appear in a table now before me, which shows the expenditures of all the railroads in the United States for maintenance of ways and structure and for equipment for 24 years. Beginning with 1890, it shows the expenditures per mile of track, and this is the proper unit for comparative purposes. A ton or a passenger is hauled a mile. It is the task which the railroad performs. If it has two, three, or four tracks, fifty engines or a thousand engines, they are merely the additional facilities for moving the freight or the passenger so many linear miles.

In 1890 the amount expended for the maintenance of ways and structures was $152,710,887, or $976.44 per mile. This is the sum that the railroad companies have expended on each mile of that track for the maintenance of what is known as ways and structures; that is, the roadbed, the ties, the rails, the bridges, and the like. In 1913 the amount expended was $407,171,756, or $1,836.19 per mile. Last year, the year in which some people think the railroad companies were compelled to withhold their net earnings from the stockholders in order to maintain their property, the railroads spent $1,836 per mile for this purpose as against $956 in 1890. For the maintenance of equipment the expenditure in 1890 was $114,038,756, or $729.13 per mile; in 1913 the expenditure for the same purpose was $501,671,011, or $2,262.34 per mile. That means that in 1913 the railroad companies spent in the maintenance of their equipment nearly three times as much per mile as they did in 1890. All these sums were deducted from the gross revenues in reaching the net revenue to which I have already referred.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I yield.

Mr. GALLINGER. I suppose equipment means the rolling stock?

Mr. CUMMINS. It means locomotives and cars of all kinds.

Mr. GALLINGER. It is but fair that we should take into consideration the fact that the enormously increased traffic has required much more expensive locomotives, and the change of cars from wooden to steel construction has likewise necessitated a very greatly increased expense. Is that not so?

Mr. CUMMINS. It is quite fair to take that into account. I am simply showing that the railroad companies did not starve themselves; that they spent a great deal more last year than they ever spent before; and that the result is that they have better tracks and better cars and better locomotives than they ever had before.

The Senator from New Hampshire suggests the increase in the cost of locomotives. That is quite true; but one locomotive at this time will haul three times as much as many of the locomotives in use in 1890, and the increase in the cost of equipment is oftentimes compensated for by the increased efficiency of the equipment so purchased and maintained.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from New Hampshire?

Mr. CUMMINS. I do.

Mr. GALLINGER. Doubtless the Senator is right in that suggestion; and yet it is proper that we should still further consider that there has been a popular demand that the railroads should improve their equipment, that they should build more costly stations, that they should have more substantial rails, and that they should in every way expend more money than they were in the habit of doing 20 years ago or even 5 years ago.

Mr. CUMMINS. Possibly the Senator from New Hampshire has just come into the Chamber. I hope he will not understand that I am criticizing this policy on the part of the railroad companies. On the contrary, I applaud it. I am showing, however, that notwithstanding all these expenditures, which have been made in response to a public demand, they are made, I think, not only because it is more profitable to the railway companies that their roadbeds shall be good and their equipment adequate, but because they want to please and serve the people of the United States. I am simply using these figures to show that the railroads in the last year have not robbed their properties in order to reach a net revenue, that their expenditures were more than ever before for these very proper purposes, and that still their net revenues were enough to pay 7 per cent upon all their capital stock.

Mr. GALLINGER. Mr. President, I have not been privileged to hear all that the Senator has said, much to my regret, because I wanted to listen to the Senator. I think I comprehended exactly what the Senator had in mind, and yet I thought it well to suggest that the railroads have responded to a popular demand along this line, and very properly so, and they might well have been criticized had they not done that.

Mr. CUMMINS. I do not disagree with the Senator from New Hampshire at all. I think they have gone on very wisely and properly and enlarged their property and rendered it safer, more efficient, and more adequate than ever before. But the people of the country have contributed the money in the way of railroad rates necessary to enable the railroad companies to make these improvements and enlargements.

The total expenditure per mile for these purposes in 1890 was $1,705.57, and, in 1913, $4,098.53, an increase over 1890 of 140.51 per cent.

The expenditure per mile for maintenance in 1913 was greater than any other year in the history of railroads. It was $495 per mile more than in 1912, $872 more than in 1911, $853 more than in 1910, $1,242 more than in 1909, $1,609 more than in 1904, $2,332 more than in 1899, and $2,438 more than in 1894.

These are the expenditures which the railroad companies have made from their gross revenue and which, being deducted, leave the net revenue which I have already suggested.

The significance of this showing is obvious. It proves conclusively the statement I made early in my address, that the railroads are in better condition physically than they have ever been before.

I shall not take up the probable tendency of the railway companies to charge in their maintenance accounts many expenditures that might well be included in their construction or capital account. It is true that the Interstate Commerce Commission has prescribed rules in this regard, but in the very nature of things these rules are capable of different interpretations; and I believe it to be true that if the accounts were kept in strict accordance with the spirit of these rules that the net revenues would be much more than they now apppear to be.

Fifth. This inquiry would not be complete without a reference to the actual standing of railroad securities in the markets or exchanges of the country and the institution of a comparison between the market values of railway stocks and those issued by industrial enterprises.

The claim is that the hand of the Government has been laid upon the railroads with such severity that their securities have no standing in the market; that they are unable to maintain their credit among investors, and therefore they seek to escape this measure of regulation and control.

The Wall Street Journal has been publishing for many years what is called the average daily prices of 20 active railway stocks and 12 industrial stocks.

I suppose there are a great many people in this country who believe that the railway credit has been destroyed, that their stocks and their bonds have almost disappeared from our exchanges and our market places, and that during the years that have gone by our regulation and supervision over railroads have done very much to impair their standing with the people who have money to invest. I am sure that what I am about to submit will be very interesting in view of that prevalent opinion.

The Wall Street Journal selected these railroads; I did not. The Wall Street Journal can not be accused of undue partiality for the position that I am endeavoring to maintain. I therefore submit this selection with a good deal of confidence.

The 20 railway common stocks used are: Atchison, Topeka & Santa Fe Railway Co., Baltimore & Ohio Railroad Co., Canadian Pacific Railway Co., Chicago & North Western Railway Co., Chicago, Milwaukee & St. Paul Railway Co., Delaware & Hudson Co., Erie Railroad Co., Illinois Central Railroad Co., Lehigh Valley Railroad Co., Louisville & Nashville Railroad Co., Missouri Pacific Railway Co., New York Central & Hudson River Railroad Co., Rock Island Co., Southern Pacific Co., Southern Railway Co., Norfolk & Western Railway Co., Northern Pacific Railway Co., Pennsylvania Railroad Co., Reading Co., and Union Pacific Railroad Co.

And the 12 industrial stocks used are: Amalgamated Copper Co., American Car & Foundry Co., American Smelting & Refining Co., American Sugar Refining Co., Central Leather Co., General Electric Co., National Lead Co., People's Gas, Light & Coke Co. of Chicago, United States Rubber Co., United Rubber Co. first preferred, United States Steel Co., and United States Steel Co. preferred.

The Wall Street Journal has assumed, and I think very properly, that an inquiry with regard to the fluctuation in the values of these stocks would lead to a fair conclusion respecting the standing of industrial stocks in our markets as compared with railway stocks.

I may say, in passing, that there have been some changes from time to time during the 20 years, but the publication has endeavored to keep the companies that were for various reasons substituted all the while representative.

The table before me shows the turning points of these securities from 1896 until the present time. I am dealing now with the average market prices of the stocks of these several companies. I begin with June 10, 1896. On that day the average market price of the 12 industrial stocks was $38.41 upon the basis of $100 par.

Now, remember, I have cited 12 of the best-known industrial stocks of the country. I mean those that are dealt with most commonly upon the New York Stock Exchange. Upon the same day the average price of the railroad stocks to which I have referred was $51.89 upon the basis of $100 par.

On June 17, 1896, the industrials rallied to $40.54 and the railways rallied to $55.36. Then follows every month from that time until the present time, sometimes two or three quotations in the same month, showing the average price of these 12 industrial stocks compared with the price of the 20 railway stocks.

It was not until May 1, 1901, that the average price of the railway stocks rose to par. We are not apt to think of 1901 as a period of great depression; we are apt to think of it as one of the most satisfactory years in business and industry that we have ever experienced in this country; and yet it was not until May 1, 1901, or about that time, that the average price of the railroad stocks of these 20 companies rose to par, and at the same time the average price of the 12 industrial stocks rose to $64.77. They had risen from $38.41 to $64.77 and the railroad stocks had risen from $51.89 to $117.86.

I will not pursue all these years. Sometimes they were under par, sometimes above par; but I come to January, 1914. On January 15, 1914, the average price of the 12 industrial stocks was $80.95 and the average price of the 20 railroad stocks was $106.65.

There has not been a year since 1906 in which the average price of the railway stocks of these 20 representative, typical railway stocks was not higher than the 12 industrial stocks. There has not been a month in that period in which the railway stocks have not been higher than the industrial stocks. There has not been a day since 1896 in which the railway stocks have not been higher upon the New York Stock Exchange than the typical industrial stocks.

With an average price of $106 for railroad stocks, admittedly swelled to bursting with water, overrun from time to time by exaggerated issues either to take up supposed additions to the value of the property or simply by main strength, I can not believe that when stocks of that kind hold their place steadily, even to the present moment, above par the people of this country have lost their confidence in the ability of the railway companies to earn a sufficient revenue.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. CUMMINS. I yield.

Mr. THOMAS. I merely wish to interject the remark that from the Senator's showing it seems to me these industrial concerns will need an advance of 5 per cent in their charges to the public rather than the railways.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. CUMMINS. I yield.

Mr. WARREN. Has the Senator made any computation as between the preferred and common stock of the industrials? Of course the common stock, as the Senator knows, is usually water, or pretty much so. I was wondering if he has made, as I hope he may have done, a computation of the difference between the two classes.

Mr. CUMMINS. The Senator possibly did not hear me. I would hesitate myself to select the railways and the industrial companies between which the comparison is to be instituted. It would be said that I was a partial judge. I have taken simply the comparison instituted by the Wall Street Journal, a record of which has been kept now for 20 years, and have presented it to the Senate and to the country for the purpose of showing that the railroad securities of the country—that is, the railroad stocks—not including the bonds, have always been high above any other stocks of that character. I suppose there are industrial stocks that hold a higher price than these railroad stocks, but when so experienced and capable a judge as the Wall Street Journal attempts to select 12 stocks that are typical of industry and 20 stocks that are typical of the railway business of the country, and finds that during the period from 1896, when we began to recover from a long depression, until this moment the railway stocks have always commanded the preference with the investing public, and when we find that since 1896 the railway stocks themselves have risen nearly 100 per cent and now are worth in the markets of the country, dollar for dollar, nearly twice as much as they were in 1896, I confess that I can not see the basis for this vehement complaint that railway securities have lost the confidence of the investing public.

The tables referred to are as follows:

RANGE OF PRICES ON INDUSTRIAL AND RAILWAY STOCKS.

(June 10, 1896, to February 28, 1914.)

The Wall Street Journal has been publishing for many years what is called "the daily average price of 20 active railway stocks and 12 industrials."

The 12 industrial stocks used are: Amalgamated Copper Co., American Car & Foundry Co., American Smelting & Refining Co., American Sugar Refining Co., Central Leather Co., General Electric Co., National Lead Co., People's Gas Light & Coke Co. of Chicago, United States Rubber Co., United States Rubber Co. first preferred, United States Steel Co., and United States Steel Co. preferred.

The 20 railway common stocks used are: Atchison, Topeka & Santa Fe Railway Co., Baltimore & Ohio Railroad Co., Canadian Pacific Railway Co., Chicago & North Western Railway Co., Chicago, Milwaukee & St. Paul Railway Co., Delaware & Hudson Co., Erie Railroad Co., Illinois Central Railroad Co., Lehigh Valley Railroad Co., Louisville & Nashville Railroad Co., Missouri Pacific Railway Co., New York Central & Hudson River Railroad Co., Rock Island Co., Southern Pacific Co., Southern Railway Co., Norfolk & Western Railway Co., Northern Pacific Railway Co., Pennsylvania Railroad Co., Reading Co., and Union Pacific Railroad Co.

The range of these prices is indicated by the following table, which has been compiled and furnished through the courtesy of Dow, Jones & Co., publishers of the Wall Street Journal, New York City:

Turning points of the securities listed on the New York Stock Exchange as reflected by the average prices of 12 active industrials and 20 active railroads, compiled by Dow, Jones & Co., publishers of the Wall Street Journal.

	12 industrials.		20 railways.	
	Date.	Average price.	Date.	Average price.
Declined to	June 10, 1896	$38.41	June 10, 1896	$51.89
Rallied to	June 17, 1896	40.54	June 17, 1896	55.26
Declined to	Aug. 8, 1896	28.48	Aug. 8, 1896	41.82
Rallied to	Sept. 26, 1896	36.75	Sept. 26, 1896	50.21
Declined to	Oct. 12, 1896	34.74	Oct. 12, 1896	47.51
Rallied to	Nov. 12, 1896	44.96	Nov. 10, 1896	56.08
Declined to	Dec. 18, 1896	38.59	Dec. 18, 1896	49.98
Rallied to	Mar. 3, 1897	42.13	Mar. 16, 1897	54.21
Declined to	Apr. 19, 1897	38.49	Apr. 19, 1897	48.21
Rallied to	Sept. 10, 1897	55.82	Sept. 17, 1897	67.23
Declined to	Nov. 8, 1897	45.65	Nov. 8, 1897	57.45
Rallied to	Jan. 7, 1898	50.67	Feb. 10, 1898	66.32
Declined to	Mar. 25, 1898	42.00	Apr. 21, 1898	55.89
Rallied to	June 10, 1898	53.71	June 6, 1898	67.23
Declined to	June 16, 1898	50.87	July 19, 1898	64.30
Rallied to	Aug. 26, 1898	60.97	Aug. 26, 1898	70.15
Declined to	Oct. 19, 1898	51.56	Oct. 24, 1898	65.66
Rallied to	Jan. 30, 1899	65.62	Feb. 20, 1899	84.92
Declined to	Feb. 7, 1899	61.95	Mar. 6, 1899	81.55
Rallied to	Apr 25, 1899	77.28	Apr. 3, 1899	87.04
Declined to	May 31, 1899	67.51	June 1, 1899	77.38
Rallied to	Sept. 5, 1899	77.61	Sept. 5, 1899	85.55
Declined to	Dec. 18, 1899	58.27	Dec. 22, 1899	72.48
Rallied to	Jan. 2, 1900	68.13	Jan. 2, 1900	78.86
Declined to	Jan. 11, 1900	63.27	Jan. 11, 1900	75.95
Rallied to	Feb. 5, 1900	68.36	Feb. 6, 1900	80.51
Declined to	Mar. 9, 1900	61.11	Mar. 8, 1900	77.69
Rallied to	Apr. 6, 1900	66.15	Apr. 7, 1900	82.91
Declined to	May 15, 1900	56.62	May 12, 1900	76.56
Rallied to	June 1, 1900	59.38	June 1, 1900	79.98
Declined to	June 23, 1900	53.68	June 23, 1900	72.99
Rallied to	July 23, 1900	59.02	July 23, 1900	77.55
Declined to	July 31, 1900	56.89	July 30, 1900	75.75
Rallied to	Aug. 15, 1900	58.90	Aug. 15, 1900	78.06
Declined to	Sept. 24, 1900	52.96	Sept. 24, 1900	73.77
Rallied to	Nov. 20, 1900	69.07	Nov. 30, 1900	88.88
Declined to	Dec. 8, 1900	63.98	Dec. 8, 1900	87.21
Rallied to	Dec. 27, 1900	71.06	Jan. 12, 1901	97.85
Declined to	Jan. 19, 1901	64.77	Jan. 19, 1901	93.56
Rallied to	May 1, 1901	75.93	May 1, 1901	117.86
Declined to	May 9, 1901	67.38	May 9, 1901	103.37
Rallied to	May 13, 1901	71.92	May 10, 1901	110.06
Declined to	May 14, 1901	69.59	May 14, 1901	104.54
Rallied to	May 18, 1901	73.86	May 17, 1901	110.25
Declined to	May 20, 1901	72.76	May 27, 1901	108.53
Rallied to	June 17, 1901	78.26	June 17, 1901	117.65
Declined to	July 15, 1901	69.46	July 15, 1901	106.35
Rallied to	July 29, 1901	72.94	July 18, 1901	111.50
Declined to	Aug. 6, 1901	69.05	Aug. 5, 1901	104.86
Rallied to	Aug. 26, 1901	73.83	Aug. 26, 1901	111.69
Declined to	Sept. 13, 1901	67.25	Sept. 13, 1901	105.30
Rallied to	Sept. 20, 1901	70.47	Sept. 21, 1901	110.82
Declined to	Oct. 5, 1901	63.48	Oct. 7, 1901	106.20
Rallied to	Nov. 11, 1901	66.52	Nov. 22, 1901	115.21
Declined to	Dec. 12, 1901	61.61	Dec. 12, 1901	110.08
Rallied to	Feb. 7, 1902	65.31	Feb. 10, 1902	115.88
Declined to	Feb. 20, 1902	64.68	Feb. 20, 1902	113.63
Rallied to	Mar. 21, 1902	67.52	Apr. 3, 1902	117.13
Declined to	Apr. 10, 1902	65.95	Apr. 10, 1902	116.95
Rallied to	Apr. 24, 1902	68.44	May 1, 1902	121.86
Declined to	May 19, 1902	64.73	May 19, 1902	117.46
Rallied to	May 24, 1902	66.82	June 18, 1902	121.45
Declined to	June 24, 1902	63.67	June 25, 1902	119.72
Rallied to	July 28, 1902	67.28	July 26, 1902	127.16
Declined to	Aug. 21, 1902	65.33	Aug. 18, 1902	125.31
Rallied to	Sept 19, 1902	67.77	Sept. 9, 1902	129.36
Declined to	Sept. 29, 1902	64.07	Sept. 29, 1902	120.41
Rallied to	Oct. 3, 1902	65.58	Sept. 30, 1902	124.78
Declined to	Oct. 11, 1902	63.84	Oct. 3, 1902	118.97
Rallied to	Oct. 17, 1902	66.57	Oct. 17, 1902	123.93
Declined to	Nov. 14, 1902	60.62	Nov. 14, 1902	113.70
Rallied to	Nov. 21, 1902	62.94	Nov. 24, 1902	118.50
Declined to	Dec. 15, 1902	59.57	Dec. 11, 1902	113.08
Rallied to	Jan. 8, 1903	66.33	Jan. 9, 1903	121.28
Declined to	Jan. 20, 1903	64.19	Jan. 24, 1903	118.81
Rallied to	Feb. 16, 1903	67.70	Feb. 9, 1903	120.19
Declined to	Mar. 10, 1903	63.90	Mar. 10, 1903	110.51
Rallied to	Mar. 20, 1903	65.75	Mar. 20, 1903	113.62
Declined to	Apr. 13, 1903	60.79	Apr. 13, 1903	105.75
Rallied to	Apr. 21, 1903	64.56	May 4, 1903	110.82
Declined to	June 10, 1903	56.78	June 10, 1903	99.40
Rallied to	June 12, 1903	59.38	June 12, 1903	103.88
Declined to	Aug. 8, 1903	47.38	Aug. 8, 1903	90.70
Rallied to	Aug. 17, 1903	53.88	Aug. 18, 1903	98.84
Declined to	Nov. 9, 1903	42.15	Sept. 28, 1903	88.80
Rallied to	Dec. 29, 1903	49.35	Dec. 29, 1903	98.94
Declined to	Jan. 6, 1904	47.07	Jan. 6, 1904	95.61
Rallied to	Jan. 27, 1904	50.50	Jan. 23, 1904	99.78
Declined to	Feb. 24, 1904	46.71	Feb. 24, 1904	91.83
Rallied to	Mar. 3, 1904	48.00	Mar. 4, 1904	93.09
Declined to	Mar. 12, 1904	46.41	Mar. 14, 1904	91.31
Rallied to	Apr. 7, 1904	49.98	Apr. 11, 1904	97.58
Declined to	May 18, 1904	47.43	May 16, 1904	93.55
Rallied to	Dec. 5, 1904	73.23	Dec. 3, 1904	119.46
Declined to	Dec. 12, 1904	65.77	Dec. 12, 1904	113.53
Rallied to	Apr. 14, 1905	83.75	Mar. 13, 1905	127.16

Turning points of the securities listed on the New York Stock Exchange, etc.—Continued.

	12 industrials.		20 railways.	
	Date.	Average price.	Date.	Average price.
Declined to	May 8, 1905	$74.52	May 4, 1905	$117.35
Rallied to	May 12, 1905	78.06	May 12, 1905	120.02
Declined to	May 22, 1905	71.37	May 22, 1905	114.52
Rallied to	Aug. 23, 1905	82.82	Aug. 29, 1905	132.19
Declined to	Sept. 7, 1905	78.60	Sept. 7, 1905	127.37
Rallied to	Nov. 1, 1905	84.14	Oct. 23, 1905	132.65
Declined to	Nov. 13, 1905	80.83	Nov. 13, 1905	127.91
Rallied to	Jan. 19, 1906	103.00	Jan. 22, 1906	138.36
Declined to	Mar. 5, 1906	92.90	Mar. 5, 1906	128.54
Rallied to	Mar. 13, 1906	96.96	Mar. 13, 1906	131.46
Declined to	Mar. 19, 1906	93.05	Mar. 19, 1906	128.96
Rallied to	Apr. 3, 1906	98.19	Apr. 2, 1906	133.13
Declined to	Apr. 10, 1906	95.05	Apr. 10, 1906	130.07
Rallied to	Apr. 14, 1906	97.02	Apr. 16, 1906	132.66
Declined to	May 3, 1906	86.45	May 3, 1906	120.30
Rallied to	June 4, 1906	95.19	June 11, 1906	131.05
Declined to	July 13, 1906	85.18	July 2, 1906	121.76
Rallied to	Oct. 9, 1906	96.75	Sept. 17, 1906	137.84
Declined to	Nov. 12, 1906	92.38	Oct. 31, 1906	131.37
Rallied to	Dec. 11, 1906	95.89	Dec. 11, 1906	137.56
Declined to	Dec. 24, 1906	92.94	Dec. 24, 1906	128.37
Rallied to	Jan. 7, 1907	96.37	Jan. 5, 1907	131.95
Declined to	Feb. 2, 1907	90.48	Feb. 4, 1907	119.58
Rallied to	Feb. 13, 1907	93.39	Feb. 16, 1907	122.94
Declined to	Mar. 14, 1907	76.23	Mar. 14, 1907	99.71
Rallied to	Mar. 16, 1907	83.69	Mar. 16, 1907	108.71
Declined to	Mar. 25, 1907	75.39	Mar. 25, 1907	98.27
Rallied to	Apr. 10, 1907	84.78	Apr. 5, 1907	110.48
Declined to	Apr. 15, 1907	81.40	Apr. 15, 1907	105.56
Rallied to	May 3, 1907	85.02	May 2, 1907	110.41
Declined to	May 27, 1907	77.30	June 3, 1907	99.50
Rallied to	July 6, 1907	82.52	July 6, 1907	107.23
Declined to	July 17, 1907	80.40	July 10, 1907	103.90
Rallied to	July 20, 1907	81.33	July 24, 1907	107.68
Declined to	Aug. 21, 1907	69.25	Aug. 24, 1907	94.93
Rallied to	Sept. 6, 1907	73.89	Sept. 21, 1907	101.03
Declined to	Nov. 15, 1907	53.00	Nov. 21, 1907	81.41
Rallied to	Dec. 6, 1907	61.77	Dec. 6, 1907	90.56
Declined to	Dec. 17, 1907	56.85	Dec. 17, 1907	86.61
Rallied to	Jan. 14, 1908	65.84	Jan. 18, 1908	95.75
Declined to	Feb. 10, 1908	58.80	Feb. 17, 1908	86.04
Rallied to	Mar. 25, 1908	69.92	Mar. 27, 1908	94.40
Declined to	Apr. 6, 1908	67.04	Apr. 3, 1908	91.78
Rallied to	May 18, 1908	75.12	May 18, 1908	104.45
Declined to	May 28, 1908	72.15	May 28, 1908	98.53
Rallied to	June 1, 1908	74.38	June 2, 1908	102.35
Declined to	June 23, 1908	71.70	June 22, 1908	97.96
Rallied to	Aug. 10, 1908	85.40	Aug. 10, 1908	109.12
Declined to	Aug. 15, 1908	81.61	Aug. 14, 1908	106.05
Rallied to	Aug. 31, 1908	84.66	Aug. 29, 1908	110.33
Declined to	Sept. 22, 1908	77.07	Sept. 22, 1908	103.43
Rallied to	Nov. 13, 1908	88.38	Dec. 12, 1908	118.18
Declined to	Dec. 21, 1908	83.46	Dec. 21, 1908	115.20
Rallied to	Dec. 28, 1908	96.97	Jan. 2, 1909	120.93
Declined to	Jan. 30, 1909	84.09	Jan. 30, 1909	116.93
Rallied to	Feb. 15, 1909	86.72	Feb. 15, 1909	119.90
Declined to	Feb. 23, 1909	79.91	Feb. 23, 1909	113.90
Rallied to	June 5, 1909	94.46	June 4, 1909	128.23
Declined to	June 21, 1909	89.66	June 21, 1909	124.92
Rallied to	Aug. 14, 1909	99.26	Aug. 14, 1909	134.46
Declined to	Sept. 9, 1909	95.86	Sept. 9, 1909	127.48
Rallied to	Oct. 2, 1909	100.50	Sept. 20, 1909	132.88
Declined to	Oct. 23, 1909	95.70	Oct. 23, 1909	127.29
Rallied to	Nov. 19, 1909	100.53	Nov. 3, 1909	129.96
Declined to	Nov. 29, 1909	95.89	Dec. 2, 1909	125.92
Rallied to	Dec. 29, 1909	99.28	Dec. 31, 1909	130.41
Declined to	Feb. 8, 1910	85.03	Feb. 8, 1910	118.95
Rallied to	Mar. 8, 1910	94.56	Mar. 8, 1910	125.64
Declined to	Apr. 9, 1910	89.36	Apr. 9, 1910	121.22
Rallied to	Apr. 16, 1910	92.62	Apr. 16, 1910	124.33
Declined to	May 3, 1910	84.72	May 3, 1910	117.25
Rallied to	May 21, 1910	89.66	May 21, 1910	123.32
Declined to	June 6, 1910	82.05	June 6, 1910	114.59
Rallied to	June 22, 1910	86.28	June 22, 1910	119.40
Declined to	June 26, 1910	78.62	July 26, 1910	105.50
Rallied to	Aug. 17, 1910	81.41	Aug. 17, 1910	115.47
Declined to	Sept. 6, 1910	78.35	Sept. 6, 1910	110.57
Rallied to	Oct. 18, 1910	86.02	Oct. 18, 1910	118.44
Declined to	Dec. 6, 1910	79.68	Dec. 6, 1910	111.33
Rallied to	Feb. 4, 1911	86.02	Feb. 7, 1911	119.97
Declined to	Mar. 4, 1911	81.80	Mar. 2, 1911	115.75
Rallied to	June 19, 1911	87.06	July 21, 1911	123.86
Declined to	Sept. 25, 1911	72.94	Sept. 27, 1911	109.80
Rallied to	Oct. 14, 1911	78.66	Oct. 20, 1911	114.13
Declined to	Oct. 27, 1911	74.82	Oct. 27, 1911	112.97
Rallied to	Nov. 23, 1911	81.86	Nov. 23, 1911	119.21
Declined to	Dec. 8, 1911	79.19	Dec. 8, 1911	115.47
Rallied to	Apr. 26, 1912	90.93	Apr. 26, 1912	122.12
Declined to	May 6, 1912	87.59	May 6, 1912	119.34
Rallied to	July 2, 1912	91.69	May 15, 1912	121.68
Declined to	July 12, 1912	87.97	July 12, 1912	117.68
Rallied to	Aug. 27, 1912	92.06	Aug. 14, 1912	124.16
Declined to	Sept. 11, 1912	90.38	Sept. 11, 1912	120.44
Rallied to	Sept. 30, 1912	94.15	Oct. 5, 1912	124.35
Declined to	Dec. 11, 1912	85.25	Dec. 14, 1912	115.61
Rallied to	Jan. 9, 1913	88.57	Jan. 9, 1913	118.10
Declined to	Mar. 20, 1913	78.25	Mar. 18, 1913	108.94
Rallied to	Apr. 4, 1913	83.19	Apr. 4, 1913	113.65
Declined to	June 11, 1913	72.11	June 11, 1913	100.50
Rallied to	Sept. 13, 1913	83.43	Sept. 13, 1913	109.17
Declined to	Dec. 15, 1913	75.27	Nov. 10, 1913	101.87
Rallied to	Jan. 15, 1914	80.95	Jan. 15, 1914	106.65

Course of the stock market since month of January, 1897.

[The appended tabulation contains the high and low average of 12 active industrials and 20 active railroad stocks, as compiled by Dow, Jones & Co., by months, from January, 1897, to February, 1914.]

TWENTY RAILROADS.

	1897		1898		1899	
	Low.	High.	Low.	High.	Low.	High.
January	51.24	53.91	61.2[illegible]	66.17	74.70	82.33
February	51.93	53.46	60.46	66.32	80.98	84.92
March	49.75	54.21	56.08	63.01	81.55	86.41
April	48.12	50.71	55.89	59.62	84.56	87.04
May	49.05	50.79	60.54	66.33	77.51	84.30
June	51.22	55.58	65.13	67.23	77.38	83.27
July	54.30	58.05	64.30	66.46	82.38	84.83
August	58.44	63.81	66.00	70.16	83.51	85.06
September	62.30	67.23	66.20	68.78	80.13	85.55
October	60.11	63.94	65.66	67.24	79.38	83.66
November	57.45	60.94	66.26	71.59	81.19	84.49
December	60.76	62.75	71.21	74.99	72.48	83.07

	1900		1901		1902	
	Low.	High.	Low.	High.	Low.	High.
January	75.95	78.86	92.66	97.85	111.73	115.85
February	78.08	80.51	97.11	99.77	113.63	115.88
March	77.70	82.40	97.80	105.03	113.65	116.48
April	79.51	82.91	105.48	116.35	115.73	121.63
May	76.50	79.77	103.37	117.86	117.46	121.86
June	72.99	79.98	114.39	117.65	118.35	121.45
July	74.93	77.55	105.81	115.35	120.67	127.16
August	76.33	78.06	104.86	111.69	125.31	127.23
September	73.77	77.48	105.30	110.92	120.41	129.36
October	75.85	80.50	106.20	111.03	118.97	124.61
November	79.71	88.88	111.38	115.21	113.70	121.29
December	87.21	94.99	110.08	114.85	113.08	118.98

	1903		1904		1905	
	Low.	High.	Low.	High.	Low.	High.
January	118.81	121.28	85.61	90.78	117.03	121.05
February	115.19	120.19	91.83	97.70	120.70	125.48
March	108.76	114.58	91.31	96.50	123.46	127.16
April	105.75	110.42	95.96	97.58	117.81	127.01
May	103.77	110.82	93.55	95.60	114.52	120.63
June	99.40	104.23	94.15	97.32	116.59	123.37
July	95.00	104.01	97.53	102.24	123.17	126.28
August	90.70	98.84	100.85	106.10	125.58	132.19
September	88.90	97.90	105.31	108.78	127.37	132.33
October	89.36	93.25	109.11	115.20	130.04	132.65
November	90.10	93.80	113.30	118.93	127.91	132.47
December	94.36	98.94	113.53	119.46	129.65	133.54

	1906		1907		1908	
	Low.	High.	Low.	High.	Low.	High.
January	132.36	138.36	121.52	121.95	89.81	95.75
February	129.56	135.93	117.15	122.94	86.04	91.49
March	128.54	132.73	98.27	117.98	86.80	94.40
April	121.89	133.13	105.56	110.48	91.78	97.86
May	120.30	128.61	99.95	110.41	98.11	104.45
June	123.31	131.05	99.50	105.06	97.96	102.35
July	121.76	129.11	103.90	107.68	99.74	106.76
August	129.70	137.06	94.93	105.37	106.05	109.12
September	135.25	137.84	97.21	101.03	103.43	110.33
October	131.37	137.68	83.49	98.73	105.91	110.16
November	131.45	136.83	81.41	87.13	110.46	117.51
December	128.37	137.56	86.61	90.56	115.20	120.05

	1909		1910		1911	
	Low.	High.	Low.	High.	Low.	High.
January	116.93	120.93	120.91	129.90	114.89	118.82
February	113.90	119.90	118.95	124.41	116.90	119.97
March	115.86	121.64	121.63	125.64	115.75	118.73
April	121.11	123.48	118.16	124.35	116.05	118.25
May	123.57	126.13	117.25	123.32	118.06	121.09
June	124.92	128.28	111.63	119.40	121.61	123.31
July	127.53	131.24	105.59	113.65	121.09	123.86
August	128.74	134.46	108.38	115.47	112.60	121.92
September	127.47	132.88	110.57	114.45	109.80	114.11
October	127.29	132.64	114.33	118.44	111.24	114.45
November	126.05	129.96	113.19	117.69	115.72	119.21
December	125.92	130.41	111.33	114.46	115.47	117.62

Course of the stock market since month of January, 1897—Continued.

TWENTY RAILROADS—continued.

	1912		1913		1914	
	Low.	High.	Low.	High.	Low.	High.
January	115.06	117.05	114.20	118.10	103.51	109.43
February	114.92	115.83	109.45	115.36	107.70	109.07
March	115.90	119.26	108.94	111.83	.....	.....
April	119.26	122.12	107.75	113.65	.....	.....
May	118.37	121.74	107.41	109.51	.....	.....
June	118.65	120.60	100.50	105.55	.....	.....
July	117.68	120.67	103.11	106.99	.....	.....
August	121.57	124.16	105.28	107.76	.....	.....
September	120.44	124.16	105.60	109.17	.....	.....
October	119.57	124.35	102.90	107.83	.....	.....
November	119.83	122.79	101.87	104.11	.....	.....
December	115.61	120.09	102.11	104.56	.....	.....

TWELVE INDUSTRIALS.

	1897		1898		1899	
	Low.	High.	Low.	High.	Low.	High.
January	40.37	43.25	48.00	50.67	60.41	65.02
February	39.72	42.38	44.67	50.23	61.95	67.52
March	39.13	42.29	42.00	47.47	65.90	74.70
April	38.49	40.43	43.27	46.32	72.60	77.28
May	38.67	39.95	48.30	52.74	67.51	76.04
June	40.01	44.61	50.87	53.71	68.40	73.08
July	43.60	47.95	52.27	54.20	70.55	73.73
August	48.84	54.81	54.60	60.97	73.68	76.23
September	50.98	55.82	53.44	60.50	72.39	77.61
October	48.42	52.66	51.56	55.43	70.95	74.97
November	45.65	49.11	54.51	57.20	73.06	75.93
December	48.14	49.81	58.14	60.52	68.27	75.68

	1900		1901		1902	
	Low.	High.	Low.	High.	Low.	High.
January	63.27	68.13	64.77	70.44	62.57	65.17
February	63.35	68.36	67.00	70.78	64.58	65.58
March	61.11	66.02	67.18	69.92	64.77	67.52
April	60.47	66.15	70.91	75.89	65.95	68.44
May	56.62	61.36	67.38	75.93	64.73	67.11
June	53.68	59.38	76.07	78.26	63.67	66.26
July	55.48	59.02	69.46	77.08	64.25	67.28
August	57.06	58.90	69.05	73.83	65.33	66.78
September	52.96	58.58	66.22	73.27	64.07	67.77
October	54.52	60.79	63.48	66.07	63.84	66.58
November	59.18	69.07	64.48	66.52	60.62	65.80
December	63.98	71.04	61.52	64.87	59.57	64.29

	1903		1904		1905	
	Low.	High.	Low.	High.	Low.	High.
January	64.19	66.33	47.07	50.50	68.76	71.33
February	65.53	67.70	46.71	49.03	70.91	76.16
March	62.86	66.01	46.41	49.12	75.92	80.02
April	60.79	64.56	48.62	49.98	76.08	83.75
May	60.27	64.06	47.43	48.71	71.37	78.05
June	56.65	59.90	48.08	49.47	72.[illegible]	77.78
July	49.08	58.81	49.31	53.14	77.48	81.70
August	47.38	53.88	52.68	54.61	80.63	82.82
September	45.09	52.75	54.94	57.59	78.60	81.91
October	42.25	47.62	57.59	64.54	80.83	83.77
November	42.15	45.46	63.72	72.36	80.83	89.89
December	44.35	49.35	65.77	73.23	89.50	96.56

	1906		1907		1908	
	Low.	High.	Low.	High.	Low.	High.
January	94.44	103.00	90.77	96.37	59.61	65.84
February	93.94	101.71	89.75	93.39	58.62	62.14
March	92.90	96.96	75.39	90.12	60.97	69.92
April	88.70	98.19	81.40	84.80	67.04	70.29
May	86.45	93.77	77.30	85.02	69.78	75.12
June	87.01	95.21	77.40	80.36	71.70	74.38
July	85.18	92.41	78.87	82.52	72.76	80.34
August	91.67	96.08	69.25	78.87	80.57	85.40
September	93.31	96.07	67.16	73.89	77.07	84.55
October	92.76	96.75	57.23	67.95	79.50	83.55
November	92.38	95.33	53.00	58.48	82.90	88.38
December	92.94	95.89	56.85	61.77	83.46	87.67

Course of the stock market since month of January, 1897—Continued.

TWELVE INDUSTRIALS—continued.

	1909		1910		1911	
	Low.	High.	Low.	High.	Low.	High.
January	84.09	86.95	80.66	88.34	81.70	84.93
February	79.91	86.72	85.03	91.34	84.33	86.02
March	81.64	86.12	89.47	94.56	81.80	84.53
April	85.37	88.29	86.20	92.62	81.32	83.65
May	88.32	92.18	84.72	89.66	82.60	86.40
June	89.66	94.40	81.18	86.28	85.79	87.06
July	92.82	96.79	73.62	81.64	85.28	86.47
August	96.30	99.26	76.14	81.41	78.93	85.47
September	95.86	100.12	78.35	79.72	72.94	80.28
October	95.70	100.50	79.95	86.02	74.82	78.65
November	95.89	100.53	82.52	85.85	77.69	81.85
December	96.66	99.28	79.68	82.16	79.19	82.48

	1912		1913		1914	
	Low.	High.	Low.	High.	Low.	High.
January	80.19	82.36	81.55	88.57	78.43	82.88
February	80.15	81.57	78.72	83.64	82.41	83.19
March	81.96	88.62	78.25	81.69	.....	.....
April	88.72	90.93	78.39	83.19	.....	.....
May	87.59	90.40	78.38	79.95	.....	.....
June	88.32	91.09	72.11	77.27	.....	.....
July	87.97	91.69	75.23	79.06	.....	.....
August	89.84	92.06	78.21	81.33	.....	.....
September	90.38	94.15	80.27	83.43	.....	.....
October	90.35	94.12	77.09	81.43	.....	.....
November	89.58	91.94	75.94	78.42	.....	.....
December	85.25	90.85	75.27	78.85	.....	.....

NOTE.—The composite figures representing the market quotations on the various dates in the foregoing tables were compiled for the following companies for the times specified, the publishers of the Wall Street Journal exercising their judgment in the selection of representative active industrial and railroad stocks for the various periods of time, this being necessitated by stocks passing out of existence because of consolidations, receiverships, or other causes which changed the market for them and necessitated the substitution of representative stocks of a similar character enjoying an active market.

The original stocks used in making up the Dow-Jones averages were:

Industrials: American Cotton Oil, American Spirits Manufacturing, American Sugar, American Tobacco, Chicago Gas, General Electric, Laclede Gas, National Lead, Pacific Mail, Tennessee Coal & Iron, Standard Rope & Twine, United States Leather preferred.

Railroads: Atchison, Jersey Central, Chesapeake & Ohio, Chicago North Western, Burlington, St. Paul, Rock Island, Cleveland, Cincinnati, Chicago & St. Louis, Erie, Lake Shore, Louisville & Nashville, Manhattan Elevated, Missouri, Kansas & Texas preferred, Missouri Pacific, New York Central, Ontario & Western, Northern Pacific preferred certificates, Reading, Southern Railway preferred, and Wabash preferred.

In November, 1897, People's Gas was substituted for Chicago Gas.

In July, 1898, Metropolitan Traction, Union Pacific common, and Northern Pacific common were substituted for Lake Shore, Ontario & Western, and Northern Pacific preferred, respectively.

In September, 1898, United States Rubber common was substituted for General Electric.

In April, 1899, the list of industrials was changed in several particulars, and in that month it was made up of American Cotton Oil, Consolidated Tobacco, Federal Steel, General Electric, United States Leather preferred, National Lead, Pacific Mail, People's Gas, United States Rubber common, American Steel & Wire, American Sugar, and Tennessee Coal & Iron.

In July, 1899, Brooklyn Rapid Transit, Denver & Rio Grande preferred, and Norfolk & Western preferred were substituted for Metropolitan Traction, Reading, and Erie.

Southern Pacific common and Union Pacific preferred displaced Wabash preferred and Norfolk & Western preferred in July, 1900.

In June, 1901, the 12 industrials were changed to Amalgamated Copper, American Sugar, Consolidated Tobacco, International Paper preferred, National Lead, People's Gas, American Smelting & Refining common, Tennessee Coal & Iron, American Smelting & Refining preferred, United States Rubber common, United States Steel common, and United States Steel preferred; and the railroads to Atchison, Jersey Central, Brooklyn Rapid Transit, Chesapeake & Ohio, North Western, Baltimore & Ohio, St. Paul, Rock Island, Cleveland, Cincinnati, Chicago & St. Louis, Denver & Rio Grande preferred, Louisville & Nashville, Manhattan Elevated, Missouri, Kansas & Texas preferred, Missouri Pacific, New York Central, Pennsylvania, Illinois Central, Southern Railway, Union Pacific common, and Union Pacific preferred.

In January, 1902, United States Leather preferred, American Car & Foundry, and Colorado Fuel & Iron were substituted in the industrials for Consolidated Tobacco, International Paper preferred, and Smelters preferred.

In January, 1903, Canadian Pacific, Delaware & Hudson, and Reading were substituted for Jersey Central, Chesapeake & Ohio, and Rock Island, and Minneapolis & St. Louis was substituted for Missouri, Kansas & Texas preferred.

In June, 1904, Metropolitan Street Railway took the place of Cleveland, Cincinnati, Chicago & St. Louis.

In May, 1905, Norfolk & Western and Northern Pacific were substituted for Manhattan Street Railway and Union Pacific preferred.

In April, 1905, United States Rubber first preferred took the place of United States Leather preferred.

In May, 1906, Twin City was substituted for Metropolitan Street Railway.

In November, 1907, General Electric took the place of Tennessee Coal & Iron.
In May, 1912, Rock Island and Lehigh Valley were substituted for Brooklyn Rapid Transit and Twin City.
In May, 1912, Central Leather common was substituted for Colorado Fuel & Iron.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. BORAH. Has the Senator inserted, or is he going to insert, the particular industrials with which that comparison was made?

Mr. CUMMINS. I read them a moment ago.

Mr. BORAH. I did not hear the Senator.

Mr. CUMMINS. I will read them again.

Mr. BORAH. The Senator need not do that.

Mr. WARREN. As I understand, it has been from 38 and a fraction to 80 and a fraction.

Mr. CUMMINS. Will the Senator from Wyoming wait until I answer the question of the Senator from Idaho?

Mr. WARREN. Certainly.

Mr. CUMMINS. The 12 industrial stocks are Amalgamated Copper, American Car & Foundry Co., the American Smelting & Refining Co., the American Sugar Refining Co., the Central Leather Co., the General Electric Co., the National Lead Co., the People's Gas, Light & Coke Co. of Chicago, the United States Rubber Co., the United States Rubber Co. first preferred, the United States Steel Co., and the United States Steel Co. preferred. Those were the industrial companies chosen by the Journal in order to make the comparison—not chosen recently, not chosen since this controversy arose, but the selection was made prior, at least, to 1896; and in each issue every week since that time this comparison will be found in the Journal.

I have here a chart which shows the situation very graphically; and if the Senator from Minnesota [Mr. NELSON] will help me hold it a moment, I think Senators can all see its general import. There [exhibiting] is a chart running over the period from 1896 to the present time. The upper line [indicating] is the line of these 20 railway stocks. One can see how the price has fluctuated from year to year, from time to time. The lower line [indicating] is the line representing the average price of 12 industrial stocks. I show it to you simply to put it beyond any controversy that there has never been a moment in this period in which the railway stocks were not above, and generally high above, the best-known industrial stocks of the country.

You will observe this closes in the middle of the year 1913 at this point [indicating]. Where I now point [indicating] illustrates the average height of the industrial stocks; where I now point [indicating] shows the average height of the railway stocks. This, supplemented by the quotation which I read as to the actual market prices in New York on the 15th of January—I have no information since that time—can leave no doubt with regard to the standing of railway stocks in the United States and in our markets.

There are certain railway companies that can not borrow money; I understand that perfectly well. There are certain railway companies that ought not to be able to borrow money until they are thoroughly reorganized and until some honesty is infused into their management. Our difficulty has been that we have reasoned from these few instances of dishonesty and conspicuous infidelity to the public interest to a general conclusion that the railway securities of the country are under the condemnation of the investing public. It is not true. I assert that the railroad securities of this country—and I will now confine myself to bonds—the railway bonds of the United States have fluctuated less in value than has any other security that is known to our market. These bonds have fluctuated less in 30 years than have the best securities of the English Government itself. That sounds almost unbelievable, but I make the assertion, after inquiry, that the bonds of the railways of the United States have fluctuated less in value than have the British consols. I anticipate a retort that a few years ago there was a change in the rate of interest paid upon British consols. So there was; I think that was along in 1893 or 1894; but taking the average price of British consols since that time, there has been a greater fluctuation in them than there has been in the railroad bonds of the United States, and British consols are at this moment lower proportionately than are the bonds of the railroad companies in this country. They are lower just now than they have been, I think, in 80 years, with possibly one exception.

We must all realize that there are other conditions than the regulation of corporations which affect business and affect the rate of interest and affect the confidence of the public, and we are apparently passing through a period that is full of those conditions. My only purpose is to show that, so far as our railroad companies are concerned, they have not been unjustly dealt with by the Government. On the other hand, the exercise of our power has been rather by way of protection and of maintenance than by way of destruction or of overthrow. I do not think that there is any property in the United States so safely anchored in the public confidence as is the railway property, for there are no other properties so essential to all phases of our industrial and social life. I would, if I could, destroy the effect of their own lack of faith. I have marveled that our railway managers, seemingly indifferent with respect to the consequences of their publications, have been sedulously teaching the people of this country that their properties were of no value; that the railroads were about to become bankrupt; that unless speedily lifted out of the depression into which they have fallen they must cease operation. I have marveled that men holding stations so responsible in the business of the United States should foster the feeling which has been created.

I submit, Senators, that as a whole the railroads of this country are now charging rates and securing revenues ample to care for all their securities in the markets of the country. I grant that they are experiencing depression; I grant that there is less to do now than there was a year ago; I deplore that they find it necessary to dismiss armies of workingmen; but they are not dismissing them because their rates are too low, for their revenues are sufficient; they are dismissing them because they have nothing for them to do. No change in rates will increase business. They must have something to haul in order to earn a revenue. If we can busy ourselves at Washington in reconstructing or rebuilding a fallen fabric of industry, we may accomplish something for the railways, but without that reconstruction it is idle to expect that their revenues can remain as they have been.

During the delivery of Mr. CUMMINS's speech.

RADIUM-BEARING ORES.

The VICE PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the special order of business, which will be stated.

The SECRETARY. A bill (S. 4405) to provide for and encourage the prospecting, mining, and treatment of radium-bearing ores in lands belonging to the United States, for the purpose of securing an adequate supply of radium for Government and other hospitals in the United States, and for other purposes.

Mr. SMOOT. May I ask how that bill comes up to-day?

The VICE PRESIDENT. It comes up under Rule X.

Mr. SMOOT. I understood that it was made the special order for a certain day.

The VICE PRESIDENT. It was; and the rule reads:

Any subject may, by a vote of two-thirds of the Senators present, be made a special order; and when the time so fixed for its consideration arrives the presiding officer shall lay it before the Senate, unless there be unfinished business of the preceding day, and if it is not finally disposed of on that day it shall take its place on the Calendar of Special Orders in the order of time at which it was made special unless it shall become by adjournment the unfinished business.

Mr. WALSH. Mr. President, I have no desire to interrupt the distinguished Senator from Iowa. I am in hope that this bill may be brought up at some other time and that it may have continuous consideration until it is disposed of. I accordingly ask that the special order be temporarily laid aside.

Mr. WILLIAMS. What is the unfinished business?

The VICE PRESIDENT. The unfinished business is Senate bill 120—what is known as the grain-inspection bill.

Mr. WILLIAMS. That is not the bill to which the Senator from Montana refers?

Mr. WALSH. I am referring to Senate bill 4405—the radium bill—which was the special order at this time.

Mr. WILLIAMS. The Senator has asked unanimous consent to lay it aside?

Mr. WALSH. I have.

Mr. WILLIAMS. Mr. President, I dislike very much to interfere with what seems to be the favorite course of the Senate, which is to discuss matters which are not before the Senate and put matters which are before the Senate in arrears. I shall not object at this time, but I give notice that hereafter, even when speeches are being made, if there is unfinished business of the Senate to be attended to and the speech is not being made upon the subject matter which ought to be engaging the attention of the Senate, I shall object. I have not thought it right to do so now, because I had given no notice of any such intention; but I think we are falling too much into the habit of giving notice beforehand that speeches will be made, farming out the time of the Senate for that purpose, without reference to the unfinished business upon the calendar. There are two measures that are unfinished yet, neither one having been voted upon. One is at

almost its final issue and the other is in the course of progress to its issue.

I shall not object at this time to the request made by the Senator from Montana.

Mr. SUTHERLAND. Mr. President a parliamentary inquiry. The radium bill was made the special order for April 10, 1914, at 1 o'clock p. m. At 1 o'clock p. m. on that day it was called up. The parliamentary inquiry I desire to submit is under what rule does the special order come up at 1 o'clock upon any succeeding day?

The VICE PRESIDENT. The Chair read the rule once this morning, and thinks there can be absolutely no doubt about it. It is Rule X. Unless it becomes the unfinished business it remains the special order at 1 o'clock until it does become the unfinished business.

Mr. SUTHERLAND. The rule provides that—

Any subject may, by a vote of two-thirds of the Senators present, be made a special order; and when the time so fixed for its consideration arrives the presiding officer shall lay it before the Senate, unless there be unfinished business of the preceding day.

It is perfectly plain that the bill should have been and was properly laid before the Senate at 1 o'clock on the 10th.

And if it is not finally disposed of on that date it shall take its place on the Calendar of Special Orders in the order of time at which it was made special, unless it shall become by adjournment the unfinished business.

I do not understand by that rule that the bill comes up automatically each day at 1 o'clock, because the effect of that would be to make it the unfinished business coming up at 1 o'clock every day with another piece of unfinished business coming up at 2 o'clock. It simply takes its place upon the Special Calendar in the order of time at which it was made special. The rule means, as I understand it, that if there are two special orders and this bill was first made the special order it would come up first, but I do not understand that there is any rule under which it may be brought up automatically at 1 o'clock each day.

The VICE PRESIDENT. The Chair ruled on Friday as the Chair has ruled again to-day. The Chair has no pride of opinion about this matter. The Senate makes its own rules. If the construction of the Chair is, in the opinion of the Senate, incorrect, an appeal from the decision of the Chair will reverse the ruling. The Chair is clearly of the opinion that the bill is the special order for 1 o'clock each day until it is either disposed of or becomes the unfinished business.

Mr. BORAH. Mr. President, I suggest that section 2 of Rule X seems to fully support the view of the Chair on that proposition, because it says:

When two or more special orders have been made for the same time, they shall have precedence according to the order in which they were severally assigned, and that order shall only be changed by direction of the Senate.

It would seem that section 2 supports the Chair in the proposition that the bill comes up each day at 1 o'clock.

Mr. SUTHERLAND. Section 2 of the rule, as I understand it, simply applies to the first day on which the bill has been made the special order, that is all; in this case to Friday, the 10th. If we had made this bill the special order for 1 o'clock and following that had made another bill the special order for 1 o'clock the same day, this bill would have taken precedence; but the rule, as I understand it, has no application whatever to the succeeding day upon which the calendar may be called.

I do not desire to prolong the discussion at this time, but when the matter comes up again I shall ask for the action of the Senate upon it.

The VICE PRESIDENT. The Chair would like to know what is meant by laying the special order aside now.

Mr. SMOOT. I will say that as far as I can remember when a bill has been made a special order for a certain day and is not disposed of on that calendar day, it then ceases to be the special order for the succeeding day or any day thereafter. That is as I remember the practice of the Senate. I also understand that whenever a special order is laid aside, either by unanimous consent or by a vote of the Senate, it ceases to be a special order.

The VICE PRESIDENT. The Chair has already said that the Senate has a right to make its own rules, but the Chair must exercise some judgment and discretion. As the Chair stated, the Chair has no pride of opinion about it. If a special order made for one day is a special order for only that day, the balance of the rule amounts to nothing.

Mr. BRANDEGEE. Mr. President, I was about to make a suggestion that I thought would be agreeable to the Senator from Iowa, so that he might conclude his remarks. It was to ask unanimous consent that this matter be passed over for the present without prejudice, so that it may have to-morrow whatever position and advantage it has at present, under the ruling of the Chair.

The VICE PRESIDENT. It was the inquiry of the Chair as to whether that was the purpose of the request.

Mr. BRANDEGEE. In order to make it clear——

The VICE PRESIDENT. If there is no objection, the special order will go over until to-morrow without prejudice. If the ruling of the Chair is correct, it will be the special order at 1 o'clock to-morrow, and if the Senate thinks the ruling of the Chair is not correct, it will dispose of the question at that time.

Mr. CUMMINS. Mr. President, I am very much obliged to the Senator from Montana [Mr. WALSH], and equally so to the Senator from Mississippi [Mr. WILLIAMS], for the opportunity that they have given me to finish what I have to say upon the subject on which I am addressing the Senate.

The VICE PRESIDENT. The Senator from Iowa will proceed.

After the conclusion of Mr. CUMMINS's speech,

INSPECTION AND GRADING OF GRAIN.

Mr. McCUMBER. I ask that the unfinished business may be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is Senate bill 120.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

[Mr. SHERMAN addressed the Senate. See Appendix.]

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Virginia?

Mr. SHERMAN. I yield.

Mr. SWANSON. I should like to ask the Senator from Illinois whether he desires to conclude his remarks this evening, or will he yield for an executive session?

Mr. SHERMAN. I will yield for an executive session.

Mr. NELSON. I desire to give notice that to-morrow, upon the conclusion of the speech of the Senator from Illinois [Mr. SHERMAN], I will address the Senate on the pending grain-inspection bill.

EXECUTIVE SESSION.

Mr. SWANSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 15 minutes spent in executive session the doors were reopened, and (at 6 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 14, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 13, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father who art in heaven, ever ready to hear and answer the prayers of those who seek Thee diligently, teach us, we beseech Thee, the beauty of holiness, that we may live together in peace and harmony. Strengthen us for the new duties of this day, that with clear conceptions, pure motives, and earnest endeavors we may strive for the mastery. That Thy kingdom may speedily come and Thy will be done in all our hearts. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday last was read and approved.

THOMAS JEFFERSON.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Florida asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. CLARK of Florida. Mr. Speaker, this is the anniversary of the birth of Thomas Jefferson. On the 4th day of July next 88 years will have passed since the great spirit of Jefferson winged its flight to the better world. The author of the Declaration of Independence died on the fiftieth anniversary of that immortal document, and his body was laid to rest in the bosom of the "Old Dominion," at his beloved Monticello. No monuments of bronze or marble are needed to perpetuate the fame of the father of democracy; no tablet of brass or stone is necessary upon which to preserve the story of his patriotic

deeds. His fame is secure in the hearts and minds of his countrymen, and his patriotic and unselfish work for humanity constitutes the foundation stones of the Republic.

So long as that immortal document—the Declaration of Independence—shall be read by men; so long as democratic principles shall find an advocate; so long as the Republic shall survive; so long as human liberty shall exist upon the earth, just so long will the name of Thomas Jefferson be revered and loved. But, Mr. Speaker, while we can add nothing to the imperishable honor and fame of Thomas Jefferson, we can honor ourselves in the performance of a simple duty we owe him. His birth place is unmarked. The place where Jefferson was born should be known to all patriotic Americans and a suitable tablet placed upon the spot where the father of constitutional liberty was given to humanity. It is sacred ground. With this end in view I ask unanimous consent to introduce the joint resolution which I send to the Clerk's desk and for its present consideration.

The Clerk read as follows:

Be it resolved, etc., That a commission, to be composed of the President of the United States, the Chief Justice of the Supreme Court of the United States, and the Speaker of the House of Representatives, be, and the same is hereby, created for the purpose of investigating and suggesting to the Congress of the United States some proper and suitable tablet or memorial to permanently mark the birthplace of Thomas Jefferson, at Old Shadwell, in the State of Virginia. Said commission is authorized to examine plans and designs and to select a suitable plan or design to suggest to Congress for adoption and make report thereof at as early a day as may be practicable, together with such inscription to be placed thereon as they may deem advisable, and the amount of money necessary to secure and place the same in position.

SEC. 2. That the sum of $5,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to pay the necessary expense of said commission in the performance of its duties.

The SPEAKER. Is there objection?

Mr. JOHNSON of Kentucky. Mr. Speaker, on account of the interference with other business, I object.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 13765. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1915, and for other purposes;

H. R. 4544. An act to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve; and

H. R. 12169. An act providing for an additional appropriation for a public building in the city of Monroe, N. C.

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I call up the conference report on the bill (H. R. 10138) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of such soldiers and sailors of said war.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report, as follows:

CONFERENCE REPORT (NO. 516).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10138) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 41, 42, 43, 44, 46, 48, 49, 50, 51, 52, 53; and agree to the same.

That the Senate recede from its amendments numbered 3, 7, 11, 35, 40, 45, 47.

JOE J. RUSSELL,
J. A. M. ADAIR,
J. N. LANGHAM,
Managers on the part of the House.

BENJ. F. SHIVELY,
N. P. BRYAN,
Managers on the part of the Senate.

The conference report was agreed to.

RAILROAD FREIGHT RATES.

Mr. LEVY. Mr. Speaker, I move to discharge the Committee on Interstate and Foreign Commerce from the further consideration of House resolution 447.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 447.

Resolved, That the President of the United States be, and he is hereby, requested to report to the House of Representatives, for its information, the cause and reason why the Interstate Commerce Commission has failed to grant an increase in freight rates to the railroads where no objection to such increase has been filed, and where the shippers have requested that an increase be granted on the ground that they were just and equitable.

Mr. ADAMSON. Mr. Speaker, I make the point of order.

The SPEAKER. What is the gentleman's point of order?

Mr. ADAMSON. That it is not privileged.

The SPEAKER. Why not?

Mr. ADAMSON. It calls for an opinion; and, in the second place, the President has nothing to do with the Interstate Commerce Commission.

Mr. FITZGERALD. The information is not peculiarly within the knowledge of the President. It would require an independent investigation on his part.

Mr. ADAMSON. He is not supposed to run the Interstate Commerce Commission.

Mr. MANN. Mr. Speaker, this calls for the "cause and reason," and that is not a question of fact.

The SPEAKER. The resolution reads:

That the President of the United States be, and he is hereby, requested to report to the House of Representatives, for its information, the cause and reason why the Interstate Commerce Commission has failed to grant an increase of freight rates to the railroads—

And so forth. The Chair thinks that that is not in order.

Mr. LEVY. Mr. Speaker, there is a ruling of Mr. Cannon, who, as Speaker, ruled on a resolution similar to this.

The SPEAKER. That ruling does not show what Speaker Cannon ruled on.

Mr. LEVY. In volume 3 of Hinds' Precedents, section 1864, appears this authority:

On January 29, 1906, Mr. Oscar W. Gillespie, of Texas, claiming the floor for a privileged question, moved to discharge the Committee on Interstate and Foreign Commerce from consideration of the following resolution of inquiry, which had been referred to that committee more than one week previously:

"*Resolved*, That the President of the United States be, and he is hereby, requested to report to the House of Representatives, for its information, all the facts within the knowledge of the Interstate Commerce Commission which shows or tends to show that there exists at this time, or heretofore within the last 12 months has existed, a combination or arrangement between the Pennsylvania Railroad Co., the Pennsylvania Co., the Norfolk & Western Railway Co., the Baltimore & Ohio Railroad Co., the Philadelphia, Baltimore & Washington Railroad Co., the Northern Central Railway Co., and the Chesapeake & Ohio Railway Co., or any two or more of said railroad companies, in violation of the act passed July 2, 1890, and entitled 'An act to protect trade and commerce against unlawful restraints and monopolies,' or acts amendatory thereof."

Mr. ADAMSON. Mr. Speaker, whenever anyone does get one of these resolutions in that is out of order, I want to suggest the reduction of freight rates where they are too high.

The SPEAKER. This resolution cited by the gentleman from New York is not on all fours with the pending resolution. In the Gillespie resolution the President of the United States is requested to report all the facts. Of course that would be in order; but this is a resolution to report information as to the "cause and reason," and it would take an investigation to obtain that information. The Chair sustains the point of order.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3843. An act for the relief of Bellevadorah Steele;

S. 3610. An act for the relief of C. E. Moore;

S. 1884. An act for the relief of Phoebe W. Chase;

S. 75. An act for the relief of Theresa A. Murray;

S. 54. An act for the relief of George W. Hoyt;

S. 135. An act for the relief of Severin and Bertha L. Evensen, dependent parents of Siguard Evensen;

S. 175. An act for the relief of Lawson Reno, collector second district of Kentucky; and

S. 1689. An act authorizing the accounting officers of the Treasury to allow accounts of the United States marshal for the district of Connecticut amounts paid by him from certain appropriations.

DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering legislation for the District of Columbia.

Mr. DUPRÉ. Will the gentleman allow me, pending that motion, to ask unanimous consent?

Mr. JOHNSON of Kentucky. I will.

Mr. DUPRÉ. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. HOWARD. Reserving the right to object, I would like to ask the gentleman from Louisiana upon what subject?

Mr. DUPRÉ. It is a memorial adopted by the city council of the city of New Orleans relating to regional banks.

Mr. HOWARD and Mr. BARNHART objected.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of District of Columbia business.

The question was taken, and the motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. FERRIS in the chair.

TAXATION OF REAL ESTATE IN DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Chairman, I call up the bill (H. R. 12873) relating to the assessment for taxation of real estate in the District of Columbia, and for other purposes.

The CHAIRMAN. The gentleman from Kentucky calls up the bill, which the Clerk will report.

The Clerk reported the bill by title.

Mr. JOHNSON of Kentucky. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Kentucky. Mr. Chairman, may I now, without losing any of my rights, reserve the remainder of my time for use later by myself?

The CHAIRMAN. The gentleman has that right.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserve the remainder of my time.

Mr. PROUTY rose.

Mr. JOHNSON of Kentucky. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Kentucky makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and six Members present; a quorum.

Mr. PROUTY. Mr. Chairman, this bill was introduced by the gentleman from New York [Mr. GEORGE], but on account of an amendment offered by myself and adopted by the committee he has renounced it and is now opposing it.

I am visibly embarrassed by the situation. I suddenly find myself jostling and caressing a foundling that was left on the steps of the District Committee by its putative father, left abandoned, deserted, and disinherited. The committee has adopted the little one and will do its best to care for it, although that care necessarily can not be so loving and gracious as that which could have been bestowed by its real parent. It seems rather cold and inhuman for a parent to abandon his child because it has met with an accident and become slightly disfigured, and may we not trust that the bringing together of parent and child in this presence may reinspire parental instinct so that before the close of this hearing we may again find this little one in the fondling arms of its kind father.

This bill as originally introduced by the gentleman from New York [Mr. GEORGE] was wisely designed to secure an equitable assessment of real estate at its fair value. More than two years ago a subcommittee from the Committee on the District of Columbia was charged with the duty of making a careful examination of the taxation problem. This committee filed its report on August 20, 1912. It was a most complete and thorough examination of the whole question, and this committee has rendered a great service not merely to Congress but to the whole country. The report showed clearly the gross injustice and inequalities in the assessment of real estate in the District of Columbia not only as compared with itself but as compared with other classes of property. On page 13 the report says:

> On personal property the tax rate is 1½ per cent of the full true value. On real estate the tax rate as applied is less. The commissioners call it 1½ per cent on two-thirds of the value, which would make the rate 1 per cent, if the assessor had assessed the true value. But he has not. The assessment shows approximately but 44 per cent of the true value, so that the 1½ per cent on a theoretical two-thirds reduces itself to 0.66⅔ of 1 per cent on the true valuation. Therefore, the real tax rate, which looks like one dollar in a hundred, turns out to be only 66⅔ cents on the $100.
>
> Or 6.65 mills on the actual value.

DIFFERENT CLASSES OF REAL ESTATE.

The report of this committee also revealed the fact that there was a gross discrimination in the assessment of different kinds of real estate. This report divided the city into sections for the purpose of comparison. It found that section 1, composed of small homes, was assessed at about 75 per cent of its actual true value, which was higher than the rate fixed by law. It found that in sections 2, 3, and 4, being the area occupied by the middle classes, the assessment was approximately 60 per cent of the actual true value; that in section 5, being the area occupied by fine residences, the assessment was 40 per cent of the true value; that in section 6, being known as the business area, real estate was assessed at about 45 per cent of the true value; that in sections 7, 8, 9, and 10 of the city, known as the suburban or speculative area, property was assessed at about 45 per cent of its actual true value. This situation is indefensible and intolerable in any city and especially in the capital of the Nation. There can be no justification in the practice of assessing higher relatively the humble homes of the poor than the magnificent homes of the rich. There can be no justification of the practice in vogue here of assessing the homes of the poor and the middle classes at a much higher rate than lucrative and profitable business property, and there certainly can be no just excuse for assessing property held for speculative purposes at a lower rate than that occupied by actual homes.

Mr. FOWLER. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. Certainly.

Mr. FOWLER. How long has this system of taxation been going on?

Mr. PROUTY. Mr. Chairman, of course it is not possible for me to tell. I was not on the subcommittee that made this report. I am quoting from the figures of the committee that prepared it, and I have the splendid privilege and satisfaction of quoting from the gentleman who is now opposed to the measure that I am advocating. The purpose of this bill is to correct, as far as possible, these inequalities and discriminations.

Mr. MADDEN. Will it interfere with the gentleman's trend of thought if I ask him a question?

Mr. PROUTY. No; not if the gentleman simply asks a question, but I have not the time to yield for speeches.

Mr. MADDEN. I am not in the habit of making speeches in other gentlemen's time.

Mr. PROUTY. No; the gentleman from Illinois is very kind about that.

Mr. MADDEN. I want to know, if the gentleman can state it, how the committee which made this report reached the conclusion that 45 per cent of the actual value was the basis of assessment in some cases, 60 per cent in other cases, 75 per cent in other cases, and 66 per cent in other cases. How do they know what the actual value is? That is what I want to find out.

Mr. PROUTY. Of course I have already stated I was not on that committee; but I have read their report, and I know they have spent practically a year's time in determining it, and they determine it like anybody else would determine it, upon a very careful personal investigation of the facts and circumstances. Of course no man's judgment is absolutely perfect. The gentleman from New York [Mr. GEORGE], who prepared the report, is on his feet, and if he wishes I will let him answer that question.

Mr. GEORGE. I would like to ask the gentleman whether there is any dispute between the majority and the minority in respect to a full-value assessment.

Mr. PROUTY. There is not; we are perfectly in accord on that proposition, and I will point out to the House a little later where our paths diverge.

Mr. MADDEN. The gentleman has not answered the question which I asked him.

Mr. PROUTY. I have answered it the best I could. I have said that it is upon a personal careful consideration of the facts, and they spent practically a year's time in doing it.

Mr. MADDEN. How can anybody tell what the actual value of the property is?

Mr. PROUTY. Ask omniscience, not me.

Mr. MADDEN. But the committee comes in with a statement——

Mr. PROUTY. If the gentleman from Illinois will read the report; I have not the time to read it, as it is 150 pages long. I will yield to the gentleman from Oklahoma.

Mr. THOMPSON of Oklahoma. My object was to ask the gentleman from New York to explain the report, particularly showing the difference in the value of the property. If the gentleman is going to make a speech in his own time, I will not ask the question now.

Mr. GEORGE. I do not care to take up the time of the gentleman from Iowa now.

Mr. PROUTY. I desire to be very courteous in this matter, but the gentleman will have an hour's time in his own right. I am using his figures, and I certainly ought not to be accused of partiality when I use my opponent's figures. [Applause.]

Mr. BARTLETT. May I ask the gentleman a question?

Mr. PROUTY. With pleasure.

Mr. BARTLETT. What means are resorted to or used for the purpose of ascertaining the value for the purpose of taxing property at its two-thirds value here in the District of Columbia? By what means do the assessors undertake to do it?

Mr. PROUTY. Under the law as it now is in force the assessor, through a board of assistant assessors, undertakes to pass upon the value by going and seeing it.

Mr. BARTLETT. And the rate of taxation is limited to $1.50?

Mr. PROUTY. It is limited to $1.50 on two-thirds of the value, or 10 mills on the actual value.

Mr. BARTLETT. Is it fixed at $1.50, so it does not exceed $1.50?

Mr. PROUTY. It does not exceed $1.50.

Mr. CROSSER. It is fixed at a dollar and a half.

Mr. PROUTY. I am not going into an argument with my friend as to the technical reading of the law. It can not be assessed more than 15 mills.

Mr. BARTLETT. I was asking for information solely.

Mr. PROUTY. I recognize my friend's right to ask the question, but the gentleman and myself do not exactly agree on the construction of a certain section of the statute.

Mr. KINDEL. I will ask you if they utilized the Summer system or the Wagner system of taxation?

Mr. PROUTY. Will you not reserve those questions for the gentleman who has prepared the report?

Mr. KINDEL. I thought you knew.

Mr. PROUTY. As I have repeatedly said, I am not a member of that committee, and have nothing to do with it. I was not even a member of the District Committee when that committee was appointed, and I am simply compelled to accept their figures. With my very high personal regard for the gentleman from New York [Mr. GEORGE], knowing his conservatism, his candor, and care, I feel warranted in accepting his figures without further serious question.

Mr. KINDEL. I only asked the question in line with the question asked by the gentleman from Georgia [Mr. BARTLETT].

Mr. TALCOTT of New York. This inequality of assessment on a two-thirds basis is due to the mistakes and lack of judgment of the assessors, is it not?

Mr. PROUTY. I would not like to go into the discussion I really have in my heart on that subject. It would take all of my hour to state all of my sincere convictions on that question. But I will say in a word that since I have been a member of this committee and have been investigating the relations between the Federal Government and the District of Columbia, one thing has ever stood out prominently in every investigation that I have made, and that is that there has been a certain little plunderbund set of fellows that has controlled the situation largely for their own advantage and benefit.

Mr. TALCOTT of New York. And that sinister influence has been brought to bear on the assessors?

Mr. PROUTY. Whether it has been brought to bear or not, they have been made to feel it keenly, and no one can go back over the history of the District of Columbia without being impressed with that fact. But I do not want to go into that fact. I am trying to keep myself down to the cold facts that I know.

Mr. TALCOTT of New York. The only object of my question is, if the gentleman will permit, that if that influence is present under the present system, have you guarded against that influence if the assessment is made on a full valuation?

Mr. PROUTY. We have tried to do so. No man can ever get away from that influence, but if you just take the situation as it is now in this District, can anybody doubt the conclusion to be drawn from it? When a poor man's property is assessed at 75 cents on the dollar, and the rich men who live in these magnificent homes—men who own these thousands of acres of land around here, which they are holding for speculative purposes—are assessed at practically one-half, can anyone doubt where the influence comes from?

I have been led to make these strictures without any intention on my part, but the facts are here and any man who wants to read can find them out. As was intimated by a question from Mr. GEORGE——

Mr. COOPER. Will the gentleman permit one interruption?

Mr. PROUTY. For a question.

Mr. COOPER. When the fact of the overassessment of the poor man's property and the underassessment of the rich man's property was brought out before the committee, what excuse was made?

Mr. PROUTY. I have given the reasons. The first was that they did not have time to make up the assessment, they did not have enough fellows to assist; and the other was that it came triennially, so they could not reach the increment.

Mr. COOPER. If they had as much time to make a rich man's assessment as a poor man's assessment, what reason did they give for the discrimination?

Mr. PROUTY. I have been up against this proposition, as you know, and no man connected with the assessor's department or any other department of this city has given any other reasons than I have given to this House. It leaves the House and myself the right to draw our own conclusions.

Mr. FALCONER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Washington?

Mr. PROUTY. I do.

Mr. FALCONER. I wanted to ask the gentleman if he did not think the citizens of the District of Columbia ought to have the privilege of the franchise, to put them on the same basis as other people?

Mr. PROUTY. Oh, there is no question about that. Taxation without representation is just as indefensible as representation without taxation. [Applause.]

Mr. THOMPSON of Oklahoma. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Oklahoma?

Mr. PROUTY. Certainly.

Mr. THOMPSON of Oklahoma. Will the gentleman put in his speech that chart that he has on the blackboard?

Mr. PROUTY. Yes.

The bill provides that all real estate must be assessed at its actual, true value without any reference to the nature of its ownership or occupancy. This bill if enacted into law and carried into effect would, in a large measure, remove the discrimination between the wealthy and the poor classes of citizens which has been very much apparent for many years. The assessor of the city claims that this discrimination has grown up very largely from the fact that he has not had a sufficient assessing force to properly do the work. This bill furnishes him with an ample force of assessors and creates a system and organization by which these inequalities can be corrected if properly handled by the assessor and his assistants in good faith.

UNDERVALUATION.

This bill is intended to correct another very serious abuse, and that is the general undervaluation of real estate. The last assessment of real estate in the District of Columbia amounted to about $340,000,000. The committee that made this investigation found that the actual cash value at a very conservative basis was $744,000,000. On page 18 of the report they say:

> The total taxable realty values of the District of Columbia fixed by your committee at $744,000,000 falls well within the sum indicated by a forthcoming census bulletin.

They say the Government's estimate is $31,000,000 in excess of this. It is the purpose of this bill to have real estate assessed at its actual, true value. One of the things that has prevented, in a measure, that kind of assessment is the fact that heretofore assessments have been triennial. This bill provides for annual assessments. This provision will aid very materially in catching the increment of value on property that rises rapidly. There are sections of the city where property has more than doubled in value in the last three years, and triennial assessments are not calculated to reach this sudden increase.

Mr. SHERLEY. Mr. Chairman, will the gentleman permit a question?

Mr. PROUTY. Yes.

Mr. SHERLEY. In stating the totals of your value of real estate in the District you are excluding Government property?

Mr. PROUTY. Yes, sir.

Mr. SHERLEY. I assumed so, but I wanted it to appear in the RECORD.

Mr. PROUTY. The actual amount is something over $1,300,000,000. But $744,000,000 is the property held in private ownership, not including parks and things of that kind.

Mr. SISSON. Has the gentleman an estimate of the real and personal property exclusive of Government property?

Mr. PROUTY. I have given it—$744,000,000 as the real estate.

COMMITTEE A UNIT.

Up to this point I believe I am warranted in saying the Committee on the District of Columbia is a unit. The bill as originally introduced by the gentleman from New York, however, made no reference to either tangible or intangible personal property. It did not change or affect the rate now in force under the act of 1902. It left the assessment of tangible personal property still at 15 mills on the dollar, while it provided that the rate on real estate should be fixed from time to time by the Commissioners of the District of Columbia. The majority of the members of our committee, however, believed that it was grossly unjust to have real estate assessed at a lower rate than personal property, and an amendment creating absolute equality in rates is contained in the amendment to this bill as favorably reported by the majority of the committee. The law now assesses tangible personal property at 15 mills on the dollar. A mere glance at the financial situation of the District of Columbia would show that if it was only intended to collect enough money in the District to represent its one-half of the budget, that real estate would necessarily be assessed at a very low rate, probably not to exceed 7 mills on the dollar, or one-half at most of the rate assessed on tangible personal property. The majority members of this committee deemed that unfair and indefensible, and have put in an amendment fixing the rate on personal and real property at the same figure without specifically naming the rate. The majority members of the committee were not able to find any sound, humane, or economic reason for putting a heavier burden of taxation on personal property than upon real property. There are people who honestly believe that all taxes should be levied on real estate or ground values, but no one has ever contended that real estate should bear a lower rate of taxation than tangible personal property. And yet this bill, as it came to the committee, clearly and unequivocally both recognized and enforced that inequality.

Under the law now in force intangible personal property is not assessed at all. Stocks, bonds, moneys, and credits entirely escape taxation in this jurisdiction, and the original bill continued that exemption. The majority members of this committee have not been able to see any good reason why moneys and credits should not bear their just proportion of the burdens of taxation. Under what is commonly called the organic act this class of property was assessable and continued assessable up to the year 1902. Since that time this class of property has not paid any taxes in the District. As a result of this situation a vast amount of hoarded surplus wealth has migrated toward this District. The fact that moneys and credits were thus exempt from taxation in this District while assessable in practically every other jurisdiction in the United States has induced men possessed of a large amount of this class of wealth to make Washington at least their technical home. There are many men possessed of a large amount of wealth that have made Washington their technical home for no other purpose than that of escaping taxation at their real home. This situation is accentuated by the fact that there is no inheritance tax in the District of Columbia, while there is such a tax in almost every other jurisdiction. There is probably now no city in the United States of its size that has as much of this class of wealth as the city of Washington. The exact amount of it, of course, is not known, but it certainly amounts to several hundreds of millions of dollars. It is currently reported that there are two men who make their technical residence in Washington who have more than $100,000,000 of this class of property in safety vaults of the city. There is no possible defense of a policy that exempts that class of property from bearing its just proportion of the expenses of the local government. These men secure as much benefit to themselves personally and as much protection to their property as do any other class of citizens, and there is no just reason why it should be exempt from carrying its just proportion of the public expense. The majority members of the committee fully recognize the fact that it is difficult to find and assess this class of property, but they feel, and feel keenly, that that is no reason why an attempt, at least, should not be made to reach and assess it. Upon the very broadest principle of justice and fairness to all of our people the Federal Government has no right to create an isle to which the rich can fly to escape local taxation. It is unfair to other municipalities and jurisdictions, even though it might be of possible advantage to the District of Columbia. But it is not fair to the people of the District of Columbia. There is no justification of a policy that levies taxes upon the teams, tools, and machinery of the poor man with which he habitually earns his living and exempts from taxation the wealth of men who get their living from the earnings of stocks and bonds in which they have invested their accumulated wealth. No nation, no State, no municipality that wants to be fair can continue that discrimination.

There is doubtless at least $100,000,000 of this kind of capital now escaping taxation that could and would be reached with the proper enforcement of the provisions of this act. This, assessed at 15 mills on the dollar, would produce $1,500,000 of revenue. The District of Columbia last year collected $2,187,000 from taxes on personal property, licenses, and so forth. If there is in the District of Columbia $744,000,000 worth of real estate when assessed at its true value, as reported by the George committee, then, if it were assessed at 15 mills on the dollar, it would produce $11,160,000; or, in other words, if you would assess all the property in the District of Columbia at 15 mills on the dollar, it would produce substantially $14,837,000. Here arises the embarrassment of the situation. Every man that has investigated the subject of taxation in other municipalities knows that 15 mills on the dollar is a very low rate of taxation. The average rate of all the cities of the United States of the class of Washington is approximately 19 mills on the dollar. And your committee was, and Congress is now, squarely facing the proposition as to whether or not the people of the District of Columbia are entitled to have a lower rate of taxation on their property than is paid by the average citizen of the United States similarly situated. There has been no reason suggested to my mind why a citizen living in the District of Columbia and holding property here should pay a less rate of taxation than men living in cities elsewhere. It will be noted by the figures that I have just quoted that if the property in the District of Columbia was assessed as it is assessed elsewhere it would raise more than enough to meet the entire budget expenses of the District of Columbia. Congress is squarely confronted with the proposition of providing a much lower rate of taxation in the District of Columbia than that paid elsewhere or reducing the amount to be contributed by the Federal Government. I, for one, believe that before this people have any just right to call upon the remaining people of the United States to contribute to the support of their purely local affairs they must pay substantially as high a rate as the persons from whom they ask and demand contribution.

TAXATION BASED ON PRESENT ASSESSED VALUATION.

I have so far discussed this question based on the facts collected and set forth in the so-called George report. I have done this designedly. The encomiums that the local press and local organizations have heaped upon that gentleman during the last month I thought would make it rather embarrassing for them to call in question the accuracy and impartiality of his figures; but, for fear that some one might be disposed to repudiate his figures and conclusions, I wish to spend just a moment in showing you the situation when based on the assessor's figures. The present actual value of real estate in the District of Columbia, as will be shown by the forthcoming assessor's report, will be about $570,000,000. This, assessed the same as elsewhere, at 19 mills on the dollar, as I will presently show, would produce:

Actual value of real estate in District of Columbia, assessed at 19 mills	$10,830,000.00
Moneys and credits ($100,000,000 worth)	1,900,000.00
Collected last year from tangible personal property taxes	1,130,840.52
From penalties and interest on delinquent taxes	45,802.31
Licenses and other miscellaneous collections	1,010,648.92
Total	14,917,291.75

The committee of one hundred knows full well that if property in the District of Columbia was taxed substantially the same as it is taxed in other cities it would produce over $15,000,000, while it requires about $14,000,000 to pay all expenses. But even this item includes $938,000 for pavements and sidewalks. This has no legitimate place in the general budget. The bulk, at least, of this expense should be assessed against abutting property owners.

These cold facts can not be successfully contradicted. The newspapers of the city of Washington and the Chamber of Commerce try to avoid the effect of these figures in two ways: First, they say that real estate in the city of Washington is assessed higher proportionately than in other cities. There is no general data at command to either prove or contradict that statement. These figures are based on the law in force in various jurisdictions and reduced to actual cash value. It is possible that some other cities do not assess full value even when it is required by law. It is sure that it is not done in the District of Columbia, if we accept the George report as substantially correct. While the law has required that it shall be assessed at 66⅔ per cent of its actual true value, that report says that it

is assessed at only 44 per cent of its true value, which, when reduced to full value, makes it only 66⅔ per cent of its actual true value. I hardly think that other cities exceed that reduction.

The above figures are based on the 66⅔ per cent valuation. None of the newspapers and none of the documents of the chamber of commerce have called in question the fact that property in similar cities elsewhere is assessed at an average of about 19 mills on the dollar; but they try to make a showing for the city of Washington by changing to another basis, namely, the per capita assessment; and they quote figures quite successfully to show that the per capita tax of Washington is substantially as large as the per capita tax elsewhere. But that is begging the whole question. In this country we do not levy a per capita tax, but a property tax. The census of the United States shows the people of Washington to be the wealthiest people per capita of any city in the United States of its size, and of course the taxes per capita would necessarily be higher. To illustrate my thought, suppose that all the property in the city of Washington belonged to 10 men. The rate might be very low on property and yet the per capita tax would be extremely high.

DIFFERENCE BETWEEN MAJORITY AND MINORITY BILLS.

Since the majority report has been filed the minority has filed a minority report and a minority bill. This report and bill correct one defect in the original bill introduced by Mr. GEORGE, namely, it purports to assess personal and real estate at the same rate. But it continues two of the defects in the original bill. First, it entirely exempts from taxation moneys, credits, stocks, and bonds. I shall await with some patience to hear a good reason why this class of property should be exempt from taxation in the District of Columbia while it is taxed practically everywhere else in the United States. Second, it leaves the rate of taxation to be fixed by the commissioners instead of continuing the rate, as provided in the organic act, of 15 mills on the dollar. My amendment to the original George bill contemplated the retaining by Congress of the power to fix the rate of taxation, and for the time being it was left where it was left in the organic act; that is, 15 mills on the dollar. I do not believe that there is a candid Member on the floor of this House that does not believe that property ought to be assessed in the District of Columbia substantially as it is assessed elsewhere. The average rate of taxation in like cities as Washington is 19 mills on the actual cash value of property. I here set out a list of the leading cities with the tax rate levied on the actual value:

Rates of taxation in certain cities based on full value.

	Mills.
Boston	17.2
Bridgeport, Conn	16.5
Brooklyn, N. Y	18.5
Buffalo	22.9
Baltimore	19.8
Cambridge, Mass	20.4
Camden, N. J	20.0
Charleston, S. C	25.0
Chicago	17.1
Cincinnati	15.6
Cleveland	18.8
Detroit	19.9
Des Moines	22.2
Fall River, Mass	20.3
Grand Rapids	21.4
Jersey City	21.2
Lawrence, Mass	18.0
Lincoln, Nebr	19.7
Lowell, Mass	19.4
Indianapolis	15.8
Lynn, Mass	20.0
Milwaukee	17.6
Minneapolis	17.9
Newark, N. J	20.2
New Bedford, Mass	20.2
New Haven, Conn	19.0
New Orleans	17.2
New York	18.2
Philadelphia	15.0
Pittsburgh	15.3
Providence	20.5
Rochester, N. Y	19.3
Springfield, Ill	18.2
St. Louis	15.1
St. Paul	17.6
Syracuse, N. Y	20.0
Tacoma, Wash	21.7
Trenton, N. J	20.0
Utica, N. Y	22.0
Washington, D. C	10.0
Average, 19 mills.	

Can anyone give me a good reason why a man should be allowed to own property in Washington and pay a less rate of taxation than he would in other cities? Should not he pay substantially the same before he has the right to call on the American people for help? My amendment does not propose anything unfair, and there is not a candid man on this floor nor in the District that will say that it does. It provides for the assessment of real estate and personal property on the same basis of 15 mills on the actual value. It provides for the including in personal property of moneys, credits, stocks, bonds, and so forth. What is causing, therefore, all this clamor? What has brought into existence the committee of one hundred? What has caused this continued discussion in the newspapers and commercial exchanges of this city? What has caused them to send out millions of misleading circulars to create a backfire? It is not because they can or will say that a single one of the propositions contained in my amendment is unjust or unfair. But this is a shrewd people. They easily scented from afar the situation that my bill would produce. It would demonstrate this: That if property in the District was assessed substantially as it is elsewhere, it would produce enough revenue to more than meet the present needs of the District of Columbia, and consequently do away with their claim for contribution of $7,000,000 a year from the Federal Government. The people of Washington are shrewd men. They realized that they did not dare to let that kind of a showing be made. They have always played the part of the wily miser that hides and conceals his wealth so that he may have a face for asking alms.

Now, let us see what would happen if the bill as recommended by the minority should pass. The District's share of the budget is about $7,000,000. Last year the District collected $2,356,451 from gross income tax, licenses, and so forth. That would leave $4,643,549 to be collected from a levy on real estate. If assessed at its true value, according to the George report, at $744,000,000, it would only require a levy of 6.3 mills. In other words, if it was left to the District Commissioners to fix the rate, they could not fix a rate at more than 6.3 mills without creating a surplus. Now, this presents the real question and the real situation. Is Congress willing to vote for a proposition with its eyes wide open that would allow real estate here to escape with taxation at 6.3 mills on actual value while it pays practically 19 mills elsewhere? Or, putting the proposition still more accurately, is it willing to tax the people of the United States, that now are carrying a heavy burden of taxation, so as to create a gratuity for this people that would reduce the taxes to practically 6.3 mills? That is the question, gentlemen. You may not see it, but the committee of one hundred sees it. In these figures I have still left out the $100,000,000 or more of moneys and credits that should be assessed. If they are included, it would reduce the rate to 5.7 mills.

Mr. MANN. Mr. Chairman, will the gentleman yield for one question?

Mr. PROUTY. With pleasure.

Mr. MANN. I understood the gentleman to say that the tax now collected in the District of Columbia would amount to six mills and a fraction on the full value of the property?

Mr. PROUTY. The gentleman correctly understood me.

Mr. MANN. Is that correct?

Mr. PROUTY. Yes; assuming the George report to be correct.

Mr. MANN. And if you should add to that the one-half paid by the General Government, the total amount used for expenditure would be something less than 14 mills on the dollar for the total expenditures in the District?

Mr. PROUTY. It would be about 14 mills.

Mr. MANN. That is quite a tribute to the form of government of the District, is it not?

Mr. PROUTY. It is.

Mr. MANN. Is there any other city in the United States that begins to have as good a government, so economically administered? Take the gentleman's city of Des Moines, where the rate is 22 mills on the dollar, nearly twice as much as the total expenditures on his basis in the District. I would ask the gentleman if the government in Des Moines, in his judgment, is quite as efficient and beneficial as the District government here?

Mr. PROUTY. I will answer that question fairly and squarely. Des Moines—and I am using that as my home town—has just been going through the period of home development; in the position that the District of Columbia was in in 1874 and 1878, when she had an indebtedness of $25,000,000, with a very small tax rate, at the time Congress came in and helped her out. The District has its buildings now largely erected. It has its streets paved. Des Moines is just going through this process of marvelous development, and I will go on record and say that if the Federal Government will do in the city of Des Moines what it has done in the District of Columbia I will guarantee that in 30 years we will be able to run our city government as cheaply or more cheaply than the Federal Government is running the city of Washington.

Mr. MANN. One question further, if the gentleman will permit.

Mr. PROUTY. Certainly.

Mr. MANN. Does this taxation rate that the gentleman gives to Des Moines represent only the present tax rate or the reasonable average for a number of years, or is this an exceptional tax rate, and has the tax rate here been so much less than that at Des Moines that 13 mills would represent both the local and State taxes there while these improvements were being made?

Mr. PROUTY. This rate is substantially what it has been for 10 years. I would not say it is exactly the same, because everybody knows it has fluctuated back and forth, but it has been during the time we were going through the process of development—paving streets and extending our lines in all directions. Nevertheless, it is substantially the same as it has been for 10 years.

Mr. MADDEN. Will the gentleman yield to me for a question?

Mr. PROUTY. With pleasure.

Mr. MADDEN. Does the 22.2 mills in Des Moines include street paving and sidewalks and all other general improvements?

Mr. PROUTY. No.

Mr. MADDEN. Then that would be added to it.

Mr. PROUTY. It would be added to it in addition to the 22.2 mills. Here I will say that property in Iowa is assessed at one-fourth of its value. The actual rate paid on that assessed value in Des Moines is 88.8 mills, which reduced to the rate on the actual value is 22.2; and having lived there for 20 years or more, I say that that represents the actual cash value as nearly as human judgment can make it.

Mr. MADDEN. How much would the pavement of the streets and the construction of sewers and the building of the sidewalks add to the 22.2 mills?

Mr. PROUTY. Of course, it is impossible to determine that accurately.

Mr. MADDEN. You could reach an average, could you not?

Mr. PROUTY. Oh, I might, but I have not attempted it.

Mr. MADDEN. It would be very greatly in excess of the amount we are paying here all told, would it not?

Mr. PROUTY. Yes.

Mr. MADDEN. And is Des Moines as well paved, as well cleaned, as well kept, as well managed, as well policed, as well protected from fire as is the District of Columbia?

Mr. PROUTY. Oh, well, I do not like to boast of my city. I am too modest.

Mr. MADDEN. Is it better?

Mr. PROUTY. It is quite as well done.

Mr. MADDEN. But at a much higher price.

Mr. PROUTY. It is better lighted than the city of Washington.

Mr. GOOD. Will the gentleman yield?

Mr. PROUTY. I see I am going to let you fellows use up all my time; but go ahead.

Mr. GOOD. On your chart there I notice you state the taxes in Des Moines to be 22.2 mills.

Mr. PROUTY. Yes.

Mr. GOOD. That does not include any taxes that are assessed as county taxes, does it?

Mr PROUTY. Yes.

Mr. GOOD. Does it include school taxes?

Mr. PROUTY. Yes; it includes all the taxes we have to pay.

Mr. GOOD. Does it include county taxes?

Mr. PROUTY. Yes.

Mr. BRYAN. You do not have to pay county taxes ordinarily in a city.

Mr. PROUTY. Yes; we do.

Mr. BRYAN. You do not in my State.

Mr. PROUTY. While that question is before the minds of the Members of this House I want to call your attention to a fact that to my mind is very important, and that is that while the people in practically every other municipality in the United States have to pay a part of the revenue that they collect from their own property for the benefit of the State and county in which they live, in Washington the people do not have to raise any money for anybody except themselves.

Mr. MADDEN. Is not this equivalent to a State?

Mr. PROUTY. Yes; it is equivalent to a State, with somebody else paying the bills of the State. [Applause.]

Mr. MADDEN. But the combined payments here are about one-third of the payments made in your town.

Mr. PROUTY. You will notice that the rate in my town is pretty high. Some of them are lower. But looking at the chart, I want to call your attention to one thing, and that is that Washington is paying just about one-half on her real estate and other property that other cities are paying. And further, I wish to call your attention to the fact that there is no city in the United States that pays as low a rate as do the people of the city of Washington, and that is caused specifically, as anyone can figure, by reason of the contributions to this municipality which are collected from the very men who are paying more than twice as much at home as these people are paying here.

Mr. SISSON. Will the gentleman from Iowa yield?

Mr. PROUTY. With pleasure.

Mr. SISSON. Ten mills here represent only one-half of the amount of money expended in the District of Columbia.

Mr. PROUTY. It would be 20 mills if it were all charged to the taxpayers of the District of Columbia.

Mr. SISSON. While the other figures on the chart represent the entire amount expended.

Mr. PROUTY. Yes; all except special assessments. These figures do not represent special assessments for the other cities, while in the District of Columbia the 10 mills does represent special assessments, with the Federal Government paying 10 mills and the District paying 10 mills, making 20 mills that actually goes into the operations of this city; and you will notice that that just about equates with the general run of assessments all over the United States. Because in addition to the 19 mills on an average paid by other cities there is a special tax levied against the abutting property owners for special assessments, whereas here it goes into the general fund and is paid out of the general fund. To give you the exact figures, we pay out in the District of Columbia $938,000 for paving, sidewalks, and curbing, and constructing roads in this city in front of other men's property.

Mr. PAGE of North Carolina. Mr. Chairman, if the gentleman will yield, I want to know for my own information whether or not in addition to the rates displayed on the chart these various cities contribute to county and State taxes, or is that the municipal tax?

Mr. PROUTY. No; that is supposed to be all the general tax levied.

Mr. PAGE of North Carolina. That is the aggregate of their taxes?

Mr. PROUTY. Yes. I think there are cities in the United States which, because of their peculiar isolation, have no county taxes to pay. All of them have State taxes. St. Louis, for instance, is a county by itself.

Mr. SISSON. I will ask the gentleman this additional question, which I had in mind a moment ago——

Mr. PROUTY. Proceed. I will ask the gentleman from Kentucky [Mr. JOHNSON] if he will give me some of his time. I am letting my time be used up by other gentlemen.

Mr. SISSON. In all the other cities the parks are kept up out of the city taxes.

Mr. PROUTY. Yes.

Mr. SISSON. How are the parks in the District of Columbia kept up?

Mr. PROUTY. One-half by the city and one-half by the Federal Government.

Mr. SISSON. What about the larger parks like Rock Creek and Potomac Park?

Mr. PROUTY. Rock Creek Park, I think, is kept up by the General Government, but not Potomac Park.

Mr. PAGE of North Carolina. Rock Creek Park is kept up entirely by the National Government.

Mr. TEN EYCK. Will the gentleman yield?

Mr. PROUTY. Yes.

Mr. TEN EYCK. Can the gentleman give us the valuation of property owned by the Government, like parks, buildings, and so forth?

Mr. PROUTY. I could give the gentleman that, but it would take the most of my time.

Mr. TEN EYCK. I was only asking for the totals.

Mr. PROUTY. I am going to get to the discussion of that question very soon, and the gentleman's question will be proper then. Now, gentlemen, you have got me a good ways from the real question.

PATRIOTISM.

When the citizens of Washington are baffled by cold figures they appeal to patriotism. Of course we should all be proud of our National Capital and we should be proud of the city in which we live, but our instinct of patriotism ought not to benumb our sense of justice. We can not afford to do an economic wrong to merely gratify our pride or the pride of the people living in this municipality. My motto is "Justice first, and then pride." They reiterate in most every sentence the statement that the American people are proud of their National Capital and do not begrudge the trifling contribution necessary to pay one-half of the expenses of the Federal Capital. When based upon a purely penurious argument, that is probably cor-

rect. But where does penurious argument lead to? I suspect that, based upon purely penurious grounds, the American people would not hesitate to double the contribution. Two trifles do not make much more than one. By this trifling contribution the American people could relieve the people of Washington of all their burdens. You would then have a holy city where the select could dwell in luxury, tax free. For 2,000 years the Manchurians fooled the Chinamen in the same way. They appealed to the national pride. While the Manchurian autocracy dwelt in untaxed palaces, the outside provinces were fooled into being taxed to support them in their luxury. But after a while that situation percolated throughout the dense minds of even the Chinamen, and they revolted and overthrew the Manchurian dynasty, and property now in that holy city is taxed just the same as property in the other parts of the realm. Let me warn the citizens of the District of Columbia and the Members of this House that some day the sunlit citizens of America will become as bright as the moonlit denizens of China.

IMPARTIAL CONSIDERATION.

The time has arrived for Congress calmly and impartially to consider the relations between the Federal Government and the city of Washington. Since 1878 the Federal Government, out of the funds collected from all the people of the United States, has paid one-half of the municipal expenses of this city. It has paid for one-half of the schooling of the children of the city, one-half of the expenses of constructing public buildings, one-half of the cost of paving streets and alleys, sewers, and so forth, and one-half of the expense necessary to maintain police and fire protection—in fact, one-half of all the expenses of the city. Last year the expenses of running the municipality were about $14,000,000. Of this the Federal Government contributed $7,000,000. In order that we may get some idea of these figures we should remember that this is a larger sum than most of the States of the Union collect and spend for the entire expenses of the State, including the pay of all State officers, its legislature, and the maintenance of its universities, eleemosynary institutions, penitentiaries, and State departments. The following table taken from the last bulletin issued by the Census Bureau shows the amount of money spent for State governments:

Alabama	$2,673,287
Arizona	530,050
Arkansas	1,262,316
California	8,458,929
Colorado	1,778,157
Connecticut	2,666,469
Delaware	404,390
Florida	1,027,424
Georgia	3,798,622
Idaho	446,878
Illinois	6,682,571
Indiana	5,017,819
Iowa	3,127,695
Kansas	3,017,877
Kentucky	4,966,870
Louisiana	4,113,242
Maine	1,661,115
Maryland	2,757,909
Massachusetts	20,338,134
Michigan	5,909,624
Minnesota	5,699,054
Mississippi	2,552,659
Missouri	3,861,948
Montana	1,213,495
Nebraska	2,152,771
Nevada	353,757
New Hampshire	780,654
New Jersey	5,386,348
New Mexico	446,558
New York	22,409,019
North Carolina	1,851,412
North Dakota	959,375
Ohio	7,493,599
Oklahoma	699,314
Oregon	1,207,356
Pennsylvania	14,766,633
Rhode Island	1,799,968
South Carolina	1,481,787
South Dakota	1,147,028
Tennessee	2,036,716
Texas	7,713,085
Utah	1,020,764
Vermont	982,451
Virginia	4,215,300
Washington	2,511,950
West Virginia	1,579,809
Wisconsin	5,306,543
Wyoming	363,851

This table shows that at the time of the issuing of that bulletin there were 42 States that spent less for their State government than the Federal Treasury contributed to the support of Washington, while 6 States spent more. This $7,000,000 that is contributed to Washington comes out of the people of the United States. You can not pay out money from the Public Treasury without having collected it from somebody.

FUNDAMENTAL PROPOSITIONS.

In order to discuss this question candidly and logically we should keep in mind the fundamental principles of taxation. Those charged with the collection and distribution of taxes should, as far as possible, collect the same equitably from all the people and distribute them in like manner. No partiality or favoritism should be shown. No greater material wrong can be done by a nation than to use its sovereign taxing power to collect money from one individual or community and give it to another, unless it is made necessary by humanity or by a high prevailing equity. We can not give to the people of the District of Columbia that which does not justly belong to them without taking from the people of the United States money or benefits justly belonging to them. It is the duty of Congress to deal equitably with all of our people. We should not take the money belonging to the general people and give it to the people of the city of Washington unless there is some strong reason for it. Keeping these principles in mind, I wish to examine carefully the grounds upon which it is now claimed that the District of Columbia is entitled to this contribution from the American people.

Mr. IGOE. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. Certainly.

Mr. IGOE. Does not the minority bill make the same provision for real estate and personal property to be assessed at the same figure?

Mr. PROUTY. I will say this, that I have understood the committee, since this bill has been reported by the majority, realizing that they would have to meet that situation on this floor, did amend their original bill, so as to include it, but I say, and the gentleman knows, that that provision was not in the bill when it was corrected by the committee.

Mr. IGOE. No; and the gentleman knows, too, that in the committee every provision in the bill relating to personal property was stricken out, and that was the theory on which the committee proceeded all of the time until within the last few days an amendment was brought in such as the gentleman describes, and that is the reason that personal-property provision was not in the bill. It was stricken out. It was in the bill at first and was stricken out.

Mr. PROUTY. The gentleman says it was in the bill at first.

Mr. IGOE. I say it was.

Mr. PROUTY. I say it was not in the bill when it was brought to the committee. I do not know when it was stricken, but it did not come to the committee in that shape.

Mr. IGOE. The gentleman is correct about it having been stricken out.

Mr. PROUTY. I do not know what was done in some private chamber before it was introduced into the House, but as the bill was first introduced into the House it left the assessment of personal property at 15 mills on the dollar.

Mr. IGOE. This bill related to real estate alone, and every provision in the bill where the words "personal property" was mentioned was stricken out.

Mr. PROUTY. I say it was not stricken out in committee. I say it was inserted in committee, that the bill that came to this House from the committee left the personal property assessed at 15 mills on the dollar.

Mr. IGOE. The gentleman probably misunderstands me, or I him. I say that the original bill provided for taxation of real estate, and in the bill there was some mention made about the board of personal property assessors, and so that there would be no confusion, so that the bill would stand as a real estate taxation bill, every word in it relating to personal property taxation was stricken out, and afterwards this amendment to section 2 was brought in.

Mr. PROUTY. I have to repeat what I said before, that that was not in the bill when it was introduced into the House and when it came to the committee.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. Yes.

Mr. LINTHICUM. Does the gentleman mean to say that he would tax bonds paying, say, 4 per cent, at the same rate that he would tax real estate?

Mr. PROUTY. Yes. I am not discussing the question of rates. I will discuss it, however, since the gentleman has raised that question.

Mr. LINTHICUM. I want to say to the gentleman that in our State we found that by taxing bonds heavily they were not turned in, and it did not produce as much revenue as a smaller taxation would produce; and so, at the recent meeting of the legislature, we passed an act which fixed the taxation on bonds for local assessment at 30 cents and for State purposes at 15

cents on the hundred, making a total taxation on bonds at 45 cents for State and local communities.

Mr. PROUTY. Mr. Chairman, I am not going to allow myself to be drawn off into a discussion of just exactly the fineness upon which these assessments should be made, but I would like to ask the gentleman this question: As an honest man, would he exempt the accumulations of men that they had earned, perhaps in speculation or otherwise, so that they had enough out of which to pay for themselves and their families, exempt them from all taxation, and go down here on the street and find a poor man with a horse and cart, with which he earned his daily living, and assess that at full value? That is the proposition. For more than 10 years in the city of Washington there have been thousands and tens of thousands and hundreds of thousands of dollars escaping taxation. I am not prepared to say that you can always find this property and assess it, but that does not relieve us from the responsibility of trying to do it. [Applause.] If you have studied Washington, you will have found a peculiar situation. There is practically no other jurisdiction within 3,000 miles of the city of Washington where a man can escape the taxation that he can escape here. They have no inheritance tax here. There are a few cities where they do not assess personal property—I mean money and credits.

Mr. MADDEN. There are other States where they have no inheritance tax.

Mr. PROUTY. There are a few, but none of them close by.

Mr. MADDEN. There are a good many not 3,000 miles away.

Mr. COADY. Does the gentleman mean direct or collateral?

Mr. PROUTY. I mean collateral inheritance tax. Of course I am not going to speak by the book, but I do know this, that there are plenty and plenty of men making Washington a technical residence, who do not live here, for the very purpose of escaping taxation.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MANN. How much more time does the gentleman want?

Mr. PROUTY. That depends entirely upon how many questions are asked.

Mr. MANN. Will the gentleman take a half hour or an hour?

Mr. PROUTY. More than half an hour if I say all I wish to say.

Mr. MADDEN. I suggest the gentleman be given all the time he needs, even until next Monday week or the Monday two weeks after next.

Mr. MANN. Mr. Chairman, I will ask unanimous consent that the gentleman may proceed for 45 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Iowa may proceed for 45 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. J. M. C. SMITH. Will the gentleman yield for a question?

Mr. PROUTY. Let me finish this one little thought. By reason of the fact that there is no inheritance tax and the fact that moneys and credits escape taxation has made this an asylum for the rich, and I will go on record on the proposition, after some investigation, that there is no city of its size in the United States that has as much extra surplus wealth in the form of moneys and credits as have the citizens of Washington. Now, disregarding everything else, gentlemen, I say with all candor and sincerity that the people of the United States represented in the American Congress have no right to create an asylum here, an isle, if you please, to which the rich may flee from local taxation and escape taxation everywhere. It is unfair to the other classes of society of this country.

If Maryland, if Virginia, if New York, if New Jersey wishes to put a tax upon her citizens, she ought to have the right to do it and the United States ought not to create an isle to which these men can flee and thus escape taxation; but, even though it may be to the interest of the District of Columbia, it is not fair to the people at large—and, by the way, it is not fair to the people here. Can anyone give me any good reason why the man who has money invested in stocks and bonds, in moneys and credits, should live in this city protected by all the forces of this great organization and not pay a cent? I could show you, gentlemen, upon the tax rolls of this city where men who have been worth more than $40,000,000—in one instance a man has lived for 25 or 30 years in this District and only paid $27 tax in that whole time, and that happened to be upon goods which were in storage.

Mr. SELDOMRIDGE. Will the gentleman yield?

Mr. PROUTY. With pleasure.

Mr. SELDOMRIDGE. Does the gentleman mean to say that stocks and bonds are not the representative of real property that is taxed elsewhere? Does the gentleman mean to say the man who has stocks and bonds does not pay taxes upon those stocks and bonds as represented by the property for which they stand or for which they are collateral?

Mr. PROUTY. It might or it might not. There are thousands of well-paying bonds, represented in real condensed value, that can be found and taxed by the assessor. Let me ask you—suppose you have $100,000 in money, and you are going to invest it. First you say, I will invest in real estate here; no, I will not do that, because they will tax it. Then you say, I believe I will invest it in some stock. No, you say; the property that it represents will be assessed. I will just loan it to my brother who lives out in Iowa, and he will pay me 6 per cent on it, and I will draw that amount and bring it here, and I will live in the District of Columbia and enjoy all of its blessings. Under the present law you can bid defiance to all powers that are here to make you pay a cent for the luxury of living in the grandest city in the world. Now I will yield to the gentleman from Michigan.

Mr. J. M. C. SMITH. I understood the gentleman to say that under the organic act personal property was to be taxed.

Mr. PROUTY. Yes.

Mr J. M. C. SMITH. And if that is true, what reason or how did it come about that it is not being taxed at the present time?

Mr. PROUTY. Well, by act of Congress. Gentlemen, if you would understand the pressure and influences that are standing and operating here against any man who undertakes to do anything for the people of the United States as against the District of Columbia, it will explain how easy it is.

Mr. J. M. C. SMITH. That is true.

Mr. PROUTY. And if you will just read the pages of the Revised Statutes of the United States you will see without any wonder that there have been few men who have been willing to stand on the floor of this House and defend the people of the United States against the avarice and greed of these people. Now, that will make splendid headlines in the morning newspapers of the city of Washington. [Applause.] But it is true, gentlemen; and as you all know I am not a candidate for reelection, and I am here, for one at least, to tell the truth. I suppose I might be weak kneed if I was afraid of some of these fellows sending out circulars in my district, sending them over the country by the millions. I suppose I might be scared a little, I do not know, but I am not in the habit of getting scared.

Mr. MANN. I hope the gentleman does not mean that seriously.

Mr. PROUTY. I mean it seriously.

Mr. MANN. That is somewhat of a reflection upon the associate Members of the gentleman in this House.

Mr. PROUTY. Of course a part of it was jesting about my being scared myself. If I am willing to say I might get scared, it is no disgrace to say the gentleman from Chicago might get scared, too.

Mr. MANN. If the gentleman considers it a disgrace, I am not scared about this or anything else [applause], and I do not believe the Members of the House are scared about it.

Mr. PROUTY. I am going to find out about that, because I want to know if the people here, representing the people of the United States, are willing to stand the local pressure and influence that is brought to bear here every minute in favor of the District of Columbia and stand for the people who sent them here.

There will not be a word to slip my lips that will be unfair to the District of Columbia. I am not here asking to do them any wrong. Why should I ask that any wrong be done to the District of Columbia? Why, they are my friends. I meet them daily, and notwithstanding I am such a bad fellow in the press they treat me kindly, personally. Why, if it meant nothing but a personal favor on my part, I would like to grant them anything they pleased. Every man knows how much easier it is to grant a favor to the men with whom he comes in daily contact than it is to stand erect and defend the rights of the men into whose faces he will never look.

Mr. McLAUGHLIN. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Iowa [Mr. PROUTY] yield to the gentleman from Michigan?

Mr. PROUTY. I will.

Mr. McLAUGHLIN. I have no doubt in the world of the gentleman's courage and independence, but does he not know that wherever the effort is made to assess money and mortgages and bonds and securities on the same roll and by the same manner as real estate, stocks of goods, lumber, and saw logs

are taxed the effort is a lamentable failure; and does he not know that it creates injustice wherever it is attempted?

Mr. PROUTY. No; I do not.

Mr. McLAUGHLIN. The gentleman evidently thinks that one who is possessed of a sum of money can live on it without using it. Why, it is of absolutely no use to him if it is in his pocket or locked up in his vault. He must get it out into circulation, and the moment he does so that moment it gets into property which is subject to taxation by ordinary methods and where assessors can reach it. It creates tangible property which is subject to assessment.

Mr. PROUTY. Now, I would like to be generous, but I can not afford to surrender the floor altogether.

Mr. McLAUGHLIN. I did not rise to ask a question. I asked permission to interrupt the gentleman for the purpose of giving him some information. I shall try to get time later to do so.

Mr. PROUTY. There will be plenty of time on the other side.

The CHAIRMAN. The gentleman from Iowa declines to yield further.

Mr. CRAMTON. Will the gentleman yield for just a question?

Mr. PROUTY. Yes.

Mr. CRAMTON. Do I understand that here in the city of Washington the adjacent real estate has never been liable for any expense of paving?

Mr. PROUTY. It has not in the last 36 years. That is as far as I have gone back.

Mr. CRAMTON. As a rule, in other cities the adjacent property stands for two-thirds of the cost.

Mr. PROUTY. Yes.

Mr. CRAMTON. And that 10 mills includes the paving, whereas in the compared figures it does not.

CONSTITUTIONAL PROVISION.

Mr. PROUTY. It is said by the citizens of the District of Columbia that their primal claim for Federal assistance to their local municipality arises out of the Constitution itself. The Constitution provides that Congress shall have power—

to exercise exclusive legislation in all cases whatsoever over such District (not exceeding 10 miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, and arsenals, dockyards, and other needful buildings.

An examination of the debates made at the time and of the circumstances surrounding the adoption of this article of the Constitution clearly shows that the organizers of our Government desired to have the Federal Capital located in a territory over which no State could exercise any jurisdiction. The happenings in Philadelphia at the close of the Revolutionary War clearly showed the necessity of this provision. Congress, sitting in Philadelphia, in the State of Pennsylvania, was threatened with mob violence, and it was claimed that the State of Pennsylvania did not give to Congress reasonable protection. It was, therefore, thought necessary to have the seat of government located in a territory over which the Federal Government should have sovereignty rather than in a territory over which the State should exercise that sovereignty.

The second reason for this constitutional provision was that there was intense jealousy between the States, and every State felt that the location of the Capital within any State would give that State undue influence and power in national legislation. But there is nothing in this provision that gives the slightest hint of the creation of a liability on the part of the Federal Government for the expenses of any municipality that might be erected within that territory. The relation of the Federal Government to this territory under this provision is exactly the same as the relation of the State government to the municipality erected within its sovereign jurisdiction.

Under this provision Congress has the absolute right to determine the terms and conditions under which municipalities may be created within the District of Columbia and the powers and restrictions under which they may operate, just the same as every State has the right to create municipalities and determine under what rights and restrictions they shall operate. No one yet has ever argued or contended that because the States have the absolute power to exercise jurisdiction over the territory within their borders they have thereby assumed a liability, moral or otherwise, to contribute to the expenses of running purely municipal affairs. And it is equally plain that for the first 70 years of this Republic no one considered that this reservation of power put any such obligation on the part of the Federal Government. Until 1874 the people of Washington paid their own local expenses, just like cities located in the various States. A careful reading of this constitutional provision will, in its own terms, disclose the fact that no such thought was in the minds of the framers of it. This provision expressly provides that Congress shall "exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be for the erection of forts, magazines, and arsenals, dock yards, and other needful buildings." It will be noticed that Congress has exactly the same power over territory acquired for these purposes that it has over the territory in the District of Columbia. And no one yet has ever claimed that this exercise of authority over territory acquired in the States for these purposes involved an obligation on the part of the Federal Government to pay any part of the local expenses of the municipality in which they might be located. For instance, the Federal Government has three public buildings and an Army post in my city, the city of Des Moines, and yet my people have never thought to urge that the Federal Government became liable for an aliquot part of the expenses of educating their children and maintaining the expenses of the local government, nor has any other city in the United States, outside of Washington, made that claim. I can assure Congress that, so far as my city is concerned, we are glad to welcome the location of Federal buildings without making any such claim.

ORGANIC ACT.

Every newspaper and every man that has spoken on that side of the question has referred to the organic act of 1878 as constituting a compact between the Federal Government and the District of Columbia which can not now be set aside. That is a strange doctrine. The act of 1878 was a law of Congress which can be repealed, altered, or changed by Congress at any time that the equities demand. The law when it was passed may have been fully justified by circumstances then existing, but no constitutional lawyer will claim for a moment that that barred Congress from the right to change that law if circumstances and equities changed. It is a fundamental principle that no municipality can secure a vested right by a mere statutory enactment. In 1878 Congress repealed the laws which for nearly three-quarters of a century had made Washington responsible for its own expenses. No one was heard at that time to say that that law gave a vested right in the United States to have the city of Washington pay its own expenses; that was as much of a compact as the present one. But everyone conceded that Congress then had the right to change that relation, and no well-informed constitutional lawyer will now claim for a moment that Congress has not the right to change this relation if it deems it equitable to do so.

ORIGINAL LAND GRANT.

In the pamphlet recently issued by the Washington Chamber of Commerce the first argument for Federal aid is based on the fact that the promoters of the city of Washington gave to the Government the alternate lots for its own use. The history of this transaction shows that some gentlemen purchased a large tract of land, on which is now located the city of Washington, and offered to have it laid out as a city and donate the streets and alleys and give every alternate lot to the United States if the Federal Government would locate its Capital on that territory. This is nothing more nor less than the ordinary speculative method resorted to by promoters of town sites. Hundreds of promoters in various parts of the United States have engaged in exactly the same project.

These parties realized that the land which they had purchased for a very few dollars per acre would become very valuable if the Federal Government should locate its capital in the municipality to be erected on that land, and they could well afford to give to the Federal Government one-half the ground so as to thereby increase the value of the remainder. These people were possessed of a sagacity and candor that the people of Washington now either conceal or have forgotten, and that is that the presence of the National Capital would be a benefit and not a burden to the land held in private ownership. George Washington was a business man as well as a soldier. He made these people pay a bonus to get the Capital located here. What would he think if he would come back and find that we are now paying $7,000,000 annually for the privilege of staying here? He would be forced to the conclusion either that he was a Shylock or that we are chumps. But certainly no candid man will for a moment seriously claim because some town-site boomers more than a hundred years ago gave to the Federal Government certain land then almost worthless that that now creates a liability on the part of the Federal Government to pay one-half the burden of taxation upon all the property in the District of Columbia, very much of which was not then included in that arrangement.

GOVERNMENT'S OWNERSHIP OF LAND HERE.

This same pamphlet, issued by the chamber of commerce, bases its second argument on the ground that the Government owns more than one-half of the land in the District of Colum-

bia. The figures that are offered to prove this proposition are rather amusing. The report says:

	Acres.
Total number taken for the city	6,110.94
Donated to the United States for avenues, streets, and alleys	3,606.00
Donated to the United States (10,136 building lots)	942.00

It will be noted that in order to make it appear that the United States owns more than one-half of the land in the city of Washington, it charges up to the United States, as its part, the streets and alleys. These figures show that considerably more than half of all Washington is embraced within streets and alleys, and that out of the 6,000 acres more than thirty-six hundred are thus donated. It is true that the title to the streets and alleys is taken in the name of the Federal Government. But the Supreme Court of the United States has long ago decided that while the legal title stood in the United States it merely held the title as trustee for the use and benefit of the people of Washington. This corresponds with the practice in nearly all the States of taking the legal title in the name either of the State or some municipality to be held in trust for the people.

The streets and alleys of the city of Washington belong to the people of Washington as cestui que trusts. They use them. They have the benefit of them, and not the remaining people of the United States. It is true that when people come here they walk on the sidewalks or drive on the streets just the same as would the people of Washington walk on the sidewalks and drive on the streets of any other municipality that they might visit. There can be no legal or equitable basis for imposing liability upon the Federal Government to pay a moiety of the expenses of this municipality because it holds the legal title to the streets and alleys which the citizens of this city habitually use. Much of the property in the District of Columbia, the legal title to which stands in the name of the Federal Government, is used exclusively by the District of Columbia for schoolhouses, public buildings, and parks.

An engineer appointed for that purpose has reported that there are 123½ acres in old Washington used exclusively by the Federal Government for its own purposes. The claim is constantly made that the Federal Government owns 50 per cent of the property in the District of Columbia. Now, that statement is true if you include streets, alleys, parks, and school and municipal grounds held in trust by the United States but used for the benefit of the people of the District of Columbia; but of the property used exclusively for its own purposes by the Federal Government, it has only 2 per cent of the land included in the old city of Washington. This amount of property held by the United States may create some moral obligation on the part of the Government to bear a part of the expenses of the District of Columbia, but even that proposition is a doubtful one. All will agree that if the location of the Federal Government here imposes a burden on the District of Columbia which it does not fairly compensate it for, then the Federal Government ought to contribute to the support of the municipality. Every other city of the United States is most anxious to secure the erection of public buildings by the Federal Government in its municipality, and gladly waives the right of taxing that property. This is done on the economic theory that the presence of Federal buildings adds as much or more to the value of the remaining property as it takes away by appropriation to its own use.

As a proof that the people of this city so regard the erection of public buildings in Washington, it is noticed that they are always anxious for the Federal Government to acquire additional property here and erect buildings thereon, although they know that under no circumstances would they or could they be taxed. Every time that the Federal Government acquires title to property in the District of Columbia and erects thereon a building it increases the general value of all the property in the city. The taking or appropriating of such property by the Federal Government does not diminish the actual cash or taxable value of the property of the District of Columbia, but, on the other hand, it increases both its cash value and taxable value. A good way to satisfy yourself on this proposition is to consider the value of real estate in Washington with all the Government property here and then consider its value with all the Government property removed. The fact that Government property in the District of Columbia is exempt from taxation is no anomaly. It is not assessed in any jurisdiction in the United States. And yet all other cities seem to be glad to have the Government erect its buildings in their jurisdiction. The only argument that has come to my ears from the other side on this proposition is that the Government owns a great deal more property here than it does elsewhere. If so, might it not be with equal truthfulness said that the District of Columbia secures a proportionately greater benefit? In other words, if 1 building in a city produces enough benefit to exempt it from taxation, might it not be said with equal propriety that 10 or 15 buildings would hold the same relation?

Mr. JOHNSON of Kentucky. If the gentleman will permit, I would like to invite his attention to the fact that in the District of Columbia there are now 45,000 acres that are sharing the benefits which formerly accrued to old Washington alone.

Mr. PROUTY. Yes; but I was going to be so just and fair as to confine it to the place where the Federal Government really had the basis of its organization, and that is in the old city of Washington. What the gentleman from Kentucky [Mr. JOHNSON] says is true, but I am going to take the most liberal view that can be taken of it.

Mr. MANN. Will the gentleman yield?

Mr. PROUTY. Yes.

Mr. MANN. In estimating the amount of land actually used by the Government, how did you make the estimate; take the Capitol building, for instance. Do you estimate the Capitol Grounds?

Mr. PROUTY. Yes.

Mr. MANN. Take the Smithsonian Institution and the National Museum. How do you figure that?

Mr. PROUTY. I am taking another fellow's figures. I have the Treasury Department statement and the statement from the city engineer. There is a slight difference between the two based on the Smithsonian Institution, but I do not care to get into a discussion about that.

Mr. MANN. I do not desire that the gentleman should take the time to do that.

Mr. PROUTY. I am accepting their figures, and they take all the property, including the Smithsonian Institution, although I am frank to say I do not think they should include that.

Mr. JOHNSON of South Carolina. Will the gentleman yield?

Mr. PROUTY. Yes.

Mr. JOHNSON of South Carolina. The gentleman spoke about the title to the streets and alleys in Washington being in the United States as trustee. Where licenses are paid for peddling or operating street cars or anything of that sort over the streets, who collects the license, the trustee or the beneficiary?

Mr. PROUTY. The beneficiary, of course. It is entitled to it. The gentleman from South Carolina well knows that all the benefits for the use of the trustee, the District of Columbia, do not go into the Federal Treasury, it goes into the local treasury. That would not be so bad, but up against every dollar that goes into the treasury that way the United States has to plank down another dollar under the law which now prevails.

USE OF GOVERNMENT PROPERTY.

The contention is made with considerable plausibility that because the Government has a large amount of property here it ought to pay one-half of the taxes. This is based on two arguments: First, that the owning of this property by the Federal Government removes that much from the taxable property of the District of Columbia; and, second, that the presence of this property imposes a burden upon the District of Columbia to protect it.

The report of the engineering department shows that there are 123½ acres in the old city of Washington used exclusively by the Federal Government in the transaction of its business, as follows: Capitol Grounds, Congressional Library, Navy Yard, Pension Office, War College, Patent Office, Land Office, Treasury Department, White House, State, War and Navy Building, Bureau of Public Health and Marine Hospital, Government Printing Office, Senate Annex, House Annex, Bureau of Engraving and Printing, Agricultural Department, Fish Commission, Marine Barracks, and Weather Bureau. As there are, according to the District engineer's report, 7,162 acres in the old city of Washington it will be noted that this is less than 2 per cent of the entire territory.

We can probably get a better viewpoint of this discussion by considering this whole area as one National Government park, owned, controlled, and the management of it paid for by the Federal Government. That would as effectually as now take it out of the taxable area of the District. But would any candid man seriously claim that such a use of property in this District by the Federal Government would be either a drawback or burden upon the District of Columbia such as to require the Federal Government to pay one-half of the taxes here? Suppose it was a park with beautiful landscapes, coursed with winding and beautiful drives, to which all the people of Washington had access. Suppose it had in it beautiful monuments and statues, memorial buildings of classic design filled with the richest paintings, choicest sculptures, and the finest library to be found in the world. Would anyone consider this such a burden on the city as would justify her in demanding contribution for fur-

nishing such luxury or such attractions for the city or the people? There is not a large city in the United States that would not contribute millions of dollars for the creation of such a park, and yet that is just what the Nation's holdings in Washington are. These grounds and buildings and their contents are the chief attractions of the city, and they bring in more people, not only of the United States but of the whole world, to spend their money here than all other attractions in this city combined.

THE LIBRARY.

Take, for instance, the Congressional Library. This is one of the properties the presence of which the District claims creates an obligation on the part of the Government to pay taxes. Now, let us analyze that for a moment. Here is a property that cost nearly $12,000,000. This was all paid for by the people of the United States. It costs more than a quarter of a million dollars every year to conduct it. This is paid for by the people of the United States. Now, who uses it? Being located here it is constantly open to the people of the District of Columbia. At least three-fourths of the people that read the books and papers in that Library are dwellers in the District of Columbia. At least 80,000,000 of the people that helped erect it and annually pay for its upkeep never have and never will see it and will never turn a leaf in this spacious library.

The people of the District of Columbia get the benefit of this generous contribution from the Federal Government without paying a cent from the District fund. Would it be a glaring wrong to require the District of Columbia to pay one-half of this expense when its citizens get more than half of its benefits? I do not object to the Government furnishing to this District this educational advantage and sight-seeing attraction. That can be justified on the ground of charity and philanthropy. But when the recipients of this benefaction of the Government *make that* the basis, even in part, for a claim for $7,000,000 further contribution every year it passes the pale of charity or philanthropy and becomes simply refined gall—gall that is surpassed only by the guest that demanded from his host a suit of clothes because his host had given him generous entertainment.

Mr. SELDOMRIDGE. Will the gentleman yield?

Mr. PROUTY. Yes.

Mr. SELDOMRIDGE. The gentleman stated that the citizens of the District of Columbia did not contribute to the erection of the Congressional Library. I would like to ask him how a taxpayer in the State of Colorado could contribute to the erection or to the construction of the Congressional Library and a citizen of the District of Columbia would be exempt?

Mr. PROUTY. I did not say that. I said that not a dollar came out of the District treasury.

Mr. SELDOMRIDGE. I understood the gentleman to say that the citizens of the District of Columbia were exempt from contributing.

Mr. PROUTY. No; I said that not a dollar came out of the District treasury. Here is the proposition in a nutshell: Everybody contributes to the assistance of the Federal Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALLAWAY. Mr. Chairman, I am authorized by the gentleman from Kentucky [Mr. JOHNSON] to yield the gentleman from Iowa such additional time as he desires out of the hour which the gentleman from Kentucky has.

The CHAIRMAN. How much time does the gentleman yield?

Mr. CALLAWAY. Mr. JOHNSON authorized me to yield the gentleman such time as he desired.

Mr. PROUTY. Mr. Chairman, that is very generous, and I will try not to consume all of it.

Mr. MANN. Of course, Mr. Chairman, under the rules that could not be done, but I have no objection to it. How much time does the gentleman want?

Mr. PROUTY. It depends so much upon how many questions are asked me that I can not tell, but I think I ought to get through in 15 or 20 or 25 minutes—possibly 30 minutes.

Mr. CALLAWAY. Does not the gentleman from Kentucky have an hour?

Mr. MANN. Oh, yes; but the gentleman from Kentucky is not entitled to recognition at this time.

Mr. IGOE. Mr. Chairman, the gentleman from Kentucky was recognized for an hour and reserved the balance of his time.

Mr. MANN. That is true; but he is not entitled to recognition at this time, two gentlemen having been recognized on one side.

Mr. CALLAWAY. But certainly it would be agreeable to allow the gentleman out of the gentleman from Kentucky's time such time as he desires.

Mr. MANN. I think no one has any objection.

The CHAIRMAN. How much time does the gentleman yield?

Mr. PROUTY. I would like to have 30 minutes.

Mr. SELDOMRIDGE. I would like to ask the gentleman from Illinois [Mr. MANN] if it is the intention to give those who are opposed to the bill an equal amount of time as has been granted by unanimous consent?

Mr. MANN. I understand that will be the case.

Mr. GEORGE. Does the gentleman have any idea how long this debate is going to last?

Mr. MANN. I think it is quite sure that it will run over to-day.

Mr. GEORGE. How much more time, if one speaker takes so much time on this subject and has not reached the point?

Mr. MANN. I was in hopes that we would give him time enough to reach the point.

Mr. GEORGE. Very well; I do not object.

Mr. MANN. The subject is really worth a full discussion.

Mr. GEORGE. I shall not object.

Mr. CALLAWAY. I yield the gentleman 30 minutes.

The CHAIRMAN. The gentleman from Iowa is recognized for 30 minutes.

THE CAPITOL.

Mr. PROUTY. Take this Capitol Building and grounds. They are policed, protected, embellished, and kept up solely by the Federal Government, and not a dollar comes from the District treasury and not a dime of burden is heaped upon it. Yet daily professional guides lead the visiting throngs through these corridors. Every visitor here leaves something in the pockets of the citizens, but they leave nothing in the Federal Treasury. Uncle Sam furnishes the show; the people of the District collect the gate receipts and keep them. I do not begrudge them that source of either pleasure or profit. But when they undertake to make that the basis for a just claim against the Federal Government its pure affrontery shocks my intelligence. It is not even refined gall.

PROTECTION.

The second proposition is that it imposes a burden on the District to protect them. An analysis of the real facts will show how pitiably trivial is this claim. The Government pays out of its own pocket for the policing of this building and grounds. It has its own guards, paid for out of its own money, in all the department buildings. There is just one exception to this rule, and that is the White House. The District of Columbia furnishes one-half of the expenses of policing it, but the Government even there pays for all the Secret-Service men. The people of this District always call your attention to the fact that the Metropolitan police attend every reception at the White House and guard the guests and their property. This is no higher or greater service than they would render if John Hays Hammond or any other private citizen should give a great reception. And yet, for the few men that are thus detailed for that purpose, the Federal Government pays out each year for the support of the 500 or more policemen of the city $510,144. If that constitutes a business transaction between the Federal Government and the District of Columbia, I fail to comprehend legitimate business arrangements.

It is next claimed that the fire department of the District of Columbia protects the Government buildings and property. Now, with one exception, the Government buildings are fireproof, and have their own apparatus for fire protection. As a proof of their own efficient construction and protection, the records of the fire department show that in the last year the fire department of this city was called out but once to these Federal buildings; and yet the Federal Government pays out $333,735 for the support of the local fire department. If this is a fair business arrangement, I fail to understand business.

SCHOOLS.

Last year the Federal Government paid $1,598,355 for the education of the people living in the District of Columbia. Every man, however, that argues this question with you will call your attention to the fact that Congressmen's children go to school here without paying tuition. But at most there are only a few hundred of them, and if charged full tuition rates it would certainly not amount to more than a few hundred dollars. And yet we pay for this little humble privilege more than a million and a half dollars. But in my humble opinion Congressmen's children ought not to be exempt from paying tuition. It is a gratuity which, under the law, they are not entitled to. It is but a trifle, but it is thrown out as a kind of sop to the legislators for the purpose of influencing their legislative action on the half-and-half matter.

INAUGURATION DAY.

One of the leading papers of the city recently set up as a claim for this contribution that the District of Columbia had to furnish additional police on inauguration day to take care of

the procession. There is not a little village, city, or hamlet in the United States that does not take up a collection from its prominent business men to create some kind of an attraction for the purpose of bringing people to town, fully understanding the financial proposition that if they can get people to town to spend their money they will get some of it. Here Uncle Sam furnishes the attraction to bring people to town and does not make a cent out of it nor charge a cent for it. The District Commissioners, in their annual report, say that more than 500,000 people outside of the District visited Washington on the last inauguration day. It is perfectly safe to say that the visitors on that occasion left an average of $25 apiece in this city. If they did, they left $12,500,000. It seems to me that the people of the District of Columbia might take their change out of this without making further claim for benefactions from the Public Treasury. Other cities do. Why, in fairness, should not Washington?

You might examine every claim that is made and apply to it the acid test of common sense and they would all be found to be equally indefensible. They would all be found to be equally without merit.

COMPARATIVE INDEBTEDNESS.

In determining equities, humanity should have its true place. When the Federal Government, in 1878, came to the rescue of the District of Columbia it found it in a deplorable condition. With a small population and a light tax roll it had an indebtedness of about $25,000,000. Its credit was gone. As I have said before, I have never questioned either the motives or the judgment of the men of that Congress in coming to the assistance of the city of Washington. But those conditions have entirely changed. Washington now has the least indebtedness of any city of the United States, whether based upon her capita or tax values. I here set out a list of all the cities of the United States the size of Washington or larger, showing their population, indebtedness, and indebtedness per capita. This table shows that Washington has the least per capita and assessment values indebtedness of any city in the United States:

Indebtedness of cities of the United States as large or larger than Washington.

City.	Population.	Indebtedness.	Per capita indebtedness.
Baltimore	572,000	$42,071,423.00	$74.00
Boston	720,100	76, 10,187.00	106.00
Buffalo	446,000	29,369,432.00	65.00
Cincinnati	405,000	21,619,514.00	53.00
Cleveland	620,000	37,617,427.00	60.00
Detroit	567,944	8,689,659.00	15.00
Los Angeles	450,000	33,228,827.00	74.00
Milwaukee	392,181	9,868,350.00	25.00
Newark, N. J	375,000	20,714,062.00	55.00
New Orleans	375,000	42,898,610.00	114.00
New York	5,173,064	794,949,404.00	153.00
Philadelphia	1,625,000	99,540,950.00	61.00
San Francisco	455,000	27,500,000.00	60.00
St. Louis	730,000	25,806,690.00	35.00
Washington, D. C	350,000	5,194,988.00	14.75

If we apply the humane doctrine, "Bear ye one another's burdens," there is not a large city in the United States that might not justly call for help from Washington. Can anyone give me a good reason, based either on business or humanity, why the citizens of Boston, with a per capita indebtedness of $106, should be called upon to help the citizens of Washington carry its burden of indebtedness when it amounts to less than $15 per capita? Can anyone give me a reason why the citizens of Cleveland, with a per capita indebtedness of $60, or the citizens of New Orleans, with a per capita indebtedness of $114, or the citizens of Philadelphia, with a per capita indebtedness of $61, or the citizens of San Francisco, with a per capita indebtedness of $60, or the citizens of Los Angeles, with a per capita indebtedness of $74, or of Baltimore, with a per capita indebtedness of $74, or of New York City, with a per capita indebtedness of $153, should be required to come over and help carry the burdens of the citizens of Washington, with a per capita indebtedness of less than $15? The only answer that is made or can be made is that "This is the National Capital and we are proud of her." But this hardly meets the demand of either justice or humanity. This is no longer a question of being fair to the District of Columbia, but it rises to the question of being fair to the remaining people of the United States. The people of the United States have helped this people to pave their streets, build their sidewalks, construct their school buildings and municipal buildings and the splendid improvements, and paid their debts. It is the boast of this municipality that it is now in the best physical condition of any city in the United States of its size. It is certainly in the best financial condition. To do this the people of the United States have taxed themselves and poured into the laps of this people more than $150,000,000. You are the fifteenth city in size in the United States. You have become strong and powerful, and certainly influential. You are certainly influential if you can bring local pressure enough to bear on Congress, under the showing above made, to induce it to continue carrying one-half of your expenses and paying one-half of your bills. I am not standing here trying to persuade Congress to be unfair to the District of Columbia. The local influence surrounding you here will certainly induce you to do that much, if not more. But I am appealing to men that have the conscience, the courage, and the character to withstand local influence and do that which is simply right as between the District of Columbia and the people that they represent.

CONTRIBUTIONS BY THE STATES.

Our system of indirect taxation is often deceptive. We are naturally inclined to overlook the fact that we can not pay a dollar to the District of Columbia out of the Federal Treasury unless we collect it from some one. This burden of $7,000,000, when distributed among the States, imposes not an insignificant burden upon the people of each State. I here set out a table that I have prepared, showing substantially the amount that each State contributes for the maintenance of Washington:

Amounts contributed by the various States.

Alabama	$144,571
Arizona	13,770
Arkansas	106,081
California	160,206
Colorado	53,841
Connecticut	75,116
Delaware	13,633
Florida	50,714
Georgia	175,810
Idaho	21,939
Illinois	379,945
Indiana	181,993
Iowa	149,912
Kansas	113,941
Kentucky	154,301
Louisiana	111,612
Maine	50,023
Maryland	87,284
Massachusetts	226,849
Michigan	189,356
Minnesota	139,867
Mississippi	121,089
Missouri	221,915
Montana	25,304
Nebraska	80,335
Nevada	5,517
New Hampshire	29,013
New Jersey	170,962
New Mexico	22,055
New York	614,103
North Carolina	148,666
North Dakota	38,884
Ohio	321,223
Oklahoma	111,664
Oregon	45,333
Pennsylvania	516,498
Rhode Island	36,562
South Carolina	102,107
South Dakota	39,344
Tennessee	147,218
Texas	262,561
Utah	25,158
Vermont	$23,985
Virginia	138,918
Washington	76,951
West Virginia	82,282
Wisconsin	157,269
Wyoming	9,832
Total	6,175,095

My State contributes about $150,000 a year; the State of Illinois contributes about $380,000; the State of Ohio about $321,000; Texas, about $262,000; Georgia, about $175,000; Kentucky, about $154,000. Can anyone give me a good, logical, or humane reason why the people of these States should make this contribution to the support of the citizens of Washington while they are at home paying a much higher rate of taxation for these same benefits than the people of Washington are paying? Can anyone give me a good reason why the citizens of my city, who have to pay for all their own sidewalks, pavements, and sewers, should be required to come down here to Washington and contribute to paying one-half of that burden for the property owner here while the citizens of Washington are carrying less than one-half of the general burden of taxation that my people are carrying? The present system is indefensible and intolerable if viewed from the standpoint of simple justice.

Mr. STEPHENS of Texas. Will the gentleman yield at that point?

Mr. PROUTY. Certainly.

Mr. STEPHENS of Texas. Is it not a fact that the Government pays more to keep up the city of Washington than it does to care for the entire Indian population of the United States? The bill shows that to be the fact.

Mr. PROUTY. I have not the figures, but if the gentleman says so, of course I believe it.

Mr. STEPHENS of Texas. That is true.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. PROUTY. I will.

Mr. HUMPHREYS of Mississippi. The gentleman states that the streets and roads of the District of Columbia are above the average streets and roads in the other cities of the country. What other cities in the United States have better roads and streets than they have in the District of Columbia, if any?

Mr. PROUTY. I have not found but one city that I thought had better streets, and that was Macon, Ga. I was down there a few days ago, at Senator Bacon's funeral, and I pronounce that a better paved and a better lighted city than the city of Washington. The streets are much wider than they are here, and they are kept, I think, in better condition; and, strange to say, the Federal Government does not contribute a dollar to that.

Mr. STEPHENS of Texas. Has the gentleman been in Oklahoma City?

Mr. PROUTY. I have not been in Oklahoma City since a number of years ago, when they were going through the process of evolution. At that time their streets were not as good as those of the city of Washington.

Mr. BARTLETT. May I interrupt my friend just a moment?

Mr. PROUTY. Yes.

Mr. BARTLETT. They have done all the work of beautifying the city of Macon, Ga., by taxation not exceeding $1.25 on the hundred. We have issued a million dollars' worth of bonds.

Mr. PROUTY. I was going to call your attention to that.

Mr. BARTLETT. But they have paid the interest on the bonds at 1½ per cent with a taxation of only $1.25 per hundred.

Mr. PROUTY. Those are municipal taxes.

Mr. BARTLETT. Yes. The streets of the city are only paid for by municipal taxation.

Mr. PROUTY. Yes; that is right. But of course you do have to carry down there another burden for your State and county.

Mr. BARTLETT. Yes; we do.

Mr. PROUTY. Of which I advised myself when down there.

Mr. BARTLETT. But the State and the county tax is only $1.50, I will say.

Mr. PROUTY. In last evening's paper was an article calling attention to the fact——

Mr. JOHNSON of Kentucky. If the gentleman from Iowa will permit, I think I understood the gentleman from Georgia [Mr. BARTLETT] to say that the total tax of the city of Macon, Ga., including municipal tax, county tax, and State tax, is $2.50?

Mr. BARTLETT. Yes.

Mr. PROUTY. That is 25 mills.

Mr. BARTLETT. Because we have to pay for carrying on our portion of the State government and local government

Mr. PROUTY. That is just what I was trying to say there. Cities located elsewhere, the same as the city represented by the gentleman who has just spoken, pay as much for the State and county affairs as they have to pay for the municipal affairs, while in the city of Washington the people do not have to pay anything for that purpose. The legislative branch is supported by the Federal Government, and all the time the District committee has to spend and all the time this House has to spend is paid for by Uncle Sam and not out of the local treasury of the District.

RAISING THE TAXES ON SMALL HOMES.

The committee of one hundred here is raising a terrific howl about the fact that this bill would raise the taxes on the poor man's home in Washington. Certainly the levying of a tax on money, credits, stocks, bonds, and jewels would not have a tendency to increase the taxes that would have to be levied on the poor man's home. I notice that the fellows that are doing the howling here are the wolves and not the poor sheep. They are trying to use the sheep as a protection for their own greed. It is perfectly in line with the conduct of ruling forces in this city for many years. The "plunderbund" of this District have not only plundered the Federal Treasury, but they have plundered the poorer classes. They have had influence enough to secure the assessment of their own property at 45 cents on the dollar, while the poorer people have had their property assessed at substantially 75 cents on the dollar. But I am not attempting to conceal the fact that if property is taxed and assessed in accordance with this bill it will raise the taxes on real property in the District of Columbia, but I assert that this is necessary in order to make it equate with similar property owned by similar individuals elsewhere. To illustrate what I mean: If a poor man in this city has a little home that is actually worth $1,000, he is assessed $10 under the present law. If a poor man owns a similar property worth exactly $1,000 in the city of Baltimore, he is compelled to pay $19.80.

Gentlemen, as legislators we must be fair even between poor men. Why should the poor man in Baltimore be asked or expected to contribute to the burdens of Washington so as to lower the poor man's tax here while he is paying twice as much taxes himself at home? And the illustration I here give applies to all the people of the United States. Why should the poor people in my city that own their little homes and pay 22.2 mills taxes on their property and pay for their sidewalks and other improvements be required to make contribution to even the poor man living in Washington who pays less than one-half the same amount of taxes on the same kind of property? True statesmanship takes into consideration the welfare and rights of poor people wherever situated. It has no right to favor the poor in one place at the expense of the poor in another.

The last and clinching argument offered by the committee of one hundred against the passage of my little amendment is that it would raise the taxes on the 40,000 small-home dwellers here. Now, let us see. This bill would raise the assessment and taxation upon the occupants of the fine residences and profitable business property. This is now assessed at about 40 cents on the dollar. It would then be raised to 100 cents on the dollar. Certainly the entering of this value in the equation would not raise the taxes of the humble home dweller. The provision of my amendment requiring the assessment and taxation of moneys and credits, stocks and bonds, and accumulated wealth would not so affect the equation as to increase the taxation on the humble home dweller. For more than a decade the humble home owner of this city has been grossly discriminated against. While his property has been assessed at 75 per cent of its actual value, the dwellers in these fine mansions, the owners of these great blocks, have had theirs assessed at 40 to 45 per cent. For more than a decade moneys, credits, and accumulated wealth have entirely escaped taxation in this city, while the teams and tools of the humble laborer have been taxed at their full value. No man on earth will claim that was right, and yet why did not this committee of one hundred organize to remedy it?

If they had such a deep and profound sympathy for the poor, there was a splendid opportunity. But they did not begin to shed their crocodile tears for the poor until my little amendment was introduced seeking to tax their hoarded wealth and palatial residences and property. I have said many things during this discussion complimentary and commendatory of the zeal of this committee of 100, but when they undertake to defeat this bill by standing behind the humble home owner of this city they are guilty of an act of cowardice, just such cowardice as the villain reveals when he holds a woman between himself and flying bullets. But suppose that this bill does increase the taxes of the humble home dweller. No proposed increase would bring them to the point of equality with the taxes paid by like home dwellers in other cities. I always feel sorry for the humble and honest poor. I am always ready to extend them a helping hand, but I can not help them at the expense of others equally poor. Let me remind the people of this District that the quivering lip of poverty is not confined to Washington. The burdens of taxation bear heavily not alone upon the people of this District. In every town, in every hamlet, in every city of the United States are men just as poor, just as poorly paid as are the people of this District, who pay at home twice the burdens borne by their like brethren here and then are asked to contribute to lightening the burdens of their certainly equally fortunate brethren. You can not by legislation remove burdens, but you can adjust them, and adjust them so that every man shall carry his fair and reasonable share. That is all that this amendment proposes or suggests.

ABILITY OF WASHINGTON TO BEAR ITS OWN BURDENS.

Viewed from every point that I can find, the city of Washington is now in the best condition financially to bear the burdens of her own domestic government of any city of its size in the United States. It has the greatest per capita taxable wealth of any city of its size in the United States. It has the lowest amount of indebtedness of any city of its size in the United States. Its streets, alleys, and public buildings are in the most advanced stage of completion and perfection of any city of its size in the United States, and hence the least prospective burdens. It has no State or municipal burdens to bear except its own. The municipalities in the States are compelled to give

a portion of their revenues derived from taxes to the support of the State and county in which they are located. But every dollar raised from taxation on the property of this District can be used for the District of Columbia's own purpose. It is relieved of a burden of taxation that every other city has to bear. If it bore all the burdens of its own local self-government, it would still have a preferential advantage over other cities. In the newspapers and in private discussion it is contended by the citizens of the District that they pay taxes to the support of the Federal Government. That is true. They pay just the same taxes relatively to the support of the General Government as do the citizens of other cities. The inequality arises from the fact, however, that a part of the money paid into the Federal Treasury by the people outside of the District of Columbia is turned over to the District of Columbia for the running of its own affairs, while none of the money that is paid in by the citizens of the District of Columbia is given to any other municipality for the running of its affairs.

BEAUTIFICATION.

Every man in the United States is naturally proud of its Capital. He desires to see it a beautiful city. Whether or not the Federal Government contributes anything to the support of the District, from the very nature of the situation it will add much to its beautification. It now has here many beautiful buildings that are the natural attraction of sightseers. It should and will erect many other beautiful buildings. I believe that public buildings should be erected for the use of all the employees of the departments. This will add many new and beautiful buildings to Washington. This city is noted for its beautiful avenues, parks, and statues. I believe that the Federal Government should, upon the basis of national pride, contribute to all these things that tend to the beautification of the city, but I can find no equitable ground for contribution from the Federal Treasury to the purely local and sordid affairs of the city. I believe that the Government should pay for sidewalks, pavements, and other improvements in front of its own property, although that is not done elsewhere. Nevertheless I believe it is right. I furthermore believe that the Federal Government should contribute something to the upkeep of the boulevards of the city that become a necessary part of its beautification. Further than that, I can find no equity calling for contributions.

LOCAL SELF-GOVERNMENT.

The policy that would make this District responsible for its own expenses carries with it the corollary that they should have local self-government, with a Delegate in Congress.

It would be unfair for Congress to levy the taxes upon this people without giving them any right to say how much that tax should be or for what purpose it should be used. Taxation without representation is just as bad as representation without taxation. This people, for their own good and for the good of Congress, should have the right to levy their own taxes and spend their own money, subject only to such supervision by the Federal Government as is exercised by State legislatures over the municipalities under their jurisdiction. I know it is claimed by many good men that the people of Washington are not capable of self-government. That is a slander upon republican institutions. If the people of Washington are not capable of self-government, there is no other city in the United States that is.

The people here are the wealthiest and most intelligent people to be found in the United States. If they are not capable of self-government, may we not despair of the task of bringing the Filipinos up to a point of self-government? The relation and situation here are abnormal. The people of the Capital City of the greatest Republic on earth are the only people that I know of that are disfranchised. The people in the capital of Russia are allowed to vote on their domestic affairs. And no other government in the world has paid the price of that disfranchisement as have the people of the United States. The time has fairly arrived, in my judgment, when the Capital of the United States should be brought into harmony with our republican institutions.

TIME OF CONGRESS.

Under the rules of the House and Senate one-fourteenth of all the time of Congress is set aside for the consideration of the affairs of the District of Columbia. The expanding business of the United States has now made it necessary for Congress to remain in session practically the entire year to properly dispose of the constantly increasing legislative work. I think the time has fairly arrived when the purely local affairs of this municipality should be left to a local body, so that Congress might devote its time and energy to the consideration of questions involving the welfare of the whole Nation. Each Congress costs the United States approximately $6,712,110.75. As one-fourteenth of the time is spent on the District of Columbia, the Federal Government pays out each year in legislative expenses for the District of Columbia $479,436.48. The work could be done much better and more cheaply by a small local body.

PAY ROLL.

Every city realizes the importance of securing institutions that will collect money from the general public and spend it in the local community. For this reason every booming city has not only exempted from taxation but offered to give big bonuses to secure the location in their cities of factories and similar institutions. The philosophy of this transaction is that it brings men and money to the city. Elsewhere cities are willing to tax themselves to secure these reflex benefits. Here the people talk like such a burden as that calls for contributions to them rather than from them. There is about $70,000,000 of Federal money gathered up all over the United States and poured into the lap of this citizenship every year. What a bonus would any other city give for an institution that would provide such a pay roll! And this pay roll is sure and certain. There is no danger that the factory will shut down or that the hands will be thrown out of employment and the pay roll stopped. In good times and in hard times this stream flows along just the same. The merchant here can plan on a certainty. Money may be hard to get elsewhere, but here every month, regardless of financial conditions, the Government dumps about $6,000,000 which thus finds its way into the channels of trade. Most communities would consider such an institution a blessing and not a burden. Most communities would be perfectly willing to tax themselves for such an institution instead of appealing for help. Chicago, Philadelphia, St. Louis, and San Francisco taxed their citizens millions of dollars to have such a feeder located in their cities for just a few months.

Mr. MADDEN. Did the gentleman state the correct figures when he said there was $6,000,000 expenditure in the departments a month?

Mr. PROUTY. That is substantially correct.

JEWELS AND JEWELRY.

The same law of 1902 that reduced the tax on real property from 15 mills to 10 mills on its actual value exempted jewelry. I am wholly unable to understand on what theory of taxation this class of property should be exempt from assessment. It is wealth; it is accumulated wealth; it is wealth that receives and demands protection. It is not wealth that is necessary for subsistence; it is purely luxury. Washington is filled with that class of property. It dazzles your eye at every ball and reception. And yet not a dollar of it appears on the tax roll, while the horse and cart and the tools of the mechanic, with which men earn their daily bread, are on the tax roll.

I noticed a few months ago a statement in a dispatch from London where one of the fair ladies of Washington appeared at a royal function bedecked with more than one-half a million dollars' worth of jewels, the gift of her wealthy husband. Why should that gift place a half a million dollars of actual wealth beyond the pale of taxation. Imagine that queenly lady sitting in the rocking-chair in her parlor, bedecked with her jewels in preparation for an afternoon matinee, and suppose that an assessor should approach her and inquire concerning her taxable property and she should wave him away, at the same time pointing down the street to the man with the cart and mules removing the rubbish from the streets, saying: "There are the ones that you should look to for your revenue to support the District's expenses, not me." Gentlemen, that condition is wrong under any theory of civilized society. Why should not carts and mules and tools, with which men earn a scanty living, be exempt from taxation rather than this idle and glittering wealth? I am no Socialist, but I do believe in treating all men fairly.

Mr. BARNHART. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Indiana?

Mr. PROUTY. Yes.

Mr. BARNHART. Are you and I assessed on our diamonds?

Mr. PROUTY. Not here. Of course, I do not wear any. [Laughter.]

Mr. BARNHART. Neither do I.

Mr. PROUTY. I never owned a diamond in my life.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. PROUTY. Mr. Chairman, I ask unanimous consent for 10 minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

TAX ON GROSS INCOMES.

Mr. PROUTY. The method in vogue in this city of assessing moneyed corporations upon their gross income is well calculated to conceal and mislead at the same time. These corporations are taxed from 2 per cent to 6 per cent on gross incomes. It is not possible to throw these figures into a mill tax on value without assuming some rational basis of figuring. It is well known that the earning capacity of stock practically determines its actual value. I assume, for the purpose of this comparison, that the stock of a concern would be at least at par which shows a gross income of 10 per cent on its capital stock. Assuming this as a reasonable hypothesis, what does this system reveal:

Building and loan associations: Two per cent on gross earnings equals 2 mills on par value of stock.

Savings banks: Four per cent on gross earnings equals 4 mills on par value of stock.

Electric light companies: Four per cent on gross earnings equals 4 mills on par value of stock.

Telephone companies: Four per cent on gross earnings equals 4 mills on par value of stock.

Gaslight companies: Five per cent on gross earnings equals 5 mills on par value of stock.

National banks: Six per cent on gross earnings equals 6 mills on par value of stock.

Street railways: Four per cent on gross earnings equals 4 mills on par value of stock.

When these per cents of taxation are paid by these corporations the owners of these stocks are exempt from taxation; or, putting it in other words, if these mills on the dollar are paid by the corporations out of the earnings that would otherwise go to the stockholders the stockholders are exempt from further taxation. Now let us compare that with the situation at Alexandria, just across the river. There the assessment is 18 mills on the actual value of the stock. To make this comparison clear and vivid, suppose that a man owned stock in a savings bank in Alexandria that was worth par; he would be taxed $18 on the thousand. If the same man owned stock in a savings bank in the District of Columbia, which stock was worth par, he would pay $4 on it. Can anyone give me any good reason why national legislators should create a situation that results in such discrimination among its citizens? And yet that is the law as it now stands on the statute books of the United States. It makes the man who has to pay $18 on the thousand on his stock in Alexandria contribute to the fund that makes taxes here so low that the stockholder in the bank here escapes with a $4 assessment. Such discrimination will not endure. It will be wiped out by the American people when they know the facts. The only problem is, How can the American people ever be made to know the facts?

LOCAL PROPAGANDA.

All the newspapers and all the ordinary avenues for dissemination of information to the people emanating from this District are subject to the influence, if not the absolute domination, of local sentiment. Every instrumentality known to the skillful propagandist is being used to convey to the general public the distorted facts and specious arguments calculated to uphold this wrong. A committee of one hundred, backed by the wealth and influence of this city, is now tapping every news agency of this country to get distorted news to the public. It is sending out millions of circulars, pamphlets, and misleading tables so as to educate, if possible, the public mind for the continuance of this local graft. Allowing that selfish interest is the controlling factor, no one can seriously criticize either the committee or this citizenship for making this great effort. The stake involved justifies it.

The securing of a contribution of $7,000,000 a year to this municipality is a prize worthy of the efforts of the best minds in it, and gauged by that rule alone would warrant the expenditure of a tremendous sum. What would the Booster Club of Chicago, St. Louis, Kansas City, San Francisco, Memphis, Boston, or Baltimore expend to secure a contribution of $7,000,000 a year, not only for this year but for all time? Figuring interest at 4 per cent, this would be equal to the establishment of a permanent endowment of $175,000,000. The people of Washington would make a splendid investment if they would expend $10,000,000 right now to set in motion influences that would forever perpetuate this system. They would be shortsighted and penurious if they did not freely spend it. From the boasted workings of the committee of one hundred that come to us daily through the public press I am convinced that this people is neither miserly nor penurious when it comes to spending money on this proposition. But what is the little band of Congressmen that are making a fight for the people of the United States going to do to counteract this propaganda and meet this influence? They have no millions at their disposal to furnish the facts to the people. They have no millions at their disposal to assist Congressmen who help them in the fight or to defeat Congressmen that oppose them. They have no way of getting the facts to the people except through the CONGRESSIONAL RECORD, which few see and fewer read. This is the ordinary fight of organized and equipped selfishness against the common cause of right. But the history of the past shows that in the end the people will learn the facts, and when they learn them they will right wrong. As discouraging as the situation may seem, I for one am neither discouraged nor dismayed. I intend to do my humble part in letting the people of the United States know the exact facts, and I know that when once they find out the true facts they will do justice.

WHY LARGE PER CAPITA WEALTH IN WASHINGTON.

To some it seems a surprise that the per capita wealth of the city of Washington is greater than in other cities. This is not at all surprising when the facts are ascertained and analyzed. Exemption from taxation should and does show itself in accumulated wealth. In the 36 years that the half-and-half plan has been in operation the Federal Government has paid approximately $150,000,000 in support of the local self-government which the people themselves here would have been required to pay except for the contribution by this Federal Government. As there are now about 350,000 people in the District of Columbia, the Government has contributed approximately $428 for every man, woman, and child in the District of Columbia, including the colored population. And this advantage in taxing situation reveals itself in the higher per capita wealth of this city. But that is not the only thing that has contributed to the high per capita wealth of this city. During the same period the Federal Government has paid out about $1,500,000,000 in this city as pay rolls and construction accounts. This is $4,280 per capita, including colored population. This money has been collected up from all over the United States and expended here. Such a constant stream of money flowing into a community can not help but enrich it.

CRITICISM.

Ever since this bill has been up for consideration before the District Committee every member of that committee that has tried to look after the interests of the United States has been attacked, criticized, and caricatured by the public press and the various organizations of this city. Personally I have not escaped a prominent headline on the front page of every newspaper in this city for the last two weeks or escaped denunciation in the resolutions passed by every civic organization and sewing circle in this city. Now, if you think I like that kind of work, you are mistaken. I like kind words as well as anybody. I like the glad greetings of those with whom I associate as much as anybody. If you think I appreciate and enjoy being portrayed as the villain of the play, while my friend from Kansas [Mr. CAMPBELL] is given the rôle of hero every time a matter of the District comes up on the floor of this House, you are misjudging me. I am as susceptible to flattery and as sensitive to unjust criticism as he, and I am fully conscious of the fact that I could easily play his rôle by generously conceding to the people of this District everything they want. The cartoon recently appearing in one of the evening papers representing the majority members of this committee as a class of blockheads at first irritated me, and then it amused me, and then, in a kind of sickly way, it pleased me. The cartoonist had done me the distinguished honor of placing me at the head of this class of blockheads and had done me the fairness of making my block square and not flat. I would be delighted to circulate in good fellowship and comradeship with these people, and if I could do this by merely surrendering a personal right, I would gladly do it. But when they ask me to surrender my convictions upon a public right they are asking too much, and if they think that they are going to affect my action or public conduct by either criticism or caricature, they are sadly mistaken.

REMOVING FRICTION.

This anomalous situation naturally breeds discord. It is no secret that the people of this District look with suspicion and disrespect on Congress. This people feel that they are governed by a foreign and to them alien people. They feel that they have no rights or privileges except such as can be wrung from an unwilling Congress. This naturally makes them spiteful and resentful. On the other hand, they feel that anything they can get out of Congress is pure gain. They look upon every man that attempts to stand in their way as a public enemy. The very fact that the General Government pays one-half of all the expenses of the improvements of this city makes the Public Treasury their common goal. This whole city will rally in support of any proposition that looks to the securing of additional funds from the Public Treasury, and the man that can do most is the greatest hero. Any man in this town who

can lobby through an appropriation of a large amount from the Federal Treasury for local improvements is the idol of the citizens. It gives him the same prestige and éclat that a Member of Congress receives when he secures an appropriation for his home city. All the men, women, and children in the District belong to the booster club, and spend most of their efforts on Congress. Since I have been somewhat conspicuous in this matter I have not been able to get my shoes blacked or my hair cut. I have not been able to go to church or the theater or to public functions without being the victim of the most intense lobbying. I have not felt disposed to criticize the people of Washington nor the public press. Selfishness is perhaps the strongest impulse of human life. Most men yield to it. But Members of Congress occupy a different position from that occupied by the citizens of Washington. It is their perfect privilege to get all they can. It is the duty of Congressmen, however, to see that they do not get anything except what they are entitled to. The people of Washington represent Washington. Congress represents the people of the United States. I have been rather amused at the public press, however. If anyone will yield to their solicitations and help them, he is an idol. Every man who stands in their way is an enemy of the District. No man can arise in Congress and say a single word in defense of the people of the United States living outside of Washington without being assaulted, maligned, and caricatured. If he happens to say a few words for the District, he is a statesman, a patriot, and the personification of national pride. He is flattered, cajoled, and petted by the social set. He is praised, puffed, and heralded by the press. But if he undertakes to hold the even hand of justice between the interests of this people and the interests of his own people, he is attacked by the local press with such endearing epithets as "hill billy," "reuben," "tight wad," "pinhead," or "blockhead." So long as Congress, composed of men gathered from all over the United States, undertakes to run this local city without knowledge of its needs or without real sympathy for some of its purposes, so long will there be friction and resentment between the ruling forces of this city and Congress.

So long as Congress undertakes to perform the function of alderman it will be treated as a ward alderman. It will be subject to all the contempt and disrespect that usually pertain to aldermen of large cities without, I trust, securing the emolument that is commonly considered as furnishing some compensation for this humiliating service. But so long as Congress undertakes to act as alderman it must expect to be subject to all the criticisms and irritations of the position and must expect to bring down upon its head the wrath of every man, woman, and child that does not get the street lamps, public parks, and other improvements that will add to the comfort, pleasure, or profit of every local community. And so long as there are Members of Congress on this floor who will dare to oppose any of their schemes of graft and plunder, so long will there be friction. Men must lay down or have trouble. So long as any man has enough virility to fight for what he believes is right as between the people of this District and his own people, so long will he feel the crushing, irritating, dominating force of local sentiment; and, in my opinion, that condition will never be removed until there is a complete divorcement of the purely local administration and expenses of the city of Washington from the Federal Government. If you will remove the cause, you will soon correct the condition. In my opinion Congress, for its own preservation and self-respect, must give to this people local self-government, must take itself out of their purely local and domestic affairs, and must make them self-controlling and self-dependent. It must so adjust matters that this people must look to themselves for good government and not to the Congress of the United States. It must be so adjusted that this people, if they have good government, can take all the credit upon themselves, and if a bad government, can only blame themselves.

I can not believe this people is not capable of self-government. At least I am willing to let them try it. If after 40 years of tutelage they are not able now to govern themselves and care for themselves, I do not know when they will be. If this people is so corrupt, so given to local strife, so prone to graft and friction that these things must be, I prefer, gentlemen, that they graft and fight among themselves and not constantly draw Congress into it. We have trouble enough of our own without mixing in the purely local and domestic affairs of this city.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from New York [Mr. GEORGE] is recognized.

Mr. IGOE. Mr. Chairman, I raise the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Missouri makes the point of order that there is no quorum present. The Chair will count. [After counting.] The Chair finds 100 Members present—a quorum. The gentleman from New York [Mr. GEORGE] will proceed.

Mr. GEORGE. Mr. Chairman, after more than two hours of oratory from the gentleman from Iowa [Mr. PROUTY] we get where? Everywhere, except in touch with the dispute in the District Committee over this bill. It is that dispute that now brings me to my feet. I dislike to differ from my colleagues. I particularly dislike to contend with the chairman of the committee [Mr. JOHNSON] or with my colleague, Judge PROUTY. But, nevertheless, I should not be faithful to this House and what I believe to be the rightful interests of the District of Columbia were I not to make strennous objection to the bill that has been reported by the majority—the bill still bearing my name and called the George bill. It is not the George bill as introduced. It is a plain negation of the principal purposes of the original George bill.

I think I can explain much about this bill and about the controversy over it by stating how the bill came into being. When I became a member of this House I found myself placed on this committee. I made the early acquaintance of the chairman of the committee and explained to him that I had never had any legislative experience; that I did not know of what use I could be on the committee, but that I was willing to work, and I believed I could work on one subject better than on any other, and that that subject was taxation; that I had been down here years before as a press correspondent and had sat in the press gllery when Tom L. Johnson, of Ohio, was a member of this body, and made an exhaustive examination of taxation matters in the District of Columbia; that I had been close to Mr. Johnson in various ways and had taken a lively interest in the matter that he was investigating. I told him that from that investigation I believed myself qualified to undertake a similar investigation here in the District if the chairman would put me on a proper subcommittee of the House District Committee.

The chairman replied that there was no subcommittee on assessment and taxation, but that he would specially create one and make me chairman, which he did. That is how I came to be called chairman of the investigation out of which this bill came.

MR. JOHNSON, CHAIRMAN.

But the investigation which brought forth the George bill was conducted by another subcommittee of the District Committee, under House resolutions Nos. 154 and 200. Of that subcommittee Mr. JOHNSON himself became chairman, and I became an active member.

An early draft of a bill drawn by me on my own investigation contained the main features of the bill reported to this House, but that early draft was abandoned to await results of the investigation by the committee of which the gentleman from Kentucky [Mr. JOHNSON] was chairman. Realizing the difficulty of embracing all kinds of taxation in the inquiry, the committee, at my suggestion, restricted itself to the subject of real estate. The committee left most of the work to me, as the member who, by preliminary inquiry, was best equipped for it, and the subsequent report was written by me and signed by every member of the committee.

The report revealed the fact of great inequality in the assessment of real estate in the District of Columbia that worked a marked benefit for the owners of the higher-priced business and residence properties, and particularly for the speculators who owned the extensive outlying vacant tracts. On the other hand, it worked great hardship on the thousands and thousands of small home owners in the District. The owners of valuable properties, and particularly of the vacant tracts, were greatly underassessed and therefore bore light taxation. The 40,000 small homes of the department clerks and laborers in the District were correspondingly overassessed and heavily taxed.

COMMITTEE'S REPORT.

Therefore the plain duty of the committee was to report to the House the fact of this inequality in assessments and the best method of correcting them. The committee accordingly made an exhaustive report and made certain corrective recommendations to this House. These recommendations were very simple. They called for the assessment of the full, true value; the exercise by the assessor of his full powers for adducing testimony under oath relative to real estate values; annual instead of triennial assessments; repeal of the fixed tax rate of 1½ per cent and leaving the tax rate to be determined annually in accordance with the requirements of the budget; substitution of 12 field assessors for the 3 assistant assessors on field work; the creation of a board of tax appeals, from which the field assessors mak-

ing assessments should be excluded; the restoration to the District of Columbia Commissioners of power to remove the assessor or any of the assistant assessors; and the transfer of the duty of making tax bills from the office of the assessor to that of the tax collector.

This report, containing these recommendations, was signed by all the members of the investigating committee, namely: BEN JOHNSON, HENRY GEORGE, jr., W. A. OLDFIELD, William C. Redfield, C. O. LOBECK, Cyrus A. Sulloway, L. C. DYER, and Victor L. Berger.

One of the recommendations in the report had already been embodied in a separate measure introduced by the gentleman from Kentucky, Mr. JOHNSON. That measure has passed this House and gone to the Senate. It provides for the recording of the true consideration in all real estate transfers. The other recommendations in the report were embodied in a bill by me, which, after several drafts, became known as the George bill.

It should be noted that this bill related primarily to real estate. When it came up for consideration in the committee the question was asked why personal property was not included. The reply was made that personal property was never considered by the committee; that the subject of personal property had not been examined by the committee; that the law on personal property should be left as it stood on the statute books, at any rate until the committee had had an opportunity to study the matter and was qualified to draft a separate bill on that subject.

PERSONAL PROPERTY TROUBLES.

But when objection was made that this might work a discrimination against personal property by leaving it subject to the fixed tax rate of 1½ per cent, while real estate would be subject to a fluctuating budget rate, and therefore at times at least to a lower rate, I made a new draft of the bill to include the assessment of the kind of personal property that is at present assessed under the law, "tangible" personal property; providing, however, that the tax rate on such tangible personal property be not a fixed one of 1½ per cent, but be determined by the needs of the budget, precisely as provided in the bill for fixing the rate of taxation on real estate.

But when this new draft of the bill was brought in objection was made that, having introduced personal property into the bill, all kinds of personal property, and not merely the "tangible" kind, should be treated, and that an amendment to increase the kinds of personal property would probably be introduced and be urged on the floor of the House. To avoid this danger yet another draft of the bill was made which struck out the whole question of personal property, leaving the law in respect to personal property as it stands, which law taxes only "tangible" personal property and at the fixed rate of 1½ per cent.

To make the matter very clear, I should repeat that the bill as it then stood provided for the assessment of real estate only and for the fixing each year of a tax rate on real estate by the District Commissioners according to the revenue needs. There was no reference in the bill to personal property.

COMMISSIONERS APPROVE.

At this stage the bill was, in the regular course of things, submitted to the Commissioners of the District of Columbia for their criticism, and received the following hearty approval:

COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
EXECUTIVE DEPARTMENT,
Washington, February 17, 1914.

Hon. BEN JOHNSON, *Chairman Committee on the District of Columbia, House of Representatives.*

MY DEAR SIR: In response to request of the Committee on the District of Columbia of the House of Representatives for report on House bill 12873, the Commissioners of the District of Columbia have the honor to reply as follows:

The Commissioners urgently recommend the enactment of the bill into law. They are in complete accord with the purposes of the bill and are of the opinion that the work contemplated by its provisions is one of the most needed services in the District government.

The important provisions of the bill are as follows:

First. The establishment of annual assessments instead of triennial assessments as made at present.

Second. An increase in the assessment valuation from two-thirds to full value.

Third. The establishment of a fluctuating tax rate to be fixed by the Commissioners with a view to providing whatever revenue is needed by the District.

Fourth. The creation of an organization that can adequately and effectively carry out the purposes of the bill.

In the opinion of the Commissioners the bill adequately and comprehensively makes rational and constructive provision for placing the process of assessing property and raising revenue upon a sound, practical, and efficient basis under the taxation theory in force in the District of Columbia. It meets the fundamental criticism of assessments in the District of Columbia based upon the exhaustive investigation of that subject by the Committee on the District of Columbia of the House of Representatives and expressed as a matter of common knowledge in and out of the District for a great many years. That criticism is that it is utterly impossible under the existing law to make proper and intelligent assessments in this jurisdiction. The fact that assessments are triennial, the fact that they are made on a two-third interest of a full valuation, and the fact that only three men can be employed to do the work necessarily produce an assessment in which inequalities are bound to obtain. Although only three real estate assessors are provided the law requires that all three shall personally view every parcel of ground assessed. It is obvious, therefore, that the close attention and investigation demanded if an assessment is to be accurate and just can not be given under the existing system.

When to this is added the fact that the assessments are made every three years and that property values are constantly and in some sections rapidly changing, the impossibility of making a scientific assessment under the present law is doubly manifest. In establishing annual assessments in the District of Columbia Congress will be doing no more than following the well-demonstrated tendency of the world away from biennial or triennial assessments and toward annual or continuing assessments.

In the opinion of the commissioners, there is no theory upon which can be justified the assessment of property at anything less than its full value. There is no more reason for the District government to determine values upon a percentage basis of their full value than for private parties dealing with each other to consider property on a percentage of its full value. The experience of communities generally in the United States has been that assessments made upon a percentage valuation have merely offered opportunity for inequalities and injustice, either by design or by error. The simpler and more effective method of regulating the amount of taxes which the individual shall pay is by raising or lowering the tax levy, always upon a full valuation of the property affected.

The commissioners approve the provision of the bill which places in the hands of the commissioners the authority and responsibility for fixing the tax rate. In their opinion, a rigid tax rate fixed by law and immovable except by congressional action is economically unsound and an encouragement to extravagance in the expenditure of revenues. Practically every city in the United States except Washington approaches the raising and expenditure of revenues from a standpoint exactly opposite the one used here. In other cities the municipal officers charged with that responsibility make up a budget including the estimated necessary expenditures for the coming year and then fix their tax rate at a figure which will produce the amount of money required.

In the District of Columbia the commissioners and Congress first determine how much revenue the District will have, and then prepare a budget which it is estimated will consume that revenue. In other words, other cities make their revenues meet their needs, but in Washington the commissioners and Congress make their needs meet their revenues. The reason for this difference is that in the District of Columbia the tax rate is rigid and produces a certain sum of money automatically without regard to the needs of the community, while in other cities the tax rate is fixed each year to provile a certain needed sum. The system used in other cities is economically sound and tends to economy in municipal administration; the system in the District of Columbia is economically unsound and tends to extravagance in municipal administration.

The commissioners desire to point out that in view of the fact that it is impossible for the three assessors now provided by law justly and intelligently to assess the property of the District of Columbia every three years, it is obvious that it would be impossible for that many men to assess the property of the District of Columbia every year. It is imperative, therefore, that to accomplish the improvements contemplated under this bill and to make effective the reforms outlined above more assessors will be necessary. The commissioners by reference to similar work in other cities find that the number of assessors provided in the bill will be no more than adequate. Their experience and observation also cause them to believe that the salaries for assessor and assistant assessors provided in the bill are necessary in order to get men of such a character and training as will make certain the accomplishment of the purposes of the measure.

Very respectfully,
THE BOARD OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
By O. P. NEWMAN, *President.*

COMMITTEE DIVIDES.

But notwithstanding this high approval by the Commissioners of the District, some of the committee, led by the chairman, determined to change the character of the bill, and by a majority vote carried out their purpose. They struck out the budget plan of fixing a tax rate by the Commissioners based upon the revenue needs—a high rate if the revenue needs should be large, a low rate if the revenue need should be small, and in the place of this adjustable rate they placed the present fixed rate of 1½ per cent. They moreover reinserted personal property into the bill, and not only included "tangible" but also intangible personal property. Thus the result of their work was not only to extend the categories of taxable personal property but to fix a high rate of taxation upon them. In this form the so-called George bill has been reported to the House by the gentleman from Iowa, Judge PROUTY, for the majority of the committee. Nothing remained for the minority of the committee to do but to present as a minority report an earlier draft of the George bill which restricted taxable personal property to the tangible kind, as the law now stands, and which provided for the flexible budget plan of tax rate to be fixed by the Commissioners for such personal property the same as for real estate—a high tax rate if the revenue needs should be large, a low tax rate if the revenue needs should be small. This is the draft of the George bill which I, on behalf of the minority of the committee, have presented to the House, and which the gentleman from Iowa is pleased to think embodies an entirely new idea.

The bill introduced by the minority members of this committee is offered to this House in substitution of the bill introduced by the majority of the committee, and is practically the original George bill. The effect of the majority bill would be to increase materially the taxes of a very large proportion of the people of the District without benefiting the District government, for the need of the local government is not more revenue. More revenue can be secured at any time. Nobody doubts that the District of Columbia could be made to yield more revenue. The rates can be changed if there is necessity for more revenue.

This House, I believe, wants to pass a proper bill—wants to do justice. But I think there can be no justice in a kind of taxation provided under the majority bill. It was not the original purpose of the committee to report such a bill. It could not be the purpose of at least two of the men on the committee to so report. These men were in the former Congress and were among those who reported the exhaustive real estate examination. They are the chairman of the District Committee and myself. We both signed the report, and that report called for a just assessment of real estate and its taxation under a budget plan, which is the prevailing system now in the larger cities of this country and in many parts of the world. Why, then, should the majority of the committee seek another course? Why should they try to raise more revenue than the present needs call for? Why fix a rate of taxation instead of adopting a fluctuating, adjustable plan? The answer is, because of the "half-and-half" principle.

HALF AND HALF.

This half-and-half principle is a feature of the existing law, which provides that the United States Government shall contribute a dollar toward District expenses for every dollar raised for such purpose by the District government. Each Government pays one-half of the local expenses. The District Committee of this House has had this feature of the law under consideration and has reported a bill abolishing it. That bill is on the Calendar of the House at this time and has been there for several weeks past. It could have been called up to-day for consideration in place of the so-called George bill. It could have been called up on the last preceding District day, and in fact might have been considered by the House on any District day for some time past, but it has not been called up; nor is there any certainty of when it will be called up. For there is great doubt as to whether or not the bill if called up would pass this House. In fact there is strong feeling in this committee that if the bill were to be called up at this time it would be defeated.

But there is a belief that if the half-and-half principle can not be killed now by a direct repeal act it might be killed indirectly through the so-called George bill, by causing that bill to raise enough revenue to meet all the needs of the District government without any contribution whatever from the Federal Treasury.

Mr. Chairman, I myself have strong feelings about the half-and-half principle. I made a speech upon that subject soon after becoming a Member of Congress. I took the ground that the half-and-half principle was not a good principle. The effect of taking money out of the Federal Treasury and giving it to the District of Columbia in appropriations in effect makes Washington a better place to live in and therefore booms the price of land here. The people of the District are charged in higher rents for any advantage given by the Federal Government through a half-and-half principle. You can see what would be the effect if the Federal Government should supply all the revenue needed by the District of Columbia. That would mean that the people who own Washington would not have to pay any taxes. Higher would go rents here because of this gift out of the Federal Treasury.

The fact of the matter is that this half-and-half principle enters into the consideration of all manner of questions before the District Committee, just as it has entered into the consideration of the so-called George bill.

ORIGINAL BILL WOULD HAVE PASSED.

The original George bill would have been reported to this House, I have no doubt, and would have passed this House without any difficulty whatever if the half-and-half principle had not been tangled up with it in this way. The gentleman from Iowa who has reported the George bill, as it has been reported to this House, has, in my belief, had the purpose to show how, by a high fixed tax rate on a high valuation of various kinds of property, and more particularly on new kinds of property, an immense revenue would be raised that would make quite unnecessary any gift out of the Federal Treasury to meet the budget, and consequently effect the abolition of the half-and-half law.

The gentleman from Iowa has talked on a great number of subjects that I think are unnecessary to discuss in this debate. It is not necessary, for instance, to talk now about the form of government or of suffrage. The whole matter at issue comes down to a very simple question. Some gentlemen of the majority believe that we should report a bill that fixes 1½ per cent as the rate of taxation on real estate and upon personal property—tangible and intangible personal property—and without examination of what "intangible" property is or what is done about it elsewhere. It has been repeatedly urged by me in the committee to take up personal property for investigation, to go into it elaborately, call witnesses and experts, and make a full report before presenting a bill on the subject to Congress. But the majority of the committee decided to act without such an investigation, and so injected every kind of personal property into the George bill.

This action on the part of the majority was, moreover, a calm assumption that the taxation of all kinds of personal property is perfectly certain taxation, whereas nothing is more uncertain. A taxation maxim warns us not to attempt to tax anything that can run away, and the universal testimony of assessors is to the effect that such taxation falls heavily upon the poor, who can not evade or get away, and lightly upon the rich, who can seek less burdensome places. A very able lawyer practicing in the District of Columbia told me in conversation about personal-property taxation that he believed Congress could not frame a law in this respect that he could not show a client how to evade, and one of my colleagues here in this House, Mr. KEATING of Colorado, puts in my hands a clipping from a newspaper in his district—the Colorado Springs Gagette—in which I find the report of a very brilliant speech recently delivered by Mr. John B. McGauran in All Souls Unitarian Church. Mr. McGauran said:

SCIENTIFIC BURGLAR'S JOB.

Pick out the most scientific and successful burglar you can find for the next assessor of El Paso County. He is the only one who will be able to find out how much personal property has been untaxed in your community for years, not through the failure of the assessor to do his duty but through the present lax system which puts a premium on perjury in dishonest returns on his tax sheet.

I also offer in this connection an extract from an article by Henry M. Hyde that appeared recently in the Chicago Tribune, telling of the actions of Tax Commissioner "Joe" Pastoriza in Houston, Tex.

Mr. Hyde says:

As soon as he was appointed, Pastoriza announced that he would not try to collect any taxes on personal property. Not one-tenth of the personal property was ever discovered; it simply made half the people of the town perjure themselves; and all the real taxable value was in real estate anyhow. * * *

Presently and naturally the big real estate owners of the city got frightened. They called on the mayor and demanded that Pastoriza must stop his revolutionary talk. * * *

"All right," said Pastoriza, finally, "I will do as you say and obey the law just as it is written." He picked up a sheet of paper and a lead pencil. "I'll begin with myself. I've got $5,000 cash in bank, $13,000 loaned out on mortgages, and $20,000 in real estate. I'll write them all down opposite my own name.

"Now we'll take you, Mr. Smith," he said addressing the chairman of the committee and one of the richest men in the city. "If I have $5,000 in bank, you must have at least $50,000. We'll put that down. If I have $13,000 loaned out, you must have at least $75,000 invested in mortgages. We'll put that down."

Pastoriza went on with two or three other members of the committee in the same way. Finally they all threw up their hands. If Pastoriza's talk about taxing nothing but land was revolutionary, this threat that he would really enforce the law and tax all personal property was complete madness. Anything was better than that. They agreed to let Pastoriza go ahead with his scheme.

A POOR WOMAN'S CASE.

Returning to the District of Columbia the assessor's books show some pitiable entries, to wit: Mrs. Martha J. Bigoness on the Chain Bridge Road. She is taxed on garden tools, $10; 1 mare, $80; 2 cows, $70; 3 dozen hens, $15; 1 carriage, two seats, $40; 1 wagon, $25; 1 buggy, $25. Total value, $265. Tax, $3.98.

This case is but a single illustration of one of the ways which personal-property taxation operates upon the poor in the District of Columbia. Had Mrs. Bigoness been a rich woman perhaps her personal property, obviously of so little value, would not have been considered worth putting on the tax list and while the amount of the tax she has been called upon to pay is small it has materially increased the cost of living to her. Bonds and diamonds of the rich can be hidden or carried away and thus escape taxation, but Mrs. Bigoness can not hide or carry away the forms of her personal property which constitute so material a part of her fortunes, upon which her very livelihood depends.

Mr. COADY. Will the gentleman yield?

Mr. GEORGE. I will.

Mr. COADY. The gentleman during the course of his remarks has spoken about this report as being a majority report. The gentleman knows that the report is signed by only 8 out of 20 members of the committee.

Mr. GEORGE. Yes. The majority report is signed by 8 members of the 20 members, and the minority report is signed by 7, but I have conceded, simply followed the usage of the House, and supposed that there are some other members who signed the majority report subsequent to those whose names appear in the printed report.

Mr. JOHNSON of Kentucky. Will the gentleman permit an interruption?

Mr. GEORGE. Yes.

Mr. JOHNSON of Kentucky. I will say for the enlightenment of the House on the subject that the majority report is signed only by those who were present when the vote upon this matter was taken. The substitute which the gentleman from New York [Mr. GEORGE] has offered, which the committee never had an opportunity to see, is signed by more than were present upon the occasion when final action was taken. It seems from the report that Members who were not present have been polled for the purpose of signing a minority report, when they were not present at the time of voting. A previous vote was taken when those who signed the majority report nearly doubled those who have actually signed it.

Mr. GEORGE. And there were times, Mr. Chairman, when the minority number was very much more than seven and when the majority was only one in excess.

Mr. JOHNSON of Kentucky. Yes; in one instance when there was a very small attendance, and the condition the gentleman from New York stated is correct, though it is but fair to the majority who signed this report to say that no member of the committee who was not present at the final action has been asked or permitted to sign.

WHO SIGNED THE REPORTS.

Mr. GEORGE. And it is also proper to tell the House that the minority had to withdraw and make a report by themselves; they could not of necessity make their report at this final meeting of the whole committee, of which the gentleman from Kentucky speaks, but did it at another place and at another time, and had to get members together in order to get them to report, just as they could.

Mr. JOHNSON of Kentucky. Which was not in a meeting of the committee.

Mr. GEORGE. Not in a meeting of the committee, but it was perfectly obvious that it was on this committee business, and it could not possibly be on any other.

Mr. JOHNSON of Kentucky. I will ask the gentleman if anybody who signed the majority report had any notice of the meeting of which he speaks?

Mr. GEORGE. I consulted with the chairman of the committee as to the time of making the report and how to make the report, telling him I knew nothing of this kind of business, and if I have broken any of the rules of the House or any of the customs of the House, or in any way have been derelict in this matter, I beg the consideration of the House, and I also beg to inform the House that I was governed as much as I could be by the judgment and advice of the chairman of the committee.

Mr. JOHNSON of Kentucky. I desire to say that I did not in the slightest intend to reflect upon the gentleman in any way, and he knows full well that I did not. The question which was put to the gentleman from New York by the gentleman from Maryland [Mr. COADY] was for the purpose of showing that a majority of the committee had not signed the majority report; whereas, as a matter of fact, upon every vote taken at the many meetings that the committee had a majority of those present was as it is now, and nobody who was not present was permitted to sign this report.

Mr. COADY. May I ask the chairman a question? Of course my purpose was not to question whether a majority of those present at the meeting signed the majority report. That is true. Is it not altogether true that the majority of the whole committee signed in favor of this bill as amended?

Mr. JOHNSON of Kentucky. Let me understand you, please.

Mr. COADY. I want to know if it is true that a majority of the committee is opposed to this bill as amended?

Mr. JOHNSON of Kentucky. Why, no, indeed. Such a thing is beyond reason, because every vote that was ever taken in the committee resulted the same way as when this vote was taken.

Mr. COADY. The gentleman misunderstands me. I said a majority of the whole committee, so far as the gentleman knows?

Mr. JOHNSON of Kentucky. I do not entertain the slightest doubt that an overwhelming majority of the committee is for this bill just as it has been reported.

Mr. MANN. Will the gentleman from New York yield?

Mr. GEORGE. Yes.

Mr. MANN. The gentleman said he was not familiar with the practice. I think the usual practice for a committee which orders a bill reported is for one man to report it in behalf of the committee. It is very unusual for the majority to sign the committee report. Of course, it is done, but it is not required to be done. And then the minority should submit their views, and not a report, and sign them. It is the customary and proper thing to do.

THE CUSTOM OF THE HOUSE.

Mr. GEORGE. Therefore the minority followed the custom of the House and a majority did not?

Mr. MANN. They did not follow the custom.

Mr. IGOE. If the gentleman will permit, in order to get myself straight in this RECORD, I will say that at the meeting, when the vote was taken, I reserved the right to sign any minority report that would meet my views. I did not know what the report would be.

A MEMBER. Write it yourself.

Mr. IGOE. I did not have to write one myself. I found one that was satisfactory.

Mr. GEORGE. Mr. Chairman, to get back to taxation, I understood originally that this House wanted information on the subject of taxation in the District, and I undertook, with the help of my associates and the very strong approval of the chairman of the committee, to make an investigation of real estate in the District. I do not profess to know much more than that, except as any Member of this House may know about his district and about things generally in the United States. And I presented a bill embodying the things I have found in the District of Columbia, which I understood this committee to be unanimous about, until the half-and-half question arose.

The committee had approved a half-and-half repeal bill (Crisp bill), and it is on the calendar. But the committee has not taken that bill off the calendar. It is still there. It could be taken up at any time, and we could settle here and now this question of whether or not the Federal Government should make a gift of one-half or other part toward the District of Columbia expenditures. But we are not doing that. We are not venturing to do that. Evidently we are afraid to do that. The majority of the District Committee proposes to hit the thing in another way. That other way is, as I have said, through the so-called George bill, reported by the gentleman from Iowa. I never had any purpose of embodying such an idea in my bill and I repudiate it. I come upon this floor to beat such a bill, and, if I can, to substitute the original idea of the George bill and have that George bill go through this House and go to the Senate embodying the original ideas.

It is deplorable indeed that there should exist such a condition in the District of Columbia that prevents Congress from passing a simple taxation measure without involving this half-and-half question. Every time we come upon this floor we get involved in this question. The last appropriation bill involved it. When the appropriation bill went over to the Senate the half-and-half was involved there. The newspapers took it up, and everybody was confused. The men who really believe that there should be no contribution from the Federal Treasury are regarded as scoundrels by a lot of people in the District of Columbia because the newspapers say they want to rob the District of money that the people of the United States intend through Congress to contribute to the District.

Now I, myself, am clear on this half-and-half question. I should like to bring it up, not in this bill, but in a separate bill. Let us have a vote on it. Let it be decided once and for all. Let us have a half-and-half principle, a three-quarters principle, a quarter principle, or any kind of a principle you please. But this ought to be a distinct and separate matter from the George bill.

PRIVATE PROFITS FROM TAXATION.

There is no doubt that many people have been using taxation powers in the District of Columbia for their own profit. There is no doubt that the poor men in the District who own or who are struggling to get little lots and homes have been taxed too high and that a great number of rich owners in the District have been taxed too low. These are plain things, and every man who is interested in the District of Columbia wants to have them

changed. We have plainly stated the case in the George bill. I think so and I think that up to the time of our confusion the whole committee thought so. The District chairman [Mr. JOHNSON of Kentucky], for whom I have great respect and with whom in the past I have worked in the greatest possible harmony and who gave me his support up to this time, thought so. All of us would be in harmony to-day if it were not for this half-and-half principle. That has confused the matter.

What I have set out to do, and what I shall propose at the proper time to do, is to offer the substitute in the minority report for the bill reported by the majority and have that pass this House. It does not involve the half-and-half principle. It leaves the half-and-half principle for this House to settle in some other way. The committee can bring it up at some other time.

Then, as to personal property taxation, it is a perfectly simple matter to bring up in the committee for investigation. A bill can be drawn, based upon the findings of that investigation. That would give a logical and proper process to the workings of the committee and to the justice of the case.

If you pass this bill offered by the gentleman from Iowa [Mr. PROUTY] you are in result repealing the half-and-half law without bringing that principle upon this floor. You are doing grave injustice to the small home owners of the District. You are getting taxations matters woefully confused. I will work, and I am not afraid of work. I have made myself sick in this committee by work. But I am willing to work only when there is a definite object in sight, and that object is for the benefit of the District of Columbia. But obviously there can be no hope of such a result when stray questions are permitted to confuse councils. Therefore, I scornfully repudiate the so-called George bill reported by the majority of the District Committee to this House.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Kansas?

Mr. GEORGE. I yield to the gentleman.

Mr. MURDOCK. Some time in the last year I read a considerable portion of a very interesting report that the gentleman from New York made about taxation in the District, and my recollection is that he divided the city of Washington into four or five different parts, and he showed that the very rich people paid some 40 per cent of actual valuation and that the poor people paid something like 75 or 80 per cent—I have forgotten which. Was that in the report?

Mr. GEORGE. Yes; practically that.

Mr. MURDOCK. What caused that? How could that be done?

UNEQUAL ASSESSMENTS.

Mr. GEORGE. By wrong assessments.

Mr. MURDOCK. It was simply faulty assessments?

Mr. GEORGE. Yes, sir. I will explain to the gentleman that the assessor and his assistants coming before the committee complained that they had not adequate help. They were required, under the law, to do other things that consumed their time, and that they could not make a proper assessment, even though these assessments were made only once in three years. The bill I drew met that situation by increasing the number of assessors and giving them powers they never before had.

Mr. MURDOCK. Now, if the present bill brought before the House corrects that condition, why should we not support it? I have heard the gentleman from Iowa [Mr. PROUTY] this morning for a few moments say that this was the child of the gentleman from New York, and now I have just heard the gentleman from New York say he repudiated the child. Why should not this House pass that bill if it will bring about the correction of the evil the gentleman has just stated? I want to be clear on it.

Mr. GEORGE. I hope the gentleman will support that part of the bill. The minority want that; but the part of the bill that the minority does not want, the part which it expressly repudiates, relates to the assessment and taxation of all personal property in the District of Columbia, which it does not believe in. There are some kinds of personal property now assessed and taxed, and they are in the George bill. We did not go any further than that, because there has been no examination of this branch of taxation in the District; and it seemed an injustice; it seemed to be a foolish process of taxation to incorporate some things for taxation that had not been expressly examined.

Mr. MURDOCK. Does not the gentleman's remedy lie in a motion to recommit, so that that part which is objectionable may be left out?

Mr. GEORGE. That would be a proper course; yes.

Mr. MURDOCK. I do not see any necessity, then, for the gentleman disclaiming this child.

Mr. GEORGE. At the proper time I will expect the gentleman's support.

Mr. MURDOCK. I want to say to the gentleman that I am against the half-and-half proposition from the ground up.

TROUBLE WITH SECOND SECTION.

Mr. IGOE. The gentleman from Kansas does not understand that the whole objection is in section 2 of the bill. Section 2 of the bill as originally framed by the gentleman from New York has been changed by the majority of the committee so as to provide not only for the assessment of all personal property and real estate, but at a fixed rate of 15 mills for all kinds of property.

Mr. GEORGE. Yes. I hope the gentleman understands.

Mr. MURDOCK. I fairly do, except that the gentleman from New York has been talking about the half-and-half system, a system to which I am opposed, and I take it that the gentleman from New York is opposed to it, and the gentleman from Kentucky [Mr. JOHNSON] is opposed to it. Now, really where is the trouble? I can not find it myself.

Mr. GEORGE. The gentleman did not understand what I said about the half-and-half proposition, and he certainly did not understand what the gentleman from Iowa [Mr. PROUTY] said about it. He probably made too long a speech for you to stay and hear it all. [Laughter.]

Mr. MURDOCK. I do not plead guilty; but go ahead.

Mr. GEORGE. The second section of the George bill was cut out, and a substitute section was put in by the majority, and the bill was then reported to the House. That is the George bill that you see to-day.

Mr. McCOY. That is the one I want to repudiate.

Mr. GEORGE. Now, to make it just a little fuller, if the gentleman will permit——

Mr. MURDOCK. Let us hear it.

Mr. GEORGE. There are two features in the substitute that are different from the original George bill. The substitute second section cut out the principle of a budget rate, which is a fluctuating rate, to be fixed by the Commissioners of the District according to the necessities of the case each year. It would be a high rate of taxation one time, and a low rate of taxation another time, according to the revenue needs of the District. It is a perfectly just system. It has been a success elsewhere and ought to be adopted here.

A BUDGET RATE.

Mr. SHERLEY. Will the gentleman yield right there?

Mr. GEORGE. Yes.

Mr. SHERLEY. How do you propose a budget system without determining what ratio the Federal Government, as such, shall bear to the total expense? Assuming that the Federal Government was to bear a half or a third or a fourth you would have a different rate of taxation in order to raise the District's portion, according as the Government paid the half, the third, or the fourth. In other words, how can the commission determine the rate on a budget theory unless prior to that the question of what proportion of the total is to be borne by the District and what by the Federal Government is determined?

Mr. GEORGE. The provision was so worded that the commissioners could determine that rate if there was a half-and-half law operating, or if there was some other law operating—so that we could let the half-and-half remain on the statute books or sweep it away. The commissioners, knowing what they had to do, with the help of the haif-and-half or without it, could fix the rate accordingly.

Mr. SHERLEY. In other words, it was predicated upon the idea that prior to fixing the rate the ratio of contribution from the Federal Government would have been determined?

Mr. GEORGE. The gentleman is exactly right

Mr. TRIBBLE. Will the gentleman yield?

Mr. GEORGE. Yes.

Mr. TRIBBLE. Different gentlemen have spoken in regard to the comparative tax rates of different cities throughout the country, as indicated on that chart there. Now, does that refer to the municipal taxes of those various cities?

Mr. GEORGE. Do not ask me about that wonderful map. It is not mine.

Mr. TRIBBLE. In the figures that we have given us, in the comparison of the tax rates of Washington, New York, Atlanta, and other cities, are those illustrations given as municipal rates?

Mr. GEORGE. Will the gentleman from Georgia ask the gentleman from Iowa about that?

Mr. TRIBBLE. Yes, I will ask the gentleman.
Mr. GEORGE. I will grant the time.
Mr. PROUTY. The figures given in those tables are supposed to be the actual amount of money that each municipality raises on its property for municipal, State, and county purposes.
Mr. TRIBBLE. This city does not pay any tax except a municipital tax. It is a part of the Government. Now, has the gentleman considered this fact——
The CHAIRMAN. The time of the gentleman has expired.
Mr. GEORGE. What time has expired?
The CHAIRMAN. One hour.
Mr. MANN. I ask unanimous consent that the gentleman have 45 minutes more.
Mr. GEORGE. To get this matter of time straight, is the minority to have as much time as the majority?
Mr. PAYNE. It should have; yes.
Mr. GEORGE. Then, there will be granted, in addition to 1 hour, 45 minutes, then 30 minutes, and then 10 minutes?
Mr. MANN. We will give you all the time you need, I think.
The CHAIRMAN. The Chair will state that there is no positive arrangement about the time, but he is aware of what happened in the other instance.
Mr. PROUTY. So far as I can control it, I will state that I shall be glad to yield to that side all the time they want and will ask that they have it.
The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from New York have 45 minutes more time. Is there objection?
There was no objection.
Mr. GEORGE. Mr. Chairman, I will reserve that time, then.
Mr. TRIBBLE. As I understand, county and State taxes are not estimated in this comparison.
Mr. PROUTY. Yes; they are.
Mr. MADDEN. But I understand there is one thing that is not included, and that is special assessments for the improvement of streets and the construction of sidewalks and sewers.
Mr. PAYNE. Mr. Chairman, who has the floor?
Mr. GEORGE. I will yield to Judge PROUTY to answer the question relating to his chart.
Mr. PROUTY (to Mr. GEORGE). Under your bill there was no change made in the rate of assessment of personal property, was there?
Mr. GEORGE. In one of my bills——
Mr. PROUTY. The one that came before the committee.
Mr. GEORGE. A bill was introduced with no mention of personal property, and therefore no fixing of the rate in any way.
Mr. PROUTY. It left the rate on personal property as at present?
Mr. GEORGE. Yes.
Mr. PROUTY. Assuming the value of real estate as estimated in your report is correct, $744,000,000, and the Commissioners found it necessary to levy on that for enough to make up what was needed, with the $7,000,000, approximately, that would be collected from the other sources, has the gentleman done any figuring to ascertain what rate of taxation the Commissioners would have to levy on real estate to make up that $7,000,000?
Mr. GEORGE. I have not; there was no necessity of my figuring on that.
Mr. PROUTY. If there were $744,000,000 worth of real estate, and you only had to assess enough to make up the deficit, is not the gentleman from New York mathematician enough to know that it would only take a rate of 6 mills?
Mr. GEORGE. "If ifs and ands were pots and pans"—the gentleman knows the rest of it.
Mr. PROUTY. The gentleman does not mean to cast any reflection on his own figures.
Mr. GEORGE. No, you are naming the figures.
Mr. PROUTY. I am quoting from the gentleman's report.
Mr. GEORGE. I will say to the gentleman I can not answer him. The gentleman has done a lot of speculation as to what would fall on personal property and what would fall on real estate if my version of the bill were to pass. I will tell the gentleman that I would leave to the Commissioners of the District the business of determining what tax rate on real estate and tangible personal property will raise enough revenue to meet the needs of the District.

THE SIMPLE CASE.

Mr. MANN. Will the gentleman yield for a question?
Mr. GEORGE. Certainly.
Mr. MANN. I want to see whether I understand the gentleman's position. Congress makes various appropriations for the District of Columbia, some in the District of Columbia appropriation bill, some in the legislative bill, some in the sundry civil bill, some in some other bills, and in each case specifies how much money shall be paid out of the funds belonging to the District of Columbia in the Treasury. Do I understand the gentleman's bill to mean that when these appropriations are all made, specifying the amount that is to be paid out of the District treasury, then the District of Columbia Commissioners shall fix a tax rate on the property which has been assessed which will raise this sum of money?
Mr. GEORGE. Yes.
Mr. MANN. And they will not fix the rate until after the appropriations have been made?
Mr. GEORGE. After the appropriations are made.
Mr. MANN. The appropriations specify out of what fund they shall be paid, so that there is no difficulty about the half-and-half principle. You would not raise the money in the District if the appropriation said that it was to be paid out of the General Treasury, and if it was to be paid out of District fund, the District Commissioners would ascertain the rate which would raise that sum of money?
Mr. GEORGE. Yes.
Mr. MAPES. Will the gentleman yield?
Mr. GEORGE. Certainly.
Mr. MAPES. The original George bill did not change in any way the half-and-half principle; it simply provided that in raising the one-half that was to be raised by District taxation the rate should be established by the District Commissioners?
Mr. GEORGE. The first bill brought into the committee and discussed by the committee when the gentleman from Michigan was present contained no reference to the half-and-half principle, but one of the gentlemen on the minority side thought that there should be a provision in the bill which would make it adjustable to whatever should be the agreement of Congress as to the half and half, or as to any other proportion that the Federal Treasury should contribute. And the bill was made adjustable by a provision which I think the gentleman knows about.
Mr. MAPES. But the bill at no time attempted to abolish the half-and-half principle?
Mr. GEORGE. It did not and does not now.
Mr. GOULDEN. Will the gentleman yield?
Mr. GEORGE. Yes.
Mr. GOULDEN. What is the amount of personal property in the District subject to taxation as returned by the assessors?
Mr. GEORGE. I can not answer the gentleman.
Mr. GOULDEN. Approximately?
Mr. GEORGE. I can not tell.
Mr. GRAHAM of Illinois. The gentleman from Iowa [Mr. PROUTY] said about $100,000,000.
Mr. LEVY. Will the gentleman from New York yield?
Mr. GEORGE. Yes.
Mr. LEVY. I would like to know the difference between these two bills. Your bill is to levy taxes by a budget, with the Government supplying its share. The other bill is to make a rate of 1½ per cent on a full valuation, which may amount to many millions more than would be the needs of the District. Is that it?
Mr. GEORGE. That is, so far as described, correct. But in addition the majority tax various kinds of personal property, while the minority tax only tangible property.
Mr. LEVY. Does the bill reported by the majority do away with what the Government is supposed to pay as its half?
Mr. GEORGE. I think it intends to effect that result.
Mr. LEVY. If the rate was fixed at 1½ per cent on real estate and all kinds of personal property, it might raise millions more than the District needed.
Mr. GEORGE. Yes; it might make unnecessary any contribution from the Government.
Mr. LEVY. And indirectly that might repeal the half-and-half principle?
Mr. GEORGE. Yes. Mr. Chairman, I reserve the remainder of my time.
Mr. CROSSER. Mr. Chairman and gentlemen of the committee, it is disappointing to me indeed to have to differ from my good friend the distinguished chairman of the Committee on the District of Columbia, and it is only because of strong conviction that I do so. I think the discussion up to the present time has not taken just the course it should have taken. I would first call the attention of the House to the title of the bill. It says, "A bill relating to the assessment for taxation of real estate in the District of Columbia." That is the purpose of the bill. That is all that this minority bill, either when it was introduced or to-day, proposes to do—provide for the assess-

ment of real estate in the District of Columbia for the purpose of taxation.

Now, we have heard discussed everything under the sun, it seems to me, except this question of assessment of real estate. Lines 3 and 4 in the substitute bill, H. R. 14891, which we have offered, says: "All real estate in the District of Columbia subject to taxation shall hereafter be assessed annually at its true value." The important thing there is that it shall be assessed annually and at its true value. Heretofore real estate has only been assessed at two-thirds of its value, and sometimes a good deal less.

We have had a very illuminating discussion by Judge PROUTY to the effect that heretofore valuable property—real estate of a speculative character—has been on the roll at anywhere from 20 to 30, 35 and 40 per cent of its true value, and that therefore it ought to be assessed at its true value in money. To all of that I agree, and every Member who signs this minority report agrees. There is no dispute about that; but that, my friends, is everything that was attempted by the original George bill. There has been something said in regard to leaving personal property by the terms of the original bill at the old fixed rate of $1.50. That was provided in the second bill introduced by Mr. GEORGE. The only reason for doing so was in order to bring all of the members of the committee together on one proposition, if possible. I suggested at the time the difficulty in which we would find ourselves in leaving the fixed rate on personal property, and accordingly when we found ourselves unable to agree with the majority of the committee we have specifically stated on page 2 of the proposed substitute which we offer that the tax rate hereafter levied upon tangible personal property "now assessable" shall be the same as that fixed by the said commissioners, to be levied upon real estate as hereinafter provided. We make no change in the kinds, classes, or amounts of property to be hereafter assessed. That was necessary if we were to follow our own theory of this matter, and we therefore leave the kinds and classes of personal and real property just as they were and only provide for a full-value assessment and a uniform rate. It was necessary to provide that they should be taxed at the same rate, otherwise we might have, as the gentleman from Iowa [Mr. PROUTY] has said, a rate upon real estate that is 6 or 7 mills, while we would have 15 mills on personal property.

Mr. PROUTY. Mr. Chairman, will the gentleman yield?

Mr. CROSSER. Yes.

Mr. PROUTY. In the bill as it was reported to the committee, or as it came to the committee——

Mr. CROSSER. There were two bills which came to the committee.

Mr. PROUTY. In the one we acted upon there was no provision for the assessment of personal property at all.

Mr. CROSSER. No.

Mr. PROUTY. And there was no amendment offered by anyone on the gentleman's side in making that change in that bill.

Mr. CROSSER. I mentioned the fact at the time that personally, except for the desire to bring the committee to an agreement, I thought there ought to be provided that the rate should be the same on both classes of property.

Mr. PROUTY. And this bill you have later reported was drawn up after the majority report was signed?

Mr. CROSSER. Necessarily. We did not know what the majority might report.

Mr. PROUTY. The substitute bill itself.

Mr. CROSSER. But we reintroduced the old bill, and that is all there is to it.

Mr. PROUTY. But that was after the majority of the committee had reported?

Mr. CROSSER. Oh, yes. We were in the position of not knowing what the majority report was going to be, and necessarily could not make the minority report at that time.

Mr. PROUTY. The gentleman knew what the bill was going to be.

Mr. CROSSER. I am not sure about that.

Mr. PROUTY. The gentleman was present.

Mr. CROSSER. Yes; I knew what was reported at the meeting.

Mr. PROUTY. But the gentleman did not suppose I would report anything that was not agreed to at the meeting.

Mr. CROSSER. Oh, no; but the gentleman made some reference to the fact that we did not make a report at that meeting.

Mr. PROUTY. You never submitted a minority report to the committee.

Mr. CROSSER. No; but our views had been discussed fully before the committee.

Mr. PROUTY. The gentleman offered no amendment incorporating it into the bill.

Mr. CROSSER. Oh, yes; I think we did. I would not be certain about that; but I think I offered an amendment myself. I will not be certain about it; but in any event that is neither here nor there. We are not discussing what possible inconsistencies there might have been at one time or another during the deliberations of the committee, what poor skill the minority may have shown in the dispute. That is not the point. But we are trying to ascertain now what is the best thing to do, and we have submitted in the minority report a bill which we think carries into effect the principles we had in mind. That bill provides for a full valuation of real estate in the District of Columbia, and provides further that instead of having a fixed, rigid, definite $1.50 rate, the rate hereafter shall be such as the commissioners may fix in order to procure the amount of revenue the District may be required by law to furnish.

Mr. PROUTY. The gentleman's bill even as now proposed does not intend or provide for the assessment at all of moneys and credits.

Mr. CROSSER. Absolutely not.

Mr. PROUTY. Will the gentleman give to the House his reasons why moneys and credits and that class of property should escape taxation?

Mr. CROSSER. If the gentleman will consider what I have said, he will see what is my position on that question. It is quite true, as the gentleman's question implies, that he and I would never agree. Perhaps never is a long while, but we would not agree to-day or next week upon the question as to what property ought to be subject to taxation; but we certainly can agree as to how such property as may be subject to taxation shall be valued for that purpose, and that is all this bill undertakes to do. If the gentleman desires to rearrange the system of taxation, a proposition which is not involved in this bill, why not introduce a bill for that purpose? Why not present it as a square issue to the House instead of trying to do it indirectly?

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. CROSSER. Yes.

Mr. GARNER. Why is it that all property in the District of Columbia should not be taxed?

Mr. CROSSER. That is exactly the same question as the gentleman from Iowa has just asked me.

Mr. GARNER. The gentleman said there might be same difference as to what property should be taxed and what not? Will the gentleman tell us what kind of property he believes should be taxed?

Mr. CROSSER. To answer the gentleman directly—although I think it is not germane to the discussion—I believe that men should be taxed according to the privilege they enjoy, rather than according to the energy they expend and enterprise they display.

Mr. GARNER. Then the gentleman does not believe in a property tax?

Mr. CROSSER. A property tax?

Mr. GARNER. I mean a personal-property tax.

Mr. CROSSER. I am frank to say I do not.

Mr. GORMAN. Will the gentleman yield for another question?

Mr. CROSSER. I will.

Mr. GORMAN. This bill is not drawn—the original George bill is not drawn—on the principle of the single tax?

Mr. CROSSER. Not at all.

Mr. GORMAN. And as far as the gentleman knows the principle of drawing it on the lines of the single tax did not enter into the mind of any member of the committee?

Mr. CROSSER. Absolutely not.

Mr. GORMAN. If the gentleman will permit one more suggestion, I rather think that from some statements which were made, both by Mr. PROUTY and Mr. GEORGE, that the Members here might get the impression that Judge PROUTY's amendment wipes out the single-tax theory in the bill and Mr. GEORGE's proposition seeks to inject it into this legislation, and, as far as I am concerned, I know that is not the fact about it.

Mr. CROSSER. Absolutely not.

Mr. GORMAN. I wanted to make that clear.

Mr. COOPER. Will the gentleman let me see if I state the proposition precisely——

Mr. CROSSER. Certainly.

Mr. COOPER. As originally intended by the bill which Mr. GEORGE originally introduced, the half-and-half principle was to be left undisturbed?

Mr. CROSSER. Absolutely.

Mr. COOPER. And the property was to be valued in full?
Mr. CROSSER. That is right.
Mr. COOPER. And then it was left to the commissioners to fix the rate that would be required under the law for the District to pay.
Mr. CROSSER. I thought I had made that clear.
Mr. COOPER. Of course the gentleman did make it clear, but there was question after question showing that some gentlemen did not seem to know what the gentleman was talking about.
Mr. MURDOCK. Will the gentleman yield? To make the statement of the gentleman from Wisconsin complete ought it not to be said also that the tax was to be levied on real estate alone?
Mr. CROSSER. Oh, no; let me continue for just a minute.
Mr. MAPES. Will the gentleman yield?
Mr. CROSSER. Yes.
Mr. MAPES. The rate to be assessed on real estate was to be on full cash value, and the George bill left undisturbed the tax on personal property and exempts everything except tangible personal property and $1.000 worth of household goods and personal apparel and ornaments.
Mr. CROSSER. I think I can answer both questions at the same time. The original George bill and the substitute bill which we have presented for the consideration of the House at the present time says this——
Mr. MURDOCK. Will the gentleman explain this——
Mr. CROSSER. Let me finish this, please. It says: "The tax rate hereafter levied upon tangible personal property now assessable." "Now assessable." I say we left that absolutely undisturbed. We neither added to the amount of personal property to be taxed nor diminished the amount of personal property to be taxed. We deliberately and purposely left it as it was, in order not to raise this question as to the kinds of property which should be taxed.
Mr. MURDOCK. Was that in the original George bill?
Mr. CROSSER. Yes, sir; that was in the original George bill.
Mr. HARDY. Will the gentleman yield just for a question or a suggestion? I want to see if I understand one proposition. If I understand it, the original George bill and the substitute that you now submit only affect the present law in the District of Columbia in two respects. One is, it provides for a full rendition, and the other is that it makes the commissioners adjust the rate in accordance to the conditions as they then appear.
Mr. CROSSER. Exactly so; the gentleman is exactly right.
Mr. IGOE. I think, in answer to the gentleman from Kansas, the gentleman made a statement he did not intend to make, and that is that the original George bill did include this personal-property assessment.
Mr. CROSSER. Well, I did not intend to say that.
Mr. IGOE. Whereas, as a matter of fact, the original George bill had to do only with the real estate and left personal property as it was under existing law to-day.
Mr. CROSSER. That is right.
Mr. IGOE. And the amended George bill which the minority offers fixes it for both real estate and personal property that is now taxed and provides a rate for both to be fixed by the commissioners passing upon it.
Mr. MURDOCK. And applying that law to personal property and taxing money, bonds, and so forth, of individuals.
Mr. CROSSER. It left it exactly as it was.
Mr. MURDOCK. You did not apply it to moneys, notes, bonds, and so forth?
Mr. CROSSER. We do not know what is included in the present law, and that is one reason we left it undisturbed.
Mr. IGOE. When the bill was up in the committee and the committee discussed the first bill, was not there stricken out of it every reference to personal-property assessment, so we would not get the thing confused?
Mr. CROSSER. Yes, sir.
Mr. IGOE. Has there been any investigation by which to determine what is a fair rate for a tax on money in bank or anything else?
Mr. CROSSER. There has never been any investigation whatever.
Mr. GARNER. The only difference between the bill you propose and that proposed by the majority of the committee is that the majority of the committee proposed to include all taxable property?
Mr. CROSSER. All taxable property?
Mr. GARNER. I mean that on all property they propose to make a specific rate of 15 mills. Now, then, if we would take away the proposition of 15 mills and adopt the adjustable rate, the only difference would be they would take property not now taxable and you would not.
Mr. CROSSER. That would include a lot of things I do not know anything about. I do not know anything about the propriety of taxing certain personal property at all. I know, of course, what property I would tax. I do not know, however, if you undertake to tax all kinds of property, that this rate would be right or that there should be a different rate.
I wish to return to the original proposition, which seems to be somewhat hazy in spite of the able effort of my friend to make it clear, and that is that the purpose of this bill is just as is stated in its title, "the assessment for taxation of real estate in the District of Columbia." It is perfectly apparent from the discussion that we might not be able to agree on any plan or any rule as to what property should be taxed or what should not be taxed, but there are not two men in this House who would disagree on the proposition that all property that is to be taxed should be taxed according to its full value, and that is what we are doing. The gentleman from Iowa [Mr. PROUTY] became quite dramatic and indignant as he stamped about and discussed the half-and-half proposition. The gentleman must not forget, however, that I was one of the members of the committee who voted to repeal the half-and-half law. I am with him on that proposition, but what has that to do with this bill? Will he tell me? That bill is now on the calendar, the second on the page, can be reached at any minute that the gentleman from Iowa [Mr. PROUTY] is inclined to call it up, and it specifically provides for the repeal of the half-and-half plan. Why should your committee——
Mr. PROUTY. Will the gentleman allow me to answer?
Mr. CROSSER. I will be glad to do so.
Mr. PROUTY. The gentleman knows that the bill was introduced and is in charge of a gentleman who has been away because of sickness from this House, and it would be a discourteous thing for me to call it up in his absence.
Mr. CROSSER. Does the gentleman say that that is the reason he has not brought up the Crisp bill? If so, why are you trying to do indirectly what you are not willing to do directly? Would it not be fully as indelicate to the gentleman from Georgia to accomplish the same thing by an amendment to this bill as it would be to have called the bill up directly? Is it not a finespun sort of propriety—without meaning that in a derogatory sense—to inflict indirectly upon the gentleman from Georgia a discourtesy which you do not wish to commit directly?
Mr. PROUTY. I have not offered any bill.
Mr. CROSSER. I am ready to report any bill of that kind that the gentleman will report.
Mr. PROUTY. I am asking that the property shall be assessed in the District of Columbia the same as it is assesssed elsewhere, honestly, the same as every other kind of property, and then let the chips fall where they will.
Mr. CROSSER. Why, then, do you not introduce a bill for that specific purpose instead of forcing it into a bill providing for assessment?
Mr. PROUTY. I might——
Mr. CROSSER. You might bring into this bill an amendment providing against the intermarriage of the races, too, but I do not see what that would have to do with the assessment of property for taxation. Why do you not bring up the Crisp bill? I would vote for it, and I do not think I would be offering any offense to the gentleman from Georgia [Mr. CRISP] by doing so. The truth is that the merits of this bill as originally drawn, and as proposed in this substitute, are so manifest that you know every Member of the House would vote for it; and you know that they would have some hesitancy about voting against the bill even with your amendment, which, in effect, repeals the half-and-half law. That is the truth about it, is it not?
Mr. PROUTY. If you put that question for an answer, I will say "No." I have not even suggested in my bill the rate of taxation.
Mr. CROSSER. Oh, no. It was not necessary to suggest it.
Mr. PROUTY. I said that all property should be assessed the same.
Mr. CROSSER. It was not necessary to suggest it. If you leave the rate of taxation at $1.50, as definitely and rigidly fixed by law, and double the property value the result will be inevitable. You will get almost revenue enough to operate the government of the District of Columbia without any contribution from the General Government. If that is your purpose, why not come to a straight out-and-out fight on the proposition?
Mr. PROUTY. I thought it was straight enough. Suppose your plan was adopted and you assess real estate on the plan

of $744,000,000, have you done any figuring to ascertain how much of a levy the District Commissioners would have to put on the property?

Mr. CROSSER. I have not figured it out exactly.

Mr. PROUTY. You know it would not take more than 7 mills, do you not?

Mr. CROSSER. I think it would take more than that to raise the entire amount necessary.

Mr. PROUTY. The seven millions?

Mr. CROSSER. I do not know. I will ask the gentleman if he has figured it out. I have not figured that for the simple reason that I do not consider that question to be involved in the original purpose of this bill. That is the reason I have not calculated it. If I had introduced the bill, as amended by the majority, I would have figured it out.

Mr. PROUTY. What I am trying to get at is this: You and I on most things agree——

Mr. CROSSER. I think we do.

Mr. PROUTY. But suppose your bill was adopted and there was $744,000,000 of real estate, according to the report of the committee of which Mr. GEORGE is chairman, and there was over $2,000,000 to be raised by other sources, leaving practically less than $5,000,000 to be raised by taxation upon real estate, and there are $744,000,000 to raise it on, what would the levy on it be?

Mr. CROSSER. You simply put the same question in a different way. You want to know if your calculations are correct. I have not figured it so as to know.

Mr. PROUTY. You can figure that on your feet pretty nearly, could you not?

Mr. CROSSER. Not exactly. At any rate, I shall not bother doing so.

Mr. PROUTY. Seven mills would do it.

Mr. CROSSER. If you say so, I will agree that it might.

Mr. PROUTY. Seven and a half would.

Mr. CROSSER. We two differ in opinions, but I do not doubt the gentleman's veracity or motives.

Mr. PROUTY. Here is the question I wanted you to get: Are you willing to vote for a law that would require real estate in the District of Columbia to be assessed at only 7 or 7½ mills on the dollar while the average rate in the United States of similar cities is 19 mills? That is the question before this House.

Mr. CROSSER. The gentleman is evidently mistaken as to the question before the House. I will say to the gentleman from Iowa, that he can not divert me into the discussion of a question which I do not consider pertinent to the issue. If I were considering the question of taxation and determining what the rate should be, we might agree. But this is not a bill providing for a system of taxation at all, and the gentleman knows it. The bill says specifically in the title "A bill relating to the assessment for taxation of real estate in the District of Columbia." You can not find anything in the bill which provides for anything else than the valuation of the property in the District of Columbia. If you ask me what I would do as to establishing a system of taxation I would say that that is entirely outside the range of this discussion. It is not germane.

Mr. PROUTY. Let me ask the gentleman another question.

Mr. CROSSER. Yes.

Mr. PROUTY. Is not the bill, as you have it now, subject to the very criticism you make? You have in your amended bill a declaration that the real estate should be assessed the same. The title of the bill indicates that real estate only shall be taxed.

Mr. CROSSER. I will answer that. If we provide that property, real or personal, shall be taxed at its true value in money, it is perfectly evident that we can not leave a fixed rate and not get too much or too little. In other words, it has always seemed to me to be an unsound proposition to have a fixed rate and then according to your needs, if the revenue derived is too great or too little, increase or reduce the assessment accordingly. You have put the cart before the horse. The proper thing to do is to find out the true value of the property and then levy your rate according to your requirements. There is no logic or reason for fixing the rate of taxation and then adjusting your assessment in order to meet the requirements. You know yourself that if you put a true valuation on property and leave this old fixed rate in effect you will have more money than the District government needs. We would not even have used the word "taxation" in the bill except for the fact that you must provide for an adjustable rate if you assess property at its full value. You must provide for a fluctuating rate in order to get the desired amount of revenue to run your District government. Otherwise we would not have said in the bill "repeal the fixed $1.50 rate and substitute a rate provided by the District Commissioners according to their needs."

It will be perfectly manifest to a man who will think twice about it that if you have a full valuation that practically doubles the rate, your $1.50 rate would be too much unless the half-and-half law is repealed.

But to show that we are not at all wedded to the half-and-half principle, to show in addition to our willingness to vote for the repeal of the half-and-half law we have shown our fairness, we have shown that we have only one thing in mind and that is fairness to both the Federal Government and to the people of the District in the matter of taxation. We say in section 2 of the bill—

> That upon the assessed value of all real estate the Commissioners of the District of Columbia shall hereafter annually levy a tax of such per centum as shall, with other revenues of said District, be sufficient to pay the portion to be borne by the District—

And so forth.

"The portion to be borne by the District" might be all, it might be half, it might be a quarter, or any other part. We deliberately used that language so as to make it fit any plan which Congress might hereafter decide upon, so that we are not any more solicitous about these people in the District of Columbia than is the gentleman from Iowa [Mr. PROUTY]; not a bit. But we recognize the fact that there is just one way to legislate successfully. There is just one way to get a great body of men together on propositions, and that is to take up one thing at a time. We know that every fair-minded man in this House or in this Congress would be with us as to a full valuation of the property which is subject to taxation, but when we come to the second question, which was not originally contemplated by this bill, namely, "What property would be subject to taxation?" we know that there would be almost as many different opinions as there are men in the House; and we think it is not fair, we think it is not right to propose a new system of taxation by an amendment to a bill which provides merely for the assessment of property for taxation.

Oh, the gentleman says, in effect, that he is the real hero, that he has stood against the assaults of these gentlemen in the press gallery, representing these vicious newspapers which are published in the District of Columbia, and he shows us the scars on his face and the wounds on his body which he has received in his manful fight for the people of the country at large. O Judge PROUTY, do not try to deceive yourself or us. [Laughter.] You know as well as I that if we wanted to do the easy thing, if we wanted to do the thing which would at first blush please our constituents, we would just shovel what you have offered into this bill. We know that you or I would be able to go out to your constituents in Iowa or mine in Ohio and say, "I have made a noble fight against these blasted fellows in the gallery here and their papers, against this robbery which they have been committing on us for lo! these many years." You know that that is much more easy to argue than to stand up here and say, "Leave that question alone until we come to it"; a great deal simpler. So, Judge, do not make yourself out too much of a martyr. [Laughter.]

Now, I simply want to restate in a few sentences what I deem to be the real purpose of this bill. Take either the bill which Mr. GEORGE originally introduced or take the bill which we offer now as a substitute and you will find that the real and only purpose is to provide a method, first, for a full-value assessment, and then to provide the machinery which will obtain a full assessment of real estate in the District of Columbia. That and that alone is all that is involved in this bill. Anything else is an attempt to repeal the half-and-half law, which I am perfectly willing to do if you will bring it directly to an issue, although I know that there will be many men who will disagree with us. On that question I am with Judge PROUTY, but I do not believe in doing a thing indirectly which I can not do or am afraid to try to do directly.

Mr. MURDOCK. Will the gentleman yield?

Mr. CROSSER. Yes.

Mr. MURDOCK. Does the gentleman mean to say that if the half-and-half plan is included in this bill it will put this bill in jeopardy in any way? Will it embarrass this bill?

Mr. CROSSER. I will answer the question put to me by asking another question. Do you not think it is strange that there has been a bill on the calendar here since last December providing specifically for the repeal of the half-and-half plan, and that it has never been called up? Is not that a sufficient answer?

Mr. MURDOCK. No; I do not believe it is. The gentleman from Iowa [Mr. PROUTY] says it is because of the absence of a member of the committee who is entitled to be heard on it.

Mr. CROSSER. I have never heard him offer that reason until to-day, and I would say that the gentleman referred to as being absent is not a member of the committee at all. I have already discussed the question of discourtesy to the gentleman from Georgia, which was suggested by the gentleman from Iowa as his reason for not calling up the bill.

Mr. MURDOCK. I wish the gentleman would answer my question. Is the bill embarrassed or put in jeopardy by the inclusion of the repeal of the half-and-half principle?

Mr. CROSSER. Certainly it is.

Mr. MURDOCK. Why?

Mr. CROSSER. You know there are men here who believe in the taxation of some kinds of property, but not all. I do not myself believe in taxing all kinds of property. I do not agree exactly with the gentleman from Kansas on the question as to what should be taxed. There are a great many men who do not agree with every one of us, but there is no man who seriously disagrees on the proposition that property which is subject to taxation should be taxed at its full value, is there?

Mr. MURDOCK. No; I do not think there is.

Mr. CROSSER. So that this constitutes the difficulty, this attempt to connect a very doubtful proposition—not one that is wrong but one that would be very doubtful of success on its own feet.

Mr. MURDOCK. Does the gentleman think if the bill is kept on its own feet as it is it will have a better chance of passing the Senate and House than it will with the repeal of the half-and-half plan included?

Mr. CROSSER. Unquestionably.

Mr. MURDOCK. Is that the reason the gentleman is opposing the inclusion of the half-and-half plan?

Mr. CROSSER. That is my chief reason. Of course, I would very much like to support another bill afterwards, providing for a new system of taxation; but why should a bill which is introduced for a particular and specific purpose be burdened with other things upon which there are all kinds of opinion? Do you think it is a fair way to legislate? Is it consistent with the theory of the gentleman from Kansas as to the schedule-by-schedule revision of the tariff? Do you think it is the proper way to legislate?

Mr. MURDOCK. If the amendment was not germane, it could not get into the bill under the rules of the House.

Mr. CROSSER. I doubt very much whether or not it is germane; but if we had succeeded in ruling it out it would have been a very simple matter to reintroduce the bill as amended by the committee, so that it would have been useless to raise that question and merely delay the decision of this issue. I do not think, however, that the amendment is germane.

Mr. PROUTY. Will the gentleman allow me to interrupt him right there?

Mr. CROSSER. Yes.

Mr. PROUTY. If the bill as introduced by the gentleman from New York [Mr. GEORGE] had passed this House and there had been no further legislation, we would have had the anomaly of a rate of 7 or 8 mills on real estate and a rate of 15 mills on personal property.

Mr. CROSSER. I have already answered that. I have already stated that I did not approve of that feature of the original bill. I felt that that difficulty should be corrected before reporting the bill. In other words, I think the tax rate should be the same on both real and such personal property as is subject to taxation.

Mr. PROUTY. Will the gentleman let me ask him, since he has spoken of confidential matters——

Mr. CROSSER. There were no confidential matters referred to by me.

Mr. PROUTY. Did not the gentleman propose in committee that if we would allow real estate and personal property to be assessed at the same rate he would yield on other questions?

Mr. CROSSER. I think not. What you wanted to do was to introduce other matters.

Mr. PAYNE. Will the gentleman from Ohio yield?

Mr. CROSSER. Yes.

Mr. PAYNE. As I understand, the District appropriation bill passed the House with an amendment in it that did away with the half-and-half principle, as far as that bill was concerned, and proposed that the appropriations be paid out of the District funds.

Mr. CROSSER. I do not think that is correct.

Mr. BORLAND. If the gentleman from Ohio will allow me, the gentleman from New York is not quite right about that.

Mr. PAYNE. What was the proposition?

Mr. BORLAND. With the permission of the gentleman from Ohio, the proposition in the District of Columbia appropriation bill was that if the District raised $7,000,000, and we doubled it and raised another $7,000,000 out of the Federal Treasury, that would be $14,000,000; that if we elected to spend twelve million and a half dollars, as we did, that would leave one million and a half undisposed of. Now, the proposition in the District bill was that that should be a credit to Uncle Sam.

Mr. PAYNE. Yes; and the half-and-half principle was amended to that extent.

Mr. BORLAND. Yes.

Mr. PAYNE. Has not the Senate passed the bill with that amendment stricken out, restoring it to the old half-and-half system?

Mr. CROSSER. Yes.

Mr. PAYNE. I understand the gentleman's position is that while he is for the George bill, he is opposed to putting this amendment on it making it a stalking-horse, for fear it will not get through the Senate if it gets through the House?

Mr. CROSSER. That is correct.

Mr. PAYNE. Because there has been some criticism of the way it got through the House, even with that on it. It may satisfy the gentleman from Kansas.

Mr. MURDOCK. My experience leads me to believe that the time to get a thing is when the opportunity offers.

Mr. PAYNE. Yes; the gentleman often goes for that and gets nothing.

Mr. BORLAND. Will the gentleman from Ohio yield?

Mr. CROSSER. Yes.

Mr. BORLAND. Does not the gentleman's experience on the District Committee convince him that any attempt to reform the tax laws of the District of Columbia and make private property pay a fair proportion, as it is paying in other cities of the United States, will eventually and inevitably lead to the abolition of the half-and-half principle?

Mr. CROSSER. I think so; and I am anxious to do it.

Mr. BORLAND. Based on the principle that under the half-and-half proposition private property must be underassessed.

Mr. CROSSER. Of course private property is underassessed, and that is the reason for the bill being before the House.

Mr. BORLAND. If private property was to pay a fair assessment or a rate commensurate with that paid in other cities, if the half-and-half principle were continued, would not it raise a great deal more money than we ought to spend?

Mr. CROSSER. Unquestionably so; we would have a great deal more money than we would need.

Mr. PAGE of North Carolina. Will the gentleman from Ohio yield to me to ask a question of the gentleman from New York?

Mr. CROSSER. Certainly.

Mr. PAGE of North Carolina. Did I understand the gentleman from New York to say that there was some criticism of how section 8 in the District of Columbia appropriation bill went through the House?

Mr. PAYNE. Yes; I have heard some criticism. I was called out at the time the amendment was offered, and the gentleman from Wyoming [Mr. MONDELL] was called out, and the amendment was put through during our absence.

Mr. PAGE of North Carolina. Then the criticism is against the gentleman from New York and the gentleman from Wyoming.

Mr. PAYNE. I did not put it on the gentleman from North Carolina. If there is any criticism for being called out, the criticism is on me.

Mr. PAGE of North Carolina. I wanted to place the criticism where it belonged.

Mr. PAYNE. I want to exonerate the gentleman from North Carolina, but it was put in at the moment when the gentleman from Wyoming and I were out of the House. If we had been here and we had any legislation on the subject, it would not have been in an illegitimate way, but would come from the District Committee, where there would be ample time to get at the merits of the proposition and know what it was, and it would not be on an appropriation bill, as it was against the rules of the House.

Mr. PAGE of North Carolina. As I say, I simply wanted to place the responsibility.

Mr. PAYNE. And I am going to place some more responsibility. If there is any criticism to be made, it is on the gentleman who had charge of the bill, the gentleman from North Carolina, who, in violation of the rules of the House, offered that amendment here in the House.

Mr. PAGE of North Carolina. The criticism on the gentleman from North Carolina might be made of gentlemen in charge of every appropriation bill reported to the House.

Mr. PAYNE. It is subject to criticism, whether the gentleman from North Carolina does it or a gentleman from any other committee.

Mr. CROSSER. Mr. Chairman, I intended to read the law in regard to the tax rate in the District of Columbia. It provides:

That hereafter all real estate in the District of Columbia subject to taxation, including improvements thereon, shall be assessed at not less than two-thirds of the true value, and shall be taxed 1½ per cent on the assessed valuation.

It does not say not less than nor more than, but it is a positive injunction to tax it 1½ per cent. Who in the wide world ever heard of such a ridiculous, illogical plan of raising revenue; fixing definitely the rate of taxation, not taking into consideration what total amount of revenue might be needed, but simply saying that it shall be a certain rate, which necessarily means that they must regulate the assessment value according to the needs of the Government?

Mr. PROUTY. Mr. Chairman, will the gentleman yield?

Mr. CROSSER. Yes.

Mr. PROUTY. While that law reads not less than two-thirds, it has been construed by the assessment department here as meaning two-thirds.

Mr. CROSSER. But what I had particular reference to was this clause in the law which says that the rate shall be $1.50.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. CROSSER. Yes.

Mr. COOPER. Let me see if I understand the gentleman's objection to the legislation proposed by the majority of the committee. If the valuation is to be full valuation, then, knowing the requirements of the District, which may vary, the rate will vary from year to year, and if you fix the rate at $1.50 arbitrarily, then you may get more than you need or less than you need.

Mr. CROSSER. Yes.

Mr. COOPER. But it ought not to be fixed by statute.

Mr. CROSSER. Certainly not.

Mr. COOPER. It is not anywhere else that I ever heard of. You get the full valuation assessed, and then you estimate what is needed, and that determines what your rate is to be. The rate ought not to be fixed by statute.

Mr. CROSSER. The rate ought not to be fixed by statute.

Mr. LENROOT. Will the gentleman yield?

Mr. CROSSER. Yes.

Mr. LENROOT. Does the gentleman think it any more arbitrary to have the rate fixed for assessment than it is to say that the Government shall pay one-half the expense of running the District?

Mr. CROSSER. Yes; I think it is, for this simple reason, that it would require a readjustment, a reassessment, each year. Of course such a system makes impossible a true-value assessment. I have explained that repeatedly, and I have also tried to emphasize the fact that I do not believe in the half-and-half plan; but why do gentlemen try to inject the half-and-half question into a bill that has nothing to do with it, when there is a bill, which was reported on the 17th day of December, specifically providing for a repeal of the half-and-half plan?

Mr. COOPER. Who is the gentleman from Georgia that is referred to as being sick?

Mr. CROSSER. Mr. CRISP. It is said that he may not be back here again this session, but is that any reason why we should delay legislation of this kind?

Mr. BORLAND. I thought the gentleman admitted that any reform in the tax law would necessarily be an attack on the half-and-half principle.

Mr. CROSSER. The gentleman means assessing the property at its true value?

Mr. BORLAND. Yes.

Mr. CROSSER. Unquestionably it will work to the end of changing the half-and-half principle, and I hope it does.

Mr. BORLAND. And so do I.

Mr. CROSSER. The gentleman hopes it does, but does the gentleman not think it would be much better to accomplish that purpose independently and directly?

Mr. BORLAND. No; I think it is all right for us to go ahead and pass these laws bringing property up to its true valuation and proper assessment, and let the half-and-half plan be abolished by the natural consequence of that act.

Mr. CROSSER. Would it not have been a very simple matter to go about it directly? I had not heard about this exceeding concern for the feelings of the gentleman from Georgia [Mr. CRISP] until to-day, but if that had been the fact would it not have been a simple matter to introduce a bill and report it out, because we had the votes to do it, providing for a repeal of the half-and-half plan and leave Mr. CRISP's bill on the calendar?

Mr. BORLAND. But something must be put in its place.

Mr. CROSSER. Is the gentleman putting anything in its place?

Mr. BORLAND. The argument has always been made against the Crisp bill that it does not propose any substantive remedy.

Mr. CROSSER. This amendment proposes, in effect, as the gentleman will concede, to repeal the half-and-half principle. That is the real purpose of it, and the gentleman knows that as well as I do.

Mr. BORLAND. Yes.

Mr. CROSSER. But why not do it directly? Why not strike out all this other portion and make it a bill to repeal the half-and-half principle? The gentleman knows and I know that gentlemen would disagree on this half-and-half proposition, whereas they would not disagree about the other proposition.

Mr. BORLAND. I call the gentleman's attention to the fact that the Crisp bill was objected to on the ground that it was a simple repeal of the half-and-half principle, without providing the necessary machinery to carry on the taxes.

Mr. CROSSER. We are not providing it here; that is not the objection.

Mr. BORLAND. That is it.

Mr. CROSSER. We specifically say that hereafter property shall be assessed at its true value. The gentleman from Iowa said during the discussion in the committee that by raising so much revenue through the $1.50 rate on the full value the result would be inevitably to repeal the half-and-half law. I think he is right. I think the substitute bill which we offer procures exactly the same result. Assess the property at its full value and then fix the tax rate so as to procure the District's share of the revenue necessary to operate the District of Columbia government.

If this rate is so low that it seems ridiculous in comparison with the rate in other cities, the inevitable result will be the repeal of the half-and-half law. I think it would be much the stronger argument for the repeal of the half-and-half to show that the District of Columbia will only pay 6 or 7 mills, as the gentleman from Iowa says. Certainly it would be equally as strong at least as the other. If by retaining the $1.50 rate and assessing property at its full value, the District gets a large amount of revenue, much more than it is at present required to contribute toward the expense of its government, such surplus would constitute no more convincing argument for the repeal of the half-and-half law than would the low tax rate which would result from the operation of the plan we propose. I do not think there is any more argument for the repeal of the half and half in the fact that you will have a great deal more money than the District's share by reason of the dollar-and-a-half rate on full valuation; certainly not any more than if the fact appears that it requires a very low rate on a full valuation. If a very low rate prevails, Congress will see the injustice to the Federal Government and repeal it.

Mr. LENROOT. Will the gentleman permit me to interrupt him?

Mr. CROSSER. Certainly.

Mr. LENROOT. I do not want the gentleman to think by my question I am opposed to his position; I will probably vote for a substitute, but I want to ask the gentleman if the committee, both the majority and the minority, had confined this bill to assessment of property alone, leaving out the question of rate, whether the gentleman's committee would not have reported unanimously a bill?

Mr. CROSSER. No; here is the situation in that respect. If we had reported a bill providing for the full valuation of property for the purpose of assessment and had left the rate just as it is, we would have had much more revenue than the District is required by law to contribute.

Mr. LENROOT. Would not that have forced action in any bill taking care of that phase of the question?

Mr. CROSSER. We offered to do that. I say that I am ready to vote for a bill of that kind. Now, the gentleman from Wisconsin can easily see that there will be a great dispute on one question and there will not be on the other. We all agree as to what should be done as to the matter of assessment, and therefore that could be done now. That much can be done, whatever else we can not agree upon. What we can not agree upon can be incorporated in a separate bill and debated, and if

it must fail for some reason or another, some of us will regret that fact, but let us not defeat both propositions because some gentlemen insist upon the all-or-nothing policy. The gentleman from Iowa refers to the gentleman from New York as a conservative, scholarly gentleman. That may all be, but I do not think the gentleman from Iowa will claim to be any more radical than I am in regard to the half-and-half idea; but I know that that full-assessment proposition will succeed alone, while it can not succeed if joined with a proposal to repeal the half-and-half.

Mr. COOPER. Mr. Chairman, does the gentleman know what relation Mr. CRISP has especially to the bill which has been reported? Is he the one who introduced it?

Mr. CROSSER. He simply introduced it. He is not on the committee—has no connection with the committee. I never knew until to-day that there was any concern about Mr. CRISP's possibly feeling offended about the bill being taken up in his absence.

Mr. COOPER. He is not a member of the committee?

Mr. CROSSER. He is not a member of the committee. He made an argument on this bill in the House some time ago.

Mr. COOPER. Some months ago?

Mr. CROSSER. On the 7th day of December, if I remember rightly. The gentleman from Georgia could have no reason to be offended, but the gentleman from Iowa himself has said that he did not think it would pass; that is, the Crisp bill. I think he made that statement.

I am not absolutely certain about his having made the statement, but that is my impression. I may be mistaken. But, in any event, the gentleman, who is so much concerned about the repeal of the half and half, has only to come into the House on any District day and call up the bill introduced by the gentleman from Georgia [Mr. CRISP] and settle the question for all time one way or another. I will vote with him. I voted with him in the committee, so that he need not be in the least concerned as to my position on that question.

Mr. COOPER. And, in that event, Mr. CRISP would still have the honor of being the author of the bill?

Mr. CROSSER. Would still have the honor of being the author of the bill and of having advocated its passage. And for myself, I can not see any possible injury to the feelings of Mr. CRISP nor any impropriety in such procedure.

Mr. JOHNSON of Kentucky. Mr. Chairman, if the committee will indulge me for a few minutes, I think some gentlemen who have come in and gone out during the progress of this debate may get the whole situation in a nutshell. The gentleman from New York [Mr. GEORGE] introduced a bill which looked to the taxation of real estate only. Section 2 of his bill was objectionable to those of us who desire to tax other property and to tax it all at the same rate. To accomplish that, section 2 in the original George bill had to be amended. The amendment, in substance, was that real estate should be taxed on its full value and at the same rate that personal property is taxed. Upon that question the committee split. Those whose philosophy it is to advocate the "single tax" left the majority of the committee on that proposition.

Mr. IGOE. Will the gentleman yield? You do not mean to say that all of them did.

Mr. JOHNSON of Kentucky. If the gentleman had indulged me just one moment longer, I would have gotten to him.

The majority of the committee, in striking out section 2 of the original George bill and inserting a new section 2 in lieu thereof, also made a provision for the taxation of intangible personal property, such as stocks, bonds, and credits. Two or three of the committee who are opposed to the "single tax" were opposed to the taxing of intangible property. At every meeting of the committee, no matter how many were present, those who were in favor of taxing real estate, tangible personal property, and intangible personal property were always in the majority. Those who favor the substitute which is offered are those who were not in favor of taxing tangible property at all and those who are opposed to taxing intangible property.

Mr. IGOE. I am in a class by myself, I think, Mr. Chairman. I voted with the committee to tax all intangible property, but I opposed the fixed rate. That is where we differed.

Mr. JOHNSON of Kentucky. The trouble that first arose in the committee over the matter was that the original George bill, under section 2, fixed a flexible rate of taxation, a rate to be fixed by the commissioners. While we were debating that and while we had it under consideration in the committee Mr. Siddons, one of the Commissioners of the District of Columbia, made a speech down here before some organization, in which he stated that if the flexible rate was to raise more revenue than is now being raised he would oppose it. Secondly, he advocated such a flexible rate as would keep down the rate upon real estate. As I started to say in the beginning, the main difference first arose between those of us who favored taxing all kinds of property and those who favored taxing real estate only. Then, when section 2 of the original George bill was stricken out and section 2 of the bill as it now stands, or, at least, as it was reported to the House, was inserted, making provision to tax all kinds of personal property, both tangible and intangible, more recruits were gotten for the substitute which has now been reported by a minority of the committee. The gentleman from Missouri [Mr. IGOE] is in favor of a flexible rate, and upon that he has left the majority. But just as I said in a speech upon this question two weeks ago, I, too, would be for a flexible rate if it were in a city paying all of its expenses. Then I illustrated, for example, that if the city of Baltimore or the city of St. Louis, or any other city, had before it the proposition that the mayor of the city, or those who represented the city, or the city council, had the fixing of a rate which they knew would not meet the expenses of the city, and when those expenses were not met the Federal Government would go into its pocket and pay out the difference, it is an absolute, positive certainty that the levy would be insufficient.

Mr. IGOE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. IGOE. I understand the position of the chairman of the committee to be this: He believes that enough money can be raised to run the affairs of the District of Columbia without any contribution from the Federal Government under the bill which is proposed?

Mr. JOHNSON of Kentucky. I have never expressed any view on the subject.

Mr. IGOE. Judge PROUTY so expressed himself. Now, is it not unfair to the people of the District not to give them any representation, but to go out and say the rate shall be $1.50 or $1.75? Is that not taxation without representation?

Mr. JOHNSON of Kentucky. I think it is perfectly fair to the District of Columbia to have a fixed rate as long as that fixed rate, as shown by the table which now stands here confronting us, is less than the average rate which prevails in cities of the Union of like size.

Mr. IGOE. Well, suppose they wanted to spend more or spend less?

Mr. JOHNSON of Kentucky. The gentleman must remember that the act of 1878 provides that the amount raised from taxation and from the Federal contribution is not to be expended except for such items as Congress approves.

Now, then, when the District of Columbia has been undertaxed, according to the rate which is now fixed and for which no change is contended by us, when the revenues of the District of Columbia and that part contributed by the Federal Government will more than meet the demands of the city, you have a balance left upon your hands. Then what are you going to do with it? That is a question that will arise hereafter. But the fundamental principle is that the District of Columbia shall be taxed $1.50 a hundred, which is less than the average rate for other cities.

The Federal Government contributes only for the purpose of paying for such items as are approved by Congress. The more money you have, I apprehend, the more items Congress will approve. But just as Judge PROUTY expressed it, tax the District of Columbia equitably, and then if that does not quite pay her needs, then I say let the Federal Government, because this is the National Capital, go into its Treasury and pay the difference. I do not believe that the people of the District of Columbia should be deliberately underassessed in order that the people out in the States may have to be additionally taxed in order to meet the deficiency caused by the underassessment of the people here. [Applause.]

The gentleman from New York [Mr. GEORGE] and the gentleman from Ohio [Mr. CROSSER] stand here in fear and trembling lest this bill will do what they say they want done—that is, repeal the half-and-half plan. To me that is a most anomalous and peculiar attitude to take. They want it done, and yet they are here in fear and trembling, I say, out of apprehension lest the passage of this bill will accomplish what they want.

I believe that those who have been present throughout the entire discussion of this matter understand the real issues between the majority and the minority of this committee. To make it short again, the question of "single taxation" is what first arose in the committee to split it. Then the additional question of whether intangible property should be taxed was an additional splitting wedge. But for both of these propositions the majority of the committee stand and have reported a bill to this House imposing an equitable and uniform rate of

taxation upon real estate, tangible personal property, and intangible property, such as stocks and bonds and other evidences of indebtedness.

THE SINGLE TAX.

Mr. GEORGE. Mr. Chairman, to refer to what the gentleman from Kentucky has just said, I did not think that "single taxation" had any material part in the affairs of the District Committee at any time. There were but two believers in the single-tax idea who were active in these committee taxation matters—Mr. CROSSER, of Ohio, and myself. I twice took occasion to define the meaning of the single tax in order to make clear to the members of the committee who were not prepared to vote on that question that it was not involved in the bill I had drawn or in the position I was taking. And neither then nor later did any question arising in the committee or any vote taken there turn on the single tax. More than one year before the George bill was brought into the committee, and when the committee of the Sixty-second Congress was engaged in the inquiry into assessment and taxation matters, the Chairman of the committee, Mr. JOHNSON of Kentucky, asked me not to introduce that question into the report on which at that time I was working with his knowledge and approval, and with the knowledge and approval of the whole committee. I assured the chairman that since the committee had not included the application of the single tax in the scope of its inquiry I did not think that I as one member had the right to use the report as a place to promote or expound that doctrine.

Mr. JOHNSON of Kentucky. If the gentleman will pardon me just a minute, he is bound to know that my request to him not to inject the single-tax method into any of this controversy was because I believed that no such thing was necessary. The gentleman in the Sixty-second Congress prepared a report that is going to stand here as a valuable piece of work for many years yet to come. He and I both agreed then, and we agree now, that real estate in the District of Columbia is underassessed. Now I am ready to join him any day to help tax real estate in the District of Columbia as it ought to be taxed. But the gentleman knows that section 2 of his bill, as originally introduced, necessarily brings in this question, and the gentleman knows how I regretted that it brought it in. He knows how I have pleaded with him not to bring it in, but at last it is here, and we can not help it.

Mr. GEORGE. Mr. Chairman, I do not think the gentleman and I agree on the term "single taxation." To make the matter clear to the House I shall explain that I mean by the term "single tax," one tax, a tax falling upon ground values, excluding improvement values. I mean no personal-property taxation, no income taxation, no kind of taxation of any sort except one, single tax; that tax to fall upon ground values, excluding improvements. That to me is the single tax. Surely the gentleman could not intend to imply that that question was involved when he said that the first question to split the committee was "single taxation." The committee did not take up that subject at all. It was not even mentioned except as I mentioned it to make explicit the fact that my bill was not a single-tax measure, and as Mr. CROSSER and I briefly spoke to explain the single-tax principle.

"SINGLE TAXATION."

I do not know what the gentleman from Kentucky means when he says "the gentleman knows that section 2 of his bill as originally introduced brings in this question, and the gentleman knows how I regret that he brought it in. He knows how I have pleaded with him not to bring it in; but at last it is here, and we can not help it."

The gentleman seems to refer to "single taxation" as the cause that was brought into the committee and split it. Now, the bill as originally introduced—that is, my first printed bill—was dated December 17, 1913, and section 2 read as follows:

SEC. 2. That upon the assessed value of real and personal property the Commissioners of the District of Columbia shall hereafter annually levy a tax of such per centum as shall raise sufficient revenue, first, to satisfy any deficit in the account of the District of Columbia with the United States Treasury; and second, to meet the estimates for support of the government of the District submitted to Congress by said commissioners; such tax rate to be reduced by any current surplus in the account of the District of Columbia with the United States Treasury.

It can be seen that "single taxation" did not appear in this section, so that it could not have "split" the committee, as the gentleman from Kentucky has stated. In truth, I think that the gentleman from Kentucky, has become confused about the cause of the "split" in the committee. That cause appeared in section 2, above quoted, and was embodied in the provision that the Commissioners of the District should annually fix the tax rate in accordance with the local needs. It was to that that the gentleman objected, and "pleaded" with me to change to a fixed rate of 1½ per cent, regardless of whether the District needs should require at one or another time much or little revenue. I repeat, it was not the single tax that "split" the committee. It was the advocacy in the early and in the succeeding drafts of my bill of the budget plan of having the Commissioners fix a tax rate dependent upon the needs of the District.

This is not to say that I am not a single taxer. I am a single taxer all the time, and I hope the single tax will come into Congress and be adopted some day, because it means justice for everybody; it means more use of the land, more wealth, more houses, more ease and happiness; will improve the District of Columbia and make it a so much better city to live in as to make it a model for all the cities of the country.

In order to make clear what the single tax really is, I will introduce in my remarks at this point a brief statement of it as prepared by my father:

THE SINGLE TAX—WHAT IT IS AND WHY WE URGE IT.

[By Henry George.]

I shall briefly state the fundamental principles of what we who advocate it call the single tax.

We propose to abolish all taxes save one single tax levied on the value of land, irrespective of the value of the improvements in or on it.

What we propose is not a tax on real estate, for real estate includes improvements. Nor is it a tax on land, for we would not tax all land, but only land having a value irrespective of its improvements, and would tax that in proportion to that value.

Our plan involves the imposition of no new tax since we already tax land values in taxing real estate. To carry it out we have only to abolish all taxes save the tax on real estate, and to abolish all of that which now falls on buildings or improvements, leaving only that part of it which falls on the value of the bare land increasing, so as to take as nearly as may be the whole of economic rent, or what is sometimes styled the "unearned increment of land values."

That the value of the land alone would suffice to provide all needed public revenues—municipal, county, State, and National—there is no doubt.

To show briefly why we urge this change let me treat (1) of its expediency, and (2) of its justice.

From the single tax we may expect these advantages:

1. It would dispense with a whole army of tax gatherers and other officials which present taxes require, and place in the treasury a much larger proportion of what is taken from the people, while by making government simpler and cheaper, it would tend to make it purer. It would get rid of taxes which necessarily promote fraud, perjury, bribery, and corruption, which lead men into temptation, and which tax what the nation can least afford to spare—honesty and conscience. Since land lies out of doors and can not be removed, and its value is the most readily ascertained of all values, the tax to which we would resort can be collected with the minimum of cost and the least strain on public morals.

2. It would enormously increase the production of wealth—

(a) By the removal of the burdens that now weigh upon industry and thrift. If we tax houses there will be fewer and poorer houses; if we tax machinery there will be less machinery; if we tax trade there will be less trade; if we tax capital there will be less capital; if we tax savings there will be less savings. All the taxes therefore that we should abolish are those that repress industry and lessen wealth. But if we tax land values there will be no less land.

(b) On the contrary, the taxation of land values has the effect of making land more easily available by industry, since it makes it more difficult for owners of valuable land which they themselves do not care to use it hold it idle for a larger future price. While the abolition of taxes on labor and the products of labor would free the active element of production, the taking of land values by taxation would free the passive element by destroying speculative land values, and preventing the holding out of use of land needed for use. If anyone will but look around to-day and see the unused or but half-used land, the idle labor, the unemployed or poorly employed capital he will get some idea of how enormous would be the production of wealth were all the forces of production free to engage.

(c) The taxation of the processes and products of labor on one hand and the insufficient taxation of land values on the other produce an unjust distribution of wealth which is building up in the hands of a few fortunes more monstrous than the world has ever before seen, while the masses of our people are steadily becoming relatively poorer. These taxes necessarily fall on the poor more heavily than the rich; by increasing prices they necessitate a larger capital in all businesses and consequently give an advantage to large capitals; and they give, and in some cases are designed to give, special advantages and monopolies to combinations and trusts. On the other hand, the insufficient taxation of land values enables men to make large fortunes by land speculation and the increase in ground values—fortunes which do not represent any addition by them to the general wealth of the community, but merely the appropriation by some of what the labor of others creates.

IDLE CLASSES, RICH AND POOR.

This unjust distribution of wealth develops on the one hand a class idle and wasteful because they are too rich, and on the other hand a class idle and wasteful because they are too poor—it deprives men of capital and opportunities which would make them more efficient producers. It thus greatly diminishes production.

(d) The unjust distribution which is giving us the hundredfold millionaire on the one side and the tramp and pauper on the other generates thieves, gamblers, social parasites of all kinds, and requires large expenditure of money and energy in watchmen, policemen, courts, prisons, and other means of defense and repression. It kindles a greed of gain and a worship of wealth and produces a bitter struggle for existence which fosters drunkenness, increases insanity, and causes men whose energies ought to be devoted to honest production to spend their time and strength in cheating and grabbing from each other. Besides the moral loss, all this involves an enormous economic loss which the single tax would save.

(e) The taxes we would abolish fall most heavily on the poorer agricultural districts and would tend to drive population and wealth from them to the great cities. The tax we would increase would destroy that monopoly of land which is the great cause of that distribution of population which is crowding the people too closely together in some places and scattering them too far apart in other places. Families live on top of one another in cities because of the enormous speculative prices at which vacant lots are held. In the country they are scattered too far apart for social intercourse and convenience, because, instead of each taking what land he can use, everyone who can grabs all he can get, in the hope of profiting by its increase of value, and the next man must pass farther on. Thus we have scores of families living under a single roof and other families living in dugouts on the prairies afar from neighbors—some living too close to each other for moral, mental, or physical health, and others too far separated for the stimulating and refining influences of society. The wastes in health, in mental vigor, and in unnecessary transportation result in great economic losses which the single tax would save.

Let us turn to the moral side and consider the question of justice.

The right of property does not rest on human laws; they have often ignored and violated it. It rests on natural laws—that is to say, the law of God. It is clear and absolute, and every violation of it, whether committed by man or a nation, is a violation of the command "Thou shalt not steal." The man who catches a fish, grows an apple, raises a calf, builds a house, makes a coat, paints a picture, constructs a machine, has, as to any such thing, an exclusive right of ownership, which carries with it the right to give, to sell, or bequeath that thing.

But who made the earth that any man can claim such ownership of it, or any part of it, or the right to give, sell, or bequeath it? Since the earth was not made by us, but it is only a temporary dwelling place on which one generation of men follow another; since we find ourselves here, are manifestly here with equal permission of the Creator, it is manifest that no one can have any exclusive right of ownership in land, and that the rights of all men to land must be equal and inalienable. There must be an exclusive right of possession of land, for the man who uses it must have secure possession of land in order to reap the products of his labor. But his right of possession must be limited by the equal right of all and should therefore be conditioned on the payment to the community by the possessor of an equivalent for any special valuable privilege thus accorded him.

When we tax houses, crops, money, furniture, capital, or wealth in any of its forms we take from individuals what rightfully belong to them. We violate the right of property, and in the name of the State commit robbery. But when we tax ground values we take from individuals what does not belong to them, but belongs to the community, and which can not be left to individuals without the robbery of other individuals.

WHAT THE VALUE OF LAND IS.

Think what the value of land is. It has no reference to the cost of production, as has the value of houses, horses, ships, clothes, or other things produced by labor, for land is not produced by man; it has been created by God. The value of land does not come from the exertion of labor on land, for the value thus produced is a value of improvement. That value attaches to any piece of land means that that piece of land is more desirable than the land which other citizens may obtain, and that they are more willing to pay a premium for permission to use it. Justice therefore requires that this premium of value shall be taken for the benefit of all in order to secure to all their equal rights.

Consider the difference between the value of a building and the value of land. The value of a building, like the value of goods, or of anything properly styled wealth, is produced by individual exertion, and therefore properly belongs to the individual; but the value of land only arises with the growth and improvement of the community, and therefore properly belongs to the community. It is not because of what its owners have done, but because of the presence of the whole great population that land in New York is worth millions an acre. This value therefore is the proper fund for defraying the common expenses of the whole population; and it must be taken for public use, under penalty of generating land speculation and monopoly which will bring about artificial scarcity where the Creator has provided in abundance for all whom His providence has called into existence. It is thus a violation of justice to tax labor, or the things produced by labor, and it is also a violation of justice not to tax land values.

These are the fundamental reasons for which we urge the single tax, believing it to be the greatest and most fundamental of all reforms. We do not think it will change human nature. That, man can never do; but it will bring about conditions in which human nature can develop what is best, instead of, as now in so many cases, what is worst. It will permit such an enormous production as we can now hardly conceive. It will secure an equitable distribution. It will solve the labor problem and dispel the darkening clouds which are now gathering over the horizon of our civilization. It will make undeserved poverty an unknown thing. It will check the soul-destroying greed of gain. It will enable men to be at least as honest, as true, as considerate, and as high-minded as they would like to be. It will remove temptation to lying, false swearing, bribery, and law breaking. It will open to all, even the poorest, the comforts and refinements and opportunities of an advancing civilization. It will thus, so we reverently believe, clear the way for the coming of that kingdom of right and justice, and consequently of abundance and peace and happiness, for which the Master told His disciples to pray and work. It is not that it is a promising invention or cunning device that we look for the single tax to do all this; but it is because it involves a conforming of the most important and fundamental adjustments of society to the supreme law of justice, because it involves the basing of the most important of our laws on the principle that we should do to others as we would be done by.

The readers of this article, I may fairly presume, believe, as I believe, that there is a world for us beyond this. The limits of the space has prevented me from putting before them more than some hints for thought. Let me in conclusion present two more:

1. What would be the result in heaven itself if those who get there first instituted private property in the surface of heaven and parceled it out in absolute ownership among themselves as we parcel out the surface of the earth?

2. Since we can not conceive of a heaven in which the equal rights of God's children to their Father's bounty is denied; as we now deny them on this earth what is the duty enjoined on Christians by the daily prayer, "Thy kingdom come, Thy will be done, on earth as it is in heaven"?

STEP TOWARD SINGLE TAX.

Mr. FESS. Will the gentleman yield to a question?

Mr. GEORGE. Yes.

Mr. FESS. Would not the omission of personal property be one step toward the single tax?

Mr. GEORGE. It would. I would omit personal property and improvements if I could have my way. I did introduce a bill in the Sixty-second Congress which eliminated from taxation improvements on land. It did so by stages, just as the western Canadians have been doing, and just as Pittsburgh, Scranton, Houston, Pueblo, and other of our own progressive cities are doing. The Canadians have in local affairs what they are pleased to call the "single tax."

I never attempted to bring my bill of the Sixty-second Congress before the House because all my time became involved in the investigation of real estate assessment and taxation in the District, and the bill I introduced into this present Congress had to be drafted on the findings resulting from that investigation and restricted to that. No city in the world would prove to be a more favorable spot to demonstrate the justice and benefit of the single tax than Washington. Unjust taxation fills Washington in spite of its superb marble Government buildings and its majestic bowered avenues with tumble-down wooden shanties and disease-polluted alleys. Pennsylvania Avenue, with its incomparable vista of the most splendid of all buildings in the world, our great domed Capitol, and which ought to outrival in beauty the Champs-Élysées of Paris and Unter den Linden of Berlin, is, in fact, one of the shabbiest streets of all the avenues of the nations' capitals.

Our system of low land taxation encourages speculation and the holding of land out of its best use. Our taxation of improvements penalizes building. Hence, Pennsylvania Avenue, instead of blooming into the most splendid thoroughfare on the globe, is like a rotten apple, a mixture of peerless public buildings and decaying hovels.

I believe large numbers of people in the District of Columbia realize these things. In proof of this statement I offer the following resolutions adopted by the Central Labor Union of the District of Columbia and introduced by a committee of its members in testifying before the investigation of taxation matters conducted by the House District Committee in the Sixty-second Congress:

CENTRAL LABOR UNION VIEWS.

RESOLUTIONS UNANIMOUSLY ADOPTED BY THE CENTRAL LABOR UNION OF THE DISTRICT OF COLUMBIA ON MONDAY EVENING, NOVEMBER 20, 1911.

Whereas the law regulating the assessment of land and improvements provides "that hereafter all real estate in the District of Columbia subject to taxation, including improvements thereon, shall be assessed at not less than two-thirds of the true value thereof, and shall be taxed 1½ per cent of the assessed value"; and

Whereas an assessment upon such property and upon tangible personal property has recently been completed by the board of assistant assessors for the fiscal years 1912, 1913, and 1914; and

Whereas it has been publicly charged by many owners of small residences that the assessment on such properties has been unjustly increased, and that improvements have been assessed higher in proportion to value than land; and

Whereas it has repeatedly been publicly charged that all prior assessments on real estate in the District of Columbia have been inequitable and unjust, in that improvements were assessed at a very much higher rate in proportion to value than land, the latter in many instances alleged to have been assessed at less than one-fourth of true value, while improvements were assessed at from 40 to 70 per cent of true value, the larger ones assessed lower, in proportion to value, than the smaller ones; and

Whereas under the present system of taxation the enormous increase in land values, due entirely to the growth of the community, is monopolized by a comparatively small number of the people; and

Whereas an assessment of two-thirds of the true value of land in the District would produce more revenue than is now and heretofore produced by the inequitable assessments on both land and improvements; and

Whereas the effect of relieving improvements from taxation and raising the public revenues by a tax on land values would be to encourge the building of more and better homes and business houses, to take from land its speculative and monopoly value, and thereby enable many more of our people to secure homes of their own or lower rents than under the present unjust and unscientific system of taxation: Therefore

Resolved, That the Central Labor Union of the District of Columbia is opposed to the present system of taxation and against the tax on personal property, but favors a tax on land values exclusive of improvements, on franchises, on banks, and on such occupations as it may be deemed wise to tax for the public welfare.

Resolved, That it is the sense of the Central Labor Union that the law regulating the assessment of real estate in the District of Columbia should be so amended as to authorize and direct the removal of the present assessment on improvements at the rate of not less than 20 per cent each year until the tax thereon is entirely removed; and that the percentage of value deducted from improvements each year be transferred to land values.

Resolved, That the Central Labor Union favors annual rather than triennial assessments, for the reason that many of the glaring inequalities which develop under the latter system could be remedied in one instead of three years.

Resolved, That the House Committee on the District of Columbia, having been authorized to make a thorough investigation of affairs in the District of Columbia, is hereby requested to investigate the method of ascertaining improvement and land values by the board of assistant assessors; to inquire whether there has been in prior assessments or in the assessment recently completed discrimination in favor of any section over others, and to inquire into all alleged inequalities pertaining to the assessment of improvement and land values and of personal property; also to ascertain as nearly as possible the value of the land and improvements owned by the Government of the United States in the District of Columbia.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. GEORGE. Yes.

Mr. JOHNSON of Washington. In regard to the workings of the so-called single tax in western Canada, has the gentleman any information as to its success at Vancouver, British Columbia?

Mr. GEORGE. Yes; I went there myself.

Mr. JOHNSON of Washington. Will the gentleman say that he found that principle of taxation successful?

Mr. GEORGE. As much of it as was applied; yes.

Mr. JOHNSON of Washington. Was not the city suffering from overbuilding which had been forced by that form of taxation and suffering from resultant hard times until the tariff was stricken off from American lumber?

Mr. GEORGE. Removing taxation from improvements stimulated building, which was a good thing, but Vancouver did this without materially increasing taxation on ground values. By the improvement exemption Vancouver was made a better place to build in, and therefore the price of land advanced and advanced very greatly. There was no added taxation on land values to check the speculation, so that there was a tremendous land boom. A land boom tends to discourage the use of land and Vancouver's prosperity suffered a check. To many persons, the city suffered from overbuilding. What it really suffered from was land speculation, which has been the bane of the District of Columbia, and which has and always must work evil wherever it is active.

Several months ago I addressed letters to the proper government officials of western Canada to learn about the workings of the taxation matters pursued there. I herewith offer an answer from Victoria, the capital of the Province of British Columbia.

SINGLE TAX IN BRITISH COLUMBIA.

THE GOVERNMENT OF THE
PROVINCE OF BRITISH COLUMBIA,
SURVEYOR OF TAXES AND INSPECTOR OF REVENUE,
Victoria, October 16, 1913.

Hon. HENRY GEORGE, Jr.,
House of Representatives,
Washington, District of Columbia,
United States of America.

SIR: Your letter of 5th ultimo addressed to the Hon. Sir Richard McBride, premier of British Columbia, has been forwarded to me to answer, owing to his absence in England.

The exemption of improvements from taxation has not yet been the subject of legislation in this Province, but there was a royal commission on taxation appointed by the lieutenant governor in council in September, 1911. After taking evidence in various parts of the Province during 1911 the commissioners prepared a voluminous report, which was submitted to the legislature in January, 1912. A synopsis of the report has been printed, a copy of which I send you. The recommendations in that report have not yet been carried out. The Government, however, has publicly indicated that it intends to carry out during the next four years the following as recommended by the tax commissioner:

The abolition of improvements from taxation.

The abolition of the personal property tax.

The revision and readjustment of the income tax in line with the recommendations.

At last session of the legislature the revenue or poll tax was abolished and a few minor changes made in the taxation act with regard to bank taxes and the taxes on fisheries. The ultimate object of the Government is to derive its revenue from the natural resources of the Province, such as land, timber, mines, fisheries, coal, etc., and as far as practicable to lessen the taxation, if not altogether abolish it, which has been levied on improvements, personal property, etc. I am sending you under separate cover copies of the acts relating to provincial taxation, copies of our public accounts, etc., reports, etc., from which you will be able to understand our provincial system.

There are really two systems of taxation in the Province, namely, provincial and municipal. As a rough and ready explanation of the two systems is given in a printed pamphlet, prepared by me in 1908, I also send a copy of that. There has been no change in the systems since that date, although minor changes have taken place in the rate of taxation, but the present rates are given in the copy of the current taxation act sent herewith. I regret that the pamphlet copies of our municipal act are out of print at present, but as a new municipal act will be passed by the legislature at next session, I may state that a royal commission was appointed in 1911 to inquire generally into the needs of municipalities and to suggest changes in the existing laws. That commission presented a report last year, and I send you a copy of it, together with a draft of the proposed bill. You will see from the bill that a similar power is proposed to be given to councils to exempt improvements as is given in the present municipal act.

Now, as to the results of the change from "no exemption" of improvements to "the exemption" of improvements, as carried out in a few of the urban municipalities, as well as in some of the rural municipalities, I have no statistics or information in my department to guide me, and neither has any other department of the Government. The change has only been in force for a few years, five at most, and perhaps it has not been long enough on trial to decide as to its benefits, or otherwise. From general observation, I rather think it is still on its trial, but in the larger cities, such as Victoria, Vancouver, New Westminster, Nanaimo, Prince Rupert, etc., I consider that it has received general approval of the taxpayers. One noticeable effect has been to encourage the erection of buildings on vacant property, that, but for the exemption from taxation, may have been left as vacant lots for many years to come. If you are really in need of individual opinion, then a letter to the mayor of each of the above-named cities would no doubt bring out more information than the Government is able to give you. Practically each municipality has self-government under the municipal act, and no returns by them are required to be made to the Government, so that when I need municipal statistics for general office use I have to communicate with the officers of all the municipalities.

Two years ago I tried to prepare a few municipal statistics which were published in a provincial yearbook.

The copies of this yearbook are now scarce, so that the Government has been obliged to make a charge of $1.25 for each copy. This yearbook will give a list of the municipalities at that time and will show which municipality adopted the exemption of improvements. If you wish a copy please address the King's Printer, Victoria, with $1.25 and he will send you a copy.

I send you also a copy of a small pamphlet with a list of our assessment districts, etc., and a map showing the boundaries of the districts.

Of course, you are no doubt aware that the exemption of improvements is but the thin end of the wedge of single tax; that is, of "Single tax" as advocated by the late Henry George. I need not repeat to you his platform, as I infer you are familiar with it. The public generally call our municipal system and our proposed system of taxation "Single tax," and I am being deluged with inquiries from all parts of the United States now for information.

I trust from what I have written and the pamphlets, etc., sent you, that you will have a general idea of our present position, and if you need any further information that I can give you I will do so cheerfully.

I have the honor to be, sir, your obedient servant.

JOHN B. MCKILLIGAN,
Surveyor of Taxes and Inspector of Revenue.

PROVINCE OF ALBERTA.

The following letter was received from the Premier of the Province of Alberta:

EDMONTON, *September 13, 1913.*

DEAR SIR: Yours in reference to single-tax matters has been received. The bills in regard to single tax in this country are not separate, but are clauses in the different municipal acts referring to rural municipalities, villages, and towns. The four cities all have special charters which contain clauses allowing them the option, which has been almost entirely exercised by them

It has been very favorably received by a great bulk of the people unless some anomalies have arisen, particularly in the very small places, where the total valuation of the village has not been large enough to reasonably raise the necessary revenue. In Edmonton, the largest place where it has been used extensively, it is very favorably thought of, and I do not think it would be possible to revert to the old system.

As to the general effect, I should say that possibly the result is the erection of more expensive buildings than would otherwise be built. It appears to encourage the use of the land rather than the leaving of it idle, but has not, as yet at least, interfered very much with speculation in land, although I would think the tendency would be that way, and that gradually, and more particularly in well-settled country, the tendency to avoid the holding of unimproved land in large blocks.

The Hon. Charles Stewart, minister of municipal affairs, or Mr. John Perry, deputy minister of municipal affairs, would have better ideas as to the actual municipal working, and I will ask them to forward you copies of the municipal acts which contain single-tax provisions.

Yours, very truly,

ARTHUR L. SEFLIN.

HENRY GEORGE, M. C.,
House of Representatives, United States, Washington, D. C.

Mr. Chairman, this information relating to taxation methods and results in western Canada proves, if it proves anything, that the policy suggested by the majority of the District Committee in the amended George bill it reports to the House is a wrong policy for the District of Columbia. Instead of hunting up kinds of personal property to add to the tax list, the committee should look for ways to lessen the personal property now taxed. The committee should follow the example of the great city of Pittsburgh, which successfully advertises itself by means of a little circular which its business men inclose with their business correspondence, and which reads as follows:

PITTSBURGH AND HOUSTON PLANS.

WHY YOU SHOULD MANUFACTURE IN PITTSBURGH.

The city of Pittsburgh does not tax machinery.

The city of Pittsburgh does not tax railroad switches.

The city of Pittsburgh taxes mills, factories, and homes at a lower rate than land. The tax rate on mills, factories, and homes is being reduced to one-half the tax rate on land at the rate of 10 per cent every three years.

The city of Pittsburgh does not tax raw materials, stocks of finished products, book accounts, bank accounts, or personal property.

The State of Pennsylvania exempts from taxation as much of the capital stock of manufacturing corporations as is invested in manufacturing enterprises.

Or the committee might, with benefit, take notice of a circular used by the city of Houston, Tex., for attracting population and business activities. The circular reads:

A perpetual bonus to manufacturers and merchants is offered by the city of Houston, Tex., through its system of exemptions from

taxation. Personal property, such as cash, household furniture, and evidences of debt, are totally exempt from taxation. The Houston plan of taxation contemplates that merchandise, machinery of manufactories, and all other improvements upon land shall be assessed at only 25 per cent of their value, land being assessed at its fair value.

Take your money and brains to Houston, Tex., and get the full benefit of all that you create by your industry and enterprise.

For further information, address J. J. Pastoriza, finance and tax commissioner, Houston, Tex.

In addition to the foregoing circular, Commissioner Pastoriza has sent out private letters, one of which I herewith present:

HOUSTON, TEX., *February 20, 1914.*

Mr. E. R. G.

DEAR SIR: Replying to your letter of February 18 asking for further information in reference to the Houston plan of taxation, it affords me great pleasure to do so as far as I can within the limits of a letter, which I will supplement, however, with printed folders going into detail.

The city of Houston decided that it was going to become the money center of Texas. It therefore announced that it would not receive cash upon its assessment rolls for the purposes of taxation; as a result, the bank deposits have increased $7,000,000 in two years.

The city of Houston decided that it needed more buildings and better buildings, so it announced that it would require the owners of buildings to assess them at only 25 per cent of their reproductive cost; as a result in two years the building industry has increased over 50 per cent per annum

The city decided that it was impossible to assess household furniture equitably, and it also thought that it was a good thing for people to have household furniture, plenty of it, and the finest grade, so it decided to exempt household furniture from taxation entirely.

The city of Houston was desirous of reducing the rate of interest so that those who had money and who loaned it to those who had none would not increase the rate of interest because of a tax upon credits, notes, mortgages, bonds, or stocks; and as a result the man who has no money can borrow it in Houston at a fair rate of interest.

The city decided that it was becoming too difficult for those who wanted homes to secure them, on account of the high price of land, so it announced that it would tax land at its fair value for use; as a result the owners of vacant land have been improving it and thus increasing the number of buildings in our midst. Others who have large tracts of land are getting in the mood to sell it at a fair price, all of which will tend to develop our city and accomplish naturally a more even distribution of wealth, in contradiction to the ideas of certain people who want to distribute the wealth arbitrarily and by force.

One-half dozen cities in Texas have followed our example, with slight modifications, none of them, however, going as far as we have, because of our constitutional prohibitions. We simply saw the benefit, and we proceeded to do it. After two years' experiment no one has seen fit to invoke the law and interfere with our laudable proposition. To do so would mean to at once destroy the progress of our city, deplete our banks of much of their deposits, and enormously reduce the value of our real estate.

It is strange, exceedingly strange, to my mind, that the great mass of people have so long been blind to a method of taxation which will be truly beneficial to the country at large.

If my reply is not sufficiently full, don't hesitate to communicate with me further, and I will take the time to reply,

Yours, very truly,

J. J. PASTORIZA,
Finance and Tax Commissioner.

HOUSTON TAXPAYERS SATISFIED.

I would particularly commend to the gentleman from Iowa the following clipping from the Chicago Public of April 17, 1914:

About 75 property owners of Houston, Tex., held a meeting on April 7 to express dissatisfaction with the Houston system. Resolutions were adopted protesting against increase of assessment, objecting to continuance of the Houston plan, and urging return to old methods. On the other hand, up to April 7, 9,092 property owners had signed the assessment roll, thus expressing approval of Tax Commissioner Pastoriza's assessments, and the approval of about 200 more was expected. The objectors are nearly all large holders of vacant lots. Commenting on the protest, Mayor Ben Campbell was reported by the Houston Press as saying:

"If that bunch of tax dodgers doesn't like the Houston plan of taxation I don't give a hang. This government is being run for the people now and the plan won't be changed. If any man has a just complaint he can make it to the equalization board or the council. If it is found just it will be cheerfully rectified. We invite such complaints. Our patience will never be exhausted attending to them.

"Isn't everybody who has land faring alike? Isn't everybody who has houses faring alike? Isn't everybody who has money faring alike? There is absolutely no discrimination. The fact that everybody has been treated alike is what has caused the overwhelming majority to sign and be satisfied. And it has also caused a very few who want discrimination in their favor to be dissatisfied. Under our present system of taxation Houston has prospered like it has never done before. We have accomplished a great deal under our new form of taxation. One of the best features of the Houston plan is that it is no longer necessary for people to commit perjury when making their assessments. Men can be gentlemen now when they do their assessing. It is no longer necessary for people to send their money to New York the last of December and have it sent here January 15 in order to keep from paying taxes on their money. It is my observation that some of those who are behind this new movement, trying to stir up trouble, have done little for the upbuilding of Houston, although many of them have been in a position to do so. There are some who wish to be parasites on the community and to get rich from the industry of others. These men who have purchased in Houston at extremely low figures in the past, and who are now holding it for purely speculative purposes without improving it, do nothing for the advancement of Houston."

[See current volume, page 341.]

Mr. COADY. Mr. Chairman, the chairman of the District Committee unwittingly fell into an error when he stated a few moments ago that the overwhelming sentiment of the District of Columbia Committee was in favor of this bill.

Mr. JOHNSON of Kentucky. Will the gentleman yield?

Mr. COADY. Yes.

Mr. JOHNSON of Kentucky. The gentleman will recall that when we took the sense of the committee as to whether or not all kinds of personal property should be taxed the vote stood 12 to 4.

Mr. COADY. That is very true; I am speaking about the present bill. In the amendment now before the House the gentleman will recall the sentiment of the committee was taken on whether or not intangible personal property should be taxed, and that is as far as it went. This amendment goes further than that, Mr. Chairman, and undertakes to tax intangible personal property at the same rate of taxation now imposed on real estate.

Only eight members of the committee have signed the majority report. Eight members have signed two minority reports. I have not signed either of the reports, although I am opposed to this bill in its present shape. That leaves eight in favor of the bill as amended, nine opposed to it, and three unaccounted for.

Now, Mr. Chairman, in so far as this bill undertakes to tax intangible personal property I favor it. I am in favor of taxing both real and personal property, tangible and intangible, but I can not agree with the conclusions of the committee that all kinds of property should be assessed in the same manner and at the same rate of taxation. I differ from them at that point, because I believe the imposition of the full city rate of 1½ per cent on intangible personal property in this District would almost amount to confiscation and would have the effect, as it has in other cities and municipalities, of forcing and causing the people not to turn in intangible property that they own and to make perjurers and liars of them. That has been the effect wherever they have tried to tax intangible personal property at the full city rates.

Now, Mr. Chairman, I have a great deal of admiration for the gentlemen whose names are associated with this amendment, the distinguished chairman of the committee and the distinguished chairman from Iowa. There are no two better men in the House, none actuated by higher and better motives, and even in this matter I am sure they are sincerely desirous of doing the right thing. But in their enthusiasm to correct the evils that exist—and there are some evils that exist in the matter of taxation in the District of Columbia—they have gone too far in the other direction. This measure in its present shape is grossly unfair to the people of this District. It is unfair to the poor man and to the man of moderate means as well as to the man who is better off in the possession of this world's goods.

Mr. JOHNSON of Kentucky. Is that because we propose to tax stocks and bonds?

Mr. COADY. You propose not only to tax stocks and bonds, but you propose to tax annuities. In many cases where the annuity amounts to $200 or $300 it is needed and paid to poor people; and you propose to tax also savings bank deposits, which in nearly all cases are held by poor people. I say that the measure in the present shape is grossly unfair on that account. It will impose an unfair burden on the thrifty workman and workwoman who by continued hard work and economy save a few hundred dollars and put it in the savings banks. Under the provision of the Johnson and Prouty amendment the poor working girl and the poor working boy who have deposits in the savings bank, where they get three and a half or four per cent, will pay one and a half per cent to the District government. In other words, if they are getting $3 on every hundred, they will be forced to pay $1.50 to the District government. The poor widow and dependent orphan who receive annuities from some estate will be forced to pay 1½ per cent of whatever income they may receive.

Mr. PETERSON. Mr. Chairman, will the gentleman yield?

Mr. COADY. Yes.

Mr. PETERSON. Why should they not pay just as much on their annuities as the poor widow should pay on her home or the poor man on his horse and cart?

Mr. COADY. I will say, in answer to the gentleman, that there is not a State in the Union that has gone so far as to tax annuities; and I will answer that again by saying that when you tax an annuity in many instances you are taxing the same property three and four times. Let me give the gentleman an illustration. An annuity may arise from investment of bonds. A trustee may hold some bonds charged with an annuity.

Mr. PETERSON. That is a species of property.

Mr. COADY. And those bonds represent some real estate. A mortgage on the real estate created those bonds. That property is taxed, and the bonds are taxed, and the annuity is taxed, and if that annuity is large enough to come under the operations of the income-tax law, then it is taxed again, and in that case we have evidence of the taxation of the same property four different times.

Mr. SHACKLEFORD. Mr. Chairman, will the gentleman yield?

Mr. COADY. Yes.

Mr. SHACKLEFORD. How is it any harder on the poor woman of whom the gentleman speaks to pay a tax on an annuity than it is on the other woman to pay a tax on her home?

Mr. COADY. Because that annuity is already taxed. The trustee who holds the bonds pays a tax on those bonds. If it is an annuity charged on real estate, the trustee pays the tax on that real estate.

Mr. SHACKLEFORD. I do not understand that is true at all.

Mr. COADY. That is true.

Mr. PETERSON. That can be adjusted.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. COADY. Yes.

Mr. BORLAND. We all understand the difficulty of a fair taxation on intangible property—that is, without making a duplication of taxation on other property. The question has been discussed frequently as to whether a tax on intangible property was not in effect a duplication of a tax on some other property. But, irrespective of that, I want to call attention to this fact: That the so-called organic law of 1878 specifically requires that there should be levied a tax on all personal property in the District of Columbia not taxable elsewhere. In other words, it makes no distinction between tangible and intangible personal property. That is the organic law under which these people have claimed for so long. That organic law has been violated for 30 years by slipping the word "tangible" into the law providing for the machinery of assessment, and the law providing the machinery of assessment slipped in the word "tangible" and struck out the words "not taxable elsewhere"; and so it says "tangible personal property," which is in violation of the so-called half-and-half law. That so-called fundamental law which they have sworn by here having provided for the equal assessment of tangible and intangible personal property, are we not justified in carrying that out?

Mr. COADY. If we did that, we ought to change it.

Mr. BORLAND. But they want us to stick to it. Now, let us stick to it.

Mr. COADY. We do not want to stick to anything like that, which works a burden on the people of this District.

Mr. BORLAND. The gentleman realizes that their fundamental law that they do not want changed requires the assessment of both classes of property. To that extent, at least, we can meet it.

Mr. COADY. If it provides for taxation of both classes of property at the same rate, I am in favor of changing it.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. COADY. Certainly.

Mr. FESS. Do I understand the gentleman is not in favor of either the bill or the substitute?

Mr. COADY. I am merely speaking to the amendment called "the Johnson-Prouty amendment" inserted in the bill, which provides for the taxation of intangible personal property at the same rate at which real estate is now taxed in the District. I am not discussing the other features of the bill. I am not opposed to the other features of the bill, although I will be frank enough to say this to the gentleman: That I came into the House only in November last, and I have been a member of that committee for a very short while and have not had an opportunity to give the matter the thorough carefuly study to which it is entitled; and I believe it is a big question, and the only way to solve it is by employing experts; and I am in favor of a commission such as that suggested by the gentleman from Iowa [Mr. PROUTY].

Mr. FESS. Will the gentleman yield for another question?

Mr. COADY. Yes, sir.

Mr. FESS. That is why I asked the gentleman the question. If the committee is dissatisfied with the bill before the House, what will a poor fellow like myself who does not know anything about it do when we come to a vote? Why not have a commission that will report after some months of expert investigation?

Mr. COADY. Well, I am giving the gentleman my views. I am in favor of a commission to investigate this subject.

Mr. JOHNSON of Kentucky. I will say to the gentleman right here in the history of this question there have been several commissions appointed and Congress has never yet adopted the suggestion of any one of those commissions.

Mr. COADY. Now, Mr. Chairman, I believe that in this country to-day the people who are making a study of the question of taxation are in favor of a classification of personal property. They have done it in Pennsylvania, and the rate there is only 40 cents on the $100, which I think is a fair rate. In Rhode Island it is 40 cents on the $100; in Minnesota it is 30 cents on the $100; in Connecticut it is 40 cents on the $100; and in my own State of Maryland our city rate was 30 cents in addition to our State rate, which was variable. When we changed the law back 20 years ago and made a fixed rate for Baltimore city the State rate at that time was only 15 cents, making a combined charge or rate of 45 cents. Since then, because of some great improvements we have carried on in Maryland, for which we have spent millions of dollars, in the construction of good roads and other public improvements, our State rate has soared until now it is about 32 cents; so at the last session of the legislature we changed the law and fixed the State rate at 15 cents; so hereafter in Maryland, right across the line here, securities will have only to pay a tax of 45 cents on $100.

Mr. BARTON. Will the gentleman yield?

Mr. COADY. Yes.

Mr. BARTON. The gentleman stated as a basis for his argument that he would not favor the 1½ per cent rate for the reason that it would induce people to misrepresent the amount of property they had.

Mr. COADY. That is one of the reasons, and because it is unfair, and my judgment is that it is confiscatory.

Mr. BARTON. That being the case, does the gentleman believe that if we have an inflexible rate, or a condition where the property value would be put to the amount of money we should raise and the rate adjusted by it, that then it will not be so conducive to misrepresentations?

Mr. COADY. I am only speaking, of course, about intangible personal property.

Mr. BARTON. The only question I wanted to ask was, if the gentleman's theory was based on the conditions found by the George investigating committee, that the real estate of this city had not been assessed at its true value?

Mr. COADY. Well, I have no expression on that at this time for reasons I have given before. I have not made a study of it, and I will repeat to the gentleman, if he desires, what I have already said——

Mr. BARTON. I wanted to ask the gentleman if the same theory possibly might work without there being an inflexible per cent?

Mr. COADY. I want to add another State, the State of Iowa. The State of Iowa taxes its intangible personal property at 50 cents a hundred, so the distinguished gentleman from Iowa, Judge PROUTY, in his own State only taxes 50 cents a hundred, and yet he wants to impose upon the people of this District a tax rate on intangible property three times as great as that imposed in his own State of Iowa. [Applause.]

Mr. MANN. Will the gentleman yield for a question?

Mr. COADY. Yes, sir.

Mr. MANN. I see by the map which the gentleman from Iowa presented to the committee the tax rate in the city of Des Moines is 22 mills and a fraction on the dollar. I do not know what rate of interest the savings banks there pay, but I presume it is 3 per cent, which is the ordinary rate.

Does the gentleman think they would get a very large tax on savings-bank deposits where the rate of interest paid was 3 per cent and the tax was a little over two-thirds of that?

Mr. COADY. They certainly would not.

Mr. MANN. In the gentleman's opinion, would they get as much as they would on a rate of 50 cents on the hundred as fixed by the Iowa law?

Mr. COADY. I think not, sir. I want to say this: If you impose a tax like this on bank deposits in the city of Washington, you will drive them out of Washington, and we will welcome them in Baltimore, where our rate is only 45 cents. In Virginia, right across the line, they recently passed a law placing a tax of 20 cents on bank deposits, and in Maryland we only tax them where they pay interest. And this bill in its present shape is unfair to the poor people in this District whom you are seeking to protect, for this reason, that national banks and State banks only pay about 2 per cent on balances, and then only on large balances, such balances as only the rich man can have, and yet they would pay $1.50 out of that $2 to the District Government. They would get something in return, but the little business man and the poor man, who has only a small deposit in that bank, that does not pay him a cent of

interest, would be taxed on that, and he would be compelled to take out of his principal that he has in the bank the taxes that he would be compelled to pay to the District Government.

Mr. PROUTY. Suppose one of these poor men had $1,000 and invested it in a little home. Suppose his brother had $1,000 that he saw fit to invest in bonds or stocks or some other security, do you believe it right to require the fellow who puts the money in real estate to pay all the burdens and the other fellow none?

Mr. COADY. No; I do not; and that is my position right here.

Mr. PROUTY. Do you believe he ought to pay less?

Mr. COADY. I do not believe that money in bank which produces 2 per cent ought to pay as much as real estate, which produces more.

Mr. PROUTY. As to real estate, a vacant lot——

Mr. COADY. Our single-tax friends come in there.

Mr. PROUTY. Let me put the question in this form: Suppose a man had $1,000 and he invested it in a vacant lot, and his brother had $1,000 that he invested in New York Central stock. Do you believe the fellow that invested his money in a vacant lot should pay all the expenses, and his brother, who had invested his money in the same amount—and both were worth exactly the same amount—in stocks and bonds, should pay nothing?

Mr. COADY. I have not said that.

Mr. PROUTY. Is it not fair to assess it against the fellow who has the stocks and bonds and the fellow who owns the real estate?

Mr. COADY. I think the experts in this country who have made a study of this question have come to the conclusion that the only way to get on the tax books of the various States all the intangible personal property is to place on it a fair tax rate.

Mr. PROUTY. You are talking about oppressing the poor people, and not the question of expediency. You are talking about the poor man.

Mr. COADY. I think this amendment does oppress him in the way I pointed out, because, as I pointed out before, the poor working boy and girl who have savings in the savings bank here will be compelled to pay to the District government one-half of the interest they secure on their deposits.

Mr. JOHNSON of Kentucky. Will the gentleman yield to me right there?

Mr. COADY. Yes.

Mr. JOHNSON of Kentucky. Is it not true that the banks in the city of Washington known as "savings banks" borrow from the poor classes of the people at 1½ to 2 per cent and then let that same money out at a rate of interest ranging from 6 to 10 per cent, whereas if something was done which would bring the attention of the poor classes of people who have these savings that if they would take them out of the savings bank and lend them on real estate here, instead of the banks doing it for them at 6 per cent, they would be infinitely better off?

Mr. COADY. I am not prepared to answer that question. I do not think it is material to this discussion at this time.

Mr. J. M. C. SMITH. Will the gentleman yield?

Mr. COADY. Yes, sir.

Mr. J. M. C. SMITH. You think that a person who puts $1,000 in a savings bank ought to be exempt from taxation on the $1,000, as I infer from what you said?

Mr. COADY. Yes. I do not believe in taxing savings-bank deposits at the full rate of taxation.

Mr. J. M. C. SMITH. Suppose that instead of putting it in the savings bank he would invest it in a $1,000 mortgage—that same poor person—would you be in favor of taxing the mortgage? You would be in favor of taxing the mortgage, would you?

Mr. COADY. No; I am not in favor of taxing the mortgage, for the reason that in the long run the mortgagor pays it.

Mr. J. M. C. SMITH. Well, instead of that, suppose this poor person buys a house and lot for a thousand dollars. Would you be in favor of taxing that?

Mr. COADY. Taxing the house and lot?

Mr. J. M. C. SMITH. Yes.

Mr. COADY. Unquestionably, because I am in favor of taxing real estate.

Mr. J. M. C. SMITH. The same person has the same money. I think he ought to be taxed if he puts it in a savings bank or in a mortgage, with a great deal more reason and with a stronger reason than when he puts in into a house to keep his wife and children.

Mr. COADY. Then I understand the gentleman stands for this position: That if a poor person in this District had $500 in a savings bank, on which that person received only 4 per cent interest, he would be in favor of forcing that person to yield up to the District government one-half of the interest that he received from that deposit?

Mr. J. M. C. SMITH. Of course he puts it in the savings bank from choice. I could show him innumerable instances where he can get more interest and where the investment would be just as safe.

A MEMBER. Tell us.

Mr. J. M. C. SMITH. A real estate mortgage. It draws more than 3 per cent.

Mr. COADY. The gentleman knows that where you tax mortgages the borrower invariably pays it. That is the experience of all the States. Quite a number of States that have had laws of that kind have gradually repealed them.

Mr. QUIN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from Mississippi?

Mr. COADY. I do.

Mr. QUIN. I have a city in my district in Mississippi where the city tax is 18 mills and the county and State tax 13 mills. That is 31 mills in all. Does the gentleman think it is fair for my constituents to pay 31 mills and then on top of that to pay part of the taxes of people here in Washington, with all their intangible wealth free of tax?

Mr. COADY. I will say to the gentleman that if the people of his district must pay a burdensome tax rate like that on their intangible personal property they are in a bad plight. I would like to know from the gentleman how much intangible property they have in his district. Is it a large city that the gentleman comes from?

Mr. QUIN. No; it is a small city of from ten to fifteen thousand people.

Mr. COADY. Does the gentleman say that they impose such a tax on bonds and mortgages and stocks?

Mr. QUIN. They do. They tax both intangible and real property.

Mr. COADY. The experience of almost every State in the country that has tried to impose a tax of that kind has been that they have not been able to find the property. It makes liars and perjurers of the people.

Mr. QUIN. We have a revenue collector down there that gets those liars and perjurers. We made a few railroad companies pay up down there.

Mr. COADY. Now, Mr. Chairman, right down in the State of Kentucky, the State from which comes the chairman of this committee, only recently they passed a constitutional amendment for the classification of property, and it received a majority of 33,000, showing the sentiment of the gentleman's own State. It is true that because of the failure to give the proper notice, as provided by the constitution, it was set aside by the court, from whose judgment an appeal has been taken, and I do not know whether the appeal has been disposed of or not; but I know that in the State of the chairman of this committee, out of 90,000 votes there was a majority of 33,000 in favor of the classification of property.

In the State of Maryland in 1906, to show the value of a fair assessment of property, we had on our statute books $6,000,000 of intangible personal property. The legislature of that year fixed the 30-cent rate, and the next year we had $58,000,000, an increase of $52,000,000 in one year—a strong evidence of what the people will do if you treat them fairly and honestly and do not endeavor to impose an excessive rate on them.

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Maryland yield to the gentleman from Arkansas?

Mr. COADY. Yes.

Mr. CARAWAY. I fancy the gentleman does not want to go on record as saying that the people in Maryland would evade that tax? The gentleman would not want that to go on record would he?

Mr. COADY. I will say that it is true in Maryland and in Ohio and in Virginia, and true in Pennsylvania and in every State in this country where they have adopted a rate of that kind.

Mr. CARAWAY. I will convince the gentleman, if he wants me to, that it is not true of my own State of Arkansas, where we have a law of that kind.

Mr. COADY. It may not be true of the gentleman's own State, but I have a report of the commissions of half a dozen different States here in which that statement is made. I will ask the gentleman if he knows whether all the stocks and securities owned by people in his State are returned to the tax assessor?

Mr. CARAWAY. Oh, I think now and then we have a man who will swear to a lie to avoid paying his taxes, but I hope such men are in the minority.

Mr. COADY. The gentleman does not know, and he knows he does not know.

Mr. CARAWAY. I know as much about it as the gentleman does.

Mr. COADY. I am giving you the experience of quite a number of States that have changed from the old system to the new system. One year after the new system was put in we had $58,000,000, and last year $191,000,000. In the State of Pennsylvania they had the same experience. In 1885 the assessment of intangible property was $145,000,000. In that year they changed the rate, and the next year they had on their books $429,000,000 worth of intangible personal property.

Now, Mr. Chairman, I just want to read an extract taken from a special report on taxation issued by the United States Bureau of Corporations only last December. It is with reference to the Minnesota special tax rate on securities. Minnesota recently passed a law imposing a special tax rate of 40 cents on securities in that State. This report says:

> The law imposing a flat 3-mill tax rate on certain intangibles became effective only one week before the assessors began the personal-property assessment of 1911. The report shows that in 1910 the assessed value of moneys and credits amounted to approximately $14,000,000, and that during the first year of the operation of the new law this amount increased 730 per cent. The assessment in 1912 amounts to $135,369,314, being an increase of 17.2 per cent over 1911 and 873 per cent over 1910. It is stated that while no extra data are available for 1910 estimates show that the number of people assessed for this class of property did not exceed 6,200, whereas in 1911 the number was 41,439, which was further increased to 50,564 in 1912. The report shows that the amount of revenue derived under the law of 1911 was nearly as large as that of 1910, when the rate averaged over 28 mills.
>
> Excluding Minneapolis and St. Paul, the balance of the State in 1911 showed a net gain of over $71,000. For reasons stated in the report, the commission is of the opinion that the loss of revenue in these cities is more apparent than real, and that both cities will probably derive as much from the 1912 assessment as they did under the old law. In conclusion, the tax commission expresses the opinion that the law is a decided improvement over the old method, because it is more equitable and will eventually produce more revenue than the old system. "Above all, it makes for good citizenship, because it reduces the premium on dishonesty and permits men to be truthful in their tax statements without the fear of having their property confiscated in excessive tax rates."

Mr. PETERSON. Then your argument is that a man will be truthful at 30 cents, but will be a liar at 40 cents. Is that your estimate of humanity?

Mr. COADY. I am not making any estimates. I am giving you the facts and figures as I have gathered them from the reports of various tax commissions that have investigated these questions in the various States. I have them here for Massachusetts, Virginia, and other States in the Union, and they have all come to the conclusion that the only way to get this intangible property on the tax books is to impose a fair rate of taxation. That has been the experience of these States that have tried it.

In an address before the fourth annual meeting of the National Taxation Association, held in Milwaukee in September, 1910, Prof. Thomas S. Adams, of the University of Wisconsin, who is quite a tax expert, and who was later a member of the State tax commission of that State, made the following statement:

> The next reform which calls for careful consideration is what Prof. Bullock has aptly called "the graded property tax." Briefly stated, the essential proposal here is to reduce rates upon each class of property in proportion to the difficulty of finding and assessing that class of property until the natural inclination to be honest balances and overcomes the temptation to evade the tax. This plan of reducing rates has been tried with very successful results, so far as the yield of the tax is concerned, in Pennsylvania and Baltimore.
>
> All students of American taxation must feel deeply grateful to the champions of this reform in Pennsylvania and Maryland. It has taught us the exceedingly important lesson that a tax which is exorbitant can not succeed in an American Commonwealth unless the property upon which it falls is tangible and irremovable. It has taught us also that there are large numbers of American taxpayers who will be honest if the State gives them half a chance. But its principal lesson may be summed up in the axiom that tax rates, like railway rates, must be fair and reasonable if the tax is to succeed. So deeply do I feel that this lesson should be taken to heart that I do not hesitate to say that the success of the income tax or any other reform project is wholly dependent upon its thoroughgoing adherence to this rule that tax rates must be fair and reasonable.

Mr. SHACKLEFORD. Mr. Chairman, I should like to ask the gentleman if these philosophers have offered any method by which you can prevent the owners of land or other tangible property from being overassessed, to make up for the underassessment we are compelled to give these people who own intangible property, to keep them from being dishonest?

Mr. COADY. You do not lose anything. The figures that I give you from Maryland and Pennsylvania prove conclusively that you do not lose anything; that you can not get at intangible personal property in any other way. It is hidden, and the only way to bring it out is to impose a fair rate on it.

Mr. SHACKLEFORD. The gentleman is aside from the question I was propounding. In the proportion that you tax people less for intangible property you have got to make it up by exorbitant taxation on tangible property.

Mr. COADY. I did not state that.

Mr. SHACKLEFORD. The gentleman's notion is that people will not pay the tax on intangible property if you assess it at the full value. Now, whatever deficiency arises from your inability to get the full amount on intangible property must be made up by a levy of exorbitant taxation on people who have tangible property.

Mr. COADY. Of course not. They would have to pay that much more.

Mr. SHACKLEFORD. Whatever reduction you make on the tax of intangible property there will be a corresponding increase made on tangible property.

Mr. COADY. That does not follow at all.

Mr. SHACKLEFORD. If a man with a thousand dollars real estate pays $1.50 a hundred, and the man with the bond only pays 50 cents, there is an inequality.

Mr. COADY. But the man with the bond is not paying anything at all now, because he does not turn it in under the present tax laws.

Mr. SHACKLEFORD. No; but if you tax it low enough to hire him to pay interest he will.

Mr. COADY. Yes; and you have that much more money.

Mr. SHACKLEFORD. But you have one silk-stocking fellow paying 50 cents on a hundred, while the party who owns something tangible pays $1.50 a hundred. Now, while the gentleman is talking about the widow and her little savings, he is forgetting to talk about the multimillionaire who will also be benefited by the low rate of taxation on intangible property.

Mr. COADY. I am not raising the question of whether a man is rich or not. I believe in being fair and just in all laws. I believe in a scheme of taxation that is fair and reasonable. I would not stand up here or anywhere else and advocate an excessive rate of taxation on a man because he owns more of this world's goods than another. I want to be fair in this thing.

Mr. SHACKLEFORD. I am sure the gentleman by his speech has convinced the House of that. He has not frequently mentioned the rich, but he has not forgotten them when he is asking that intangible property shall be taxed at a lower rate than tangible property.

Mr. COADY. I am asking only fairness and justice to all classes.

Mr. SHACKLEFORD. While the gentleman has not said it, he has intended the same reduction for the multimillionaire on the intangible property that he has for the poor widow. Whenever you reduce the taxation from $1.50 a hundred to 50 cents in order to save the little mite that the widow has in the savings bank, you undoubtedly have it in mind to make the same reduction for the millionaire.

Mr. COADY. The gentleman is not stating the thing fairly. I know he intends to, but he does not.

Mr. SHACKLEFORD. I am stating to the House the position as the gentleman stated it himself.

Mr. FESS. Will the gentleman yield?

Mr. COADY. Yes.

Mr. FESS. I understand the gentleman is arguing for a principle of classification of taxation rather than a uniform system?

Mr. COADY. Yes.

Mr. FESS. I understand the gentleman wants that because if you put the rate on intangible property beyond a certain limit the property goes into hiding, and you can not get it?

Mr. COADY. Exactly.

Mr. FESS. If you put on a lower limit, you have a greater amount to tax and you have a greater amount of money collected by taxation than if you put it at the high rate?

Mr. COADY. Exactly. I am not justifying the hiding of securities. I think a man should turn them in, but I am telling you the effects of this present system.

Mr. FESS. Can the gentleman estimate what the rate should be, so that it will not be too high and force securities into hiding?

Mr. COADY. My judgment, based on what has been done in other States, is that it ought to run from 40 to 50 cents. Under the proposed law the man that would be taxed would be giving to the District of Columbia about one-third of his income.

Mr. FESS. I understand that the gentleman prefers to put a lower rate on intangible property than on tangible?

Mr. COADY. That is my position, because that is the only way to get at it.

Mr. FESS. The gentleman thinks it is fair?

Mr. COADY. I really think it is fair. I say, however, that I believe a man ought to pay his full rate if it is imposed on him. It is dishonest for him to hide it, and he ought to pay it, and I am in favor of it, first, because it brings out property hidden, and secondly, because it is fair. Take the city stock issued by the city of Boston or the city of Philadelphia. It does not pay over 3½ per cent. If the residents of the District of Columbia who own some of that stock would be compelled to pay $1.50 of that every year, they would get only a net of 2 per cent. That is not fair. It is not fair to force a man to give up to the District of Columbia one-half of the income he receives from his securities.

Mr. FESS. What troubles me is that the gentleman would make one rate for one class of property and another rate for another class of property, the lower rate being made because he thinks he can get more results in taxation, which is a confession that we can not bring the property out.

Mr. COADY. That is true. It is a confession.

Mr. FESS. And then the gentleman says that is a fair system of taxation?

Mr. COADY. I think it is a fair system of taxation.

Mr. FESS. That is hard for me to understand.

Mr. COADY. I think a 40 or 50 cent rate is a fair system. I am in favor of that for two reasons: First, because it is fair; and, second, because you can not get out this property unless you impose a rate of that kind.

Mr. FESS. Because it would be workable, therefore, it is fair; and otherwise it would not be workable, and therefore is unfair.

Mr. COADY. I do not think it would be workable if you imposed the full rate.

Mr. FESS. Does the gentleman believe in the principle of the single tax?

Mr. COADY. No.

Mr. FESS. Does the gentleman realize that the principle of classification may lead to that?

Mr. COADY. I have never thought of that. I had not that in mind at all.

Mr. FESS. Certainly, if you can make a rate on one class of property higher than another or lower than another, you could take it all off one and put it all on the other.

Mr. COADY. I am not in favor of the single-tax rate.

Mr. GEORGE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DUPRÉ. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Louisiana makes the same request. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12873, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LEVER, indefinitely, on account of sickness in his family.

To Mr. HOUSTON, at the request of Mr. GARRETT of Tennessee, indefinitely, on account of illness in his family.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 14, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. WATKINS, from the Committee on Revision of the Laws, to which was referred the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, reported the same with amendment, accompanied by a report (No. 521), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BROWN of New York, from the Committee on the Public Lands, to which was referred the bill (S. 65) to amend an act entitled "An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof," approved April 12, 1910, reported the same without amendment, accompanied by a report (No. 522), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 3278) for the relief of Thomas R. Mason, reported the same with amendment, accompanied by a report (No. 523), which said bill and report were referred to the Private Calendar.

Mr. POU, from the Committee on Claims, to which was referred the bill (S. 2590) to reimburse Charles C. Crowell for two months' extra pay in lieu of traveling expenses, reported the same without amendment, accompanied by a report (No. 524), which said bill and report were referred to the Private Calendar.

Mr. GARD, from the Committee on Military Affairs, to which was referred the bill (H. R. 14925) for the retirement of H. R. Drake, reported the same without amendment, accompanied by a report (No. 525), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BURKE of Wisconsin: A bill (H. R. 15605) to amend an act entitled "An act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States," approved June 7, 1897; to the Committee on the Merchant Marine and Fisheries.

By Mr. LANGLEY: A bill (H. R. 15606) to establish a mine-rescue station and an experiment station for analyzing and testing coals, lignite, and mineral substances at or near Jenkins, Ky.; to the Committee on Mines and Mining.

By Mr. CARTER (by request): A bill (H. R. 15607) with relation to inherited estates in the Five Civilized Tribes; to the Committee on Indian Affairs.

Also, a bill (H. R. 15608) to provide for the sale of 640 acres of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations to the State of Oklahoma for military purposes; to the Committee on Indian Affairs.

By Mr. BARTHOLDT: A bill (H. R. 15609) to repeal section 12 of an act entitled "An act enabling the claimants to lands within the limits of the State of Missouri and the Territory of Arkansas to institute proceedings to try the validity of their claims," approved March 26, 1824; to the Committee on Claims.

By Mr. HAWLEY: A bill (H. R. 15610) to amend section 5 of the act of June 9, 1910, known as the motor-boat act; to the Committee on the Merchant Marine and Fisheries.

By Mr. PADGETT: A bill (H. R. 15611) to provide for a memorial arch over the Columbia turnpike at Franklin, Tenn., to commemorate the battle which took place there on November 30, 1864; to the Committee on the Library.

By Mr. THOMPSON of Oklahoma: A bill (H. R. 15612) to prohibit railroad companies, common carriers, or connecting carriers from charging passengers for a continuous passage on interstate tickets a sum for transportation in excess of the combined rates charged in the several States through which the transportation is purchased; to the Committee on Interstate and Foreign Commerce.

By Mr. COVINGTON: A bill (H. R. 15613) to create an interstate trade commission, to define its powers and duties, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNS of Tennessee: Joint resolution (H. J. Res. 246) to authorize the Secretary of War to grant a revocable license for the use of lands adjoining the national cemetery near

Nashville, Tenn., for public-road purposes; to the Committee on Military Affairs.

By Mr. MAPES: Joint resolution (H. J. Res. 247) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. CLARK of Florida: Joint resolution (H. J. Res. 248) to appoint a commission to provide a tablet to mark the birthplace of Thomas Jefferson; to the Committee on the Library.

By Mr. LOBECK: Resolution (H. Res. 465) directing the Secretary of Commerce to make investigation regarding proposed reduction of wages by certain steel-manufacturing concerns; to the Committee on Interstate and Foreign Commerce.

By Mr. GARDNER: Memorial from the House of Representatives of Massachusetts, requesting Congress to pass legislation providing for public ownership and operation of coal mines; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANSBERRY: A bill (H. R. 15615) granting an increase of pension to Mathias J. Hoover; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 15616) granting a pension to Rachel Davis; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 15617) granting an increase of pension to Clarinda Shipton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15618) granting an increase of pension to Almanza W. Green; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 15619) granting a pension to Emma Gilbert; to the Committee on Invalid Pensions.

By Mr. CARR: A bill (H. R. 15620) granting an increase of pension to Charlotte Mahaney; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 15621) granting an increase of pension to Orange S. Church; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 15622) granting an increase of pension to Charles Apel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15623) granting an increase of pension to Charles C. Crabb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15624) granting an increase of pension to Charles Gardner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15625) granting an increase of pension to Benjamin F. Ketchum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15626) granting an increase of pension to Charles Laswell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15627) granting a pension to Eliza Sisco; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15628) granting an increase of pension to Frederick Willman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15629) granting an increase of pension to John C. Young; to the Committee on Invalid Pensions.

Mr. DONOVAN: A bill (H. R. 15630) granting an increase of pension to Jennie E. Burnham; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 15631) granting an increase of pension to Julia F. Wagner; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 15632) granting an increase of pension to Sarah Wright; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 15633) granting a pension to Axel O. Carlson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15634) granting an increase of pension to Otto Höhn; to the Committee on Invalid Pensions.

By Mr. HINEBAUGH: A bill (H. R. 15635) granting a pension to William Shaw; to the Committee on Invalid Pensions.

By Mr. HULINGS: A bill (H. R. 15636) granting an increase of pension to Frank M. Powell; to the Committee on Invalid Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 15637) granting an increase of pension to Charles A. Harter; to the Committee on Invalid Pensions.

By Mr. KONOP: A bill (H. R. 15638) granting a pension to Anna M. Jones; to the Committee on Pensions.

Also, a bill (H. R. 15639) granting a pension to Sophia Stengel; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 15640) granting an increase of pension to Nancy E. Rowland; to the Committee on Invalid Pensions.

By Mr. LAZARO: A bill (H. R. 15641) granting an increase of pension to Marquis L. Farlow; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 15642) granting a pension to Young W. Cordell; to the Committee on Pensions.

By Mr. MOON: A bill (H. R. 15643) granting an increase of pension to John Lesley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15644) for the relief of the estate of Samuel P. Poe; to the Committee on War Claims.

By Mr. MOSS of West Virginia: A bill (H. R. 15645) granting an increase of pension to Jane Lutz; to the Committee on Invalid Pensions.

By Mr. MURRAY of Oklahoma: A bill (H. R. 15646) for the relief of Jesse J. Clemmons; to the Committee on Military Affairs.

By Mr. ELDER: A bill (H. R. 15647) for the relief of Dan O'Sullivan; to the Committee on Claims.

By Mr. TOWNSEND: A bill (H. R. 15648) granting a pension to Margaretta B. Benjamin; to the Committee on Pensions.

By Mr. WHITE: A bill (H. R. 15649) granting a pension to Amanda White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15650) granting an increase of pension to Perry Kemp; to the Committee on Invalid Pensions.

By Mr. WILLIS: A bill (H. R. 15651) granting a pension to Nettie Livingston; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Partido National Progresistat, of Manila, P. I., favoring independence of the Filipino people; to the Committee on Insular Affairs.

Also (by request), memorial of the United Spanish War Veterans of Washington, D. C., favoring passage of House bill 13044, widows and orphans' pension bill; to the Committee on Pensions.

Also (by request), memorial of the United Spanish War Veterans of Pueblo, Colo., protesting against the "One hundred years' peace celebration"; to the Committee on Foreign Affairs.

Also (by request), memorial of sundry citizens of Pennsylvania and Michigan, protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. ADAIR: Petition of the First Baptist Church and sundry citizens of Anderson, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ANTHONY: Petition signed by Thomas C. Moore and other citizens of Topeka, Kans., favorable to the passage of House bills 2865, 14747, and 14748, relating to pensions; to the Committee on Pensions.

Also, petition of W. H. Shaeffer and other soldiers of Highland, Kans., favoring House bills 2865, 14747, and 14748, relative to pensions; to the Committee on Invalid Pensions.

Also, petition of H. Bueltel and other members of Local No. 1027, F. E. and C. U. of America, Seneca, Kans., favoring rural-credits legislation; to the Committee on Banking and Currency.

By Mr. ASHBROOK: Memorial of Local 2259, United Mine Workers of America, of New Philadelphia, Ohio, protesting against imprisonment of Mary Jones; to the Committee on the Judiciary.

Also, petition of 11 citizens of Sullivan, Ohio, in favor of House bill 12928, relative to compensatory time for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. BALTZ: Petition of various residents of the twenty-second Illinois district, against national prohibition; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petitions of sundry citizens of the sixteenth ward of Pittsburgh, Pa., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BARNHART: Petition of 5,700 citizens of South Bend and Mishawaka, Ind., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of South Bend, Goshen, Culver, North Webster, Warsaw, Nappanee, Mishawaka, Lacrosse, Bremen, Plymouth, and Michigan City, all in the State of Indiana, in favor of Hobson prohibition amendment; to the Committee on the Judiciary.

By Mr. BARTON: Petitions of 250 citizens of Howard, 500 citizens of Clay Center, 112 citizens of Fairfield, and 100 citizens of Red Cloud, all in the State of Nebraska, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRITTEN: Petition of sundry citizens of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. BROWN of West Virginia: Petitions of sundry citizens of Mona, Martinsburg, Harpers Ferry, Charles Town, Bolivar, Sabraton, Morgantown, Ronkeslemi, Kingwood, Nestorville, Cassville, and Bellington; of the Methodist Episcopal Church South, of Romney; of the Wesley Bible Class, Methodist Episcopal Church South, of Franklin; of the First Methodist Protestant Church of Fairmont; of the Methodist Episcopal Church of Hurricane; of the Baptist and Methodist Episcopal Churches of Forest Hill; and of sundry citizens of Mineral County and Romney, all in the State of West Virginia, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petition of John J. Kennedy, of New York City, favoring passage of the Murray bill, House bill 7374; to the Committee on Pensions.

Also, petition of the board of directors of the Maritime Association of the Port of New York, relative to lights displayed on vessels moored in the streams; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Rogers-Pyatt Shellac Co., of New York City, relative to the all-water routes between New York City and Buffalo, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Metropolitan Association of Retail Druggists, favoring passage of House bill 13305, Stevens price-maintenance bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of New York Stereotypers' Union, No. 1, favoring passage of Bartlett-Bacon anti-injunction bills; to the Committee on the Judiciary.

By Mr. BYRNS of Tennessee: Petitions of sundry citizens of Montgomery County, Tenn., in behalf of the national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Nashville, Tenn., in behalf of the national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Robertson County, Tenn., in behalf of the national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. CALDER: Petitions of sundry citizens of Kings County, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. CARR: Petition of 270 citizens of Star Junction, Pa., favoring national prohibition and the adoption of an amendment to Constitution prohibiting, etc.; to the Committee on the Judiciary.

By Mr. CARY: Petition of J. B. Scarborough, of Milwaukee, Wis., against national prohibition; to the Committee on the Judiciary.

By Mr. COPLEY: Petitions of sundry citizens of the eleventh district of Illinois, protesting against the Hobson-Sheppard and Works resolutions, relative to national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of the eleventh district of Illinois, favoring the passage of the Hobson-Sheppard and Works resolutions, relative to national prohibition; to the Committee on the Judiciary.

By Mr. CURRY: Petition of Hayward Reed and 11 other residents of Sacramento, Cal., for the establishment of Federal censorship of motion pictures in interstate commerce; to the Committee on Education.

By Mr. DALE: Petition of J. G. Herr, of Brooklyn, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of New York Stereotypers' Union, No. 1, favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

By Mr. DANFORTH: Petitions of 1,300 citizens of Nunda, 63 citizens of West Kendall, 60 citizens of Stafford, 150 citizens of Kendall, 75 citizens of Chili, 250 citizens of Dale, 41 citizens of Carlton, 18 citizens of Hulburton, 200 citizens of Albion, 30 citizens of Holley, 74 citizens of Linden, and 32 citizens of Perry, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DIXON: Petitions of 160 citizens of Vevay, 100 citizens of Milan, 334 citizens of Rising Sun, 204 citizens of Hartsville, 810 citizens of Greensburg, 200 citizens of North Vernon, 95 citizens of Vernon, 50 citizens of Hope, 62 citizens of Grayford, 1,423 citizens of Seymour, 245 citizens of Freetown, 224 citizens of Madison, 275 citizens of Hanover, and various Sunday schools of Marshall County, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 271 citizens of Moores Hill, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DONOVAN: Petition of the National Association of Letter Carriers, of Bridgeport, Conn., favoring passage of House bill 5139 for the retirement of aged employees of the Government; to the Committee on Reform in the Civil Service.

By Mr. DOOLITTLE: Petitions of sundry citizens of the State of Kansas, favoring establishment of a bureau of farm loans; to the Committee on Banking and Currency.

By Mr. ESCH: Petitions of sundry citizens of Prairie du Sac, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. FERGUSSON: Petitions from 41 citizens of Texico, 104 citizens of Tularosa, and 207 citizens of Alamogordo, all in the State of New Mexico, praying for national prohibition; to the Committee on the Judiciary.

By Mr. FESS: Petition of 71 citizens of Georgetown, Ohio, favoring House bill 4900, for the erection of a monument to Gen. Ulysses S. Grant at Georgetown, Ohio; to the Committee on the Library.

Also, petitions of sundry citizens of Springboro, Ohio, and Busy Housewives' Club and Mother Thompson Union, of Hillsboro, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FOSTER: Petition of sundry citizens of the twenty-third district of Illinois, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Parkersburg, Richland County, and Bellmont and Mount Carmel, Wabash County, all in the State of Illinois, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

Also, petition of 500 citizens of Harrisburg, 1,227 citizens of Mount Vernon, and sundry citizens of Wabash County, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Effingham, Effingham County; Centralia and Odin, Marion County; and Breese, Clinton County, all in the State of Illinois, against national prohibition; to the Committee on the Judiciary.

By Mr. GALLAGHER: Petitions of sundry citizens of Cook County, Ill., protesting against national prohibiton; to the Committee on the Judiciary.

By Mr. GARDNER: Petition of Department of Massachusetts, Grand Army of the Republic, favoring House bill 1708 relative to pensions; to the Committee on Invalid Pensions.

By Mr. GARNER: Petition of sundry citizens of Texas, against national prohibition; to the Committee on the Judiciary.

By Mr. HILL: Petition of sundry citizens of the twenty-fifth district of Illinois, against national prohibition; to the Committee on the Judiciary.

By Mr. HINEBAUGH: Petitions of sundry citizens of the State of Illinois, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Streator (Ill.) Branch Socialist Party, favoring investigation of mining troubles in Colorado; to the Committee on Rules.

Also, petitions of sundry citizens of Sandwich, Capron, Rockford, De Kalb, and city of Genoa, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HULINGS: Petition representing 827 citizens of the twenty-eighth congressional district of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Warren County, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Warren, Pa., against Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. IGOE: Petitions of the Automobile Gasoline Co., the Laclede Gas Light Co., the Kinloch Telephone Co., and sundry citizens of St. Louis, all in the State of Missouri, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Woodward & Tiernan Printing Co., of St. Louis, Mo., favoring passage of House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petitions of M. Spiesberger & Son Co. and the Crane Co., of Omaha, Nebr., favoring House bill 14328, relative to false statements transmitted through the mails; to the Committee on the Post Office and Post Roads.

Also, petition of Niles & Moser Cigar Co., of Omaha, Nebr., favoring passage of House bill 14328, relative to false statements transmitted through the mails; to the Committee on the Post Office and Post Roads.

By Mr. KINDEL: Petition of sundry citizens of Colorado, against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Denver, Bartenders' Union No. 8, Cigar Makers' International Union of America, and the Denver Convention Association, all of Denver, Colo., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Pueblo (Colo.) Trades and Labor Assembly, against national prohibition; to the Committee on the Judiciary.

By Mr. KONOP: Petition of Ernest Ebeling and other citizens of Wisconsin, against national prohibition; to the Committee on the Judiciary.

Also, petition of the St. Paul's Methodist Episcopal Church, of Green Bay, Wis., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Ole Brustth and others, of Liberty Grove, Wis., favoring farm-land bank; to the Committee on Banking and Currency.

By Mr. LEWIS of Pennsylvania: Petition of the Lehigh Saengerbund, of Allentown, Pa., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Local Union No. 472, United Mine Workers of America, favoring investigation of troubles in mines of Colorado; to the Committee on Rules.

By Mr. LIEB: Petitions of Clinton F. Rose, W. K. Frick, S. B. Murphy, Fred Ed Eick, James H. Rapp, George Rheinhardt, Frank Neuman, William O. Saunders, Alfred McNeely, Emil Grote, George Williams, R. C. Rogers, Rev. Thomas L. Porter, Nelson P. Wilson, George Henekamp, H. H. Freeman, Peter Kirsch, J. E. Gantner, Union Pfingston, William Pfingston, and Philip Bickel, all of Evansville, Ind., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of the Bristol Master Plumbers' Association, of Bristol, Conn., in favor of House bill 14288, relating to contracts for the erection of public buildings; to the Committee on Public Buildings and Grounds.

Also, petition of Tunxis Grange, No. 13, Patrons of Husbandry, of Bloomfield, Conn., favoring the proposed farmers' credit law; to the Committee on Banking and Currency.

By Mr. McDERMOTT: Petitions of sundry citizens of Chicago, Ill., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. McKENZIE: Petitions signed by sundry citizens of the thirteenth congressional district of Illinois, protesting against the Hobson, Sheppard, and Works resolutions, providing for nation-wide prohibition; to the Committee on the Judiciary.

By Mr. MADDEN: Petition of sundry citizens of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Cook County, Ill., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MANN: Petitions of sundry citizens of Chicago, Ill., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MAPES: Petition of the Woman's Christian Temperance Union of Orleans, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MARTIN: Petition of the Woman's Christian Temperance Union of Hot Springs, S. Dak., favoring national prohibition; to the Committee on the Judiciary.

By Mr. METZ: Petition of sundry citizens of New York City, against national prohibition; to the Committee on the Judiciary.

By Mr. MOON: Petitions of 2,082 citizens of Lenoir City, Tenn., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Whitwell, Winchester, McMinnville, Decherd, and Copperhill, all in the State of Tennessee, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MURRAY of Oklahoma: Petition of the Retailers' Association of Purcell, Okla., relative to securing the per capita payment proposed for the Chickasaw-Choctaw Indians; to the Committee on Indian Affairs.

Also, petition of Rev. J. S. Murrow and sundry citizens of Atoka, Okla., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 500 citizens of Grady County, Okla., and the Sunday School Association of Gracemont, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PADGETT: Memorial of various public-school teachers of Williamson County, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PROUTY: Petition of sundry citizens and United Presbyterian Church of Winterset, Iowa, favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAINEY: Petitions of 203 voters of the twentieth congressional district of Illinois and the Methodist Episcopal Church of Jerseyville, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 850 citizens of the twentieth congressional district of Illinois, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. RAUCH: Petitions of 123 citizens of Amboy, 501 citizens of Marion, 25 citizens of Huntington, 93 citizens of Warren, 100 citizens of Swayzee, 100 citizens of Medaryville, 39 citizens of Markle, 60 citizens of Galveston, 510 citizens of Francesville, 209 citizens of Wabash, 75 citizens of Andrews, 75 citizens of Fairmount, and 97 citizens of Fowlerton, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens and churches of Indiana, favoring national prohibition; to the Committee on the Judiciary.

By Mr. REED: Petitions of various members of the congregation of the Congregational Church of Newington; 210 members of the congregation of the Christian Church of Newton; 89 members of the congregations of the Baptist Churches of Barrington; and the congregations of the following Protestant churches of the city of Dover: First Church in Dover (Congreational), Central Avenue Baptist Church, St. John's Methodist Episcopal Church, Free Will Baptist Church, Belknap Congregational Church, Advent Christian Church, Universalist Church, Unitarian Church, all in the State of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

By Mr. RUSSELL: Petition of 120 citizens of Jackson, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SABATH: Petition of sundry citizens of the fifth district of Illinois, against national prohibition; to the Committee on the Judiciary.

By Mr. SCULLY: Petitions of sundry citizens of Asbury Park and Ocean Grove, N. J., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Maryland: Petition of sundry citizens of the fifth district of Maryland, against national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Minnesota: Petitions of 150 citizens of Long Lake, Minn., and 625 citizens of Minneapolis, Minn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of 180 citizens of Fergus Falls, 43 citizens of Campbell, 210 citizens of Hallock, 16 citizens of Frazee, and 20 citizens of Ada, all in the State of Minnesota, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STONE: Petition of 182 citizens of Deer Creek, 150 citizens of Minier, 75 citizens of Toulon, and 95 citizens of Peoria, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Illinois against national prohibition; to the Committee on the Judiciary.

By Mr. TALCOTT of New York: Petition of Local Union No. 13, Meat Cutters & Butcher Workmen of North America, of Utica, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. THOMPSON of Oklahoma: Petition of sundry citizens of Pottawatomie, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WEAVER: Petition of sundry citizens of Grandfield, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIAMS: Petitions of 475 citizens of Wyoming, 300 citizens of Le Roy, 200 citizens of Carlock, 400 citizens of Aurora, 500 citizens of Carap Point, 775 citizens of Peoria, 40 citizens of Naples, 328 citizens of Woodhull, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of Lynn Griswold and 47 other pupils of the McComb (Ohio) High School, protesting against any change in the design of the American flag; to the Committee on the Judiciary.

Also, petition of G. W. Dinehart and 64 other citizens of Hardin and Logan Counties, Ohio, in favor of the adoption of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Glen Watson and 12 other citizens of Wharton, Ohio, against the adoption of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Kendrick Kennedy, of Kenton, Ohio, in favor of the adoption of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of William J. Altmeyer, of Findlay, Ohio, protesting against the adoption of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of sundry citizens of Oriska, N. Dak., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

TUESDAY, *April 14, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thy name is the hope and inspiration of all men. No man hath seen Thee at any time but Thou hast given us to know Thee very near and to know the great Divine design in human life. All that we have seen, the works of Thy hands, have been to us a revelation of a personal God. All the ministry of nature teaches us the self-determination and self-revelation of the infinite and absolute One. The whole earth is full of Thy glory. We rejoice and exult in our kinship with God, and praise Thy name that Thou hast called us to be coworkers together with Thyself. Let Thy blessing abide with us this day. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

RAILWAY RATES.

Mr. CUMMINS. Mr. President, in my address yesterday I used certain tables taken from the Wall Street Journal, instituting a comparison between the market value of industrial stocks and railway stocks. I find upon examining the stenographic report that I did not ask leave to have them printed as a part of my remarks. It was an oversight on my part, and I now ask unanimous consent that the tables may be inserted in my address without reading.

The VICE PRESIDENT. Without objection, permission is granted.

IMPORTATION OF GOODS IN AMERICAN VESSELS (S. DOC. NO. 464).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 9th instant, the full text of the recent opinion of the Board of United States General Appraisers on the construction of the clause in the tariff act of October 3, 1913, allowing a 5 per cent discount on goods imported in American vessels, which, with the accompanying papers, was referred to the Committee on Finance and ordered to be printed.

INCOME-TAX COLLECTIONS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, recommending the inclusion of an item in the legislative appropriation bill under the heading "Collecting the income tax," providing that no agent paid from this appropriation shall receive compensation at a rate higher than $7 a day and $3 additional in lieu of subsistence, which was referred to the Committee on Appropriations.

HARBOR TONNAGE AND CONSTRUCTION OF LOCKS.

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, acknowledging the receipt of the resolution of the Senate of the 9th instant, relative to information in connection with the tonnage of each harbor of the United States, and also the number of locks that the Government of the United States has constructed, etc., which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
Washington, April 11, 1914.

Hon. JAMES M. BAKER,
Secretary of the Senate.

SIR: Acknowledgment is made of Senate resolution of April 9, calling upon the Secretary of the Treasury to furnish certain detailed information in connection with the tonnage of each harbor of the United States, and also the number of locks that the Government of the United States has constructed, their location, cost of their construction, etc. Inasmuch as this department has no information upon the subjects covered by the resolution, I have taken the liberty of transmitting a copy of the resolution to the Secretary of War and the Secretary of Commerce, whose departments have jurisdiction over the matters involved.

Respectfully, CHARLES S. HAMLIN,
Acting Secretary.

THE ROCKEFELLER FOUNDATION.

Mr. KENYON. I should like to have printed as a public document a copy of a certain communication from the Secretary of Agriculture in response to a resolution adopted by the Senate on the 1st of April. I do not know whether this is the proper time to make the request or not. If there is no objection, I should like to make it now.

I ask that the resolution passed by the Senate April 1, 1914, calling upon the Secretary of Agriculture for information relative to the relation of the organization known as the General Educational Board of the Rockefeller Foundation to the work of the Department of Agriculture and a copy of the reply of the Secretary of Agriculture thereto dated April 4, 1914, be made a public document, and, further, that they be printed in the RECORD.

Mr. SMOOT. If the Senator will allow the papers to be referred to the Committee on Printing, they will report upon the printing.

Mr. KENYON. I have no objection, if that is the proper course; but I assume that the portion of the request in reference to printing in the RECORD can be made now.

Mr. SMOOT. That is entirely with the Senate; it is not with the committee at all.

The VICE PRESIDENT. Is there objection to printing the papers in the RECORD?

There being no objection, the papers were ordered to be printed in the RECORD, as follows:

APRIL 3, 1914.

The VICE PRESIDENT OF THE UNITED STATES
AND PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit the information requested and directed to be furnished to the Senate by resolution adopted April 1, 1914, concerning:

1. The relation, if any, of the organization known as the General Education Board of the Rockefeller Foundation to the work of the Department of Agriculture.

2. The names and positions of all employees, if any, of the department whose salaries are paid in whole or in part with funds contributed by the Rockefeller Foundation.

3. The names and positions of all administrative officers, if any, of the department who are in any way connected with the work of the General Education Board of the Rockefeller Foundation.

4. Salaries, if any, received by them from the said Rockefeller Foundation.

The General Education Board is a corporation created by a special act of the Congress approved by President Roosevelt January 12, 1903, having as its object the promotion of education within the United States of America without distinction of race, sex, or creed.

About the time of the incorporation of the General Education Board a serious emergency was presented in the Southwest by the ravages of the cotton-boll weevil. The Congress, on January 15, 1904, made an appropriation which permitted the expenditure of $250,000 for meeting the ravages of the weevil, including demonstration work. The demonstration work met with immediate success and attracted the attention of the General Education Board. The board expressed its desire to cooperate, and offered to place at the disposal of the department additional funds for extending the work.

On April 20, 1906, after a full discussion, a memorandum of understanding was entered into between the Department of Agriculture and the General Education Board for cooperation in extending the farmers' cooperative cotton-demonstration work. The agreement provided, in brief, that the work financed by the General Education Board should be distinct in territory from that carried on solely by the Department of Agriculture, and that this work should be separately financed. Under the terms of the agreement the General Education Board undertook to pay the expenses directly and indirectly incurred in conducting the demonstration work in the extended territory, and the department agreed to supervise the work and to appoint all special agents for the extended territory. It was also agreed that the agents should be under the control of the department in every respect as fully as any other agents of the department.

It was distinctly understood that the department was to be in no way responsible for the handling of the funds provided by the General Education Board, and that the department would, under no consideration, join with the board in payment of salaries of employees, except to the extent of a nominal collaborator's salary of $1 per annum, which was necessary and essential in order to secure the franking privilege.

The agreement referred to has been the basis of operations since 1906. The arrangement with the General Education Board has been called to the attention of the committees of Congress in the reports of the Secretary or in the reports of the Bureau of Plant Industry or in the public hearings before the committees each year since the work was

undertaken. For the last fiscal year the board appropriated approximately $250,000 for this work. The greater part of this appropriation has been used for general demonstration work in the States of North Carolina, South Carolina, north Georgia, Virginia, West Virginia, and Kentucky. About $75,000 of the amount has been devoted to girls' canning and poultry club work in all the Southern States.

The plans for the entire work are made by the department. In conducting that work the department, as in other cases wherever practicable, has entered into close relations with the State colleges of agriculture, and part of the salaries of the agents are paid from State or county funds or both and part from the General Education Board funds. In making its appointments the department has in such cases cooperated with the State college.

There is appended hereto a statement giving the names of persons employed in farmers' cooperative demonstration work, whose salaries are paid in whole or in part by the General Education Board. The part of the salary not so paid, with the exception of the collaborator's salary of $1 per annum paid by the department, is paid, as has been indicated, by the State or county or some other local organization. The statement gives, first, the names of the employees; second, the amount per month paid by the General Education Board; third, the amount paid by the State; fourth, amount paid by county or local authorities; fifth, the nominal sum paid by the department; and, sixth, number of months employed each year.

Mr. Bradford Knapp is the administrative officer of the department who handles all the farmers' cooperative demonstration work in the South. As director of all the administrative work he has charge of the force of collaborators who are paid in whole or in part by the General Education Board. He receives no salary from the General Education Board.

In March, 1913, the Congress made an appropriation for the study of marketing, and it also made an appropriation for the study of rural credits in Europe. It appeared desirable that if possible there should be an investigation of the forms of cooperation in the United States, of the problems of rural organization, and especially of the facts relating to farm credits. These problems are interwoven with the marketing problems and with the rural-credit inquiry abroad. It was suggested that it was important that the department institute inquiries concerning these problems while it was investigating marketing in this country and rural credits abroad. The department at the time had no funds available, and the General Education Board, learning of the situation, offered to extend its financial cooperation, and the department entered into an agreement by which funds were placed at its disposal for the study of cooperation, including rural credits and the general organization of rural communities for economic, social, and educational purposes. The department agreed to have a director in charge of this work who should be approved by it and whose work should be directed by it, and Dr. Thomas Nixon Carver, of Harvard, was selected. It was agreed to make him and four other necessary investigators collaborators, paying them a nominal salary of $1 per month or per annum, as indicated below, so as to make it possible for them to use the frank:

	Amount per month paid by General Education Board.	Amount paid by the Department of Agriculture.
Carver, T. N.	$625.00	[1] $1.00
Goddard, L. H.	333.34	[2] 1.00
Thompson, C. W.	333.34	[1] 1.00
Buttrick, P. A.	150.00	[1] 1.00
Moran, J. S.	125.00	[2] 1.00

[1] Per month. [2] Per annum.

The department also selected 12 professors of economics in agricultural colleges or universities in the country and made them collaborators, with the nominal compensation of $1 per annum, so that they might use the Government frank. Their names are:

Prof. C. B Austin, University of Texas, Austin, Tex.; Prof. Charles Lee Raper, University of North Carolina, Chapel Hill, N. C.; Prof. L. D. H. Weld, University Farm, St. Paul, Minn.; Dean Leon S. Merrill, University of Maine, Orono, Me.; Prof. W. O. Hedrick, State College, East Lansing, Mich.; Prof. Samuel D. Gromer, University of Missouri, Columbia, Mo.; Prof. G. O. Virtue, University of Nebraska, Lincoln, Nebr.; Prof. George Thomas, Agricultural College, Logan, Utah; Prof. A. W. Taylor, Washington State College, Pullman, Wash.; Prof. C. B. Williams, Iowa State College, Ames, Iowa; Prof. Alexander E. Cance, Massachusetts Agricultural College, Amherst, Mass.; Prof. Morton A. Aldrich, Tulane University, New Orleans, La.

The traveling expenses of these men were paid by the General Education Board.

It made a similar arrangement with Dr. Lillian Johnson, of Memphis, Tenn., and Miss Ernestine Noa, of Lookout Mountain, Tenn.

The following persons are employed as clerks under Dr. Carver, their salaries being wholly paid by the General Education Board. They are not collaborators of the department.

Names and salary per month.

Daisy F. Fridley	$85
Chastina Gardner	85
May F. Murphy	85
Catherine M. Viehmann	85
Myrtle Wells	85
Kenneth Creswell	40
John Donahue	50

The total amount appropriated by the General Education Board for this purpose has been $37,166.66.

On December 31, 1913, it was agreed that this arrangement should terminate on June 30, 1914.

If for any reason the Congress should conclude that this farmers' demonstration work, carried on in cooperation with the General Education Board since 1906, should be discontinued, the work in the South will have to be curtailed accordingly or an appropriation from the general revenues of $250,000 will be required.

Respectfully,

D. F. HOUSTON, *Secretary.*

Statement giving names of persons employed in farmers' cooperative demonstration work whose salaries are paid, wholly or in part, by the General Education Board.

Name of employee.	Amount per month paid by General Education Board.	Amount paid by the State.	Amount paid by county or local authorities.	Amount paid by Department of Agriculture.	Number months employed each year.
ALABAMA.					
Girls' club work:					
Appleton, Miss I.	$75.00			$1.00	2
Do			$75.00		2
Bankson, Miss D.	75.00			1.00	2
Do			75.00		2
Broxton, Miss W.	75.00			1.00	2
Do			75.00		2
Carter, Miss Ida.	75.00			1.00	2
Do			75.00		2
Chandler, Samuel.	75.00			1.00	2
Do			75.00		2
Feminear, Miss M.	75.00			1.00	2
Do			75.00		2
Gaines, Miss Z.	75.00			1.00	2
Do			75.00		2
Hester, James E.	75.00			1.00	4
Do		$75.00			4
Do			75.00		4
Hodges, Mrs. M. E.	75.00			1.00	2
Do			75.00		2
Kilgore, Miss Ada.	75.00			1.00	2
Do			75.00		2
Luther, Miss S.	75.00			1.00	2
Do			75.00		2
McGuire, Miss J.	75.00			1.00	2
Do			75.00		2
May, Miss O. F.	75.00			1.00	2
Do			75.00		2
Murphree, Miss R.	75.00			1.00	2
Do			75.00		2
Robinson, Mrs. B.	100.00			1.00	12
Rosser, Miss J.	75.00			1.00	2
Do			75.00		2
Shaw, Mrs. N. D.	75.00			1.00	2
Do			75.00		2
Smith, David L.	75.00			1.00	2
Do			75.00		2
Watson, Frank H.	75.00			1.00	2
Do			75.00		2
ARKANSAS.					
Girls' club work:					
Archer, Miss Emma	100.00			1.00	12
Bielz, Miss J. V.	25.00		25.00	1.00	8
Camp, Miss Annie	30.00		25.00	1.00	7½
Cassell, Mrs. O.	15.00		15.00	1.00	10
Crump, Archibald	50.00			1.00	10
Fortner, Mrs. L.	30.00		30.00	1.00	10
Garrison, P. A.	25.00			1.00	2
Do			50.00		5
High, Miss Beulah	25.00		30.00	1.00	8
Johnson, Mrs. M. J.	25.00			1.00	2
Do			30.00		6
Johnson, Samuel A.	5.00		20.00	1.00	10
Kapp, Miss Dauphine	30.00		30.00	1.00	10
Kizer, Mrs. Birdie	30.00		30.00	1.00	10
Lambert, Mrs. E. W.	33.33		50.00	1.00	9
Neely, Mrs. Fannie H.	30.00		30.00	1.00	10
Parker, Miss Edmonia	25.00		37.50	1.00	2
Do			67.50		6
Pye, Miss Ruth E.	25.00		62.50	1.00	8½
Reding, Miss Addie L.	30.00		30.00	1.00	10
Robinson, Miss Mary	25.00			1.00	2
Do			40.00		5½
Ryles, Miss Lizzie	25.00			1.00	2
Do			40.00		5
Sims, Miss Mary	25.00			1.00	2
Do			30.00		6
Vance, Miss Della	25.00			1.00	2
Do			40.00		5
Weaver, Miss Mamie	25.00		25.00	1.00	6
Webb, Miss Mollie G.	20.00		37.50	1.00	8
Wilkerson, Miss Kitty	25.00		25.00	1.00	8
FLORIDA.					
Girls' club work:					
Biggs, Miss Ruth O.	40.00			1.00	2½
Bishop, Mrs. Carrie H.	40.00		40.00	1.00	2½
Bradley, Miss Mary E.	40.00		40.00	1.00	2½
Bryan, Miss Joe B.	75.00			1.00	2
Do		25.00			1
Do			62.50		2
Conibear, Miss R. B.	20.00		70.00	1.00	5
Do		20.00			1½
Crawford, Miss G.	37.50	9.37	28.13	1.00	2½
Crosland, Miss Mary U.			20.00	1.00	10
Curington, Mrs. Mary	75.00		75.00	1.00	1½
Do		25.00			1
Davis, Miss Loula F.	37.50	9.37	28.13	1.00	2½
Evers, Mrs. Mollie	40.00		40.00	1.00	2½
Frazer, Miss Lila C.	75.00		75.00	1.00	2
Do		25.00			1
Harris, Miss Agnes E.	25.00	133.33		1.00	12

Statement giving names of persons employed in farmers' cooperative demonstration work, etc.—Continued.

Name of employee.	Amount per month paid by General Education Board.	Amount paid by the State.	Amount paid by county or local authorities.	Amount paid by Department of Agriculture.	Number months employed each year.
FLORIDA—continued.					
Girls' club work—Continued.					
Henry, Mrs. Martha I	$75.00		$75.00	$1.00	1½
Hudson, Miss Lucia A	30.00	$5.00	25.00	1.00	5
Mathis, Miss Mary L	40.00		40.00	1.00	2
Monroe, Mrs. Pattie Q	75.00			1.00	1⅛
Do		25.00			1
Moorhead, Mrs. C. H	75.00			1.00	2
Do		25.00	100.00		1
Quarterman, Mrs. J	40.00		40.00	1.00	2⅔
Tanner, Miss Julia S	75.00		37.50	1.00	2
Do		25.00			1
Urquhart, Miss G. R	75.00		75.00	1.00	2
Do		25.00			1
Waldrup, Mrs. E. M	75.00		75.00	1.00	2
Do		25.00			1
Warren, Miss M. E	40.00			1.00	2⅔
Wiggins, Miss Ida M	37.50	9.37	28.13	1.00	2½
Williams, Mrs. Nina	75.00		75.00	1.00	4⅔
Do		25.00			1
GEORGIA.					
Adult demonstration and boys' club work:					
Baker, Eugene	50.00		50.00	1.00	10
Blackwell, J. H	50.00		50.00	1.00	11
Cown, S. M	62.50	62.50		1.00	12
Cox, Chas. H	50.00		25.00	1.00	10
Cox, Chas. S	60.00		40.00	1.00	9½
Davis, L. C	75.00			1.00	8½
Eskew, D. B	40.00		22.50	1.00	10
Fitzpatrick, Thos	60.00		40.00	1.00	9
Foster, C. L	75.00			1.00	8½
Harris, G. L	50.00		25.00	1.00	11
Holly, N. E	50.00		50.00	1.00	9½
Hubbard, C. S	45.00		20.00	1.00	10
Hunter, R. S	62.50			1.00	8½
Jackson, E. T	50.00		35.00	1.00	9
Johnson, P. D	40.00			1.00	9
Little, F. B	50.00		50.00	1.00	10
Logue, W. A	50.00			1.00	8½
Mathews, J. O	35.00		40.00	1.00	10
Parker, T. L	40.00		35.00	1.00	10
Pitts, D. J	40.00			1.00	8½
Richardson, S. M	50.00			1.00	8½
Sherard, S. H	50.00		75.00	1.00	9½
South, J. W	50.00		25.00	1.00	10
Whatley, W. F	50.00		75.00	1.00	11
Wiley, H. G	40.00		50.00	1.00	10
Wersham, H. L	50.00		50.00	1.00	10
Yates, W. W	50.00		16.00	1.00	9
Girls' club work:					
Blackwell, Mrs. J	50.00		50.00	1.00	2
Bond, Mrs. Ella G	50.00		50.00	1.00	2
Brook, Miss B. V	50.00		50.00	1.00	2
Brooks, Miss S. E	37.50		37.50	1.00	2
Burch, Miss Bessie	37.50		37.50	1.00	2
Clark, Mrs. T. O	50.00		50.00	1.00	2
Covington, Miss P	50.00		50.00	1.00	2
Cox, Mrs. P. H	37.50		37.50	1.00	2
de Loache, Mrs. E. T	50.00		50.00	1.00	2
Dickson, Mrs. Lela	50.00		50.00	1.00	2
Dowdle, Miss Lois P	75.00			1.00	12
Forrest, Miss Lilla	75.00			1.00	12
Henderson, Miss L. H	50.00		50.00	1.00	2
Holt, Miss E. G	50.00	50.00		1.00	12
McVicker, Miss K. L	50.00		50.00	1.00	2
Nelson, Mrs. K. W	75.00		75.00	1.00	2⅓
Oliver, Miss Ida	50.00		50.00	1.00	2
Paradise, Miss A	75.00		75.00	1.00	2⅓
Patterson, Miss G	50.00		50.00	1.00	2
Pittman, Mrs. H. P	50.00		50.00	1.00	2
Powers, Miss Ida L	50.00		50.00	1.00	2
Rolston, Mrs. C. J			75.00	1.00	2
Tappan, Miss A. L	50.00		50.00	1.00	2
Thomas, Miss F. I	50.00		50.00	1.00	2
KENTUCKY.					
Adult demonstration and boys' club work:					
Anderson, C. C	25.00	25.00		1.00	12
Baldwin, J. C	50.00		50.00	1.00	12
Brown, Paul D	50.00		50.00	1.00	12
Burrell, O. B	100.00		33.33	1.00	12
Bushong, P. W	100.00		33.33	1.00	12
Casey, A. M	50.00		25.00	1.00	12
Faulkner, E. H	50.00		50.00	1.00	12
Finley, A. Y	83.33		16.66	1.00	12
Floyd, O. F	50.00		66.66	1.00	12
Gentry, J. C	50.00		50.00	1.00	12
Hughes, M. O	108.33		41.66	1.00	12
Kegley, E. S	50.00		58.33	1.00	12
Kilpatrick, E. J	50.00		75.00	1.00	12
Merriman, F. E	100.00		83.33	1.00	12
Montgomery, Frank	80.55		56.25	1.00	9
Morgan, Geoffrey	100.00		50.00	1.00	12
Mutchler, Fred	250.00			1.00	12

Statement giving names of persons employed in farmers' cooperative demonstration work, etc.—Continued.

Name of employee.	Amount per month paid by General Education Board.	Amount paid by the State.	Amount paid by county or local authorities.	Amount paid by Department of Agriculture.	Number months employed each year.
KENTUCKY—continued.					
Adult demonstration and boys' club work—Continued.					
Nichol, J. E	$100.00		$33.33	$1.00	12
Rogers, W. H	50.00		50.00	1.00	12
Smock, S. J	50.00		50.00	1.00	12
Taylor, C. L	50.00		50.00	1.00	12
Wilson, W. C	50.00		50.00	1.00	12
Girls' club work:					
Carson, Miss E. C	25.00	$25.00	25.00	1.00	4
Condit, Miss E. M	25.00	25.00	25.00	1.00	4
Elam, Mrs. B. D	25.00	25.00	25.00	1.00	4
Graves, Mrs. E. N	25.00	25.00	25.00	1.00	4
Morton, Miss M. I	25.00	25.00	25.00	1.00	4
Siler, Miss Rhoda	25.00	25.00	25.00	1.00	4
Vogel, Miss C. L	25.00	25.00	25.00	1.00	4
Wolcott, Mrs. H. B	83.33	41.66		1.00	12
Worthington, Miss M	25.00	25.00	25.00	1.00	4
LOUISIANA.					
Girls' club work:					
Barnes, Miss Minnie B	33.33		33.33	1.00	3
Billingsley, Miss C			50.00	1.00	3
Do	50.00				2
Campbell, Miss V. L	50.00			1.00	2
Do			50.00		3
Cook, Miss G. E	50.00			1.00	2
Do			50.00		3
Cottman, Mrs. E	16.67		66.67	1.00	3
Dabadie, Felix	33.33		83.33	1.00	12
Dey, Miss D. A	50.00			1.00	2
Do			50.00		3
Hathaway, Miss I. M	50.00			1.00	2
Do			50.00		3
Hoge, Miss H. H	50.00			1.00	2
Do			50.00		3
Jones, E. W	66.66		125.00	1.00	3
Jordan, Miss R	16.67		66.67	1.00	3
Kelly, Miss E. B	41.66	83.33		1.00	12
Miller, Miss M. M	40.00		79.00	1.00	5
Mobley, Miss C	50.00			1.00	2
Do			50.00		3
Powell, Miss O	100.00			1.00	12
Price, Miss E. W	33.33		33.33	1.00	3
Salter, Mrs. B. D	16.67		33.33	1.00	3
Schmit, Miss V. E	50.00			1.00	2
Do			50.00		3
Shelby, Miss H. A	50.00			1.00	2
Do			50.00		3
Shirley, Miss M. E	50.00			1.00	2
Do			50.00	1.00	3
Simpson, Miss C	50.00			1.00	2
Do			50.00		3
Smith, Mrs. M	16.67		33.33	1.00	3
Sullivan, Miss D. M	50.00			1.00	2
Do			50.00		3
Thomas, Miss M. E	50.00			1.00	2
Do			50.00		3
Toole, Mrs. E. O	16.67		66.67	1.00	3
Treen, C. W	33.33			1.00	3
Warrington, W. J	33.33			1.00	3
Wilson, Miss H. A	50.00			1.00	2
Do			50.00		3
MARYLAND.					
Adult demonstration and boys' club work:					
Drury, John H	100.00			1.00	10
Graybill, Jacob L	100.00		33.33	1.00	10
Hodges, C. A	100.00			1.00	10
Koehler, H. S	58.33		58.33	1.00	12
Linthicum, W. R	100.00			1.00	10
Smith, Oliver	100.00			1.00	6
Do			100.00		6
Stabler, Aug	125.00			1.00	12
Townshend, G. C. D	100.00			1.00	10
Wathen, G. F., jr	100.00			1.00	10
Girls' club work:					
Bullock, Miss H. V	75.00			1.00	2
Burnite, Miss A. A	100.00			1.00	12
Dukes, Miss M. L	75.00			1.00	2⅓
Hamblin, Miss May	75.00			1.00	2⅓
Knighton, Mrs. I. B	75.00			1.00	2⅓
Linthicum, Mrs. J. M	75.00			1.00	2⅓
Mattingly, Miss M. L	75.00			1.00	2⅓
MISSISSIPPI.					
Girls' club work:					
Allen, Miss Mary L	25.00		25.00	1.00	4
Alley, Mrs. Della B	50.00			1.00	2
Do			5.00		8
Berry, Mrs. Jennie M	25.00		25.00	1.00	4
Bolt, Miss Lena V	25.00		25.00	1.00	4
Boone, Miss Annie B	25.00		25.00	1.00	4
Bradley, Miss Katherine	50.00		30.00	1.00	2
Do			5.00		8

Statement giving names of persons employed in farmers' cooperative demonstration work, etc.—Continued.

Name of employee.	Amount per month paid by General Education Board.	Amount paid by the State.	Amount paid by county or local authorities.	Amount paid by Department of Agriculture.	Number months employed each year.
MISSISSIPPI—continued.					
Girls' club work—Continued.					
Eristow, Miss Lila M.	$25.00		$25.00	$1.00	4
Brown, Miss Mary A.	25.00		25.00	1.00	4
Dockery, Miss Sarah S.	50.00		30.00	1.00	2
Do			5.00		8
Edwards, Mrs. Lela	25.00		25.00	1.00	3
Flowers, Mrs. Bennie D.	33.33		33.33	1.00	3
Fugler, Miss Mittie F.	50.00		30.00	1.00	2
Do			5.00		8
Graves, Mrs. Cora E.	25.00		25.00	1.00	4
Haddon, Miss May Ellen	50.00		30.00	1.00	2
Do			5.00		8
Havens, Mrs. Laura W.	25.00		25.00	1.00	3
Hawkins, Miss Evangeline	20.00		30.00	1.00	5
Hemphill, Mrs. Fannie G.	25.00		25.00	1.00	4
Jones, Miss Emma E.	25.00		25.00	1.00	2
Lamberth, Miss Loretta M.	25.00		25.00	1.00	4
Little, Miss Velma	25.00		25.00	1.00	4
Love, Miss Willie B.	25.00		25.00	1.00	3
Do			25.00		1
McClure, Mrs. Mabel C.	25.00		25.00	1.00	4
Maltby, Miss Dorothy Q.	15.00			1.00	12
Martin, Mrs. Lizzie H.	25.00		25.00	1.00	4
Monroe, Mrs. Margaret M.	25.00		25.00	1.00	4
Powell, Miss Susie V.	83.33				12
Quarles, Miss Minnie May	25.00		25.00	1.00	4
Do			50.00		4
Renfrow, Miss Fannie	50.00		30.00	1.00	2
Do			5.00		8
Rowan, Miss Sarah F.	37.50		37.50	1.00	2
Simmons, Mrs. Lillie A.	25.00		25.00	1.00	4
Speight, Miss Indie A.	25.00		25.00	1.00	4
Tunison, Miss Lula	50.00		30.00	1.00	2
Do			5.00		8
Welborn, Miss Mattie R.	50.00			1.00	2
Do			5.00		8
Welch, Miss Fannie	37.50		37.50	1.00	2
White, Miss Lucile M.	25.00		25.00	1.00	2
NORTH CAROLINA.					
Adult demonstration and boys' club work:					
Anderson, Bruce	45.00		45.00	1.00	12
Anderson, Edgar Harold	40.00		60.00	1.00	12
Arey, John A.	35.00		75.00	1.00	12
Barrett, Roscoe C.	40.00		40.00	1.00	10
Bennett, Martin A.	50.00		50.00	1.00	10
Boone, J. A.	50.00		50.00	1.00	12
Browne, T. E.	166.67			1.00	12
Byars, Geo. W.	50.00		40.00	1.00	10
Cameron, J. W.	60.00		25.00	1.00	9
Coble, S. E.	45.00		45.00	1.00	10
Davis, McDonald	28.83		21.17	1.00	9
Dobbins, J. C.	37.50		37.50	1.00	10
Fearrington, Eddie M.	50.00		40.00	1.00	10
Fletcher, J. D.	50.00		75.00	1.00	10
Foster, H. K.	33.33		66.67	1.00	12
Gray, James M.	50.00		58.33	1.00	12
Harris, T. J.	50.00		30.00	1.00	9½
Hendren, John J.	40.00		40.00	1.00	11½
Herring, J. P.	50.00		75.00	1.00	10
Howell, O. J.	40.00			1.00	10
Hudson, C. R.	208.33			1.00	12
Jarvis, Wm. W.	40.00		40.00	1.00	10
Josey, Edgar P.	50.00		30.00	1.00	10
Latham, J. F.	40.00		50.00	1.00	12
Lynch, Charles M.	50.00		25.00	1.00	8
McLean, T. D.	150.00			1.00	12
Miller, C. P.	40.00		40.00	1.00	9
Millsaps, E. S.	150.00			1.00	12
Morris, J. A.	50.00		100.00	1.00	12
Murrah, Gordon L.	45.00		45.00	1.00	11½
Patterson, Joseph A.	60.00		40.00	1.00	10
Perkins, E. L.	40.00		50.00	1.00	10
Robertson, A. K.	100.00			1.00	12
Ross, I. G.	40.00		40.00	1.00	8
Sears, J. Walter	50.00		41.67	1.00	12
Sewell, N. B.	24.00		16.00	1.00	9
Siler, A. L.	40.00		45.00	1.00	12
Smith, James A.	40.00			1.00	10
Smith, Louis Murdock	40.00		43.33	1.00	12
Turlington, James A.	28.83		21.17	1.00	9
Turlington, W. H.	50.00		40.00	1.00	9⅔
Walker, F. S.	40.00		40.00	1.00	10
Weaver, E. D.	45.00		45.00	1.00	12
Williams, Paul C.	20.00		20.00	1.00	8½
Woods, Charles N.	20.00		20.00	1.00	8½
Bailey, N. A.	60.00			1.00	8½
Carter, Oliver	60.00			1.00	9
Hall, L. E.	41.67		41.67	1.00	12
Herring, G. W.		$60.00		1.00	10
Mitchell, C. S.		60.00		1.00	9
Bowditch, Edwin D.	55.00		25.00	1.00	10
Cole, Thomas A.	50.00		35.00	1.00	10
Cromartie, Alexander D.	40.00		40.00	1.00	10
Lawsing, Albert L.	25.00		60.00	1.00	9½

Statement giving names of persons employed in farmers' cooperative demonstration work, etc.—Continued.

Name of employee.	Amount per month paid by General Education Board.	Amount paid by the State.	Amount paid by county or local authorities.	Amount paid by Department of Agriculture.	Number months employed each year.
NORTH CAROLINA—continued.					
Adult demonstration and boys' club work—Continued.					
McLean, Miss V. M.	$22.50			$1.00	9½
Blankenship, A. J.		$40.00	$50.00	1.00	10
Chamblee, W. H., jr.		50.00	40.00	1.00	9
Evans, William H.		40.00		1.00	10
Freeman, R. W.		40.00	60.00	1.00	12
Goforth, G. M.		60.00	20.00	1.00	8
Graeber, R. W.		45.00	35.00	1.00	12
Hendren, A. G.		40.00	40.00	1.00	12
Henley, James H.		45.00	35.00	1.00	10
Johnson, J. W.		41.66	41.66	1.00	12
Lipe, R. L.		40.00	40.00	1.00	10
Moore, R. B.		45.00	35.00	1.00	9½
Moore, Zeno		50.00	41.66	1.00	12
Newell, Frank B.		50.00	30.00	1.00	9
Turner, Edgar C.		40.00		1.00	10
Girls' club work:					
Arnold, Miss Mary A.	37.50			1.00	3
Bell, Miss Cora C.	25.00		25.00	1.00	3
Bernard, Miss Maud		25.00		1.00	3
Bradford, Miss Grace	12.50			1.00	3
Burt, Mrs. Ella S.	25.00		25.00	1.00	3
Capehart, Mrs. L. W.	25.00		25.00	1.00	6
Cassidy, Miss Lulu		25.00		1.00	2
Covington, Mrs. M. A.	25.00		25.00	1.00	4
Edwards, Miss Mary A.	25.00		25.00	1.00	4
Elliott, Miss Susan O.	25.00		25.00	1.00	4
Henricks, Miss Olive	25.00		25.00	1.00	3
Herrington, Mrs. Eva	25.00		25.00	1.00	4
Homewood, Miss Eunice K.	25.00		25.00	1.00	1
Julian, Miss M. J.	25.00		25.00	1.00	3
Kelly, Miss Elizabeth	37.50			1.00	3
Kelly, Miss Ethel P.		50.00		1.00	2
Key, William S.		25.00		1.00	2
Long, Miss Ida M.			25.00	1.00	4
McKimmon, Mrs. Jane S.	62.50	62.50		1.00	12
Miller, Mrs. Blanche	50.00			1.00	3
Moore, Miss Florence	25.00		25.00	1.00	4
More, Miss Elizabeth	25.00		25.00	1.00	4
Newell, Mrs. C. G.	25.00		25.00	1.00	4
Patton, Miss Flora A.	25.00		25.00	1.00	3
Peterson, Mrs. Ida R.	25.00		25.00	1.00	3
Rankin, Miss Annie L.	25.00			1.00	1
Redfearn, Mrs. R. A.	25.00		25.00	1.00	6
Reinhardt, Miss Edna	25.00			1.00	2
Do		25.00			1
Savage, Miss B. W.	25.00		25.00	1.00	4
Scott, Miss Margaret	75.00			1.00	5
Do		75.00			2
Smith, Miss Annie P.	25.00	25.00		1.00	3
OKLAHOMA.					
Girls' club work:					
Chandler, Miss E. A.	83.33		37.50	1.00	12
Cook, Mrs. Vinnie R.	37.50		37.50	1.00	4
Daily, Mrs. Grace E.	25.00		100.00	1.00	6
Fash, Mrs. Jennie L.	33.33		41.66	1.00	6
Henry, Miss Clyde E.	37.50		37.50	1.00	4
Hutchison, Mrs. Rena K.	37.50		37.50	1.00	4
Jackson, Mrs. Lula T.	37.50		37.50	1.00	8
McNabb, Mrs. C. L.	37.50		37.50	1.00	4
Moore, Miss Verdie E.	33.34		41.66	1.00	6
Niblack, Mrs. Mary V.	37.50		37.50	1.00	4
Nipper, Mrs. F. S.	37.50		37.50	1.00	4
Nunn, Mrs. Beula J.	37.50		37.50	1.00	4
Peters, Mrs. Annie	25.00	25.00		1.00	12
Royse, Mrs. Mattie I.	37.50		37.50	1.00	4
Sargent, Mrs. Henrietta	37.50		37.50	1.00	4
Smith, Miss Katherine	37.50		37.50	1.00	8
Tatum, Mrs. Lydia T.	37.50		37.50	1.00	4
Whitney, Mrs. L. B.	33.33		41.66	1.00	6
SOUTH CAROLINA.					
Adult demonstration and boys' club work:					
Altman, L. B.	55.00	20.00		1.00	8
Arrants, F. H.	45.00	15.00		1.00	8
Baker, L. L.	62.50	62.50		1.00	12
Barton, W. H.	75.00	75.00		1.00	12
Blair, Jno. R.	62.50	25.00		1.00	8
Bowen, T. A.	55.00	20.00		1.00	8
Carbery, Jas. L.	100.00			1.00	12
Carnell, F. W.	62.50	25.00		1.00	8
Chitty, W. B.	62.50	25.00		1.00	8
Claffy, J. F.	45.00	15.00		1.00	8
Crum, F. Mason	45.00	15.00		1.00	7
Cunningham, R. L.	55.00	20.00		1.00	8
Elliott, W. R.	62.50	62.50		1.00	12
Epps, T. O.	45.00	15.00		1.00	8
Ezell, J. F.	75.00	50.00	58.33	1.00	12
Finklea, J. O.	62.50	25.00		1.00	8
Frampton, W. McL.	35.00	15.00	75.00	1.00	12
Hanna, Geo. A.	55.00	20.00		1.00	7½
Hayes, J. M.	45.00	45.00		1.00	8
Head, Ashton	55.00	20.00		1.00	8

Statement giving names of persons employed in farmers' cooperative demonstration work, etc.—Continued.

Name of employee.	Amount per month paid by General Education Board.	Amount paid by the State.	Amount paid by county or local authorities.	Amount paid by Department of Agriculture.	Number months employed each year.
SOUTH CAROLINA—continued.					
Adult demonstration and boys' club work—Continued.					
Hearsey, G. J.	$35.00	$15.00	$50.00	$1.00	7
Holland, M. G.	55.00	20.00		1.00	8
Hudson, B. M.	55.00	20.00		1.00	8
Lemmon, R. H.	62.50	25.00		1.00	8
Lever, W. T. J.	35.00	15.00		1.00	8
Long, W. W.	125.00	125.00		1.00	12
Lott, P. N.	62.50	25.00		1.00	8
McAlhany, D. L.	55.00	20.00		1.00	8
McCluney, Frank.	70.00	30.00		1.00	8
McFaddin, C. A.	70.00	30.00		1.00	8
McKeown, A. A.	35.00	15.00	108.33	1.00	9
McLaurin, Colin.	55.00	20.00	25.00	1.00	8
McManus, C. L.	55.00	20.00		1.00	8
Mills, T. M.	70.00	30.00		1.00	8
Muldrow, J. B.	62.50	25.00		1.00	8
Napier, J. M.	41.66	41.66	83.33	1.00	12
Price, B. G.	70.00	30.00		1.00	8
Reid, S. F.	62.50	25.00		1.00	8
Reubenbaum, Samuel.	25.00	50.00		1.00	12
Riley, J. A.	44.44	22.22	58.33	1.00	12
Rothrock, J. W.	85.00	15.00		1.00	10
Sanders, A. M.	45.00	15.00		1.00	8
Shealy, J. W.	55.00	20.00		1.00	8
Stewart, W. P.	55.00	20.00	75.00	1.00	12
Tarrant, D. L.	45.00	15.00		1.00	8
Tiller, W. J.	50.00		33.33	1.00	12
Wall, M. W.	44.44	22.22	23.33	1.00	12
Watts, J. D. W.	70.00	30.00		1.00	8
Welsh, S. N.	62.50	25.00		1.00	8
Williams, J. F.	70.00	30.00		1.00	8
Bates, Jas. A. (colored).	50.00			1.00	8½
Blanton, J. E. (colored).	50.00			1.00	8
Jenkins, F. D. (colored).	50.00			1.00	8
Jones, C. W. (colored).	60.00			1.00	8
Wiley, I. C. (colored).	50.00			1.00	8
Girls' club work:					
Brown, Miss Mary L.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Edwards, Miss Amanda.	75.00			1.00	2
Do.		75.00			1
Edwards, Miss Amanda.			75.00	1.00	6
Ervin, Miss Lois C.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Fulmer, Miss Lela A.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Garlington, Miss Janye C.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Garrison, Miss M. L.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Holloway, Miss F. E.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Jaeger, Miss Lillian M.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
James, Miss Grace R.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Lechner, Miss Bertha R.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Lemmon, Miss Beatrice L.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Lemmon, Miss Mary A.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
McKeown, Mrs. Iris L.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Moore, Miss Ida A.	75.00			1.00	3
Do.			75.00		6
Napier, Miss D. W.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Parrott, Miss E. L.	62.50	62.50		1.00	12
Pyatt, Miss May A.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Richardson, Miss K. M.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Richardson, Miss M.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Royall, Miss Esther D.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6

Statement giving names of persons employed in farmers' cooperative demonstration work, etc.—Continued.

Name of employee.	Amount per month paid by General Education Board.	Amount paid by the State.	Amount paid by county or local authorities.	Amount paid by Department of Agriculture.	Number months employed each year.
SOUTH CAROLINA—continued.					
Girls' club work—Continued.					
Setzer, Miss Fannie L.	$75.00			$1.00	2
Do.		$75.00			1
Do.			$75.00		6
Smith, Miss Alsie O.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Walker, Mrs. Dora D.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Willimon, Mrs. L. E.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
Yarborough, Miss Jo A.	75.00			1.00	2
Do.		75.00			1
Do.			75.00		6
TENNESSEE.					
Girls' club work:					
Ambrose, Miss M. A.	25.00			1.00	4
Broady, Miss N. L.	12.50	12.50	25.00	1.00	8
Bryan, Mrs. A. W.	12.50	25.00	50.00	1.00	8
Byrd, Miss M.	50.00			1.00	7
Clark, Miss R.	25.00	25.00		1.00	4
Do.			25.00		8
Dawes, Miss J. E.	25.00			1.00	4
Do.			25.00		2
Dillon, Mrs. Ora.	12.50		12.50	1.00	4
Hardin, Mrs. M. W.	50.00			1.00	5
Do.			25.00		8
Do.		25.00			4
Hardin, Mrs. T. P.	25.00			1.00	6
Do.		25.00	50.00		8
Lansden, Mrs. M. H.	50.00			1.00	4
Johnson, Mrs. E.	25.00	25.00		1.00	4
Do.			25.00		8
Lauderbach, Mrs. E.	25.00			1.00	4
Do.			100.00		12
Martin, Miss E. R.	8.33			1.00	12
Moffatt, Miss R. E.	25.00			1.00	4
Do.			70.00		10
Moore, Miss V. P.	62.50		62.50	1.00	12
Peay, Mrs. A. H.	25.00		25.00	1.00	4
Reagan, Mrs. L. B.	50.00			1.00	2
Do.			50.00		4
Do.		50.00			2
Scott, Mrs. F. H.	25.00				4
Tandy, Mrs. M. A.			112.50	1.00	8
Do.		112.50			4
TEXAS.					
Girls' club work:					
Baker, Mrs. Lee.	75.00			1.00	2
Cameron, Mrs. G.	45.00		30.00	1.00	3½
Carter, Miss B.	100.00			1.00	12
Click, Mrs. Mae.	37.50		37.50	1.00	4
Davidson, Mrs. A. B.	37.50		37.50	1.00	4
Frazier, Mrs. D. M.	37.50		37.50	1.00	4
Harden, Mrs. Alice.	37.50		37.50	1.00	4
Harmon, Mrs. Amy.	37.50		37.50	1.00	4
Harrington, Miss S. L.	37.50		37.50	1.00	4
Hunnicutt, Miss F. V.	37.50		37.50	1.00	4
Kennamer, Mrs. S. L.	37.50		37.50	1.00	4
Kittle, Mrs. Larry.	37.50		37.50	1.00	4
Locke, Miss Mary.	37.50		37.50	1.00	4
Loflin, Miss Ola.	37.50		37.50	1.00	4
McClure, Miss R. B.	37.50		37.50	1.00	4
McCoy, Miss B. M.	75.00			1.00	2
Maddox, Miss M. S.	37.50		37.50	1.00	4
Martin, Mrs. L. P.	37.50		37.50	1.00	4
Martindale, Mrs. C. C.	37.50		37.50	1.00	4
Mooring, Mrs. Cora.	50.00		25.00	1.00	3
Murphree, Mrs. B.	37.50		37.50	1.00	4
Neely, Miss Imogene.	37.50		37.50	1.00	4
Scheske, Miss Edna.	37.50		37.50	1.00	4
Shackleford, Miss L.	37.50		37.50	1.00	4
Smith, Mrs. Maggie.	37.50		37.50	1.00	4
Smith, Miss Ruth.	37.50		37.50	1.00	4
Thurman, Miss Lizzie.	37.50		37.50	1.00	4
Trigg, Mrs. Edna.	75.00			1.00	2
Vaughan, Miss Geneva.	37.50		37.50	1.00	4
Warren, Miss E. M.	37.50		37.50	1.00	4
VIRGINIA.					
Adult demonstration and boys' club work:					
Anderson, B. G.	25.00	25.00	83.33	1.00	12
Blandford, P. S.	16.67	16.67	86.66	1.00	12
Bradshaw, B. O.	25.00	25.00	50.00	1.00	12
Brame, J. E.	21.25	21.25	42.50	1.00	12
Bruce, J. G.	22.50	22.50	45.00	1.00	10½
Bryant, J. T.	22.50	22.50	45.00	1.00	10
Burfoot, T. D.	22.75	22.75	45.50	1.00	11½

Statement giving names of persons employed in farmers' cooperative demonstration work, etc.—Continued.

Name of employee.	Amount per month paid by General Education Board.	Amount paid by the State.	Amount paid by county or local authorities.	Amount paid by Department of Agriculture.	Number months employed each year.
VIRGINIA—continued.					
Adult demonstration and boys' club work—Continued.					
Burr, C. G	$34.37	$34.38	$68.75	$1.00	12
Burruss, W. H	25.00	25.00	50.00	1.00	10
Campbell, C. G	29.16	29.17	58.33	1.00	12
Catlett, L. C	21.25	21.25	42.50	1.00	12
Chilton, C. H	25.00	25.00	50.00	1.00	12
Coffman, S. F	25.00	25.00	50.00	1.00	12
Coggin, W. B	14.25	14.25	28.50	1.00	12
Coleman, L. A	11.14	11.14	20.22	1.00	9
Corson, W. M	14.25	14.25	28.50	1.00	12
Dulany, C. C	21.25	21.25	42.50	1.00	12
Farrar, F. S	137.50			1.00	12
Fowler, C. L	18.75	18.75	37.50	1.00	12
Gibson, A. W	31.25	31.25	62.50	1.00	12
Gish, J. M	22.72	22.73	45.45	1.00	12
Goodrich, P. O	18.75	18.75	37.50	1.00	12
Gray, W. G	21.25	21.25	42.50	1.00	10½
Grinels, J. G	10.63	10.62	21.25	1.00	8
Grizzard, C. P	21.25	21.25	42.50	1.00	10
Harris, D. S	10.63	10.62	21.25	1.00	12
Hughes, Nancy D	30.00	30.00		1.00	12
Hunter, J. C	41.67	41.66	83.33	1.00	12
Keeley, E. B	12.50	12.50	25.00	1.00	12
Kirby, W. L	25.00	25.00	50.00	1.00	12
Koontz, C. E	50.00	75.00	25.00	1.00	12
Lancaster, T. L	23.00	23.00	34.00	1.00	10
Lyon, A. C	21.25	21.25	42.50	1.00	12
Martin, N. R	29.16	29.17	58.33	1.00	12
Michaux, F	10.63	10.62	21.25	1.00	12
Moore, A. H	21.25	21.25	42.50	1.00	12
Moore, K. C	37.50	37.50	75.00	1.00	12
Moore, R. B	21.25	21.25	42.50	1.00	12
Moore, W. P		125.00		1.00	12
Perry, W. M	25.00	25.00	49.99	1.00	12
Portlock, F. L	31.25	31.45	62.50	1.00	12
Quisenberry, J. H	30.00	30.00	25.00	1.00	12
Read, D. W	18.61	18.62	22.77	1.00	12
Rhodes, A. S	10.62	10.63	21.25	1.00	12
Rieley, C. H	18.75	18.75	37.50	1.00	10
Sandy, T. O	166.66			1.00	12
Shackleford, W. C		137.50		1.00	12
Sizer, D. D	25.00	25.00	50.00	1.00	12
Slauson, E. M	11.25	11.25	22.50	1.00	10
Smith, A. B	14.25	14.25	28.50	1.00	9
Spain, S. P	22.72	22.73	45.45	1.00	10
Stiles, J. C	31.25	31.25	62.50	1.00	12
Temple, Allen	14.25	14.25	28.50	1.00	12
Trimble, J. M	25.00	25.00		1.00	12
Trimble, W. W	21.25	21.25	42.50	1.00	12
Walker, L. M	25.00	25.00	50.00	1.00	12
Walker, W. T	22.91	22.91	45.84	1.00	12
Warriner, B. A	25.00	25.00	50.00	1.00	12
Wilkins, W. W	33.33	33.33	83.34	1.00	12
Withers, T. A	14.25	14.25	28.50	1.00	10
Yowell, A. W	10.63	10.62	21.25	1.00	12
Jenkins, Lizzie A. (colored)	40.00			1.00	12
Lancaster, J. W. (colored)	40.00			1.00	12
Lemon, R. D. (colored)	50.00			1.00	12
Oliver, G. E. (colored)	50.00			1.00	12
Pegram, A. W. (colored)	40.00			1.00	12
Pierce, J. B. (colored)	115.00			1.00	12
Thompson, C. C. H. (colored)	50.00			1.00	12
Washington, R. E. F. (colored)	40.00			1.00	12
Wilson, J. F. (colored)	50.00			1.00	12
Wynn, R. L. (colored)	50.00			1.00	12
Young, W. C. (colored)	50.00			1.00	12
Girls' club work:					
Agnew, Miss A. V	15.00			1.00	12
Agnew, Miss E. G	100.00	25.00		1.00	12
Cleaton, Miss L	18.75	18.75	37.50	1.00	4
Cleaton, Miss S. C	18.75	18.75	37.50	1.00	6⅔
Coleman, Mrs. S. R	20.00	20.00	40.00	1.00	5
Crafford, Miss H. M	18.75	18.75	37.50	1.00	2⅔
Hindle, Miss S. H	10.00			1.00	4
Hughes, Miss H. L	12.50			1.00	4
Johnson, Miss E. J	18.75	18.75	37.50	1.00	6⅔
McFarland, Miss M. B	18.75	18.75	37.50	1.00	6⅔
Morton, Mrs. N. K	18.75	18.75	37.50	1.00	2⅔
Scott, Miss R. C	45.00	45.00		1.00	5
Slocum, Miss Sylvia H	75.00			1.00	1
Do		37.50			2
Do			75.00		1
St. Clair, Miss M. M	18.75	18.75	37.50	1.00	5⅓
Stinson, Mrs. Lora	18.75	18.75	37.50	1.00	5⅓
Tyler, Mrs. E. McL	12.50	25.00	37.50	1.00	4
Willis, Miss V. D	18.75	18.75	37.50	1.00	3½
WASHINGTON OFFICE.					
Girls' club work:					
Creswell, Miss M. E	150.00			1.00	12
Davis, C. L	100.00			1.00	12
Jones, J. M	200.00			1.00	12
Porter, C. C	75.00			1.00	12
Treat, R. E	100.00			1.00	12
Tunstall, Mrs. P. P	75.00			1.00	12

Statement giving names of persons employed in farmers' cooperative demonstration work, etc.—Continued.

Name of employee.	Amount per month paid by General Education Board.	Amount paid by the State.	Amount paid by county or local authorities.	Amount paid by Department of Agriculture.	Number months employed each year.
WEST VIRGINIA.					
Adult demonstration and boys' club work:					
Crane, Dee	$50.00		$50.00	$1.00	12
Edwards, L. A	30.00			1.00	5
Do			75.00		2
Ezell, B. B	100.00			1.00	12
Frame, Nat T	133.33	$66.67		1.00	12
Groves, H. D	100.00			1.00	12
Kendrick, W. H	83.33	16.66		1.00	12
McDonald, J. Y	50.00		75.00	1.00	12
Morrison, A. C	66.66			1.00	3
Do			100.00		2
Roush, H. E	14.28			1.00	7
Sill, W. H	100.00		33.33	1.00	12
Smith, H. L	50.00		100.00	1.00	12
Snedegar, W. J	15.00		15.00	1.00	7
Swaty, A. V	50.00		75.00	1.00	12
Thomas, A. L	8.33			1.00	12
Tomblyn, W. E	25.00			1.00	4
Do	100.00				1
Do			100.00		2
Vandervort, H. S	100.00				12
Woodrum, J. C	25.00			1.00	4
Do	100.00				1
Do			100.00		2
Zinn, W. D	80.00		45.00	1.00	12
Girls' club work:					
Gibbons, Miss M. T	66.67			1.00	3
Do			5.00		5
Guseman, Miss S. R	75.00	8.33		1.00	12
Shelby, Miss Sarah	50.00			1.00	3
Do			5.00		5
Sutherland, Miss M	21.43			1.00	7
Wilson, Miss C. R	25.00			1.00	6
Do			5.00		2

The VICE PRESIDENT. The papers will be referred to the Committee on Printing.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 1829) for the relief of W. D. McLean, alias Donald McLean.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10138) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message further returned to the Senate, in compliance with its request, the bill (S. 1739) to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1090. An act for the relief of Alonzo D. Cadwallader;
H. R. 1291. An act for the relief of George Gardells;
H. R. 3885. An act for the relief of Peter Scott;
H. R. 5746. An act for the relief of Marcus L. Pelham;
H. R. 6220. An act for the relief of Hosea Stone;
H. R. 8688. An act for the relief of Lucien P. Rogers;
H. R. 11166. An act for the relief of Wilhelmina Rohe;
H. R. 11256. An act granting relief to Jacob Barger;
H. R. 14738. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;
H. R. 15071. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and
H. R. 15504. An act granting pensions and increase of pension to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a letter from the secretary of state of Vermont, transmitting a copy of a joint resolution of the legislature of that State, favoring the

establishment of a literacy test for immigrants, which was ordered to lie on the table and to be printed in the RECORD, as follows:

STATE OF VERMONT,
OFFICE OF THE SECRETARY OF STATE,
Essex Junction, Vt., April 9, 1914.

Hon. THOMAS R. MARSHALL,
President of the Senate, Washington, D. C.

SIR: At the request of W. H. Jeffrey, of East Burke, Vt., I hand you herewith a joint resolution entitled "Joint resolution requesting Vermont delegation in Congress to advocate and aid in the passage of an immigration bill containing the illiteracy test," and would respectfully ask that said resolution be made a part of the record.

Respectfully, yours,

GUY W. BAILEY,
Secretary of State.

Joint resolution requesting the Vermont delegation in Congress to advocate and aid in the passage of an immigration bill containing the illiteracy test.

Resolved by the senate and house of representatives:

Whereas there were admitted to the United States during the fiscal year ending June 30, 1911, 1,030,300 persons as immigrants. That prior to 1883, among the immigrants coming to this country, there was only 2.7 per cent of illiteracy. That for the past five years illiteracy has alarmingly increased to more than 36 per cent, and that of the 1,500,000 south Italians who came here from 1899 to 1909 over 800,000, or more than 54 per cent, could not read and write; 54 per cent of the Syrians could neither read nor write; 35 per cent of the Poles could neither read nor write; 68 per cent of the Portuguese, 38 per cent of the Ruthenians, 51 per cent of the Russians, 58 per cent of the Turks, 27 per cent of the Greeks, and 41 per cent of the Bulgarians and Servians and Montenegrins could neither read nor write; and

Whereas Congress by its act of February 20, 1907, created an Immigration Commission, composed of three Senators, three Members of the House of Representatives, and three persons to be appointed by the President of the United States, for the purposes of making a careful and searching investigation into the entire question of immigration, both in this country and abroad, and now, after several years of painstaking investigation, at a cost of more than a million dollars, said commission has rendered its exhaustive report of 40 massive volumes to Congress and urgently recommends the passage of a measure which will greatly restrict the admission of those less likely to become desirable citizens; and

Whereas the commission, with a single dissenting opinion, suggests and recommends that the illiteracy or reading and writing test is the one single measure best calculated to restrict undesirable immigration; and

Whereas the Hon. WILLIAM P. DILLINGHAM, senior Senator from Vermont, who was chairman of the Immigration Commission, has introduced into the Senate of the United States a bill containing the illiteracy requirement, and that said bill has passed the Senate and is now pending in the House of Representatives, under the title of the Burnett bill: Therefore

Resolved, That the congressional delegation from Vermont are urgently requested to advocate and aid in the passage of an immigration bill containing the illiteracy requirement; and be it

Further resolved, That the secretary of state is hereby directed to forward a copy of these resolutions to each Member of the Vermont delegation in Congress and a copy to the chairman of the Senate and House Committee on Immigration.

FRANK E. HOWE,
President of the Senate.
CHARLES A. PLUMLEY,
Speaker of the House of Representatives.

Approved, December 10, 1912.

ALLEN M. FLETCHER, *Governor.*

STATE OF VERMONT,
Office of the Secretary of State:

I hereby certify that the foregoing is a true copy of "A joint resolution requesting the Vermont delegation in Congress to advocate and aid in the passage of an immigration bill containing the illiteracy test," approved December 10, 1912, as appears by the files and records of this office.

Witness my signature and the seal of this office, at Montpelier, this 9th day of April, 1914.

[SEAL.]

GUY W. BAILEY,
Secretary of State.

The VICE PRESIDENT presented a memorial of the municipal council of Yabucoa, P. R., remonstrating against the enactment of legislation to modify the political status of Porto Ricans, which was referred to the Committee on Pacific Islands and Porto Rica.

He also presented a petition of the city council of St. Louis, Mo., favoring the confiscation of the Merchants' Bridge across the Mississippi River at that city, which was referred to the Committee on Commerce.

He also presented a memorial of the United Spanish War Veterans' Association of Pueblo, Colo., remonstrating against an appropriation for the celebration of the so-called "One hundred years of peace among the English-speaking peoples," which was referred to the Committee on Foreign Relations.

He also presented a petition of Major McConnville Camp, No. 6, United Spanish War Veterans, of Trinidad, Colo., praying for the enactment of legislation granting pensions to widows and orphans of soldiers and sailors who served in the Spanish-American War, which was referred to the Committee on Pensions.

He also presented a petition of the Partido Nacional Progresista, of Manila, P. I., praying that Congress definitely declare that it is the purpose of the United States to grant Philippine independence, which was referred to the Committee on the Philippines.

He also presented a petition of the Partido Nacional Progresista, of Manila, P. I., praying that Congress confer upon the Government of the Philippine Islands power to enact tariff legislation regulating the customs of the islands, which was referred to the Committee on the Philippines.

He also presented petitions of sundry citizens of Marlette, Jackson, Kendall, Cadillac, Manistee, and South Haven, all in the State of Michigan, and of sundry citizens of Richmond, Ind., and of the San Francisco Presbyterial, of San Francisco, Cal., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a memorial of the Hinde & Dauch Paper Co., of Sandusky, Ohio, remonstrating against the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, which was referred to the Committee on the Judiciary.

He also presented telegrams in the nature of petitions from the unions of the Brotherhood of Locomotive Engineers, of Fort Wayne, Ind., and Montgomery, Ala.; from the Brotherhood of Railway Trainmen, of Columbus, Ga.; and from F. B. Lyon, of Antigo, Wis., praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

Mr. MARTINE of New Jersey presented memorials of sundry citizens of Jersey City, Bayonne, Union, Homestead, Weehawken, West Hoboken, Hoboken, and North Bergen, all in the State of New Jersey, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Summit, Stewartsville, Newark, Asbury Park, Clinton, Pittstown, Pattenburg, Quakertown, Hamden, Hampton, Mauricetown, Madison, Lakewood, Califon, Lambertville, Hawthorne, North Paterson, Belvidere, Bridgeville, Camden, Mendham, Passaic, Paterson, Ridgewood, Metuchen, New Brunswick, New Monmouth, Scotch Plains, Midland Park, East Orange, Ramsey, and Paramus, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented petitions of the congregation of the Swedish Evangelical Lutheran Church of Lindsborg, and of sundry citizens of Woodruff, Sylvia, Lindsborg, Woodbine, Atchison, and Topeka, all in the State of Kansas, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Marysville, Kans., praying for the enactment of legislation to prevent discrimination in prices and to provide for publicity of prices to dealers and to the public, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Ottawa County, Kans., praying for the adoption of a system of rural credits, which was referred to the Committee on Banking and Currency.

Mr. GALLINGER presented the petition of Dr. Samuel S. Drury, of St. Paul's School, Concord, N. H., praying that an appropriation be made for the maintenance of the Childrens' Bureau, which was referred to the Committee on Appropriations.

He also presented a petition of Local Branch, United States Civil Service Retirement Association, of Concord, N. H., praying for the enactment of legislation to provide pensions for superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented petitions of the congregations of the Congregational and Christian Churches of Hill; of the congregation of the Congregational Church of Lee; and of sundry citizens of Nashua and Webster, all in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SHEPPARD presented sundry memorials of citizens of Houston, Carthage, and Dallas, in the State of Texas, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Galveston, Lubbock, Vega, and San Antonio, all in the State of Texas, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the Texas Sunday School Convention, held in the city of Fort Worth, Tex., praying for the enactment of legislation to provide national censorship of motion pictures, which was referred to the Committee on the Judiciary.

Mr. WALSH (for Mr. MYERS) presented petitions of the congregations of the First Presbyterian Church of Butte, of the Congregational Church of Glendive, and of the Presbyterian Church of Hamilton, all in the State of Montana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also (for Mr. MYERS) presented a petition of sundry citizens of Great Falls, Mont., praying for the enactment of legislation proposing to amend the postal and civil-service laws, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. MYERS) presented a memorial of sundry citizens of Great Falls, Mont., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also (for Mr. MYERS) presented memorials of sundry citizens of Gallatin County, Mont., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a petition of the Woman's Christian Temperance Union of Moodus, Conn., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. WEEKS presented resolutions adopted by the Legislature of the Commonwealth of Massachusetts, which were referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1914.

Resolutions requesting Congress to pass legislation providing for public ownership and operation of coal mines.

Whereas the inhabitants of this Commonwealth have suffered severely from the exactions of the present possessors of coal mines, who have frequently driven their employees to desperation by their inhuman treatment, have failed to provide sufficient coal at times when it was greatly needed by the public, and have charged exorbitant prices for such coal as has been procurable; and

Whereas it is the opinion of the House of Representatives of Massachusetts that public ownership and operation of coal mines would be of great advantage to the citizens of this Commonwealth: Therefore be it

Resolved, That the house of representatives respectfully requests the enactment of legislation by Congress providing for the public ownership and operation of coal mines.

Resolved, That the Senators and Representatives from Massachusetts in the Congress of the United States are hereby earnestly requested to make every effort to secure the quick passage of such legislation, and that copies of these resolutions be sent to them by the secretary of the Commonwealth and also to the Clerk of each branch of Congress.

In house of representatives, adopted March 27, 1914.
A true copy.
Attest:
FRANK J. DONAHUE,
Secretary of the Commonwealth.

Mr. WEEKS presented petitions of sundry citizens of Springfield, South Royalston, Boston, Bolton, Weston, Winchester, Wakefield, Shirley, Lynn, Newburyport, South Hamilton, Wenham, and Holyoke, all in the State of Massachusetts, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of Bartenders' Local Union, No. 92, of Marlboro, and of sundry citizens of North Attleboro, Boston, Revere, Worcester, Winchendon, Malden, Winthrop, and Cambridge, all in the State of Massachusetts, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a resolution adopted by the city council of Quincy, Mass., favoring the enactment of legislation to provide for the retirement of superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of the Mayo Men's Benevolent Association, of Boston, Mass., remonstrating against the repeal of the exemption clause in the Panama Canal act, which was referred to the Committee on Interoceanic Canals.

Mr. BURLEIGH presented petitions of Limerock Valley Pomona Grange, Patrons of Husbandry, of Camden; of Ogunquit Grange, of Ogunquit; and of sundry citizens of Nobleboro, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BURTON presented petitions of the combined councils of the Daughters of America, of Hamilton County, Ohio, and of sundry citizens of Zanesville, Ohio, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented a resolution of Washington Grange, No. 1748, Patrons of Husbandry, of Mount Gilead, Ohio, favoring the repeal of the exemption clause in the Panama Canal act, which was referred to the Committee on Interoceanic Canals.

Mr. TOWNSEND presented a petition of sundry citizens of Coy, Mich., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Saginaw, Mich., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Chamber of Mines and Oil of Los Angeles, Cal., favoring the withdrawal of all mineral lands from the present boundaries of the Colorado River Indian Reservation and restoring the same to entry under the United States mining laws, which was referred to the Committee on Public Lands.

He also presented petitions of the Woman's Christian Temperance Union of Stratford, and of sundry citizens of Los Angeles, Kingsbury, Santa Cruz, Pasadena, San Francisco, El Centro, Lodi, Lincoln, and Brawley, all in the State of California, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of Chaueffers' Local Union No. 265, of San Francisco, Cal., and a memorial of sundry citizens of San Diego, Cal., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SHIVELY presented petitions of sundry citizens of Salem, Washington, Indianapolis, Dana, Newtown, Kokomo, and Hammond, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Washington County, Ind., praying for the enactment of legislation to restrict the sale of poisonous drugs, which was referred to the Committee on Public Health and National Quarantine.

He also presented a memorial of the Socialist Party of Grant County, Ind., remonstrating against the alleged treatment accorded "Mother" Jones in Colorado, which was referred to the Committee on Education and Labor.

He also presented a memorial of Typographical Union No. 76, of Terre Haute, Ind., remonstrating against an increase in the rate of postage on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. CLAPP presented petitions of sundry citizens of Winnebago and Owatonna, in the State of Minnesota, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SMITH of Michigan presented a petition of Typographical Union No. 99, of Jackson, Mich., praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Detroit, Mich., remonstrating against the enactment of legislation to provide a literacy test for immigrants to this country, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Frankenmutt, Mich., remonstrating against the adoption of an amend-

ment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a memorial of Typographical Union No. 99, of Jackson, Mich., remonstrating against an increase of second-class postage rates, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Woman's Christian Temperance Union, of Vassar, Mich., and a petition of sundry citizens of Vassar, Mich., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. WARREN presented a memorial of Local Union No. 3532, United Mine Workers of America, of Cambria, Wyo., remonstrating against the treatment accorded "Mother Jones" by the military authorities in Colorado, which was referred to the Committee on Education and Labor.

Mr. LA FOLLETTE presented a petition of sundry citizens of Grand Rapids, Wis., praying for the enactment of legislation to amend the postal and civil-service laws, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Waukesha, Prairie du Sac, Madison, Plainfield, and Whitewater, all in the State of Wisconsin, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Green Bay, Luxemburg, Columbus, Danville, Pittsville, Leeds, Arlington, Portage, Sheboygan, La Crosse, and Milwaukee, all in the State of Wisconsin, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

LOCATION OF FEDERAL RESERVE BANKS.

Mr. THORNTON. I present a memorial addressed to the Congress of the United States by the commission council of the city of New Orleans, which I ask to have printed in the RECORD.

There being no objection, the memorial was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

MEMORIAL ADDRESSED TO THE CONGRESS OF THE UNITED STATES BY THE COMMISSION COUNCIL OF THE CITY OF NEW ORLEANS.

The city of New Orleans is incontestably the largest city of one of the most productive sections of the United States. In respect to population, material wealth, industrial development, banking resources, commercial faculty, business consequence, and every element and all elements which singly or in combination constitute a metropolis, New Orleans stands preeminent and unapproached in the vast and prolific section called the South. This status is demonstrated by statistics, and is known and recognized by all informed men, both in this country and abroad.

Not only does New Orleans overshadow all its neighbors in respect to the aforementioned economic considerations which are in varying degree common to its so-called rivals, and therefore subject to comparative estimate, but in addition the said city occupies a commanding position in the trade relations of the Nation with the outside world, which said position its said so-called rivals do not occupy, and to which each and all of these are from the nature of the case forever ineligible.

With one single exception New Orleans is the greatest and most important seaport in all the United States. Situated at the mouth of the great watercourse of the Nation, it is the gravity focus of the Mississippi Valley and supplies the facilities of contact between the tremendous productive resources and energy of this prolific region and the trade marts of the world. Its function is not merely to sell shoes and pots and pans to a limited contiguous territory, and perchance by juggling with freight rates to invade the local territory of some other competitive jobber in shoes and pots and pans, but it is the junction point of world-trade routes whereat is transhipped the outgoing productive surplus of an agricultural and industrial empire, and wherefrom is distributed the incoming material and commodities with which foreign nations supply the domestic trade. Its obligation is not local only, but comprehensive to the extent even of being national; and its mission is not merely to serve the jobbing requirements of a limited territory, but to facilitate those movements of commerce upon which the prosperity of the Nation at large depends. In this important particular, both in respect to the presently established trade routes to Europe and the countries to the southward and in respect to the wider fields to be opened to access through the Panama Canal, New Orleans occupies a position distinctly superior to that of all the cities of the Gulf and South Atlantic seaboards, and wholly beyond the rivalry of any inland city of the South.

These, in general counts, are the claims which New Orleans has made, and with particularity and in detail substantiated, before the reserve bank organization committee. These claims have been by said committee ignored, and instead of designating New Orleans as the locus of one of the Federal reserve banks the said city has been by an achievement of geographical legerdemain crowded off the financial map and the palm awarded to the two small inland cities of Dallas and Atlanta, almost touching elbows with the metropolis on the west and on the east. Both of these cities are thriving and enterprising, and both buy and distribute a considerable amount of goods; but the trade activities of each proceed largely along special lines, and the scope of their commerce is confined within more or less circumscribed limits. Singly each of these two cities is in every essential respect inconsequential as compared with New Orleans. If both might be consolidated into one, the combination would still fall short of equaling New Orleans either in population, wealth, banking resources, industrial productivity, business and commercial consequence, or in any of the essentials which should constitute the qualifications of a Federal reserve center. Furthermore, if these two cities could be amalgamated and then blotted from the map, the result to the business of the Nation would not be nearly so far-reaching and severe as those which would follow the closure of the great trade route through the port and market of New Orleans. It is vain to seek for any reasonable hypothesis to explain why the claims of New Orleans and of the vast territory and the great interests served by said city should have been ignored and the tremendous financial facility for business movement and business expansion should have been bestowed upon two comparatively puny inland cities neither of which can ever become what New Orleans is and long has been—one of the principal capitals in the world-encompassing democracy of commerce and trade. Considerations not only of common justice, but of national welfare, demand that the great national banking system shall be organized and administered along broader lines than those manifested in the initial achievement of the reserve bank committee.

New Orleans' preeminence has not been achieved through favor or fortunate circumstance. Its position as the greatest southern city and one of the important commercial and financial centers in the trade economy of the world has been won and maintained through triumph over disfavor and misfortune. The devastation of war, the demoralization of reconstruction, the burden of taxation created during the carpetbag era, and still enduring, and the desolation of pestilence, now forever overpast, have fallen heavily upon the stanch old city, but in spite of all its supremacy has been maintained and to-day it faces the splendid future with the militant optimism of new unscarred generations, tempered, let us hope, by the lessons of a historic past. It is true that many of the younger communities, untrammeled by the burdens of the old régime, have sprung from nothing, and with shout and bluster and hectic progress have exhibited amazing comparative percentages of growth, but none have approached or will approach the position of commercial and financial importance held by the inevitable outport of the Mississippi Valley. It is true that the comparative growth of the city has not been so rapid or spectacular as that of some of its neighbors, but it is also true that the story of "booms" and quick "bonanzas," which have swallowed millions of unwary capital, hold no place in New Orleans' history. But withal, the city is not without dynamic enterprise and actual achievement and fundamental preparedness which qualify it to respond to the demands of vigorous growth and rapid trade expansion which must inevitably follow the epochal developments of the near future. Within the past few years it has invested in a modern sewerage, drainage, and water system alone approximately the sum of $19,000,000, and has, as a result in this respect, facilities as complete and efficient, if not more complete and efficient than any other city in the Union. Furthermore, the city and State have spent upward of $4,000,000 upon a system of public dock and switching facilities, and has now admittedly the most fundamentally sound system of port administration of any port in the United States. Within the next few weeks work will be begun upon a system of public warehouses which are to be used in conjunction with the dock and switching facilities and which, when completed, will involve the expenditure of $3,000,000 of public money. Thus are the people of the State and city spending their money in providing facilities which will serve not only the business of the city but the commerce of the vast territory behind the same, and thus are these people preparing for the largely increased demands that will be made by the business of the country when the trade map of the world shall have been changed by the opening of the Isthmian Canal, and the city of New Orleans shall have doubled and quadrupled in size and shall have become, perhaps, not the second largest but the greatest port of the Nation. Upon these bases of trade necessity and trade usefulness, both in respect to present actual status and future inevitable development, are grounded the claims of the port and city of New Orleans for a principal part in the great new system of national finance.

The city of New Orleans supplicates no favors from the President, the committee, or from the Congress of the United States. Is asks only for a just and an intelligent application of the Federal reserve law. It believes in solemn earnestness that, through unfamiliarity with the fundamental movements and exigencies of trade, and through susceptibility to superficial and collateral considerations, the distinguished authors of the present bizarre alignment have fallen into an error which, if uncorrected, will not only deny justice to this city and the extensive territory affected, but will vitiate the financial system from which the people of the Nation have been led to expect such momentous beneficial results. The city of New Orleans asks for revision. Wherefore:

The commission council of the city of New Orleans, in behalf of the people it represents, deems it not only justifiable but obligatory that the error herein pointed out shall be brought to the attention of the people of the United States, and to that end directs that copies of this memorial be sent to the congressional representatives of Louisiana, to be by them respectfully presented, in such manner and in such method as may to them seem wise, to the Congress of the United States.

Adopted by the commission council of the city of New Orleans April 9, 1914.

[SEAL.]

GEORGE FERRIER, Jr.,
Clerk of Commission Council.

Approved.

MARTIN BEHMAN, *Mayor.*
A. G. RICKS,
HAROLD W. NEWMAN,
W. B. THOMPSON,
E. E. LAFAYE,
Commissioners.

REPORTS OF COMMITTEES.

Mr. BRYAN, from the Committee on Claims, to which were referred the following bills, reported adversely thereon, and they were postponed indefinitely:

A bill (S. 4058) for the relief of Hamilton Perryman and others;

A bill (S. 118) for payment to the Chicago, Milwaukee & St. Paul Railway Co. the $4,583.67 improperly collected under the act of August 5, 1909;

A bill (S. 3463) for the relief of the Richmond, Fredericksburg & Potomac and Richmond & Petersburg Railroad Connection Co.;

A bill (S. 4243) for the relief of the Montgomery & Erie Railway Co.;

A bill (S. 4244) for the relief of the Goshen & Deckertown Railway Co.;

A bill (S. 4049) for the relief of the Paterson & Hudson River Railroad Co.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 3925) for the relief of Teresa Girolami, reported it with an amendment and submitted a report (No. 417) thereon.

Mr. BURTON, from the Committee on Foreign Relations, to which was referred the bill (S. 3002) making appropriation for expenses incurred under the treaty of Washington, reported it without amendment and submitted a report (No. 418) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THORNTON:

A bill (S. 5256) to waive any and all claims of the United States to lands within the private land claims located in township 6 north, range 3 west, in the State of Louisiana; to the Committee on Public Lands.

By Mr. BRISTOW:

A bill (S. 5257) authorizing the Secretary of War to donate to the General Hazen Post, No. 258, Grand Army of the Republic, Lincoln, Kans., one bronze cannon and sufficient shells to make two pyramids; to the Committee on Military Affairs.

By Mr. NORRIS:

A bill (S. 5258) for the relief of George Bannan; to the Committee on Claims.

By Mr. REED:

A bill (S. 5260) granting an increase of pension to Nelson Petry (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 5261) granting an increase of pension to David E. Rolfe (with accompanying papers); to the Committee on Pensions.

By Mr. KERN:

A bill (S. 5262) to prohibit the use of the name of any church, religious denomination, society, or association for purposes of trade and commerce; to the Committee on the Judiciary.

A bill (S. 5263) revising and amending the statutes relative to trade-marks; to the Committee on Patents.

By Mr. LA FOLLETTE:

A bill (S. 5264) granting a pension to Minnie Kinney;

A bill (S. 5265) granting a pension to Peter Downey;

A bill (S. 5266) granting a pension to Casper Schiesser (with accompanying paper);

A bill (S. 5267) granting a pension to James G. Warner (with accompanying papers); and

A bill (S. 5268) granting a pension to Alfred A. Stampp (with accompanying papers); to the Committee on Pensions.

TRADE WITH SOUTH AMERICA.

Mr. THORNTON. I present a report from the Navy Department on Senate resolution 317, relative to the establishment of a line of ships between this country and South America.

The VICE PRESIDENT. The Chair did not hear the request of the Senator from Louisiana.

Mr. THORNTON. I present at this time the report of the Department of the Navy on Senate resolution 317. It will be followed, I take it, by the Senator from Massachusetts [Mr. WEEKS] introducing the bill recommended by the department.

Mr. SMOOT. Does the Senator desire to have the report referred to the Committee on Naval Affairs?

Mr. THORNTON. The resolution has already been acted upon by the Committee on Naval Affairs, and I ask that the report of the department be printed in the RECORD and referred to the Committee on Naval Affairs, to accompany the bill which will be introduced by the Senator from Massachusetts [Mr. WEEKS].

The VICE PRESIDENT. It will be referred to the Committee on Naval Affairs and printed in the RECORD.

The report is as follows:

ESTABLISHMENT OF A LINE OF SHIPS BETWEEN NEW YORK AND NEW ORLEANS AND VALPARAISO, CHILE.

Letter from the Secretary of the Navy to the chairman of the Committee on Naval Affairs, transmitting certain information on Senate resolution 317 relative to a plan for the establishment of a line of ships to run between the cities of New York and New Orleans and the city of Valparaiso, Chile, and intermediate ports, together with a draft of a proposed bill to accomplish the same.

Mr. WEEKS submitted the following resolution, which was referred to the Committee on Naval Affairs.

"Whereas it is desirable to develop and extend commercial relations between the United States and the countries of South America by the establishment of direct lines of communication for carrying the United States mail and for the transportation of passengers and freight; and

"Whereas private capital has not engaged in this service to a sufficient extent to furnish facilities comparable to those enjoyed by the people of other countries having trade relations with South America: Therefore be it

"Resolved, That the Secretary of the Navy be, and he is hereby, directed to cause to be prepared, in detail, a plan for the establishment of a line of ships to run between the cities of New York and New Orleans and the city of Valparaiso, Chile, and intermediate ports, to consist of the cruisers *Columbia* and *Minneapolis* and the scout cruisers *Salem, Chester,* and *Birmingham,* and that the information requested in this resolution shall include the following:

"First. The time required by these ships to make a round trip between the ports named.

"Second. The number of passengers which could be carried in each ship as now equipped or with any changes that would not impair their usefulness if required in the naval service.

"Third. The amount of freight that each ship could carry under similar conditions; this estimate to include mail as well as freight.

"Fourth. The number of naval officers and seamen required to man the ships engaged in the service which is proposed.

"Fifth. The probable cost of the service, including the pay of the officers and men employed in connection with it and all other necessary elements, such as wharfage in the cities where the ships would touch, fuel, repairs, and maintenance of every description.

"Sixth. The cost of such necessary changes as may be required to put the ships named in condition for such service, in removing unnecessary military equipment and any other changes necessary in order to carry passengers and freight safely and to adequately perform the service proposed in this resolution.

"Seventh. An expression of opinion by the department as to whether the above-named ships can be used for such purposes without impairing their usefulness for naval purposes should their prompt return to the naval service be required."

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, April 11, 1914.

Hon. B. R. TILLMAN,
Chairman of the Committee on Naval Affairs,
United States Senate.

MY DEAR SENATOR: 1. Referring to Senate resolution No. 317, Sixty-third Congress, second session, I have the honor to forward to your committee a report embodying the information requested.

2. It is practicable, by the use of naval vessels, to carry out the purpose indicated in the resolution, and the following vessels will be available for the service, viz, *St. Louis, Charleston, Milwaukee, Columbia, Minneapolis, Salem, Chester, Buffalo, Rainbow, Ancon, Cristobal, Hector, Mars, Vulcan, Cyclops,* and *Neptune* (or two equally good), and the *Nanshan.*

3. The *St. Louis, Charleston, Milwaukee, Columbia,* and *Minneapolis* are fast cruisers; the *Salem* and *Chester* are fast scout cruisers; the *Buffalo* and *Rainbow* are transports; the *Ancon* and *Cristobal* are steamers employed by the Panama Railroad Co. to be turned over to the Navy Department; and the others are naval colliers.

4. The cruisers are suitable for carrying only a small number of male passengers—15 to 20 each—and could not be fitted for carrying bulky freight without interfering materially with their military value; but they could carry the mails and a limited amount of express freight and parcels, about 150 tons each.

5. The *Buffalo, Rainbow, Ancon,* and *Cristobal* are suitable for carrying a limited number of passengers and any kind of freight; *Buffalo,* 20 first-class passengers and 4,000 tons of freight; *Rainbow,* 25 passengers and 2,500 to 3,000 tons of freight; *Ancon* and *Cristobal,* each 74 first-class and 32 steerage passengers and between 10,000 and 11,000 tons of freight. The naval colliers are not suitable for carrying any passengers, but are well adapted to a freight service; the first three carrying 6,500 to 10,000 tons each; the two of the *Cyclops* class 10,000 to 12,500 tons of freight and 2,900 tons of fuel oil in bulk each; and the *Nanshan* about 3,000 tons.

6. The distance from New York to Valparaiso via Panama and Callao is 4,666 miles, and each of the fast cruisers going at 15 knots could cover that distance, allowing 24 hours for delays incident to passage through the canal, in 13 days 23 hours, or make one round trip without stop, except at the canal, in 27 days 22 hours.

The distance from New Orleans to Valparaiso via Panama and Callao is 4,087 miles, and the time for the same vessels to make one round trip without stop, except at the canal, is 24 days 17 hours.

The distance from Panama to Valparaiso via Callao is 2,652 miles, and the same vessels can, at 15 knots, cover the distance in 7 days 9 hours, or make one round trip in 14 days 18 hours.

The other vessels are slower and will sustain a speed of 12 knots, except the *Nanshan,* which can be counted on for 10 knots.

7. By the use of the *Charleston, St. Louis, Columbia,* and *Minneapolis,* a fast but very expensive mail service, with accommodations for a limited number of male passengers, could be easily maintained between Panama, Guayaquil, Mollendo, and Valparaiso, with weekly sailings from Panama. A far less expensive service could be maintained by the use of the *Salem, Chester, Columbia,* and *Minneapolis.* These stops would be best for quick deliveries of mails to the South American countries on the west coast, to Argentina, Bolivia, Uruguay, and Paraguay. There is a daily railway express service from Valparaiso to Buenos Aires and Montevideo via the Trans-Andean Railway. The time from Valparaiso to Buenos Aires by rail is about 60 hours, and to Montevideo 72 hours. Allowing 4 days for the delivery of mails from New Orleans to Panama, and 11 days for delivery from Panama to Valparaiso, the mails from the United States would reach Buenos Aires in 17½ days and Montevideo in 18 days. The time from Liverpool to Buenos Aires by mail steamers running in connection with the Royal Mail Steam Packet Co is 22 days and to Montevideo 21 days, on a weekly schedule. From New York to the same ports via existing lines the time is 24 days and 23 days, respectively, with a weekly schedule. There is at the present time a weekly mail and passenger service between New Orleans and Colon. If it should be found desirable to run the mail steamers from New Orleans to Valparaiso, it could be done by the addition of another cruiser, but at very greatly increased cost. The cost of running each vessel is given in the table appended, marked "A."

8. A passenger and freight line can, in addition, be maintained between New Orleans and Valparaiso, and a freight line between New York and Valparaiso, making such ports as may be necessary, or a combination freight and passenger service and a freight service between New York and Valparaiso.

For a service from New Orleans the *Buffalo, Rainbow, Ancon,* and *Cristobal* could be used, insuring a sailing every 14 days.

In addition, a freight line can be maintained between New York and Valparaiso, using the five large colliers, which would insure a sailing every 12 days.

If the vessels mentioned above for the New Orleans trade were combined with the freighters, a mixed service could be maintained, which would insure a steamer from New York every 7 days.

The *Nanshan* might be useful as a freighter between Panama, Buenaventura, and Guayaquil.

9. Due to the engine room, fireroom, and bunker construction of the cruisers, a large number of men is required in the engineering department; in addition, these vessels are great coal consumers, and would have to coal both on the outward and return voyages. Since continuity and regularity of sail service would be essential, it would be necessary to maintain at some point on the west coast, preferably at Callao, either ashore or afloat, a reserve of coal. This need could, however, be easily met.

10. The personnel that would be required for the ships is as follows: *Columbia, Minneapolis, Salem,* and *Chester,* 9 commissioned and 6 warrant officers and 202 men each: *Buffalo* and *Rainbow,* 9 commissioned and 6 warrant officers and 118 men each; *Ancon* and *Cristobal,* 9 commissioned and 6 warrant officers and 135 men each; *Hector, Mars,* and *Vulcan,* 7 commissioned and 6 warrant officers and 117 men each; *Cyclops* and *Neptune* (or two others of equal capacity), 7 commissioned and 6 warrant officers and 134 men each; and the *Nanshan,* 7 commissioned and 6 warrant officers and 69 men; a total of 114 commissioned and 84 warrant officers and 2,002 men.

11. The cost of changes necessary to fit the vessels for the proposed service would be small. For the *Rainbow,* on which it is contemplated installing five additional staterooms at a cost of $2,000, $3,000 would be required; and $1,000 for each of the other vessels would probably cover the cost of changes proper. In addition, each vessel carrying passengers would need an auxiliary radio installation required by law for passenger ships. This would cost $2,000 for each vessel, and the total cost for the above vessels would be about $32,000.

12. The pay and subsistence of officers and men to man the 14 ships would be about $1,862,444, and the maintenance of the ships, other than pay and subsistence, including repairs, docking, and supplies of all kinds, would approximate $1,774,250; total, $3,636,694.

13. The probable cost of the shore establishment for operating the line is difficult to estimate at this time. This would include salaries of officers, agents, clerical force, and other personnel, terminal facilities, wharfage, port dues, rent of offices, furniture, and other expenses, and the department is making an investigation to determine this expense. It is believed, however, that it would be but a small percentage of the total cost, as Government terminal facilities will be used wherever practicable.

14. The expense of such services would, of necessity, be relatively large, due to the character of the vessels to be used and the fact that they must be kept in condition for immediate military service if required. It should be remembered, however, that there would be considerable return to the Government in mail, passenger, and freight receipts.

Retired officers or officers on the reserve list, should one be created, would be employed in the service as soon as practicable, and under such conditions the expense involved in the pay and subsistence of officers, as given in the table, should be reduced by three-fourths.

When it is considered that the men will be enlisted men in the Navy and available for service with the Navy in time of war, the actual total additional expense for personnel for 14 ships would be but $151,244.

15. Should the department be authorized to establish the service as contemplated in the resolution, it is suggested that the question of ships to be used, ports to be made, schedules, etc., be left entirely to the discretion of the department, and the department would make every effort to carry out the plan successfully. In so doing it is considered best to inaugurate the business by establishing a fast line from Panama to Valparaiso, via Callao and Mollendo, and utilize for the purpose the *Columbia, Minneapolis, Salem,* and *Chester.* This mail and passenger line, in connection with those now in existence from New York and New Orleans to Colon, would be a rapid-transit route between the United States, Peru, Bolivia, and Chile, and thence via the Trans-Andean Railway to Argentina, Uruguay, and Paraguay

It is not deemed wise to establish at the beginning a schedule that would utilize all the vessels mentioned as available. One sailing a month of freighter or passenger vessel from New York and New Orleans to Valparaiso and intermediate ports would be enough for a beginning. As business developed other vessels would be added, and sailings made more frequent, as the traffic warranted.

The *Rainbow* or *Nanshan,* or both, as the traffic might warrant, would be scheduled to ply between Panama and Guayaquil, Ecuador, via Buenaventura, Colombia. These would carry mails, passengers, and freight, and act as feeders for our freighters passing through the canal and connecting with the mail liners from New Orleans and New York

As for docks and terminal facilities, the navy yard at New Orleans is well adapted for the purpose, and the New York yard could be used until the traffic warranted renting another terminal. The cost of wharves in New Orleans would depend upon the freight handled, and would therefore be included in the freight rates. In South American ports practically all cargoes are handled by means of lighters, the cost of which would be included in the freight rates.

Although it might appear that the cost of maintenance of the four cruisers of the fast mail line from Panama to Valparaiso is excessive, this is not so apparent when considered in connection with the freighters. One is necessary to the other for developing the South American trade, and the average cost should be taken. The freighters would begin to pay for themselves at once by taking coal and oil, for which there is great demand, and returning with general freight.

16. The department sees in the plan an opportunity for a twofold advantage:

First. The opportunity for developing a large trade with South America, which is not practicable for private vessels under the United States flag.

Second. The gradual development of a large auxiliary fleet which would be necessary in time of war, and which would be built up and maintained in time of peace without cost to the Government, as it will pay for itself after having once been firmly established.

Should the development of the business warrant, the cruisers used in this service would be gradually replaced by auxiliary vessels vastly more suitable and economical for the service itself as well as for the use of the Navy in time of war.

17. The approximate cost of maintenance of the ships of the lines proposed, for beginning the service, is as follows:

1. Fast mail service from Panama to Valparaiso, using the *Columbia, Minneapolis, Salem,* and *Chester:*	
Pay and subsistence of officers and men---per annum--	$597,120
Maintenance, including repairs, docking, supplies of all kinds, etc., per annum	790,800
Total	1,387,920
2. *Rainbow,* plying between Panama, Buenaventura, and Quayaquil:	
Pay and subsistence of officers and men	118,840
Maintenance, including repairs, docking, supplies of all kinds, etc	81,300
Total	199,140
3. Monthly sailings from the terminals, New York and New Orleans, for Valparaiso and intermediate ports, would cost, on the average for each vessel engaged in the service, as follows:	
Pay and subsistence of officers and men	121,160
Maintenance, including repairs, docking, supplies of all kinds, etc	100,500
Total	221,660

18. Any of the vessels mentioned for this service can be so employed without impairing their usefulness for naval purposes in any way, should their prompt return to the naval service be required.

19. In indorsing the establishment of this service the department takes occasion to state that the personnel of all vessels engaged in it should be naval officers and enlisted men of the Navy, and it will be necessary to increase the number of men at present allowed by law by the number of men required for this service.

20. The draft of a bill which would, in the opinion of the department, meet requirements is inclosed, marked "B."

JOSEPHUS DANIELS.

A bill to establish one or more United States Navy mail lines between the United States and South America.

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to establish one or more United States Navy mail lines, by employing such vessels of the Navy as in his discretion are available without impairment to the paramount duties of the Navy and as are necessary and appropriate, for the purpose of establishing and maintaining regular communication between the east or west coast, or both coasts, of the United States and either or both coasts of South America. The vessels so employed shall carry United States mail, passengers, and freight under such regulations and at such rate or rates as the Secretary of the Navy may prescribe. Such civilians, such officers of the naval auxiliary service, and such officers and enlisted men of the Navy, including officers on the retired list, as the Secretary of the Navy may deem necessary shall be employed in the business of the said mail line or lines, and retired officers of the Navy so employed at sea or on shore shall, in all respects, be held and considered to be in an active duty status, and shall receive the pay and allowances of officers of the active list of the same rank and length of service: *Provided,* That officers placed on the retired list on account of wounds or disability, incident to the service, or on account of age, or after 30 years' service, shall not be ordered to such duty without their consent.

The enlisted strength of the Navy, as now or hereafter authorized by law, is hereby increased by the number of men required to man the vessels so employed, and the Secretary of the Navy is hereby authorized to enlist such number of men in the Navy for such terms of enlistment, not to exceed four years, as may be desirable, and to distribute the number of men so enlisted among the various ratings of the Navy.

SEC. 2. In addition to and as a part of the line of the Navy there is hereby established an active reserve list. Line officers placed on the active reserve list under the provisions of this act shall be held to be in an active duty status in all respects, except that officers on the active reserve list shall not be advanced on the active reserve list except for eminent and conspicuous conduct in battle, or extraordinary heroism, when their advancement thereon for these causes shall be governed by the provisions of law governing the advancement of officers on the active list for like causes. All laws now in effect with reference to the retirement of officers from the active list are hereby extended to include officers on the active reserve list.

SEC. 3. Sections 8 and 9 of the act approved March 3, 1899, entitled "An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States," as amended by the act approved August 22, 1912, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1913, and for other purposes," are so far amended that officers who hereafter volunteer or are selected for retirement as therein provided shall be held and considered to have volunteered for transfer to the active reserve list, or shall be selected for transfer to the active reserve list, respectively; and the transfer of such officers to the active reserve list in lieu of their retirement shall be made subject to the restrictions imposed by the provisions of the said sections as amended.

SEC. 4. In addition to such part of existing appropriations as may be available for the expenses of operating the line or lines herein provided for, the sum of $100,000 is hereby appropriated, to be paid out of any money in the Treasury of the United States not otherwise appropriated, to be expended in the discretion of the Secretary of the Navy for the purpose of organizing, inaugurating, and carrying on the traffic provided for in this act and in defraying the operating expenses incident thereto: *Provided,* That all money received for the transportation of mail, passengers, and freight, as provided in section 1 of this act, and for such other services as may be incident to the operation of the said line or lines, is hereby made available, in addition to the aforesaid sum of $100,000 herein appropriated, for expenses incident to the proper conduct of the business contemplated in this act: *Provided, further,* That any sum of money herein appropriated which remains unexpended at the end of the third fiscal year after the passage of this act, and at the end of each fiscal year thereafter, shall be covered into the Treasury of the United States.

TABLE A.

Vessel.	Complement. Officers.	Complement. Men.	Passengers, number.	Freight, tons.	Active pay of officers.	Retired officers' pay.	Difference.	Pay and subsistence (men).	Total pay and subsistence officers and men (6 and 9).	Total additional pay and subsistence (9 and 8).	Maintenance of ships, exclusive of pay and subsistence, including docking, supplies, and fuel.	Total cost of maintenance afloat (11 and 10).	Cost of changes.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
St. Louis[1]	Commissioned, 9; warrant, 6; 15.	335	15 to 20	Exp. 150	$40,960	$29,700	$11,260	$221,000	$261,960	$232,260	$226,000	$458,260	$3,000
Columbia	do	202	15 to 20	Exp. 150	40,960	29,700	11,260	133,320	174,280	144,580	197,750	342,330	3,000
Minneapolis	do	202	15 to 20	Exp. 150	40,960	29,700	11,260	133,320	174,280	144,580	197,750	342,330	3,000
Salem	do	202	15 to 20	Exp. 150	40,960	29,700	11,260	133,320	174,280	144,580	196,500	341,080	3,000
Chester	do	202	15 to 20	Exp. 150	40,960	29,700	11,260	133,320	174,280	144,580	196,500	341,080	3,000
Buffalo	do	118	20	4,000–10,000	40,960	29,700	11,260	77,880	118,840	89,140	96,500	185,640	3,000
Rainbow	do	118	25	3,000	40,960	29,700	11,260	77,880	118,840	89,140	81,300	170,440	5,000
Ancon	do	135	(2)	10,000–11,000	40,960	29,700	11,260	89,100	130,060	100,360	113,600	213,960	1,000
Cristobal	do	135	(2)	10,000–11,000	40,960	29,700	11,260	89,100	130,060	100,360	113,600	213,960	1,000
Hector	Commissioned, 7; warrant, 6; 13.	117	None.	6,500–10,000	35,574	25,380	10,194	77,220	112,794	87,414	87,250	184,664	1,000
Mars	do	117	None.	6,500–10,000	35,574	25,380	10,194	77,220	112,794	87,414	97,250	184,664	1,000
Vulcan	do	117	None.	6,500–10,000	35,574	25,380	10,194	77,220	112,794	87,414	97,250	184,664	1,000
Cyclops	do	134	None.	10,000–12,500	35,574	25,380	10,194	88,440	124,014	98,634	120,000	218,634	1,000
Neptune	do	134	None.	10,000–12,500	35,574	25,380	10,194	88,440	124,014	98,634	120,000	218,634	1,000
Nanshan	do	69	None.	3,000	35,574	25,380	10,194	45,540	81,114	65,734	49,000	114,734	1,000

[1] Charleston and Milwaukee same as St. Louis in all respects.

[2] 74 first class; 32 steerage.

Mr. WEEKS. I introduce the bill which is recommended in the report made by the Navy Department in reply to the resolution to which the Senator from Louisiana [Mr. THORNTON] has just made reference.

The bill (S. 5259) to establish one or more United States Navy mail lines between the United States and South America was read twice by its title and referred to the Committee on Naval Affairs.

Mr. NORRIS. I should like to inquire of the Senator from Massachusetts whether that report has been printed?

Mr. WEEKS. The report has been printed for the use of the committee.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BRISTOW submitted an amendment providing for the appointment of one clerk of class 1 in the office of the superintendent of the State, War, and Navy Department Building, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. GRONNA submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

WITHDRAWAL OF PAPERS—VICTORIA A. DAVIS.

On motion of Mr. BURTON it was—

Ordered, That the papers accompanying the bill (S. 3099), Sixty-third Congress, granting a pension to Victoria A. Davis, be withdrawn from the files of the Senate, no adverse report having been made thereon.

ADDRESS BY MRS. ANNIE RILEY HALE.

Mr. WILLIAMS. Some time since I had printed in the RECORD as a part of my remarks an article written by Mrs. Helen Gardener on the subject of woman suffrage. Since then I have received from Mrs. Annie Riley Hale, upon the other side of the controversy, an article upon the same subject, and I have considered it fair to make the same request on her behalf. Mrs. Hale is a very bright little southern woman and has written some very interesting things. Her voice, too, is worth hearing, and I ask that her address may be inserted in the RECORD as a part of my remarks.

The VICE PRESIDENT. The Chair hears no objection, and it is so ordered.

The address is as follows:

Unlike my friend the Senator from Mississippi, I have given careful perusal to this southern suffragette "campaign" document and am more than willing to stake what reputation I may have for accurate headwork upon the criticism that I find it "abounding" in pretty nearly everything else except "good, hard common sense."

Space forbids consideration of all its inanities and inconsistencies. I seize upon one only of its most flagrant offenses against good taste, namely, the appeal to the chivalry of southern men, and the comparison challenged between the southern and the western brand to be found in the 10 equal-suffrage States. The simon-pure "nerve" of this appeal compels wonder, if nothing else. Is not this whole movement for the woman ballot based on the conviction and declaration of its advocates that chivalry has failed? Do we not hear it continually asserted from suffrage platforms that it is because we can no longer trust the fathers, husbands, brothers, and sons of women to give them a square deal in legislation that we must abandon our foundational work for the race and fling ourselves into the legislative breach? Nay, my gentle suffragette; you can not both eat your cake and have it; you can not plant your feet more firmly on the old royal dais built for us by the chivalry of men and at the same time reach forth your frail hands to grasp the reins of masculine empire.

There is not enough chivalry left "to go around" now, thanks to your suffragette hikings and sex-warring activities. There has been a very perceptible diminution of the supply in this country within the past five years, and what there is should be for the women who are not finding so much fault with the "man-made laws," but giving their attention more to the woman-made men while in process of making. I for one do not mean to surrender any claim upon the chivalric consideration of men to serve any suffragette need.

Is not this wheedling talk about chivalry a sharp departure from the suffragette creed, that any attempt to wrest favors from the male creature, save by a stern "stand and deliver or get hit in the eye with the woman ballot," is in its very nature and essence immoral? Shame on you, Mrs. Gardener.

ANNIE RILEY HALE.

NEW YORK, *April* 7.

LOCATION OF FEDERAL RESERVE BANKS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day which will be read.

The Secretary read Senate resolution 332, submitted by Mr. HITCHCOCK on the 8th instant, as modified by him, as follows:

Resolved, That the organization committee of the Federal Reserve Board be, and it is hereby, directed to send to the Senate copies of all briefs and written arguments made by each city applying to the organization committee for the location of a Federal reserve bank, together with the poll of the banks and the reasons relied upon by the organization committee in fixing the boundaries of the reserve districts and locating the reserve cities.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

THE CALENDAR.

The VICE PRESIDENT. The calendar, under Rule VIII, is in order.

The bill (S. 1240) to establish the legislative reference bureau of the Library of Congress was announced as first in order on the calendar.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 655) authorizing the Secretary of the Interior to survey the lands of the abandoned Fort Assiniboine Military Reservation and open the same to settlement was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will go over.

The joint resolution (S. J. Res. 41) authorizing the Secretary of the Interior to sell or lease certain public lands to the

Republic Coal Co., a corporation, was announced as next in order.

Mr. GRONNA. Let that go over.

The VICE PRESIDENT. The joint resolution will go over.

The bill (S. 2242) making it unlawful for any Member of Congress to serve on or solicit funds for any political committee, club, or organization was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 3112) to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex., was announced as next in order.

Mr. HITCHCOCK. I should like to inquire whether we should not begin calling the calendar where it was left off when it was last under consideration?

The VICE PRESIDENT. Under the rule the Senate commences at the beginning each time.

Mr. HITCHCOCK. I understand that that has been the practice, but to avoid unnecessary delay I ask unanimous consent that we begin calling the calendar now where we left off when it was last under consideration.

Mr. SHAFROTH. Mr. President, it does not seem to me to be fair when the calendar has been called and objection made to measures that they should not be called again. I have measures on the calendar that have been called six or eight times, and I have not been able to get them up yet. It does not seem to me that because some one has objected therefore we should start away beyond those.

Mr. SMOOT. I object to the request of the Senator from Nebraska. So we can go on with the calendar.

The VICE PRESIDENT. There is objection. The Secretary will state the bill now reached on the calendar.

The SECRETARY. A bill (S. 3112) to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex.

Mr. GRONNA. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 2651) providing for the purchase and disposal of certain lands containing kaolin, kaolinite, fuller's earth, and other minerals within portions of Indian reservations heretofore opened to settlement and entry was announced as next in order.

Mr. SMOOT. I ask that that may go over.

The VICE PRESIDENT. The bill will go over.

The next business on the calendar was Senate resolution 156 limiting expenditures for telegrams sent or received by Senators.

Mr. WARREN. I ask that that may go over.

The VICE PRESIDENT. The resolution will go over.

Mr. SHAFROTH. It seems to me that that resolution ought to come up, but I presume the Chair would not entertain a motion at this time to proceed to its consideration.

The VICE PRESIDENT. It can be considered only by unanimous consent prior to 1 o'clock.

Mr. GRONNA. Mr. President, I wish to withdraw my objection to the bill (S. 3112) to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill.

Mr. SHAFROTH. I ask that the bill may go over. My colleague [Mr. THOMAS] has been very much interested in this proposition, and I do not know what action he wishes to take in relation to it.

The VICE PRESIDENT. The bill will go over.

Senate resolution 84 providing that any Senator upon his own request may be recorded and counted as present in order to constitute a quorum was announced as the next business on the calendar.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The resolution will go over.

Senate resolution 218 proposing an amendment to the standing rules of the Senate was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The resolution will go over.

The joint resolution (S. J. Res. 26) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. GALLINGER and Mr. SUTHERLAND. Let it go over.

The VICE PRESIDENT. The joint resolution will go over.

LANDS AT HOT SPRINGS, ARK.

The bill (S. 3863) granting lands to Hot Springs Lodge, No. 62, Ancient Free and Accepted Masons, of Hot Springs, Ark., was considered as in Committee of the Whole.

The VICE PRESIDENT. The bill was considered as in Committee of the Whole March 5 and amended. It will be read as amended.

The Secretary read the bill as amended, as follows:

Be it enacted, etc., That lots No. 1 and 2 in block 114, in the city of Hot Springs, Ark., be, and the same are hereby, granted to the Grand Lodge, Ancient Free and Accepted Masons, grand jurisdiction of Arkansas, and that proper conveyance thereto be executed.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting land to the Grand Lodge, Ancient Free and Accepted Masons, grand jurisdiction of Arkansas."

BILLS AND JOINT RESOLUTIONS PASSED OVER.

The bill (S. 3023) relating to the duties of registers of United States land offices and the publication in newspapers of official land-office notices was announced as next in order.

Mr. BURTON. I desire to offer an amendment to this bill when it is considered. The Senator from Montana [Mr. MYERS], who has it in charge, is detained from the Senate by illness, and I think the bill should go over.

The VICE PRESIDENT. The bill goes over.

The joint resolution (S. J. Res. 94) to authorize the Secretary of Commerce to investigate the condition of trade in China, for the purpose of determining the desirability of establishing there a permanent exposition of the products of the United States of America was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The joint resolution goes over.

The bill (S. 2425) to authorize the Roanoke River Development Co. to construct and maintain a dam across the Roanoke River in Mecklenburg County, in the State of Virginia, approximately 20 miles below the town of Clarksville, in said State, was announced as next in order.

Mr. BURTON. I ask that that go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 3971) to provide for a permanent exhibit of the resources of the States of the Union in or near Washington, D. C., was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 4260) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of other wars than the Civil War, and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

Mr. SMITH of Georgia. Let that go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 4261) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

Mr. SMITH of Georgia. Let that go over.

The VICE PRESIDENT. The bill goes over.

CHANGE OF INAUGURAL DATE.

The joint resolution (S. J. Res. 10) proposing an amendment to the Constitution of the United States fixing the time for the convening of Congress and commencement of the terms of the President, Vice President, Senators, and Representatives, was announced as next in order.

Mr. SUTHERLAND. Let that go over.

Mr. SHAFROTH. Mr. President, I want to be heard just a moment on that question. I hope the Senator from Utah will withdraw his objection just for a few minutes.

I wish to say that this Senate joint resolution, in my judgment, is one of the most important measures before the Congress of the United States, and unless we act upon it soon it will be futile to attempt to get it through during this session. It is a joint resolution proposing a constitutional amendment, which provides that there shall be a meeting of the Congress on the first Monday of January following the election. There was some excuse when we had no railroad communication for fixing the time of the meeting of Congress at a late date. Congress fixed it on the first Monday of December of the year following the election, and thus, under the regular procedure, Congress does not convene in regular session until 13 months after the election of Representatives, and now of Senators.

Mr. SMOOT. Mr. President, I call for the regular order.

Mr. SHAFROTH. I hope the Senator from Utah will allow me a moment. I have been endeavoring for the last three months to get this measure before the Senate.

Mr. SMOOT. The Senator can not get it passed this morning.

Mr. SHAFROTH. That may be. I am not asking that. After the Senator hears me, if he desires, he may object. I want to ask unanimous consent that this measure may be set for a time certain, that it be made the special order for the 20th of April or the 27th of April or the 2d of May; but it does seem to me, upon a measure that is so important and so filled with the proper provisions to make good legislation, that consideration, at least, ought to be conceded.

I ask unanimous consent that the joint resolution may be made a special order for April 27 of this year.

Mr. SUTHERLAND. I object.

The VICE PRESIDENT. Objection is made.

Mr. REED. Mr. President——

Mr. GALLINGER. Regular order!

The VICE PRESIDENT. The regular order is called for. The Secretary will state the next business on the calendar.

BILLS PASSED OVER.

The bill (S. 1986) to remove the charge of desertion from the military record of Henry Fuller was announced as next in order.

Mr. SMITH of Michigan. Let that go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 3594) to correct the military record of Peter Duchane was announced as next in order.

Mr. SMITH of Michigan. Let that go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 1990) to correct the military record of Samuel J. Kearns was announced as next in order.

Mr. GALLINGER. Let that bill go over.

The VICE PRESIDENT. The bill goes over.

The resolution (S. Res. 254) to create a special committee of five Senators to assist the Interstate Commerce Commission in investigating certain facts regarding the methods and practices of the Louisville & Nashville Railroad, and for other purposes, was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The resolution goes over.

VOLUNTEER OFFICERS' RETIRED LIST.

The bill (S. 392) to create in the War Department and Navy Department, respectively, a roll designated as "the Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, was announced as next in order.

Mr. OVERMAN. I object to the consideration of the bill at this time.

The VICE PRESIDENT. The bill goes over.

Mr. TOWNSEND. Mr. President, I desire to state briefly that this a matter which has been before Congress for some years, and if there is to be legislation on the subject it is of the highest importance that it should be speedily enacted. It was presented by a committee of the volunteer officers a few weeks ago—less than two months ago—and since that time three of that committee have died. I desire to give notice now that at the very earliest opportunity I shall move to take up this bill, and I hope for its consideration. I have not objected to the consideration of the Calendar for Unanimous Consent, although I knew that most of the bills would be objected to, and that they would go over without consideration, because I have not desired to hinder or prevent the passage of bills against which there are no objections, but here is a measure which ought to be considered speedily, if it is to be considered at all. I regard it as of the greatest and most urgent importance. I therefore repeat that at the very earliest opportunity I shall move to take the bill up and shall exhaust my every parliamentary right to secure its consideration and passage.

Mr. OVERMAN. I object to the present consideration of the bill, because it involves an expenditure of about $8,000,000. It will take time to consider it, and I do not think it ought to be considered between now and 2 o'clock.

BILLS PASSED OVER.

The bill (S. 121) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. BRYAN. Let that go over.

The VICE PRESIDENT. The bill goes over.

The bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivaties, or preparations, and for other purposes, was announced as next in order.

Mr. SMOOT. The Senator from Colorado [Mr. THOMAS] is not in the Chamber. He has a number of amendments to offer to the bill which the Committee on Finance have agreed to accept, and for that reason I ask that the bill go over at this time.

The VICE PRESIDENT. The bill goes over.

The bill (H. R. 6827) to amend an act entitled "An act to change the name of the Public Health and Marine-Hospital Service to the Public Health Service, to increase the pay of officers of said service, and for other purposes," approved August 14, 1912, was announced as next in order.

Mr. GALLINGER. Let that go over. The Senator from Mississippi [Mr. WILLIAMS] who reported the bill is not in the Chamber.

The VICE PRESIDENT. The bill goes over.

CRATER LAKE NATIONAL PARK.

The bill (S. 2223) to create the Crater Lake National Park revenue fund was considered as in Committee of the Whole. The bill had been reported from the Committee on Public Lands with an amendment to strike out all after the enacting clause and insert:

That hereafter the proceeds of all leases, licenses, franchises, and permits of every kind in the Crater Lake National Park, and all other revenues that may be derived from any source connected with the park, shall be deposited in the Treasury and expended on requisitions approved by the Secretary of the Interior and under his direction in the management of the park and the construction, repairs, and improvements of the roads, trails, and bridges in the park.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. REED. I ask that that bill go over.

Mr. CHAMBERLAIN. I hope the Senator from Missouri will not insist on his request. This bill is in line with the policy which has been pursued in reference to other national parks, and the Secretary of the Interior recommends its passage.

Mr. REED. I might not object to the bill if I knew anything about it, but I decidedly object to having bills passed in this way by mere reading, without a word of explanation. If the Senator from Oregon can tell us what the bill is about, I might not object to its consideration at all.

Mr. CHAMBERLAIN. It simply proposes that the small amount of money collected from privileges in the park be paid into a fund to be expended in the park. That is the substance of the bill. There is a printed report with the bill. It is the same policy which has been adopted with respect to all of the national parks.

Mr. REED. How much does this fund amount to?

Mr. CHAMBERLAIN. In this case it amounts to very little, because there are no privileges granted, except possibly one little hotel on top of the mountain.

Mr. REED. I withdraw my objection to the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the use of the revenues in the Crater Lake National Park in the management of the same, and the construction, repair, and improvement of roads, trails, and bridges in the park."

BILLS PASSED OVER.

The bill (S. 4552) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

Mr. SMITH of South Carolina. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war was announced as next in order, and the Secretary proceeded to read the bill.

Mr. REED. Mr. President, I do not think that bill can be considered under the five-minute rule. I object.

The VICE PRESIDENT. The bill will be passed over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was announced as next in order, and the Senate, as in Committee of the Whole, resumed the consideration of the bill, which had been reported from the Committee on Pensions with amendments.

The VICE PRESIDENT. On March 28 this bill was under consideration, and the first two amendments reported by the committee were agreed to. The next amendment reported by the committee will be stated.

The next amendment was, on page 2, line 23, before the words "per month," to strike out "$24" and insert "$30," so as to make the clause read:

The name of Samuel W. McLean, late of Company K, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. SMITH of Georgia. Mr. President, I object to the further consideration of this bill. It will take up a good deal of time, and I think we ought to run through the calendar and dispose of the unobjected bills.

Mr. GALLINGER. Mr. President, if it is the policy to object to the pension bills on the calendar, we will not do much business by unanimous consent to-day. They have been obstructed week after week.

Mr. SMITH of Georgia. I only want to say that so far as I am concerned I was anxious to-day that we run through the calendar and dispose of the bills on which there is no fight at all. I am not going to object to the bill after we run through the calendar once in that way. This is the first time I have made any objection.

Mr. GALLINGER. Oh, no; it is not the first time.

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. Mr. President, the bill has been once read; there are only a very few amendments, and I ask the Senator from Georgia to withdraw his objection to this bill.

Mr. SMITH of Georgia. I withdraw it if the bill is not going to take any considerable time.

The VICE PRESIDENT. The objection is withdrawn. The next amendment will be stated.

The next amendment was, on page 3, after line 12, to strike out:

The name of Celestia Watkins, former widow of William Keifer, late of Company H, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 19, before the words "per month," to strike out "$36" and insert "$24," so as to make the clause read:

The name of Walter Keefe, late of Company A, Ninety-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, line 21, after the name "John," to insert the initial "C," so as to make the clause read:

The name of Laura Hill, widow of John C. Hill, late of Company I, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, line 1, before the word "major," to insert "sergeant," so as to make the clause read:

The name of John W. Riley, late sergeant major, One hundred and forty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, line 11, before the words "per month," to strike out "$20" and insert "$24," and, in line 12, after the word "receiving," to insert: "*Provided*, That in the event of the death of Nora Klock, helpless and dependent child of said Martin J. Klock, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Maria Klock the name of the said Nora Klock shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Maria Klock," so as to make the clause read:

The name of Maria Klock, widow of Martin J. Klock, late of Company E, Second Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Nora Klock, helpless and dependent child of said Martin J. Klock, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Maria Klock the name of the said Nora Klock shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Maria Klock.

The amendment was agreed to.

The next amendment was, on page 6, line 19, before the words "per month," to strike out "$20" and insert "$30," so as to make the clause read:

The name of Samuel A. Sellers, late of Capt. M. M. Gilbreath's Alabama Scouts and Guides, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

Mr. SMOOT. I move, on line 17, page 6, that the name be changed so as to read "Samuel S. Sellers" instead of "Samuel A. Sellers."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 6, line 17, after the name "Samuel," it is proposed to strike out the initial "A" and insert the initial "S," so as to read "Samuel S. Sellers."

The amendment was agreed to.

The next amendment was, on page 7, after line 2, to strike out:

The name of Lucy A. Rhykerd, widow of James Rhykerd, late of unassigned Eleventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 4, to strike out:

The name of Maggie Williamson, widow of Charles O. Williamson, late of Eighth Regiment Independent Ohio Sharpshooters, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, line 11, before the words "per month," to strike out "$30" and insert "$24," so as to make the clause read:

The name of William Bright, late of Company F, Eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 1, before the name "Day," to strike out the name "Melina" and insert "Malina," and in the same line, after the name "Day," to insert "widow of William H. Day, late of Company F, Tenth Regiment Massachusetts Volunteer Infantry, and unassigned detachment, First Battalion Veteran Reserve Corps, and," so as to make the clause read:

The name of Malina Day, widow of William H. Day, late of Company F, Tenth Regiment Massachusetts Volunteer Infantry, and unassigned detachment, First Battalion Veteran Reserve Corps, and former widow of Hosea C. Lombard, late of Company F, Tenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 6, after the words "rate of," to strike out "$12" and insert "$20," so as to make the clause read:

The name of Loretto Roland, widow of Daniel B. Roland, late chief bugler, Sixteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 18, before the words "per month," to strike out "$50" and insert "$30," so as to make the clause read:

The name of William A. Yantis, late of band, First Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, after line 14, to strike out:

The name of Jacob Staples, late of Company G, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, after line 22, to strike out:

The name of William Woodhouse, late of Company K, One hundred and forty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, line 3, before the words "per month," to strike out "$36" and insert "$30," so as to make the clause read:

The name of William H. Mize, late of Company D, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, line 8, after the word "receiving," to insert "*Provided*, That in the event of death of Harry R. Dunn, helpless and dependent child of the said Henry Dunn, the additional pension herein granted shall cease and determine," so as to make the clause read:

The name of Sarah M. Dunn, widow of Henry Dunn, late of Company H, Thirtieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Harry R. Dunn, helpless and dependent child of the said Henry Dunn, the additional pension herein granted shall cease and determine.

The amendment was agreed to.

The next amendment was, on page 13, line 17, before the words "per month," to strike out "$36" and insert "$30," so as to make the clause read:

The name of Henry Chamberlin, late of Company F, Fifty-fourth Regiment New York National Guard Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, line 4, before the words "per month," to strike out "$40" and insert "$30," so as to make the clause read:

The name of Peter Dowdle, late of Company F, One hundred and eighty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, after line 4, to strike out:

The name of Martha S. Nooner, widow of John Nooner, late of Unassigned One hundred and fifty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 16, line 16, after the words "rate of," to strike out "$30" and insert "$24," so as to read:

The name of James A. Roche, alias James Brady, late of Company B, One hundred and eighty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, line 2, before the name "Hahn," to strike out "Dr. Bertholdo" and insert the name "Berthold," and in the same line, after the name "Hahn," to insert "late unenlisted surgeon, Col. Stewart's Independent Cavalry, Illinois Volunteers," so as to make the clause read:

The name of Susanna Hahn, widow of Berthold Hahn, late unenlisted surgeon, Col. Stewart's Independent Cavalry, Illinois Volunteers, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 19, line 12, before the words "per month," to strike out "$50" and insert "$36," so as to make the clause read:

The name of John Rollins, late of Company G, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, line 23, before the words "per month," to strike out "$50" and insert "$36," so as to make the clause read:

The name of William Thornburg, late of Company E, Forty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 12, to strike out—

The name of Parnie H. Dean, late assistant surgeon, Fiftieth Regiment United States Colored Infantry, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 23, line 1, after the word "Company," to strike out the letter "B" and insert the letter "D," so as to make the clause read:

The name of William H. Stephenson, late of Company D, Thirty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, line 11, before the words "per month," to strike out "$40" and insert "$50," so as to make the clause read:

The name of Ephraim A. McWilliams, late of Company G, Seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, line 14, before the word "Regiment," to strike out "Twelfth" and insert "Nineteenth," so as to make the clause read:

The name of John Bash, late of Company F, Nineteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, line 10, before the word "Volunteer," to strike out "Indiana" and insert "Ohio," so as to make the clause read:

The name of David E. Niswonger, late of Company B, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. SMOOT. Mr. President, on page 24 I ask that lines 21, 22, 23, and 24 be stricken from the bill, the soldier having died.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 24 it is proposed to strike out lines 21, 22, 23, and 24, in the following words:

The name of John T. Maddix, late of Company H, Third Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. SMOOT. On page 25, line 17, after "Fred H.," I move to strike out the name "Gorman" and insert in lieu thereof the name "Gorham." It is simply a correction of the soldier's name.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 25, line 17, it is proposed to strike out the name "Gorman" and insert the name "Gorham."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 28, line 8, before the words "per month," to strike out "$50" and insert "$36," so as to make the clause read:

The name of William Albertson, now known as William Brown, late of Company G, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 28, after line 13, to strike out:

The name of Emma Eshman, widow of Eugene J. Eshman, late of Company A, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 29, line 13, after the words "name of," to strike out the initial "J." and insert the name "John," so as to make the clause read:

The name of John W. Reeves, late of Company G, Fifty-fourth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, after line 8, to strike out:

The name of Maggie J. Doremus, widow of Peter J. Doremus, late of Company B, Fifth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 32, line 5, after the name "Young," to strike out "by Charles Deichman, committee," and in line 9, before the words "per month," to strike out "$24" and insert "$20," so as to make the clause read:

The name of Christianna Young, widow of George H. Young, late of Company H, One hundred and fifty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

Mr. WORKS. I offer the amendment which I send to the desk, to be inserted after line 12 on page 3 of the bill.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, after line 12, it is proposed to insert in the bill the following:

The name of Louise Amy, widow of Simon Amy, late of Companies I and C, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

Mr. WILLIAMS. Mr. President, may I ask the Senator from California whether this has been agreed to by the committee?

Mr. WORKS. It has been approved by the committee.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PACIFIC CREOSOTING CO.

Mr. JONES. Mr. President, I have to leave the Senate Chamber for a while, and I desire to ask that Order of Business No. 259, Senate bill 690, for the relief of the Pacific Creosoting Co., may be placed on the calendar under Rule IX. There is an adverse report on the bill. I do not want it disposed of in my absence, and it will take some little time, so I ask that it may go on the calendar under Rule IX.

The VICE PRESIDENT. Is there any objection?

Mr. WILLIAMS. Mr. President, is that the bill in which the Senator from Oregon [Mr. LANE] is interested?

Mr. JONES. It is a bill he reported from the committee. It is reported adversely.

Mr. WILLIAMS. He reported it adversely?

Mr. JONES. Yes.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the bill will go to the calendar under Rule IX.

APPRAISERS' STORES BUILDING, MILWAUKEE, WIS.

The bill (H. R. 5487) to authorize an additional appropriation for the erection of the United States appraisers' stores building at Milwaukee, Wis., was announced as next in order.

Mr. WILLIAMS. Let that bill go over.

Mr. SWANSON. Mr. President, I hope the Senator will not ask to have the bill go over. I should like to make a statement about it. I have no interest in the world in it except as a matter of public business.

Mr. SMOOT. I have not, either, but I want to say that it is a case that really ought to be passed upon. It is a House bill. The bill has passed the House, and there is really a demand for its passage here at once.

Mr. SWANSON. I hope the Senator will withdraw the objection.

Mr. WILLIAMS. I would rather the bill would come up at some time when it can be understood.

Mr. SWANSON. I can have it understood in two minutes. It is important because the building is much needed there.

In 1910 $75,000 was appropriated for the erection of a public building for this purpose at Milwaukee. There is urgent necessity for it. The present buildings there are crowded. The department advertised for bids, and the bids were submitted. They reduced it to the smallest possible dimensions and the most economical method of construction, and the amount appropriated lacked $25,000 of being sufficient to erect the building needed according to the bids offered. The department have not been able to ask for bids again. They say it will take $40,000 to construct the building according to the space needed on the most economical lines.

If the Senator knew the condition of the public buildings in Milwaukee as disclosed by the committee, I am satisfied he would consent to this bill being passed. There is very urgent need for it. It has already been authorized. It is impossible to construct the building unless this additional sum is granted.

The VICE PRESIDENT. Is there objection?

Mr. WILLIAMS. Mr. President, this bill is to increase the appropriation for buildings at Milwaukee in order to house goods and merchandise imported into Milwaukee from foreign countries. I would rather it would go over until we can understand it. I do not think Milwaukee is a very large importing port.

The VICE PRESIDENT. The bill will be passed over.

BILLS PASSED OVER.

The bill (S. 2902) to reduce fees in the United States district courts, to fix the salaries of the clerks of such courts, to increase the mileage and per diem of witnesses and jurymen therein, and to repeal section 840 of the Revised Statutes and all other conflicting laws, was announced as next in order.

Mr. WILLIAMS. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 67) for the relief of Emory Scott Land was announced as next in order.

The VICE PRESIDENT. There is an adverse report.

Mr. SMOOT. Yes, Mr. President; there is an adverse report on this bill, and I move that it be indefinitely postponed.

Mr. WARREN. Mr. President, I hope the Senator will withdraw that motion for a moment. The same bill has received favorable action in the House, and it may have passed the House by this time. I hope the Senator will leave it as it is.

Mr. SMOOT. I will withdraw the motion, then, and allow the bill to go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4377) to provide for the construction of four revenue cutters was announced as next in order.

Mr. SMITH of Georgia. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 12045) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was announced as next in order.

Mr. WILLIAMS. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

PATENTS AND SURVEYS OF PRIVATE LAND CLAIMS.

The bill (S. 1943) in reference to the issuance of patents and copies of surveys of private land claims was considered as in Committee of the Whole. It provides that upon the payment into the Treasury of the United States of one-half of the cost of surveying and platting, which may have heretofore been made and not paid for, or which may be hereafter made, of any private land claim in New Mexico which may have been confirmed, and in reference to which the survey and plat thereof may have been or may be reported to the General Land Office and approved, a patent shall be issued to the confirmee, his heirs or assigns, for such claim, and also copies of the field notes of such approved survey and plat thereof, when requested from the proper officer, the cost of the copies of such field notes of such survey and plat to be paid for by the confirmee, his heirs or assigns, in addition to paying the said one-half of the cost of surveying and platting said claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 3696) providing for the removal of snow and ice from the paved sidewalks of the District of Columbia was announced as next in order.

Mr. OVERMAN. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 4657) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors was considered as in Committee of the Whole. It proposes to pension the following persons at the rates named:

Carrie H. Travis, widow of Pierce M. B. Travis, late major, Eleventh Regiment United States Infantry, $35 per month in lieu of that she is now receiving.

Katherine D. Augur, widow of Jacob A. Augur, late colonel Tenth Regiment United States Cavalry, $40 per month in lieu of that she is now receiving.

Elizabeth K. Norton, widow of Charles Stuart Norton, late rear admiral, United States Navy, $40 per month in lieu of that she is now receiving.

Sarah J. Burke, widow of Daniel W. Burke, late major, Twenty-third Regiment United States Infantry, and brigadier general, United States Army, $40 per month in lieu of that she is now receiving.

Alfred Zemp, late of Company H, First Battalion Wyoming Volunteer Infantry, War with Spain, $12 per month.

Charles M. Baughman, late of Company K, Sixth Regiment Illinois Volunteer Infantry, War with Spain, $30 per month.

Edward M. Stevens, late of Company E, Tenth Regiment Pennsylvania Volunteer Infantry, War with Spain, $12 per month.

Lulu E. Springer, widow of Warren D. Springer, late major and surgeon, First Regiment Idaho Volunteer Infantry, War with Spain, $25 per month, and $2 per month additional on account of each of the minor children of the said Warren D. Springer until they reach the age of 16 years.

Barbara Henderson, widow of John B. Henderson, late of Troop F, Third Regiment United States Cavalry, $12 per month, and $2 per month additional on account of the minor child of said John B. Henderson until she reaches the age of 16 years.

John Cooper, late of Company C, One hundred and sixty-first Regiment Indiana Volunteer Infantry, War with Spain, $16 per month.

James Henry Martineau, late of general service, United States Army, War with Mexico, $30 per month in lieu of that he is now receiving.

Zera F. Etheridge, late hospital apprentice, first class, United States Navy, $30 per month in lieu of that he is now receiving.

Harry Wills, late of the First Battery, United States Field Artillery, War with Spain, $12 per month.

Dallas Thurman, late of Company E, Twenty-third Regiment Kansas Volunteer Infantry, War with Spain, $10 per month.

Annie La T. Romeyn, widow of Henry Romeyn, late captain, Fifth Regiment United States Infantry, and major, United States Army, retired, $40 per month in lieu of that she is now receiving.

William H. Van Name, late of Company G, Second Regiment New Jersey Volunteer Infantry, War with Spain, $30 per month in lieu of that he is now receiving.

Teresa Mindermann, widow of Fred W. E. Mindermann, late of Company M, Second Regiment New Jersey Volunteer Infantry, War with Spain, $12 per month, and $2 per month additional on account of the minor child of the said Fred W. E. Mindermann until he reaches the age of 16 years.

Kate W. Foster, widow of Fred W. Foster, late lieutenant colonel Fifth Regiment United States Cavalry, $40 per month in lieu of that she is now receiving.

Robert B. Courts, late of Company D, First Regiment North Carolina Volunteer Infantry, War with Spain, $12 per month.

John C. January, late of Company G, First Regiment South Dakota Volunteer Infantry, War with Spain, $12 per month.

Eddy J. Workman, late of Battery I, First Regiment United States Artillery, War with Spain, $10 per month.

William D. Jones, late of Company B, Fifth Regiment United States Infantry, $30 per month in lieu of that he is now receiving.

Margaret R. Flynn, widow of John J. Flynn, late chief master at arms, U. S. S. *Wabash*, United States Navy, $12 per month, and $2 per month additional on account of each of the minor children of the said John J. Flynn until they reach the age of 16 years.

Robert H. Cowan, late second lieutenant Company K, Second Regiment North Carolina Volunteer Infantry, War with Spain, $30 per month.

Henry C. Miller, late of Battery O, First Regiment United States Artillery, War with Spain, $20 per month in lieu of that he is now receiving.

Fred Mayo, late of Company A, Forty-third Regiment United States Volunteer Infantry, War with Spain, $20 per month in lieu of that he is now receiving.

Minnie C. Fealy, widow of Thomas J. Fealy, late captain, Second Regiment United States Infantry, $30 per month in lieu of that she is now receiving.

James McMahon, late of Company B, Twenty-sixth Regiment United States Infantry, $30 per month in lieu of that he is now receiving.

Charlotte Perry, widow of Noble Perry, late of U. S. S. *Yantic*, United States Navy, $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 4161) to prohibit the importation and entry of goods, wares, and merchandise made in whole or in part by convict, pauper, or detained labor, or made in whole or in part from materials which have been made in whole or in part or in any manner manipulated by convict or prison labor was announced as next in order.

Mr. WILLIAMS. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 387) relating to bills of lading was announced as next in order.

Mr. WILLIAMS. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

AMBASSADOR TO ARGENTINA.

The bill (S. 4553) to authorize the appointment of an ambassador to Argentina was considered as in Committee of the Whole. It authorizes the President to appoint, as the representative of the United States, an ambassador to Argentina, who shall receive as his compensation the sum of $17,500 per annum.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 3590) to make the appointment of pay clerks in the United States Navy permanent and to create the grade of chief pay clerk, and for other purposes, was announced as next in order.

Mr. WILLIAMS. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 9318) to amend the act approved June 25, 1910, entitled "An act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes," was announced as next in order.

Mr. WILLIAMS and Mr. BURTON. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

DEPOSIT OF POSTAL FUNDS.

The bill (H. R. 7967) to amend the act approved June 25, 1910, authorizing a postal savings system, was announced as next in order.

Mr. SMOOT. Let that bill go over.

Mr. BRYAN. Mr. President, I ask the Senator from Utah not to object to the consideration of that bill. He did so once before, and said he would not object to it again.

The bill simply does this: Under the postal savings bank law as it now is, the greatest amount that can be received from any one individual is $500; the greatest amount that can be received during any month from any one individual is $100. The amendment proposed is in effect that the greatest amount that can be received from any individual shall be $2,000, and that he can deposit that all at one time or from time to time. That is the only change proposed. The department asked that the limit be taken off altogether, but the committee, as shown by the report, were rather of the opinion that we had better go into the thing gradually. To allow a deposit of $2,000 certainly can not injure any bank or other legitimate industry.

The present limit of $500 has this effect. Of course the history of this legislation shows that it was enacted for the purpose of getting deposits of laboring men, foreigners who were not accustomed to our system of banking, and were not acquainted with the standing or financial responsibility of the banks. Without some bank operated by the Government, they would send their earnings abroad; they would send them back home. The department has found that unless they can deposit as much as they choose to deposit they are unwilling to deposit a part and return the balance, so the result is that they return it all. It is thought by the committee, however, that if the amount be limited to $2,000, that will accommodate and take care of all such deposits.

I hope the Senator will allow the bill to be considered, and if there is objection to it let it be argued out. The provision is a very plain one. There is nothing involved in it except what I have stated, and it can not require very much or very long discussion.

Mr. SMOOT. Mr. President, there is a Senator out of the Chamber at present who is interested in this question and wanted to discuss it when it came before the Senate, as I told the Senator from Florida. I have not had a chance to speak to him in relation to the bill since talking with the Senator from Florida.

I wish to say, as to the deposits in the western banks, that they are not made by foreigners. They are made generally by American citizens. I have not heard any complaint as to the present limit of $500. It may be that in some parts of this country men desire to deposit money in the postal savings bank because of the rate of interest paid in their locality by the savings banks; but that is not the case in the West.

Mr. BRYAN. I understand that, Mr. President. Of course, there are many sections or portions of the country where it might not be of much benefit. That would be true, I think, in my State and in the Senator's State. On the other hand, there are great communities where the laboring men are made up very largely of foreign-born population, and it is to reach those classes that it is proposed to amend the existing law.

I will say to the Senator that this bill has been upon the calendar since the 9th of March. I have been sitting here anxiously waiting for an opportunity to get it up. Two or three requests have been made to take it up by unanimous consent, and objection has been made. Mr. President, is it 1 o'clock?

The VICE PRESIDENT. It is 1 o'clock, and——

Mr. BRYAN. I move——

The VICE PRESIDENT. The Chair lays before the Senate Senate bill 4405, the special order. It will be stated by title.

The SECRETARY. A bill (S. 4405) to provide for and encourage the prospecting, mining, and treatment of radium-bearing ores in lands belonging to the United States, for the purpose of securing an adequate supply of radium for Government and other hospitals in the United States, and for other purposes.

Mr. SUTHERLAND. Mr. President, I make the point of order that it is not in order to lay the so-called radium bill before the Senate at this time. I desire, if the Chair pleases to hear me, to be heard very briefly upon the point of order.

Mr. WALSH. Will the Senator from Utah yield to me for a moment?

Mr. SUTHERLAND. I yield.

Mr. WALSH. I desire to say to the Senator from Utah that some other duties so engross my attention to-day that I will not be able to remain even to hear him discuss the point of order which he has now raised. I was going to ask, in view of that situation of affairs, that the matter be continued over until to-morrow at the same hour, without prejudice, if that course will be satisfactory to the Senator.

Mr. SUTHERLAND. I have no objection to its going over until to-morrow.

Mr. BRYAN. Mr. President——

The VICE PRESIDENT. Is there any objection to Senate bill 4405 going over until to-morrow, without prejudice, and the question then being settled?

Mr. SMOOT. With the point of order pending.

Mr. SUTHERLAND. Let the point of order be pending.

The VICE PRESIDENT. Yes; the Chair wants it settled as well as everybody.

Mr. FALL. Mr. President, I shall not object to the bill going over. I am just as anxious to have it thoroughly

thrashed out as is the Senator from Montana, who has charge of the bill. I will be glad to proceed to-morrow or at any other time and to afford him every opportunity for a vote on it, as far as I am concerned, and I am satisfied that others will. But the point of order, of course, should be decided. I have no objection to the bill going over, with the point of order pending.

The VICE PRESIDENT. The bill will go over, then, until 1 o'clock to-morrow.

Mr. GALLINGER. Will the Senator from Florida permit me a moment?

Mr. BRYAN. Certainly.

Mr. GALLINGER. In regard to the bill on the calendar which is now under consideration, I will say to the Senator from Florida that I have received several letters, which I have not now at hand, from officials of the savings banks of my State making a very earnest protest against this proposed legislation. I want a little time to look at the matter before the bill is finally acted upon. I have no disposition to obstruct it at all, but I did not think it would come up to-day. In fact, I have been so busy of late that I have not attended to some matters that I ordinarily would, and this is one of them. If the Senator will permit the bill to go over, I think it would be wise to do so. I am very sure the bill could not be passed under the five-minute rule to-day.

Mr. BRYAN. Mr. President, I am anxious to accommodate the Senator from New Hampshire, but the truth is that the Post Office Department has been insistent for a month that this bill should be called up. It has said that the necessity for it exists from the fact that at present, because of the small amount allowed to be deposited at any one time, the act is hampering the administration of the postal laws.

I want to be agreeable to the Senator from New Hampshire, but it does seem to me that all the objections which could be urged can be stated to-day as well as at any other time. I understand that the savings banks officials objected to the bill as passed by the House. The bill as passed by the House placed no limit upon the deposits.

Mr. GALLINGER. If the Senator will permit me, I think it is very probable that the objections were to that bill. I do not definitely recall that fact, but nevertheless, Mr. President, I think I ought to look at my correspondence in reference to the matter. As the Senator knows very well, an objection carries the bill over for the day.

Mr. BRYAN. Not now, after 1 o'clock.

Mr. GALLINGER. Unless the Senator chooses to move to take it up.

Mr. BRYAN. That was my purpose in rising. I hardly know what to say if the Senator prefers that request. I hope——

Mr. WILLIAMS. I suggest to the Senator from Florida to give notice that he will move to take up the bill to-morrow.

Mr. GALLINGER. I think the Senator will have an opportunity to move to take it up very soon, and very likely there will be no objection to considering it.

Mr. BRYAN. I will say to the Senator that I have been waiting; that for several weeks I have sat here and other bills have gone through and we almost reached it when we were upon the calendar last week. I thought it was the fair thing to do that we should begin at the calendar where we left off, but objection was made to that course. I am within my rights in moving to proceed to the consideration of the bill now. I hesitate to do so, however, if the Senator insists that I should allow it to go over.

Mr. GALLINGER. I will say frankly to the Senator that I am not sure whether my correspondents objected to the bill as passed by the House, which, I understand, allows a deposit without limit, or whether they would object to the proposal to change the amount from $500 to $2,000.

Mr. BRYAN. Let me make this suggestion to the Senator from New Hampshire: Will the Senator send for his correspondence and allow the bill to be temporarily passed over, with the understanding that before the morning hour expires I shall move to proceed to its consideration?

Mr. GALLINGER. I can not object to the Senator moving to take up the bill if he chooses to do so.

Mr. SMITH of Georgia. Mr. President——

Mr. BRYAN. Does the Senator mean that I shall make the motion now, or would he prefer to have it made later?

Mr. GALLINGER. I would much prefer to have the bill go over for the day, but of course it is within the right of the Senator to move to take it up.

Mr. BRYAN. I move that the Senate proceed to the consideration of House bill 7967, the objection to the contrary notwithstanding.

Mr. SMITH of Michigan. Let me ask the Senator from Florida if this is a unanimous report from the Committee on Post Offices and Post Roads?

Mr. BRYAN. It is.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The motion is not debatable.

Mr. BRYAN. It is a unanimous report.

The PRESIDING OFFICER. The Senator from Florida moves that the Senate proceed to the consideration of the bill (H. R. 7967) to amend the act approved June 25, 1910, authorizing a postal savings system.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Post Offices and Post Roads with amendments.

The first amendment was, on page 1, line 5, to strike out the words "provides that" and insert "reads 'but,'" so as to read:

That such part of section 6 of the act approved June 25, 1910, authorizing a system of postal savings depositories as reads "but no one shall be permitted to deposit more than $100 in any one calendar month" is hereby.

The amendment was agreed to.

The next amendment was, on page 1, line 7, after the word "hereby," to strike out "repealed" and insert: "amended to read as follows: 'but the balance to the credit of any person, exclusive of accumulated interest, shall not exceed $2,000.'"

Mr. CUMMINS. Mr. President, I desire to ask a question of the Senator from Florida. In the report upon the bill it is stated that—

The millions on deposit have been released for commercial purposes in the very localities from which they were withdrawn, for, under the present law, 95 per cent of all postal savings receipts are deposited in the qualified banks of the localities where they originate.

Is the Senator from Florida sure that that is the present law?

Mr. BRYAN. I have no reason to doubt it, Mr. President, unless the Senator means that perhaps the Federal reserve bank act changed that provision.

Mr. CUMMINS. My recollection of the law in that respect is that only 60 or 65 per cent of the money deposited in the post offices is required to be deposited in the banks of the localities in which it is gathered.

Mr. SMITH of Georgia. It is not so now, I think.

Mr. BRYAN. That may be, but there is no prohibition against the deposit of all in the local banks.

Mr. SHIVELY. Mr. President——

Mr. CUMMINS. I think very much of the merit or demerit of the bill possibly is dependent upon the accuracy of that statement.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. CUMMINS. I yield to the Senator from Indiana.

Mr. SHIVELY. I wish to make an inquiry. I understand the evidences of deposits in the postal savings banks are not taxable by the local authorities.

Mr. CUMMINS. I think not.

Mr. SHIVELY. They are not under the present statute?

Mr. GALLINGER. No.

Mr. CUMMINS. I think not.

Mr. SHIVELY. The question in my mind was how far we could increase the amount to be deposited and not furnish a facility to escape taxation.

Mr. CUMMINS. Mr. President, when the act was originally passed some three or four years ago there was a very earnest controversy in the Senate with regard to this point on which I am now inquiring. It arose, I think, originally upon an amendment proposed by myself and afterwards by the Senator from Utah [Mr. SMOOT]. We were of the opinion that it would do great harm to these communities if the moneys gathered in the post offices were brought to Washington and used here in the Treasury instead of being deposited in the banks of the localities, and in that way serve the commercial needs of those localities. Originally we passed an amendment which did require the money to be so deposited; but afterwards, under some influence which I remember very well but which I shall not attempt to describe, that amendment was in part reconsidered, and my recollection is that in its stead only 60 or 65 per cent—I can not remember just the amount—was required to be kept in the locality.

Mr. BRYAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Florida?

Mr. CUMMINS. I yield.

Mr. BRYAN. It must be true now, I take it, that 95 per cent is required to be deposited in the locality from which the money is taken, because I remember the representative of

the department stated that all the money was put right back into the localities from the post offices.

Mr. CUMMINS. Does the Senator from Florida mean to say that the law requires 95 per cent of it to be so deposited or that the Treasury Department has of its own will or pleasure so deposited it?

Mr. BRYAN. I understand from the statement of the representative of the department that 95 per cent is now required to be deposited in the localities.

Mr. CUMMINS. I am quite clear in my recollection with regard to the law, because it was the subject of a great deal of debate in the Senate.

Mr. BRYAN. Whether it is required to be deposited in the locality or not, the statement is that it is all deposited there.

Mr. CUMMINS. But I, for one, am not willing to modify the law so that an additional sum can be gathered in the post offices and held to the credit of the various depositors and the money so deposited brought here or used for any purpose except the commercial necessities of the localities by being deposited in these banks. I think it would be very bad policy to increase the amount of these deposits unless we at the same time protect the communities in which they are gathered.

Mr. BRYAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Florida?

Mr. CUMMINS. I yield.

Mr. BRYAN. I agree with the Senator in his proposition, and if he will frame an amendment requiring the deposits to be placed in the localities from which it is taken I think it will be acceptable to the committee.

Mr. SMOOT. Mr. President——

Mr. CUMMINS. The Senator from Utah will remember what the law is, I am sure.

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. SMOOT. I wish to call the attention of the Senate to the law creating Federal reserve banks. That law specifically provides, in section 15, that postal savings shall be deposited in reserve banks in the localities in which the banks are located.

Mr. SMITH of Georgia. I ask the Senator to speak so that we can hear him.

Mr. SMOOT. I thought I was doing so.

Mr. SMITH of Georgia. The Senator's back was turned toward us.

Mr. SMOOT. Mr. President, there has already been an amendment offered by the Senator from Kansas [Mr. BRISTOW], allowing the postal savings fund to be deposited in not only the member banks under the reserve bank act but in private and State banks as well. I am quite sure that the law now, I will say to the Senator from Iowa, requires that the postal funds shall be deposited in member banks, and the law does not specify——

Mr. CUMMINS. It requires them to be deposited in the reserve banks.

Mr. SMOOT. In the reserve banks.

Mr. CUMMINS. But that does not answer the point I made, that the deposit of 95 per cent of it, or all of it, with the Federal reserve banks is to take it away from the localities in which it is gathered.

Mr. SMOOT. That is providing there is not a reserve bank in the locality.

Mr. SWANSON and Mr. REED addressed the Chair.

Mr. SMOOT. I know there are a number of cities, and quite large cities, that will have no member banks; they are State institutions; and under the law as it now exists postal funds can not be deposited in those banks; the money will have to be sent away from that community entirely. So the amendment offered by the Senator from Kansas [Mr. BRISTOW] proposes to allow wherever there is no member bank in a city, the deposit to be made as it is to-day, in a State or private bank.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I yield.

Mr. WEST. In a community where there is but one national bank, say, if this increase is allowed, would that bank receive all the deposits?

Mr. SMOOT. All the deposits from the postal savings fund under the new law.

Mr. WEST. Under the new law?

Mr. SMOOT. Yes; but if there is in that State——

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. The Senator from Missouri has sought recognition. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I yield; but I think the Senator from Georgia was first on his feet.

Mr. SMITH of Georgia. I have a copy of the act that we have been discussing. Section 9 reads:

That postal savings funds received under the provisions of this act shall be deposited in solvent banks, whether organized under National or State laws, being subject to National or State supervision and examination, and the sums deposited shall bear interest at the rate of not less than 2½ per cent per annum, which rate shall be uniform throughout the United States and Territories thereof; but 5 per cent of such funds shall be withdrawn by the board of trustees and kept with the Treasurer of the United States, who shall be treasurer of the board of trustees, in lawful money as a reserve.

Mr. SMOOT. That has been amended, however, by the recent act.

Mr. BURTON. If the Senator from Iowa will yield to me, I will state that there is a further provision in the act.

Mr. CUMMINS. To which act is the Senator from Ohio now referring?

Mr. BURTON. The postal savings bank act of June 25, 1910:

Not exceeding 30 per cent of the amount of such funds may at any time be withdrawn by the trustees for investment in bonds or other securities of the United States, it being the intent of this act that the residue of such funds, amounting to 65 per cent thereof, shall remain on deposit in the banks in each State and Territory willing to receive the same under the terms of this act, and shall be a working balance and also a fund which may be withdrawn for investment in bonds or other securities of the United States—

Now follows a significant portion—

but only by direction of the President, and only when, in his judgment, the general welfare and the interests of the United States so require.

The idea seems to have been that 95 per cent should remain in banks in the vicinage, but that in the case specified 30 per cent of the amount, leaving a remainder of 65 per cent, might be withdrawn and invested in bonds or other securities of the United States.

Mr. CUMMINS. Mr. President, that is precisely as I remember it. The money is first deposited in the post office. Then 95 per cent of it may go temporarily into the banks of the locality, 30 per cent of it can immediately be withdrawn for investment in the bonds of the United States, and the remaining 65 per cent can be withdrawn by the direction of the President, when in his judgment the general welfare would be promoted by so doing.

Then came our currency act of this year, in which it is provided that these deposits so to be made in the banks of the locality can only be made in the member banks. If there be in a particular city or town no member bank, then that locality is at once deprived of the entire deposit; or if there be half the banks in the town member banks and half not, then the half that are member banks are permitted to have the entire deposit. Such is the law at the present time. I think when we propose to increase, as we do here, the deposits that may be made by a particular depositor, and in that way encourage the amount of the aggregate deposits, we ought to take some measure that will protect the banks of the locality. There is no such protection here.

I had it not in mind that the bill would be before the Senate this morning, and therefore I am not prepared with any appropriate amendment to bring about the state of affairs that I think should exist. I hope that the bill will not be finally disposed of until we can have a little further time for its consideration.

Mr. SMITH of Georgia. Mr. President, the original law does provide for the withdrawal of the 30 per cent of postal deposits at the discretion of the board in charge for investment in Government securities. It requires 65 per cent permanently to be left on deposit and permits 95 per cent permanently to be left on deposit, but allows the withdrawal of 30 per cent to be invested.

Mr. CUMMINS. It requires 65 per cent to be left on deposit unless the President shall certify that the public interest requires its withdrawal. I do not remember just how much of the actual deposits has been withdrawn for the purpose of being invested in bonds, but possibly this report will tell. Yes; it is stated that there has been invested up to this time in Government bonds $2,389,120 of a total deposit of $33,818,870.

Mr. President, I have made these suggestions because they seem to be important; but I repeat, I am not prepared to offer the amendment that is necessary in order to preserve this status. What objection has the Senator from Florida to having this bill passed over until the next time we take up the calendar?

Mr. BRYAN. I do not know when that will be. The Senator from Kansas [Mr. BRISTOW] has a bill to so amend the Federal reserve act as to accomplish the purpose which the Senator from Iowa seeks to accomplish. I am in thorough sympathy with the Senator from Iowa.

Mr. CUMMINS. I am informed that the Senator from Kansas has an amendment which touches the subject. I think that, in view of his engagement in the Interoceanic Canal Committee, he ought at least to be notified that we are considering a matter in which he has evidently great interest.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. CUMMINS. I do.

Mr. WEEKS. Mr. President, it seems to me that this bill ought to go over until the Senator from Kansas [Mr. BRISTOW] is here. There are some objections to the bill which I should like to point out to the Senate without regard to the point which the Senator from Iowa [Mr. CUMMINS] has raised. I will not take the time to do so now if the Senator from Florida is willing to have the bill go over until the calendar is again called. Otherwise I shall want to take some time to point out what I think are some serious objections to the bill.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Virginia?

Mr. CUMMINS. I yield to the Senator from Virginia.

Mr. SWANSON. It seems to me this matter can be very easily adjusted. As I understand, the Post Office Committee had no purpose to change the existing law in connection with the postal deposits except as to the amount that could be deposited. Of course, the Federal reserve act recently passed does modify the provisions of the postal savings bank law. It seems to me if an amendment were offered to this bill simply reaffirming the existing law on this subject as it stood prior to the passage of the Federal reserve act that would solve the problem. If this bill contained such a provision and were enacted into law, being passed subsequently to the Federal reserve act, it would, of course, prevail. It seems to me simply to add an amendment to this measure reasserting the law of 1910 as suggested by the Senator from Florida [Mr. BRYAN] would obviate all objections which have been urged.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. CUMMINS. I yield.

Mr. WEEKS. There are other objections to this bill. I presume the bill comes with a unanimous report from the Post Office Committee, though I am not informed as to that; I was not a member of the committee when the bill was reported; but the purpose of the bill is entirely contrary to the purposes of the original act. It was never intended, so far as I am informed, that the postal savings banks should be brought into competition with other banks. This bill does put the postal savings banks into direct competition with the savings banks everywhere, and would, in my judgment, particularly affect the mutual savings banks of the Eastern States. I think that ought to be considered before we pass this proposed legislation. I should like to have an opportunity to point out to the Senate in what way this bill will affect the mutual savings banks, and other savings banks everywhere, for that matter. For that reason I think the Senator from Florida [Mr. BRYAN] ought to be willing to let the bill go over until the Senator from Kansas [Mr. BRISTOW] is here and until the calendar is again called.

Mr. WEST and Mr. SWANSON addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Iowa yield?

Mr. CUMMINS. I yield to the Senator from Georgia.

Mr. WEST. Mr. President, the point is this: Would not this legislation have a tendency to increase the amount deposited at one time? Would it not have a tendency in any community, at first, to concentrate the money in one depository?

Mr. CUMMINS. It evidently would have a tendency to increase the amount of deposits in the post offices.

Mr. WEST. Yes, sir.

Mr. CUMMINS. And inasmuch as the distribution now is different from the distribution when the postal savings bank law was passed, it would have a tendency to concentrate the deposits in certain banks of a locality and to exclude certain other banks.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Virginia?

Mr. CUMMINS. I yield.

Mr. SWANSON. Would not the reenactment of the provisions contained in the act of 1910, as to the amount that must be deposited in local banks, as to the character of those banks, and so forth, entirely eliminate the objections made by the Senator from Iowa?

Mr. CUMMINS. So far as I am concerned, I have made the point that was first in my mind. I think it is well worthy of consideration, however, whether we ought to increase the limit of deposits in the postal savings banks. There is very much to be said against the policy that we would thus adopt. However that may be, we are in a position now of having modified this law by the banking and currency act; that is to say, we have designated certain banks in which the deposit must be made. I take it that it is not the purpose of the Senator from Virginia to change the banking and currency act by an amendment at this time; but the fact that the deposits are thus limited to certain banks is very material when I am considering the question of whether the limit of the deposit ought to be increased. I am not prepared, Mr. President, as I said before, to present an amendment, and I feel that I am occupying the time of the Senate rather aimlessly when I can not present what I desire to present in the way of a modification of the bill.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I yield.

Mr. NORRIS. I should like to say to the Senator, if he will yield for that purpose, that I have an amendment prepared which I have taken from the bill of the Senator from Kansas [Mr. BRISTOW]. One of the objections would be completely covered by this amendment, and, if the Senator will yield for that purpose, I will offer now an amendment to the bill, to be added as a new section.

Mr. CUMMINS. I yield.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to add as a new section to the bill the following:

SEC. 2. That the act entitled "An act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," approved December 23, 1913, be amended as follows: In section 15 strike out the words "or of the postal savings."

Mr. NORRIS. Mr. President, I have offered as an amendment, omitting the formal part, the bill presented by the Senator from Kansas. If that should be adopted here as an amendment to this bill, it would obviate the difficulty which I think everybody concedes to be formidable; that is——

Mr. CUMMINS. That is to say, it would leave the postal savings law just as it is.

Mr. NORRIS. It would leave the postal savings law just as it was before the adoption of the currency act; in other words, it would permit the deposit of postal savings funds in all banks, including member banks and those that are not member banks, just as was the case prior to the enactment of the currency act.

Mr. REED. Mr. President, I raise a question of order. I should like to inquire who has the floor?

The PRESIDING OFFICER. The Senator from Iowa [Mr. CUMMINS] has the floor.

Mr. REED. I should like to inquire how, if the Senator from Iowa has the floor, amendments can be offered to the bill by other Senators?

Mr. NORRIS. The Senator from Iowa yielded to me for that purpose.

The PRESIDING OFFICER. The Senator from Iowa yielded to the Senator from Nebraska.

Mr. REED. I should like to inquire, Mr. President, if a Senator can hold the floor and yield it to have an amendment to the bill offered, while four or five Senators are on the floor at the same time?

The PRESIDING OFFICER. There are not four or five on the floor.

Mr. REED. There were.

The PRESIDING OFFICER. The Chair will state that there is no one on the floor except the Senator from Iowa [Mr. CUMMINS].

Mr. GALLINGER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Hampshire will state his parliamentary inquiry.

Mr. GALLINGER. I inquire if there is not a pending amendment reported by the committee which must have priority?

The PRESIDING OFFICER. There is pending an amendment reported by the committee, and the question is on agreeing to that amendment.

Mr. CUMMINS. I will hold the floor only long enough to say that the amendment proposed by the Senator from Nebraska [Mr. NORRIS] obviates the objection that I originally made. Of course it does not reach the objection suggested by the Senator from Massachusetts [Mr. WEEKS].

The PRESIDING OFFICER. The question is on the amendment proposed by the committee.

Mr. GALLINGER. Let the pending amendment be stated.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The SECRETARY. On page 1, line 7, it is proposed to strike out the word "repealed" and insert "amended to read as follows: 'but the balance to the credit of any person, exclusive of accumulated interest, shall not exceed $2,000.'"

Mr. GALLINGER. Mr. President, I desire to be heard a moment on that proposed amendment. First, I ask the Senator from Florida the precise meaning of the proviso commencing in line 12, page 1, reading as follows:

Provided, That no interest shall be paid on such part of the balance to the credit of any person as is in excess of $1,000.

Does that mean that $2,000 can be deposited, but interest will be paid only on $1,000?

Mr. SMITH of Georgia. That is it, exactly.

Mr. BRYAN. That is the intention.

Mr. GALLINGER. Well, that improves the bill from my viewpoint.

Mr. President, I always hesitate to make a suggestion which relates to my own community or my own people, because I think my associates in the Senate will bear me out in the statement that I am not in the habit of taking provincial views of public questions; but we have savings banks in New England, and they have received a pretty severe blow of late in a direction that I will not stop to discuss to-day. Their deposits are taxable, ordinarily, at a lower rate than other property; but we derive an income from the deposits in our savings banks, which are very numerous in New England, and in which there is a large amount of money deposited.

When the postal savings bank bill was up for consideration that very matter was discussed. I made certain suggestions about it, and we had the assurance, practically, that the purpose was not to inaugurate a system that would come in competition with the savings banks in New England. The postal savings banks, it was admitted, would keep a small amount of money out of other savings banks, and we were quite willing that that should be done, but the postal savings bank system was not designed to be a competitive system, and with that understanding the bill was passed without any serious controversy. Now, I hesitate, and my people hesitate, to inaugurate a new system whereby a very considerable amount of money will be kept out of our savings banks and placed under this new system and be removed from taxation in our community.

I have an impression that the objections which my correspondents have raised are directed to the House bill, which opened the door wide and actually created a competitive system of banking with our savings banks; and if the proposition now were to pass the House bill, I should resist it to the best of my ability; and it is safe to say that probably the bill would not pass to-day under those circumstances.

The committee has improved the bill very much, but I am going to suggest to the Senator from Florida [Mr. BRYAN], who is always courteous and is always reasonable, that if we amend this bill so as to allow a deposit of $1,000 in place of $500, it is enlarging it to a very considerable extent, and that we might go that far with safety to our institutions already established, and in which there is, as I have said, a very large amount of money deposited and a very large amount loaned out all over the country.

I do not know how large a proportion of the money of our savings banks in New England is now loaned out in the great West, but there was a period in the history of our country, not long ago, when the deposits in our savings banks in New England, and in my own State in particular, were largely loaned upon farm lands in the West. Most of them, I think, perhaps have been paid, because prosperity has come to the West to a greater extent than to New England; but, nevertheless, that money is there; it is loaned out at a fair rate of interest; interest is paid to the depositors at about 3½ or 4 per cent, and the deposits are taxed.

I think I am entitled to say in behalf of the people among whom I live, and whose interest is my interest, that we ought to go cautiously about this matter, and not open this door wide enough to cripple to any very serious extent those institutions that concern almost all our people. More than one-half of the citizens of New Hampshire a little while ago, and almost 50 per cent now, men, women, and children, have deposits in these savings banks.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Nebraska?

Mr. GALLINGER. I do.

Mr. NORRIS. I should like to inquire of the Senator whether the bill would be less objectionable to him in the form in which it passed the House?

Mr. GALLINGER. Oh, not at all. It would be very objectionable in that form.

Mr. NORRIS. The Senate agrees with the committee amendment?

Mr. GALLINGER. I should like to have the amount reduced to $1,000 from $2,000, as reported by the committee.

Mr. NORRIS. Has the Senator noticed in the bill that provision is made that no interest shall be paid on any amount in excess of $1,000?

Mr. GALLINGER. Yes; I have noticed that, and it occurs to me that that is not a very wise provision. I do not know why a poor man, if he is permitted to deposit money in a bank, should not be given some rate of interest on it.

Mr. NORRIS. I presume the Senator's objection comes mostly from the fear that money will be drawn out of the savings banks. If that is true, I should think a limitation to $1,000 of the amount on which interest shall be paid would bring about practically an actual limitation to $1,000. At least, the amount in excess of $1,000 certainly would be money that theretofore had not been deposited anywhere; and in that case the fear of the Senator about money being drawn out of savings banks would not be well founded.

Mr. GALLINGER. That improves the bill so far as the savings banks are concerned, without a doubt. It allows interest only on a thousand dollars. Nevertheless, it keeps $2,000 out of the banks if they choose to deposit it there.

Mr. NORRIS. I should like to make an inquiry of the Senator there. Does he not think that any person who would make a deposit of a greater amount than $1,000, so that he would be depositing money upon which he would be getting no interest, even if the postal savings bank law did not exist, probably would not deposit money in a bank? The very fact that he was depositing it there without interest, when he could deposit it in an ordinary savings bank and get interest, would show a fear of the banks so great that probably if he did not deposit his money in the postal savings bank he would keep it concealed somewhere, and thus it would be kept out of circulation.

Mr. GALLINGER. I think the Senator is right on that point. I do not know that much of that money would go into our banks; perhaps a very small proportion of it.

Some Senator has suggested that it is not the foreign element and the poorer classes that are depositing in these banks. I think in New England it is that class—the foreign element—the Italians who have been in the habit in their own country of depositing in Government banks, and who have a fear of our ordinary savings banks.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Virginia?

Mr. GALLINGER. I yield to the Senator.

Mr. SWANSON. If the Senator will permit me, all of this was considered by the Committee on Post Offices and Post Roads. The postal savings system is not paying the Government now. It is being run at a loss. The Government pays 2 per cent and loans its money out at 2½ per cent. The difference is not sufficient to make it self-sustaining. It was thought that if the Government paid interest only on amounts up to $1,000 it would get some deposits in excess of $1,000, and that possibly the system could be made self-sustaining in that way. We have no purpose to make any money by it, but we thought the system should be self-sustaining.

We also had evidence before us that it would be beneficial to the banks. If there is a run, if there is a panic in a city and people lose confidence in banks, but have confidence in the Government, they can go and make deposits with the Government of $1,000 or $2,000, and the Government will at once deposit the money in a bank, to continue in circulation. We were satisfied that this system, instead of being injurious to the banks in time of panic, in time of want of confidence, would really be efficient in preventing a panic in a city or community.

I can readily understand why that would be. If there is a panic in a town and people lose confidence in the banks, and it

is an unwarranted lack of confidence, they can go to the post office and deposit this money, and the Government will take it and deposit it back in the same bank, and the money will continue in circulation, and that may very readily stop the panic.

That was one consideration that influenced the committee. We thought the House bill as amended was the best way to make the system self-sustaining, the best way to help the banks, the best way to prevent the keeping of money in stockings and withdrawing it from circulation. We were satisfied that an extension of the postal savings system would put into circulation more money that is now locked up for lack of confidence in the banks than would be taken from the banks, as an aggregate, in the country.

Mr. GALLINGER. Mr. President, that matter was discussed very fully when the original bill was passed. Of course I am not familiar with the investigation made by the Committee on Post Offices and Post Roads. I am not a member of that committee. I do not see how this would prevent panics at all. If these men have none of their money in the savings banks, and there is a run on a bank, I do not see how deposits in the postal savings banks would have any effect upon that run.

Mr. SWANSON. Mr. President, will the Senator permit me further?

Mr. GALLINGER. Yes.

Mr. SWANSON. Here is a man who loses confidence in all the ordinary banks in a city. He takes out his money, locks it up in his safe, or puts it in his pocket. He has confidence in the Government. If he can deposit that money in a postal savings bank, he does so, and he gets 2 per cent interest on it.

Mr. GALLINGER. And that very circumstance may wreck the bank.

Mr. SWANSON. The Government goes and deposits this money, the same day, in one of the local banks. The Government does not lock it up.

Mr. GALLINGER. The Government would not deposit it in savings banks.

Mr. SWANSON. It would deposit it in some banks there that could aid the savings banks. If one of the local savings banks were a depository for Government funds, it could be deposited there. The Government can select them as well as any other banks.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Utah?

Mr. GALLINGER. I yield to the Senator from Utah.

Mr. SMOOT. I wish to say to the Senator that that is true, providing the banks have the collateral to deposit with the Government at the time the post office is ready to deposit the amount withdrawn from other banks. They must first deposit with the Government certain bonds—bonds of the Government of the United States, bonds of the city, or bonds of a school district approved by the Postal Savings Board here in Washington. The bank may be completely wrecked before ever it can purchase the required and acceptable bonds; and if the bank did not have the bonds on hand it would have to take the actual money out of the banks and buy the bonds for collateral to be deposited with the Government.

Mr. SWANSON. Under conditions like that, when there is a panic, such securities can be obtained. They are loaned. What they need is money. If a bank is solvent, it can always get sufficient collateral to have these deposits. It has been done in time of panic. People have loaned United States bonds to banks to get deposits in time of panic. This is simply an effort to bring money out of the pockets of the people and put it into circulation. The experience of every country in the world has shown that it has put into circulation money that otherwise would be kept out.

Mr. GALLINGER. Mr. President, I have but a few more words to say, and I will now conclude.

My suggestion is that if we establish a system of banking—whether we call it a postal savings bank system, or anything else—that opens an avenue for men to withdraw money from our savings banks and deposit it in these banks with the security of the Government behind it, and if we make it liberal enough, we endanger the perpetuity of our ordinary banks, and I hesitate to do anything in that line.

The truth is that ninety-nine times out of a hundred runs upon banks are simply caused by fright. There is no real sense in them. I think we do not want to open a channel whereby, upon a rumor, men can rush to our savings banks in New England, withdraw their money, deposit it in postal savings banks, and in that way do great harm to the savings banks themselves.

Our savings banks in New England are an institution of which we are very proud, and we want to protect them in every proper way. As an illustration, we have in New England 3,464,083 depositors in savings banks. The total of the deposits is $1,426,805,782.05. Those deposits are small, as a rule. They are loaned out at a low rate of interest; and, as I said a moment ago, they are taxable to the State.

While I am not going to offer any factious opposition to this bill, I think we ought to be careful in this legislation not to overreach ourselves, and in trying to do good to one class of our people do harm to another.

For that reason I am going to propose an amendment, which I hope will be agreed to, reducing the amount which may be deposited from $2,000 to $1,000, and the amount upon which interest may be paid from $1,000 to $500.

I offer that as a substitute for the amendment of the committee.

The PRESIDING OFFICER. The Senator from New Hampshire offers an amendment which the Secretary will state.

The SECRETARY. On page 1, line 9, in the committee amendment, the Senator from New Hampshire proposes to strike out "$2,000" and insert "$1,000," and on page 2, line 2, to strike out "$1,000" and insert "$500."

Mr. WEEKS. Mr. President, I think the suggestion made by the Senator from New Hampshire is preferable to the bill as reported by the committee; but either one of them, in my judgment, is obnoxious to the whole purposes of the postal savings bank law.

The arguments that were advanced for the passage of the postal savings bank law in 1910 were that a certain percentage of our population, largely those who came from foreign countries, familiar with government banks but not familiar with joint-stock or other private banks, did not deposit their money in the banks here, but did send it to their native countries to be deposited in the government banks there, thereby taking from our resources a considerable amount of money which might be kept here if suitable arrangements were made for security; and that there was in hiding a certain amount of money which would not be deposited by its owners in any bank except a government bank, through fear, and for that reason only.

For those two reasons the agitation for a postal savings bank became sufficiently acute in 1910 so that the present law was passed. It was passed with those two purposes in mind—that the foreign depositor might certainly have a safe place in which to deposit his money, and that the hoarder of money might have an assurance that if his money were deposited in a Government bank he could get it when he needed it.

There are, however, in various parts of the country savings banks, both stock banks and mutual banks. Some of them have very large deposits. Those in Massachusetts have an aggregate deposit of about $850,000,000. Of the population of Massachusetts—three and a quarter million—more than two and a quarter million are depositors in savings banks. They are scattered throughout the State. Under the law only $1,600 can be deposited in a Massachusetts savings bank by any one person, and that includes accumulations of interest; and yet we are proposing in this bill to allow $2,000 to be deposited in a postal savings bank by one person, thereby giving to the postal savings bank in Massachusetts a privilege not conferred by the State law which regulates and governs our mutual savings banks.

In my judgment, it never was intended by anyone that the Government should be put into the savings-bank business. It was intended that there should be these depositories, convenient to all depositors, where a small amount of money could be deposited and kept in circulation by redepositing it in the local banks. If, however, you should pass this bill as it is now, you would open the way to allow every depositor in every Massachusetts savings bank to withdraw every cent he has in a Massachusetts savings bank and redeposit it in the Government post office.

I claim, in the first place, that the Government is not equipped to conduct this business as it should be conducted. It is a burden and a hardship to the depositors themselves, because they get in the mutual savings banks from 3½ to 4 per cent, year in and year out, and they get only 2 per cent in the postal savings banks. We do not want to encourage them to deposit their money in the postal savings banks. We want to encourage them to save their money by putting it in other savings banks, joint-stock banks, or mutual banks. We want to encourage them in every way to save their money and to invest their money, as far as possible, in Government securities; but we do not want to encourage them to deposit their money in banks where they will get only 2 per cent for it when they can readily get 3½ or 4 per cent for it by depositing it in other banks, where it can be safely invested for them.

The whole purpose of a savings bank is to enable the individual of very small means, having very small savings, not having the knowledge or facilities required to invest his money himself safely, to put it somewhere where it can be joined with other moneys of similar character and invested in such securities that there will be absolute safety as a result. By increasing the amount which may be deposited in the Government banks we are putting the Government into the savings-bank business to a greater extent and deeper than the State of Massachusetts has put its mutual savings banks, and they have been in existence nearly 100 years.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New Hampshire?

Mr. WEEKS. I do.

Mr. GALLINGER. If the Senator will permit me, I will call his attention to the fact, with which doubtless he is familiar, that the average deposit in the savings banks of Massachusetts is $378 and in New Hampshire it is $465. For all the New England States $411 is the average deposit. So we are trying to take care of the poor people.

Mr. WEEKS. The reason the deposit in the New Hampshire banks is somewhat larger than the deposit in the banks in Massachusetts is because, I think, $5,000 may be deposited in the New Hampshire savings banks by one person.

Mr. GALLINGER. No; I think we have not any limit.

Mr. WEEKS. We have in Massachusetts a limit of $1,600. If any Senator in this Chamber went to a Massachusetts savings bank with a thousand dollars and wished to deposit it, the treasurer of the bank would refuse to take it. He would say to the Senator, "Your facilities for investing your money are just as good as are the facilities of the board of trustees of this savings bank. The purpose of this savings bank is to enable persons of very small means who have not the knowledge and facility required for investing their money safely to come here and deposit it and have us invest it for them with other funds of a similar character."

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. WEEKS. Yes.

Mr. BRISTOW. I should like to inquire, if the Senator will permit me, what action was taken with regard to House bill 9318?

The PRESIDING OFFICER. The Chair will inform the Senator from Kansas that it was passed over.

Mr. BRISTOW. That is satisfactory.

Mr. WEEKS. There was another provision in the postal savings bank bill which has been entirely lost sight of in the proposed legislation, and that was the attempt to get the depositors in the postal savings banks to reinvest their money in Government bonds. That was the reason for putting the limit of $500 on the amount of deposits that could be put in the postal savings banks, hoping that when the depositor got $500 saved he would turn around and invest his money at a higher rate of interest in a Government security.

I think the rate of interest which we placed on those securities was too low. Time has demonstrated that it should have been made 3 per cent instead of 2½ per cent; but it would enable the depositor to get one-half of 1 per cent more than he is receiving from the Government in any case and have exactly the same security, because he would have a Government bond. It was believed, in framing that law, that we could not do a wiser thing than to encourage our people, and especially those of small means——

INSPECTION AND GRADING OF GRAIN.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 120.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

[Mr. SHERMAN resumed and concluded the speech begun by him on the 10th instant. See Appendix.]

Mr. NELSON obtained the floor.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Minnesota yield to his colleague?

Mr. NELSON. I yield.

Mr. CLAPP. I suggest the absence of a quorum.

The PRESIDING OFFICER. The junior Senator from Minnesota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Oliver	Smoot
Borah	Johnson	Overman	Sterling
Brady	Jones	Page	Sutherland
Bryan	Kenyon	Perkins	Swanson
Burleigh	Kern	Pomerene	Thompson
Catron	Lane	Robinson	Townsend
Chamberlain	Lee, Md.	Saulsbury	Vardaman
Clapp	Lewis	Sheppard	Warren
Clark, Wyo.	Lodge	Sherman	Weeks
Cummins	McCumber	Smith, Ga.	West
Fall	Martine, N. J.	Smith, Md.	Williams
Gore	Nelson	Smith, Mich.	
Gallinger	Norris	Smith, S. C.	

Mr. KERN. I desire to announce that my colleague [Mr. SHIVELY] is unavoidably absent on official business.

The VICE PRESIDENT. Fifty Senators have answered to their names. A quorum is present. The Senator from Minnesota.

Mr. NELSON. Mr. President, if I thought this grain-inspection bill would be of benefit and advantage to the farmers of the Northwest—to the grain farmers of Minnesota—and that it would not absolutely break up and utterly destroy a valuable State grain-inspection system which we have built up in Minnesota in the last 28 years, I should certainly not oppose the bill. I have no other interest in this legislation than that of the farmer. I have never dealt in wheat except to sell the wheat which I have raised on my own land. I have no interest, either directly or indirectly, in elevators or warehouses, and have never had any. My interest has been and is wholly in the welfare of the farmers of our State.

As the governor of the State of Minnesota from January 1, 1893, to February 1, 1895, I drafted and was instrumental in getting the legislature to pass one of the most important laws relating to grain inspection—a law that has proved more effective to protect our farmers than has any other of our laws on that subject. It is a law to which I shall hereafter refer more in detail, and a law the like of which I do not think any other State has on its statute books. I refer to the so-called country elevator law.

So far as I know we have in Minnesota no objection to, in fact we favor, the establishment by the Federal Government of standard grades of grain; but I shall call your attention later to the fact that when you come to establish standards for wheat and other small grain, it will be necessary at least to establish from 10 to 12 different classes of standards or grades for wheat, owing to the great varieties of wheat raised in this vast country of ours.

To the Lever bill, so-called—and a similar bill has been introduced in the Senate, I believe, by the Senator from Oklahoma [Mr. GORE]—in its essential features we have no objection; such a law would not destroy our State grain-inspection system. I have heard of no complaint of our present system of grain inspection from the farmers in Minnesota; we have had no complaint from them for many years; not since we put into effect what I have already referred to and shall hereafter refer to as our country elevator law. The only complaint I have heard of is that which has been made by a small set of commission men who have given themselves the name of an equity association. Two or three enterprising grain commission men in Minneapolis have styled themselves—whether they are incorporated or not I do not know—the equity association or something of that kind. They have made war, not upon our grain-inspection system, but upon the methods of doing business on the grain exchange in the chamber of commerce. They started an investigation before our legislature a year ago. One of the association, who admits that he was its lawyer—and some claim that he was a stockholder or partner of the association—is now a Member of the other House of Congress; and he has brought up the same matter in that House for investigation. I inquired of him the other day when I met him, "What is your grievance? Is it against the board of trade, or is it against our system of State inspection in the State of Minnesota?" He assured me, "We have no complaint to make of the grain-inspection system of Minnesota; our complaint is, and our objection is, to the method of carrying on business on the grain exchange."

Mr. President, I have been in close touch with the farmers of Minnesota for more than 30 years—in fact, I have been one of them—and during the last 12 or 15 years, while this proposed legislation has been pending in Congress in one form or another, I have received no complaint from our

farmers against our State grain-inspection system, and no demand has come from them for a system of Federal grain inspection.

This bill, Mr. President, is simply in line with a movement which has been so pronounced in recent years to withdraw as much power of regulation as possible from the States and to lodge it in the Federal Government. I am one of those old-fashioned men who believe that the several States should retain the power to regulate their domestic affairs as far as possible. The States are in closer touch with their citizens than is the Federal Government; they know better what the needs of their people are; they know better what legislative remedies are required; and they are in every way more competent to deal with subjects of this kind than is the Federal Government at Washington. As I have said, however, there has grown up a tendency in recent years whenever there has been a grievance against a State government or against the administration of affairs by a State to appeal to the Federal Government. There has arisen a class of men who always invoke the aid of the Federal Government and say, "We must put the power into the hands of Uncle Sam; the Federal Government is the cure-all." In this manner by gradual stages power of regulation is sought to be abstracted from the States and conferred upon the Federal Government.

The State of Minnesota has been one of the most progressive States not only in the matter of the grading and inspection of grain, but also in the matter of railway regulation. Minnesota was one of the pioneer States in this direction. It was one of the first States in the West to establish a railway commission and to attempt to regulate the railroads and railroad rates. We have from time to time added to the original legislation on these lines by increasing the powers of the railroad commission, and in other ways improving conditions, until to-day I venture to say there is not a State in the Union which has a more comprehensive and more effective system of railway regulation than has the State of Minnesota. I may say, furthermore, that the low rates which we are to-day accorded on the railroads in Minnesota have not been brought about through the Interstate Commerce Commission; they have not been brought about through Federal legislation or the interstate-commerce law; but they have come to us because of the work of our own legislature and of our own railway commission. I can to-day buy a ticket from St. Paul to my own home, a distance of 140 miles, at a cheaper rate than I can buy a ticket from here to the city of New York one way; in other words, I can get a ticket for 2 cents a mile; and with us to-day in the State of Minnesota, whether a man travels 1 mile or 1,000 miles, the fare is only 2 cents a mile.

So it is, Mr. President, with our grain-inspection system. We have been in the forefront in that matter. We have gradually adopted the most comprehensive and effective system of grain inspection, I believe, that exists anywhere in this country. I say this without criticizing the systems that prevail in any other State.

Eight of the great grain-growing States in the Union have adopted State systems of grain inspection and grading. I have a communication from the Agricultural Department, signed by the crop technologist in charge, showing this fact.

The following-named States are the States that now have State grain-inspection systems, to wit: Minnesota, Illinois, Missouri, Kansas, Wisconsin, Montana, Washington, and Oklahoma—all of them great wheat-producing States.

The basis of the claim for this legislation as advocated by the Senators from North Dakota—and they place it all on that ground—is that the grain-inspection system of Minnesota is a bad system. It is because of the aspersion which they have cast upon that system and because of the fact that they base their claim for Federal inspection upon the fact that the State of Minnesota has a vicious and bad system that I shall have to call your attention at greater detail than I otherwise would care to do to the main features of the Minnesota system.

Before I proceed to do that, however, I will call attention to another matter. While I am not here to defend the methods of doing business of the so-called grain exchanges and their system of "spot" and "future" sales, I desire to call the attention of Senators for a moment to the advantages which we have under our system as compared with the systems in other countries. I have myself for years past labored under the same prejudices as some other Senators labor under now concerning the methods of selling grain on the grain exchanges of the country and have considered their practices detrimental to the interest of the farmer. I do not ask you to take my ipse dixit on this branch of the question, but I shall quote to you from a work entitled "Wheat Fields and Markets of the World," by Rollin E. Smith, published in 1908. Mr. Smith is a great grain expert. He traveled over all of the principal countries of Europe; examined their systems of grain inspection and inspected their wheat fields and the lands on which they raise the grain; in other words, he endeavored to become entirely conversant with the grain business both from the standpoint of the farmer and from the standpoint of the distributor and dealer in grain.

As all Senators know, one of the greatest wheat-raising countries is Russia; in fact the wheat crop of Russia, I think, one year with another largely exceeds ours, and Russia is a far greater exporter of wheat than are we. The greatest port for exporting grain in Russia is Odessa on the Black Sea in southern Russia immediately contiguous to the great steppes—what we would call in this country prairies—of the Don and Volga regions, a prairie country, where a great quantity of the Russian grain is produced. Now, let me read from this book in order that those who are interested in the farmer may know how they handle grain in Russia:

> Moving the wheat crop in Russia is altogether a different matter from what it is in the United States or Canada, where the great line elevator companies and other buyers have elevators at every railroad station, with ample facilities for receiving all the grain brought to them. Moreover, in America and Canada buyers pay the farmer the ruling prices at the market centers, less freight and other charges, and about 1 per cent margin of profit. Or, if the farmer prefers, he may ship his grain to the nearest market, to some member of a grain exchange, where he will get the same price that any big elevator company would. Furthermore, he will be advised of the hour of the day his grain was sold, and to whom. His interests are safeguarded in every way possible by the grain exchanges.

Now I come to the description of buying and handling grain in Russia:

> In Russia, even near the great exporting city of Odessa, the method of buying and handling grain is of the crudest and most primitive kind. The grain is sold by the peasants to speculators or to merchants—country storekeepers they would be called in America. And as the buyers are in the business for the profit they can make on the grain, it requires no great perception to see that they buy as cheaply as possible. In America the price makes no difference to the elevator company, for it "hedges" its grain immediately by selling it for future delivery in the pit.

In other words, a big elevator company which to-day buys from the farmer grain in any quantity at the market price, to protect itself, or cover itself, as the Senator from Illinois has well said, will immediately "hedge," as they call it, or sell an equal amount of grain for future delivery.

> To digress for a moment, the matter of speculation in wheat seems apropos at this point. While this is being written there is a bill in the House of Representatives and another in the Senate at Washington to prohibit future trading in grain. It is hoped by those who are interested in the measure to thus stop speculation in wheat. This is mentioned merely to contrast the American system of grain traffic with the lack of system where there are no great central markets; where the traffic is in the hands of individuals unrestrained by associations or organizations and with no price basis to work on. That is what America has grown out of; and while to abolish future trading would not reduce the grain business to the level of Russia, it would place the farmer at the mercy of the buyer. For, in the absence of future markets, where the elevator company can immediately sell for future delivery the grain bought in the country, it would not be safe to buy great quantities and carry it until there is a milling or an export demand.

Either the farmer would himself hold it until the actual consumptive demand brought him a good price, or he would be compelled to sell to some one willing to do so; and, of course, no one will buy wheat that he can not promptly sell, unless he gets it very cheap.

In other words, if the men who purchased grain from the farmer in large quantities were compelled to hold that grain for the future without knowing what the prices would be, they would run great risks and would not be able to buy it at so close a margin as they otherwise could. Under this system the elevator companies buy according to the market rates, less freight, insurance, elevator charges, and a margin of from 1 to 2 cents at the elevators, and immediately, in order to protect themselves against the future, they sell the same amount of wheat. That is called hedging. All our mills in Minnesota and elsewhere throughout the country—all the mills, big or small, engaged in merchant milling—have to engage in hedging. They buy a certain quantity of wheat for the purpose of manufacturing it into flour. They do not know whether that wheat will fall or rise in price in the future. The price of flour follows the price of wheat. In order to protect themselves for the future, all the millers throughout the country do what they call "hedging" to protect themselves.

I have known small country mills in Minnesota that were engaged in merchant milling for export to go out of business for the very reason that they were located in the country and were not conveniently situated to be able to do what they call a "hedging business." They said that without protecting themselves by hedging, and by selling wheat against what they bought, it was utterly impossible for them to carry on their business.

I continue reading from the book:

Now, this is the situation of the Russian peasant. He must sell his wheat to speculators, the amount they can take depending upon their means; or to merchants who, of course, buy on the same basis. Then the agents of exporting houses or jobbers at Odessa buy the wheat from the first buyers.

In other words, in Odessa they have no grain exchange. When wheat comes to Odessa they will have to sell it to those wheat merchants. There is no wheat exchange; and in order to protect themselves they buy on a much greater margin than they otherwise would do if they had a grain exchange.

In this connection I beg leave to quote a further statement from this book as bearing upon this question. I am simply calling attention to the fact. I am not here to defend the grain exchanges. This bill does not affect them. They can get along with any system, whether it is a Federal system or a State system, with their future sales.

In Germany, some years ago, they thought they would cure this evil of future trading in grain, and I quote from this same book the following:

A broad difference between the grain exchanges of America and those in Europe is that, in the markets of Europe, with the exception of Buda Pest, the trading in wheat is almost entirely confined to the members of the grain trade. The wheat markets on the Continent have all been more or less subject to agrarian legislation and prejudice, while the older prejudice against trading in breadstuffs has left its mark in England. A few years age an attempt was made by the agrarians in Hungary to place restrictions on the trading in grain in the Buda Pest market, but it was unsuccessful.

This is what I desire to call your attention to:

The extreme to which adverse legislation was carried in Germany is widely known in a general way. In brief, the Bourse law of 1896 prohibited future trading in grain and placed other restrictions on the trade. The result was that the Berlin brokers "seceded" and there was no open market at the Bourse; no quotations. No one had any trustworthy price basis and the grain growers were at the mercy of the provincial dealers. It is said that the Government at once recognized the disadvantages to all business interests through the lack of an exchange with its official quotations and it was not long before the minister of commerce opened negotiations with the brokers; but no agreement was arrived at until January, 1900.

By that time even the agrarians felt the necessity of an exchange. For although the growers could sell their grain in advance of delivery, they could not do it advantageously because of the absence of official quotations; and moreover there was no board of appeal for adjusting differences in grading.

The Berlin Produce Bourse was reopened on April 2, 1900—

After it had been closed four years.

There we have a case where, at the instance of what they call the agrarians or farming interests in Germany, composed mostly of large landowners—most of the men who actually cultivate the land are mere tenants—legislation was passed to close up the Bourse or the grain exchange. They thought it would help them. They had four years' experience with it, and they found it was detrimental and destructive to their interests, and they were very glad to go back to the old system.

But what are these grain exchanges? I will quote from this same authority, because Mr. Smith states it in much clearer and more exact language than I could state it.

Grain exchanges are corporations governed by a board of directors elected by the members; and the exchanges do not have any transactions in the markets. The corporation or association provides a place in which the buying and selling are done by its members; and one of its chief functions is to make and enforce rules for such buying and selling.

Besides officially recognizing the prices made daily in the exchanges, the associations perform a valuable service by widely distributing the quotations and permitting them to be distributed, thus placing it within the power of every one interested to learn the value of commodities.

An important function of the Chicago Board of Trade is the gathering of crop information from all countries, and this is supplied to other exchanges by its members by means of private wires, and given to the press. Members of the exchanges are continually gathering and disseminating crop and commercial news. And so information that could not otherwise be obtained is supplied to the readers of the market pages of the papers; and the farmer is kept as well informed on the condition of the crops of other countries and of the markets as are the brokers themselves.

I ask you to listen to this. This is Mr. Smith's statement:

After close association with and study of the markets for some 10 years, the writer believes that if there are any weak points in the general system (and there are some) they are not opposed to the agriculturist's interests. In fact, it is impossible to see how he could be better served than he is, from buying of his grain at the railroad station to the final selling of it to the miller or the exporter.

When the farmer's crop is ready to market he may ask, and he has a right to ask: Is the price that I get all that I could get under any other general market system? Are there any undue profits made anywhere between producer and manufacturer? Are the systems of inspection, grading, and weighing such that my interests are fully protected? * * * The farmer is, in fact, well represented on the floor of the grain exchanges, though he does not realize it. A large part of the active membership of exchanges is made up of commission men, dealers who sell on commission the grain that is shipped to them from country buyers or farmers. These commission men get a fixed rate of commission, but they strive to get the highest possible price for the grain, because a satisfactory transaction insures them further business. Many farmers ship their grain direct to the Western markets, and they are safe in doing so, for the rules of exchanges make it compulsory for the commission houses to report the name of the purchaser of all grain and the hour on which the sale was made. In Minnesota the weighing and inspection departments are State institutions, and certificates are sent to shippers.

They had an investigation before the legislature some years ago about the grain exchange at Minneapolis. I quote some of the testimony given at the hearing as bearing on this question. I read from Mr. Smith's book:

In this connection, some of the matter brought out at an "investigation" of the Minneapolis Chamber of Commerce by a committee appointed by the legislature during the session of 1906–7 is of interest. One of the members of the exchange who was asked to appear before the committee was the manager of one of the big milling companies. Another was the manager of a large elevator company.

The miller was asked what the result would be if the grain exchange should be disbanded.

"If the Minneapolis Chamber of Commerce were disbanded the millers would, in my opinion, be able to buy their wheat from 3 to 5 cents a bushel less than they do," was the reply.

"Why are you a member of the chamber of commerce?" was asked.

"It is necessary for me to be a member on account of the nature of our business. It is in the chamber that grain is sold. There is no reason why we should not buy grain from the farmers; but they don't offer us any."

What is the benefit of the chamber of commerce to the millers?

There are several. We can always get grain, we are dealing with responsible parties, and are enabled to do buisness on a more reliable basis. One great risk that we avoid in dealing with the grain firms is the constant danger of buying grain with chattel mortgages on it. When we buy a quantity of grain on the floor we look no further than the firms we are dealing with and they are responsible for the delivery of the grain.

Is the chamber of commerce of any benefit to the farmers?

I think that it is. Without the chamber and its excellent rules the risks assumed by the farmers in consigning grain would be much greater. Busines is done at a closer margin of profits and the farmer gets the benefit. Under the present system the farmer gets the quotations almost as soon as I do.

Asked about the Minnesota Farmers' Exchange which had sought admission to the chamber of commerce, the miller testified that some one representing the farmers had interviewed him with the object of devising some plan for direct dealing between the farmers and millers in order to wipe out the middleman's profits. The plan was not practical. "But," continued the miller, "I told him if he wanted my vote to close up the chamber of commerce he could have it."

* * * * * * *

The elevator manager explained that the exchange is a benefit to the elevator companies, as it supplies a market in which to dispose of the grain they buy. The membership gives them a standing with the trade and with bankers.

"What would be the result to terminal elevators of the disbanding of the chamber of commerce?" was asked.

"We would have to do business on an entirely different basis. Instead of being warehousemen and doing business for the storage charges, we would become merchants and buy the grain. We would then have to have larger margins, as we would have to take chances of the market fluctuations."

In this connection I will read further, as bearing on this question, as follows:

The grain business of Minneapolis all centers in the chamber of commerce. Every car of grain coming into Minneapolis, whether for mill, elevator, or commission house, is sold by sample on the tables at the exchange.

I want to call your attention to that. All cash sales in the grain exchange of the Chamber of Commerce of Minneapolis are made by sample. I shall show you, later on, how those samples are taken. It is only when you come to future sales that they are sold by grades.

For instance, where a man buys 5,000 bushels of cash wheat from farmers or from elevators, and he wants to grind that wheat into flour, or hold it, to protect himself he hedges. He goes to the grain exchange, and he sells the same amount of wheat for future delivery on the grain exchange. When you come to sell for future delivery, then you sell by grade—No. 1, No. 2, or whatever it may be; but all cash sales of wheat on the Board of Trade of Minneapolis are made, not on the grades of the Minnesota inspection, but on samples taken from the cars.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. NELSON. Yes.

Mr. McCUMBER. Just so that we may understand this matter clearly; the car itself is inspected, is it not?

Mr. NELSON. Yes; the car and the grain is inspected by the State, but the grain is not sold on the State inspection.

Mr. McCUMBER. It is inspected, and then a sample is taken to the chamber of commerce?

Mr. NELSON. No; not by the State inspector.

Mr. McCUMBER. No.

Mr. NELSON. Not by the grain sampler.

Mr. McCUMBER. I did not say by whom. I say it is first inspected——

Mr. NELSON. No; it is not.

Mr. McCUMBER. Then, a sample is taken, not by the inspector—I did not say who took it there—but a sample of that wheat is taken to the board, and it is sold upon that sample.

Mr. NELSON. No; the Senator is utterly mistaken. The sample is not inspected. I shall show you later on how the business is done.

When cars loaded with wheat come into Minneapolis, in the early morning, the State samplers, as they are called, go there and take samples of the grain from each car. They take the number of the seal, they take the number of the car, on what road it is, and from what point it comes, but they know nothing about the ownership. They take a sample of the grain and put it in a sack which is sent and delivered to the State inspectors. At about the same time, or subsequently, the chamber of commerce send their samplers, who go there and take samples of their own out of the same car, giving the same numbers. The sample that they take is delivered to the chamber of commerce, and it is the sample thus taken by the samplers of the exchange and the board of trade that is used on the grain exchange. I shall show further—and I shall show it by North Dakota authority, by the way—that that is the practice.

I quote further from Mr. Smith:

The mills and elevators, not only of the city, but of the whole Northwest, do a large part of their hedging in the wheat pit of the chamber, while other markets also send a large amount of business.

I may say that the amount of wheat received at Minneapolis in the course of a year, depending somewhat upon the crop, runs from 75,000,000 bushels up to 90,000,000 and 100,000,000 bushels.

I continue quoting from this book:

Three-fourths of the wheat received in the market is bought and ground by the local mills. Eighty per cent or more of the flaxseed received is used by the local linseed oil mills. But by far the greater part of the barley and oats and practically all the rye is shipped to other markets or to outside dealers.

Over 80 per cent of the grain received at Minneapolis, however—and they receive, as I said, from 75,000,000 to 100,000,000 bushels a year—is ground right there.

There, in this connection, and before I leave the subject, I will quote further from this book as to the milling capacity:

Minnesota is a great milling State even outside of Minneapolis, and the amount of wheat ground in North and South Dakota is also considerable. According to statistics compiled by the Northwestern Miller in 1906, largely based on actual returns from the mills and partly by estimates the wheat ground in the Northwest is approximately as follows, together with the number of mills:

I will say that there is not much difference between the condition then and the condition now. It fluctuates in amount according to the crop of wheat and the price of flour. This is the amount of wheat they grind:

	Bushels.
Minneapolis, 22 mills	65, 500, 000
Duluth, 4 mills	4, 500, 000
Minnesota, not including above, 322 mills; that is, mills outside of Minneapolis and Duluth	53, 000, 000
North Dakota, 64 mills	8, 300, 000
South Dakota, 97 mills	6, 700, 000

I presume they may have some more by this time.

A total of 138,000,000 bushels of wheat ground in these mills.

If we add up the mills in Minnesota, we find that 123,000,000 bushels of that wheat are ground in that State.

I have referred to these matters of the grain exchanges not for the purpose of defending them, not for the purpose of holding them up as models of perfection, but for the purpose of showing the useful and necessary functions they perform in connection with the grain trade, and that with all their imperfections, they are superior to the systems in other countries.

Some years ago, before I came to the Senate, a bill was introduced and pending in the Senate to prevent all trading in futures in grain; in other words, to break up the grain-exchange business. It provoked a good deal of discussion in the public press and among the farmers of Minnesota. I was then not in public life. I was simply a plain farmer and a country lawyer; but I remember the discussion very well, because the farmers took a great interest in it, and they finally came to this common-sense conclusion:

They said: "Here, if you abolish all these grain exchanges, these public market places like Duluth, like Chicago, like Minneapolis, like Buffalo, like St. Louis, like Cleveland, who, then, are our buyers, and where do we get quotation of prices from? There is, then, no one to buy our grain except the millers and exporters or the men representing millers or exporters and speculators who hold for a rise in the market, and they will be sure to buy as cheaply as they can, because there is no public market in which they can protect themselves by hedging against fluctuations in the market." The farmers further said: "It may be that at times they do some juggling on these grain exchanges. It may be that sometimes they create corners there—unfair, unjust corners—but is it not better for us farmers to have this double market, and have the millers and the exporters on one side, and have this market of the grain exchanges with their daily quotations on the other?" If you wipe out the market of the grain exchanges you have no quotations of prices.

To-day at my home at Alexandria, if I want to haul my wheat to the elevator and sell it I can tell approximately what I can get for it by looking at the quotations of yesterday's grain market at Minneapolis or at Duluth or Chicago in our daily papers. Mr. President, wipe out those grain exchanges, wipe out those public market quotations, and you are simply remitted to a set of local buyers, millmen, exporters, grain speculators, and elevator men who are buying for the purpose of speculation. All these men deprived of the privilege of hedging by future sales on the grain exchange will buy on a much greater margin—at much lower figures—in order to be safe against future fluctuations in the market. They will be like Russian grain merchants at Odessa.

Now, I am not here to justify any of the bad practices of these grain exchanges. They have sometimes and in some instances been bad in the past, but in recent years there has been great improvement, and few complaints have been made in recent times. The only complaint, so far as I have heard of, comes from a man by the name of Loftus, who is at the head of a commission firm or company calling itself the Farmers Equity Exchange, or something of that kind. While he carries the idea that his company is a grain exchange, it is nothing of the kind, but merely a commisssion house, and his grievance, I believe, is that he has not been permitted to become a member of the Minneapolis Grain Exchange.

Mr. President, we raise, one year with another, about the same quantity of wheat in Minnesota that they do in North Dakota and pretty much of the same quality. Some years North Dakota raises a little more and some years Minnesota. I have the figures here for a series of 10 or 11 years, and I find that in 5 of those years Minnesota exceeded North Dakota, and 4 years North Dakota exceeded Minnesota, it depending somewhat upon the climatic conditions. One year the crops of the two States were pretty much even.

Mr. President, we have a system of grain inspection to-day in Minnesota that is satisfactory, so far as I know, to our farmers. I have not had a complaint, and if there had been ground for complaint I think the farmers of Minnesota would have written to me and said something to me about it. It is very strange that a system which is now satisfactory to the farmers of Minnesota should be such a bad system for North Dakota. The grading and inspection are identical. Their grain is inspected and graded by the same system that our grain is graded and inspected.

I do not want to criticize my colleagues from North Dakota. I know the situation they are in. I have had some such experience in past years. In years past we had in Minnesota a species of farmers who were also great politicians, great reformers. They invariably sought to inject the grading and inspection of grain into every political campaign, and for years they made a success of it, until finally in 1893 the legislature adopted a country elevator law regulating and controlling all the country elevators throughout the State, putting them under State regulation. Since that time the mission of the politicians who were all the time making a political use of the grain-inspection service has disappeared and subsided.

I shall show further on, and I shall quote official authorities from North Dakota to show, that the great trouble with the Dakota farmers is that they have never had a local system of grain regulation and inspection as we have had in Minnesota. As a matter of fact, over 90 per cent of the wheat the farmers raise when it comes to the terminal points of Duluth, Minneapolis, and Chicago, is no longer the wheat of the farmers who raise the wheat. They sell it to the local elevator man, the man at the railway station, and the question in the first instance is between him and the farmers. If he is an honest man, if he gives them fair grades, and if he gives them proper dockage, they are all right. If he is a scoundrel and there is nothing to regulate him, the farmer catches it.

We found in Minnesota, Mr. President, that until we could secure a regulation of the country elevators, and put them under safe control, our farmers were at the mercy of the country elevators. I remember an instance which a great railroad president told me of, not a great while ago. I will not give the road or the line, but he said there was an elevator company in Minnesota that had a line of country elevators on the line of his railroad. The vice-president of that company, or rather the manager of it—I know him too—took a trip over the railroad line where those elevators were located and instructed the men who bought the grain from the farmers, who inspected it and graded it in the first instance, to give them as low a grade

as possible, to "keep the grades down all you can." This great railroad president went to the president of that elevator company and told him what this man had done, what orders he had given to the local elevator companies, and said, "You will have to discharge him, turn him out of your company, or I will not permit you to do any business with us;" and that man, to my knowledge, was discharged: he was taken off from the company, just because of that trick.

I have had some experience, Mr. President, and Senators will pardon me for going into details. In 1892, when I was a candidate for governor, as I was passing through the State among the farmers, talking with them, making speeches to them, they complained to me greatly of these country elevators—how badly they graded their grain and of the great amount of dockage and the great injustice they did. I said to the farmers, "Your complaints appear to me to be well founded and call for legislative relief. If I am elected governor, I will see that you get legislation to cure it." One of the first things I did after I took office was to prepare and draw up what was at that time called the "country elevator law," putting all the grain elevators and warehouses in the country, outside of terminal points, under the control and regulation of the railroad and warehouse commission and requiring them to take out a State license.

That legislation was contested by some of the elevator companies. They refused to take out a State license. One of those companies, a Wisconsin company, was haled into court because it refused to take out a license and refused to submit to State regulations on the ground that they operated a private elevator; that they simply bought and sold their own grain, and on that ground they were not amenable to State regulation and State control. But the Supreme Court of Minnesota held that they were liable, because a local elevator at a railway station is a public market place, where the farmers have to go and have their wheat examined and tested and graded, and because it is a public market place the public have an interest in it, and therefore have a right to regulate it.

The company appealed to the Supreme Court of the United States and that court sustained the validity of the law. It is the case of Cargill *v.* Minnesota, found in 180 U. S. R., page 452. I will read only a little bit from the opinion, which was delivered by Mr. Justice Harlan. Here is what the Supreme Court said:

> But to require the defendant company to obtain a license is not forbidden by the amendment

The objection was made that this was in violation of the fourteenth amendment.

> The authority to make such a requirement is to be referred to the general power of the State to adopt such regulations as are appropriate to protect the people in the enjoyment of their relative rights and privileges, and to guard them against fraud and imposition. (Dent *v.* West Virginia, 129 U. S., 114, 122; Plumley *v* Massachusetts, 155 U. S., 461.) The State court well said that the defendant's warehouse could be fairly regarded "as a sort of public market, where the farmers come with their grain for the purpose of selling the same, and where the purchaser, a party in interest, acts as market master, weighmaster, inspector, and grader of the grain."
>
> We can not question the power of the State, so far as the Constitution of the United States is concerned to require a license for the privilege of carrying on business of that character within its limits.

This case contains the so-called country elevator law of 1893, as amended by the act of 1895.

Mr. President, it will probably take me about two hours longer. I have not gone into the Minnesota grain-inspection system. It will be necessary for me to describe that in detail. I shall be very glad to stop at this time and take it up in the morning.

The VICE PRESIDENT. Without objection the bill will be temporarily laid aside. The Chair lays before the Senate bills from the House of Representatives for reference.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 1090. An act for the relief of Alonzo D. Cadwallader;
H. R. 1291. An act for the relief of George Gardells;
H. R. 3885. An act for the relief of Peter Scott;
H. R. 5746. An act for the relief of Marcus L. Pelham;
H. R. 6220. An act for the relief of Hosea Stone;
H. R. 8688. An act for the relief of Lucien P. Rogers;
H. R. 11166. An act for the relief of Wilhelmina Rohe; and
H. R. 11256. An act granting relief to Jacob Barger.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 14738. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 15071. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 15504. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 54. An act for the relief of George W. Hoyt;
S. 75. An act for the relief of Theresa A. Murray;
S. 135. An act for the relief of Severin and Berthe L. Evensen, dependent parents of Sigurd Evensen;
S. 175. An act for the relief of Lawson Reno, collector second district of Kentucky;
S. 1689. An act authorizing the accounting officers of the Treasury to allow in the accounts of the United States marshal for the district of Connecticut amounts paid by him from certain appropriations;
S. 1884. An act for the relief of Phoebe W. Chase;
S. 3610. An act for the relief of C. E. Moore; and
S. 3843. An act for the relief of Bellevadorah Steele.

Mr. BRANDEGEE. Mr. President, I wish to inquire concerning one of the last bills reported by the Secretary. There was so much confusion going on around me that I did not hear what it was about.

The VICE PRESIDENT. It will be stated.

The SECRETARY. The Vice President announced his signature to the enrolled bill (S. 1689) authorizing the accounting officers of the Treasury to allow in the accounts of the United States marshal for the district of Connecticut amounts paid by him from certain appropriations.

Mr. BRANDEGEE. I am taken by surprise by that announcement. I do not know exactly what would be the proper course, but I will state my understanding of the matter.

There was a bill to that effect passed by the Senate a year or so ago, and then the embodiment of the bill was put in an appropriation bill and became a law. The matter was all composed in accordance with the terms of the bill in the department. Now the bill has been reported by the House committee and passed the House, received the signature of the Speaker, and the Chair has just announced his signature to it, concerning a matter that was all closed months ago. Until I can find out what is best to be done with it, I would suggest that the matter be withheld.

The VICE PRESIDENT. The Chair will withhold the announcement.

Mr. BRANDEGEE. I suggest that the enrolled bill be held in the custody of the Chair, at least for the present, and I will look it up.

The VICE PRESIDENT. The Chair will withhold the announcement until the Senator from Connecticut examines it.

Mr. BRANDEGEE. Very good.

HAY-PAUNCEFOTE AND HAY-BUNAU-VARILLA TREATIES.

Mr. BRANDEGEE. The other day I offered a resolution calling upon the President for the information which might be in the State Department concerning the Hay-Pauncefote treaty. I have heard, through one of the Senators who has been at the State Department, that the resolution which the Senate agreed to calls for information only as to the negotiation and ratification of the treaty, and there have been other communications concerning it since that time. It was suggested that the resolution be submitted in a little more comprehensive form. Therefore I ask that the following resolution may be agreed to.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 339) was read, as follows:

Resolved, That the President is hereby requested, if not incompatible with the public interest, to cause to be transmitted to the Senate all information, papers, correspondence, messages, dispatches, and records in the Department of State relative to the superseding of the Clayton-Bulwer treaty by the so-called Hay-Pauncefote treaty, signed November 18, 1901, from the beginning of negotiations to this date, and also relative to said Hay-Pauncefote treaty.

Mr. WILLIAMS. I would suggest in that connection that it would be well to ask for the same information about the treaty between the United States and Panama.

Mr. BRANDEGEE. In redrafting the resolution I have simply endeavored to stick to the particular topic I had in mind originally; but I have no objection whatever if the Senator from Mississippi wishes to move that as an amendment.

Mr. WILLIAMS. The reason I ask it is because in connection with the negotiation of the treaty between the United

States and Colombia some correspondence took place between the United States and Great Britain, and that is of a good deal of importance as affecting both treaties.

Mr. BRANDEGEE. As I have said to the Senator, I have no objection to his suggesting such language as he wants as an amendment to the resolution.

Mr. WILLIAMS. Does the Senator happen to remember the name of the treaty between the United States and Colombia?

Mr. BRANDEGEE. It was the Hay-Bunau-Varilla treaty.

Mr. WILLIAMS. The Hay-Bunau-Varilla treaty. I ask that, after the words "Hay-Pauncefote treaty," there be inserted the words "and also similar information, papers, correspondence, messages, and so forth, relative to the Hay-Bunau-Varilla treaty between the United States and Colombia."

Mr. BRANDEGEE. Very well.

The VICE PRESIDENT. The modification being accepted, is there any objection to the resolution? The Chair hears none, and the resolution is unanimously adopted.

REVENUES OF RAIL CARRIERS, ETC.

Mr. KERN obtained the floor.

Mr. LA FOLLETTE. Will the Senator yield to me for just a moment?

Mr. KERN. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. Pursuant to a resolution which I submitted some days ago calling upon the Interstate Commerce Commission to transmit the testimony which they have taken and are taking in the cases, Docket No. 5860, entitled "Revenues of rail carriers in official classification territory" and Investigation and Suspension Docket No. 333, entitled "Rate increases in official classification territory," a transcript of the testimony was received by the Senate, and I ask unanimous consent that it be printed as a public document. I also at this time ask unanimous consent that such additional testimony that the Interstate Commerce Commission may transmit later as a part of the same cases, together with the exhibits, may also be printed as a part of it.

Mr. SMOOT. Does the Senator want to have it all printed as one document?

Mr. LA FOLLETTE. I want to have it all printed, and if it makes more than one volume, of course it will be printed in separate volumes.

Mr. SMOOT. Does the Senator want it to carry the same number? Of course the Senator may desire to have different numbers.

Mr. LA FOLLETTE. It should be under the same number.

Mr. SMOOT. Not unless it is ordered by the Senate.

Mr. LA FOLLETTE. I see no reason why, with the additional testimony, it can not carry the same number.

Mr. SMOOT. I was just trying to think for a minute what routine it would have to go through, if that could be done.

Mr. LA FOLLETTE. It is precisely the proceeding which we had when the testimony was taken in the last advance-rate cases in 1910. I introduced a resolution requiring a transmission of a copy of the testimony, and the same was printed, and there was very great demand for it. It is exceedingly valuable matter.

Mr. SMOOT. The Senator understands that I have no objection to the printing.

Mr. LA FOLLETTE. Oh, I know.

Mr. SMOOT. I think it ought to be printed. The only thought was, if it were printed as a public document and given a number, and then in the meantime there is a public document printed again, the record might show a different number. When other testimony comes in I was wondering if it would be possible to print the subsequent matter in connection with the first public document with that number or not.

Mr. LA FOLLETTE. It is, of course, in the control of the Senate. I do not know how many volumes the testimony now in will make. The testimony in 1910 made 10 volumes. It was furnished to the libraries of the country and there was a general public demand for it. There is a good demand already for this testimony. I have a letter from the chairman of the Interstate Commerce Commission so stating, and I have myself received many letters of request for copies of the evidence. I can see no reason why the document should not be numbered, say, Document No. 500, and, as additional testimony comes in, making up what would be another volume, or even more, the additional volumes to bear the same document number.

In order to complete the case I make the request to include any additional evidence that may be submitted, the succeeding volumes to bear the same document number that the testimony now received shall bear, in order that all the volumes may have the same number.

Mr. SMOOT. Mr. President, I have no objection to the request; but I will suggest to the Senator that when the testimony is finally completed, in presenting it to the Senate I think he ought to call attention to the fact that it is to be part of a document already printed, so that the final print may show the number of volumes, as is always done, and indicate that the testimony is completed.

Mr. LA FOLLETTE. I will bear that in mind.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wisconsin for the printing as a Senate document of the evidence and exhibits received by the Senate in the cases referred to by him, and also for the printing of additional evidence in the same cases as it is sent to and received by the Senate as additional volumes of the same numbered Senate document? The Chair hears none, and unanimous consent is granted.

The order as agreed to was reduced to writing, as follows:

Ordered, That the testimony and exhibits received from the Interstate Commerce Commission in the cases, Docket No. 5860, entitled "Revenues of rail carriers in official classification territory," and Investigation and Suspension Docket No. 333, entitled "Rate increases in official classification territory," pursuant to Senate resolution 310, adopted on the 23d day of March, 1914, together with the additional testimony and exhibits hereafter received in said cases from the Interstate Commerce Commission pursuant to said Senate resolution, be printed as a Senate document; and that the volumes be numbered consecutively, and that all volumes bear the same document number.

EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 15, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 14, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God our Father, how wonderful and manifold are the ways which combine for the development of all that is truest, best in us. The struggle for existence, the hopes and aspirations which fill our breast, the desire for supremacy in the mastery of self. The awe-inspiring scenes which environ us, the home, the State, the religion which engage our thoughts, the intellectual, moral, and spiritual life which makes for our highest welfare; angels in disguise, agents of Thy will in the supreme plan which Thou art working out in us, through us, for us. May we be susceptible, that we may reach the full fruition of the life divine. In Christ Jesus our Lord. Amen.

THE JOURNAL.

The Journal of the proceedings of yesterday was read.

The SPEAKER. Without objection the Journal as read will stand approved.

Mr. MANN. Mr. Speaker, reserving the right to object, I see by the RECORD—I do not know whether the same item is in the Journal—that the gentleman from Virginia [Mr. FLOOD], from the Committee on Foreign Affairs, to which committee was referred the bill (H. R. 15762) making appropriations for the Diplomatic and Consular Service, and so forth, reported the same. That report, if made, was made through the basket. It is not in order under the rules for an appropriation bill to be reported in that manner. If that item appears in the Journal, I do not think the report should be received in that way. In the first place, the bill was not referred to the committee, but it was reported from the committee and under the rules should be reported in the House from the floor.

The SPEAKER. Why, that undoubtedly is correct.

Mr. MANN. Well, I think the Journal should be corrected, striking that out showing any report was made.

The SPEAKER. Undoubtedly the correction ought to be made in the RECORD. Inasmuch as it was reported through the basket, as it seems to have been, the Chair does not remember its being reported from the floor——

Mr. MANN. It was not reported from the floor.

The SPEAKER. Therefore it would not be in the Journal.

Mr. MANN. Well, the Journal, that portion which is not ordinarily read——

The SPEAKER. We will have the Journal back in a moment and see.

Mr. MANN (continuing). Usually copies reports of committees as they appear in the RECORD.

The SPEAKER. The RECORD will be corrected, and if it is in the Journal, which in all human probability it is, the Journal

will be corrected also. Without objection, the Journal as corrected will stand approved.

There was no objection.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, the legislative, executive, and judicial appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

POST OFFICE DEPARTMENT.

Office Postmaster General: Postmaster General, $12,000; chief clerk, including $500 as superintendent of buildings, $4,000; private secretary, $2,500; disbursing clerk, $2,250; bookkeeper and accountant, $1,800; 2 stenographers, at $1,600 each; appointment clerk, $2,000; assistant to chief clerk, $2,000; clerks—4 of class 4; 7 of class 3; 8 of class 2; 5 of class 1; 7, at $1,000 each; 5, at $900 each; telephone switchboard operator; assistant telephone switchboard operator; messenger in charge of mails, $900; messenger; 2 assistant messengers; page, $360; engineer, $1,400; 8 assistant engineers, at $1,000 each; electrician, $1,400; 2 assistant electricians, at $1,200 each; 3 dynamo tenders, at $900 each; fireman, who shall be a blacksmith, and fireman, who shall be a steam fitter, at $900 each; 10 elevator conductors, at $720 each; 17 firemen; carpenters—1, $1,200; 1, $1,000; 2, at $900 each; captain of the watch, $1,000; additional to 2 watchmen acting as lieutenant of watchmen, at $120 each; 24 watchmen; foreman of laborers, $800; 45 laborers; plumber, $900; awning maker, $900; female laborers—1, $540; 3, at $500 each; 3, at $480 each; 45 charwomen; in all, $187,950.

Mr. FOWLER. Mr. Chairman, I move to strike out the figures "$1,400," in line 25, page 106, and insert in lieu thereof the figures "$1,600."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 106, line 25, by striking out the figures "$1,400" and inserting in lieu thereof the figures "$1,600."

Mr. FOWLER. Mr. Chairman, the statutory provision——

Mr. JOHNSON of South Carolina. Mr. Chairman, I make the point of order against that amendment.

Mr. FOWLER. Well, Mr. Chairman, the statute provides a salary of $1,600 for this engineer.

The CHAIRMAN. Has the gentleman the statute?

Mr. JOHNSON of South Carolina. I will reserve the point of order and let the gentleman talk.

Mr. FOWLER. Mr. Chairman, there is no question about the statute providing a salary of $1,600 for this engineer. The bill provides for a salary of $1,400. The engineer is a laboring man, and we have learned from Holy Writ that the laborer is worthy of his hire, and I stand on Holy Writ in favor of this laboring man, and I am asking for his salary to be restored to that provided for by the statute. I see no reason, Mr. Chairman, why it should not be done. I am informed by laboring people, those who are the low-salaried people, that they are on the verge of pauperism. I receive letters and communications every day to this effect; yet in a land of plenty we find many suffering for the necessaries of life, while those higher up revel in riches and diamonds and plenty. Why this should be true in America, in a land of the free and the home of the brave, I can not understand. I insist, Mr. Chairman, that liberal legislation should be had for the benefit of the common people the same as that of the rich people. The poor need help. The rich are independent and do not need special favors. I insist, Mr. Chairman, that it is not right to reduce the salaries of laboring men from that which is fixed by the statute and at the same time increase the salaries of high-salaried men above the amount fixed by the statute. I can not reconcile my conscience to a condition of that kind. Mr. Chairman, in 1907 the Superintendent of the Library Building and Grounds, Mr. Green, gave testimony before the House committee in which he said he drew his regular salary from the Government for the duties of that position. He now gets $5,000. I suppose he got that at that time. He was superintendent of construction of the New Willard Hotel. He received as general contractor of the Government $2,000, from his own statement. He received $4,000 for his services in the construction of the new State capitol at Harrisburg, Pa., making a total of $11,000. Yet he said at that time he gave all of his time to his duties as Superintendent of the Library Building and Grounds. Now, I am not complaining of Mr. Green personally at all. I do not know him. I presume he is an estimable gentleman or he would not be kept in the place which he now occupies; but I cite this instance, Mr. Chairman, as an evidence of profligacy in appropriations for men who do not devote their time to the duties of the positions which they occupy and to emphasize the stinginess on the other side by cutting down laboring men's salaries below the amount fixed by law, thereby pauperizing labor.

I submit Mr. Green's testimony, which is as follows:

HEARING BEFORE SUBCOMMITTEE OF HOUSE COMMITTEE ON APPROPRIATIONS IN CHARGE OF LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL FOR FISCAL YEAR 1907, FRIDAY, FEBRUARY 9, 1906.

Mr. James A. Tawney, chairman of Committee on Appropriations.

Mr. Bernard R. Green, superintendent of the Library of Congress Building and Grounds.

[29 Stats., 545.]

(Page 119.)

Mr. TAWNEY. How much time do you give personally to your work over there in the Library

Mr. GREEN. I can not answer that, except to say that I am employed all the time.

Mr. TAWNEY. You are the architect employed in the construction of the National Museum Building?

Mr. GREEN. I am doing that as general contractor for the Government. I have been in the business so long that I do business for Uncle Sam in that way.

Mr. TAWNEY. You get extra compensation (32 Stats., 1102; extra compensation not published in Biennial Register, 1903–1911) for that over and above your salary?

Mr. GREEN. I get $2,000 a year for that.

Mr. TAWNEY. Do you do any work for outside parties in addition to that?

Mr. GREEN. Outside of the Government service?

Mr. TAWNEY. Yes.

Mr. GREEN. Very little, except when my friends sometimes want me to help them in things that I happen to be personally interested in. Just now some people that I know have come after me at the Raleigh Hotel, where they are building a little addition to it.

Mr. TAWNEY. Did you not also superintend the construction of the New Willard Hotel?

Mr. GREEN. I did look after it for the owners. They are friends of mine. I have not time to do business of that sort regularly, to make a business of it, but——

Mr. TAWNEY. Are you employed as superintendent of construction of the State capitol at Harrisburg, Pa.?

Mr. GREEN. No, sir; I simply act as general adviser to the commission. I simply went to their meetings once or twice a month.

Mr. TAWNEY. In addition to your salary you are compensated for your work that you do outside?

Mr. GREEN. Yes; I get something for it.

(Page 122.)

Mr. TAWNEY. Now, one question further in regard to your own personal service. You say you are employed in an advisory capacity by the commission having control of the construction of the new State capitol at Harrisburg, Pa.?

Mr. GREEN. Yes, sir.

Mr. TAWNEY. And that you attended the meetings of the commission

Mr. GREEN. Yes, sir.

Mr. TAWNEY. How often do you attend those meetings, and when and where where they held?

Mr. GREEN. They were held at Harrisburg about once a month. I went up other times, too.

Mr. TAWNEY. How long has that employment continued?

Mr. GREEN. It is ended now.

Mr. TAWNEY. How long has it been?

Mr. GREEN. About three years.

Mr. TAWNEY. What compensation did you receive for that service?

Mr. GREEN. That is a private matter, but I have no objection to telling you. I received $4,000 a year and my traveling expenses.

* * * * * * *

Mr. TAWNEY. How much time do you devote to the National Museum?

Mr. GREEN. I can not put it down in hours and minutes. I should say all the time. I am in constant communication with the people there, and make visits frequently.

* * * * * * *

Mr. JOHNSON of South Carolina. Mr. Chairman. we have not found a statute fixing the compensation of this office. The law quoted as to the salary is the old salary-grab law, and was repealed the next year after its enactment. I withdraw the point of order, and will let the committee vote on it. I want to say that the Committee on Appropriations has not reduced this man's pay. We appropriate the same amount for him that was appropriated for the current year, and the Postmaster General has not asked for any increase, and there was not a word of testimony before our committee that would justify us in giving him any more than we have.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois [Mr. FOWLER].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. FOWLER. Mr. Chairman, I ask for a division. I want to see who will stand for the laboring man.

The committee divided; and there were—ayes 5, noes 38.

So the amendment was rejected.

The Clerk read as follows:

No part of any appropriations made for the service of the Post Office Department in conformity with the act of July 2, 1836, shall be expended for any of the purposes herein provided for on account of the Post Office Department at Washington, D. C.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I would like to ask the gentleman whether this item is recommended by the Post Office Department.

Mr. JOHNSON of South Carolina. No. They do not recommend it, but it has been carried in the bill for years.

Mr. MANN. I withdraw the point of order.

The Clerk read as follows:

DEPARTMENT OF JUSTICE.

Office of the Attorney General: Attorney General, $12,000; Solicitor General, $10,000; assistant to the Attorney General, $9,000; 6 Assistant Attorneys General, at $6,000 each; Solicitor for the Department of the Interior, $5,000: *Provided*, That this change of title shall not affect the status of the present incumbent or require his reappointment; Solicitor for the Post Office Department, $5,000: *Provided*, That this change of title shall not affect the status of the present incumbent or require his reappointment; Solicitor of Internal Revenue, $5,000; Solicitor for the Department of State, $5,000; 4 attorneys, at $5,000 each, one of whom shall have charge of all condemnation proceedings in the District of Columbia and supervise the examination of titles and matters arising from such condemnation proceedings in which the United States shall be a party or have an interest, and no special attorney or counsel, or services of persons other than those provided for herein, shall be employed for such purposes; attorneys—1, $3,750, 5 at $3,500 each, 1, $3,250, 14 at $3,000 each, 2 at $2,500 each; assistant attorneys—1, $3,500, 2 at $3,000 each, 2 at $2,750 each, 5 at $2,500 each, 1, $2,400, 2 at $2,000 each; assistant examiner of titles, $2,000; chief clerk and ex officio superintendent of buildings, $3,000; superintendent of buildings, $500; private secretary and assistant to the Attorney General, $3,000; clerk to the Attorney General, $1,800; stenographer to the Solicitor General, $1,600; law clerks—3 at $2,000 each, 1 of class 4; clerk in office of Solicitor of Internal Revenue, $1,800; attorney in charge of pardons, $3,000; superintendent of prisons, $4,000; disbursing clerk, $2,750; appointment clerk, $2,000; chief of division of investigation, $3,500; examiners—2 at $2,500 each, 4 at $2,250 each, 2 at $2,000 each, 3 at $1,800 each; librarian, $1,800; clerks—8 of class 4, 10 of class 3, 10 of class 2, 20 of class 1, 17 at $1,000 each, 15 at $900 each; chief messenger, $1,000; packer, $900; messenger, $960; 6 messengers; 13 assistant messengers; 7 laborers; 7 watchmen; engineer, $1,200; 2 assistant engineers, at $900 each; 4 firemen; 2 elevator conductors, at $720 each; head charwoman, $480; 24 charwomen. Division of Accounts: Chief, $2,500; administrative accountant, $2,500; chief bookkeeper and record clerk, $2,000; clerks—3 of class 4, 6 of class 3, 6 of class 2, 5 of class 1, 3 at $900 each; in all, $452,830.

Mr. BUCHANAN of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. FOWLER. Mr. Chairman, I reserve——

Mr. CARTER. Mr. Chairman, I reserve the point of order against the increase of salary of six Assistant Attorneys General at $6,000 each and the change of the title or name of the Attorney General for the Interior Department to "Solicitor for the Department of the Interior."

The CHAIRMAN. Does the gentleman from Oklahoma make the point of order?

Mr. CARTER. I reserve the point of order.

Mr. JOHNSON of South Carolina. Mr. Chairman, the point of order is well taken. The reason for changing the phraseology was to make the law uniform as to all of the departments. We have a Solicitor for the State Department, a Solicitor for the Internal Revenue, a Solicitor for the Treasury Department, a Solicitor for the Department of Commerce, a Solicitor for the Department of Labor. These gentlemen are designated as Assistant Attorneys General. They are selected by the head of the departments, though named by the Attorney General. The only purpose in changing the phraseology is to let the Attorney General for each department be designated by the same name. It does not change the salary; it does not change their status, because the men who are now in will not have to be reappointed. If the gentleman desires to make the point of order, it is well taken.

Mr. CARTER. But the salary of the six Attorneys General are increased $1,000 each?

Mr. JOHNSON of South Carolina. Let us finish this item first. Does the gentleman care to press his point of order?

Mr. CARTER. At the request of Mr. Ferris, who can not be present, I feel obliged to make the point of order.

Mr. BYRNS of Tennessee. If the gentleman will pardon me a minute, when the Attorney General made the suggestion he said that so far as the Assistant Attorney General of the Post Office Department was concerned he had absolutely nothing to do with his appointment, did not even suggest it, and he is not under his authority in any way. Now, it is rather an anomaly to call him "Assistant Attorney General to the Post Office Department" under those circumstances.

Mr. CARTER. I notice that in the hearings.

Mr. BYRNS of Tennessee. And his idea in making the law uniform, as the gentleman from South Carolina [Mr. JOHNSON] suggests, was that it would dignify these places and enable him to keep them better in hand. I hope the gentleman will not press his point of order with reference to this. It is a change of designation, pure and simple.

Mr. DAVENPORT. I want to ask the gentleman if the law does not provide for seven Attorneys General? That was to include an Assistant Attorney General for the Interior Department, and that is a change of law to that extent, because the law as it is now—and I have a brief of it here, if you have any doubt about it—provides for seven Assistant Attorneys General where you are now providing for six, and then placing the Assistant Attorney General for the Interior Department in the class of Solicitor for the Interior Department and not the Attorney General. I am going to say to the committee frankly that I have no desire to press the point of order; but the labor is as burdensome on the Interior Department as in the other departments, and if the salary of the solicitor was increased I would not squabble over the change of the law.

Mr. JOHNSON of South Carolina. All the Assistant Attorneys General in the class that the Assistant Attorney General of the Interior Department is now classed are getting $5,000. It says "seven Attorneys General."

Mr. DAVENPORT. It says six.

Mr. JOHNSON of South Carolina. The law as it now stands says seven.

Mr. BYRNS of Tennessee. The gentleman will remember a law was passed a year ago to increase the salary of one of these.

Mr. DAVENPORT. The act of March 4, 1913.

Mr. BYRNS of Tennessee. It leaves six.

Mr. DAVENPORT. It says "seven Attorneys General, at $5,000 each." I have the law here.

Mr. BYRNS of Tennessee. I understand one of those positions was increased to $9,000.

Mr. DAVENPORT. That was the Solicitor General, the assistant to the Attorney General.

Mr. BYRNS of Tennessee. I am speaking of the current law.

Mr. DAVENPORT. The current law carries seven Assistant Attorneys General, with a salary of $5,000 each, and this seeks to give six of them $6,000 each and drop one of the seven and change his title to "Solicitor to the Interior Department" instead of "Assistant Attorney General."

Mr. KINDEL. I make a point of order.

The CHAIRMAN. What is the gentleman's point of order?

Mr. KINDEL. The point of order is reserved on the increase of the Assistant Attorneys General from $7,000 to $9,000.

Mr. JOHNSON of South Carolina. It would not lie anyway. That is the salary fixed by law.

Mr. DAVENPORT. That is a past issue.

Mr. KINDEL. A past issue? I thought it was $7,000.

Mr. JOHNSON of South Carolina. No. Since the last appropriation bill was passed a law has been enacted making that salary $9,000. We are following the law. Mr. Chairman, the gentleman from Oklahoma [Mr. DAVENPORT] is in error about these Assistant Attorneys General.

Those whose salaries are to be increased by this bill are the men whom the Attorney General has brought around him for the purpose of enforcing the antitrust law and engaging in litigation generally on the part of the United States. The other Assistant Attorney General, to whom the gentleman refers, is assigned to one of the departments.

The reason why the Attorney General desires to increase the compensation is this: Very large attorneys' fees have been paid out of a lump sum for the enforcement of the antitrust law. The Attorney General desires to abandon that practice as far as possible and to gather around him, as a permanent force in the department, a corps of attorneys able to cope with the able corporation lawyers that the Government must meet in all antitrust litigation. That is the purpose.

The Attorney General asked for $7,500. He thought if allowed that sum he could have a force of his own in the department that would enable him to try most important cases for the Government without paying the large fees that have been paid heretofore out of a lump-sum appropriation. The committee agreed to give him an increase of $1,000 each for six men, believing that he might get a force and train it with that money. It is subject to a point of order if anybody desires to make it.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CARTER. Mr. Chairman, I ask unanimous consent for five minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. CARTER. I think there is much virtue in what the gentleman in charge of the bill has to say, and he almost persuades me to be satisfied with the language of the bill. But my point of order was made at the request of my colleague from Oklahoma [Mr. FERRIS], who can not be present this morning, and on that account I would not feel like withdrawing the point of order. I feel that in justice to Mr. FERRIS I must insist upon it.

Mr. JOHNSON of South Carolina. Is the point of order addressed to the language?

Mr. CARTER. As to the language and the amount.

Mr. JOHNSON of South Carolina. The point of order is well taken.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] makes a point of order, as the Chair understands it, against these Assistant Attorneys General at $6,000 each.

Mr. CARTER. I make the point of order that the present law provides for only $5,000 each.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that it is not authorized by law?

Mr. CARTER. That is it.

The CHAIRMAN. The next point of order is against the language, "*Provided*, That this change of title shall not affect the status of the present incumbent nor require his reappointment."

Mr. CARTER. And against the language in lines 10 and 11, "Solicitor for the Department of the Interior." I make the point of order that that language is not in order.

The CHAIRMAN. And the gentleman also makes a point of order against the language in lines 14 to 16, "*Provided*, That this change of title shall not affect the status of the present incumbent or require his reappointment." That is the point of order that the gentleman makes?

Mr. CARTER. Yes.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. Mr. Chairman, on just what is the point of order sustained? We could not hear.

The CHAIRMAN. On the provision in the bill in lines 9 and 10, "Six Assistant Attorneys General, at $6,000 each"; and on the provision in lines 10, 11, 12, and 13, "Solicitor for the Department of the Interior, $5,000: *Provided*, That this change of title shall not affect the status of the present incumbent or require his reappointment"; and on the provision in lines 13, 14, 15, and 16, "Solicitor for the Post Office Department, $5,000: *Provided*, That this change of title shall not affect the status of the present incumbent or require his reappointment." Those provisions of the bill go out on the point of order.

Mr. FOWLER. Mr. Chairman, I have reserved a point of order against the paragraph.

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman from Illinois [Mr. BUCHANAN] has kindly consented to withdraw his pro forma amendment. Now I desire to offer an amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] has reserved a point of order against other paragraphs.

Mr. FOWLER. I do not desire to lose that right.

Mr. BYRNS of Tennessee. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BYRNS of Tennessee. Does not that reservation come too late?

The CHAIRMAN. The Chair will state that the gentleman from Illinois [Mr. FOWLER] was on his feet, clamoring for recognition, when the Chair recognized the gentleman from Oklahoma [Mr. CARTER]. The gentleman from Illinois should have his day in court.

Mr. BYRNS of Tennessee. All right.

Mr. FOWLER. Mr. Chairman, I make a point of order against the item on page 115, lines 6 and 7, "clerk to the Attorney General, $1,800." The last bill carried a provision for this same position at a salary of $1,600. This is an increase over the current year, over the current law. I say, the bill provides for a clerk to the Attorney General, at $1,800. The last bill, or current law, carried an appropriation for the same place at $1,600, an increase of $200 above the amount in the current law of last year. I make a point of order against it, because I do not regard a clerk as being any better than a carpenter or an engineer.

Mr. JOHNSON of South Carolina. Mr. Chairman, the point of order is well taken.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

Mr. KINDEL. Mr. Chairman, I wish to call the attention of the committee to the reading of a salary in the Department of Justice, which appears in lines 8 and 9 of page 114, where the Assistant to the Attorney General is increased from $7,000 to $9,000. I make the point of order against that.

Mr. BARTLETT. Mr. Chairman, the law fixes the salary at $9,000.

The CHAIRMAN. The gentleman's point of order comes too late. He did not seek to reserve a point of order.

Mr. KINDEL. I thought I did.

Mr. BYRNS of Tennessee. That is provided in the law passed in October, 1913, and is now permanent law.

The CHAIRMAN. The Clerk will read.

Mr. FESS. Mr. Chairman, I move to strike out the last word. I want to ask a question.

Mr. JOHNSON of South Carolina. Mr. Chairman, I want to offer an amendment to the paragraph, to provide for three attorneys.

The CHAIRMAN. Does the gentleman from Ohio yield?

Mr. FESS. Yes; I yield to the gentleman.

Mr. JOHNSON of South Carolina. I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Carolina [Mr. JOHNSON].

The Clerk read as follows:

On page 114, in line 9, after the sum "$9,000," insert "six Assistant Attorneys General, at $5,000 each."

Mr. DAVENPORT. Mr. Chairman, I desire to offer an amendment by striking out the word "six" and inserting the word "seven," in order that it may comply with the existing law.

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amend by striking out "six" and inserting "seven."

Mr. MANN. I reserve a point of order on the amendment.

Mr. BARTLETT. Does the gentleman mean the amendment to the amendment?

Mr. MANN. Yes; I reserve the point of order on the amendment to the amendment. There is no authority of law for this additional place.

Mr. JOHNSON of South Carolina. Mr. Chairman, the Attorney General does not ask for more than six men by that title. I think that is all that the amendment should provide for.

Mr. DAVENPORT. I want to ask the chairman of the committee a question. Does not the law read and provide for seven Assistant Attorneys General?

Mr. JOHNSON of South Carolina. The appropriation does, but the law does not.

Mr. DAVENPORT. I think I can show it to the gentleman in the law. The law says so.

Mr. JOHNSON of South Carolina. The appropriation says so.

Mr. BARTLETT. If the gentleman will let me call his attention to the statement of the Attorney General, which has already been referred to, he will see that there are seven Assistant Attorneys General, but one of them is for the Post Office Department. He has already been provided for. The Attorney General states in his testimony before the committee that, including the Assistant Attorney General for the Post Office Department, there are seven. The Attorney General has no control over the assistant for the Post Office Department. Leaving out that one, that leaves six under the Department of Justice, and those are the ones for whom we are endeavoring to provide.

Mr. CARTER. Is it not a fact that one of those Assistant Attorneys General is at present employed in the Interior Department?

Mr. BARTLETT. Yes.

Mr. CARTER. And not in the Post Office Department?

Mr. BARTLETT. There are seven in all, of whom one is in the Interior Department.

Mr. CARTER. The gentleman said the Post Office Department.

Mr. BARTLETT. There is one in the Post Office Department, over whom the Attorney General has no control. The six provided for in this bill are the six not including the one for the Post Office Department.

Mr. CARTER. Then there are eight in all?

Mr. BARTLETT. Seven.

Mr. CARTER. You provide here for six Assistant Attorneys General and then provide for a solicitor for the Interior Department and a solicitor for the Post Office Department, so that makes eight.

Mr. BARTLETT. No.

Mr. DAVENPORT. Mr. Chairman, I think if you will take the citation that the gentleman has there, and the estimates given by the Attorney General, and will refer to section 348 of the Revised Statutes and to the act of March 3, 1903, and the act of March 4, 1913, section 1, you will find that there are carried seven Assistant Attorneys General, who are assistants

to the Attorney General, and one Assistant Attorney General for the Post Office Department, who is named by the Postmaster General. There are still left seven who are carried to-day in the statute.

The CHAIRMAN. The gentleman from Illinois makes a point of order against the amendment to the amendment, on the ground, as the Chair understands it, that there is no law authorizing seven Assistant Attorneys General. Now, if the gentleman from Oklahoma can show the Chair any statute authorizing seven Assistant Attorneys General, the Chair will promptly overrule the point of order made by the gentleman from Illinois [Mr. MANN].

Mr. DAVENPORT. The Attorney General stated that he carried seven.

The CHAIRMAN. Does the gentleman from Oklahoma desire further time in which to procure the statute?

Mr. DAVENPORT. I would like to have it, if the Chair please.

Mr. BUCHANAN of Illinois. Mr. Chairman, I want to ask the committee about the difference in the salaries of these engineers. I see on page 106 of the bill the salary of an engineer is $1,400, and on page 115 there is an engineer at $1,200. This engineer at $1,200 has two assistants. Now, what is the difference in these engineers that there should be that difference in the salary?

Mr. JOHNSON of South Carolina. Mr. Chairman, the difference in salary is due to the fact that there is a difference in the size of these buildings, and a difference in the labors that are placed upon these men. The engineer in the Treasury Building gets $1,400. The engineer in the Post Office Building gets $1,400. The engineer in the State, War, and Navy Building gets $1,400. The engineer in the Department of Commerce gets $1,000. The engineer in the Department of Justice gets $1,200. If the gentleman has ever been over to the Department of Justice, he will recall that it is a very small building, just a large residence.

Mr. BUCHANAN of Illinois. Why these two assistants, then?

Mr. JOHNSON of South Carolina. The engineer at the Department of Justice simply has charge of a heating plant sufficient to heat that building. It is lighted from an entirely different source. In the State, War, and Navy Building the engineer not only has charge of the heating plant, but he has charge of a great lighting plant that lights that building and the White House and the Mills Building, or the Annex, as it is commonly called. I have no personal knowledge of the person holding the place. I will say that we have appropriated the amount that we were asked to appropriate, the amount carried in the estimates, and there was no evidence on the subject before the committee.

Mr. BUCHANAN of Illinois. Has the gentleman any information as to why the engineer of the Department of Justice has two assistants?

Mr. JOHNSON of South Carolina. They have three or four buildings that they heat, and these men perform the more arduous labors. This man simply superintends the others.

Mr. BUCHANAN of Illinois. Mr. Chairman, this man has two or three buildings, and the other engineers have only one each. It seems that the engineer of the Department of Justice has the biggest job. I do not see any justification for paying the engineers in the other places $1,400 and paying this man only $1,200. I offer an amendment to increase the salary of the engineer of the Department of Justice to $1,400.

Mr. MANN. There is already an amendment to the amendment pending.

The CHAIRMAN (Mr. MOON). The Chair understands that there is pending an amendment to the amendment. Another amendment would be out of order.

Mr. BUCHANAN of Illinois. I will offer it later.

Mr. JOHNSON of South Carolina. Mr. Chairman, I will say to the gentleman from Illinois [Mr. BUCHANAN] that there is a good deal of difference in the responsibility and work of attending to a mere heating plant and in attending to a plant not only for heating, but for lighting, where they have electrical machinery to superintend and take care of. In the Department of Justice they simply have charge of a heating plant, and the engineer has two men to assist him to do the arduous work.

Mr. BUCHANAN of Illinois. It seems that he has charge of the heating plants for two or three buildings.

Mr. JOHNSON of South Carolina. Two or three buildings, but these other men do the work.

Mr. BUCHANAN of Illinois. From my point of view I do not think $1,200 is enough for any engineer, anyway, who is capable of holding a responsible position of that sort. I think the engineer who has to look after these three buildings probably finds that it costs him as much to live as it costs the fellow who is looking after the other plant. The standard of living ought to be kept up about the same. If you call them engineers, I do not see why they should not be in one classification and paid the same salary.

Mr. JOHNSON of South Carolina. Mr. Chairman, I would like to have a ruling from the Chair on the amendment to the amendment. If the gentleman from Oklahoma can find any law providing for seven Assistant Attorneys General I will go back to it.

Mr. DAVENPORT. If the Chairman desires to rule at this time, I do not want to delay the House except to say that in running this law down I find that they have been legislating all the time by appropriation bills according as they required the service of the Assistant Attorneys General and the assistants that the Attorney General is entitled to have. The only law of a general statute is for three Assistant Attorneys General, and each time that they needed a new one it has been provided for on an appropriation bill, and the last one carries seven.

The CHAIRMAN. The gentleman says that the statute only authorizes three. Therefore any amendment offered to this bill in excess of three is subject to a point of order. The Chair sustains the point of order.

The question is on the amendment offered by the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

Mr. FESS. Mr. Chairman, I want to ask a question of the chairman of the committee. In line 17, page 115, there are 6 messengers, 13 assistant messengers, 7 laborers, 7 watchmen, and there is no salary specified. I suppose they are paid from a lump sum, are they?

Mr. JOHNSON of South Carolina. Yes; but the bill fixes the salary.

Mr. FESS. Where is the provision for the appropriation at specifying the salary?

Mr. JOHNSON of South Carolina. On page 143 the gentleman will find the law fixing the rate.

Mr. FESS. The point I wanted to ask was, would it not be better to have the salary specified here rather than in a lump sum?

Mr. JOHNSON of South Carolina. No; because we provide for these people all the way through the bill, and by using one paragraph at the end of the bill we save repeating the language probably fifty times.

Mr. FESS. I asked the question purely for information.

Mr. SIMS. Mr. Chairman, I want to call attention to a matter which reflects great credit on this committee and the House of Representatives. It was through this committee that the Commerce Court was abolished, and it was said at the time that by abolishing that court litigation would so increase in the district courts as to practically impede justice. I want to state that I have made an examination and find that between January 14, 1913, and the 1st day of this month, April, 1914, only three suits have been brought in the whole United States to vacate, annul, or suspend any order of the Interstate Commerce Commission, and that instead of litigation being increased by the abolition of the Commerce Court it has been greatly reduced, and that about $50,000 per annum has been saved by the wisdom of this committee and the House in adopting the amendment for the abolition of that court, and justice has not been impeded anywhere. The court would have had practically nothing to do if it had been retained.

Mr. MANN. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. MANN. Has not that peculiar condition of affairs been caused by the fact that during the last year the Interstate Commerce Commission has made practically no orders reducing freight rates?

Mr. SIMS. Their orders may be made as to practices as well as rates, and two of the suits that have been brought have reference to orders pertaining to terminal practices and not rates, as I understand.

Mr. MANN. But most of the suits have been in regard to freight rates, and there have been no reductions on rates the last year.

Mr. SIMS. There have been no attempts by the railroads, except in a few instances, to increase rates. It has proved the wisdom of Congress in not continuing a special court when the commissioners' orders have been so just as to give no cause for litigation.

Mr. MANN. It is purely a temporary condition of affairs in regard to freight rates.

Mr. SIMS. I hope not.

Mr. MANN. The gentleman hopes that the rates will be reduced in the end.

Mr. SIMS. I hope existing rates are reasonable and that rates will continue to be reasonable and that the railroads will not attempt to increase them without just cause; but I can not conceive of litigation growing out of contested orders of the Interstate Commerce Commission respecting rates in volume so great as to clog the dockets of the United States district courts, as was so freely predicted by some gentlemen who opposed the abolishment of the Commerce Court.

Mr. CARTER. Mr. Chairman, I offer the following amendment after the amendment which has just been adopted. That is, to insert "one Assistant Attorney General for the Interior Department, $5,000."

Mr. BYRNS of Tennessee. On that I reserve a point of order.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "each," in line 10, page 114, insert the words "one Assistant Attorney General for the Interior Department, $5,000."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order.

Mr. CARTER. Mr. Chairman, I am informed by my friend the gentleman from Georgia [Mr. BARTLETT] that he thinks the law provides for four Attorneys General, one of which shall be an Assistant Attorney General for the Interior Department.

Mr. BARTLETT. If the gentleman will pardon me, I did not state quite that. I said the law provided for three Assistant Attorneys General for the Department of Justice, and I was under the impression that there was one for the Interior Department.

Mr. CARTER. That was my statement.

Mr. BYRNS of Tennessee. I did not quite hear what the gentleman's statement was.

Mr. CARTER. I said that my friend the gentleman from Georgia had stated to me that a certain number of Assistant Attorneys General were provided for by law, and his impression was that one of the Attorneys General the law provided for should be assigned to the Interior Department.

Mr. MANN. That might be; but we have provided for six Assistant Attorneys General, and if the law provided for one to be assigned to the Interior Department, he would be so assigned.

Mr. CARTER. If that be true, the gentlemen in charge of the bill are not dispensing with the Attorney General for the Interior Department. Some Attorney General not provided for by law will have to be cut off, and it will not be the one in the Interior Department, but one in the Department of Justice.

Mr. BYRNS of Tennessee. As I understand it, the law provides only for four Assistant Attorneys General. The bill provides for six, and that provision has been passed. I make the point of order against the amendment offered by the gentleman from Oklahoma on the ground that it is not authorized by law.

Mr. CARTER. Perhaps the gentleman may be right, and perhaps the point of order may be good, but I call the gentleman's attention again to the fact that he may not be cutting out the Attorney General that would be assigned to the Interior Department, but one of the six Assistant Attorneys General that he is attempting to provide for.

The law provides now that one of the attorneys general shall be assigned to the Interior Department, as I understand it. My only object in offering this amendment is to provide that no injury shall be done to the service.

Mr. BYRNS of Tennessee. Mr. Chairman, the Attorney General requested the committee to arrange his force so that he would have six assistant attorneys general, whose services might be devoted to the enforcement of the antitrust law, and he requested the committee to provide for a solicitor for the Interior Department, just as is provided for all of the other departments of this Government with the exception of the Post Office Department. The committee thought that the Attorney General in making that request knew more about his department and about the service of these men possibly than Members of the House, and the committee agreed to adopt his suggestion. The gentleman has made the point of order against the provision.

Mr. DAVENPORT. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. DAVENPORT. Did not the Attorney General confess by his request, and did not the committee by reporting the bill confess, that there was a provision in law somewhere for the assignment of an Assistant Attorney General to the Interior Department when they wrote into the bill the provision that the change of title should not require his reappointment and reconfirmation.

Mr. BYRNS of Tennessee. Oh, no; there was no such confession made by either the Attorney General or by the committee.

Mr. DAVENPORT. Then why did they write that into the bill?

Mr. BYRNS of Tennessee. I do not deny the fact that the Attorney General did ask for a solicitor for the Interior Department, but the gentleman by his point of order cut that out of the bill.

Mr. DAVENPORT. I did not make the point of order.

Mr. BYRNS of Tennessee. The gentleman's colleague did.

Mr. DAVENPORT. But I would have made the point of order if he had not.

Mr. BYRNS of Tennessee. We were satisfied to allow a Solicitor for the Interior Department, but the gentleman's colleague made the point of order upon it.

Mr. DAVENPORT. Will the gentleman yield for another question?

Mr. BYRNS of Tennessee. Yes.

Mr. DAVENPORT. If it is not admitted by the bill, why did they write that cumbersome provision in and say that the change of title was not intended to require a reappointment?

Mr. BYRNS of Tennessee. I do not mean to say that an Assistant Attorney General has not been assigned to the duties of a Solicitor for the Interior Department.

The CHAIRMAN. All time has expired. The Chair is ready to rule on the point of order.

Mr. LENROOT. Mr. Chairman, I just want to say a word to the Chair. The law now does provide for seven Assistant Attorneys General, one of whom is assigned to the Interior Department. The bill provided for six Assistant Attorneys General and one solicitor, merely changing the title so that the law does authorize seven Assistant Attorneys General.

The CHAIRMAN. Will the gentleman from Wisconsin cite the Chair to that statute?

Mr. LENROOT. If the Chair is in doubt, I would ask that it be passed over, and I will cite it later. The last Assistant Attorney General was added in an appropriation bill.

The CHAIRMAN. The Chair has been advised that the statute authorized three Assistant Attorneys General, but the appropriation act carries seven Assistant Attorneys General. The statute authorized only three and, of course, the point of order against any number above that would lie.

Mr. LENROOT. Yes; but it is my recollection that the language of the appropriation act increasing the number made it permanent law, but if the Chair is in doubt about that I will ask that it be passed over for the time being.

Mr. JOHNSON of South Carolina. Mr. Chairman, there is no such law as that. If I were not thoroughly satisfied there is no such law, I would give the gentleman time to hunt it up.

Mr. DAVENPORT. Mr. Chairman, there is no question that the appropriation act of March 4, 1913, carried an appropriation for seven Assistant Attorneys General at $5,000 each. I ran that down from the act of 1871, and I find that only three Assistant Attorneys General are provided for in the statute, except by appropriation acts. They have been increasing the number from time to time, but one of the six has been, since 1871, designated and assigned to the Department of the Interior.

Mr. CARTER. Mr. Chairman, the Chair does not want to rule upon this until he is in possession of all the information?

The CHAIRMAN. No.

Mr. CARTER. Therefore, Mr. Chairman, I ask the Chair to wait.

Mr. LENROOT. It is some time since I looked the matter up, I will say to the gentleman from Oklahoma.

The CHAIRMAN. The Chair has sent out for a copy of the last appropriation act. Has the gentleman from South Carolina a copy of the last appropriation act?

Mr. MANN. Mr. Chairman, the last appropriation act carries this item:

Seven Assistant Attorneys General, at $5,000 each.

That is all there is to it. There is no authorization or anything else.

The CHAIRMAN. The Chair is ready to rule. The only law that has been suggested to the Chair authorizing more than three Assistant Attorneys General is the appropriation act of last June, and that simply makes an appropriation for seven Assistant Attorneys General, and in no way makes it permanent law. Therefore the statute authorizes only three, and this is clearly without authority of law, and the Chair sustains the point of order.

Mr. BUCHANAN of Illinois. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 115, line 19, strike out the figures "$1,200" and insert in lieu thereof the figures "$1,400."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. BUCHANAN of Illinois) there were—ayes 6, noes 28.

So the amendment was rejected.

The Clerk read as follows:

DEPARTMENT OF COMMERCE.

Office of the Secretary: Secretary of Commerce, $12,000; Assistant Secretary, $5,000; private secretary to the Secretary, $2,500; confidential clerk to the Secretary, $1,800; private secretary to Assistant Secretary, $2,100; chief clerk and superintendent, $3,000; disbursing clerk, $3,000; Chief of Appointment Division, $2,500; Chief Division of Publications, $2,500; Chief Division of Supplies, $2,100; clerks—10 of class 4; 9 of class 3 (3 transferred to Department of Labor); 8 of class 2 (5 transferred to Department of Labor and 1 transferred from Census Office); 12 of class 1 (1 transferred from Census Office and 2 transferred to Department of Labor); 8 at $1,000 each (2 transferred to Department of Labor); 6 at $900 each (1 transferred to Department of Labor and 1 transferred from Census Office); 2 telephone operators, at $720 each; messenger to the Secretary, $1,000; 5 messengers; 7 assistant messengers (2 transferred to Department of Labor); 6 messenger boys, at $480 each (2 transferred to Department of Labor and 1 transferred from Lighthouse Bureau); engineer, $1,000; 2 skilled laborers, at $840 each (1 transferred to Department of Labor); 3 elevator conductors, at $720 each; 2 firemen, at $660 each; 13 laborers (4 transferred to Department of Labor); 2 laborers, at $480 each; cabinetmaker, $1,000; carpenter, $900; chief watchman, $900; 8 watchmen (3 transferred to Department of Labor); 20 charwomen (5 transferred to Department of Labor and increase of 7); in all, $151,520.

Mr. BUCHANAN of Illinois. Mr. Chairman, I find an engineer in this department at $1,000, and I desire to offer an amendment, on page 118, line 11, after the word "engineer," to strike out "$1,000" and insert "$1,200."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 118, line 11, strike out the figures "$1,000" and insert in lieu thereof "$1,200."

Mr. BUCHANAN of Illinois. Mr. Chairman, the Department of Commerce is in a large building, and it seems to me the engineer there would be entitled to even more than $1,200. We failed to get another engineer, probably as competent and capable of getting $1,400 and who needs the money just as badly, but we find now in this Department of Commerce, which is located in one of the new large buildings in the city of Washington, an engineer at $1,000. I can not understand this difference in regard to engineers. Certainly if you are going to classify a man as an engineer who has to come up to that qualification there ought to be some sort of understanding in regard to their salary, and it seems to me that the Members of this House ought not withhold their consent to this amendment and fail to appropriate $1,200 a year for this engineer because somebody has not asked for it. Now, in some of the departments they may be more active in securing these increases than they are in others. I am of the opinion that the main reason for this difference in the salaries of these engineers is due to the fact that somebody has been making an effort to get an increase in some of the departments and in others they have not. I can not see for the life of me any justification in paying one engineer $1,000 and another $1,400, and it seems to me at least reasonable to ask that this be increased to $1,200.

Mr. JOHNSON of South Carolina. Mr. Chairman, just one word. We do not know anything about the people who have charge of this building. The committee has absolutely no information. I have never found a department of this Government backward about requesting very liberal appropriations. The Secretary of Commerce came before the committee and asked us to provide an engineer at $1,000, and that is what we have done. There is nothing but a heating plant there.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the Chairman announced that the noes appear to have it.

On a division (demanded by Mr. BUCHANAN of Illinois) there were—ayes 4, noes 15.

Mr. BUCHANAN of Illinois. Mr. Chairman, I suggest the absence of a quorum.

The CHAIRMAN. Does the gentleman make the point of order there is no quorum present? The Chair will count. [After counting.] Seventy-one gentlemen are present, not a quorum.

Mr. BUCHANAN of Illinois. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order.

Mr. MANN. Mr. Chairman, that can not be done after the Chair has declared no quorum is present.

The CHAIRMAN. The gentleman from Illinois is correct, and the Chair thanks the gentleman.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent——

The CHAIRMAN. The record shows there is no quorum present, and it can not be done by unanimous consent.

Mr. MANN. Or any other way.

Mr. BARTLETT. The Chair might recount.

The CHAIRMAN. The Chair thinks the roll had better be called.

The Clerk called the roll, and the following Members failed to answer to their names:

Adair	Finley	Lewis, Md.	Rogers
Anthony	Fordney	Lindquist	Rothermel
Ashbrook	Gardner	Loft	Rucker
Bailey	Gerry	Logue	Rupley
Barchfeld	Gittins	McAndrews	Sabath
Barnhart	Goeke	McGuire, Okla.	Saunders
Blackmon	Goldfogle	McKellar	Sells
Borchers	Goodwin, Ark.	Mahan	Shackleford
Broussard	Gordon	Maher	Sharp
Brown, W. Va.	Gorman	Manahan	Sherwood
Bryan	Graham, Ill.	Martin	Slayden
Bulkley	Gregg	Merritt	Slemp
Burgess	Griest	Metz	Smith, Md.
Burke, Pa.	Griffin	Miller	Sparkman
Butler	Guernsey	Montague	Stafford
Candler, Miss.	Hamill	Moore	Stanley
Carew	Hamlin	Morgan, La.	Stevens, N. H.
Carlin	Hardwick	Morin	Sumners
Carr	Heflin	Moss, Ind.	Sutherland
Cary	Henry	Moss, W. Va.	Switzer
Casey	Hinebaugh	Mott	Talcott, N. Y.
Clancy	Houston	Neeley, Kans.	Taylor, N. Y.
Clark, Fla.	Howard	Neely, W. Va.	Ten Eyck
Claypool	Howell	Norton	Thomas
Clayton	Hoxworth	O'Brien	Thompson, Okla.
Connolly, Iowa	Humphrey, Wash.	Oglesby	Townsend
Covington	Jones	O'Leary	Tuttle
Crisp	Keating	O'Shaunessy	Underhill
Cullop	Keister	Palmer	Underwood
Dale	Key, Ohio	Peters, Me.	Vollmer
Dershem	Kiess, Pa.	Peters, Mass.	Walker
Dixon	Knowland, J. R.	Platt	Wallin
Dooling	Korbly	Porter	Walsh
Doremus	Kreider	Post	Whitacre
Dyer	Langham	Powers	White
Edmonds	Lazaro	Prouty	Wilson, Fla.
Esch	Lee, Ga.	Ragsdale	Wilson, N. Y.
Farr	L'Engle	Rauch	Winslow
Ferris	Lesher	Reilly, Conn.	
Fields	Lever	Riordan	

Thereupon the committee rose; and Mr. HAY having assumed the chair as Speaker pro tempore, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 15279, the legislative, executive, and judicial appropriation bill, finding itself without a quorum, he had caused the roll to be called, and that 274 Members answered to their names—a quorum—and that he presented therewith the names of the absentees.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

Mr. FOWLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FOWLER. There was an amendment pending at the time the committee found itself without a quorum.

The CHAIRMAN. The Chair will state to the gentleman from Illinois that he has examined the RECORD and he remembers distinctly himself that the amendment had been reported upon and the result announced before the gentleman from Illinois [Mr. BUCHANAN] made the point of order. And therefore the amendment has been disposed of. The Clerk will read.

The Clerk read as follows:

For compensation and per diem, to be fixed by the Secretary of Commerce, of special attorneys, special examiners, and special agents, for the purpose of carrying on the work of said bureau, as provided by the act approved February 14, 1903, entitled "An act to establish the Department of Commerce and Labor," the per diem to be, subject to such rules and regulations as the Secretary of Commerce may prescribe, in lieu of subsistence, at a rate not exceeding $4 per day to each of said special attorneys, special examiners, and special agents, and also of other officers and employees in the Bureau of Corporations while absent from their homes on duty outside of the District of Columbia, and for their actual necessary traveling expenses, including necessary sleeping-car fares; in all, $175,000.

Mr. TOWNER. Mr. Chairman, I reserve a point of order on the paragraph. I would like to ask the chairman of the committee in what way is this paragraph authorized by law?

Mr. JOHNSON of South Carolina. The gentleman will notice that on page 119——

Mr. TOWNER. I refer to the first paragraph on page 119.

Mr. JOHNSON of South Carolina. The Department of Commerce is referred to in that item. The Department of Commerce took over the Bureau of Corporations, and these duties are devolved by law upon that bureau.

Mr. TOWNER. The act itself provides that these special agents, and so forth, referred to in the paragraph, may be provided for when authorized by law. Is there any authorization of law as contemplated in the original act?

Mr. MANN. Mr. Chairman, will the gentleman yield to me? I will state that I am the author of that law. The matter of employment of officials in the department under authorization of law has long been one of some contention. In recent years in creating departments, and that was the case in creating the Department of Commerce and Labor, the authority was given for the employment of certain experts or other persons when authorized by law, the purpose of that being, under construction of the rules of the House in force, that the authorization would be in the appropriation bill itself.

The authorization for the employment was in the original organic act, except that that authorization instead of specifying the amount which may be appropriated for the number of experts who may be employed, says "such number as may be authorized by law." That was under a construction of the rules of the House holding that in such cases that language authorized the appropriation bill to carry a provision for those experts. And gentlemen can easily see the reason for that construction. It is not possible in creating a new department or a new bureau to provide specifically for the number of the employees who may be in the department and the bureau, unless you leave it so that there can be no growth or, if there is growth, so that every time there is a growth it is subject to a point of order. Hence under the construction of the rules of the House in the organic act creating the Department of Commerce and Labor, and I think also in the organic act creating the Department of Labor, and in creating a good many other bureaus of the Government, there is the provision that persons may be employed as authorized by law. That authorization by law means the appropriation acts.

Mr. MADDEN. Is that the usual construction?

Mr. MANN. That has been the construction all the time. That was the construction before this language was used in the organic act of the Department of Commerce and Labor and has been the construction of that language ever since.

Mr. MADDEN. Could there be any item in any bill subject to a point of order if that construction was made universal?

Mr. MANN. Oh, certainly, because it could only be of those classes of people who are authorized by the organic law.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. MANN. I was interrupting the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. I will be very glad to have the gentleman from Georgia interrogate the gentleman from Illinois.

Mr. BARTLETT. I apprehend that there can be no dispute about the position of the gentleman from Illinois, that the act creating the Department of Commerce and Labor provides for a Bureau of Corporations and directs that bureau shall carry on certain investigation and find out certain information, and that authority justifies the House and the Appropriations Committee in reporting means by which to carry out the direction authorized by Congress in order to fulfill that purpose.

Mr. MANN. I think that is undoubtedly true.

Mr. BARTLETT. Just on a similar line that we could appropriate money to carry on a public work. That is not contrary to the rule; neither is the carrying on of existing work or work contracted for. The statute which the gentleman referred to is this:

Said commissioner shall have power and authority to make, under the direction and control of the Secretary of Commerce and Labor, diligent investigation into the organization, conduct, management, and business of any corporation, joint-stock company—

And so forth—

and to make recommendations—

And so forth.

That is found on page 828 of the Revised Statutes, and is the law. This gives the commissioner full power to make these appointments, full power to carry out the work, and it would be futile to say that the Congress authorized the commissioner to carry on this work and that we could not appropriate for the employees with which to carry it out, it seems to me.

Mr. MANN. There is a provision providing for the appropriation, it seems to me.

Mr. TOWNER. There is a provision in the organic act which says:

There shall also be in the said bureau a chief clerk and such special agents, clerks, and other employees as may be authorized by law.

Now, there is no authorization of law except that which is carried in the appropriation bill in the indefinite language that is used in the section that I am referring to, on page 119. In other words, a lump sum of $175,000 is placed in the hands of the Secretary of Commerce for the purpose of employing certain attorneys, special examiners, and special agents. These are nowhere specifically provided for. The general authorization is all the authorization that could be claimed. Now, the gentleman from Illinois [Mr. MANN] says that that is a sufficient authorization under the terms of the act. If that is true, we should understand it. In order that there may be a ruling by the Chair, I make the point of order it is not authorized by law.

The CHAIRMAN. The Chair is ready to rule.

Mr. MANN. Mr. Chairman——

The CHAIRMAN. Unless the gentleman from Illinois desires to be heard, the Chair will rule.

Mr. MANN. I do not desire to be heard unless the Chair is going to overrule the point of order.

The CHAIRMAN. The Chair will say that he does not think the point of order is well taken. The Chair may say in this connection, however, that he has not investigated the matter on his own authority, but there are a number of precedents bearing out this identical point, and the Chair does not feel authorized to overrule them without going into an exhaustive examination, which he is not inclined to do at present. The Clerk will read.

The Clerk read as follows:

Bureau of Lighthouses: Commissioner, $5,000; deputy commissioner, $4,000; chief constructing engineer, $4,000; superintendent of naval construction, $3,000; chief clerk, $2,400; clerks—1, $2,000; 2 of class 4; 2 of class 3; 2 of class 2; 5 of class 1; 7, at $1,000 each; 2, at $900 each; 1, $840; messenger; assistant messenger; messenger boy, $480 (one transferred to Secretary's office); assistant engineers—1, $3,000; 1, $2,400; 1, $2,250; draftsmen—1, $1,800; 1, $1,560; 1, $1,500; 1, $1,440; 2, at $1,200 each; in all, $64,030.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. In reference to the item to which a point of order was just made and the point of order overruled, where you provide for persons traveling in lieu of subsistence at a rate not exceeding $4 per day—which is probably a reasonable rate—is there any very good reason for making a discrimination on this rate between the Department of Commerce and the Department of Labor?

Mr. JOHNSON of South Carolina. Mr. Chairman, in answer to the gentleman's question, I would say that all the way through this bill he will find that in some places they are allowed $4 in lieu of subsistence, and in other places they are allowed $3. This committee has not changed any of those rates.

Mr. MANN. I am under the impression that the gentleman is mistaken. The committee has changed the rate as to the Department of Labor from $4 to $3.

Mr. JOHNSON of South Carolina. No; we have not raised or reduced any of them. We have taken the rates as we found them. Why Congress in the past allowed $4 to one department or bureau and only $3 to another I do not know. There are many post-office inspectors—390, I believe—and their allowance is $3 a day.

Mr. MANN. So far as that is concerned, I think Congress has usually endeavored to allow $4 a day to those employees who would be most likely to spend most of their time in the larger cities and $3 per day to those most likely to spend most of their time in smaller communities, where the hotel rates are lower.

Mr. JOHNSON of South Carolina. That is likely; and then there is another thing: Some of the investigators spend a long time at one place and others are only temporarily located at any one place.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For securing information for census reports, provided for by law, semimonthly reports of cotton production, periodical reports of stocks of baled cotton in the United States and of domestic and foreign consumption of cotton; per diem compensation of special agents and expenses of same and of detailed employees, whether employed in Washington, D. C., or elsewhere; cost of transcribing State, municipal, or other records; temporary rental of quarters outside of the District of Columbia; for supervising agents, and employment by them of such temporary service as may be necessary in collecting statistics required by law, including $15,000 for collecting tobacco statistics authorized by law in addition to any other fund available therefor: *Provided*, That the compensation of not to exceed five special agents provided for in this paragraph may be fixed at an amount not to exceed $8 per day, $835,000.

Mr. BUCHANAN of Illinois. Mr. Chairman, I reserve a point of order on the language of this paragraph on page 120, line 20, beginning after the word "employees," reading "whether employed in Washington, D. C., or elsewhere." Is that new legislation?

Mr. JOHNSON of South Carolina. Oh, no. It is not new legislation.

Mr. BUCHANAN of Illinois. The law provides for that sort of language?

Mr. JOHNSON of South Carolina. This appropriation has been carried for a number of years, ever since I have known anything about this bill.

Mr. BUCHANAN of Illinois. It is the law at this time?

Mr. JOHNSON of South Carolina. Yes.

Mr. BUCHANAN of Illinois. Is there any provision in the statute providing "whether employed in Washington, D. C., or elsewhere"?

Mr. JOHNSON of South Carolina. That is perfectly legitimate, of course.

Mr. BUCHANAN of Illinois. If it is not authorized by law, it is new legislation.

Mr. JOHNSON of South Carolina. The Census Office is charged with the duty of gathering statistics, and this appropriation is to enable the Census Office to discharge the duties that the law imposes upon it. We do not require the Census Office to do anything in that paragraph except the things that the law requires it to do. Some of those things must be done outside and some inside of Washington.

Mr. BUCHANAN of Illinois. I would like to have the gentleman point to any law that specifies where it is to be done.

Mr. MANN. Mr. Chairman, would my colleague permit me to ask the gentleman from South Carolina a question?

Mr. BUCHANAN of Illinois. Yes; I yield.

Mr. MANN. Is it not a fact that where one of these lump-sum appropriations is made they are not authorized to spend any of it in the employment of official services in the District of Columbia unless it is specifically provided in the appropriation act?

Mr. JOHNSON of South Carolina. That is right. The act of 1882 prohibits the use of any part of these lump-sum appropriations within the District of Columbia unless the act making the appropriations permits it specifically.

Mr. MANN. But if it is for a general purpose, it is authorized to be used in the District of Columbia?

Mr. JOHNSON of South Carolina. Only in accordance with the provisions of the law.

Mr. MANN. I have a faint notion in my head that my colleague has another item in mind in this bill where you do not make that authorization. I think probably the provision is not subject to a point of order. Does the chairman agree with me about that?

Mr. JOHNSON of South Carolina. Yes.

Mr. BUCHANAN of Illinois. I withdraw my reservation, Mr. Chairman.

Mr. COX. Mr. Chairman, I want to ask the gentleman in charge of this bill what peculiar work these special agents are required to do that entitles them to $8 a day? What extraordinary ability have they over the average employee which enables them to draw that salary?

Mr. JOHNSON of South Carolina. I will say that there are only five out of a great number who are permitted to draw $8 a day. That is a salary, in round numbers, of $3,000 a year, and it was claimed several years ago—not before the committee making up this bill—that there were a few men of a high order of ability whom they needed and whom they could not get for less than $8 a day.

Mr. COX. My question was, What peculiarity of work is it that requires such high-grade men to go out and get these statistics?

Mr. JOHNSON of South Carolina. The gentleman will find by reading these paragraphs that these men are required to make all kinds of investigations, and experts of a very high order are required.

Mr. COX. Under this do these fellows draw a per diem?

Mr. JOHNSON of South Carolina. Yes.

Mr. COX. How much per diem do they get? The paragraph does not specify the amount of per diem that these men shall have.

Mr. BUCHANAN of Illinois. I can give the gentleman the information that the per diem allowance in the Census Office is fixed by the Secretary of the Interior at not to exceed $4 a day, or actual expenses not exceeding $5 a day.

Mr. COX. Does the gentleman know whether or not this class of employees get $4 a day or $5 a day or their actual expenses?

Mr. BUCHANAN of Illinois. If it is actual expenses, it is not to exceed $5 a day.

Mr. COX. Can the gentleman tell me whether or not they get $3 a day or $4 a day, or what they do get?

Mr. JOHNSON of South Carolina. Under the law as it was passed the Census Bureau employees get only their actual expenses.

Mr. COX. They get only their actual expenses. Is that right? Mr. Chairman, it seems to me that is an enormous salary that these men get. I do not know that it is of any use to offer an amendment here to make that compensation less than $8 a day. There is no showing that it requires any superior ability for anyone to go out and get the data and statistics beyond the ordinary average, but I will not make a point of order.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out the last word.

Mr. MANN. May I ask what is the reason for the very large increase in this appropriation from $354,000, as carried in the current law, to $825,000, carried in this provision?

Mr. JOHNSON of South Carolina. Mr. Chairman, the reason for the increase in this bill over the appropriation for the current year is that the next fiscal year is the time for the taking of the quinquennial census of manufactures. The law requires the taking of a census of manufactures midway between the decennial censuses.

Mr. MANN. What census do they take next year that is not being taken now, provided for in this item?

Mr. JOHNSON of South Carolina. They take the census of manufactures.

Mr. MANN. What has this to do with manufactures? What language is there in this item that covers manufactures?

Mr. JOHNSON of South Carolina. There is a law requiring a census of manufactures to be taken, and we are simply providing for it in this amount.

Mr. MANN. But I do not see it. Where is there any authorization in this item to take a census of manufactures?

Mr. JOHNSON of South Carolina. It is authorized by law.

Mr. MANN. I suppose it might be construed to be included in the language—

For securing information for census reports, provided for by law—

Mr. BYRNS of Tennessee. That is the authority.

Mr. MANN. It further says:

semimonthly reports of cotton production, periodical reports of stocks of baled cotton in the United States and of domestic and foreign consumption of cotton.

If the appropriation for the manufacturers' census is included in the cotton census, I think that is a matter that is subject to criticism. They make the cotton census regularly, and entirely separate and apart from the manufacturers' census. To include them both in one item is no proper method of making appropriations, I take it.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. Why do not the committee separate the two things, so that the public will know that the manufactures census is to be taken out of this money thus appropriated? They have specified everything else.

Mr. JOHNSON of South Carolina. No; we do not specify everything.

Mr. MADDEN. The manufactures census is quite as important as the cotton census, and it ought to be set forth in the appropriation, so that the people will know the money is to be expended for that purpose and for no other purpose.

Mr. JOHNSON of South Carolina. Mr. Chairman, if the gentleman had been very anxious to find out, he could have found out.

Mr. MADDEN. That is what I am asking for now. I thought the gentleman was the source of all knowledge in connection with this bill, and that it would be futile to look for information anywhere else. So I am on my feet asking the gentleman.

Mr. JOHNSON of South Carolina. The report sets out the fact that we appropriate so much money, and that the reason for appropriating it is in order to take this census of manufactures.

Mr. MADDEN. I know the reasons, but what about stating it in the bill?

Mr. JOHNSON of South Carolina. We not only set out in the report the reason for the increased appropriation but we set out the amount that it will take to have the work done.

Mr. MADDEN. But I assume that the gentleman knows that when the bill is enacted into law the report is not a part of the law.

Mr. JOHNSON of South Carolina. Yes; but the report is for the information of the House, and I thought the gentleman from Illinois was seeking information.

Mr. MADDEN. That is what I am doing, but I should like to know what is going to be done with the money after the bill is passed?

Mr. JOHNSON of South Carolina. We are going to take a census of manufactures, and the estimates set out how many people they are going to employ and what they expect to pay them.

Mr. MADDEN. Good.

Mr. JOHNSON of South Carolina. So that the estimates and the report and the law together make a very clear exposition of the matter, as the gentleman will see if he will examine them.

Mr. BYRNS of Tennessee. If the gentleman will pardon me, the bill on its face provides—

For securing information for census reports, provided for by law.

The law provides for the making of this census of manufactures. I do not see how it could be any more plain.

Mr. MADDEN. I thank the gentleman from South Carolina [Mr. JOHNSON] and the gentleman from Tennessee [Mr. BYRNS] for the very full exposition which they have made of the matter, and the information which they have furnished.

The CHAIRMAN. If there be no objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

To further promote and develop the foreign and domestic commerce of the United States, $75,000, to be expended under the direction of the Secretary of Commerce: *Provided*, That not exceeding $3,000 out of the sum hereby appropriated may be expended for the purchase of documents, manuscripts, plans, specifications, and other publications necessary for the promotion of our commercial interests.

[Mr. MURRAY of Massachusetts addressed the committee. See Appendix.]

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on the pending paragraph close in five minutes.

Mr. PHELAN. Make it seven minutes.

Mr. JOHNSON of South Carolina. I will modify my request and make it seven minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on the pending paragraph close in seven minutes. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I simply rise to say that I am heartily in favor of the amendment of the gentleman from Massachusetts, and I hope it will be adopted.

Mr. MURDOCK. What was the amendment?

Mr. MADDEN. To strike out the last word. [Laughter.]

Mr. PHELAN. Mr. Chairman, the provisions contained in this paragraph, together with the other provisions contained in this section, are in line with the suggestions made by the Secretary of Commerce in his last report. Secretary Redfield, as a large manufacturer and exporter, is peculiarly fitted to deal with the problem of the development of our foreign trade, and he has applied himself to the work with a most commendable energy and enterprise. The country is to be congratulated that it is enabled to avail itself of his invaluable service in this department. I believe the work which he has done in the past 13 months is but the start in the growth of a future tremendous export trade.

There is no part of the country which is more vitally interested in foreign trade than the section in which I live—New England. Indeed, the particular district which I have the honor to represent in Congress is second to no other congressional district in the Nation in its industrial prominence. The city of Lynn ranks high in its electrical products and is the leading shoe producer of the country. The city of Lawrence far exceeds any other city of the United States in the production of worsteds, and the town of Peabody is the leading center in the production of leather. I might add that although the cities of Lawrence and Lynn are outranked by many other cities in population, the city of Lawrence stands twenty-fourth and the city of Lynn stands thirtieth in the value of its manufactured output, according to the last census report, for the whole United States. I have mentioned New England in particular because it is a part of the country from which I come, but I appreciate that the extension of our export trade is of the utmost importance to the whole country. Mr. E. A. Brand, of the Department of Commerce, in speaking before the Cleveland Chamber of Commerce in 1912, pointed out that in 20 years the products of our mills had increased from $9,000,000,000 to an aggregate value of $21,000,000,000 in 1912. He stated:

These figures indicate clearly that we are reaching a point where our ability to produce will be greater than our ability to consume. Until within the past few years American manufacturers had been occupied fully in furnishing supplies for domestic markets, so that relatively few of them had given consideration to the opportunities that are offered in markets beyond the seas.

In various lines of production American enterprise and ingenuity have enabled us to lead the world. In spite of this fact we have not taken advantage of our superiority, but for one reason or another have neglected to reach out into the fields of trade and commerce abroad. For example: We have demonstrated that we make the best boots and shoes in the world. Where we have competed with foreign countries we have beaten them. Indeed, in spite of the disadvantage of tariffs and freights we have gone right into foreign countries and sold our boots and shoes in competition with domestic producers. Yet our exportation of boots and shoes amounted to only $16,000,000, according to the census of 1912. Of this amount less than five and one-half millions consisted of women's shoes, although women's shoes in particular demand style and fit, two things in which our American manufacturers are unequaled.

I believe one reason for our failure to develop our exports in anything like the measure we ought to do is that we have been too much engrossed with our domestic trade and have not even made a real attempt to invade the foreign fields. Moreover, when we do endeavor to sell our manufactured products abroad we make too little investigation of the needs and desires and tastes of our prospective customers in foreign lands. Instead we attempt to sell them the styles and grades which we ourselves use. In other words, we do not adapt our product to their wants. If we are to extend our foreign trade, we must invade the foreign field with the same energy and activity that we show in seeking domestic trade. American manufacturers must be made to realize the opportunity abroad, and the Government should give every cooperation in furnishing our manufacturers with the information which will enable them to know the lands of opportunity and to become familiar with the particular wants of each country in which we attempt to sell our product.

Within very recent years a great step forward has been taken in the extension of our foreign trade. Secretary Redfield in his last report, after referring to our $2,466,000,000 of exports, states:

Quite as important as the aggregate, however, are some of the details that go to make up the totals. Our exports of domestic manufactured goods of all kinds amounted to $1,507,000,000, or 63 per cent of our total domestic exports Again, it will be noted with special interest that out of this total of sales of manufactures the particular portion which represents the sales of fully finished manufactures was $778,000,000 in value, or 50 per cent of the total exports of manufactures. To state it differently, our exports of crude foodstuffs and of crude materials of other kinds have fallen to a minor place, and the largest element in the greatest aggregate of foreign sales ever made is that of manufactured goods, and among these manufactured goods the item of fully finished manufactures is the largest. It is also that which has been growing most rapidly.

A glance at these figures will show not only what has been done within the past few years but will indicate, what is much more important and significant, the opportunity there is for the future.

In the final analysis the development of our export trade will depend upon our own manufactures, but the Government can be of great help to our manufacturers, especially at the present time when we are only just beginning to develop this great field. The provisions of this bill to which I have referred will afford a great opportunity for aid in this growth. In addition to the $75,000 which is to be expended under the direction of the Secretary of Commerce to promote and develop the foreign and domestic commerce of the United States, a new appropriation of $50,000 will be appropriated for promoting commerce in South and Central America. One hundred thousand dollars, moreover, is appropriated in this bill for commercial attachés to be accredited through the State Department to investigate and report on conditions in the manufacturing industries and trade of foreign industries as may be of interest to the United States. At the present time our consular agents abroad investigate foreign conditions and make reports thereon. While they have rendered valuable service, very much better service can be obtained through these special attachés, whose sole business will be to investigate and report on the trade conditions. They will obtain for us information which will be invaluable to our American manufacturers.

Supplementing the work of these foreign attachés an increased appropriation in this bill will enable the Secretary of Commerce to appoint additional commercial agents similar to those now established in New York, Chicago, San Francisco, and New Orleans. These commercial agents will disseminate promptly and fully the information obtained from the attachés and consuls abroad, and all other information relative to trade which comes into the possession of the Department of Commerce. This great Department of Commerce, working through its Bureau of Foreign and Domestic Commerce, constantly will be placing before our American producers the situation and conditions abroad and will be constantly urging our producers to investigate this great field of commerce. Our manufacturers will receive the information necessary, they will receive the incentive necessary, and the only thing remaining for them will

be to take advantage of their opportunities—an advantage which I think they will be very quick to grasp.

When we recognize the supremacy of the American manufacturer in the many lines of production, we are sometimes almost astounded by the relatively small export trade of this country. It is only fair to say, however, that in some respects we have been at a disadvantage compared to some foreign countries. The opening of the Panama Canal has already done a great deal to call attention to the importance of our foreign trade. The canal itself will be of inestimable value in the development of this trade. There is, however, one great piece of constructive legislation, which has recently been enacted into law, which will do as much for the extension of our trade across the seas as any single piece of legislation which has been enacted in a generation. I refer to the Federal reserve act, which is the work of this Democratic administration. Under our national banking law, no provision was made for the establishment of an American bank in foreign countries. Foreign countries, England and Germany in particular, have their banks scattered all over the world.

One of the greatest obstacles to the extension of our foreign trade has been the lack of our American banks in foreign countries. By means of their banks England and Germany have diverted millions and millions of dollars of trade to those countries which rightfully belonged to us. They have come to our very doors in South America and have taken trade away from us. Under the banking and currency act recently passed provision is made for the establishment of American banks in foreign countries. Within a few years we undoubtedly will have such banks. Thus one of the greatest deficiencies in the development of our foreign trade has been supplied. I regard this single feature of our banking and currency law as one of the important achievements of our Democratic administration, and while great credit has been given the Democratic Party for this legislative work, I believe there are few in the country who will realize the importance or the significance of this single feature of the Federal reserve act. The provisions of this bill to which I referred will be a great aid in the growth of this export trade. While the amount of money asked for is relatively small, it signifies the purpose of the present administration to do everything possible to develop our foreign exports and thus help our American producers, who in turn will give added employment to our wage earners.

These simple provisions are in line with the other constructive work of this administration. I have already pointed out a single section of the Federal reserve act which will also aid in the development and growth of our export trade. From the time President Wilson called this Congress into special session we have been constantly at work on constructive legislation. Our purpose is to build up and develop.

I have taken time to comment on these few sections of this lengthy appropriation because I am impressed with the constant endeavor of those responsible for legislation in this Congress to develop production in this country to the benefit and prosperity of every citizen in the Nation.

Mr. MANN. Mr. Chairman, the item under consideration is to further promote and develop the foreign and domestic commerce of the United States. It carries $75,000. One would have supposed, to listen to the distinguished gentleman from Massachusetts, that this was some new enterprise appropriating some enormous sum. The fact is, it is an increase of $15,000 over the existing appropriation. Whether it is intended to expend the $15,000 in Boston, I am not certain, but I judge that that, with the balance of it, they expect to go there. The truth is that this side of the House for the last two years, at least, since the provision went into the legislative bill reorganizing the service, has been trying to get proper appropriations for this purpose and for other purposes. On this side of the House we have offered that side the opportunity several times to vote down amendments giving sufficient amounts for this purpose, and that side of the House has never yet declined to do that. It has always voted down any amendment to increase the amount. While my friend from Massachusetts [Mr. MURRAY] congratulates the committee in bringing in some items this year following the items which we offered as amendments last year, I am not sure whether it is the Committee on Appropriations or the majority side of it which is entitled to congratulations or the minority side of the House, which kept at the subject, insisting upon votes upon it until you gentlemen ran away from your position and yielded.

The Clerk read as follows:

Investigating cost of production: For salaries and all other actual necessary expenses, including field investigations at home and abroad, compensation of experts and special agents, to be employed in Washington, D. C., or in the field, rental of quarters outside of the District of Columbia when required, purchase of books of reference and manuscripts, to enable the Bureau of Foreign and Domestic Commerce of the Department of Commerce to ascertain at as early a date as possible, and whenever industrial changes shall make it essential, the cost of producing articles at the time dutiable in the United States, in leading countries where such articles are produced, by fully specified units of production, and under a classification showing the different elements of cost of such articles of production, including the wages paid in such industries per day, week, month, or year, or by the piece; and hours employed per day; and the profits of manufacturers and producers of such articles; and the comparative cost of living and the kind of living; what articles are controlled by trusts or other combinations of capital, business operations, or labor, and what effect said trusts or other combinations of capital, business operations, or labor have on production and prices, $50,000.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 123, line 8, amend by striking out "$50,000" and inserting "$100,000."

The CHAIRMAN (Mr. BARNHART). The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken.

Mr. MANN. Mr. Chairman, I ask for a division. That is what the department asked for. Let us give it to them.

Mr. MURDOCK. This is in place of a tariff commission.

The committee divided; and there were—ayes 21, noes 38.

Mr. MANN. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. MANN and Mr. JOHNSON of South Carolina were appointed to act as tellers.

The committee again divided; and the tellers reported—ayes 33, noes 59.

So the amendment was rejected.

The Clerk read as follows:

Promoting commerce, South and Central America: To further promote and develop the commerce of the United States with South and Central America, including the employment of experts and special agents in Washington, D. C., and elsewhere, purchase of books of reference, reports, traveling and subsistence expenses of officers and employees, and all other necessary incidental expenses not included in the foregoing, to be expended under the direction of the Secretary of Commerce, $50,000.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word. The gentleman from Illinois [Mr. MANN], a few moments ago, in support of the amendment he proposed, criticized the Democrats for not increasing the appropriation from $50,000 to $100,000 and at the same time ridiculed the gentleman from Boston [Mr. MURRAY] for praising the appropriation in the provision passed just prior to the last provision, because it carries an increase of only $15,000 from the last appropriation bill. The gentleman is mistaken about the increase being only $15,000. In the last appropriation bill $60,000 was carried in that provision to promote "domestic and foreign commerce." That was all that was appropriated by the Government for this important work. In this bill $275,000 is carried to encourage and promote this work. You will notice that there is an increase of $15,000 carried in this provision over last year. A provision for $50,000 is carried for investigating the cost of production and $50,000 for promoting our commerce in "South and Central America" and $100,000 for "commercial attachés of the Department of Commerce." Does not that look like a very material increase over past appropriations for this important service in the department?

I believe that this infant bureau in this department, together with the infant bureau in the Department of Agriculture known as the Division of Markets, are destined to work much good and be of untold benefit to the people of this country. The Bureau of Markets will assist the farmers of the country in producing, marketing, and transporting their produce and selling it to the consumers of the country, cutting out much of the expense and charges now extorted from the producers and consumers by the transportation companies and the middleman. These appropriations for promoting our domestic and foreign trade are destined to build up and enlarge our commercial relations with foreign countries. The people in my section, and I believe all over the country, are particularly interested at this time in building up and increasing our trade, particularly with South and Central America. I recall that last year the city of Mobile was so anxious to do something in this work in order to enlarge the trade relations between the United States and South and Central America, that the enterprising merchants of that city sent a large delegation of their leading business men into that country to study the trade there and bring about closer and kindlier feeling between the business people of those countries and our country.

The Department of Commerce sent a representative of that department along with them. That representative did magnificent service for the department and the Gulf Coast section of this country. The reports of the trade conditions there were full and most enlightening and were read with much interest by the business people of this country. I am told that from

this visit by those business men into South and Central America much good from a business standpoint has come to the people of Mobile. I understand that like good has come to the people of the city of New Orleans from having sent into those countries representatives of their business interest. The movement has proven such a success that the enterprising business people of other cities are doing the same work. The bureau in the Department of Commerce was not inaugurated by the Republican Party, as the gentleman from Illinois [Mr. MANN] would have the House believe, but the bureau was organized and the initial appropriation provided by a Democratic House of Representatives in the Sixty-second Congress, and since that time the bureau has constantly grown stronger, and by its successful operation and the benefits accomplished popularized itself with the Republicans of the House and the business people of the country. So important is the work of enlarging our domestic and foreign trade and broadening the markets of the world for our merchants and manufacturers that the United States Chamber of Commerce has been organized. It is doing a wonderful work, and has indorsed most enthusiastically the work undertaken by this department of the Government in promoting our trade relations with foreign countries. The Secretary of Commerce, in December, before the Appropriations Committee, said that 624 boards of trade throughout the United States had indorsed what he had asked the Committee on Appropriations to do for this work.

I want to read into the RECORD, Mr. Chairman, what the trade was—the imports to South American countries—in 1911. The imports into South America in 1911 amounted to $790,000,000, and of that amount the United States obtained only $125,000,000, or 17 per cent. In 1912 the imports into South American countries amounted to $900,000,000, and of that amount the United States obtained only $141,000,000, or 16 per cent, showing that from the year 1911 to the year 1912 the trade of the United States into South American countries really fell off 1 per cent. Germany, England, France, and many of the other foreign countries are expending large sums in these countries for this trade. The amount of trade obtained by Germany is the best evidence as to whether these agents are accomplishing anything for those countries.

They are our nearest neighbors. We ought to get the largest part of their trade, and I believe that this Government can do no better service than to appropriate liberally for this particular kind of work. I believe, Mr. Chairman, that we have in this country the most ingenious and the thriftiest business people in all the world. I believe that our manufacturers are the best manufacturers, our merchants the best merchants, and our salesmen the best salesmen that can be found. Believing in their unsurpassed qualities of thrift, economy, and ingenuity as I do, I have no doubt that they will always be able to compete in the markets of the world with foreign competitors.

It was said that the tariff bill would cripple our manufacturers and lessen the trade of this country. What are the facts? During the last six months of the year 1913, four months of which time the new Underwood tariff bill was operating, our foreign trade balances were $38,000,000 more than for the last six months in the preceding year, and our exports exceeded our imports during these last six months of the year 1913 over $400,000,000.

The Secretary of Commerce, Mr. Redfield, stated before the Committee on Appropriations the other day that—

> The exports of the United States for the first four months of this fiscal year were almost exactly $839,000,000, which, as you see readily, is at the rate of $2,500,000,000 per annum.

I believe that the growing increase in our exports in the past, large as they are, will not compare with what they will be in the near future. But while this is true, I think we ought to do all we can to encourage this war of trade that our business people throughout the country are waging in order to open up new markets and dominate old markets with American products. I would much prefer seeing the people of my country an exporting people rather than an importing people. When we are an importing people the money is constantly being drained from us and going into other countries. When we are an exporting people we are constantly enriching ourselves by draining other countries.

The effect is felt, to a more or less extent, in every avenue of trade in this country of every new customer our merchants or manufacturers discover in a foreign market. Suppose a wholesale merchant of one of our cities obtains a customer who lives in Argentina and who formerly had bought his cotton goods in Germany. The sale not only helps the merchant who made it and all who depend on his business, but it helps the manufacturer who manufactured the goods; it gives employment to that much more labor; it also aids the farmer who produces the cotton.

I congratulate the committee on their good judgment and liberality of treatment in providing for this important work of the Government. [Applause.]

The CHAIRMAN. The gentleman's time has expired.

Mr. CALDER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

> Page 123, line 17, after the word "commerce," strike out "$50,000" and insert "$100,000."

Mr. CALDER. Mr. Chairman, by this amendment I am seeking to increase the amount carried in the bill for the promoting of commerce in South and Central America from $50,000 to $100,000, the sum asked for by the Secretary of Commerce in his estimates. We have just listened to the very illuminating address of the gentleman from Mississippi [Mr. HARRISON], setting forth the figures of the foreign trade of South America, and particularly the trade between this country and South and Central America. He has shown conclusively, it seems to me, that we are getting a very small proportion of that trade, much less than that to which we are entitled, and has demonstrated clearly the necessity of adopting the amendment under consideration. Now, Mr. Chairman, with the opening of the Panama Canal there will be a greater field for business in South and Central America. Already Great Britain, Germany, and the other countries of Europe are appreciating this opportunity and are sending through those countries their representatives. They have the trade now. We have hardly 10 per cent of it, and there is no reason why this country should not have a much larger proportion of that trade. My amendment, Mr. Chairman, simply carries out the recommendation of the Democratic Secretary of Commerce, a business man, a man of large affairs in business, a man who knows the need of this very thing. The Members of the House who have examined the hearings before the committee on this subject know he set up a very excellent case. The gentleman from Mississippi [Mr. HARRISON] has referred to the fact that this matter has been taken up by the representatives of boards of trade throughout the country.

I have in my hand a report by the Chamber of Commerce of the United States of America, the most important organization of business men in the United States, whose membership consists of all the important chambers of commerce, boards of trade, manufacturers' associations, and business men's associations of the more important cities and towns of this country. At the recent annual convention of this organization held in Washington the subject of our trade with South and Central America was widely discussed. The very matter we are talking about was considered as was also the question of commercial attachés, which is to be taken up by the committee after this paragraph in the bill is disposed of. A committee appointed by this organization composed of the foremost business men of the country examined the subject exhaustively, and, among other things, maintained that information relative to trade and contract opportunities, financial and credit conditions in foreign countries is mainly obtained through consuls who transmit such information by letter to the Department of State, which in turn makes the information available through the Department of Commerce. It has been asserted that the consuls of the State Department do not possess the proper business experience for the work provided in this legislation, and this committee of the United States Chamber of Commerce strongly advocated a liberal appropriation for the employment of these commercial agents for South and Central America and for commercial attachés to further our business throughout the world. In a statement before the subcommittee of the Committee on Appropriations, which prepared this bill, Secretary Redfield, among other things, made this statement:

> Now, in the same way we want to send a man to South America, let us say, on cotton, another man on boots and shoes, another man on canned goods, another man on woolens, and another man on machinery—each of them traveling as a specialist in that single line throughout all the countries of South and Central America. This is to be a regular commercial force, just as it has been called, and it is intended to be employed especially in collecting commercial information about South America, in view of the increased demands for information about that country. That was put at the special request—and with the hearty approval of the President—of the United States Chamber of Commerce and of the manufacturers' associations in order that there might be developed a more thorough and systematic knowledge of the markets in South and Central America. We have done almost nothing in Central America.

This House has appropriated millions of dollars for the development of agriculture, the building of roads, and has provided for the expenditure of upward of $40,000,000 for the building of the Alaska railroad, and every year over $200,000,000 for the maintenance of the Army and Navy, while my amendment

simply provides for the meager sum of $100,000 to be expended for extending our trade with South and Central America. We have already established a considerable trade with Argentina in beef, and have for years maintained a large trade with Brazil in coffee, rubber, asphalt, and other products. We are the "big brother" of the whole South American Continent, and there is no reason why we should not have a larger portion of their trade. This is not alone a matter of interest to the great manufacturing centers of the country—extension of foreign trade means an increase in business in every industry. The manufacturer must obtain his raw material from the forest, the farm, and the mine. The development of our export trade, despite the difficulties we have had to overcome, is the marvel of the civilized world. In 1896, the last year of the former Democratic administration of the United States, our exports amounted to $882,606,938; the fiscal year ending July 1, 1913, practically the last year of Republican administration, our export trade had increased to $2,465,884,149, and in the same period our imports have increased from $779,724,674 in the year 1896 to $1,813,008,234 in the fiscal year 1913. The development of our foreign commerce, as indicated by the above figures, seems almost incredible and are indicative of the enterprise and ingenuity of the business men of the United States. During the past 10 years it has required a ceaseless struggle to maintain our trade abroad. The policy of the Republican Party, through its protective-tariff system, has been to maintain the American market for the American producer, be he farmer or manufacturer.

The action of the Democratic Party in the Underwood tariff law has encouraged the foreigner in the belief that with his cheap labor he will be able to take away from the American producer the markets of the United States. He has a right to that opinion, it seems to me, when we stop to consider that in September, 1913, the last month of the Republican tariff act, 53 per cent of all our imports came in free of duty, while on December of the same year, under a full month's operation of the Underwood tariff law, 63 per cent of all the goods imported came in free of duty. By the action of the Democratic Party we have given a large proportion of our home market to the foreigner, and the things we can manufacture cheaper than he we must seek a larger market for in foreign lands. I hope the Democratic majority of this House will see the force of this situation and support the amendment I have proposed. The Republican Party in Congress in its attitude toward these questions always has been exceedingly liberal. This is the first opportunity since the enactment of the Underwood tariff law that the Democratic Party has had to show how much in earnest they are to help develop the business of the country. I referred a moment ago to the action of the Chamber of Commerce of the United States. In a referendum submitted to the organizations throughout the country affiliated with the national body, out of answers received from 196 organizations situated in 34 States, the District of Columbia, Hawaii, Porto Rico, and the American Chamber of Commerce in Paris, France, through their representatives casting 627 votes, 624 were in favor of this proposition and the appointment of commercial attachés, and only 3 were opposed. It seems to me that this is sufficient evidence of how the country stands on the subject. Mr. Chairman, I sincerely trust my amendment will be agreed to.

Mr. MURDOCK rose.

Mr. JOHNSON of South Carolina. How much time does the gentleman want?

Mr. MURDOCK. Three or four minutes. I desire to support the amendment.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in eight minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MURDOCK. Mr. Chairman, I understand I am to have three minutes of that time. Mr. Chairman, I favor the amendment offered by the gentleman from New York [Mr. CALDER] increasing this amount. It is of the highest importance that this Government have political and commercial amity with all the Western Hemisphere. We have heard in the last few moments on the floor of this House that the Atlantic Squadron has been ordered to Tampico. I am glad it has been ordered there to make the Mexicans respect the American flag. [Applause.] But I do not want trouble between our country and any of the South American Republics. Our interests are mutual in this part of the world and we ought to promote them in every way possible. When I was a youth I remember I read, among the first political addresses I ever perused, a paper by James G. Blaine dealing with the mutual commercial possibilities of the Western Hemisphere. He had a real vision in this regard. He believed in building up our trade in South America. It has not been built up; it has been permitted to lag. The gentleman from Mississippi [Mr. HARRISON] says that it is falling off. Now, here is an opportunity for the House in a practical way to foster this idea and work by an appropriation of $50,000. We have sent Secretaries, members of the Cabinet, south in the past, and will continue to do so in the future, for the purpose of increasing our commercial contact with those nations. Better than sending Secretaries of State through South America is to appropriate $50,000 for dispatching our commercial agents there to do this work of opening new avenues of trade to us. I hope that in this instance the committee will forego its usual pride of standing by its bill and support the amendment offered by the gentleman from New York. It is of decided consequence to the country and will work real benefit to our commerce. [Applause.]

Mr. JOHNSON of South Carolina. Mr. Chairman, the Committee on Appropriations were fully impressed with the importance of this work, and we hope that great benefit will come from it, but we believe that the amount we have given in this bill is sufficient for an initial appropriation. It is impossible in the beginning of a new enterprise or a movement like this for a department to use a very great sum of money during the first year. We have been quite liberal in our appropriations in order to encourage our foreign commerce. We believe that during the next fiscal year, with the experience that will come to the Department of Commerce from the expenditure of $275,000 here provided, the department will then be in a better position to expend a larger sum, but for an initial appropriation the amount here provided in the judgment of the committee is sufficient, and I hope the amendment will not be agreed to.

The CHAIRMAN (Mr. GARNER). The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the Chairman announced that the noes appeared to have it.

On a division (demanded by Mr. CALDER) there were—ayes 27, noes 53.

So the amendment was rejected.

The Clerk read as follows:

Commercial attachés, Department of Commerce: For commercial attachés, to be appointed by the Secretary of Commerce, without examination under the civil-service rules, and to be accredited through the State Department, whose duties shall be to investigate and report upon such conditions in the manufacturing industries and trade of foreign countries as may be of interest to the United States; and for one clerk to each of said commercial attachés to be paid a salary not to exceed $1,500 each; and for necessary traveling and subsistence expenses, rent, purchase of reports, travel to and from the United States, and all other necessary expenses not included in the foregoing; such commercial attachés shall serve directly under the Secretary of Commerce and shall report directly to him, $100,000.

Mr. MANN. Mr. Chairman, I reserve the point of order.

Mr. RAINEY. Mr. Chairman, I reserve the point of order——

The CHAIRMAN. The gentleman from Illinois reserves the point of order.

Mr. RAINEY. I am willing to reserve the point of order—I make the point of order.

Mr. JOHNSON of South Carolina. Mr. Chairman, I hope the gentleman from Illinois will not make the point of order, because this is a part, and only a part, of the movement for trade the Government is about to initiate. It is no more subject to the point of order than the items which we have just passed.

I do no care to take up the time of the House. The Members all understand what the committee has in mind and what the administration desires to accomplish by these appropriations, and it seems to me that the entire scheme should be allowed to be initiated by the Department of Commerce. It is subject to a point of order if the gentleman insists upon it.

The CHAIRMAN. Does the gentleman from Illinois [Mr. RAINEY] insist upon his point of order?

Mr. RAINEY. Mr. Chairman, this section confers upon the Secretary of Commerce the right to appoint an indefinite number of commercial agents or attachés. It also requires that the attachés or agents so appointed shall be accredited by the State Department, and it also provides that they shall report directly to the Secretary of Commerce. Now, this is clearly new legislation.

Mr. BYRNS of Tennessee. We admit that.

Mr. RAINEY. The act creating the Department of Commerce does not authorize the creation of new consular agents in a new manner, but it simply authorizes the Secretary of Commerce to collect commercial data at home and abroad in various ways and through our commercial agents abroad. But our commercial agents and attachés abroad are required by the act to report directly to the Secretary of State, and through

the Secretary of State the reports may be transmitted to the Secretary of Commerce. This is clearly new legislation, and it is contrary to the existing law. I am compelled to make the point of order.

Mr. GOOD. Will the gentleman withhold his point of order?

Mr. RAINEY. I reserve the point of order.

Mr. GOOD. Mr. Chairman, the committee gave particular attention to this provision of the bill which we are now considering. I hope the gentleman from Illinois [Mr. RAINEY] will not make the point of order; but if the legislation to which he refers is objectionable, I hope he will offer amendments to change it by removing the objection. With the opening of the Panama Canal, as has been suggested, we ought to be in a position to take advantage of the great trade that will be opened up in South America, and unless we do it then, trade lines will be established, and the trade that we ought to get for our manufacturers will go to other countries. Once established elsewhere, it will be hard then to attract this trade to our manufacturers. There is some objection to the legislation, as pointed out by the gentleman from Illinois, but I think he can correct that by appropriate amendment. This provision is a part of a great plan of a great Secretary of Commerce to secure our just share of this commerce for our manufacturers. And if it had not been that we recommended $100,000 for commercial attachés, as requested by the Secretary of Commerce, to secure a part of this trade, I have no doubt that we would have enlarged the opportunities of the Secretary of Commerce to secure this trade in other ways by giving additional appropriations in the two preceding paragraphs.

I hope the gentleman from Illinois, instead of making a point of order will simply offer such amendments to the provisions to which he makes objections, in order that he may perfect it and remove those objections, without at the same time preventing the Secretary of Commerce from securing for the people of the United States, for the manufacturers and producers, the great advantages that will no doubt come through the opening up of these new channels of trade and commerce that will be opened and established if this provision, or something like it, should be agreed upon.

Mr. BARTON. Will the gentleman yield?

Mr. GOOD. I will yield.

Mr. BARTON. Are you in favor of this clause, which says:

Without examination under the civil-service rules.

Mr. GOOD. I do not care very much about that provision. I think the great object which the Secretary of Commerce wishes to attain is so important—that we open up so far as we can this great country for our manufactures—that I do not regard as very important the manner of their appointment nor to whom reports should be made. These matters I am perfectly willing to leave to the Secretary of Commerce, a successful business man and a great Secretary of Commerce. He is abundantly able to make such appointments. It is of the utmost importance that Congress shall give to the Secretary of Commerce power to secure for our manufacturers a part of this trade, and, in my opinion, his plan is the best plan that has yet been devised for this purpose.

Mr. MANN. Mr. Chairman, I am in favor of all of these items which will tend to increase our foreign commerce, and believe that we can wisely and profitably expend considerable amounts of money in that direction. I am not so sure about this particular item, which proposes to place the State Department officials under the control of the Department of Commerce so that they will report directly to the Department of Commerce without that report passing through the Department of State. When we created the Department of Commerce it was proposed to transfer to it the Consular Service of the United States, because the consuls are engaged not in diplomatic negotiations but in actual business transactions.

The State Department represented to our committee at the time that that ought not to be done, because consuls were constantly sending in reports and using language in reference to foreign countries which involved diplomatic negotiations, and the State Department desired to have the Consular Service remain under the control of the State Department and have the consuls report to the State Department and permit the State Department to blue pencil anything in the consular reports which might lead to trouble between this country and some other countries. And in the end that was the view which the committee took. We were shown at that time by the State Department, confidentially, a number of reports from consuls, made in good faith undoubtedly, but which if published here and sent abroad would have caused as much trouble there, very likely, as the refusal of Mexico to salute the American flag, which is for no reason that I know. Now, I do not know what the effect would be if you permit the State Department to accredit to a foreign Government an official who reports not to the State Department but to the Department of Commerce, which does not have control over diplomatic negotiations; but I suspect it would not be long before we were explaining or apologizing for language which some enthusiastic gentleman had used in regard to some foreign country.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. RAINEY. Yes; I insist on it.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

Mr. JOHNSON of South Carolina. One moment, Mr. Chairman. I move to insert, after the word "fifty," line 17, page 123, the language now printed, striking out the words "and to be accredited through the State Department."

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

Mr. BARTLETT. Mr. Chairman, I understand the gentleman from South Carolina proposes, after the words "fifty thousand," in line 17, to add these words:

Commercial attachés, Department of Commerce: For commercial attachés to be appointed by the Secretary of Commerce, without examination under the civil-service rules, whose duty shall be to investigate and report upon such conditions—

And so forth, down to and including line 5, on page 124, and striking out the language in line 21, on page 23—

And to be accredited through the State Department.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 123, line 18, reinsert the paragraph with the following language, after the word "rules," in line 21, stricken out: "And to be accredited through the State Department."

Mr. RAINEY. Mr. Chairman, I make the point of order against that, or I will reserve it.

Mr. JOHNSON of South Carolina. It is not necessary if the gentleman wishes to make it.

The CHAIRMAN. The gentleman from Illinois [Mr. RAINEY] makes the point of order, and the point of order is sustained. The Clerk will read.

The Clerk read as follows:

Steamboat-Inspection Service: Supervising Inspector General, $4,000; chief clerk and Acting Supervising Inspector General in the absence of that officer, $2,000; clerks—2 of class 3; 1 of class 2; 1 of class 1; 2 at $1,000 each; 1, $900; messenger; in all, $15,540.

Mr. CALDER. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New York [Mr. CALDER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 124, line 8, after the word "officer," strike out "$2,000" and insert "$2,400."

Mr. JOHNSON of South Carolina. Mr. Chairman, I reserve a point of order against that.

Mr. CALDER. Mr. Chairman, this amendment increases the salary of the chief clerk and Acting Supervising Inspector General of the Steamboat-Inspection Service from $2,000 to $2,400.

An examination of the hearings before the subcommittee on this bill will demonstrate that this man, acting for the Supervising Inspector General during his absence in London attending the International Convention of Maritime Nations, appeared before the committee and in the hearings displayed unusual and intelligent knowledge of his bureau. You find upon examining the bill that there is a large number of men in this bureau serving under this man who receive a larger salary than he does. He is a very excellent public servant. I do not know the man—I never saw him but the one time when he was before our committee—but it seems to me that in justice to this particular individual his compensation ought to be increased.

An examination of the items in the bill will show that the salaries of the deputy commissioners and assistant chiefs of the different bureaus in the Department of Commerce range from $2,400 to $4,000, excepting for this man, and he receives but $2,000. I suppose he has been one of those efficient public servants who has plodded along without any politics or personal backing and has been overlooked. As I said a moment ago, I have no personal interest in him, but am only seeking to right an injustice. Those familiar with the service he is performing believe, I am sure, that he should receive at least $3,000 per annum, but I am simply offering an amendment increasing the salary to the lowest figure any deputy commissioner in the Department of Commerce is receiving.

We have in the Steamboat-Inspection Service a very excellent staff of men. Gen. Uhler, the head of the service, has through his efficient management brought it to a high state of efficiency, and if the amendment I have offered prevails I will move to

increase his salary to $5,000. Mr. Chairman, this is a simple act of fair dealing to a faithful official, and I hope that it will have the approval of the committee.

Mr. JOHNSON of South Carolina. Mr. Chairman, I withdraw the point of order. The amendment is not subject to a point of order. It is not a statutory position. But, Mr. Chairman, I think, in view of our liberality to the Department of Commerce, we would better vote down this and other amendments increasing the amounts.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. CALDER].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. CALDER. A division, Mr. Chairman.

The committee divided; and there were—ayes 27, noes 32.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the investigation of the standards and methods of measurements of public utilities, such as gas, electric light, electric power, water, telephone, and electric railway service, and the solution of the problems which arise in connection with standards in such service, $25,000.

Mr. HAUGEN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa [Mr. HAUGEN].

The Clerk read as follows:

Page 131, line 16, after the words "$25,000" insert "For the development of color standards and methods of color measurements, with special reference to their use in the industries, including personal services in the District of Columbia and in the field, $7,500."

Mr. JOHNSON of South Carolina. Mr. Chairman, I reserve a point of order on that.

Mr. HAUGEN. Mr. Chairman, the amount suggested in the amendment is the amount estimated by the department, and in view of the importance of the work I had hoped that the committee might accept this amendment.

I shall not detain the House by any extended remarks, except to refer you to the hearings had before the committee. This is Dr. Stratton's statement and the statement of Secretary Redfield:

Secretary REDFIELD. We have just begun. This is for the purpose of segregating these matters in order that their actual progress may be known. We are not conducting these investigations out of lump-sum appropriations where that can not be known. This is of the greatest possible interest to the lithographing and printer's ink trade and all trades of that kind, who have found themselves entirely incompetent to either have this work done for them or to do it for themselves. The vice president of one of the great lithographing companies told me they had spent over $200,000 in vain in this matter, and we can do it at a comparatively small cost.

Mr. STRATTON. The cottonseed-oil people will pay the entire expense of that investigation if we will let them. Laws are already being passed in the various States requiring that oleomargarine shall not be colored more than a certain percentage. The moment you say it shall not be colored more than a certain amount, it involves a standard of color and color measurement. The paper, textile, and pottery industries are all in need of these standards. This does not involve the expense that some of the other investigations do. It is largely a question of three or four experts and some special equipment. We have one man working on it now. It properly comes under our optical work, but we can not reach results in the time that is wanted or in the way that is wanted.

The bureau is doing excellent work along this line. A number of industries desire this legislation. Undoubtedly it is of great importance, and I trust that the committee will accept the amendment.

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not think this amendment is subject to a point of order, and therefore I do not make it.

We have been very liberal in the appropriations made for the Bureau of Standards, and I am satisfied that if it does not cost over $7,500 to do the particular work the gentleman has in mind it can be done out of the appropriation that we have made, where it is not specifically provided what shall be done with the money. We carry in the first paragraph, under the Bureau of Standards, more than $290,000, and inasmuch as the committee has been so liberal in dealing with the Bureau of Standards I hope this amendment will not be agreed to.

The CHAIRMAN. The gentleman from South Carolina withdrew the point of order?

Mr. JOHNSON of South Carolina. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. HAUGEN].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For rent of buildings and parts of buildings in the District of Columbia, $49,800.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 133, in line 23, after the word "Columbia," insert the following: "including quarters for the Bureau of Labor Statistics of not less than 11,500 feet of floor space."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For rent of quarters for the accommodation of the Census Office, $17,500, and the Secretary of Commerce is authorized to enter into a contract for the lease, for a period not to exceed five years, of a modern fireproof office building or modern fireproof addition to the present Department of Commerce Building, containing no less than 50,000 square feet of available floor space for use of the Census Office, at an annual rental at a rate per square foot of available floor space not to exceed 35 cents.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] reserves a point of order on the paragraph.

Mr. MANN. What is proposed by this? It was stated in the papers recently that this contract had already been let. Is that so?

Mr. BYRNS of Tennessee. I am not certain about that. I do not know whether they have let the contract or not, but it is proposed by that provision to allow the Secretary of Commerce to remove the Census Bureau up to the new building proposed to be erected adjoining the present department building.

Mr. MANN. It has been stated in the newspapers several times that there have been negotiations about this, and that the Secretary had let a contract and signed a lease. Certainly the committee knows whether or not that is so.

Mr. BYRNS of Tennessee. I will say to the gentleman that, so far as I am concerned, I do not know whether there has been a contract executed or not. I have noticed the statement to which the gentleman alludes.

Mr. MANN. Did it excite the curiosity of my friend the gentleman from Tennessee?

Mr. BYRNS of Tennessee. Not to the extent that I inquired into it.

Mr. MANN. It is remarkable that the gentleman did not inquire when he saw a statement that the head of a department had let a contract without any authority at all.

Mr. BYRNS of Tennessee. It was stated in the hearings by the Secretary of Commerce, as I remember, that he could acquire a sufficient floor space at 40 cents per square foot, and that there were those who would erect a building of sufficient size adjoining the present department building for that amount of rent.

And he further stated that if the Census Bureau was permitted to move its quarters to the new location adjoining the present department building he would be able to dispense with, I think, something like $16,000 or $17,000 a year for employees and other expenses necessary to be incurred while the bureau is quartered down here in this building adjoining the Capitol.

Mr. MANN. The Census Building down here was constructed for the census of 1900, I think.

Mr. BYRNS of Tennessee. Yes; I think so.

Mr. MANN. At that time there was no permanent Census Bureau. It was a temporary organization created every 10 years for the taking of the decennial census. Then came along a proposition to keep it permanently in existence, and they retained that building. Now, suppose the Census Office moves into this new building and abandons the present building, what will happen when we take the next census? Will we build another new building for it temporarily?

Mr. BYRNS of Tennessee. That was a question that was inquired into by the committee, and it was thought by the Secretary and the Director of the Census that there would be no trouble in acquiring buildings with sufficient additional space for the comparatively short period of time that it would be required. Of course no definite steps could be taken now looking to the renting of additional space.

The gentleman will remember that it was necessary to rent some additional buildings for taking the former census. I have one in mind which, I think, was up on Louisiana Avenue. I am not sure about that, but there were two or three buildings rented in addition to the one next to the Capitol.

Mr. MANN. But not now.

Mr. BYRNS of Tennessee. Oh, no; they were rented temporarily, and it will be necessary to do the same thing when the next census is taken.

Mr. MANN. What will this building down by the corner of the Capitol grounds be used for?

Mr. BYRNS of Tennessee. I have no idea. They were very anxious to rent it to the Government, but there is no provision in this bill for its rental, and, of course, it falls back upon the hands of the owners.

Mr. MANN. This building was constructed for a census building. I have seen it criticized somewhere lately, but when it was constructed they said it was the best building for the purpose that had ever been known. Under the circumstances, why should not the Government try to get a reduction of the rental? What can the owners of this building down here do with it? What is it good for?

Mr. BYRNS of Tennessee. I will say to the gentleman very frankly that they did undertake to submit a proposition whereby they would considerably reduce the rent for the building here adjoining the Capitol, and the committee considered the matter quite seriously; but, as I stated awhile ago, the Secretary of Commerce submitted a statement which showed that about $20,000 a year—I am speaking in round numbers—could be saved if he was permitted to move the Census Bureau up to the new buildings adjoining the department building. The committee took into consideration the fact that they could save $20,000 a year, and they thought it was a better business proposition. In fact, as I remember, it would save $60,000 to $70,000 in the course of a few years.

Mr. MANN. I have a great deal of respect and regard both for the distinguished Secretary of Commerce and for the Committee on Appropriations. But I have not the slightest doubt that any individual in this House could rent this Census Building down here for one-half or one-third what it will cost to put the bureau in a new building up there where the Department of Commerce is located on Pennsylvania Avenue. What can they use this building here for? They can not put a beer garden down here, and there is no demand for a roller-skating rink. What else can they use it for?

Mr. BYRNS of Tennessee. I will say to the gentleman that there are a great many people who think that building is not sanitary.

Mr. MANN. Oh, yes; I know they talk that way; but no one who ever went into the building would seriously contend that it is not sanitary, as compared with a building constructed of many stories and with very little air in it. The Census Building down here is the only building the Government owns in Washington where you can get clear air and sunshine into the building to any extent. Talk about its not being sanitary, and then talk about the buildings that the Government owns—the Treasury Building and the State, War, and Navy Building——

Mr. MURDOCK. And the old Patent Office.

Mr. MANN. And even the new Agricultural Building, located 20 feet below the ground.

Mr. BYRNS of Tennessee. The committee considered both propositions. As I remember, this building here was offered for $15,000 a year.

Mr. BARTLETT. Provided it was taken for 10 years.

Mr. BYRNS of Tennessee. Provided it was taken for a period of years. The building to which the Secretary proposes to move the Census Bureau will cost $17,500 a year, I think.

Mr. CALDER. That is correct.

Mr. BYRNS of Tennessee. And the Government will save, by way of employees and other expenses necessary in this building, about $20,000 a year, and the committee considered it from a business standpoint.

Mr. MANN. What employees will be dispensed with?

Mr. CALDER. Laborers, painters, carpenters, and so forth.

Mr. MANN. We will not save that. This bill is chock full from one end to the other of charwomen, laborers, engineers, messengers, and employees of that sort in every other department. And do you mean to tell me that you are going to abolish them by transferring the Census Bureau from one place to another?

Mr. CALDER. The Secretary submitted a list of places that we cut out, and he agreed to it, and they amount to over $20,000 a year.

Mr. MANN. Yes; I suppose so. It is nonsense to say that the Government is going to get a new building constructed for a less rental than it can get this building down here for, that was put up for that special purpose and can not be used for any other purpose. However, I will not set up my judgment against that of the committee.

The CHAIRMAN. The gentleman withdraws his point of order. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF LABOR.

Office of the Secretary: Secretary of Labor, $12,000; Assistant Secretary, $5,000; chief clerk, $3,000; disbursing clerk, $3,000; private secretary to the Secretary, $2,500; clerk to the Secretary, $1,800; private secretary to the Assistant Secretary, $2,100; chief of division, $2,500; appointment clerk, $1,800; clerks—2 of class 4, 4 of class 3 (3 transferred from Office Secretary of Commerce and increase of 1), 7 of class 2 (5 transferred from Office Secretary of Commerce and increase of 1), 4 of class 1 (2 transferred from Office Secretary of Commerce and increase of 2), 5 at $1,000 each (2 transferred from Office Secretary of Commerce and increase of 1), 2 at $900 each (1 transferred from Office Secretary of Commerce and increase of 1); 2 telephone switchboard operators; 2 messengers; 4 assistant messengers (2 transferred from Office Secretary of Commerce and increase of 2); 3 messenger boys, at $480 each (2 transferred from Office Secretary of Commerce and increase of 1); engineer, $1,000; two skilled laborers, at $840 each (1 transferred from Office Secretary of Commerce and increase of 1); 8 laborers (4 transferred from Office Secretary of Commerce and increase of 3); 4 watchmen (3 transferred from Office Secretary of Commerce and increase of 1); eight charwomen (5 transferred from Office Secretary of Commerce and increase of 3); elevator conductors, at $720 each; in all, $86,740.

Mr. BUCHANAN of Illinois. Mr. Chairman, I desire to offer an amendment, on page 135, line 2, to strike out "$1,000" and insert "$1,200" for the engineer.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 135, line 2, by striking out the figures "$1,000" and inserting the figures "$1,200."

Mr. BUCHANAN of Illinois. Mr. Chairman, this engineer is required to look after a heating plant in the building, and is also required to do mechanical work, such as machine work, and so forth. It is a position in which there ought to be not only an engineer but in addition a general utility man. It is not unreasonble, it seems to me, to ask for $1,200 for a salary for anyone that is employed in an important position of this kind, where skill is necessary to efficiently fill the position. I think the committee itself ought to give consent to this increase.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. BUCHANAN of Illinois) there were—11 ayes and 31 noes.

So the amendment was rejected.

The Clerk read as follows:

Commissioners of conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the act creating the Department of Labor, and to appoint commissioners of conciliation at not exceeding $10 per day while actually employed in any case of labor dispute, and for their traveling expenses and subsistence while so employed, $25,000, or so much thereof as may be necessary.

Mr. BARTLETT. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I think the Department of Labor ought to have all the money necessary to conduct the business of that department. I do not think it is necessary, Mr. Chairman, to appropriate—although I shall not make any motion to reduce it—$25,000 permanently for the purpose provided for in this paragraph. The purpose, as I understand, and testified to by the Secretary of Labor on several occasions, one on the deficiency bill last year, is that he desires to permanently organize in the Department of Labor a division which would become permanent, not for the purpose of settling labor disputes of laborers engaged in work on railroads or manufactures for interstate commerce, but to settle labor disputes that are entirely within the locality and jurisdiction of the State. I know it is useless to suggest that Congress has not or ought not to have the power to send men from the Department of Labor to inquire into the business in various localities which are not affected or do not affect interstate commerce, labor that is not engaged in the business that is interstate. For one, on the subcommittee when the proposition was submitted on the deficiency bill of 1912 and 1913 at this session, I voted against giving the Commissioner of Labor $20,000 at that time because he asked for the establishment of a permanent bureau in the Department of Labor for this purpose.

Here is the law under which this power is proposed to be exercised, and the only law. It is this:

The Secretary of Labor shall have power to act as mediator and appoint commissioners of conciliation in labor disputes whenever in his judgment for industrial peace it may be required to be done.

That is section 8. Now, we have no authority under that section to establish a permanent bureau in the Department of Labor for that purpose, nor do I think it is wise, Mr. Chairman, for the Congress of the United States to appropriate money to establish a bureau anywhere in Washington for the purpose of sending out officials to engage in the settlement of labor disputes that are wholly within the jurisdiction of the State and which are purely local. I know it is useless and futile to suggest in this House that we have not the power to do anything on earth that we are asked to do, especially where labor is con-

cerned and concerning men engaged in the various occupations of manufacture.

I am not opposed to labor. I am not opposed to organized labor. My record in this Congress from the time I entered it 19 years ago will show that on every occasion in which reasonable demands have been made by labor, reasonable legislation has been asked for, I have been its friend and have supported these measures. The very first bill introduced by me in Congress 19 years ago was a bill to give a right of trial by jury in the Federal court in cases of indirect contempt where men had been arrested charged with violating injunctions. I have in every Congress reintroduced the bill, and I hope that before we adjourn this session we will be enabled to put on the statute books that law and give the laborers the right of trial by jury in contempt cases.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BARTLETT. Mr. Chairman, I ask to proceed for five minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. BARTLETT. Mr. Chairman, I am one of those who supported the gentleman from Illinois and other members of the Committee on Interstate and Foreign Commerce in reporting to this House the various bills that lessen the hours of labor of those engaged on the interstate railroads. There is no occasion that has arisen in this House whereupon any proposition legitimate and proper for the protection of the rights of labor that I have not supported by my voice and my vote.

I hope I shall have occasion soon to vote for a bill which will take out of the operation of the antitrust laws the right to prosecute labor organizations for organizing themselves in order to better their condition and to lessen the hours of labor. I have introduced a bill for that purpose, which is now being considered by the Judiciary Committee, and I apprehend that no antitrust legislation can pass the House without its being considered and being passed. [Applause.]

I wanted to make this statement, Mr. Chairman, so that I may not be misunderstood in the position I occupy on this proposition. I believe in settling labor disputes by arbitration. I believe that everything ought to be done that can be done to amicably and peacefully settle labor disputes; but I do not believe that the law that we enacted to establish the Bureau of Labor authorizes or justifies a permanent establishment of a department in the Bureau of Labor for that purpose. Much as I respect the laboring man, much as I am concerned in his welfare, as readily and cheerfully as I have voted in the past and will in the future to protect him from wrong, I can not bring myself to the conclusion that it is my duty to vote for a proposition which will subvert the true intent and purposes of this Government. [Applause.]

In matters of this sort which affect purely the locality—the State, the county, or the city—the Federal Government has no right, either by appointing officials temporarily or permanently, to invade the State to say what the States themselves ought to do or what the States themselves ought not to do.

I thought proper, Mr. Chairman, to make this statement, because I am not in favor of the proposition and did not favor it in the committee when it was considered last year or this year. While I may not have reserved the right to oppose it, while I shall not make any motion to strike it out, because I think it would be useless and futile, yet I could not remain silent and permit the proposition to go through.

I repeat, much as I am a friend of labor, much as I have endeavored to assist it in all laudable and reasonable purposes and to support and vote for proper and reasonable and just legislation to better the condition of labor and work in their interest, yet greater than their interest, greater than their rights, is the deep, abiding, and unyielding conviction that I have had all of my life and still maintain, and expect to carry with me through all of my life, that the United States Congress has no power to regulate or meddle with or investigate the purely local affairs of my State.

I withdraw the pro forma amendment.

Mr. BUCHANAN of Illinois. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 135, line 16, strike out "$25,000" and insert "$50,000."

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on this paragraph close in 10 minutes.

Mr. BUCHANAN of Illinois. Mr. Chairman, there are other amendments here, and I think we ought to have more time than that. Ten minutes have already been used in opposition to this work at it is.

Mr. JOHNSON of South Carolina. Mr. Chairman, let us see who wants to talk.

Mr. BUCHANAN of Illinois. Oh, let us go on a little while. Let us not be in too much of a hurry in limiting debate. I am not a long-winded fellow, anyway.

I want to say, Mr. Chairman, that my friend from Georgia [Mr. BARTLETT] has the wrong conception of this work altogether. His conclusions are wrongly drawn. In the first place, this $25,000 to be expended is not for the purpose of creating any division or permanent employee.

Mr. BARTLETT. I did not say it was. I said that the Secretary of Labor first asked for that.

Mr. BUCHANAN of Illinois. Even so, I think that provision ought to be in this bill, and there will be an amendment offered for that purpose.

Mr. BARTLETT. There will be a point of order made against it.

Mr. BUCHANAN of Illinois. The point of order may be sustained. That is one way of defeating these things.

Here are $25,000 appropriated for work of this nature. I hold in my hand a synopsis of the reports of the work that has been done in regard to mediation and conciliation, and, with few exceptions, the department has been successful in preventing strikes and lockouts and other industrial trouble. I wonder how much attention or time the gentlemen on the committee have given to the question of these industrial wars and troubles? I wonder if they understand and know the extent of the misery that has been created by these industrial wars which may be prevented by the expenditure of the pitiful sum of $50,000 without conflicting with any State rights or otherwise in regard to the matter? In fact, this department does not propose to have any power to enforce itself on anyone—does not intend to exercise that power anyway—and unless they had the right, unless it was work in interstate commerce, certainly we could make no law, as I understand that would interfere with State rights; but the most of these industrial disputes do affect interstate commerce. You can not have a great industrial war in this country that does not affect the people of the whole country, and it is an interstate question, and is of sufficient importance for this Government to exercise its influence and power to prevent it.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN of Illinois. Yes.

Mr. BARTLETT. Under this bill, with the money appropriated for this purpose, could they not send down a commission to investigate a strike in a cotton factory in South Carolina or in North Carolina?

Mr. BUCHANAN of Illinois. If they were called on, they could send a commission to mediate and secure information.

Mr. BARTLETT. Suppose there was a dispute, as there was some time ago, amongst the planters and their men. The corn planters or the agriculturists, the farmers, could not they do that, too?

Mr. BUCHANAN of Illinois. Is not the Government doing that through the Census Bureau and other investigations which they are making to secure statistics?

Mr. BARTLETT. One violation of the law does not justify another.

Mr. BUCHANAN of Illinois. Why attack this work when there is no opposition to other work of the same nature? For instance, if a great industrial war could be stopped, we will say, in the building industry in Chicago, when it was threatened that thirty or forty thousand men would be thrown out of employment and put onto the streets, that would affect other States, and it would obstruct the building industry in that locality, it would stop transportation of material coming from other States, and it is of such vast importance, and the saving is so great compared with the amount of money that we ask, and there is so little infringement on any State law, that I fail to understand how anyone who is so sincere, as I know the gentleman is in his interests in behalf of the working people, can raise any objection.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUCHANAN of Illinois. Mr. Chairman, I have had some experience with these strikes and lockouts. I have exerted my efforts to prevent them, because I know what they mean. I know the dissension and the turmoil and the destitution finally that they create, and I know the great importance of exercising

every influence possible to prevent them. I have made myself unpopular at times with the people I was representing when I was in the trade-union movements, because I always went to the furthest extreme to prevent industrial wars, to keep peace and harmony between the employee and the employer, and if there is anything that this Nation can do through any medium it has, through this bureau or any other, to establish and maintain peace in the industrial world, there is no greater work, no more important work, that can be done. Some years ago, when Senator Hanna was head of the Civic Federation, he said that he would rather be able to keep peace and fair conditions in the industrial world than to be President of the United States. They said he was playing politics. Any man who knows anything about the industrial world and the turmoil and dissensions and dissatisfaction there knows that it takes a bigger man to be able to keep peace, fair conditions, and prosperity in the industrial world than it would to be President of the United States. Therefore it is a work that should demand the best efforts of the best men in this country to give it support by the exercise of every influence to keep a greater degree of peace and harmony in the industries of the country and to prevent these industrial wars, of which you may say as has been said of other wars, that they are hell, almost, on earth. They bring such dissatisfaction and suffering to the industrial workers, the people working in the industries, that certainly we ought not to hesitate to give everything that can be utilized through this department for this purpose.

Mr. MANN. Mr. Chairman, I hope the amendment offered by my colleague will prevail. I do not know how much they will use of the money. No one can tell in advance, because this money in the main is to be used only in case of trouble or threatened trouble. For years people everywhere have been trying to find some method of preventing strikes and lockouts or to settle them after they had begun. No one is in favor of compulsory arbitration, and no one is in favor of letting the thing run with violence or of overcoming it with violence, as a rule. Now, here is a proposition which was inserted in the law creating the Department of Labor authorizing the Secretary of Labor to act as a conciliator, and authorizing him to appoint commissioners of conciliation when labor troubles were threatened or were in existence, not with a view of compelling people to settle their troubles, but with a view of trying to bring them together, and really let them settle it themselves, because, I take it, in this world most men who quarrel with each other if you bring them face to face in a friendly spirit at least will get over the quarrel. You will find when you hate a man it is usually because you do not know him. This is something to bring the men together, and if the Secretary of Labor, through the appointment of commissioners of labor, can prevent one great strike, he will have accomplished something worth many times $50,000. If he can prevent a few smaller strikes, he will have accomplished many times the value of $50,000. Why not give him the opportunity? Why not let us see if the Secretary of Labor appointing commissioners of labor may not acquire the confidence of employer and employee, so as to prevent trouble? We know that the Erdman Act, which relates to labor troubles between railroads and employees, was passed many years ago, and it took many years before that act was ever actually applied, because it took a considerable time for anyone to acquire the confidence of both the railroad operators and the railway men's organizations, but when Judge Knapp and former Commissioner of Labor O'Neill did acquire the confidence of both sides, they settled threatened strikes which would have cost the people of this country many millions of dollars, even hundreds of millions of dollars, and they settled those threatened strikes at a nominal cost. Two years ago they settled without any cost at all the threatened strike on the Southern Pacific, which would have been exceedingly costly to the country. Why can not we seize the opportunity and give to the Secretary of Labor sufficient funds to try out this plan and see if we can find somebody who will prevent what we all dread when it comes, labor troubles of the acute sort.

Mr. BYRNS of Tennessee. Mr. Chairman, I am in full sympathy with what the gentleman from Illinois has had to say with reference to the value of arbitration or mediation. We all recognize its value in the settlement of industrial disputes, and I, for one, would not be willing to support any proposition which would have the effect of lessening any good that the Secretary of Labor might be able to accomplish under its provisions. So far as I am concerned, I am willing to vote for any amount that is necessary and reasonable in order to carry out the provisions——

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. BUCHANAN of Illinois. The gentleman does not think this money will be spent unless it is necessary, does he?

Mr. BYRNS of Tennessee. No; I do not.

Mr. BUCHANAN of Illinois. He will only expend this $50,000 in case of an emergency that might arise. If it is not necessary, it will not be used.

Mr. BYRNS of Tennessee. I was just coming to the point where I was about to say that under this appropriation the Secretary of Labor, whenever these industrial wars or disputes arise, selects some one or more persons to endeavor to bring the men together. They are employed temporarily, and as soon as the dispute is ended and conciliation had their services are dispensed with. Now, under the present law the Secretary of Labor has $25,000 for this purpose. The committee thought, when it came to this particular provision, not knowing how much he would need, not knowing whether he would need $25,000, and as the Secretary of Labor himself was not able to say whether he would need $25,000 or $50,000, although he estimated for $50,000, the committee thought it was wise to allow the same amount for the next fiscal year that he has had for the current year, and then if there should be a greater number of industrial disputes, so that a greater amount is necessary, why, I am quite sure the Secretary of Labor, by pursuing the proper course, can come to the Congress and get the additional amount that is necessary; but the committee thought it was unnecessary to allow it now, because it is purely a matter of speculation as to how much will be needed.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. BYRNS of Tennessee. But the committee thought under the circumstances, since no one could tell what was necessary, or what amount would be required during the next fiscal year, that $25,000 was ample, at least, to furnish him with sufficient funds to go through part of the year, at any rate, and it was for that reason that we reported $25,000, not with any view of crippling the Secretary of Labor or depriving him of proper facilities for the purpose of settling industrial disputes.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. BUCHANAN of Illinois. Does the gentleman not know that the Secretary of Labor has been crippled on this account in doing work in the last year?

Mr. BYRNS of Tennessee. I am not aware of that.

Mr. BUCHANAN of Illinois. The gentleman stated what the Secretary of Labor said in the hearings, but does he know that he made the effort to get that increase in the urgent deficiency bill because he had been hampered and was not able to do that work in the efficient manner that it should be done, due to the fact that he had not sufficient funds with which to do it? The gentleman knows well that that is a fact.

Mr. BYRNS of Tennessee. I heard the Secretary of Labor on this particular bill, and I fail to remember anything he said with reference to not having sufficient funds. It is true he asked for $50,000, and supported the estimate for that amount, but I do not recall anything in the hearings on this bill in which he stated that he had been crippled during the past on account of lack of appropriations.

Mr. POU. Mr. Chairman, does not the gentleman think it would be better to supply this money in advance? If the Secretary should use the $25,000 that the committee provides, and then some great strike should appear imminent and Congress was not in session, he would be absolutely helpless.

Mr. BYRNS of Tennessee. Congress can not afford to speculate on what may be necessary for the next year. We can only appropriate such money as we think is necessary for the ensuing fiscal year. I have just stated that $25,000 is the amount that the Secretary of Labor has had during the current year, and, as I remember the hearings, he has not been able, for certain reasons, to spend $5,000 of that except for certain expenses of Federal employees.

Mr. FOWLER and Mr. J. I. NOLAN rose.

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not want to cut gentlemen off who wish to talk, but we have already had 25 minutes of debate on this amendment.

Mr. J. I. NOLAN. I would like to have five minutes.

Mr. KEATING. I have another amendment, and I would like to speak to it.

Mr. MANN. I have an amendment I would like to have five minutes on.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent that all debate on this amendment close in 10 minutes. Is there objection? [After a

pause.] The Chair hears none. The gentleman from California [Mr. J. I. NOLAN] is recognized.

Mr. J. I. NOLAN. Mr. Chairman, we had considerable discussion on this subject during the time the urgent deficiency bill was pending before the House. I do not know whether the gentleman from Tennessee [Mr. BYRNS] heard the discussion at that time or not, or read the testimony of the Secretary of Labor in his appearance before that committee. But the Secretary of Labor made the statement there—and I have not had time to look through this hearing and to find out if he made the statement to this committee—that if he had the necessary funds and had the authority in the disbursement of those funds at the time the Colorado and Michigan strikes were about to take place he thought he could have selected men—and he named the men he thought would have been the available ones to send into Colorado and Michigan—and would have been in a position to stop a great deal of trouble. Now, that is one statement that the Secretary made.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. J. I. NOLAN. Yes.

Mr. BYRNS of Tennessee. I want to ask the gentleman if that complaint was not due to the fact that up to that time he had only $5,000 appropriated and he could not use that $5,000 except in employment of Federal employees?

Mr. J. I. NOLAN. I will say, Mr. Chairman, that there are a number of instances in this country where the Secretary of Labor, if he had had the money, could have offered his services as conciliator to settle the trouble with the shopmen on the Harriman system of railroads, which took in the Union Pacific, Southern Pacific, and the Illinois Central. That strike has been going on for two or three years, and in a conversation I had with the Secretary recently he told me as soon as the new appropriation was available he intended to try to settle that trouble. Now, a few of the difficulties that the Secretary of Labor has settled, where it interfered with interstate commerce and where the Erdman Act would not apply, were the Baltimore & Ohio shopmen strike, the Chicago & Alton shopmen strike, and the New York, New Haven & Hartford shopmen strike, and I believe one other railroad where the clerks were interested. So far as the objections of the gentleman from Georgia [Mr. BARTLETT] are concerned, as to the interference with State rights, I will say there was the Indianapolis street car strike, where the Secretary of Labor sent his men in and they settled it, and where the difficulty threatened for a time to be very serious. A great many people were injured in clashes between the police and the public. But the Secretary of Labor succeeded in settling that dispute. He settled the dispute of the Erie Forge Co., at Erie, Pa. He did not go into Pennsylvania seeking to interfere with the State authorities, but he went there and offered his services and they were accepted, and he settled that strike. At present he has his men up in Lancaster, Pa., and Depew, N. Y., at the works of the Gould Coupler Co. trying to settle the difficulties there. He is simply offering his services, and if he can perform a great public duty to the people of the different States I believe this money will be well spent. We are spending at the present time through our Industrial Commission, holding sessions now at the Shoreham Hotel, a goodly sum of money for the purpose of investigating the best method of bringing employer and employee together, so that they may avoid industrial disturbances. They are investigating trade agreements, they are investigating in general the troubles between employer and employee, and this department is a great help in solving industrial disputes.

Now, I think the Secretary of Labor can perform a great public function if he can go into the different States of this Union where the municipal or State authorities may not be able to settle these troubles, and send honest, trained men to offer their services to bring about a settlement of industrial disputes. If he can do that, he is not interfering with the rights of the States or of the municipalities. He is merely offering his services for the purpose of bringing about industrial peace.

We are spending lots of money to solve this question of industrial troubles between employer and employee, and I do not know any department of the Government where money can be expended to better advantage. I believe the sum carried in the amendment offered by the gentleman from Illinois [Mr. BUCHANAN] is a reasonable sum—$50,000 for one year. It ought to be available. The Secretary of Labor ought to have that opportunity of settling these disputes.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BUCHANAN of Illinois. Mr. Chairman, I ask unanimous consent to insert with my remarks a statement of the number of cases that have been settled.

The CHAIRMAN. The gentleman from Illinois [Mr. BUCHANAN] asks unanimous consent to insert in the RECORD the statement he describes. Is there objection?

There was no objection.

The following is the statement referred to:

MEDIATIONS.

New York, New Haven & Hartford Railroad clerks: This dispute was between the New York, New Haven & Hartford Railroad Co. and its clerks (members of the Brotherhood of Railway Clerks). After several conferences between the two had failed to bring about a satisfactory adjustment, they made a joint request, May 24, 1913, for mediation by the Secretary of Labor. Mr. G. W. W. Hanger was detailed as commissioner of conciliation. The controversy was on different interpretations of a prior agreement as to rules governing wages, seniority rights, and other conditions of employment made in January, 1913. The dispute was satisfactorily adjusted on June 2, 1913.

Erie Forge Co.: A joint request for mediation was made to the department on the 17th of June, 1913, to adjust a dispute caused by friction between wage earners and foremen. No contractual arrangement existed with the employer under which friction might be abated and grievances adjusted. An agreement guarding against such contingencies in the future was the principal characteristic of the settlement secured. The Secretary of Labor appointed the Assistant Secretary as commissioner of conciliation, and on June 20, 1913, cordial relations were restored.

Reading Railroad car workers: A strike or lockout in the shops of the Philadelphia & Reading and the Lehigh Valley Railroads had been in progress since the fall of 1912. At the request of the department of labor and industry of Pennsylvania, this department offered its good offices, naming Mr. G. W. W. Hanger as commissioner of conciliation. A satisfactory agreement was signed at Reading, Pa., July 12, 1913.

Reading Hardware Co.: A request for mediation was made to the department on June 17, 1913, by the wage earners and acquiesced in by the employers. The controversy was over a reduction in wages. Mr. G. W. W. Hanger was appointed commissioner of conciliation and to cooperate with the department of labor and industry of Pennsylvania. The strike was brought to an end by mutual agreement on July 17—one month after the request for mediation.

Baltimore & Ohio Railroad shops: This request for mediation was made by representatives of the wage earners and acquiesced in by the employers. The request came to the department on July 21, 1913. The dispute was over a question of objectionable working conditions. The Secretary appointed Mr. John A. Moffitt as commissioner of conciliation. A satisfactory settlement was made, whereby an impending strike was averted.

Western Maryland Railroad shops: A strike was pending in one shop on the Western Maryland Railroad. An understanding was reached by the officers of the wage earners' organizations that the striking wage earners should return to work and their grievances would be immediately considered for adjustment. Upon their return to work, however, some of them (so they averred) were refused reemployment. Mediation was requested by representatives of the wage earners' organizations concerned. Communication between the department and the president of the railroad having thereupon been opened, the dispute was adjusted by mutual arrangement between the parties.

Chicago & Alton Railroad shops: This was a dispute in the machine shops of the Chicago & Alton Railroad. There was a strike impending when a request for mediation was made by the wage earners concerned, October 28, 1913. The Secretary of Labor appointed Mr. James Hogan as commissioner of conciliation. His overtures being accepted by the railroad, the disputed points involved in the controversy—37 in all—were adjusted in December, 1913, by mutual concessions and agreement.

Indianapolis street-car strike: Mediation by the Secretary of Labor having been requested by the wage-earning side of the dispute which preceded that strike, Mr. Ethelbert Stewart was detailed, October 27, 1913, to act as commissioner of conciliation. The employers involved in the dispute refused to consider proposals for conciliation, taking the position that there was nothing to mediate, because no labor dispute existed. After the strike had begun it was settled by the arbitration method previously declined. The agreement was secured largely through intercessions by the department, both at Indianapolis and with eastern capitalists interested in the street-car property.

Indianapolis teamsters' strike: This request came from the wage earners, and the department's offer of mediation was at first rejected by the employers, but the solicitor for the department, who was appointed commissioner of conciliation, December 3, 1913, secured conferences with the employers involved, whereupon numerous individual settlements were effected.

Louisville & Nashville Railroad shopmen: A request for mediation was made to the department on January 31, 1914, by the shopmen to adjust a dispute in the matter of wages. On February 9, 1914, the Secretary appointed Mr. A. L. Faulkner commissioner of conciliation. Their grievances were satisfactorily adjusted to all parties concerned on March 6, 1914.

Sawmill workers, Raymond, Wash.: A request for mediation by the Department of Labor was made by representatives of the wage earners' organizations concerned under date of February 21, 1914. On March 4, 1914, Mr. W. T. Boyce, of the Immigration Service at San Francisco, was detailed as commissioner of conciliation for the department. The controversy was on discrimination against union men. No contractual arrangement existed with the employers under which friction might be abated and grievances adjusted. An agreement guarding against such contingencies in future was the principal characteristic of the settlement secured March 13, 1914.

Garment workers, Philadelphia, Pa.: This was a dispute between the garment workers and their employers in Philadelphia, Pa. On December 8, 1913, Mr. Ethelbert Stewart was appointed commissioner of conciliation for the department. He was assisted by Mr. John Price Jackson, of the Pennsylvania department of labor and industry. An amicable settlement was effected December 22, 1913.

Longshoremen, Port Arthur, Tex.: Request for mediation by the Department of Labor was made by the representatives of the wage earners concerned on March 17, 1914. Mr. Joseph S. Myers, of the Immigration Service at El Paso, Tex., was detailed as commissioner of conciliation for the department. The dispute was satisfactorily adjusted on March 28, 1914.

New York Central and subsidiary lines: On February 4, 1914, a request was made by representatives of the shopmen for mediation by the Department of Labor. Mr. John A. Moffitt was detailed as commissioner of conciliation by the Secretary, and on March 21, 1914, he reported the differences on the Michigan Central as having been satis-

factorily adjusted. In the meantime a strike was impending in the shops of the Big Four lines between the machinists and the employers. This dispute was brought about by the introduction of piecework in the shops at Mount Carmel, Ill. These differences are still pending, Mr. Moffitt in the meanwhile endeavoring to bring about an adjustment.

Mr. JOHNSON of South Carolina. Mr. Chairman, I believe that every member of the committee is duly impressed with the importance of conciliation. Nobody desires to handicap the Secretary of Labor in carrying out the law. All men rejoice in the fact that industrial wars can be and ought, under this law, to be prevented. But it has never been the policy of the Congress to appropriate indefinitely and without information, upon a mere suggestion like that of the gentleman from North Carolina [Mr. POU], that if the amount is not needed it will not be expended.

Mr. LEWIS of Maryland. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. LEWIS of Maryland. I would like to ask the gentleman whether or not the form of the desired appropriation does not protect the Government against improper use of the fund?

Mr. JOHNSON of South Carolina. Yes; I hope that is so.

But, Mr. Chairman, we try, in making these appropriations, to make them upon the requirements of the Government as best we can determine those requirements from the evidence.

Now, let me call the attention of the committee to the fact that the Secretary of Labor had $25,000 this year. He has not expended all of that money, nor even a very considerable part of it. We are providing $25,000 for the ensuing fiscal year. Congress will convene in December. If there should be anything that would indicate that the Secretary of Labor needed more than $25,000, Congress can provide it.

Mr. BUCHANAN of Illinois. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Illinois?

Mr. JOHNSON of South Carolina. Yes.

Mr. BUCHANAN of Illinois. The $25,000 that the gentleman spoke of as being available for this fiscal year includes the amount appropriated in the urgent deficiency bill, does it not?

Mr. JOHNSON of South Carolina. Yes.

Mr. BUCHANAN of Illinois. A further question: Is it not a fact that the $5,000 that was appropriated before that could be used only for expenses and could not be used to employ anyone as a conciliator?

Mr. JOHNSON of South Carolina. That is true.

Mr. BUCHANAN of Illinois. And is it not true that the $20,000 additional has been available only since very recently?

Mr. JOHNSON of South Carolina. Since the urgent deficiency bill was passed. In other words, the Secretary of Labor had only $5,000 from October, 1913, until last week. We are now proposing to give him $25,000, available the 1st of July. If it is not sufficient on the 1st of December, we can give him more. There is not any question but that this committee will give Mr. Secretary Wilson all the money that he needs to enforce this law. [Applause.] But we do not believe in appropriating money unless we have some reason to know that it is needed.

Mr. MANN. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Illinois?

Mr. JOHNSON of South Carolina. Yes.

Mr. MANN. The gentleman says it can be appropriated in December. We met last December, as the gentleman will remember, and is it not a fact that the urgent deficiency bill became a law only in this present month of April—four months after we had met in December?

Mr. JOHNSON of South Carolina. Yes; but the next session of Congress will be a short session, and all appropriation bills, including the urgent deficiency bill, will be disposed of before the 4th of March.

Mr. MANN. The gentleman will pardon me for reminding him that at the last short session that was not the case.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SHREVE] be allowed to address the committee for three minutes on the pending question.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Pennsylvania [Mr. SHREVE] be allowed to proceed for three minutes. Is there objection?

There was no objection.

Mr. SHREVE. Mr. Chairman, the gentleman from California [Mr. J. I. NOLAN] mentioned the fact of the settlement of a strike in Erie, Pa. Now, inasmuch as Erie, Pa., is my home city, I have some knowledge of the settlement of that strike in the works of the Erie Forge Co. I am well acquainted with the owners of the Erie Forge plant and I know many of the men in their employ, and I am glad to say that that strike was settled to the entire satisfaction of the owners of the company and to the entire satisfaction of the men whom they employed.

It is my opinion that money can not be expended to better advantage than to assist in just such work as was accomplished in my city. I believe if we could prevent and stop some of the industrial troubles we are having it would be money spent to better advantage than any other place in this bill. [Applause.] I am heartily in favor of the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. BUCHANAN].

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. JOHNSON of South Carolina. A division, Mr. Chairman.

The committee divided; and there were—ayes 47, noes 18.

So the amendment was agreed to.

Mr. KEATING. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Colorado [Mr. KEATING] offers an amendment, which the Clerk will report.

The Clerk read as follows:

On line 17, page 135, after the word "necessary," add the following: "One of said commissioners shall be stationed in Washington and perform duties under the immediate jurisdiction of the Secretary of Labor, and his compensation shall not exceed $3,000 per year."

Mr. JOHNSON of South Carolina. Mr. Chairman, I make a point of order on that. I will reserve it if the gentleman wants to speak on it.

Mr. KEATING. I am perfectly willing that the gentleman shall make a point of order. I should like to be heard on the point of order.

The CHAIRMAN. The gentleman from Colorado is recognized.

Mr. KEATING. I contend, Mr. Chairman, that this amendment is in order under the organic act creating the Department of Labor. Section 8 of that act authorizes the Secretary of Labor "to act as mediator and to appoint commissioners of conciliation in labor disputes whenever in his judgment the interests of industrial peace may require it to be done." The committee have undertaken to limit that power. They have appropriated $50,000 to the Department of Labor for the purpose of defraying the expenses of commissioners of conciliation. Those commissioners are to be named by the Secretary of Labor. They are to be paid $10 a day for the time they are actually employed in industrial disputes. The committee might have gone on and said that all those commissioners should be employed outside of the District of Columbia. I contend that the committee might have provided that they should be employed in the District of Columbia. I contend we have a right to say that one of them shall remain in the District of Columbia, that he shall be employed all the time, and that his salary shall not exceed $3,000 a year. There is nothing in the organic act to forbid the employment of a commissioner who shall devote all his time to this work. In fact, in my judgment, the organic act authorizes such employment.

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman's mistake is that he says there is nothing in the organic act which prohibits it. He must show that there is something in the organic act which authorizes it, because he proposes to create an office. I have here section 8, under which this appropriation is made, which I will send to the Chair, and the Chair can read it. There is nothing in it authorizing the appointment of a permanent officer.

Mr. BARTLETT. The whole provision contemplates the temporary employment of these commissioners of conciliation from time to time. The very words "from time to time" negative the idea that they shall be permanent. You can not have any permanent organization under a statute like that, which provides that the commissioner himself shall act, and from time to time as occasion arises he shall select commissioners of conciliation. Now, the amendment proposes to change that, and says he shall not appoint them from time to time, but that there shall be permanently established in the office here in the District of Columbia one commissioner. The act provides not for one, but for such as the commissioner may select. The amendment is a clear violation of the rule. There is no law that justifies it, and it can not be twisted to mean that.

The CHAIRMAN. The Chair is ready to rule. The Chair calls the attention of the gentleman from Colorado to the particular wording of this statute:

SEC. 8. That the Secretary of Labor shall have power to act as mediator and to appoint commissioners of conciliation in labor disputes whenever, in his judgment, the interests of industrial peace may require it to be done.

The Chair thinks that from a careful reading of that statute it can not be construed to mean that a permanent commissioner of conciliation is authorized. The gentleman's amendment undertakes to make a permanent office, whereas the act leaves it in the judgment of the Commissioner of Labor to act when the occasion arises. The point of order is sustained.

Mr. KEATING. Mr. Chairman, I desire to offer the following amendment.

Mr. MANN. Mr. Chairman, I have an amendment which I desire to offer.

Mr. KEATING. I yield to the gentleman from Illinois.

Mr. MANN. I desire to offer it in my own right.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 135, line 13, after the word "conciliation," strike out the words "at not exceeding $10 per day while actually employed in any case of labor dispute" and insert in lieu thereof the following:
"And for their services in the District of Columbia and elsewhere."

Mr. JOHNSON of South Carolina. Mr. Chairman, I reserve a point of order against the amendment.

Mr. MANN. I prefer to have the gentleman make it. What is the point of order?

The CHAIRMAN. What is the point of order?

Mr. JOHNSON of South Carolina. If the gentleman wants to know, I reserved the point of order in order to have time to look it up.

Mr. MANN. I do not ask the gentleman to reserve it.

Mr. JOHNSON of South Carolina. Very well, if you will not let me reserve the point of order, go ahead with your amendment. I withdraw the point of order.

Mr. MANN. If I thought it was subject to a point of order or that there was any doubt about it, I would be perfectly willing to discuss it with the gentleman.

Mr. JOHNSON of South Carolina. I do not want to discuss it. If the gentleman will not give me time to look it up, I will withdraw it.

Mr. MANN. I want to be heard on the amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN. A labor trouble comes up, and do you think you can walk out on the street, take the first man you meet, pay him $10 a day, and have him settle it? Not at all. You have got to have somebody trained, somebody who has acquired the confidence of capital and labor, and you can not get them in the main for $10 a day for two or three weeks or two or three months of a year.

This amendment would authorize the Secretary of Labor to have some one in the department, as he ought to have, who is trained up to this business and has the authority over this division of the Government, who keeps in touch with the troubles which may arise, who can be paid a yearly salary, and who can have men under him with whom he is in touch to act in particular cases. That will make the bureau of value. That will enable us to prevent strikes, enable us to settle troubles, enable the Secretary of Labor to acquire the same confidence of capital and labor which Judge Knapp and Commissioner Neeley acquired in railroad matters, only they would spread it out to industrial disputes all along the line. A provision saying that the Secretary of Labor himself, with no one under him to look after it in case of a threatened labor dispute, shall walk out into the streets and pick up some one to work for $10 a day for a week or two weeks is absurd.

Mr. JOHNSON of South Carolina. Will the gentleman yield?

Mr. MANN. Yes.

Mr. JOHNSON of South Carolina. How much were men paid under the Erdman Act?

Mr. MANN. I do not remember.

Mr. JOHNSON of South Carolina. The gentleman was chairman of the Committee on Interstate and Foreign Commerce for years and did not think enough of it to look it up?

Mr. MANN. Well, Mr. Chairman, I never apologize for not knowing things. The trouble with me is that I know too many. [Laughter.] I do not think they were restricted, however, to $10 a day. I think Mr. Low and his conferees who acted over here for the railroads were paid a liberal sum. I do not know, but I think they ought to have been paid a liberal sum, because if it had not been for the amendment to the Erdman Act and the appointment of these conciliators under the act, and the acceptance by both the railroads and the railway men's organizations of the final result of that conciliation, we would have had a railroad strike in this country that would have cost not hundreds of millions, but billions of dollars; and then you gag over paying a man $3,000 a year to prevent such loss of property and loss of life.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. BUCHANAN of Illinois. Mr. Chairman, I hope this amendment will be supported by a majority of the Members of the House and will prevail. If it is passed, it will put the Secretary of Labor in a position to do this work of conciliation, arbitration, and mediation much more efficiently, and especially as this law now has been construed to mean that all the employees must be temporary, and I suppose the same construction would be put on it by some as they have put on other statutes, that they can not be employed in the District of Columbia, thereby impairing the efficiency of the law.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. BUCHANAN of Illinois. Yes.

Mr. BYRNS of Tennessee. Is the gentleman aware of the fact that the Secretary of Labor himself has stated that he did not think that these men ought to be paid over $10 a day?

Mr. BUCHANAN of Illinois. I do not think so, either.

Mr. BYRNS of Tennessee. But this amendment is for an unlimited amount.

Mr. BUCHANAN of Illinois. No; this does not fix any price; but if it were necessary to pay the right man $100 a day, it ought to be paid. If it is necessary to get the most efficient man, if he is the only man that can settle a dispute that would probably involve an industrial war, that would mean a loss of millions of dollars and suffering and distress to thousands of working men, women, and children, we ought not to hesitate and consider the amount of money it would be necessary to expend in that manner. I think the Secretary is right, and it would not be necessary to pay over $10 a day. But why has the committee put restrictions on the Department of Labor? Why is it that the committee is putting these restrictions in this bill against the Department of Labor that it does not put in the bill against other departments? Why is it that it has less confidence of the committee than any other department? There is one restriction after another that is put in here that does not apply to other departments. The Department of Labor has been attacked for doing the same thing that other departments have done without censure. Why is it you take the position against the Labor Department and do not take it against other departments? The question will be answered by the echo, "why," because you can not answer it.

Mr. BYRNS of Tennessee. The gentleman says that the committee has taken a stand against the Department of Labor?

Mr. BUCHANAN of Illinois. You put restrictions in here that will cripple the Bureau of Statistics, and you might as well have appropriated nothing.

Mr. BYRNS of Tennessee. The gentleman says we have placed restrictions here that we have not against other departments. Will he state what they are?

Mr. BUCHANAN of Illinois. I do not care to discuss that now any more than to say that you have put restrictions in here that make it impossible for the Bureau of Labor Statistics to do the work required of it.

Mr. BYRNS of Tennessee. But we are speaking of this provision. We place this $10 provision in here because the Secretary of Labor himself said he thought that was a proper price.

Mr. BUCHANAN of Illinois. But the gentleman seems to fear the Secretary of Labor is going to impose on the Government by a wrong expenditure of this $50,000.

Mr. BYRNS of Tennessee. Nobody has thought that.

Mr. BUCHANAN of Illinois. This $50,000 that you do not hesitate to give other work of this kind.

Mr. BYRNS of Tennessee. We simply followed his advice.

Mr. BUCHANAN of Illinois. No; you did not, or you would have given him $50,000. This committee has opposed him on every move that he has made. The committee opposed him for this fiscal year and in the urgent deficiency appropriation bill, and the committee is opposing him now.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment.

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman from Illinois [Mr. BUCHANAN] has indulged in some reflections on members of the committee, which, I am sure, if he knew the attitude of the members he would withdraw, because I am sure the gentleman does not mean to say that members of the Committee on Appropriations are opposed to the Labor Department. Speaking for myself, Mr. Chairman, I want to say that I have always been the friend and the consistent friend of labor. I was its friend in the State legislature at home, and I have been its friend in every measure that has come on the floor of Congress, and it does not lie——

Mr. BUCHANAN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Not now. It does not lie with the gentleman to come here and make a blanket charge against members of the Committee on Appropriations and say that they are opposed to labor or to the Labor Department.

Mr. BUCHANAN of Illinois. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. Yes.

Mr. BUCHANAN of Illinois. Has not the committee and has not the gentleman opposed these appropriations that have been necessary for this work?

Mr. BYRNS of Tennessee. I have not.

Mr. BUCHANAN of Illinois. Is the gentleman in favor of it now?

Mr. BYRNS of Tennessee. I am in favor of every appropriation that is necessary for the Secretary of Labor and the Labor Department to carry out and perform the duties of that department.

Mr. BUCHANAN of Illinois. He asked for $50,000 for this year. Did the gentleman favor that?

Mr. BYRNS of Tennessee. I voted for $25,000, Mr. Chairman, and stood for $25,000 for the board of conciliation for the reason stated; and I stated in my remarks a few moments ago that the committee had allowed $25,000 in view of the fact that the department——

Mr. BUCHANAN of Illinois. Mr. Chairman——

Mr. BYRNS of Tennessee. I decline to yield until I can make a statement.

Mr. BUCHANAN of Illinois. The gentleman does not want to make a wrong statement

Mr. BYRNS of Tennessee. In view of the fact that the Department of Labor had had $25,000 for the current year. The appropriation of $25,000 carried in this bill takes effect July 1, and, as the gentleman from South Carolina said, if the Department of Labor needs more money all they have to do is to come here to Congress on December 1, or when Congress meets in December, and secure an additional appropriation, and there is no man on the floor of this House who does not know that Congress would gladly give that department any amount of money needed, whether $50,000 or $100,000, to carry out this work of conciliation.

I want to say to the gentleman that I do not yield to him or to anybody else in my advocacy of the right of the Department of Labor to have sufficient money to carry on the splendid work of that department, and my record not only here but elsewhere shows that I have acted always consistently along that line. I think the gentleman does himself an injustice. I know that he does every member of the Committee on Appropriations an injustice when he undertakes to get up here and by charges undertakes to place everyone in the category of being opposed to the Labor Department.

Mr. DIES. Mr. Chairman, I have no doubt in the world that the leader of the minority, the author of this amendment, the gentleman from Illinois [Mr. MANN], is a friend of labor. I have no doubt that my friend from Illinois, Mr. BUCHANAN, is a friend of labor. Indeed, the firm of MANN and BUCHANAN are as good friends of labor as I have observed in this House in my brief experience here. However, Mr. Chairman, I also think that the gentleman in charge of this bill, the gentleman from South Carolina [Mr. JOHNSON], is a friend of labor. I think the gentleman from Tennessee [Mr. BYRNS] is a friend of labor. I think the Democratic Party is a friend of labor, both organized and unorganized. Now, Mr. Chairman, with all the accomplishments of the leader of the Republican minority and the other gentleman from Illinois [Mr. BUCHANAN], who seems to desire a schism on this side of the aisle in his own party, I doubt the right or prerogative of either of those gentlemen to hurl the bolts of labor. Is it possible that labor has no friends in this House in the organized Democracy? Is it possible that this party, supposedly in charge of the Government, acting through its committees, considering the great supply bills, is incompetent and incapable of responding to the just demands of labor and that the bolts to be hurled by this Hercules of labor at his own party should arise every time an appropriation bill comes up that mentions the word "labor"?

Take the particular item we have under discussion. The Secretary of Labor, a Democratic Secretary of Labor—if any man presumably is authorized to hurl the bolts of labor it is he—makes no complaint at the $10 a day; on the contrary he says it is sufficient, but along comes Ajax and Hercules and say that Wilson, the Secretary of Labor, is not authorized to hurl the lightning, but we, the gentleman from Illinois, Mr. BUCHANAN, and the gentleman from Illinois Mr. MANN, the leader of the Republican Party, we alone are authorized to cut off the heads of gentlemen if they do not give us an appropriation. Mr. Chairman, I know economy is in disrepute, I know that plank in our platform and the pledge of the Democratic Party to keep its pledges honestly is in dispute, and we might as well admit it now as after it is proved upon us later. I know the gentleman from Illinois [Mr. MANN] of the firm of MANN and BUCHANAN wants the Democratic Party to violate its pledges, wants the Democratic Party to commit any kind of folly that it will commit, but I do not believe that members of the Democratic Party here are ready to say that their committee, acting for the organized party, acting for organized labor and unorganized, and all the interests of this country are incapable of handling an appropriation bill and have got to turn it over to the firm of MANN and BUCHANAN, to one or both of them. [Laughter and applause.]

Mr. KEATING. Mr. Chairman, I am not "a friend of labor." Mr. Chairman, I rather despise that designation. I am not advocating this amendment as "a friend of labor," but I am advocating this amendment because I believe if it be adopted it will enable the Secretary of Labor to assist in bringing about industrial peace in this country.

The discussion that has gone on here has led us far afield. As a matter of fact the object of the amendment of the gentleman from Illinois is not to increase the salary of these commissioners of conciliation. I am sure the gentleman had no such thought in his mind.

The sole purpose of his amendment, as was the sole purpose of my amendment, which I offered and which was ruled out on a point of order a few moments ago, was to enable the Secretary of Labor to appoint one commissioner of conciliation who will remain in Washington to take charge of this work. At the present time the Secretary of Labor is a sort of chief clerk of this division of conciliation. He has no one to look after the routine work for him, and he came to this Committee on Appropriations and asked that they so arrange this appropriation that he can have one man who would be here in Washington, a permanent commissioner of conciliation, and the Committee on Appropriations, for some reason, refused to grant what I conceive, and what I think Members of this House will conceive, to be a perfectly reasonable request. Now, I do not charge the gentlemen who are on the Committee on Appropriations with hostility to the cause of organized labor. As I said before, Mr. Chairman, I have no desire to pose here or elsewhere as "a friend of organized labor." I deem it my duty as a Representative of the people of my district to advance those measures which make for industrial peace, and when I do that I do not speak for organized labor, I speak for every right-thinking man and woman in this country. And I hope, Mr. Chairman, that the amendment of the gentleman from Illinois will prevail, and I hope it will prevail not because I want these salaries increased but in order that the Secretary of Labor may feel at liberty to name a commissioner of conciliation who will be resident in the city of Washington and take charge of this most important work.

Mr. BUCHANAN of Illinois. Mr. Chairman, the gentleman from Tennessee [Mr. BYRNS] seemed to think I had made statements that I would regret. The statements I made, so far as I understood them, are nothing more than matters of fact. I do not often regret, when I think it is necessary, mentioning facts. I do not know whether the gentleman from Tennessee has been in accord with his committee or not, but I do know that this Appropriation Committee has withheld its consent from appropriations that were of vital importance to the Department of Labor and its bureaus. I do know that they opposed me when I made the effort to increase this amount that they now claim credit for from $5,000 to $20,000, as I remember, for conciliatory work, and before that they had only given $5,000, when the Secretary of Labor had asked for $50,000. And they say now that they have been liberal and considerate. Now, it is with much regret that I have not been able to get the support of this committee and the Democratic side of this House as a whole. I was elected on the Democratic ticket, and I am a Democrat. I do not waste my time here telling about my friendship to labor, but I try to exercise my influence, to the best of my judgment, to secure for labor what I think will be for its benefit. As I stated, I regret that it has been necessary to have this support of my colleague from Illinois [Mr. MANN], the minority leader, and the Progressives, but I want to assure you that it is appreciated, and I want to assure you that the labor people of this country will appreciate it; and the fact that it has been necessary to have that support will be to the everlasting discredit of the Democratic Party when it comes to be known over this country. Now, if you want to continue this you may deceive yourselves, you may make yourselves be-

lieve you are doing just the proper thing, but you are not going to deceive the labor people of this country. The Republican Party worked that for a number of years, and they can no longer be deceived. They know who their friends are, and it is not necessary to put it in the CONGRESSIONAL RECORD in order for them to find it out, because they are watching the public men to-day, and they know whether or not they are making that effort they should make for the purpose of getting them what they are in justice entitled to.

I do not know what position organized labor is taking on this particular question. I do not know whether organized labor has given this department the attention that I and others have given it. I do not know whether organized labor appreciates the great importance of this Department of Labor or not; but let me say to you that the enemies of labor—the system—in this country are going to put every obstruction in its way possible in order to prevent it doing its work in an efficient and proper manner. If organized labor shall neglect its duty, because of indifference, in exercising its influence to have the Government and officials do their duty in regard to this, it is not going to stop me from making the effort on my part.

Mr. MANN. Mr. Chairman——

Mr. JOHNSON of South Carolina. A parliamentary inquiry, Mr. Chairman. What is before the House?

The CHAIRMAN. The amendment of the gentleman from Illinois.

Mr. MANN. And the gentleman from Illinois.

Mr. JOHNSON of South Carolina. How much time does the gentleman need?

Mr. MANN. Not over five minutes.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in seven minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN. Mr. Chairman, I always like to hear the gentleman from Texas [Mr. DIES] talk. He has a sonorous voice, a very good command of English, a very bright mind, and he is always entertaining to me whether I agree with him or not. I would be willing to have him lambaste me by the hour, if I could not hear him in any other way. But he seeks to raise a partisan issue upon this proposition. Now, the truth is the amendment which I offer will accomplish the same purpose as that of the gentleman from Colorado [Mr. KEATING]. When the gentleman from Colorado offered his amendment, somewhat to my surprise, the gentleman in charge of the bill made a point of order against it. And while they were discussing the point of order I prepared the amendment which I offered, thinking that if the point of order was to be sustained, as it looked likely it would be when the point of order was made, I would offer an amendment which would meet the question. I did not offer it in the first place. I preferred to have the amendment come from the other side of the House, so that some gentleman from the back country, some place, would not raise up and say it presented a partisan issue because the leader of the minority had offered it. Of course, that is not a very strong argument in many places. It may be strong at some place in Texas. I do not know about that. But the amendment having been prepared and offered on its merits, it ought to be disposed of. It is not a partisan proposition. Why, the gentleman from Texas would think that I have been sitting here in the House voting against the Committee on Appropriations all the time. I dare say that on the consideration of this bill I have voted, when amendments were offered, with the Committee on Appropriations five times, while the gentleman from Texas [Mr. DIES] has voted with them once.

Mr. DIES. Mr. Chairman, if the gentleman will yield, I will say to him that he is more prompt and regular in his attendance in the House as leader of his party than I am. I have voted with the committee, however, several times.

Mr. MANN. I will say it was due in part to the fact that when I was here the gentleman was absent and not attending to his business. But I have voted with them unless there was some good reason why I should not do so.

Mr. DIES. Of course I can not attend to my business as effectually as my friend from Illinois can, but I am always——

Mr. MANN. I hope the gentleman does attend to his business more effectually than I do.

Mr. DIES. I have not as much business to attend to as the gentleman from Illinois, but I submit to the committee that I am here or hereabouts when the sessions of Congress are in progress.

Mr. MANN. I miss the mellifluous tones of the gentleman when he is absent, and that is the reason I know he is not here.

But here is a question presented to the House. Dispose of it on its merits, it makes no difference what the source is. There is no partisanship involved in it. Will you give the Secretary of Labor, the Democratic Secretary of Labor, in whom you have confidence and in whom we have confidence, a fair opportunity to provide commissioners of conciliation and the office of commissioners of conciliation, which may accomplish good to the country worth millions of dollars, or will you refuse?

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

Mr. JOHNSON of South Carolina. Mr. Chairman, I want to say to the members of the committee who are so greatly concerned about labor that I have been the friend of those who toil all my life, and I repudiate the suggestion that because we are not willing to appropriate all the money that may be asked for we are not friendly to labor.

In the final analysis labor pays all the bills. The Committee on Appropriations recognize the fact that in the end the men who wear overalls and who carry their dinners in tin buckets and who go down into the mines and into the shops and fields and factories are the people upon whom the burdens finally rest, and in undertaking to protect the Treasury we think we are protecting laboring men.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. JOHNSON of South Carolina. A division, Mr. Chairman.

The committee divided; and there were—ayes 48, noes 31.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the following employees now being paid from a general appropriation: One at $2,280; 3 at $1,600 each; 2 at $1,400 each; and 2 at $1,200 each; in all, $12,280.

Mr. BARTLETT. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. I make the point of order, Mr. Chairman, that none of these places or the salaries provided in lines 1, 2, and 3, page 126, are provided for by law, and that, therefore, they are subject to a point of order.

The CHAIRMAN. The Chair will hear the gentleman from South Carolina [Mr. JOHNSON].

Mr. JOHNSON of South Carolina. Mr. Chairman, I hope my friend will not insist upon the point of order.

Mr. BARTLETT. The gentleman admits that it is subject to a point of order, does he not? There is no law or statute fixing the places or the salaries.

Mr. JOHNSON of South Carolina. There is a law fixing all the salaries therein enumerated, except $2,280.

Mr. BARTLETT. What law is that?

Mr. JOHNSON of South Carolina. There are plenty of $1,600, $1,400, and $1,200 clerks. No; I was wrong, Mr. Chairman, about that. They are not here as clerks. But, Mr. Chairman, will the gentleman reserve his point of order?

Mr. BARTLETT. Of course; but I am going to make it at the end.

Mr. JOHNSON of South Carolina. I want to make a statement to the committee.

This appropriation has been carried for a number of years at $64,000. I never knew until the urgent deficiency bill came up a few weeks ago, and I do not believe that any other member of the Committee on Appropriations knew, that any part of this money was used for clerical services in the District of Columbia. We appropriated it for field work, but it was brought to the attention of the committee in the hearings on this bill that the particular people appropriated for in this paragraph are engaged exclusively in work in Washington.

The committee, in order to take care of that force, has brought it forward in this bill. In other words, Mr. Chairman, we have given the Bureau of Labor Statistics the same force that they now have, aggregating $102,160. We provide, in addition to that, a clerical force to the amount of $12,280. This force was there heretofore, but was paid out of a lump-sum appropriation.

Here is a very good place to say to the gentleman from Illinois [Mr. BUCHANAN] that we are trying to take care of the Labor Bureau. When we found that these clerks were employed, that their services were needed there, we brought that forward in this bill. And yet we appropriate in the following paragraph the $64,000 out of which heretofore they have been paid. In other words, while we increased the force in Wash-

ington, we have not diminished the appropriation for the field work.

I hope that the gentleman from Georgia [Mr. BARTLETT] will let that force be provided for.

Mr. BARTLETT. Yes, Mr. Chairman; but "the gentleman from Georgia" understands that if this unlawful and unauthorized paragraph is permitted to stand we will be subjected again to a vote for an amendment which may increase this number of clerks by a large number. I do not care, Mr. Chairman, to say anything further on the subject.

Mr. DIES. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Texas?

Mr. BARTLETT. Certainly.

Mr. DIES. Do I understand the gentleman to say that he is afraid——

Mr. BARTLETT. No; I said I understand that this paragraph, if permitted to stand, will perhaps subject us——

Mr. DIES. Not afraid; but if you have the authorization, some gentleman—probably the gentleman from Illinois [Mr. BUCHANAN] or some other gentleman—will offer an amendment to increase the amount?

Mr. BARTLETT. Yes; it will add to the number of unauthorized clerks in this provision. In other words, if you permit to remain in the bill a paragraph unauthorized by law, then that paragraph is subject to amendment, and they can tack on to it other offices not authorized by law. The only way to protect the Treasury from things of that kind is to strike out the unauthorized paragraph.

Mr. MANN. I would like to be heard on the point of order, Mr. Chairman, unless the Chair is prepared to overrule the point of order.

The CHAIRMAN. The Chair is not prepared to overrule the point of order, because the gentleman from South Carolina [Mr. JOHNSON] admitted that the paragraph was subject to a point of order.

Mr. MANN. I do not think the gentleman from South Carolina is fully informed as to that. Let us see what the provision is. It provides:

For the following employees now being paid from a general appropriation—

And then it names them. The bill itself shows that they are transferred from a lump-sum appropriation. I understood the gentleman from South Carolina [Mr. JOHNSON] to say that as a matter of fact they are clerks.

Mr. JOHNSON of South Carolina. They are provided for as clerks. They are simply provided for at the salary they are now receiving from the lump-sum appropriation.

Mr. MANN. What are they? Are they clerks?

Mr. JOHNSON of South Carolina. They are not so designated in the law.

Mr. MANN. The statute under which the Department of Labor was created contains this provision:

SEC. 2. That there shall be in said department an Assistant Secretary of Labor, to be appointed by the President, who shall receive a salary of $5,000 a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk and such other clerical assistants, inspectors, and special agents as may from time to time be provided for by Congress.

Now I do not know, as a matter of fact, whether these following employees are clerical assistants, inspectors, or special agents. But I do not know what they would be or could be unless they came within one of these three classes. When the Department of Labor was created that language was inserted in the law for the express purpose of meeting cases where you desired to increase the number of employees in the department, and the Chair ruled a while ago on the same matter, practically, with reference to almost the same language of the law in creating the Department of Commerce. That general provision in the law is put there for the purpose of permitting Congress by an appropriation act to provide for those places. In some cases, as I stated once before here to-day, Congress has made the mistake of providing specifically the number of places. That mistake was made when the Bureau of Labor Statistics was originally created. The law specifically provided the number of clerks and everything else in that department. But it is now transferred to the Department of Labor, and under this law creating the Department of Labor Congress is authorized by the appropriation act to provide for these places. These employees are either special agents, clerical assistants, or experts of that kind, covered by that language, because those were the only ones authorized to be paid out of this lump-sum appropriation in the current law.

The CHAIRMAN. Does the gentleman from Georgia [Mr. BARTLETT] desire to be heard?

Mr. BARTLETT. No; I do not. There is no authority except this act to which the gentleman has called attention, which simply provides that there shall be one chief clerk, for whom we have provided, as well as the other officers; and the mere fact that it says "and such other clerical assistants, inspectors, and special agents" does not cover these employees, because nowhere in this paragraph does the language indicate that these employees are to be clerical assistants, inspectors, or special agents.

The CHAIRMAN. What does the gentleman from Georgia say to the language in section 2, which reads as follows:

There shall also be one chief clerk and one disbursing clerk—

Mr. BARTLETT. We have provided for them.

The CHAIRMAN. Also—

And such other clerical assistants.

Now, suppose the language in this appropriation bill had been, "the following clerical assistants now being paid from the general appropriation"?

Mr. BARTLETT. It does not say that.

The CHAIRMAN. But is there any difference between the meaning of "clerical assistants" and "employees" as the word is used in this paragraph? Do they not both mean the same thing?

Mr. BARTLETT. I do not think they do. They might be employed to do something else. They might not be clerks at all. There is no provision of law authorizing these salaries or fixing them. There is no provision of law authorizing an employee at $1,780, or any employee at all.

Mr. BUCHANAN of Illinois. Mr. Chairman, may I be heard?

The CHAIRMAN. The Chair recognizes the gentleman from Illinois.

Mr. BUCHANAN of Illinois. There is such a provision in the lump-sum appropriation that has been in effect since the Department of Labor was created. And this only transfers from the lump-sum pay roll to the permanent pay roll, so that they may be employed in the District of Columbia.

Mr. BARTLETT. If the gentleman will permit me, that is the very point.

Mr. BUCHANAN of Illinois. That has been the law ever since the Labor Department has been in existence.

Mr. BARTLETT. That is the very thing that can not be done. Under a number of rulings you can not transfer a man from the lump-sum appropriation and put him on the statutory roll without some authorization for it.

The CHAIRMAN. The Chair is ready to rule. The Chair remembers very distinctly the discussion with reference to this provision of the bill when the creation of the Department of Labor was under consideration. The matter was then discussed as to the propriety of making the statute broad enough so that Congress might appropriate for all the necessary employees of that department. The difference in the language is that the statute provides for "clerical assistants," and the appropriation bill provides for "the following employees." The Chair can not imagine the purpose to which "the following employees" could be put unless it be for clerical assistants, inspectors, or special agents, and he believes that the word "employees" in this paragraph is equivalent to "clerical assistants," and overrules the point of order.

Mr. BUCHANAN of Illinois. Mr. Chairman, I want to ask unanimous consent that this paragraph and the next one be considered together.

The CHAIRMAN. The gentleman asks unanimous consent that this paragraph and the next one be considered together.

Mr. JOHNSON of South Carolina. No, Mr. Chairman; I do not think we ought to do that.

The CHAIRMAN. The gentleman from South Carolina objects.

Mr. BUCHANAN of Illinois. I have an amendment that I want to offer. I think, if the gentleman from South Carolina wanted to be fair, he would let these two paragraphs be considered together, because if I can get what I want in the next paragraph I do not want to offer an amendment to this one. I do not know why the gentleman should object. I had no idea that any such objection would be made.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 136, strike out all after the colon following the word "appropriation," in line 2, and insert the following: "1 at $2,760, 1 at $2,520, 3 at $2,280 each, 1 at $1,800; 6 at $1,600 each, 7 at $1,400 each, and 2 at $1,200 each; in all, $37,720."

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes. Is there objection?

Mr. BUCHANAN of Illinois. Mr. Chairman, I object.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 10 minutes. May I make a statement before the vote is taken?

Mr. BUCHANAN of Illinois. Mr. Chairman, I think I have the floor.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move that all debate close in 10 minutes.

The CHAIRMAN. The Chair will state to the gentleman from Illinois that it is customary to recognize the gentleman from South Carolina. He was on his feet after the gentleman's amendment was read. The question is on the motion of the gentleman from South Carolina that all debate on the pending paragraph and all amendments thereto close in 10 minutes.

The question was taken, and the motion was agreed to.

Mr. BUCHANAN of Illinois. Mr. Chairman, this amendment becomes necessary for the efficient operation of the Bureau of Labor Statistics, due to the provision that the committee has put in the following paragraph, which, in line 8, provides for field service outside of the District of Columbia. In other words, if this amendment which I have offered is not approved and this provision that the committee has put in the next paragraph remains, it practically makes it impossible for the Bureau of Labor Statistics to do the work which it has been doing ever since it has been in existence, because it becomes necessary for those doing field work to often come within the District of Columbia to either supervise or assist in compiling the reports of the research work that they have made. In other words, this field work is often only temporary work done in certain parts of the year, and an investigator goes out and gets information and comes into the office in the District of Columbia for the purpose of compiling or assisting to compile; and, as I stated, if this amendment that I have now offered is not passed and the provision in the next paragraph is left as it is, it practically puts the Bureau of Labor Statistics in a position where it will be unable to do the work it has been doing, and it is important that the work should be done.

I fail to comprehend why the gentleman, who is in charge of this bill, and this committee seem to take the attitude they do in regard to the Labor Department, and those who are making an effort to secure what we believe is necessary for the operation of this department. The gentleman in charge of the bill the other day gave his consent to some one else to pass over a paragraph and consider two paragraphs together. To-day he objects to my doing that. In other parts of the bill, on page 122, in the Bureau of Census, it provides that certain money can be used in the District of Columbia, and he does not put a provision in there providing that it shall all be done outside of the District of Columbia, but provides whether it be done in the District of Columbia or otherwise—work of the same nature, work under the same sort of an appropriation. They put a provision in this bill that it should be done in the District of Columbia or elsewhere, but when it comes to the Bureau of Labor Statistics, they say that not one dollar can be expended in the District of Columbia, which makes it practically impossible for them to do the work they have to do.

I hope that this amendment will meet with the approval of the Committee of the Whole.

Mr. JOHNSON of South Carolina. Mr. Chairman, so far as this particular bureau is concerned, I want to make ample provision for it. When I found out that these eight people were employed in the bureau as clerks and were being paid out of a lump-sum appropriation I favored providing for them, as is done in this bill. After the bill was made up and reported to the House it was called to my attention that they had 11 other clerks who sometimes work in the office and sometimes out. I thought then and I think now that $102,000 that is appropriated on page 135 and with the additional $12,280 appropriated on page 136 they have sufficient clerical force in that office to do the work, and we have appropriated $64,000 to do the field work.

I do not know whether they are right to bring people in here to compile reports or not. The head of one of the bureaus that we have yet to consider testified before our committee that it was not wise to employ experts in the field to gather statistics and then have those same experts come here and act in a clerical capacity in compiling them.

The two bureaus are in the same department; I do not know who is right. We are told in one case that experts who gather information in the field work ought not to be brought to Washington and used as clerks, and yet in another bureau in the same department we are told that we are crippling that department if we do not make provision for that very thing.

Mr. BUCHANAN of Illinois. Why did you leave that provision out of the Census Bureau as to performing work in the District of Columbia?

Mr. JOHNSON of South Carolina. In the Census Bureau the force is a force of trained experts which they send into the field.

Mr. BUCHANAN of Illinois. The Chief of the Department of Labor did not say that it was not wise to bring them in to do the work.

Mr. JOHNSON of South Carolina. Mr. Chairman, I hope these bureaus will be able to decide on a policy. The head of the department ought not to have Congress believe that one of his bureaus is handicapped if we refuse to let experts come in and act as clerks and in the other bureau that it is unwise to do it. I hope the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. BUCHANAN of Illinois) there were—ayes 32, noes 34.

Mr. BUCHANAN of Illinois. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. JOHNSON of South Carolina and Mr. BUCHANAN of Illinois.

Mr. MADDEN. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and seven Members present—a quorum. The members will pass through the tellers.

The committee again divided; and the tellers reported that there were—ayes 54, noes 40.

So the amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I make the point that there is no quorum present.

Mr. JOHNSON of South Carolina. And I make the point of order that the point is dilatory.

The CHAIRMAN. The Chair thinks the point of order is not dilatory, considering the count just made. Probably some gentlemen left the Hall or they would have voted one way or the other.

Mr. BUCHANAN of Illinois. There were several members that did not vote.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and seven members present, a quorum, and the Clerk will read.

The Clerk read as follows:

For per diem, in lieu of subsistence, of special agents and employees while traveling on duty away from their homes and outside of the District of Columbia, at a rate not to exceed $3 per day, and for their transportation, for experts and temporary assistance for field service outside of the District of Columbia, to be paid at the rate of not exceeding $8 per day, and for traveling expenses of officers and employees, and for the purchase of reports and materials for the reports and bulletins of the Bureau of Labor Statistics, and for subvention to "International Association for Labor Legislation," and necessary expenses connected with representation of the United States Government therein, $64,090.

Mr. BUCHANAN of Illinois. Mr. Chairman, I want to raise the point of order on the words "field service outside the District of Columbia," as new legislation and not authorized.

Mr. JOHNSON of South Carolina. I do not care to waste time, Mr. Chairman. It is not subject to a point of order, of course.

Mr. BUCHANAN of Illinois. Can the gentleman cite any law?

Mr. JOHNSON of South Carolina. Under the law all lump-sum appropriations are to be expended outside of Washington unless specifically appropriated.

Mr. BUCHANAN of Illinois. I contend that those words are new legislation, something that has not been inserted in appropriation bills before. It is not current law and not permanent law.

The CHAIRMAN. The Chair would like to ask the gentleman from South Carolina a question. This question was up to-day when the Chair was temporarily absent and the gentleman from Missouri [Mr. ALEXANDER] occupied the chair. I would like to ask whether the question was passed upon at that time?

Mr. MANN. Only in a formal way. The Chair overruled a point of order where a point of order was made on an item providing for service in the District of Columbia or elsewhere. I do not think it is subject to a point of order.

The CHAIRMAN. The Chair is under the impression that the point of order is not well taken.

Mr. BUCHANAN of Illinois. The gentleman from South Carolina says that there is a statute prohibiting the employment

out of a lump sum in the District of Columbia. I do not think there is any such statute.

Mr. MANN. Will my colleague yield?

Mr. BUCHANAN of Illinois. Yes.

Mr. MANN. Even if there be no such statute, and even if Congress has the authority, which I think it has, to appropriate for services in the District of Columbia and out of the District of Columbia, certainly it would not be subject to a point of order to appropriate for either one.

Now, if, instead of making the point of order, the gentleman will offer an amendment to insert in that item ahead of "For field service" the words "service in the District of Columbia and," why, if he carries his amendment and the House is with him, that will authorize the appropriation in and out of the District of Columbia.

Mr. BUCHANAN of Illinois. I have an amendment here, but I think it is legislation——

The CHAIRMAN. Does the gentleman withdraw his point of order?

Mr. BUCHANAN of Illinois. No.

The CHAIRMAN. Has the gentleman from Illinois any precedent to sustain his point of order? Has he examined the precedents himself?

Mr. BUCHANAN of Illinois. Mr. Chairman, when they raise points of order against any amendment I offer here I am always required to furnish the statute to show that it is in accordance with the law, and so forth, and I do not think I should be called upon, with my limited knowledge of the law——

The CHAIRMAN. The gentleman from Illinois has the two propositions mixed up. One is that the proponent of an amendment authorizing a salary should show the law authorizes it, whereas it is language contained in the bill authorizing the appropriation. The point of order is overruled.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to amend by inserting, after the word "service," in line 8, the words "in the District of Columbia and."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 136, line 8, after the word "service," insert the words "in the District of Columbia and."

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this amendment close in 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Let me make a suggestion to the gentleman that he offer his amendment to come in after the word "for," in line 8, and read, "service in the District of Columbia and for," so it will read: "for service in the District of Columbia and for field service outside of the District of Columbia."

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent to modify my amendment in that respect.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to modify his amendment. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the modified amendment.

The Clerk read as follows:

Page 136, line 8, after the word "for," insert the words "service in the District of Columbia and for."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. JOHNSON of South Carolina. Mr. Chairman, we have an agreement that debate shall be limited to 10 minutes.

The CHAIRMAN. Nobody seemed to want any time.

Mr. JOHNSON of South Carolina. I supposed I would close the debate. [Cries of "Vote!"]

Mr. GRAHAM of Illinois. Mr. Chairman, I do not care to be heard on it.

Mr. BUCHANAN of Illinois. Does the gentleman want to discuss it?

Mr. JOHNSON of South Carolina. Yes.

Mr. BUCHANAN of Illinois. If the gentleman wants to be heard, I will take up a few minutes.

Mr. GRAHAM of Illinois. I understood the gentleman did not want to be heard.

Mr. BUCHANAN of Illinois. Mr. Chairman, this provision is necessary for the efficient operation of this bureau. The same words we are asking to be put in here are in other bureaus. You will find in this bill, on page 122, and it would be well for the Chair to compare page 122, lines 13, 14, and 15, with lines 8 and 9, page 136, which we are considering at this time, and which is in the Bureau of the Census. The work of the Bureau of the Census is about the same as the work that this Bureau of Labor Statistics is doing. In fact, there are certain kinds of work in which they cooperate together, and if it is good to have that language in one place in the bill in respect to the Bureau of the Census, I do not see why anybody could have any objection to having the same provision in the Bureau of Labor Statistics, without it is somebody who seems to mistrust anything that has the name of labor about it and of anyone doing work in the Labor Department. Labor from the beginning of the world has been looked at as something beneath, something that you should consider with contempt and fear that they are going to do something that is not right. There is no justification in opposition to this amendment. If it is proper to have the same words in one place it is proper to have them in another.

Now, it does not matter to me what their construction is, how they speak or debate against it, there is absolutely no justification for the provision in one place without having the same provision in the other, and I have full confidence in those who are in charge of the Bureau of Labor Statistics, and I do not believe they will misuse any part of this fund. In fact, I know they are giving the very best service, and that the employees are the most efficient and doing more work and better work than any bureau in the Government.

If it is due to that reason, I say, that there is a mistrust of labor, of those who are working for the cause of labor, they need not fear about this, because they certainly will have there an administration that will be watchful in regard to the matter, and if they are found to be misusing this fund or abusing it, they can be discharged and other men put in their position.

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not suppose that anything I can say will prevent the adoption of any amendment and that the pending amendment will be agreed to. But I want to call attention to one thing. We provided in this bill for $12,280 for clerical help in this bureau that we have not in current appropriation. We provided, in addition to that, a lump-sum appropriation of $64,000 to be used in the field. These gentlemen, by their little byplay, with which they think they can fool the laboring men of this country, have voted into this bill $23,000 worth of clerks here in Washington. And what else do they propose? That the $64,000 for field service shall have the limitation taken out, so that that sum can be spent here in Washington. That is what comes of men legislating and putting important provisions on the appropriation bill when they do not know anything about it. How many of you knew that you were increasing this appropriation for clerical help above what the Secretary of Labor wants? How many of you know that you are providing here in the District of Columbia, in addition to $102,000 on page 135, $35,000 and $64,000? Oh, it is all right. This is done in the name of labor. I have heard of crimes that were committed in the name of liberty. Laboring men do not get this $200,000, but men on the pay rolls of the Government, many of whom are receiving good salaries, are getting it.

Mr. BUCHANAN of Illinois. Will the gentleman yield? I want to know if he would withdraw his objection if this reduction be made?

Mr. JOHNSON of South Carolina. Mr. Chairman, the committee is responsible for any amendment it puts on the bill. The members of the Committee on Appropriations desire honestly and fairly to provide clerical assistance for all the departments of the Government. We desire to provide all the money that is necessary to carry on the governmental activities with which they are charged. If the Committee of the Whole sees fit to add to this appropriation $23,000 in the city of Washington and then make it possible to spend every dollar of the $64,000 lump-sum appropriation in Washington, that is the business of the Committee of the Whole. The Committee on Appropriations having honestly discharged its duty, will be quite content.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. BUCHANAN].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BUCHANAN of Illinois and Mr. GRAHAM of Illinois demanded a division.

The committee divided; and there were—ayes 44, noes 52.

Mr. GRAHAM of Illinois. Tellers, Mr. Chairman.

Tellers were ordered; and Mr. BUCHANAN of Illinois and Mr. JOHNSON of South Carolina took their places as tellers.

The committee again divided; and the tellers reported—ayes 46, noes 51.

So the amendment was rejected.

The Clerk read as follows:

Bureau of Immigration: Commissioner General, $5,000; Assistant Commissioner General, who shall also act as chief clerk and actuary, $3,500; private secretary, $1,800; chief statistician, $2,000; clerks—3 of class 4, 4 of class 3, 6 of class 2, 8 of class 1, 8 at $1,000 each, 6 at $900 each; 2 messengers; assistant messenger; in all, $57,900.

Mr. RAKER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 137, line 11, after the word "three," strike out "six" and insert "seven"; after the word "two" strike out "eight" and insert "nine"; after the word "one" strike out "eight" and insert "nine."

On page 137, line 12, after the word "each," strike out the word "six" and insert "seven."

After the word "messengers" insert "two."

Strike out the word "messenger" and insert "messengers."

On page 137, line 17, strike out "$57,900" and insert "$63,120."

This will make the provisions read, following the $2,000 on line 10, as follows:

"Clerks—7 of class 4, 4 of class 3, 7 of class 2, 9 of class 1, 9 at $1,000 each, 7 at $900 each; 2 messengers; 2 assistant messengers; in all, $63,120."

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. RAKER].

Mr. JOHNSON of South Carolina. How much time do you want?

Mr. RAKER. I would like about 10 minutes. This is the only time I have taken on a matter of this kind. There are five different amendments, and I want to call the attention of the committee to them. I have put them all in one, so as to save time.

Mr. JOHNSON of South Carolina. Will 5 minutes satisfy the gentleman?

Mr. RAKER. Oh, I would like to take 10 minutes.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on the pending paragraph and amendments thereto close in 6 minutes.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent that all debate on the pending paragraph and amendments thereto close in 6 minutes. Is there objection?

Mr. RAKER. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from California [Mr. RAKER] objects. The gentleman from California is recognized.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, the net increase proposed by this amendment is one clerk at $1,400, one at $1,200, one at $1,000, one at $900, and an assistant messenger at $700.

The memoranda and the statements bearing on this proposed increase are found on pages 786 to 793 of the committee hearings.

Increase in business of immigration appeals up to the end of February: Total number of appeals, fiscal year 1913, was 7,103; total number July 1, 1913, to February 28, 1914, is 6,094; pro rata increase of 45 per cent. Increase in business of departmental work, of warrants, of arrests, and deportations: Total number of warrants, fiscal year 1913, 3,461; total number from July 1, 1913, to February 28, 1914, 3,210.

Mr. MURRAY of Massachusetts. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Massachusetts?

Mr. RAKER. Yes.

Mr. MURRAY of Massachusetts. Are not these figures a clear indication of the change of policy on the part of the Department of Labor in the present administration, of excluding almost everybody? Are not these figures a proof of that changed policy?

Mr. RAKER. I am glad the gentleman has asked that question. I will read the percentage, and then answer that question. The pro rata increase upon this work is 39 per cent.

Now, there has been no increase in the clerical force since 1911. The work to be done, the work that is required under this increase is urgent, and the necessity of it is shown by the statements contained in the hearings held by the committee. It first applies to cases of insanity, persons who illegally enter the United States and are insane at the time or become insane. The next applies to those violating the law after entering the United States, and the next applies to prostitutes and those receiving the earnings of prostitutes after landing in the United States. Those are the ones that the Commissioner General of Immigration has been deporting under the law, enforcing the law in that regard; and it shows that these men who are doing the work have given eight days and three hours per man over and above the allotted time, thus demonstrating that they are doing all that they can and all that they really ought to do. The department officials in the hearings here show that it is absolutely necessary to bring about the proper enforcement of the law on this particular subject.

Mr. MURRAY of Massachusetts. Mr. Chairman, will the gentleman yield again?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Massachusetts?

Mr. RAKER. Yes.

Mr. MURRAY of Massachusetts. We all agree that those classes should be excluded. But will the gentleman read into the RECORD the increase in the number of exclusions under the vague and indefinite heading "Liable to become a public charge"?

Mr. RAKER. I want to read just a few figures from page 789. "Prostitutes and females coming for any immoral purpose," 330 last year, and during the six months from July 1 to December 31, 1913, 171. The department asks that they may have a sufficient amount of money to continue their effective work and to prevent this class of people from illegally coming into this country and remaining here. The number excluded who were "supported by proceeds of prostitution" was 100 for the fiscal year ending June 30, 1913, and for the six months from July 1 to December 31, 1913, the number was 74.

They ought not to remain here surely. You ought to provide ample means and assistance to the Department of Labor and the Bureau of Immigration to exclude such people from this country who come here for that purpose.

The department is giving its best efforts to this work, and the record is replete and complete, showing the necessity for the work of exclusion. The increase in the number of exclusions and the increased work they are doing require an increased force.

Let me read a little further. At any rate that answers the question of the gentleman from Massachusetts [Mr. MURRAY].

BUREAU OF IMMIGRATION.

STATEMENT OF MR. ROGER O'DONNELL, SPECIAL IMMIGRANT INSPECTOR.

Mr. BYRNS. Mr. O'Donnell, you are asking for an increase in this bureau of something over $5,000?

Mr. O'DONNELL. Yes, sir; for four additional clerks and one additional assistant messenger.

Mr. BYRNS. Will you please explain why it is necessary to have that increase?

ADDITIONAL CLERKS.

Mr. O'DONNELL. The Bureau of Immigration has had no increase in its force since 1911, when we received an increase of eight clerks. The present estimate contemplates an increase of one clerk each of class 2, class 1, $1,000, and $900. Now, that can be explained by the increase in our work. We have up to this time been borrowing help as we needed it from the Division of Information, which is provided for separately in this schedule, and we have reached the limit that we can attain in that regard without defeating altogether the purpose for which that division was created and exists. Now, we do not keep office statistics. We have no time and no force to keep statistics of office work—that is, of the number of letters written, and matters of that kind—but I have some figures here which will serve to show the committee what the immediate present pressing increase has been. One of the functions of this bureau is to issue warrants of arrest and deportation looking to the removal from the United States of aliens who are here in violation of law. The total number of warrant cases for the last fiscal year was 3,461. The number for the first six months of this fiscal year is 2,359. Now, at that ratio of increase it amounts to 28 per cent over the work of that kind in the last fiscal year.

Mr. BYRNS. What is the cause for such a heavy increase?

Mr. O'DONNELL. Well, we attribute it to a more efficient enforcement of the law. There has been a greater activity in respect of the State institutions reporting public-charge cases, and also agitation in connection with the white-slave proposition, and we have gone after the so-called white slaves and white slavers so far as the limit of our field appropriation would allow, with the intention of ridding the country of that class of gentry; and in doing that we have, of course, increased the work here in the department to a corresponding extent, as indicated by the figures I have just given.

Another feature which we keep statistics on—not for the purpose of appearing with them before this committee, but for the purpose of our general immigration statistics—is in respect of appeal cases which are handled in our bureau. Now, these appeal cases, coming from every port of entry in the United States, aggregated during the last fiscal year 7,103. For the first six months of this fiscal year the number was 5,533, or an increase of 36 per cent. Those are the two large branches of the work of the bureau. You might call them segregated branches of the work, as contradistinguished from the ordinary office practice of writing letters and granting authorizations, etc. That increase of 28 per cent in the warrant cases and the increase of 36 per cent in the appeals represents increased efficiency in the enforcement of the immigration laws, and our force here in the bureau has just about reached its limit, and we therefore ask the committee to give us this comparatively small additional force.

Mr. BORLAND. During what period is that percentage of increase?

Mr. O'DONNELL. That is during the last six months or the first half of the present fiscal year.

Mr. BORLAND. An increase of 36 per cent in the last six months?

Mr. O'DONNELL. Of course, you understand, a pro rata increase of 36 per cent over the work for the last fiscal year.

Mr. BORLAND. In the warrants issued and in the appeal cases?

Mr. O'DONNELL. Yes. Now, the appeal cases have naturally increased because there has been a stiffening in the inspection system at the ports, and as the system becomes more efficient there a larger number are debarred and a larger number appeal, and every one of those appeals has to be handled here and considered and disposed of by the Secretary.

Mr. BORLAND. What are the grounds on which these warrants are generally issued?

Mr. O'DONNELL. Well, they are for aliens who are found in the United States, to be public charges from causes existing prior to landing, for example, insanity; or they are issued for the arrest and deporta-

tion of aliens who have not become public charges, but who are found upon evidence developed subsequent to their landing to have entered by deception and fraud—by deceiving the officers who examined them.

Mr. BORLAND. Suppose a man after he comes here violates some criminal law of the United States or of a State, that is not a ground for his deportation?

Mr. O'DONNELL. That is not a ground for his deportation under existing law.

Mr. BORLAND. Are these white-slave deportations founded upon causes supposed to have existed at the time of his entry as an immigrant or on charges that have arisen since?

Mr. O'DONNELL. On causes that have arisen since. The act of March 26, 1910, took off the time limitation with respect to deporting these people.

Mr. BORLAND. You refer to the white slavers?

Mr. O'DONNELL. Yes, sir.

Mr. BORLAND. And did they take off the time limitation as to the time when the offense was committed or when deportation may take place?

Mr. O'DONNELL. Well, a woman found practicing prostitution, an alien woman, is subject to deportation at the present time irrespective of how long she may have been in the United States or when or where she began practicing prostitution.

Mr. BORLAND. Is that the law at the present time?

Mr. O'DONNELL. That is the law at the present time.

Mr. BORLAND. Would the same be true of a man?

Mr. O'DONNELL. To the procurer, the man who is found receiving, sharing in, or deriving any benefit from the earnings of a prostitute, the same rule would apply.

Mr. BORLAND. That makes your department, then, the enforcing agency of a Federal criminal statute, does it?

Mr. O'DONNELL. The Supreme Court of the United States has repeatedly held that this law affecting deportation is not a criminal statute; that expulsion is not a punishment for crime.

Mr. BORLAND. You know, of course that we give the Department of Justice a special fund for the prosecution of white-slave cases.

Mr. O'DONNELL. That has to do with interstate traffic under the Mann Act of June 25, 1910. This may be said to be international traffic while the other is interstate traffic.

Secretary WILSON. This has only to do with aliens.

Mr. BORLAND. Do you mean to say that any alien woman found practicing prostitution in the United States, even though she began after she became a resident of the United States, is subject to deportation because she is an alien?

Mr. O'DONNELL. Because she is an alien and a prostitute.

Mr. BORLAND. And your department handles those cases?

Mr. O'DONNELL. Yes, sir.

Mr. BORLAND. And any man found engaging in the white-slave traffic or having any connection with it is subject to deportation if he be an alien, even though he was not a white slaver when he entered the United States?

Mr. O'DONNELL. That is correct, sir. That is the existing law.

Mr. BORLAND. Why are you not acting in the nature of an agency enforcing a criminal statute?

Mr. O'DONNELL. Because the Supreme Court has said deportation is not punishment for crime, and that arrest and deportation under the immigration law is not a criminal proceeding.

Mr. BORLAND. What opportunity for trial do the people have if it is not a crime?

Mr. O'DONNELL. The requirements of due process of law are observed in every one of these cases. There is a warrant of arrest issued; they are given an opportunity to submit a defense, and after the hearing, in which they have figured, has been reviewed in the department, a warrant is issued for deportation or the warrant of arrest is canceled.

Mr. BORLAND. That is simply an ex parte investigation before your immigration officer is it not?

Mr. O'DONNELL. Well, it is not entirely ex parte because there is an opportunity of defense afforded. An attorney is allowed to appear and the right of cross-examination is afforded.

Mr. BORLAND. But it is not a trial in any sense? It is an investigation before your immigration officer?

Mr. O'DONNELL. It may be likened to a hearing in an equity case before an examiner.

Mr. BORLAND. How large a percentage of this increase is due to that cause? Can you say from your figures?

Mr. O'DONNELL. I said 28 per cent had been the increase in warrant cases in the last six months; I can not tell you what proportion of that percentage is due more particularly to development connected with the white-slave traffic.

Mr. BORLAND. Your figures do not show that?

Mr. O'DONNELL. I have not segregated them.

Mr. BORLAND. Do the records in your office show?

Mr. O'DONNELL. I could get that information and put it in the record.

Mr. BORLAND. I would like to have it put in. I would like to know how many deportations have taken place on the ground of becoming public charges or where insanity has developed.

Mr. O'DONNELL. I will be very glad to get that data for last year and for the last six months.

(The statements referred to are as follows:)

Returned after landing, by causes and races.

	Year ended June 30, 1913.	July to December, 1913.		Year ended June 30, 1913.	July to December, 1913.
CAUSES.			RACES.		
Insanity	628	380	African (black)	33	9
Other mental conditions	49	37	Armenian	14	6
Loathsome or dangerous contagious diseases	201	90	Bohemian and Moravian	33	14
Professional beggars	3	.....	Bulgarian, Servian, Montenegrin	35	104
Paupers	1	.....	Chinese	409	502
Likely to become a public charge	1,262	624	Croatian and Slovenian	63	50
Public charges because of—			Cuban	9	2
Pregnancy	5	4	Dalmatian, Bosnian, Herzegovinian	10	9
Physical conditions	66	59	Dutch and Flemish	34	23
Dependent members of family	.....	1	East Indian	32	27
			English	285	146

Returned after landing, by causes and races—Continued.

	Year ended June 30, 1913.	July to December, 1913.		Year ended June 30, 1913.	July to December, 1913.
CAUSES—continued.			RACES—continued.		
Public charges not otherwise specified	6	7	Finnish	33	11
Entered without inspection	464	732	French	150	93
Contract laborers	54	24	German	345	198
Under 16 years of age and unaccompanied by parent	41	10	Greek	116	56
Criminals	124	64	Hebrew	253	134
Polygamists	2	1	Irish	132	102
Anarchists	4	1	Italian (north)	73	24
Prostitutes and females coming for any immoral purpose	330	171	Italian (south)	346	203
Supported by proceeds of prostitution	100	74	Japanese	61	95
Aliens who procure or attempt to bring in prostitutes or females for any immoral purpose	121	80	Lithuanian	22	12
			Magyar	81	33
			Mexican	203	95
			Polish	201	137
			Portuguese	16	6
			Roumanian	28	11
			Russian	46	50
			Ruthenian (Russniak)	55	28
			Scandinavian	126	55
			Scotch	51	26
			Slovak	45	13
			Spanish	33	26
			Spanish-American	1	.....
			Syrian	70	43
			Turkish	4	2
			Welsh	3	.....
			West Indian (except Cuban)	4	3
			Other peoples	6	2
Total returned under provisions of immigration law	3,461	2,359	Total returned under provisions of immigration law	3,461	2,359
Returned under provisions of Chinese-exclusion law	157	66	Returned under provisions of Chinese-exclusion law	157	67

Mr. WATSON. Mr. O'Donnell has only enumerated two of the excludable classes.

Mr. BORLAND. What other classes can you mention?

Mr. O'DONNELL. Contract laborers, persons who are imported and brought into the United States under contract to perform labor or services.

Mr. BORLAND. Has there been an increase in that class of cases?

Mr. O'DONNELL. I am not able to subdivide this percentage.

Mr. BORLAND. These cases arise on complaint or information of one of your inspectors?

Mr. O'DONNELL. They arise in a great many ways. In contract-labor cases they usually arise through information from an informant, perhaps the imported alien himself; in the cases of public charges they are reported to us by the State, county, and municipal authorities; in the cases of these prostitutes and procurers or persons in that class, they are reported by the police authorities or, in some cases, by associations—welfare associations. And whenever information comes to us we are required, or deem it our duty under the law, to investigate it and take whatever action the law requires. But we do not go out hunting up cases, because we have not the money to do it.

Mr. BORLAND. Do your immigration officers engage in hunting those cases down?

Mr. O'DONNELL. Our immigration officers are not inquisitors and they do not go out hunting cases.

Secretary WILSON. When cases are brought to our attention the immigration inspectors make an investigation to determine whether or not there is any foundation for the complaint; they do not go out of their way to hunt up such cases.

Mr. KINKEAD. Where is your appropriation carried for inspectors?

Mr. O'DONNELL. In the sundry civil bill.

Mr. KINKEAD. How many immigration inspectors have you?

Mr. O'DONNELL. I should say between 500 and 600.

Mr. KINKEAD. They are stationed——

Mr. O'DONNELL (interposing). All over the United States.

Mr. KINKEAD. But principally at the ports?

Mr. O'DONNELL. Well, of course, the larger number of our employees are stationed at Ellis Island, that being the largest port of entry for immigrants; but we have a force all over the United States.

Mr. KINKEAD. Do you mean you have inspectors at the inland towns?

Mr. O'DONNELL. Yes, sir.

Mr. KINKEAD. What purpose do they serve there?

Mr. O'DONNELL. They are arresting and deporting people under this warrant procedure, and they are conducting investigations in thousands of cases each year where persons are destined to those places. They make investigations as to Chinese and other aliens.

Mr. KINKEAD. You find there is always work for these inspectors, do you?

Mr. O'DONNELL. Oh, yes, sir.

Mr. KINKEAD. For instance, in a town in southern Illinois?

Mr. O'DONNELL. We have no men in small places like that.

Secretary WILSON. We have some inspectors in St. Louis, and they cover a large territory. We have the country divided into districts, and we have inspectors in each of those districts. The inspector in that district covers the entire territory within the district in question. For instance, if immigrants arrive at the port of New York and are destined to St. Louis or places within that district, the inspector at St. Louis is communicated with, and information is secured for the use of inspectors at New York. In addition to that, we gather information relative to these warrant cases within an entire district.

Mr. KINKEAD. Is the district of the inspector at St. Louis confined to the State of Missouri?

Secretary WILSON. No.

Mr. KINKEAD. He would take in some of the surrounding States?
Secretary WILSON. That district would take in some of the surrounding States.
Mr. O'DONNELL. That is an arbitrary division.
Secretary WILSON. Made by the Secretary for convenience in handling the work.
Mr. O'DONNELL. They are administrative districts, you may say.
Mr. KINKEAD. So that in the interior, eliminating the seaboard States, you probably have 10 men?
Mr. O'DONNELL. Oh, more than that. We have 10 men at Chicago alone.
Mr. KINKEAD. Ten men in Chicago?
Mr. O'DONNELL. Yes; I should say we have more than 10. In the interior, away from the seaboard, we probably have, roughly speaking, 50 inspectors.
Mr. BORLAND. How are these inspectors paid; a regular salary?
Mr. O'DONNELL. Yes, sir; they are paid from this lump-sum appropriation made by Congress in the sundry civil act.
Mr. BORLAND. Are there any fees connected with it at all?
Mr. O'DONNELL. No, sir.
Mr. BORLAND. Are they civil-service employees?
Mr. O'DONNELL. Yes, sir.
Mr. BORLAND. How do the salaries range?
Mr. O'DONNELL. Well, the entrance salary is $1,380, and then they range from that upward in divisions of $120—$1,380, $1,500, $1,620, $1,740, $1,860, $1,980, and $2,100—depending upon the character of the work. The highest salary received by an ordinary inspector—I say an ordinary inspector because I refer to a man without administrative duties—is $1,860.
Mr. BORLAND. Then you have a certain number of chief inspectors who get more than that?
Mr. O'DONNELL. We have inspectors in charge of districts and offices that are paid salaries in the discretion of the Secretary.
Mr KINKEAD. Are there some inspectors designated as chief inspectors?
Mr. O'DONNELL. There is a supervising inspector, for example, at El Paso, Tex.
Secretary WILSON. They are called inspectors in charge.
Mr. O'DONNELL. Yes; inspectors in charge. We have an inspector in charge at Chicago, an inspector in charge at St. Louis, and an inspector in charge at Cleveland; but they are all inspectors, simply being designated to be in charge of the district.
Mr. KINKEAD. Where are the other chief inspectors located?
Mr. O'DONNELL. Well, there is one in every district. Denver, Colo., is the headquarters of a district; Portland, Oreg.; Helena, Mont.; Jacksonville, Fla.; Minneapolis, Minn.; and Norfolk, Va. Then there are inspectors in charge on the Canadian border, what we call substations; for example, Buffalo, which looks after immigration matters in a radius around Buffalo; and Niagara Falls, Winnipeg, Port Huron, and Detroit. I have not named all the places, but if you want all of them I can put them in the record.
Mr. KINKEAD. Yes; I wish you would set that forth in the record.
Mr. O'DONNELL. Very well; I will put in the list.
(The list in question is as follows:)

Outline of organization, Immigration Service.

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
1	Commissioner of immigration.	Montreal, P. Q., Canada.	Canadian border and Canadian seaports; substations at Blaine, Wash.; Buffalo, N. Y.; Detroit, Mich.; Halifax, N. S.; Niagara Falls, N. Y.; Portal, N. Dak.; Port Huron, Mich.; Quebec, P. Q.; Sault Ste. Marie, Mich.; St. John, N. B.; Vancouver, B. C.; Victoria, B. C.; Winnipeg, Man.; Yarmouth N. S.
2	.....do.....	Boston, Mass.....	New England States, including port of Boston and subports of Portland and New Bedford.
3	.....do.....	Ellis Island, New York Harbor.	New York and New Jersey; immigration matter *only*.
	Chinese inspector in charge.	17 State Street, New York, N. Y.	New York and New Jersey; Chinese matters *only*.
4	Commissioner of immigration.	Philadelphia, Pa..	Eastern Pennsylvania and Delaware; port of Philadelphia and substations of Chester and Wilmington.
5	.....do.....	Baltimore Md.....	Maryland and District of Columbia; port of Baltimore and subports of Annapolis and Washington.
6	Inspector in charge	Norfolk, Va.....	Virginia and North Carolina; port of Norfolk and subports of Newport News and Wilmington.
7	.....do.....	Jacksonville, Fla..	Georgia, Florida, Alabama, and South Carolina; port of Jacksonville and subports of Savannah, Brunswick, Tampa, Miami, Key West, Pensacola, Mobile, and Charleston.
8	Commissioner of immigration.	New Orleans, La..	Louisiana, Mississippi, Arkansas, and Tennessee; port of New Orleans and subports of Gulfport and Pascagoula.
9	Inspector in charge	Galveston, Tex....	The port of Galveston and subports of Port Arthur and Corpus Christi Tex. The territory bounded on the north and east by the Louisiana-Texas border and the Gulf of Mexico; on the west by the westerly boundaries of the following counties in Texas: Shelby, Nacogdoches, Angelina, Polk, San Jacinto, Montgomery, Harris, Fort Bend, Wharton, Jackson, Victoria, Refugio, San Patricio, and Nueces; and on the south by the southerly boundary of Nueces County, Tex.

Outline of organization, Immigration Service—Continued.

Dist. No.	Title of officer.	Location of headquarters.	Extent of districts.
10	Inspector in charge	Cleveland, Ohio...	Ohio and Kentucky; substations at Toledo and Cincinnati.
11	.....do.....	Chicago, Ill.....	Illinois, Indiana, Michigan, and Wisconsin.
12	.....do.....	Minneapolis, Minn	Minnesota and North and South Dakota.
13	.....do.....	St. Louis, Mo.....	Missouri, Iowa, Kansas, and Oklahoma; substations at Kansas City and Des Moines.
14	.....do.....	Denver, Colo.....	Colorado, Wyoming, Nebraska, and Utah; substation at Salt Lake City.
15	.....do.....	Helena, Mont.....	Montana and Idaho; substations at Havre, Mont.
16	Commissioner of immigration.	Seattle, Wash.....	Washington; port of Seattle and subports of Tacoma, Port Townsend, Hoquiam, Everett, and Bellingham; substations, Spokane, Walla Walla, Custer, and Nooksack.
17	Inspector in charge.	Portland, Oreg....	Oregon; port of Portland and subport of Astoria.
18	Commissioner of immigration.	San Francisco, Cal.	Northern California and Nevada; port of San Francisco; substations, Eureka and Sacramento, Cal.
20	Inspector in charge.	Pittsburgh, Pa....	Western Pennsylvania and West Virginia.
19	.....do.....	Ketchikan, Alaska	Alaska; port of Ketchikan and substations of Skagway and Nome.
21	Commissioner of immigration.	San Juan, P. R....	Porto Rico; port of San Juan and subports of Ponce and Mayaguez.
22	Inspector in charge.	Honolulu, Hawaii.	Territory of Hawaii, including all ports.
23	Supervising inspector.	El Paso, Tex.....	Texas, except portion comprising district No. 9; New Mexico, Arizona, and southern California; port of El Paso; subports at Brownsville, Eagle Pass, Laredo, Hidalgo, and Del Rio, Tex.; Nogales, Douglas, and Naco, Ariz.; and San Diego, Tia Juana, Campo, and Calexico, Cal.; substations at San Antonio, Fort Worth, Hellingen, Amarillo, and Big Spring, Tex.; Tucumcari, Alamogordo, Albuquerque, San Marcial, and Deming, N. Mex.; Bowie, Benson, and Phoenix, Ariz.; and Los Angeles, Santa Barbara, San Luis Obispo, Andrade, and Fresno, Cal.

Mr. BORLAND. What is the function of the Division of Information?
Mr. O'DONNELL. Its function, as set out by section 40 of the act of 1907, is to promote the beneficial distribution of admitted aliens.
Mr. BORLAND. I see you are not proposing to extend that work.
Mr. O'DONNELL. No, sir; we do not find it necessary at this time to ask for any increase.
Mr. BYRNS. How much annual leave do the clerks and employes in your bureau take?
Mr. O'DONNELL. The average annual leave last year was 27 days 1 hour 7½ minutes, say 27 days, roughly.
Mr. BYRNS. How much sick leave?
Mr. O'DONNELL. An average of 3 days and 4 hours.
Mr. BYRNS. Do your clerks work overtime?
Mr. O'DONNELL. Yes, sir.
Mr. BYRNS. Do you keep a record of it?
Mr. O'DONNELL. Yes, sir; the average overtime was—on the basis of 7 hours per diem, of course—8 days and 3 hours per man.
Mr. BYRNS. During the calendar year?
Mr. O'DONNELL. During the calendar year 1913; yes, sir. During that year there were 19½ days taken without pay in the entire bureau.

ASSISTANT MESSENGER.

Mr. BYRNS. What is the necessity for another assistant messenger?
Mr. O'DONNELL. The necessity of it lies in the fact that we have not enough messengers at the present time to avoid the necessity of taking clerks off their desks and sending them about the building with papers. It is about the poorest kind of an investment to get along with too few messengers, because the clerks are paid more and it does not get the work of the bureau out to have them stop and carry papers about because of the lack of messengers.
Mr. BYRNS. You are provided with two messengers and one assistant?
Mr. O'DONNELL. Yes, sir.
Mr. BYRNS. Which makes three?
Mr. O'DONNELL. Yes, sir; counting the one in the Division of Information that makes four, but the one in the Division of Information is not available for use in the bureau; but taking it on the basis of three, there is one who attends to the work of the head of the bureau.
Mr. BYRNS. Why is not this messengers available for the use of the bureau?
Mr. O'DONNELL. Because he has all he can do in that division. His work in tying up and sending out packages in connection with their work—it would be very technical if I were to try to describe it—takes his entire time. So in the bureau proper we have three messengers, one of whom devotes his time, or most of his time, to the head of the bureau; there is one messenger who attends to the mail, handles the incoming and outgoing mail—that is, the physical dispatching of the mail.
Mr. BYRNS. Does that take all of his time?
Mr. O'DONNELL. That takes practically all of his time, but he has an opportunity to relieve between times. So that leaves one man who is available for the general running-around work of the bureau—that is, to make the regular rounds and take papers about. That man is often on the fifth floor, or some other floor, when he is wanted on the eighth floor or on the seventh floor, and the result is that clerks have to be taken off of their work and put at the work of carrying papers, and the business stagnates. There is no more un-

ful employee than a messenger. If, however, the committee does not see fit to give us an assistant messenger, a messenger boy, I suppose, would fill the requirements. That just occurs to me, and I suggest it to you for what it is worth.

Mr. BYRNS. Are all of your clerks up to a fair standard of efficiency?

Mr. O'DONNELL. I may say they are above a fair standard of efficiency; we have none below.

Mr. MURRAY of Massachusetts. Not at all. We are all against the admission of certain classes of immigrants.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MURRAY of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman from California may have 5 minutes more.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move that all debate on this paragraph and amendments thereto close in one minute.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] moves that all debate on the pending paragraph and amendments thereto close in one minute. The question is on agreeing to that motion.

Mr. MURRAY of Massachusetts. Mr. Chairman, I suggest the absence of a quorum. This is too important a matter to be rushed through.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MURRAY] makes the point of no quorum. The Chair will count. [After counting.] One hundred and nine Members present; a quorum. The question is on the motion made by the gentleman from South Carolina that all debate on this paragraph and amendments thereto be concluded in one minute.

Mr. MANN. I move to amend by making it six minutes.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Illinois to limit the debate on this paragraph and amendments thereto to six minutes.

The question being taken on a division (demanded by Mr. MANN), there were—ayes 33, noes 63.

Mr. MANN. I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. MANN and Mr. JOHNSON of South Carolina.

The committee again divided, and the tellers reported—ayes 39, noes 57.

Accordingly the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the motion of the gentleman from South Carolina to close the debate on this paragraph and the amendments thereto in one minute.

The motion was agreed to.

Mr. JOHNSON of South Carolina. Mr. Chairman, I think I am entitled to that one minute. I want to call attention to the fact that this particular bureau in 1908 had $41,000 in clerical force. We have carried in this bill $57,900. The gentleman from California [Mr. RAKER], acting, no doubt, in good faith, absolutely does not know the clerical needs of this department, and I hope the amendment will be rejected.

Mr. RAKER. Will the gentleman yield?

Mr. JOHNSON of South Carolina. No.

Mr. RAKER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from California rise?

Mr. RAKER. I rise to present a request for unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. RAKER].

The amendment was rejected.

The Clerk read as follows:

Children's Bureau: Chief, $5,000; assistant chief, $2,000; statistical expert, $2,000; private secretary to chief of bureau, $1,500; clerks—2 of class 4, 2 of class 3, 1 of class 2, 1 of class 1, 1, $1,000; special agents—1, $1,400; 1, $1,200; copyist; messenger; in all, $25,640.

Mr. MURRAY of Massachusetts. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair understood that the gentleman from Massachusetts wished to offer a substantial amendment to the bill.

Mr. MURRAY of Massachusetts. I do, Mr. Chairman. I move to increase the amount "$25,640" to "$50,640," in line 4, on page 138.

Mr. JOHNSON of South Carolina. Mr. Chairman, let that amendment be reported.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MURRAY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 138, line 4, strike out "$25,640" and insert "$50,640."

Mr. JOHNSON of South Carolina. Mr. Chairman, I make a point of order against the amendment, or, if the gentleman desires to make a statement, I will reserve the point of order.

[Mr. MURRAY of Massachusetts addressed the committee. See Appendix.]

Mr. JOHNSON of South Carolina. Mr. Chairman, there is a great deal of misinformation about this appropriation. We have not cut it one single penny. We have provided in this bill exactly what the law creating the Children's Bureau said should be appropriated. Sometimes a bureau is created by law, and it is left to Congress to provide from time to time the force to operate it; but in this particular case the law creating the Children's Bureau stated the force that Congress should provide to carry the law into effect. This bureau has been organized less than two years. It was organized in August, 1912.

We have provided in this bill the amount called for by the organic act. The estimates that came to the committee asked for about $165,000.

Mr. HOBSON. Will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. HOBSON. Do I understand that any increase at this time or in the future will be subject to a point of order?

Mr. JOHNSON of South Carolina. I think it would.

Mr. HOBSON. The chairman interprets the law, then, that this bureau was never intended to expand.

Mr. JOHNSON of South Carolina. The committee believed that the act of Congress was intended as instruction to the committee, because the act itself says for whom we shall appropriate and at what salary.

Mr. HOBSON. Does the gentleman base his objections to an increase on the law, or on the merits of the case?

Mr. JOHNSON of South Carolina. On the law. On the merits of the case I will speak if the gentleman will permit me.

Mr. KELLY of Pennsylvania. Mr. Chairman, I have an amendment that I wish to offer.

The CHAIRMAN. There is one amendment pending now and a point of order pending.

Mr. GALLAGHER. Will the gentleman from South Carolina yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. GALLAGHER. I would like to ask if the amount granted by the committee is not an amount that will really cripple the work of the department?

Mr. JOHNSON of South Carolina. I can not answer that question.

Mr. GALLAGHER. What is the gentleman's opinion about it on the evidence that he had before his committee?

Mr. JOHNSON of South Carolina. I did not happen to hear the director of the Children's Bureau. I have read her testimony, and I do not remember that she said that the Children's Bureau would be crippled.

Mr. GALLAGHER. She stated that she wanted a lot more money, and you are denying her the money necessary.

Mr. JOHNSON of South Carolina. I am willing to discuss that question and explain it.

Mr. MURRAY of Massachusetts. Will the gentleman from South Carolina yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. MURRAY of Massachusetts. Is the language of the bill creating this bureau different from the language of the Post Office bill creating the Rural Free Delivery system?

Mr. JOHNSON of South Carolina. Yes.

Mr. MURRAY of Massachusetts. And other branches of the Postal Service like it. For instance, it is in my mind that the initial appropriation for the Rural Delivery Service was very small.

Mr. JOHNSON of South Carolina. It was a lump-sum appropriation and did not state that certain people should be employed at certain salaries.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. DIES. Mr. Chairman, was the point of order made or reserved?

The CHAIRMAN. It was reserved. Does the gentleman from South Carolina make his point of order?

Mr. JOHNSON of South Carolina. I have explained that.

The CHAIRMAN. May the Chair call the gentleman's attention to this fact: This appropriation carries a total of $25,640, and the gentleman from Massachusetts does not propose to increase any item, but simply proposes to increase the total. What would be the difference if you had $125,000 or $25,000? The Chair can see no logic in an amendment of that

kind and can not find any precedent authorizing an amendment of that kind. The Chair believes it to be good practice to have the total amount agree with the items, and he is going to sustain the point of order.

Mr. MURRAY of Massachusetts. Before the Chair does that I do not want any quibble about this thing. If the gentleman from South Carolina is right as to the fundamental principle, I would like to offer an amendment increasing the items.

The CHAIRMAN. The Chair will hear the gentleman when he offers his amendment, but he is passing on the question now before him.

Mr. MURRAY of Massachusetts. May I substitute an amendment for the one pending?

The CHAIRMAN. The Chair is passing on the question before him. The gentleman from Massachusetts offers an amendment to increase the total to $50,640; he offers no amendment to increase the items in the paragraph. The Chair sustains the point of order. Now, if the gentleman from Massachusetts offers an amendment which increases the various items, then an amendment increasing the total will be in order.

Mr. MURRAY of Massachusetts. We can save time, Mr. Chairman, by getting an anticipatory ruling on the point of order made by the gentleman from South Carolina.

The CHAIRMAN. The gentleman must offer his amendment before the point of order can be made and ruled upon.

Mr. MURRAY of Massachusetts. Mr. Chairman, I have been informed that the gentleman from Pennsylvania [Mr. KELLY] has an amendment which meets the situation.

Mr. KELLY of Pennsylvania. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 137, line 25, after the figures "$2,400" insert "industrial expert, $2,000."

Mr. JOHNSON of South Carolina. Mr. Chairman, on that I reserve a point of order.

Mr. KELLY of Pennsylvania. Mr. Chairman, I desire to take but little time of the committee.

Mr. JOHNSON of South Carolina. Mr. Chairman, if the gentleman from Pennsylvania will pardon me, many members of the committee are impatient and want me to make the point of order. I want to state my feelings——

Mr. MADDEN. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The regular order is the point of order.

Mr. MURDOCK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MURDOCK. Does not the point of order come too late?

The CHAIRMAN. Oh, the gentleman from South Carolina reserved the point of order when the point of order was offered.

Mr. MADDEN. Mr. Chairman, I demand the regular order.

Mr. DIES. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The gentleman from South Carolina has made the point of order against the amendment. What is the ground of the point of order made by the gentleman from South Carolina?

Mr. JOHNSON of South Carolina. Mr. Chairman, the ground upon which the point of order is made is that the law creating the Children's Bureau provides:

That there shall be in said bureau, until otherwise provided for by law, an assistant chief, to be appointed by the Secretary of Labor, who shall receive an annual compensation of $2,400; 1 private secretary to the chief of the bureau, who shall receive an annual compensation of $1,500; 1 statistical expert, at $2,000; 2 clerks of class 4; 2 clerks of class 3; 1 clerk of class 2; 1 clerk of class 1; 1 clerk at $1,000; 1 copyist, at $900; 1 special agent, at $400; 1 special agent, at $1,400; 1 speceial agent, at $1,200; and 1 messenger, at $840.

And those are the people provided for in the bill.

Mr. MURRAY of Massachusetts. The statistical expert is not provided for, is he?

Mr. JOHNSON of South Carolina. Mr. Chairman, we have provided for every person mentioned in the item.

Mr. MANN. Mr. Chairman, I would like to be heard on the point of order at some time.

The CHAIRMAN. The Chair will hear the gentleman from Illinois on the point of order.

Mr. MANN. Mr. Chairman, the gentleman from South Carolina [Mr. JOHNSON] claims that there can be no increase over the number of employees enumerated in the act creating the Children's Bureau, and he has just enumerated those places, but let us see what the situation is. This act of April 9, 1912, provided for certain places. Those are carried in this bill. The gentleman from South Carolina contends that those are all that are authorized by the act, but the act reads:

There shall be in said bureau, until otherwise provided for by law—

It does not even read "until otherwise provided by law," but it reads "until otherwise provided for by law."

Mr. Chairman, it would be to accuse the Congress of imbecility to say that when it creates a bureau and provides, as it must, for temporary employees in that bureau it intends that they can never be changed except by a legislative act of Congress. This provision was inserted in the law creating the Children's Bureau for the purpose of making provision for these employees the first year. The intention was to provide temporary employees until otherwise provided for by law. Here comes along the act creating the Department of Labor the very next year, and the Children's Bureau is in that department, and it reads:

There shall also be one chief clerk and disbursing clerk and such other clerical assistants, inspectors, and special agents as may from time to time be provided for by Congress.

The CHAIRMAN. Will the gentleman permit the Chair to interrupt him?

Mr. MANN. Certainly.

The CHAIRMAN. Undoubtedly that statute authorizes Congress to appropriate for any clerical assistants, inspectors, and agents it may deem proper to appropriate for.

Mr. MANN. I think so.

The CHAIRMAN. But this act undertook to designate the number and kind of employees this bureau should have.

Mr. MANN. I think the Chair is in error about that, if the Chair will pardon me. Section 2 of the Children's Bureau act was intended only to provide the force which should start out in the bureau. That is the way the language reads:

Until otherwise provided for by law.

The Chair is familiar with the fact. We constantly provide: "Until otherwise provided by law."

That is a common expression, but the expression "until otherwise provided for by law" can not be found anywhere in any statute except as it refers to an appropriation act. The provision "otherwise provided for by law" means the money with which to provide the office. That is the method which Congress has of providing for a place, by making an appropriation for it. If it had been intended in section 2 of this act that there could be no other employees provided until another legislative act was passed, it would have read: "Until otherwise provided by law."

That is the provision which is usual and common in reference to legislative acts.

The CHAIRMAN. Does the Chair understand the gentleman's contention to be that the word "for" in the phrase, "until otherwise provided for by law," would change the meaning of this law from the construction that would be placed upon it if it read "until otherwise provided by law"?

Mr. MANN. I think very likely if it read "otherwise provided by law," in that place it would have meant this act, but to make it clear they inserted the word "for." That language has been in a good many statutes in recent years creating bureaus of the Government for the express purpose of authorizing the Congress to make appropriations which would not be subject to the point of order. Take the situation here. Here is an act where it is contended on one side by the gentleman from South Carolina that the bureau can have only so many clerks—one statistical expert, one messenger, one copyist—unless you have legislation without regard to appropriations, and we all know, as a matter of practice—and these bills are drawn with respect to the practice in the House—it would be impossible for Congress each year by a legislative act to provide for the number of employees which Congress desires to have in the Children's Bureau; and if you say that when they legislate and fix temporarily the number of employees that means for all time, I say you would accuse Congress of absolute imbecility. Nobody would have put such language in the law except for the purpose of providing for a temporary force pending appropriations by acts of Congress, and to guard the matter carefully they used the language which has been construed many times in referring to appropriation acts. So far as I am personally concerned I am absolutely clear. I think it was the intention in reference to the Children's Bureau to leave to Congress the right to increase the number of employees by increasing the appropriations for them in the annual appropriation acts.

Mr. KELLY of Pennsylvania. Mr. Chairman, the gentleman from Illinois [Mr. MANN] has very clearly stated the rules under which my amendment is in order. I want to add that it is certainly inconceivable that Congress in the organic act creating the Children's Bureau would forever preclude the right to increase the force as necessities might demand. The Children's Bureau is absolutely crippled by the appropriation made in this act, the sum provided being so small in comparison with

the work before this bureau that it is absolutely pitiful. The officials of the bureau came before the committee and showed that by reasonable computation the proper conduct of the bureau will require $165,000, and showed how it could be used. I submit, Mr. Chairman, that this question is too important to be completely ruled out by a point of order without full and fair consideration of its merits. The establishment of this Children's Bureau two years ago was the first recognition on the part of the Federal Government that the children of the Nation are worthy of attention. That, in spite of the fact that one of the reasons that caused the Pilgrim Fathers to adventure to America, was the desire to protect their little ones from grinding toil.

This reason, quoted from the memorial drawn up by these founders of a new civilization, is as follows:

That many of our children, through the extreme necessity that was upon them, although of the best disposition and graciously inclined, and willing to bear their part of their parents' burdens, were oftentimes so oppressed with their heavy labors that, although their spirits were free and willing, yet their bodies bowed under the weight of the same and became decrepit in their very youth, and the vigor of their strength was consumed in the very bud.

Yet it was 292 years after that time that the Nation they made possible officially discovered children and recognized them as national assets, worthy of care and protection.

Even then the Children's Bureau was not established without meeting the bitter opposition of the powers that thrive at the expense of humanity. Successfully brought into being, it has met and still meets with determined opposition, and it has been handicapped in many ways. In spite of every obstacle, however, it has done a great work, and it deserves the support of every patriotic legislator and citizen. Any attempt to impair its efficiency and mar its work by insufficient funds merits the condemantion of every American who has regard for the welfare of the Nation in the future.

Why should this bureau be so severely crippled by an appropriation of $25,000 when it is admitted that the efficient conduct of its work requires $165,000? This Congress is not wont to be so parsimonious in matters of property. Why become so economical in matters of human life? This body has already appropriated $600,000 for dealing with hog cholera. It has appropriated $400,000 to eradicate the tick among southern cattle. It has provided $375,000 for the study of the cotton-boll weevil. This very bill carries $293,000 for the work of the Bureau of Standards.

All these concern the things of money and materials. But for the study of the things of human life, the protection of childhood, this small sum is deemed sufficient. It is less than 1 cent for every 12 children in this country under the age of 15 years. By this method of figuring a hog or a cow or a bale of cotton is more valuable than a child.

Mr. Chairman, the most priceless asset of this Nation is not its cattle nor swine nor cotton crop. It is the army of children, 30,000,000 strong, under the age of 15 years, who live in this land of ours. With them rests the future of the Republic. Their health will determine that of future generations. Their character will determine that of the American citizenship to come. Their education and their morality will set the mark for the future. The work done for the children of to-day is work done for the men and women of to-morrow.

I maintain that those who oppose granting this all-important bureau ample funds either do it through ignorance of the vital importance of its work or they are the defenders of those who profit from the exploitation of childhood in America. I submit that no quibble over the technical construction of a rule will furnish an excuse for those who would cripple this bureau when they face the aroused public conscience of this Nation.

I desire to include in my remarks copies of letters received by me from various organizations of Pennsylvania. They are as follows:

CIVIC CLUB OF ALLEGHENY COUNTY,
Pittsburgh, Pa., April 10, 1914.

Hon. M. CLYDE KELLY,
Washington, D. C.

DEAR SIR: We are informed that the Appropriations Committee of the House of Representatives have refused the appropriation of $165,000 asked for by the chief of the Federal Children's Bureau. The present appropriation of $25,000 is utterly insufficient to meet the needs of this fast-growing department.

Will you not use your influence to have this bill amended to provide for the increase?

Yours, very truly,

H. M. DERNUTE, *Secretary.*

PHILADELPHIA, PA., *April 7, 1914.*

Hon. M. CLYDE KELLY,
House of Representatives, Washington, D. C.:

Please urge amendment of appropriations bill so that Children's Bureau may get $165,000 asked for by chief; $25,000 recommended by Appropriations Committee utterly insufficient to carry on the work.

PENNSYLVANIA CHILD LABOR ASSOCIATION.

THE VOLUNTEERS OF AMERICA,
RELIEF AND INDUSTRIAL DEPARTMENT,
Pittsburgh, Pa., April 13, 1914.

Hon. M. CLYDE KELLY,
Representative in Congress, Washington, D. C.

MY DEAR HONORED SIR: I am writing you these few lines as a request, trusting that you will be favorable toward the appropriation that the Children's Bureau is trying to get for this coming year of $165,000 for the labor in the bureau, which, I am sure, is worthy of consideration. You will no doubt agree with me that the child's welfare of this Nation is worthy of the Government's support; and the Nation is built up by the children who will be the citizens of the future.

I am sure that if the Government can appropriate over $7,000,000 for the Bureau of Plants and Animal Industry, the children, who are of more value than animals and plants, are worthy of the respect, for we note what the Master said when He was on the earth, "Suffer the little children to come unto Me," and if He should take such interest in the welfare of the child, I am sure it is the duty of all Christians to be equally interested that the children will have the proper attention and that the Government will think it worthy to assume its responsibility for the welfare of the children.

Believe me to remain,

Yours, very sincerely,

JOHN D. NATZELL, *Secretary.*

Mr. J. I. NOLAN. Mr. Chairman, I wish to offer an amendment to the amendment.

Mr. HOBSON. Mr. Chairman, I desire to speak to the point of order, simply to add this, that it is not reasonable to conclude that this body when it created an offspring would not conform to the universal laws of life. There is not a single living thing in the universe that is not subject to the law of change, and the assumption of this body, after it has existed all these generations and has created similar bureaus, and has never yet created anything that would be fixed and set and crystallized forever, that it should now at this stage of its own existence create an anomaly in the living organisms of the universe. And the only rational conclusion is that this bureau is like all other bureaus, that it has an object in its creation, and that in the fulfillment of that object it must be subject to this law of development and evolution, and with any liberal construction such as has been put upon it, making the point of order is not reasonable.

Mr. J. I. NOLAN. I have an amendment to the amendment.

The CHAIRMAN. A point of order is before the House.

Mr. MONDELL. Will the Chair hear me a moment on the point of order?

The CHAIRMAN. I will.

Mr. MONDELL. Mr. Chairman, I am in sympathy with those who desire to increase the office force of this bureau. I think the office force of the bureau ought to be increased. I wish this amendment were in order. The question before the Chair is not, however, the question of what our sympathies and inclinations might prompt us to do, but what we may properly do under the rules of the House. A number of laws have been referred to this afternoon containing somewhat similar language with regard to the office forces of bureaus of the Government. A decision in one case necessitates a like decision in all the cases, and therefore it is quite important that the decision be a correct one. I want to call the Chair's attention to these words at the beginning of section 3 of the act establishing the Children's Bureau:

There shall be in the said bureau and until otherwise provided for by law the following officials:

That is in section 3 of the act creating the Children's Bureau.

From a reading of the section the Chair will see that it names the places and officials provided for in this act. It says, "until otherwise provided for by law." Now, how do we provide bureaus by law? How do we increase the designated forces of the Government by law? By a provision in an appropriation bill? Certainly not. The committee that reported this bill has no authority to make a law; it has no authority to change a law; it has no authority to modify a law; it has authority only to carry out a law and appropriate under one.

Now, the personnel of this bureau can be increased. Any gentleman can introduce a bill to increase the personnel. That bill can be reported by the proper committee and brought in here and passed, and then it becomes a law; but until that is done the force here named is the force of this bureau.

Mr. HOBSON. Will the gentleman yield for a question?

The CHAIRMAN. Will the gentleman yield to the gentleman from Alabama?

Mr. MONDELL. The gentleman from Illinois [Mr. MADDEN] asked me to yield a moment to him, and I will yield to him first.

Mr. MADDEN. I was just going to ask the gentleman from Wyoming whether, as a matter of fact, a mere appropriation of the money was not a provision of the law itself, not permanent law, but current law, and, while it lasts, just as effective as any permanent law that may be enacted?

Mr. MONDELL. It is effective in taking money out of the Treasury to make it available for use. But one of the fundamental propositions governing an appropriation committee is

that they can not legislate; they can not change law. Now, here is a law fixed and established. It is not a question of whether the law is as I would have it or as the gentleman from Illinois would have it. It is a question of the jurisdiction of this committee. As a member of this committee, if there were no other considerations, I should like to see the jurisdiction of the committee enlarged to such an extent that we could bring in, from time to time, increases in the personnel of these bureaus. But that was not what was contemplated. If the intent had been that we should have authority to increase the personnel, name and fix the salaries, the provision would have been altogether different. Congress certainly would not have said, "as provided for by law."

Mr. MADDEN. Will the gentleman let me interject a word here? I commend the committee and gentlemen of the committee for living within its sphere of jurisdiction. Now, they come into a body that has a broader jurisdiction, and I ask the committee to cooperate with the committee having broader jurisdiction to enlarge the bill by appropriating the money needed in this bill.

Mr. MONDELL. Oh, well, Mr. Chairman, that is not the question before us at all. It is not a question of what I might want to do but of what, under the rules, we have a right to do.

Mr. HOBSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Alabama?

Mr. MONDELL. Yes; I yield.

Mr. HOBSON. The gentleman was outlining the method by which he thought this expansion could properly be made, and he pointed out that he thought it would be necessary to bring in a bill and have it passed—a legislative bill. I wish to ask him whether he thinks if, in the following year or at some subsequent date, additional expansion should be found to be necessary for this bureau to carry out the object for which it was created, that method would meet the case of needed expansion every year? Does he believe that there ought to be a legislative act of that character passed every time expansion is needed? In other words, does he think we ought to have a bureau of the Government whose organic law would have to be reenacted every time we wished to make an increase in the force therein?

Mr. MONDELL. Whether or not that is as it should be is not the way I understand the question. I understand that to be the situation, and it is a situation that I am not responsible for, and I do not know that the gentleman from Alabama [Mr. HOBSON] is responsible for it. Congress did fix the personnel for this bureau, and named the positions and fixed the salaries, and said that such was the personnel of the bureau until that personnel should be modified by law. I contend that the Committee on Appropriations can not change the law.

The gentleman from Alabama knows, however, that this committee has jurisdiction to very largely increase the activities of this bureau without changing this particular item. For instance, section 1 of the bill defines the jurisdiction of the bureau, and an amendment carrying a lump sum can be offered by anyone to carry out any one of those various purposes—to investigate questions of infant mortality, the birth rate, orphanage, juvenile courts, dangerous occupations, accidents, and diseases of children. A separate item can be offered, making a lump-sum appropriation to carry out any or all of these purposes, and that would be in order; and if the House adopted such an amendment the sum thus appropriated could be used to pay the necessary investigators, inspectors, and other officers under those items.

What I am contending is that this particular provision in regard to the personnel is fixed and established in the law. Congress said that should be the permanent local office personnel until the law should be changed. This committee has no authority to change the law.

The gentleman from Illinois [Mr. MADDEN] says we should join with the Members of the House to do this desirable thing. But what if the committee itself, on its own motion, should propose an increase or a decrease that the House did not approve of? The House could very well say this committee was attempting to do something which it had no authority to do.

There is no difficulty about providing for this bureau. Amendments are in order of any amount to do work of all kinds in the fields within the jurisdiction of the bureau, but this fixed personnel can not be changed by an amendment to an appropriation bill.

The CHAIRMAN. The Chair is ready to rule. The Chair desires to ask unanimous consent to extend his reasons in the RECORD, because this is quite a delicate point, and the Chair has not had an opportunity to thrash it out thoroughly. The Chair is going to sustain the point of order.

Mr. HOBSON. Mr. Chairman, may I be recognized to offer an amendment?

Mr. KELLY of Pennsylvania. Mr. Chairman, I most respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KELLY] appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Committee?

Mr. MANN. Mr. Chairman——

The CHAIRMAN. The Chair will recognize the gentleman from Illinois.

Mr. MANN. I desire to make a brief statement for the benefit of the Chair, so that when he extends his remarks he may answer the proposition, if he can.

The law creating the Children's Bureau fixes a certain number of employees. The law creating the Bureau of Statistics, which was placed in the Department of Labor, creates absolutely the number of employees in that bureau; and yet unless you sustain the items in this bill under the act creating the Department of Labor, every one of the items in this bill in reference to the Bureau of Statistics is subject to a point of order.

The point of order was raised on one of them, at the top of page 136, a while ago, and after argument the Chair overruled the point of order, although every argument that can be made in favor of sustaining the point of order here is true in reference to sustaining the point of order on that item.

The CHAIRMAN. The Chair will suggest to the gentleman that the same language is not used in the two paragraphs. One of them specifically authorizes, whereas the other one only authorizes such as are provided by law.

Mr. MANN. In the act creating the Department of Labor, which is now called the Bureau of Statistics, Congress specifically provided every place. It did not even leave in the limitation, as I recall it, "until otherwise provided for by law." So that the case in reference to the language on the top of page 136, in favor of sustaining the point of order, is stronger than it is on this. I think the Chair was right before and is in error now.

The CHAIRMAN. The question is, Shall the ruling of the Chair stand as the judgment of the committee?

The question being taken, on a division (demanded by Mr. J. I. NOLAN) there were—ayes 64, noes 42.

Accordingly the decision of the Chair was sustained.

Mr. HOBSON and Mr. GOOD rose.

Mr. HOBSON. Mr. Chairman, I desire to offer an amendment.

Mr. GOOD. I desire to offer an amendment.

Mr. MANN. The gentleman from Iowa is a member of the committee.

The CHAIRMAN. The gentleman from Iowa [Mr. GOOD], a member of the committee, offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 138, insert as a new paragraph, at the end of line 4, the following:

"To carry into effect the provisions of the act approved April 9, 1912, providing for the investigation of questions of infant mortality and dangerous occupations, $50,000."

Mr. JOHNSON of South Carolina. I make a point of order against that amendment.

Mr. GOOD. Mr. Chairman, clearly the amendment is not subject to a point of order. I have followed the words of the statute creating the Children's Bureau. I have followed the provision carried in this bill for a number of years with regard to the Bureau of Standards. Every item that we have carried in the appropriations for the work done by the Bureau of Standards would be subject to a point of order if the provisions of this amendment are subject to a point of order. The law creating the Children's Bureau provides that it shall especially investigate—and I quote the words of that statute—

And shall especially investigate the questions of infant mortality—

And further on—

Dangerous occupations.

Those are the exact words of the statute, and no amendment could be offered, and no provision could be brought before the House by the committee that would be in order if this provision is not in order. It is to carry into effect those things that were specially provided for, the things that were particularly in the mind of Congress when the bureau was created, namely, to investigate the question of infant mortality and of dangerous occupations.

I would refer the Chair to those provisions of the bill that we have just passed, provisions against which points of order have been made in the past, with regard to the Bureau of Standards. In every one of those provisions we have carried language that is similar to the language I have incorporated in this amend-

ment, except with regard to the date of the organic act creating the Bureau of Standards. We have provided by this very appropriation bill a new appropriation with regard to the standard for measuring public utilities, for the investigation of standards and methods of measurement of public utilities, and we put it in the exact words of the statute creating the bureau.

The CHAIRMAN. Will the gentleman from Iowa permit the Chair to interrupt him?

Mr. GOOD. Certainly.

The CHAIRMAN. The language of the act of April 9, 1912, creating this bureau, to which the gentleman refers in his amendment, created at the same time a certain number of employees to carry that provision into effect.

Mr. GOOD. So did the act creating the Bureau of Standards.

The CHAIRMAN. If the act had contemplated that that appropriation might be increased, it would have said so in so many words.

Mr. GOOD. I call the attention of the Chair to the fact that the act creating the Bureau of Standards provided for the personnel of that bureau; but, in addition to those provisions, we appropriate every year for specific work that is provided for by the law creating the bureau. Certainly such a ruling would curtail very materially the great departments of this Government in carrying out the wishes of Congress if we simply said we should not increase appropriations for any purpose beyond the personnel that is provided for in the organic act creating the bureau of the department.

Mr. JOHNSON of South Carolina. The law provides that certain things should be done as the gentleman says, and it also provides the force to do it.

Mr. MONDELL. Mr. Chairman, the amendment just offered is clearly in order; as clearly in order as the amendment offered a few moments ago was not in order. Section 2 of this law outlines the jurisdiction of this bureau, and it is clearly within the jurisdiction of this committee to bring in a lump-sum appropriation for the purpose of enabling the bureau to perform the services within its jurisdiction. The amendment which was offered to section 2 proposed to change the office personnel, which had been fixed by law and which in the terms of the statute could only be changed by law. Of course we could not do that by amendment to an appropriation bill; but we could appropriate a million dollars for any one of the purposes named in section 1 of the act—to investigate infant mortality, to investigate the birth rate, questions of orphanage, juvenile courts, dangerous occupations, diseases of children, legislation affecting children, and so forth. This could all be combined in one lump-sum appropriation, or they could be separated into as many lump-sum appropriations as there are classes of work provided for. It is within the jurisdiction of this committee to appropriate for these purposes, and having appropriated for them, the bureau could use this fund for the employment of the necessary investigators, the necessary agents to carry out the will of Congress. The thing we can not do in regard to this bureau by an item in this bill is to change the office personnel. We can increase it indirectly through a lump-sum appropriation to any desired or desirable extent.

Mr. MANN. Mr. Chairman, whether the Chair ruled correctly or not, I bow to the Chair's decision, because I know that the Chair is doing honestly and earnestly what he thinks is right, and it is no easy job to be a chairman. [Applause.] Whether the former amendment was in order or not, it seems to me that this amendment is. Some gentlemen assume that section 3 of the act provides that there shall only be certain employees in the Children's Bureau. That is not what the act says. If section 3 of the act said there shall only be employed certain persons, you might make all the lump-sum appropriations you pleased, but they could not spend any of it except through those employees. But there is a section of the act, in addition to the last two, which do not count, which authorizes the bureau to investigate and report to the department upon all matters pertaining to the welfare of children, child life, and enumerating certain classes of cases. There is an authorization. Suppose section 3 had not been in the bill, no one would doubt but that amendment would be in order under the language of section 2. There is not a department of the Government that does not have a lump-sum appropriation of some kind. Now, suppose section 3 had not been in the act, then any amendment or any proposition for an appropriation to do any of this investigating work would be in order under the rule. The addition of section 3 that there shall be employed certain officials of that department is not an inhibition against having other people in the department if an appropriation could be made under the general section of the bill. This provision as to employees is only a provision that there shall be in the said bureau until otherwise provided for by law certain employees, but that does not take away the authority to make certain appropriations to carry on the investigations provided for in the preceding section.

The CHAIRMAN. The Chair is under the impression from the precedents cited to him by the parliamentary clerk that the amendment is in order.

Mr. JOHNSON of South Carolina. Mr. Chairman, in sections 1 and 2 it is provided that there shall be created a bureau which shall have a director appointed by the President, and the said bureau shall investigate certain things. Section 3 provides what officials and force the bureau shall have.

The CHAIRMAN. And this proposed amendment does not specify any additional force, but it specifies a bulk appropriation with which the department can do as it pleases in the direction for which it was created.

Mr. JOHNSON of South Carolina. I suppose under the law, then, the director could put in a dozen more clerks?

The CHAIRMAN. He could spend it as he might see proper.

Mr. JOHNSON of South Carolina. In other words, having been refused by the committee to increase the force, she can have a lump-sum appropriation and do indirectly what she could not do directly.

The CHAIRMAN. The Chair overrules the point of order. The question is on the amendment offered by the gentleman from Iowa.

Mr. BUCHANAN of Illinois. Mr. Chairman, this is an important amendment. Of course, it is unfortunate to find some who oppose legislation of this sort. The work the Children's Bureau is doing under the able direction of the present director is one of the most important there is. It has to do with the very vitals of mankind. It has to do with the improvement of our children in their health, in their education, in their morals. It is strange that anyone should withhold consent from an appropriation for as much as can be utilized for this kind of work. That ought to be the only limit for work of this kind—how much can be properly utilized to do the work of this bureau. We gave almost unanimous consent for the expenditure of $600,000 to examine into diseases of animals, but we do not take the same interest in human kind, and I sometimes wonder why, whether it is because you can not sell a human being for $10 or $20 as you can a hog. I wonder whether or not if children were valued at so many dollars we would have this opposition and obstruction to work being done in the Bureau of Children and in the Bureau of Labor Statistics. I regret to hold the suspicion that that might be true, but when we see delays in work of this kind, when we see and hear in this country of ours, of which we boast so much, about our patriotism, but find that we are far behind the old countries that we sometimes charge with being under the control of aristocrats, I begin to wonder whither we are drifting, and whether if men like Jefferson and Lincoln were alive they would not question whether this is the same Government that existed when they were on earth.

Money appropriated for work of this kind is certainly the most important to human kind there can be, because it tends to improve the condition of the young, the condition of those that are coming after us, the citizens of the future generations. This amendment is certainly worthy of favorable consideration.

Mr. HOBSON. Mr. Chairman, I desire to offer an amendment to the amendment.

Mr. JOHNSON of South Carolina. Mr. Chairman, I have been doing the best I could to get this bill finished in Committee of the Whole to-night.

Mr. MANN. Is there anything that is controversial after we get through with this item?

Mr. JOHNSON of South Carolina. But I see now, Mr. Chairman, it is impossible for me to accomplish what I had in mind. I move that the committee do now rise.

[By unanimous consent, leave was granted to Mr. FOWLER to extend his remarks in the RECORD.]

The CHAIRMAN. The question is on the motion of the gentleman from South Carolina that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. GARRETT of Tennessee having assumed the chair as Speaker pro tempore, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15279, and had come to no resolution thereon.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 29. A joint resolution authorizing the President to appoint a member of the New Jersey and New York Joint Har-

bor Line Commission; to the Committee on Interstate and Foreign Commerce.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SELDOMRIDGE, for two days, on account of important business.

EXTENSION OF REMARKS.

By unanimous consent, leave to extend their remarks in the RECORD was granted to Mr. CALDER, Mr. CANTOR, Mr. KELLY of Pennsylvania, and Mr. AINEY.

ADJOURNMENT.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 3 minutes p. m.) the House adjourned until to-morrow, Wednesday, April 15, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Los Angeles and Long Beach Harbors, Cal., and their tributary waters, with a view to the improvement of said harbors and to their protection from the deposit of silt, consideration being given to the question of cooperation on the part of local interests (H. Doc. No. 896); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of mouth of Fishing Creek, Anne Arundel County, Md. (H. Doc. No. 897); to the Committee on Rivers and Harbors and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Bridgeport Harbor, Conn. (H. Doc. No. 898); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill (H. R. 14730) to quiet title to lot No. 44 in square 172, in the city of Washington, reported the same without amendment, accompanied by a report (No. 526), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVENPORT, from the Committee on the Territories, to which was referred the bill (H. R. 8660) to amend sections 4 and 17 of an act entitled "An act granting a franchise for the construction, maintenance, and operation of a street railway system in the district of South Hilo, county of Hawaii, Territory of Hawaii," approved August 1, 1912, reported the same with amendment, accompanied by a report (No. 528), which said bill and report were referred to the House Calendar.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 244) to authorize the President to grant leave of absence to an officer of the Corps of Engineers for the purpose of accepting an appointment under the Government of China on works of conservation and public improvement, reported the same with amendment, accompanied by a report (No. 529), which joint resolution and report were referred to the House Calendar.

Mr. LA FOLLETTE, from the Committee on the Public Lands, to which was referred the bill (S. 1243) directing the issuance of patent to John Russell, reported the same without amendment, accompanied by a report (No. 530), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the concurrent resolution (H. Con. Res. 35) directing the Interstate Commerce Commission to investigate and report facts regarding ownership, organization, operation, and rates of vessels and steamship lines engaged in transporting freight between the Atlantic and Pacific coasts, reported the same without amendment, accompanied by a report (No. 531), which said bill and report were referred to the House Calendar.

Mr. COVINGTON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 2876) to amend an act entitled "An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes," approved March 4, 1913, reported the same with amendment, accompanied by a report (No. 532), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15613) to create an Interstate Trade Commission, to define its powers and duties, and for other purposes, reported the same without amendment, accompanied by a report (No. 533), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. METZ, from the Committee on Claims, to which was referred the bill (H. R. 1625) for the relief of Oscar Frommel & Bro., reported the same with amendment, accompanied by a report (No. 527), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (S. 4262) for the relief of the trustees of the Davenport Female College, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LAFFERTY: A bill (H. R. 15652) to create an Interstate Trade Commission to prohibit and prevent unfair competition and to protect commerce against monopolies; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Florida: A bill (H. R. 15653) to amend section 21 of an act entitled "An act to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of public buildings; to authorize the purchase of sites for public buildings, and for other purposes," approved March 4, 1913; to the Committee on Public Buildings and Grounds.

By Mr. LAFFERTY: A bill (H. R. 15654) to create an Interstate Trade Commission to prohibit and prevent unfair competition and to protect commerce against monopolies; to the Committee on Interstate and Foreign Commerce.

By Mr. DANFORTH: A bill (H. R. 15655) to provide for the purchase of a site for and the erection of a public building at Dansville, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. SPARKMAN: A bill (H. R. 15656) to permit the opening of the ports of Tampa and Key West, Fla., for the admission of cattle for slaughtering purposes from Venezuela, Honduras, Mexico, and Guatemala; to the Committee on Ways and Means.

By Mr. CLAYTON: A bill (H. R. 15657) to supplement existing laws against unlawful restraints and monopolies, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: A bill (H. R. 15658) to provide for the erection of a Federal building at Hailey, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. ROBERTS of Massachusetts: A bill (H. R. 15659) authorizing the Secretary of the Navy to pay a cash reward for suggestions submitted by civilian employees of the Navy Department for improvement or economy in manufacturing processes or plant; to the Committee on Naval Affairs.

By Mr. STEVENS of New Hampshire: A bill (H. R. 15660) to create an Interstate Trade Commission, to define its powers and duties, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CHURCH: A bill (H. R. 15661) authorizing the Secretary of the Interior to lease to the occupants thereof certain unpatented lands on which oil or gas has been discovered; to the Committee on the Public Lands.

By Mr. SHERLEY (by request): A bill (H. R. 15662) to provide for the use of water power at Dam No. 41 in the Ohio River at Louisville, Ky.; to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE of Massachusetts: Resolution (H. Res. 466) for printing report of United States Department of Labor, Children's Bureau, entitled, "Prenatal Care"; to the Committee on Printing.

By Mr. LEVY: Resolution (H. Res. 467) requesting the President of the United States to report to the House all of the facts within the knowledge of the Interstate Commerce Commission which show or tend to show that said commission has in many cases failed to grant an increase in freight rates to the railroads where no objections have been filed, and where the shippers in many instances have requested that an increase be granted on the ground that it was just and reasonable; to the Committee on Interstate and Foreign Commerce.

By Mr. MITCHELL: Memorial of the Legislature of the State of Massachusetts, favoring legislation providing for public ownership and operation of coal mines; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAMMOND: A bill (H. R. 15614) granting an increase of pension to Janette R. Decker; to the Committee on Invalid Pensions.

By Mr. BAKER: A bill (H. R. 15663) granting a pension to Providence S. Ludlam; to the Committee on Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 15664) granting an increase of pension to Michael Fierstine; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 15665) granting a pension to Martha Tyler; to the Committee on Pensions.

By Mr. DONOHOE: A bill (H. R. 15666) for the relief of John A. Ryan; to the Committee on Claims.

By Mr. DOREMUS: A bill (H. R. 15667) granting an increase of pension to Maggie J. Strout; to the Committee on Invalid Pensions.

By Mr. DOUGHTON: A bill (H. R. 15668) granting a pension to Nathan H. Williams; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 15669) granting an increase of pension to Albert C. Worthington; to the Committee on Invalid Pensions.

By Mr. GREENE of Massachusetts: A bill (H. R. 15670) to correct the military record of Frederick E. Fiske; to the Committee on Military Affairs.

By Mr. JOHNSON of Kentucky: A bill (H. R. 15671) granting a pension to E. L. Caie; to the Committee on Pensions.

Also, a bill (H. R. 15672) granting an increase of pension to Samuel M. James; to the Committee on Invalid Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 15673) granting a pension to Joseph M. Reckley; to the Committee on Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 15674) granting an increase of pension to Frank Bitney; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 15675) granting a pension to Harriet M. Coleman; to the Committee on Pensions.

Also, a bill (H. R. 15676) granting a pension to Virginia Fleming; to the Committee on Pensions.

By Mr. MORRISON: A bill (H. R. 15677) granting a pension to Katharine Hallbaugh; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 15678) granting a pension to Sarah J. Pugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15679) granting a pension to Lydia Ann Daugherty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15680) granting an increase of pension to Josiah Gamble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15681) granting an increase of pension to William W. Givens; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 15682) granting an increase of pension to Ann M. Goulding; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15683) for the relief of Amos Maker; to the Committee on Military Affairs.

By Mr. SAMUEL W. SMITH: A bill (H. R. 15684) granting a pension to George A. Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15685) granting an increase of pension to Francis A. Draper; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 15686) for the relief of William W. Fineren; to the Committee on Claims.

By Mr. STANLEY: A bill (H. R. 15687) for the relief of J. J. Conn, administrator of the estate of David O. Conn, deceased; to the Committee on War Claims.

By Mr. SWITZER: A bill (H. R. 15688) granting a pension to Robert W. Glasgow; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 15689) granting an increase of pension to Letitia A. Mowers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15690) for the relief of Levi Waters; to the Committee on Military Affairs.

By Mr. WILLIS: A bill (H. R. 15691) granting a pension to Victoria A. Davis; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Cierk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Woman's Missionary Society of San Francisco, Cal., protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

Also (by request), memorial of sundry citizens of the State of Michigan, protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of the Woman's Christian Temperance Union of Louisiana, Mo., and the St. Paul's Evangelical Lutheran Church, of Richmond, Ind., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), memorial of the Chicago Political Equality League, favoring appropriation for the Children's Bureau; to the Committee on Appropriations.

By Mr. ANTHONY: Petitions of citizens of Winchester, Topeka, North Topeka, and Whiting, all in the State of Kansas, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BAKER: Petition of sundry citizens of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BALTZ: Petition of various churches in the twenty-second Illinois congressional district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petition of sundry citizens of the eighteenth and nineteenth wards of Pittsburgh, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. BEALL of Texas: Petition of sundry citizens of Texas, against national prohibition; to the Committee on the Judiciary.

By Mr. BOOHER: Petitions signed by the officers of the following churches: First Congregational, representing 300 members; the Hundley Methodist Church, representing 225 members; the Westminster Presbyterian, representing 400 members; St. Paul's Methodist Episcopal, representing 240 members; Calvary Presbyterian, representing 75 members; Savage Avenue Baptist, representing 430 members, all of St. Joseph; First Baptist Church of Maryville, representing 300 members; the Christian Church of Maryville, representing 1,100 members; Christian Church of Pickering, representing 210 members; Methodist Episcopal at Burlington Junction, representing 372 members; Methodist Church of Fairfax, representing 292 members; Methodist Episcopal Church South, of Craig, representing 80 members; Presbyterian Church at Rosendale, representing 100 members; Methodist Episcopal Church South, of Rockport, representing 87 members; Methodist Episcopal Church of Quitman, representing 43 members; Methodist Episcopal Church South, of Dearborn, representing 232 members; Baptist Church at Weston, representing 75 members; Presbyterian and English Grove, of Fairfax, representing 110 members; Waldron Baptist, of Waldron, representing 62 members; Presbyterian Church of Craig, representing 250 members; Methodist Church of Oregon, representing 175 members, all in the State of Missouri, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Rev. J. H. Thompson and other citizens of Oregon, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Dr. J. H. Winter and other citizens of Parkville, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of members of the Wyatt Park Baptist Church, of St. Joseph, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition signed by Earl Addy and other members of the Methodist Episcopal Church of Parnell, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition signed by W. T. McConnell and sundry other citizens of the city of St. Joseph, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition signed by D. W. Griffith and sundry other citizens of Nodaway County, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition signed by Mrs. A. M. Bedford and other ladies of Savannah, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of J. M. Wright, of Platte City, and numerous other citizens of Platte County, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BROWNE of Wisconsin: Petitions of 35 citizens of Plainfield, 360 citizens of Stevens Point, 17 citizens of Weyauwega, and 307 citizens of Waupaca, all in the State of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BROWNING: Petitions of the North Baptist Church and sundry citizens of Camden, Pennsgrove, and Sharptown, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petition of the Affiliated Trades of New York Navy Yard, favoring building of new battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of Thomas V. Casey, of the International Stereotypers and Electrotypers' Union, of New York, favoring Bartlett-Bacon *anti-injunction* bill; to the Committee on the Judiciary.

Also, letter of R. D. Parker, of the United Spanish War Veterans, Department of New York, favoring the widows and orphans' pension bill (H. R. 13044); to the Committee on Pensions.

Also, petition of M. J. Whittall, of New York, relative to legislation prohibiting the naming of the resale price on any article of merchandise by the producer thereof; to the Committee on the Judiciary.

Also, petition of the Victor Valley Mutual Water and Power District Association, Los Angeles, Cal., favoring establishment by the Government of an irrigation system in California; to the Committee on Irrigation of Arid Lands.

By Mr. BURKE of South Dakota: Petition of sundry citizens of Highmore, S. Dak., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Artesian, S. Dak., protesting against closing barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

Also, petition of the Northwestern Railroad shops, of Pierre, S. Dak., protesting against section 6 in House bill 12928, granting time for Sunday work in post offices; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of Artesian, S. Dak., favoring section 6 in House bill 12928, relative to Sunday work in post offices; to the Committee on the Post Office and Post Roads.

By Mr. CALDER: Petitions of citizens of Kings County, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. CAMPBELL: Petition of sundry citizens of Kansas, favoring House bill 2865, pensioning widows of Civil War veterans; to the Committee on Invalid Pensions.

By Mr. CARY: Petition of Hugo Heyse, of Milwaukee, Wis., against national prohibition; to the Committee on the Judiciary.

By Mr. CLARK of Florida: Papers to accompany bill granting a pension to Martha Tyler; to the Committee on Pensions.

By Mr. CLAYTON (by request): Petition of 10 citizens of Hartford, 7 citizens of East Hartford, 32 citizens of Bloomfield, 7 citizens of Ashford, 24 citizens of Manchester, 16 citizens of South Windsor, and 33 citizens of Chaplin, all in the State of Connecticut, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DALE: Petition of the Affiliated Trades of the New York Navy Yard, at Brooklyn, N. Y., favoring construction of a battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. DICKINSON: Resolutions and petitions of citizens from various cities and towns in the sixth congressional district of Missouri, supporting Sheppard-Hobson resolution for national constitutional prohibition; to the Committee on the Judiciary.

By Mr. DONOHOE: Petition of sundry citizens of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petitions of sundry citizens of the State of Kansas, favoring the bureau of farm loans bill (H. R. 11755); to the Committee on Banking and Currency.

Also, petition of sundry citizens of Alta Vista, Kans., favoring passage of House bill 2865; to the Committee on Invalid Pensions.

By Mr. DOUGHTON: Papers to accompany a bill granting a pension to Nathan H. Williams; to the Committee on Pensions.

By Mr. FALCONER: Petition of the Woman's Christian Temperance Union, Rural Delivery No. 3, Vancouver, Wash., favoring national prohibition; to the Committee on the Judiciary.

By Mr. FESS: Petition of 28 citizens of Georgetown, Ohio, favoring House bill 4090, for erection of a monument to Gen. U. S. Grant at Georgetown, Ohio; to the Committee on the Library.

By Mr. FRENCH: Petitions of the Church of the Brethren of Meridian; sundry citizens of Viola; Sunday school of Rockland; sundry citizens of Potlatch; the Woman's Christian Temperance Union of Lewiston; the First Baptist Mission Circle of Boise; the Wright Congregational Sunday School, of Boise; the Woman's Christian Temperance Union of Sandpoint; the Methodist Episcopal Sunday School of Grangeville; and sundry citizens of Lewiston, Juliaetta, and Kendrick, all in the State of Idaho, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Bartenders' International League of America of Shoshone, Idaho, against national prohibition; to the Committee on the Judiciary.

By Mr. GARNER: Petition of the Carpenters and Joiners of America, Local Union No. 197, favoring investigation of mining troubles in Colorado; to the Committee on Rules.

By Mr. GERRY: Petitions of 249 citizens of Providence, 46 citizens of Shannock, 125 citizens of Lonsdale, 100 citizens of Phenix, 50 citizens of Davisville, 12 citizens of Ashaway, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Humboldt Lodge, No. 3, Deutscher Order der Harugari, representing 70 members, of Pawtucket; Gesangverein (Lyro) Society, of Natick, representing 24 members; Deutschen Turnerschaft, representing 120 members, of Providence, all in the State of Rhode Island, against national prohibition; to the Committee on the Judiciary.

Also, petition of Teutonia Lodge, No. 2, Deutscher Order der Harugari, of Providence, R. I., representing 117 members, and American Germani Imp. Society, representing 250 members, of Cranston, R. I., against national prohibition; to the Committee on the Judiciary.

Also, petition of the Arlington Hunting Club, of Cranston, R. I., representing 30 members, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Rhode Island Anti-Saloon League, of Providence, R. I., urging passage of House joint resolutions 168 and 68 and Senate joint resolution 50, providing for national prohibition; to the Committee on the Judiciary.

Also, memorial of the executive council of the National Association of Shellfish Commissioners, favoring additional appropriation for the Bureau of Fisheries; to the Committee on Expenditures in the Department of Commerce.

Also, petition of the Rhode Island State Board of Pharmacy, of Pawtucket, R. I., and Daggett & Miller Co., of Providence, R. I., favoring the passage of House bill 6282, the antinarcotic bill; to the Committee on Ways and Means.

Also, petition signed by 64 residents of Providence, R. I., protesting against House joint resolutions 168 and 88 and Senate joint resolution 50, providing for national prohibition; to the Committee on the Judiciary.

Also, petition of 59 residents of Apponaug, R. I., protesting against House joint resolutions 168 and 88 and Senate joint resolution 50, providing for national prohibition; to the Committee on the Judiciary.

Also, petition of Thomas F. Donahue and P. H. Rose, of Providence, R. I., protesting against the Hobson, Sheppard, and Works resolutions, providing for national prohibition; to the Committee on the Judiciary.

Also, petitions of 60 residents of Apponaug, R. I., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GILMORE: Petition of Logen Engelbrekt, No. 40, of Brockton, Mass., favoring bill for suitable monument to John Ericsson; to the Committee on the Library.

By Mr. GREEN of Iowa: Petition of sundry citizens of Hastings and Oakland, Iowa, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GREENE of Massachusetts: Petition of Joseph Walsh and others, of New Bedford, Mass., protesting against House amendment to Senate bill 2269; to the Committee on Coinage, Weights, and Measures.

By Mr. GRIFFIN: Petition of sundry citizens of New York, favoring House bill 12056, to regulate hours of labor in continuous working plants in the United States; to the Committee on Labor.

Also, petition of Joseph McKebben, of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. HAMLIN: Petition of sundry citizens and churches of Missouri, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAMMOND: Petition of 100 citizens of Lake Crystal, 100 citizens of Blue Earth, 95 citizens of Truman, and sundry citizens of Worthington, all in the State of Minnesota, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HART: Petition of certain organizations and citizens of the State of New Jersey, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of various citizens and organizations of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of various citizens and organizations of New Jersey, favoring Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petitions of sundry citizens of Stewartsville, Port Murray, Hackettstown, Newton, Stanhope, Sussex, Washington, and Westwood, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAWLEY: Petition of sundry citizens of the first congressional district of Oregon, against national prohibition; to the Committee on the Judiciary.

By Mr. HOXWORTH: Petition of sundry citizens of Galesburg, Ill., and various churches in the fifteenth Illinois district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HULINGS: Petitions of 310 voting citizens of Warren County, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Petition of Johnson Automobile Co., of St. Louis, Mo., favoring passage of House bill 13305, relative to price maintenance; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Central Trade and Labor Union of St. Louis, Mo., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. JACOWAY: Petition of 664 citizens of Conway County, Ark., and letter of John F. Johnston, transmitting same, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 35 citizens of Charleston, Ark., favoring national prohibition; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: Petition of various citizens of Clarke County, Wash., against passage of District of Columbia Sunday observance bill; to the Committee on the District of Columbia.

By Mr. KEATING: Petition of sundry citizens of Colorado, against national prohibition; to the Committee on the Judiciary.

By Mr. KELLY of Pennsylvania: Petitions of 925 citizens of Wilkinsburg, 116 citizens of Pittsburgh, and 430 citizens of McKeesport, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of various members of the German-American Alliance of Rhode Island, against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry voters of the third congressional district of Rhode Island, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. KIESS of Pennsylvania: Petition of sundry citizens of Covington, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KINDEL: Petitions of sundry voters of the State of Colorado, protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of various commercial bodies of the State of Colorado, favoring the Lever bill, relative to better practices of farming; to the Committee on Agriculture.

By Mr. LANGHAM: Petition of sundry voters of the twenty-seventh congressional district of Pennsylvania, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LENROOT: Petitions from citizens of Rhinelander, Wis., in favor of national prohibition; to the Committee on the Judiciary.

Also, petition of 180 citizens of Superior, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LIEB: Petition of the Evangelical St. Paul's Church, George C. Fischer, president, and E. M. Grimm, secretary, of Evansville, Ind., favoring an amendment to the Constitution to prohibit polygamy; to the Committee on the Judiciary.

Also, petitions of the Presbyterian Church and Rev. W. M. Clarke, the Methodist Episcopal Church and Rev. Elmer St. Clair, the General Baptist Church and Frank Sherman Hartley, and the United Brethren Quarterly Conference and W. E. Snyder, of Oakland City; the Chandler Cumberland Presbyterian Church and Rev. John A. McLane, of Chandler; the United Brethren Church and J. L. Battram, and the Trinity Methodist Episcopal Church and James J. Robinette, of Rockport; the Central Methodist Episcopal Bible School and Helen C. Bowman, the Wesley Methodist Church and William F. Russell, and the West Side Mothers Club and Grace K. Werner, of Evansville, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LLOYD: Petition of sundry citizens of the first congressional district of Missouri, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LOBECK: Petition of 7,510 members of the German-American Alliance of Nebraska, against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of the Baptist Brotherhood of Bristol, Conn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. McGILLICUDDY: Petitions of Nobleboro Grange, of Nobleboro; Limerock Valley Pomona Grange, of Camden; and of citizens of Nobleboro and Damariscotta, all in the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. McKENZIE: Petition of 28 citizens of Erie, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 17 citizens of Forreston, Ill.; 110 citizens of Galena, Ill.; and 535 citizens of Pola, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAGUIRE of Nebraska: Petition of 849 citizens of Falls City, Nebr., and 118 citizens of Tecumseh, Nebr., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MOON: Petition of 42 citizens of Daisy, Tenn., and 25 citizens of Maxwell, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MOSS of Indiana: Petitions of 992 citizens of Terre Haute, Ind., against House joint resolution 168, proposing nation-wide prohibition; to the Committee on the Judiciary.

By Mr. MURRAY of Oklahoma: Petition of sundry citizens of Oklahoma, favoring national prohibition; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petition of sundry citizens of Rhode Island, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Board of Pharmacy of the State of Rhode Island, favoring antinarcotic bill (H. R. 6282); to the Committee on Ways and Means.

Also, petition of Anti-Saloon League of America, Department of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PLUMLEY: Petition of Charles H. Linscott and 13 other residents of Jamaica, Vt., protesting against the passage of House bill 7826, or any other like religious measure; to the Committee on the District of Columbia.

Also, petition of the Seventh-day Adventist Church of Pennington, Vt., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Charles H. Luiscott and 13 other citizens of Jamaica, Vt., favoring House bill 12928, amending postal laws relative to Sunday work for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. RAINEY: Petition of sundry citizens of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Petition of 145 citizens of Placerville, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, a letter from the California Association of the Deaf, favoring a bill (S. 4722) to create a bureau for the deaf and dumb in the Department of Labor, and prescribe the duties thereof; to the Committee on Expenditures in the Department of Labor.

Also, resolutions of Sacramento County Pomona Grange, favoring House bill 11897, relative to farm credits; to the Committee on Banking and Currency.

Also, resolutions by the Sailors' Union of the Pacific, favoring House bill 11740, to cure defects in and to validate chapters 52 and 54 of the acts of the Legislature of the Territory of Alaska, approved by the governor of the Territory of Alaska May 1, 1913, and for other purposes; to the Committee on the Territories.

Also, letter from the Sunset Publishing House, opposing the enactment of House bill 1837 and Senate bill 927, being the Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, resolutions by Southern California Child Labor Committee, of Los Angeles, Cal., favoring the appropriation of $165,000 for the Children's Bureau; to the Committee on Labor.

Also, resolutions by the San Francisco Labor Council, indorsing House bill 1933 and Senate bill 2321, regulating interstate commerce in convict-made goods; to the Committee on Labor.

By Mr. REED: Petitions of 75 members of the Sunday School of the Free Baptist Church of Alton, 300 members of the congregation of the Free Baptist Church of Alton, 200 members of the Baptist Church of North Woodstock, 150 members of the Free Baptist Church of Jackson, 125 members of the Union Church of Glen and Bartlett, and 110 members of the First Baptist Church of Laconia, all in the State of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

By Mr. RUSSELL: Petition of 41 citizens of the fourteenth congressional district of Missouri, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SCULLY: Petitions of citizens of Lakewood and Asbury Park, various members of the First Methodist Episcopal Church of Asbury Park, the Woman's Christian Temperance Union of Manahawkin, and sundry citizens of Cranburg, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of New York Stereotypers' Union, No. 1, favoring passage of Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, memorial of the San Diego (Cal.) Chapter of the Daughters of the American Revolution, favoring passage of House bill 2864, relative to old historic pioneer roads; to the Committee on Roads.

Also, petition of the National League of Government Employees, favoring passage of House bill 12056, relative to hours in continuous working plants of Government; to the Committee on Labor.

By Mr. SELDOMRIDGE: Petition of the Denver Chamber of Commerce, favoring passage of Senate bill 4373, relative to amendments to present mining laws; to the Committee on Mines and Mining.

Also, memorial of various commercial bodies of the State of Colorado, favoring the Lever bill relative to better practices of farming; to the Committee on Agriculture.

Also, petitions of sundry citizens of the State of Colorado, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Blanco, Grand Junction, Durango, Canon City, Mancos, Elizabeth, Salida, and Lamar, all in the State of Colorado, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SLOAN: Petitions of Rev. Thomas Ludwig and 45 others of York, 115 citizens of Aurora, and 200 citizens of Geneva, all in the State of Nebraska, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of Samuel Unzecher, of Seward, Nebr., and John Kavan, of Wahoo, Nebr., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. SUTHERLAND: Petition of sundry citizens of Randolph County, W. Va., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TEN EYCK: Resolutions of the common council of the city of Albany, N. Y., by David E. Pugh, clerk of the common council, relative to the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. THOMSON of Illinois: Petition of sundry citizens of Illinois, against national prohibition; to the Committee on the Judiciary.

By Mr. UNDERHILL: Petition of sundry citizens of Painted Post, Prattsburg, Savona, Ithaca, Richford, and Lowman, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WALLIN: Petition of sundry citizens of Schenectady, N. Y., favoring granting of compensatory time to postal employees for Sunday work; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Schenectady, N. Y., favoring House bill 7286, relative to closing barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

By Mr. WEAVER: Petition of 10 citizens of Oklahoma City, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Papers to accompany House bill 15651, granting a pension to Nettie Livingston; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: Petition of residents of Roscommon County, Mich., in support of Sheppard-Hobson prohibition resolutions; to the Committee on the Judiciary.

Also, petition from residents of Otsego County, Mich., in support of House bill 11315, to build a Federal building at Gaylord, Mich.; to the Committee on Public Buildings and Grounds.

SENATE.

WEDNESDAY, *April 15, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray Thee to look upon us with great sympathy and pity. We find ourselves in the midst of a sphere of influence and responsibility calling upon all the forces of our nature to meet divinely imposed obligations. We pray Thee to draw near to us, because in the common ground of our contact with God do we find the one basis upon which we can deliver the forces of our lives and of our Nation upon the great issues that are confronting us. We pray that Thou wilt bless all in authority in this Nation. Give to them wisdom in counsel; give to them the spirit of brotherhood; give to them courage in their convictions. May this Nation, as it has in the past, stand for the great principles of freedom of thought and conscience and of submission to the divine will. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

HARBOR TONNAGE AND CONSTRUCTION OF LOCKS (S. DOC. NO. 465).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, in response to a resolution of the 9th instant, referred to the Department of Commerce by the Secretary of the Treasury, detailed statements for the fiscal year 1913 of the incoming and outgoing tonnage in the foreign trade for each customs district of the United States, showing also the country of departure and destination and the nationality of vessels, which, with the accompanying paper, was referred to the Committee on Interoceanic Canals and ordered to be printed.

GOVERNMENT OF PORTO RICO.

The VICE PRESIDENT. The Chair lays before the Senate a communication addressed to the President of the Senate, which will be read.

The Secretary read as follows:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., April 13, 1914.

The PRESIDENT OF THE SENATE.

DEAR SIR: I have just received from the Porto Rican House of Delegates a copy of a memorial addressed to you, with the request that I transmit this document to you.

I have the honor to comply with this request of the house of delegates, and I beg that you will permit me to hope that you will devote a brief portion of your valuable time to the perusal of this memorial, which refers to the problem of citizenship for the people of Porto Rico.

I feel sure that the house of delegates expresses the true sentiment and ideas of the majority of the people of Porto Rico.

Very respectfully, yours,

L. M. RIVERA.

The VICE PRESIDENT. The memorial will be printed in the RECORD and, together with the communication, will be referred to the Committee on Pacific Islands and Porto Rico.

The memorial is as follows:

HOUSE OF DELEGATES OF PORTO RICO,
OFFICE OF THE SECRETARY.

I hereby certify that the following memorial was introduced by the speaker, José de Diego, and unanimously approved by the House of Delegates of Porto Rico at its session of March 12 of the current year.

In witness whereof I issue, sign, and seal this certificate in San Juan, Porto Rico, on the 27th day of March, 1914.

[SEAL.] JOSÉ MUÑOZ RIVERA,
Secretary of the House of Delegates of Porto Rico.

MEMORIAL OF THE HOUSE OF DELEGATES OF PORTO RICO TO THE PRESIDENT AND TO THE CONGRESS OF THE UNITED STATES CONCERNING CITIZENSHIP.

A bill declaring Porto Ricans collectively citizens of the United States is now before Congress.

The House of Delegates of Porto Rico, in the face of a problem that so essentially affects the life, the personality, and the destiny of the people it represents, can not under any circumstances waive the duty of studying this great problem and, with the profoundest respect, begs to address to the President and to the Congress of the United States the present clearly reasoned statement, the fruit of a careful and impartial analysis of the question in its several aspects, as also of an exact knowledge of the sentiments and wishes of the vast majority of Porto Ricans.

But before entering upon a discussion of the merits of this question we desire to clearly state that nothing that may be said on the matter should be construed as disparaging or mortifying with regard to the noble title of American citizenship; but that, while rendering just and sincere homage to your citizenship, we firmly and loyally maintain our opposition to being declared, in defiance of our express wish or without our express consent, citizens of any country whatsoever other than our own beloved soil that God has given us as an inalienable gift and incoercible right.

First of all, we claim that the granting of American citizenship to Porto Ricans answers no purpose whatever that may serve public necessity or afford general convenience.

The privileges of citizenship can only be referred to two orders of ideas—one internal, the other external to the country of its origin; or, in other terms, in municipal and in international law.

We already possess our own sufficient citizenship of Porto Rico, which is indisputable and ostensible to the world, inasmuch as our citizenship is derived by natural law from our birth and by written law from an act of the Congress of the United States.

Section 7 of the organic act of Porto Rico, approved by the President of the United States on April 12, 1900, provides "that all inhabitants continuing to reside therein who were Spanish subjects on the 11th day of April, 1899, and then resided in Porto Rico, and their children born subsequent thereto, shall be deemed and held to be citizens of Porto Rico, and as such entitled to the protection of the United States."

It has been stated and repeated on various occasions, without any basis whatever, that we Porto Ricans are a people without a fatherland and without citizenship, of a personality ignored by the law of nations. We have our fatherland, which is our island; we have our citizenship, which is that of Porto Rico; we have personality, which is that of our people; and none can ignore them without causing the island to disappear from the map or without denying that the Congress of the United States that established our citizenship and our personality may be, as it is, one of the most powerful and surpassingly great entities in the political concert of the universe.

We are citizens of Porto Rico, and as such entitled to the protection of the United States. It is thus written in our organic act, and in accordance with the precepts of that act the diplomatic and consular corps of the United States, ever since the administration of President McKinley, keep a register in foreign countries of citizens of Porto Rico and give Porto Ricans the protection to which they are entitled throughout the world.

American citizenship in foreign countries accords no other privilege than that of the enjoyment of the protection afforded by the Government of the United States in the extraterritoriality of consular and diplomatic law. As citizens of Porto Rico we enjoy that protection and with it the only privilege derived from American citizenship in international relationship.

In the other order of ideas, which refer to the privileges of citizenship within the State itself, such privileges are summed up and condensed in the individual rights guaranteed by the Constitution of the United States, and the Bill of Rights of your Constitution is applicable to Porto Rico, as has been decided by your Supreme Court in various opinions it has handed down, and especially so in the case of Downs *v.* Bidwell (182 U. S., 244), in which Judge Brown thus expressed the opinion of the court:

"My position * * * is simply that the Constitution does not apply to territories acquired by treaty until Congress has so declared * * * except so far as concerns the natural rights of their inhabitants to life, liberty, and property * * *."

And prior to the expression of any opinion whatever by the Supreme Court of the United States the people of Porto Rico, providing for its own liberty, had already, on February 27, 1902, promulgated "An act to define the rights of the people," which absolutely guarantees the right of conscience and the exercise of religious worship, the privilege against arbitrary search and imprisonment, the freedom of speech, both spoken and written, and the right of peaceable assembly, with powers to apply to the Government for redress of grievances by petition or remonstrance.

We therefore possess through the extension of your constitutional law the rights of life, liberty, and property, which are all the essential rights of humanity; we also have guaranteed by our own law the primary rights of the people, and if you still deem your law and our law insufficient, you may add to or amplify them or determine for us all rights and liberties you please in a new organic act without affecting our citizenship, inasmuch as liberty and rights are gifts that may be granted and accepted to infinity, like the light of heaven that never ceases to shine and illuminate the world.

And we have demonstrated that there is not the remotest necessity of declaring the people of Porto Rico citizens of the United States in order that they may enjoy, as they do enjoy as citizens of Porto Rico, all the privileges of American citizenship within and without the limits of our inextinguishably adored soil.

It has also been repeated, through ignorance of the facts and a confusion of ideas, that although the granting of American citizenship to Porto Ricans solves no practical problem, it yet satisfies a spiritual longing that responds to a general sentiment.

When one speaks thus a distinction should be made as to whether that longing and that sentiment live in the hearts of Americans or in the hearts of Porto Ricans. It seems that in matters of heart, in dealing with something like citizenship that may alter the life and the destiny of our people, it is to us to whom the sentiment should be attributed and it should be we who manifest it. But if we are to speak with entire loyalty, we must say that the sentiment concerning American citizenship for Porto Rico is neither felt by Porto Ricans nor by Americans.

It is not in you who might have declared Porto Ricans citizens of the United States in the law that you promulgated for us in the year 1900, you, nevertheless, constituted us citizens of Porto Rico; it is not in you who besought in Congress by presidential messages to confer on us your citizenship, abstained from so doing during 13 years with firm perseverance.

This does not imply a complaint, but is rather praise, for we consider your abstaining from so doing not an offense but a mark of respect for the wishes of the people of Porto Rico and to your own democratic Constitution, which does not permit the government of a people to be transformed in its fundamental basis of citizenship without the consent of the governed.

The sentiment of American citizenship for Porto Rico is neither in you nor in us. You have known for many years that the people of our island is profoundly displeased; that it is in constant protest against the absurd form of government that you imposed on us without our consent; and, through erroneous information or inexact appreciation, you have probably interpreted our displeasure and our protest as due to the fact that you have not granted us American citizenship, when in reality, of the few good things contained in our present organic act, the best is Porto Rican citizenship, which you consecrated before the world by means of a law of your Congress.

The general dissatisfaction in our country, the tide of bitterness that has swept over our souls, and its overflow in constant protest has had its birth and its growth in the régime you decreed for us in the year 1900—a government without representation in its highest spheres, where the legislative and executive powers are amalgamated, where the people do not freely and sovereignly impose their own taxes, where Porto Ricans are kept from directing the administrative departments, where we are subject to an oligarchy of six men who, through presidential nomination, form the majority in the upper house of our legislature and who are at the same time at the head of the executive departments; who legislate and execute the laws, grant franchise of a public nature, and do all those things that constitute the principal attributes of government, while they lack a knowledge of our local laws, of our customs, our temperament, our collective life, our mode of feeling, of thought, and of speech.

We know that the ideas and men who now sit triumphant in the Capitol and at the White House are not responsible for this form of autocratic government against which the great Democratic Party protested in its convention at Kansas City in the year 1900, with these energetic words:

"We declare again that all governments instituted among men derive their just powers from the consent of the governed; that any government not based upon the consent of the governed is a tyranny; and that to impose upon any people a government of force is to substitute the methods of imperialism for those of a republic. We hold that the Constitution follows the flag and denounce the doctrine that an Executive or Congress, deriving their existence and their power from the Constitution, can exercise lawful authority beyond it or in violation of it. We assert that no nation can long endure half republic and half empire, and we warn the American people that imperialism abroad will lead quickly and inevitably to despotism at home. Believing in these fundamental principles, we denounce the Porto Rican law, enacted by a Republican Congress against the protest and opposition of the Democratic minority, as a bold and open violation of the Nation's organic law and a flagrant breach of the national good faith. It imposes upon the people of Porto Rico a government without their consent and taxation without representation. It dishonors the American people by repudiating a solemn pledge made in their behalf by the Commanding General of our Army, which the Porto Ricans welcomed to a peaceful and unresisted occupation of their land."

The same facts, the same reasons, that provoked your protest against the absurd constitutional system in force in Porto Rico; the same facts, the same reasons, but embittered to us by the woe of their experience, have aroused and stimulated our protest, which has its origin in the depth of our régime, without being connected with citizenship, for the citizenship of Porto Rico is neither a source of disparagement, nor sorrow, nor injury to us, but it is a humble and filial pleasure to us to be citizens of our own little and beautiful fatherland.

Another aspect of the question of the declaration of citizenship for Porto Ricans, collectively, is offered from the standpoint of insular revenue.

In virtue of section 4 of the present organic act in force in Porto Rico and the proclamation of the President of the United States of December 25, 1901, all duties and taxes collected in Porto Rico, including excise taxes and customs duties, are paid into the insular treasury.

Apart from the excise taxes and customs dues, the most important taxes collected in Porto Rico are those imposed, at the rate of 1 per cent, on the value of real and personal property. The total revenue paid into our treasury during the fiscal year 1912–13 amounted to $6,650,224.10, and in the same year all personal and real property was assessed at $179,272,023, so that the taxes on this amount of property, at the rate of 1 per cent, could only have produced the sum of approximately $1,800,000, and the balance paid into the treasury, amounting to upward of $4,800,000 was the proceeds principally accruing from excise taxes and customs dues.

At the present date and under the economical crisis that the country is traversing, the value of property having considerably decreased, especially such property as is related with the sugar-cane industry, the income from taxes on property will during coming years inevitably diminish.

With these data we formulate a question of high and complicated transcendency.

If the citizens of Porto Rico are collectively declared citizens of the United States, and are provided by Congress with a constitution, the island being under the flag of your Republic, will not our island, in fact and in law, be converted into an incorporated organized Territory of the United States? With the status of Territory, could we retain in our treasury the income from excise taxes and customs dues? Would not such revenues, like those of all other Territories, have to be paid into the Federal Treasury? Could Congress, within the impassible limits established by the Constitution of the United States, prevent Federal revenues collected in Porto Rico from being turned in to the United States Treasury and permit them to remain in the treasury of Porto Rico?

These are all questions that it is very difficult to answer satisfactorily on the spur of the moment, but after a careful study of this complex problem we are of the opinion that we should very probably lose with our excise taxes and customs dues, the two most abundant sources of Government revenue.

Should this occur our Government would only be able to rely on taxes collected on property and other small imposts that would hardly amount to more than a million dollars to cover a budget that even, with the greatest economy, could never be less than about $4,000,000. This situation could only be solved in the rigorous terms of a terrible dilemma for our country; we should either have to impose taxes at the rate of 4 or 5 per cent on the value of property or we should have to destroy or enormously decrease the service of institutions, public health, and other important branches of our progress; either descend into the exploitation of property or sink our people into the abyss of want and ignorance.

The supposition, the doubt, the mere possibility that this gravest of situations might arise should suspend the action of Congress in deciding to transform the citizens of Porto Rico, now capable of modestly developing their resources and their civilization, into citizens of the United States without their consent and with this glorious title find themselves overwhelmed by economical or moral disaster.

When we say moral disaster we merely refer to the case in which the people of Porto Rico should have to detain or retard their progress, due to the scarcity of government resources to carry them on, but another higher and more delicate problem, likewise of a moral character, is offered to your contemplation as a body of select men born and bred in the superiority of a national environment so pure and clear as that of your democratic Republic.

There are things and ideas in the life of nations, inapprehensible and fugitive, that escape the artificial action of laws when those laws are not the outcome of the remote and tardy action of time, of history, and the fitness of all social elements.

You can surely, by a law of your Congress, decree that all Porto Rican citizens shall be citizens of the United States; you possess political power to do so, but have you peradventure the natural, real, gentilitious, creative power of instantly converting a Porto Rican into an American, not precisely an American born in your country, but a real American citizen, intimately and essentially amalgamated with you in your origin, in your historic evolution, in your language, in your struggles, in your destinies, in all that vast psychology determining your national spirit?

We, Porto Ricans, Spanish-Americans, of Latin soul, imaginative, high-strung, ardorous by reason of the sun of our climate and by the blood in our veins, separated from you by over 400 years and by more than 400 leagues, with a different historic process, diverse language, different customs—could we rapidly, under the sudden impulse of a law, even though ourselves desiring it with an intense and firm will, could we convert ourselves into American citizens, in that spiritual sense that the notion of citizenship requires, and feel, think, wish, and speak as you do, and have with you that solidary of life, of memory, of hope, of ideals, in your long, concurrent, and continuous efforts toward the national and international aims of your great and glorious Republic?

We possess all these qualities to make us good citizens of our country. *You yourselves* recognize it and proclaim it from the high places of your Congress.

In all sincerity we say to you that we revere your noble citizenship, a citizenship that involves the divine attribute, the grandeur of being the first fatherland to found liberty in America; but we likewise say to you with equal sincerity that we are satisfied with our own well-beloved Porto Rican citizenship and proud to have been born and to be brethren in our mother island.

And so great is our love for our own citizenship, our own fatherland, that, in conclusion, we must make use of a hyperbole to express the earnestness of our sentiment. We, like all Porto Ricans, are believers in the existence of God and of a perpetual superhuman life; but were there a citizenship of heaven, with a right to eternal happiness, and it were offered us in exchange for our own, we would vacillate to accept it and should under no circumstances accept it until after death.

JOSÉ DE DIEGO,
Speaker of the House of Delegates of Porto Rico.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented petitions of the congregations of the Free Baptist Church of Loudon, the Methodist Episcopal Church of Richmond, the Methodist Episcopal Church of Fitzwilliam, the Congregational and Free Baptist Churches of Candia, the Free Baptist Church of Ashland, the First Baptist Church of East Jaffrey, and of the Sunday school of the Sabbath Church of Nashua, all in the State of New Hampshire, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented the petition of Mrs. Elizabeth W. Amen, of Exeter, N. H., praying that an appropriation be made for the maintenance of the Children's Bureau, which was referred to the Committee on Appropriations.

Mr. VARDAMAN presented resolutions adopted by the executive board of Commercial Club of Yazoo City, Miss., favoring the ratification of the so-called "Nicaraguan Canal option treaty," which were referred to the Committee on Interoceanic Canals.

He also presented petitions of sundry citizens of Louisville, Vicksburg, Macon, and Booneville, all in the State of Mississippi, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. MARTINE of New Jersey presented a memorial of the Board of Trade of Elizabeth, N. J., remonstrating against being placed in Federal reserve district No. 3, which was referred to the Committee on Banking and Currency.

He also presented a petition of sundry citizens of Sayreville and Perth Amboy, in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Local Branch, North Eastern Saengerbund of America, of Philadelphia, Pa., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. LEE of Maryland presented memorials of sundry citizens of Maryland, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Hyattsville, Md., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. BRISTOW presented petitions of members of the Kansas Conference of the Evangelical Association and of sundry citizens of Lindsborg, Washington, and Topeka, and 48 Sunday schools of Labette County, all in the State of Kansas, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a memorial of Horatio G. Wright Camp, No. 33, Sons of Veterans, of Clinton, Conn., remonstrating against any change in the American flag, which was referred to the Committee on the Judiciary.

He also presented petitions of the Epworth League of the Prospect Methodist Episcopal Church, of Bristol; of the Baptist Brotherhood, of Bristol; and of sundry citizens of Hartford, all in the State of Connecticut, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SMITH of Maryland presented petitions of sundry citizens of Carroll, Dorchester, Washington, Frederick, and Montgomery Counties, all in the State of Maryland, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Baltimore County and Baltimore City, in the State of Maryland, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. GRONNA presented petitions of sundry citizens of Portland, Mayville, Hamilton, Park River, Bowesmont, and Glasston, all in the State of North Dakota, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. KERN presented memorials of sundry citizens of Indianapolis, Ind., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Huntington, Door Village, Angola, and Amboy, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. POINDEXTER presented a memorial of the Chamber of Commerce of Bellingham, Wash., remonstrating against the repeal of the exemption clause of the Panama Canal act, which was referred to the Committee on Interoceanic Canals.

He also presented a memorial of sundry citizens of Aberdeen, Wash., remonstrating against the treatment of miners in the mining districts of Colorado, which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Seattle, Dolphin, and Frielay Harbor, all in the State of Washington, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. CATRON presented petitions of sundry citizens of Tucumcari, N. Mex., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. THOMPSON presented petitions of sundry citizens of Elmdale, Pawnee, Americus, Gridley, Columbus, Highland, Morland, McLouth, Monument, Notts, and Woodbine, all in the State of Kansas, and of ministers of the Southwest Kansas Conference of the Methodist Episcopal Church, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BORAH presented memorials of Local Union No. 679, Bartenders' Union, of Wardner, Idaho, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. WALSH (for Mr. MYERS) presented a petition of sundry citizens of Havre, Mont., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. CRAWFORD presented a petition of sundry citizens of Hot Springs, S. Dak., praying for the adoption of an amend-

ment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. McLEAN presented petitions of the Baptist Brotherhood of Bristol, and of sundry citizens of New Britain and Warehouse Point, all in the State of Connecticut, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SHIVELY presented a petition of Wayne Tent, No. 54, Knights of the Maccabees, of Fort Wayne, Ind., praying for the enactment of legislation to provide pensions for superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the congregation of the St. Paul Evangelical Church, of Evansville, Ind., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 127, United Garment Workers of America, of Indianapolis, Ind., praying for the enactment of legislation to prevent interstate shipment of prison-made goods, which was referred to the Committee on Manufactures.

He also presented a memorial of Anderson Branch, Socialist Party, of Madison County, Ind., remonstrating against the treatment of "Mother" Jones in the mining district of Colorado and the existing conditions therein, which was referred to the Committee on Mines and Mining.

He also presented petitions of sundry citizens of Amboy and Angola, in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Salem, Oreg., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Oregon, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. DU PONT presented petitions of sundry citizens of Magnolia, Wyoming, and Frederica, all in the State of Delaware, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. JONES presented memorials of sundry citizens of Seattle and Bellingham, in the State of Washington, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Baptist Church of Charleston, Wash., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. BURLEIGH presented petitions of sundry citizens of New Portland, Lee, North Lebanon, Portland, Manchester, Machiasport, New Sweden, West Parish, Friendship, Eastport, Lewiston, and Lyman, all in the State of Maine, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Bangor, Me., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. COLT presented a memorial of the Rhode Island Branch of the American Continental League remonstrating against the repeal of the exemption clause of the Panama Canal act, which was referred to the Committee on Interoceanic Canals.

He also presented a memorial of sundry citizens of Providence, R. I., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Westerly, of the congregation of St. Paul's Methodist Episcopal Church, of Providence, of 345 citizens of Westerly, of 300 citizens of East Providence, of 25 citizens of Kingston, and of 150 citizens of Providence, all in the State of Rhode Island, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. ASHURST. I have received and now present a number of telegrams from various citizens of Arizona, protesting against the elimination of the item of $50,000 in the Agricultural appropriation bill for the purpose of carrying into effect the McLean migratory bird law. The telegrams relate to one subject, and I ask that they be incorporated in the RECORD and then referred to the Committee on Agriculture and Forestry.

There being no objection, the telegrams were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

PHOENIX, ARIZ., *April 14, 1914.*

HON. HENRY F. ASHURST,
Washington, D. C.:

The McLean law, for enforcement of which no appropriation has been made by Congress, is, in my opinion, a measure essential to preservation of migratory birds, especially in Western States. Any influence you can exert to have the $50,000 enforcement appropriation restored will be sincerely appreciated.

GEORGE W. P. HUNT, *Governor.*

—

PHOENIX, ARIZ., *April 14, 1914.*

HENRY F. ASHURST,
United States Senate, Washington, D. C.:

The action of the Senate committee in cutting out the appropriation to enforce the McLean law is a calamity. We look to you to save the situation for the agricultural interests of this State. One hundred thousand dollars must be appropriated to enforce the Federal migratory-bird law, in order that we may not lose the effects of the good work already accomplished. Is there anything to be done here to insure desired results? Please advise.

FRANK W. ROGERS,
State Game Warden.

—

PHOENIX, ARIZ., *April 14, 1914.*

HENRY F. ASHURST,
Senate, Washington, D. C.:

Am in full sympathy with the beneficent provisions of the McLean law. I believe $100,000 should be appropriated for its enforcement.

MULFORD WINSOR.

—

PHOENIX, ARIZ., *April 14, 1914.*

HENRY F. ASHURST,
Senate, Washington, D. C.:

I fully indorse the State game warden's message to you of this date. Appropriation to enforce the McLean law should not only be restored, but it should be made $100,000.

GEORGE PURDY BULLARD,
Attorney General.

—

PHOENIX, ARIZ., *April 14, 1914.*

HENRY F. ASHURST,
Senate, Washington, D. C.:

I am in full accord with the spirit of State Game Warden Rogers's night letter to you of this date. I think that $100,000 should be appropriated to enforce the McLean law, which I believe to be of great benefit.

REESE M. LING,
Democratic National Committeeman.

—

PHOENIX, ARIZ., *April 14, 1914.*

HENRY F. ASHURST,
Senate, Washington, D. C.:

I believe the appropriation should be restored for enforcing the McLean migratory-bird law.

H. A. DAVIS, *State Senator.*

Mr. SMITH of Michigan presented a petition of the State legislative board of the Order of Railway Conductors, of Bay City, Mich., and a petition of Local Order No. 286, Locomotive Firemen and Enginemen, of Saginaw, Mich., praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Clayton and Mason, in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of Printing Pressmen's Local Union No. 2, of Detroit, Mich., praying for the enactment of legislation to make lawful certain agreements between employees and laborers, and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, which was referred to the Committee on the Judiciary.

LOCATION OF RESERVE BANKS.

Mr. SMITH of Michigan. I present a memorial from the Menominee Commercial Club. It is very brief, and I ask that it be read for the information of the Senate.

The VICE PRESIDENT. The Chair hears no objection, and it will be read.

The Secretary read as follows:

MENOMINEE COMMERCIAL CLUB,
Menominee, Mich., April 10, 1914.

Whereas the reserve bank organization committee has seen fit to place the upper peninsula of Michigan in the Minneapolis district; and
Whereas the upper peninsula of Michigan has very little direct business relations with Minneapolis; and
Whereas the mail and express service is direct with Chicago and indirect with Minneapolis: Therefore be it

Resolved, That the Commercial Club of Menominee, Mich., strongly protests against the placing of the upper peninsula of Michigan in the Minneapolis district, as it is not in conformity with the law which states "the districts shall be apportioned with due regard to the convenience and customary course of business"; and be it further

Resolved, That the Commercial Club of Menominee, Mich., petitions the Federal Reserve Board to attach the upper peninsula of Michigan to the seventh district with Chicago as the center.

LOREN S. PRESCOTT, *President.*
GEORGE P. CHAMBERS, *Secretary.*

By order of the board of directors.

Mr. SMITH of Michigan. Mr. President, I merely desire to say that all the banks of the upper peninsula of Michigan, which constitutes that part of our State lying north of the Strait of Mackinaw, have protested against being assigned to the Minneapolis district. The argument made is substantially such as the Commercial Club of Menominee has made in this memorial. I do not presume it is necessary to present the individual protests of these banks at this time, but I desire to give emphasis to their very strong objection to the plan which has been evolved.

The VICE PRESIDENT. The memorial will be referred to the Committee on Banking and Currency.

Mr. HITCHCOCK. I desire to request the reading of the following protest from the Omaha and South Omaha Clearing House on the subject of the location of the reserve bank for the tenth district and the establishment of the bounds thereof.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

OMAHA CLEARING HOUSE ASSOCIATION,
Omaha, Nebr.

The national banks of Omaha and South Omaha have served the national banks of Nebraska and Wyoming as reserve agents in an acceptable manner for many years. Their preference for Omaha as a Federal reserve city is expressed by their votes filed with the organization committee, and in our own and their behalf as so recorded, we respectfully protest against the inclusion of those States in the Kansas City district, for the following reasons:

It is against the wishes of the people of the two States;

It is contrary to the long-established channels of trade and commerce;

It is a serious interference with the business interests of those States; and

It is in direct opposition to the language and intent of the Federal reserve act.

The language of the Federal reserve act is as follows:

"The districts shall be apportioned with due regard to the convenience and customary course of business."

In the States named the flow of exchange and the trend of trade and commerce are to the east, not to the south, and these facts were clearly shown at the hearing before the organization committee at Lincoln.

At that hearing the committee frequently stated it did not desire to have testimony offered other than that bearing on the flow of exchange, the trend of trade and commerce, and the common point at which the business of the territory centered. The chairman of the committee asserted repeatedly that the law was mandatory by which the committee was controlled, and the committee simply desired to obtain as accurate information as possible on the points referred to.

The arrangement as made will deprive the business interests of those States of the service and benefits the currency law was intended to give them.

We submit that in the apportionment of our territory neither the expressed views of the committee nor the plain provisions of the law were complied with.

We therefore most earnestly ask for a review of the decision of the organization committee by the Federal Reserve Board, and unless after that review Omaha be made a reserve city we respectfully request that in order to conform to the requirements of the Federal reserve act the States of Nebraska and Wyoming be transferred from the Kansas City district to that of Chicago, where our business naturally goes and where our interests will be effectively served.

OMAHA CLEARING HOUSE ASSOCIATION,
J. C. FRENCH, *President.*

Attest:

WILLIAM B. HUGHES, *Secretary.*

I hereby certify that at a meeting of the Omaha Clearing House Association, held on Wednesday, April 8, 1914, at which all members were present, the above protest was unanimously adopted.

WILLIAM B. HUGHES,
Secretary Omaha Clearing House Association.

The VICE PRESIDENT. The memorial will be referred to the Committee on Banking and Currency.

PANAMA CANAL TOLLS.

Mr. KERN. Mr. President, I received a letter some time ago from Hon. Timothy E. Howard, a very distinguished lawyer of Indiana, who served as judge of the supreme court for years and for a long time has been professor of law in the great Catholic University of Notre Dame. The letter was of such interest that I asked his permission to have it inserted in the RECORD, and I now have his consent. With the permission of the Senate I will read the letter myself, as it is written in longhand and I am more familiar with his handwriting than the reading clerk.

SOUTH BEND, IND., *March 17, 1914.*

Hon. JOHN W. KERN,
Washington, D. C.

DEAR SENATOR: I want you to know that all Indiana people are not in favor of the Panama tolls. I myself have no particular love for the English Government, though I acknowledge very much of great and good in the English people. But that Government has been our enemy from the beginning—trying to crush us in the Revolution, flouting our nationality in 1812, and covertly planning our disunion in 1861. The plea of "Anglo-Saxonism" has not an iota of sincerity. They know we are not Anglo-Saxons, but simply Caucasians—more Irish, indeed, than English, as our history and the character of the American people shows. Still I am heartily in favor of the repeal of the ill-advised toll provision of the Panama act. It is sufficient that our honor as a Nation requires it. We should respect our solemn treaties, as we should expect other nations to do with us. For my part I am ashamed that we should have attempted by an act of Congress to violate our sacred pledge. Treaties should be amended or abrogated only by mutual act of those who made them, not by the selfish, inconsiderate, or unfriendly act of one of the parties. But, more than this, even though our sacred word of honor were not in question, yet the toll exemption in favor of coast vessels is utterly indefensible. It is but a species of that ocean subsidy which Americans, particularly Democrats, detest as an inequitable favoritism—the building up of another monopoly. Of course I am grieved, and have at all times been, that an inconsiderate indorsement of the toll favoritism should have been made at Baltimore. I say inconsiderate, for the people have not considered that matter. The delegates had received no instructions for such action, and it was but foisted upon them by the interests while the minds of the delegates were intent upon the important measures for which the people had in fact commissioned them. Here it is a question of honor, of national welfare, and of the spirit of true democracy; let us act right now, whatever mistakes have been made. I am therefore most heartily in favor of your proposed action.

Sincerely, yours, T. E. HOWARD.

While I am on my feet, Mr. President, I wish to say that some of us, particularly from the Central West, have observed recently with some interest the columns of interviews from our section published in the Washington Post indicating a great outburst of popular sentiment against the administration's action on the tolls question. As to whether it was a spontaneous outburst of public sentiment or whether it was in a degree manufactured by some one, some light has been thrown on this mooted question by a letter which I received a few days ago from the editor of a Democratic paper in Indiana, which, with the permission of the Senate, I will read:

ELKHART PROGRESSIVE DEMOCRAT,
Elkhart, Ind., April 10, 1914.

Hon. JOHN W. KERN,
Washington, D. C.

MY DEAR SENATOR: I am inclosing a telegram received by me, or rather delivered to me to-day, from the Cincinnati Enquirer. You are a "reformed" newspaper man yourself and will appreciate the tricks of the newspaper game. I am with the administration on all his official acts up to date, and our newspaper, the Elkhart Morning Progressive Democrat, is giving him and his friends in Congress its hearty support. John R. McLean, with his newspapers, is trying to take an undue advantage in serving big business. You will note he does not call for interviews with leading manufacturers on the question of free tolls, but invites garbled and misleading statements. I hope this telegram will be of use to you when the fight comes up in the Senate. You may be sure the same query went out to hundreds of newspaper men all over the State, and all over several States, for that matter.

As a Wilson-Bryan adherent and as a friend of yours, I desire to enter a protest against the tactics being employed by the Shipping Trust to defeat the will of the people.

Assuring you, etc., I remain,
Yours, truly, W. C. B. HARRISON.

The telegram inclosed is as follows:

[Telegram.]

CINCINNATI, OHIO, *April 10, 1914.*

SOME RELIABLE NEWSPAPER MAN,
Elkhart, Ind.:

Please file early Friday evening 300 words showing unfavorable sentiment your section toward President Wilson's stand on Panama Canal tolls. Interview big business men and get them to say something hot.

ENQUIRER.

It is probably not necessary to say in this presence that the Cincinnati Enquirer is owned and controlled by Mr. John R. McLean, who also owns and controls the Washington Post, a gentleman whom I have known for many years and for whom I have a warm personal regard. I think, however, it is due the Senate and due the public that they should know something of the methods through which these interviews are procured and out of which this great so-called public sentiment is manufactured.

Mr. CLAPP. Mr. President, as supplementing the remarks of the Senator from Indiana, I want to suggest that when the Middle West reads the evidence given yesterday by Prof. Johnson, in which he so cordially accepts the suggestion as to the imposition of tolls upon canals connecting the Great Lakes, there will be a protest here, and there will be no question about its being spontaneous.

REPORTS OF COMMITTEES.

Mr. NORRIS, from the Committee on Claims, to which was referred the bill (S. 663) for the relief of Thomas G. Running, reported it with amendments and submitted a report (No. 419) thereon.

He also, from the same committee, to which was referred the bill (H. R. 4405) for the relief of Frederick J. Ernst, reported it with an amendment and submitted a report (No. 420) thereon.

Mr. SHIVELY, from the Committee on Foreign Relations, to which was referred the bill (S. 5203) to authorize the appointment of an ambassador to Chile, reported it without amendment and submitted a report (No. 424) thereon.

Mr. LANE, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 1880) for the relief of Chester D. Swift (Rept. No. 421); and

A bill (H. R. 2314) for the relief of Allen Edward O'Toole and others, who sustained damage by reason of accident at Rock Island Arsenal (Rept. No. 422).

He also, from the same committee, to which was referred the bill (S. 805) for the relief of Mary E. Lovell, submitted an adverse report (No. 423) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRISTOW:

A bill (S. 5269) granting an increase of pension to John S. Bell (with accompanying papers); to the Committee on Pensions.

By Mr. KERN:

A bill (S. 5270) granting an increase of pension to Charles M. Gregory (with accompanying papers); and

A bill (S. 5271) granting an increase of pension to James W. Lansberry (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 5272) granting an increase of pension to Eunice C. Gordon (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 5273) granting a pension to John H. Smith; to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 5274) granting a pension to Isaac H. Griffith; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 5275) to appropriate a sum of money to pay Rhoda Menz, W. W. Christmas, and James M. Christmas, heirs of Myra Clarke Gaines, for certain lands in Louisiana; to the Committee on Claims.

A bill (S. 5276) granting an increase of pension to William Schallenberg; to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 5277) to remove the charge of desertion from the military record of James Alberts (with accompanying paper); to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BANKHEAD submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate $12,500 for investigation and promotion of efficient instruction in training in citizenship, including personal services in the District of Columbia and elsewhere, intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. OWEN submitted an amendment proposing to appropriate $2,000 for an assistant superintendent, office of Superintendent State, War, and Navy Department Building, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment authorizing the Secretary of the Treasury to pay, under the direction of the Secretary of the Interior, to the Loyal Creek Indians and freedmen named in articles 3 and 4 of the treaty with the Loyal Creek Nation of Indians of June 14, 1866, the sum of $600,000 etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. BANKHEAD submitted an amendment intended to be proposed by him to the omnibus claims bill, which was ordered to lie on the table and to be printed.

DEPOSIT OF POSTAL FUNDS.

Mr. BRYAN submitted an amendment intended to be proposed by him to the bill (H. R. 7967) to amend the act approved June 25, 1910, authorizing a postal savings system, which was ordered to lie on the table and to be printed.

THE ECONOMIC VALUE OF MAN.

Mr. SUTHERLAND. Mr. President, I send to the desk an article on "The economic value of man," prepared by Dr. Chauncey Rea Burr, of Portland, Me., who was formerly an assistant surgeon in the United States Navy. The Senate has from time to time authorized the printing of documents relating to the subject of workmen's compensation. The particular phase of the matter with which Dr. Burr deals has not been covered by any of those publications. Dr. Burr has gone into the matter in great detail, his article being, I think, of very great value upon the subject of fixing schedules of compensation in these various workmen's compensation laws, and it is of particular value to the Senate and to the House just now, in view of the fact that there are pending bills with reference to compensation of employees for injuries received upon railroads and also with reference to the compensation of Government employees. I desire to have the article printed as a public document, and I ask that it may be referred to the Committee on Printing.

The VICE PRESIDENT. That action will be taken, in the absence of objection.

THE TOLLS QUESTION.

Mr. JAMES. Mr. President, I present an editorial by Secretary of State Bryan printed in the Commoner upon the tolls question. I ask that it may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

In the April number of the Commoner, which goes to press to-day, the leading editorial, signed by Secretary of State William J. Bryan, is on "The tolls question," and is as follows:

"THE TOLLS QUESTION.

"The House of Representatives responded to the President's appeal and passed the Sims bill repealing the free-tolls measure. As the details of the vote will be found on another page, it is sufficient for the present purpose to say that the vote on the repeal bill stood 247 for, 162 against, giving to the President's recommendations a majority of 85. An analysis of the vote reveals the fact that 220 Democrats voted for the repeal and only 52 against, showing that the President's position was sustained among the Democrats by a vote of more than 4 to 1. The Republican vote on the proposition stood 93 against and 23 for, or a little more than 4 to 1 against the President. The Progressive vote stood 17 against the repeal and 3 for, or a little over 5 to 1 against the President. As there are 432 votes in the House, the President secured a clear majority of the entire House in favor of the stand he has taken.

"The fight was a bitter one, and a number of the Democratic leaders spoke, worked, and voted against the repeal of the tolls measure. As the opponents of repeal have dragged into the discussion much that can not fairly be regarded as legitimate argument, the Commoner begs to call the attention of its readers to the facts in the case.

"GAG RULE.

"First, as to the charge of 'gag rule.' The Committee on Rules reported a rule allowing 20 hours for debate; none of the friends of free tolls asked for more time than that before the rule was reported, but during the discussion of the rule the charge was made that the President's supporters were attempting to cut off debate and force the measure through under a gag rule.

"What are the facts? When the subject first came up the opponents of the repeal measure asked for 8 hours, and it was granted them. They then asked that the time be extended to 15 hours, and this was granted. Later they asked that the time be made 20 hours, and this was granted. The charge that the time was unduly limited can not fairly come from the friends of free tolls, for when the free-tolls measure was under consideration in 1912 the debate on it occupied less than 3 hours. It will be seen, therefore, that seven times as much time was given for the discussion of the repeal measure as was given for the discussion of the original measure giving free tolls to coastwise vessels. When it is remembered that four-fifths of the Democrats favored the repeal, while a majority of the Democrats opposed the free-tolls measure, it will be seen that the friends of the repeal measure were exceedingly liberal in the allowance of time, as compared with the friends of the original free-tolls measure. In the face of these facts one must be very biased in his opinion to accuse the President's friends of an attempt to adopt a gag rule or to unduly limit debate.

"THE PLATFORM PLEDGE.

"In the discussion of the repeal measure it was impossible to confine its opponents to a discussion of the merits of the question. They stoutly contended that they were standing upon the platform adopted at Baltimore and assumed to themselves a superior sort of virtue, because of the sanctity with which they invested this particular plank of the platform. The readers of the Commoner have long since learned to regard a platform pledge as binding and they are entitled to know the grounds upon which the Democrats of Congress acted in repealing a measure indorsed by the platform.

"There are three facts to be considered, facts which the friends of free tolls have refused to discuss. First, that there was another plank in the platform, or rather another clause, which was practically a part of the same plank which contained the free-tolls declaration. This

clause had to do with the encouragement of the merchant marine, and reads:

"'We believe in fostering, by constitutional regulation of commerce, the growth of a merchant marine which shall develop and strengthen the commercial ties which bind us to our sister Republics of the south, but without imposing additional burdens upon the people and without bounties or subsidies from the Public Treasury.'

"The merchant marine includes all the ships belonging to American citizens, and it will be seen that the Democratic Party expressed a deep interest in the upbuilding of the merchant marine, and yet, notwithstanding the importance of the subject and the anxious concern felt by the party for the rehabilitation of the merchant marine, it specifically declared against bounties and subsidies as a means of aiding the merchant marine. The action of the free-tolls Democrats in ignoring this plank is incomprehensible, because its language is clear and specific and it reiterates a doctrine for which the Democratic Party has stood from time immemorial. This opposition to bounties and subsidies, whether granted openly and directly or whether granted secretly and indirectly as they are through a protective tariff, is a fundamental article of Democratic faith.

"But while the friends of free tolls are able to overlook the plank above quoted, with its clear and ringing declaration against subsidies and bounties, they regard as sacred the following lines in which the party indorsed free tolls:

"'We favor the exemption from toll of American ships engaged in coastwise trade passing through the canal.'

"Why do these few words stand out so brightly before the advocates of free tolls? And why are they unable to see or remember the words condemning bounties and subsidies? What opiate does the little plank contain that it can make those who accept it oblivious of the larger plank? By what rule of construction can the small plank be made binding and the large one be ignored?

"The secret of the strange power exerted by the little plank is to be found in the fact that it carefully conceals the means by which it is to be carried out. Had the word 'subsidy' or 'bounty' been inserted in this plank it could not have secured the indorsement of the convention, because the contradiction between this plank and the larger plank would have been immediately apparent. If the same care had been used in the drawing of this plank that was used in the drawing of the plank on the merchant marine it would have read as follows:

"'We favor the exemption from toll of American ships engaged in coastwise trade passing through the canal, but without imposing additional burdens upon the people and without bounties or subsidies from the Public Treasury.'

"Second. But even if the platform had not contained within itself a *complete refutation* of the position taken by the advocates of free tolls, the President would have been justified in the position that he took by the changed conditions which confronted him. A platform is a pledge and is as binding upon an official as the command of a military officer is upon a subordinate—the statement can not be made stronger. But the subordinate officer is sometimes compelled to act upon his judgment where a change of which the commanding officer is not aware has taken place in conditions. It is not only the right of the subordinate to judge the situation for himself where conditions have changed since the order was given, but it is his duty to do so. It is true that he risks his position if he miscalculates the condition and disobeys when he should obey, but he takes a similar risk if he is not willing to assume responsibility for a change of plan where conditions compel the change. If the disobedience of the subordinate officer is due to cowardice or to the substitution of a selfish for a patriotic interest he is condemned; but he is likewise to be condemned if, either from cowardice or because of a selfish interest, he permits the interest of his country to be jeopardized rather than live up to the responsibilities which his position imposes upon him. In the case under consideration, the President takes the responsibility for an official act which he regards as necessary to his country's welfare, and the people must decide whether or not he is justified; and those who refuse to act with him also assume responsibility, and they, too, must abide the judgment of the public.

"Such a change has taken place since the Baltimore platform was adopted. Had the Democrats in convention assembled been confronted by the condition which now exists, and had they known what those now know who voted for repeal, no such plank would ever have been placed in the platform. The convention's attention was not even brought to the fact that a majority of the Democrats in the House had voted against the free-tolls measure, and that it had, in fact, been passed by a combination of a minority of the Democrats and a majority of the Republicans. The platform plank which is now being worshiped as if it were the only plank in the platform was in reality a rebuke to the Democrats in Congress, when the convention had reason to suppose that it was indorsing the action of a majority of the Democrats when it indorsed the action of Congress. It was more than that; it was, in fact, though not upon its face, an indorsement of the doctrine of subsidy which the party had taken pains to denounce in the same platform.

"Third. Moreover, this plank of the platform deals with an international question and must be accepted with the understanding that we act jointly with other nations in international affairs. Even if the plank had not been contradicted by another plank in the platform; even if it had not concealed a subsidy policy repugnant to Democratic principle and history; even if it had not rebuked the Democrats in Congress; even if conditions had not changed, still dealing with an international question it should be taken as the expression of a wish rather than as the expression of a determination, for no nation can afford to purchase a small advantage in the face of a universal protest. If a nation desires to array itself against the world, it should be sure that the thing which it is to gain is worth what it costs.

"The President, knowing that every commercial nation except our own construes the treaty as a pledge of equal treatment, would have been recreant to his trust had he failed to point out to the American people that our diplomatic relations would be seriously disturbed by the carrying out of the free-tolls policy.

"THE 'SURRENDER TO ENGLAND.'

"The friends of free tolls gave conclusive proof that they were conscious of the weakness of their position when, in opposing the repeal of free tolls, they attempted to appeal to prejudice rather than to reason. They charged with a vehemence that increased as the case grew more desperate that the President was 'surrendering to England.'

"What has Great Britain done to justify the accusation that she is trying to dictate to this country? She has simply called attention to the terms of the treaty and asked for arbitration of the question of construction, in case this Government differs from the British Government in the construction to be placed upon the language. The very men who are so insistent upon construing the treaty to permit free tolls delayed for months the ratification of the treaty with Great Britain because of their opposition to any arbitration of the subject. In other words, they construed the treaty to permit discrimination and then objected to allowing any international court to express an opinion upon the subject. If, as a matter of fact, the treaty grants the rights which Great Britain claimed, is it a 'surrender to Great Britain' for our Nation to repeal a law that raised that question? The repeal of the law can not be construed to be a construction of the treaty. It is simply a refusal on the part of the United States to raise that question in that way. In the controversy over the Welland Canal Canada withdrew a discrimination which she had made in favor of Canadian ships 'in order that no cause for friction with the United States authorities in regard to the matter should exist.'

"Why can not the United States withdraw a discrimination for the same reason? When the treaty involved was before the Senate for ratification an attempt was made to so amend it as to permit a discrimination in favor of coastwise vessels, but it was voted down by a decided majority. With this record to support them, is it strange that foreign nations question our right to make an exception in favor of American vessels?

"Before passing from this branch of the subject it is worth while to remember that this is not the first time Democratic legislation in behalf of the people has been denounced as a 'surrender to England.' Every time our party has attempted to reduce the tariff we have been confronted with the charge that the lowering of the tariff would benefit England and that we were surrendering our markets to foreign manufacturers. This sham issue was raised by the beneficiaries of protection; they claimed to possess a superior patriotism, but every well-informed citizen knew that their real reason was not patriotic but selfish. They were growing fat through the taxation of the American people, and they attempted to appeal to prejudice merely to divert attention from the real issue. It is a fact, the significance of which will not be overlooked, that those who are using this 'surrender to England' slogan now are using it to secure the same sort of advantage that the protectionists secured. This time the benefit is to go into the pockets of the owners of vessels engaged in the coastwise trade, and knowing that they can not defend their position with Democratic arguments, the advocates of free tolls attempt to create a prejudice against the nation which entered into a treaty with us, and which happens, also, because of its large shipping interests, to be the country most interested in preventing discrimination. The 'surrender to England' argument is being used now just as it has been used in the past and for the benefit of the same selfish interests, but now that the people have secured tariff reduction they can no longer be frightened by this subterfuge.

"SUBSIDY OR NO SUBSIDY.

"When we come to consider the repeal measure upon its merits there are just two questions to be decided:

"First, is it desirable for the Democratic Party to abandon its historic position and become the advocate of subsidies and bounties; and, second, if it is desirable, what is the Democratic Party willing to sacrifice in international prestige and in world influence in order to secure the advantage which these subsidies promise to a few people?

"No party can afford to adopt a principle without considering how far the principle extends or what its adoption involves. In the past the Democratic Party has been able to consistently oppose every form of governmental favor, because it has stood for equal rights to all and special privilege to none. It has not only opposed the bounty when given directly, but it has with equal earnestness opposed the bounty given indirectly through a protective tariff. It has denounced as unconstitutional the voting of the people's money into the pockets of the few who can secure the ear of the legislator. Having grounded itself upon a principle, it could follow that principle wherever it applied, and by its steadfastness to that principle it has converted a nation. Suppose it now turns its back upon that principle and embarks upon the subsidizing of a few vessels, where can it draw the line? Will not the precedent once established make it difficult for the party to oppose each new application of the principle which will be demanded? If we are to give bounties to coastwise vessels for one reason, we will be asked to give bounties to some other corporations for reasons equally as good, and the party's power to protect the Public Treasury will be paralyzed.

"It must be remembered, too, that our coastwise vessels are largely controlled by a monopoly. The Alexander report on this subject, published this year, says:

"'With the exception of the Pacific coast trade proper, it was shown that the line traffic is handled by comparatively few companies, and that these are largely controlled by railroads and shipping consolidations. Thus, in the entire Atlantic and Gulf coastwise trade (exclusive of all inland waterway and purely local carriers), 28 lines, representing 235 steamers of 549,821 gross tons, furnish the line service. Of this number of lines 10 are railroad owned and represent 128 steamers of 340,084 gross tons, or 54.5 per cent of the total number of steamers in the trade and 61.9 per cent of the tonnage. Seven lines, operating 71 steamers of 175,971 gross tons in the coastwise trade, belong to the Eastern Steamship Corporation and the Atlantic, Gulf & West Indies Steamship Lines, and represent in the aggregate nearly 30 per cent of the total number of steamers and 32 per cent of the tonnage. Combining the two interests, it appears that the railroads and two Atlantic coast shipping consolidations control nearly 85 per cent of the steamers and nearly 94 per cent of the gross tonnage engaged in the entire Atlantic and Gulf coastwise trade. Attention may be called again to the fact that very few of the routes between any two ports on the entire Atlantic and Gulf coasts are served by more than one line (pp. 369–370, 382, 383).'

"The law prohibits the use of the canal by vessels when owned by railroads with which the vessels would compete, but the report shows how these vessel owners have dealt with the public in the past.

"The advocates of free tolls argue that the subsidies voted to ships in the coastwise trade will come back to the public through decreased freight rates on the transcontinental lines. This is the same old protectionist argument. This reduction is improbable, because the water rate is so much below the freight rate that the reduction of $1.25 a ton subtracted from the water rate will not compel a reduction as a matter of fact in the transcontinental rates. But even if it could be shown that free tolls would reduce transcontinental rates, it should be remembered that these rates, if excessive, can be reduced by the Interstate Commerce Commission. Why should we disturb our foreign relations in order to do at the Isthmus what we can do directly by regulation?

"When the student of this subject understands that the Republican Party is the friend of bounties and that the Democratic Party is the

inveterate foe of bounties, he will understand why four-fifths of the Republicans in Congress voted against the repeal of the bounties, while four-fifths of the Democrats in Congress joined the President in favoring the repeal of the law granting bounties.

"THE PRESIDENT'S APPEAL.

"The President's right to expect the support of Congress when he deals with foreign nations is so strongly presented in Congressman PALMER'S speech—which appears on another page—that the subject need not be elaborated here. The Chief Executive speaks for the Nation in international affairs, and it is only fair to assume that he speaks advisedly when he declares that intercourse with other nations is seriously embarrassed by the free-tolls law, which he seeks to repeal. The Democrats and Republicans who responded to his appeal will find it easy to defend their course—the burden of proof will be on those of either party who rejected his advice.

"THE UNITED STATES AS A WORLD POWER.

"Even if the Democratic Party were willing to be guilty of apostacy to its principles; even if it were convinced that the Republicans had been right in favoring subsidies and the Democratic Party wrong in opposing them, how much would it be willing to pay in national prestige and in world influence for the privilege of following at the tail end of the Republican procession on this subject? We occupy to-day a proud position among the nations; we are the foremost advocate of peace and arbitration; we are becoming more and more a moral factor throughout the world. Can we afford to surrender this position? Can we afford to belittle the great enterprise which has reached its consummation at the Isthmus?

"If our Nation desires to be measured by intellectual and ethical standards, how unworthy to brag of our strength and to threaten to use that strength! 'We are ready to fight' does not arouse the enthusiasm now that it did a few centuries ago. Brute force is not the level upon which this Nation settles its controversies to-day; the question is not what we can do, but what we ought to do.

"The path of history is strewn with the wreck of nations that boasted that they were all-powerful; they went down under Jehovah's inexorable law, and the 'God who ruled over Babylon is the God who is ruling yet.' This question must be decided on moral principles and not by the counting of our regiments and battleships. What shall it profit a nation if it conquers the whole world and loses its faith in the doctrine that 'righteousness exalteth a nation!'"

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On April 14, 1914:

S. 474 An act to authorize the issuance of unqualified patents to public lands in certain cases.

On April 15, 1914:

S. 3843. An act for the relief of Bellevadorah Steele.

CARIBOU NATIONAL FOREST RESERVE.

The VICE PRESIDENT laid before the Senate the bill (S. 1739) to reserve certain lands and incorporate the same and make them a part of the Caribou National Forest Reserve returned from the House of Representatives in compliance with the request of the Senate.

Mr. BORAH. I move to reconsider the votes by which the bill was ordered to a third reading and passed.

The motion to reconsider was agreed to.

Mr. BORAH. I move that the bill be postponed indefinitely.

The motion was agreed to.

THE CALENDAR.

Mr. BRYAN. I ask unanimous consent that the consideration of the calendar be taken up where we left off on yesterday and that we consider the bills from that point on to the end, so far as the time will permit.

The VICE PRESIDENT Is there objection? The Chair hears none.

DEPOSIT OF POSTAL FUNDS.

The bill (H. R. 7967) to amend the act approved June 25, 1910, authorizing a postal savings system was announced as first in order, and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE PRESIDENT. The pending question is on the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER] to the amendment reported by the committee, which will be stated.

The SECRETARY. The amendment proposed by Mr. GALLINGER to the amendment reported by the Committee on Post Offices and Post Roads is, on page 1, line 9, after the word "exceed," to strike out the sum "$2,000" and to insert in lieu thereof "$1,000."

Mr. BRYAN. Mr. President, I hope the amendment to the committee amendment will not prevail. Since the bill was under consideration on yesterday I have taken occasion to examine the hearings before the House Committee on the Post Office and Post Roads, and I have also refreshed my mind as to the hearings before the Senate committee. The House of Representatives were of the opinion that there ought to be no limit to postal savings deposits. That seemed an unsafe proposition to the Senate committee; but there does not seem to be any opposition from the banks, so far as I have been able to ascertain, to allowing the limit to be as high as $2,000.

Mr. TOWNSEND. May I ask the Senator from Florida a question?

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Michigan?

Mr. BRYAN. Certainly.

Mr. TOWNSEND. Can the Senator inform us what the condition of the postal savings account in the department is in comparison with what it was six months ago?

Mr. BRYAN. I can not do so, Mr. President. I have only the report, which is brought down to June 30, 1913. I can, however, give the Senator from Michigan an idea of the growth of the system.

On June 30, 1911, at the end of the first six months of operation under the law, there were 11,918 depositors, with $677,000 to their credit; on December 30, 1911, there were 162,000 depositors, with $10,000,000 to their credit—I am speaking only in round numbers—on June 30, 1912, there were 243,000 depositors, with $20,000,000 to their credit; on December 31, 1912, there were 302,000 depositors, with $28,000,000 to their credit; and on June 30, 1913, which is the latest date covered, there were 331,000 depositors, with $33,818,000 to their credit.

Mr. TOWNSEND. The reason I ask the question, Mr. President, is that I have learned that quite recently—during the last month, perhaps—there has been a great falling off, or, in other words, large withdrawals from the postal savings deposits.

Mr. BRYAN. Mr. President, I have an indistinct recollection that the Third Assistant Postmaster General said at the time he was before the committee that there were $40,000,000 of deposits to the credit of depositors at that time.

Mr. TOWNSEND. That is my understanding; but I am informed that that $40,000,000 now has been greatly reduced; that for some reason or other there have been withdrawals from the postal savings banks of a large amount of this money. I am wondering if the Senator from Florida can tell us whether or not that is the fact.

Mr. BRYAN. No; I have not been informed as to that. How recently has the Senator heard that that was the fact?

Mr. TOWNSEND. That came to my knowledge this morning. I have not had time to submit a resolution, but I thought I should like to have one submitted to the Senate asking for information in reference to the amount of postal savings deposits.

Mr. GALLINGER. Mr. President, as I suggested on yesterday, I am not going to make any factious opposition to the bill as reported by the committee of the Senate. The Senator from Florida [Mr. BRYAN] suggests that no protest has come from any of the banks against the Senate provision that the amount shall be enlarged from $500 to $2,000. That may be so. I find that the protests which came to me from some of the banks in my own State were aimed at the House bill, which provided that the amount deposited might be unlimited. I am still of the opinion, however, Mr. President, that the $2,000 limit is too high. This bill, I assume, will go to conference, and there it can be adjusted as between the unlimited amount and the amount fixed in the bill. For myself, I will be very glad to have the amount reduced from $2,000 to $1,000; but if the conferees, in their wisdom, should think that too low, under the rules of conference committees they can enlarge it.

I am apprehensive, Mr. President, in view of the bill coming from the House in the shape it did, that there is a purpose in the minds of some people to organize postal savings banks on a basis that will threaten the very existence, perhaps, of our savings banks in New England and in other parts of the country. We have nurtured those banks and done everything possible to make them a means of conserving the small earnings of people in our mills, in our workshops, and on our farms; so that to-day the $82,000,000, as I remember, in the savings banks of New Hampshire represent the thrift and the savings of almost one-half of her population, men, women, and children, the average deposit being a little over $400.

Senators will appreciate the fact that those of us who believe in that form of banking and in those methods of conserving the earnings of the poor people of our communities naturally look with some degree of alarm upon any movement that tends to put the Government in the banking business to an extent that may threaten the prosperity, if not the very existence, of our savings-bank system.

Mr. BRYAN. Mr. President——

Mr. GALLINGER. I yield to the Senator.

Mr. BRYAN. I will call to the attention of the Senator a statement made to me by the Third Assistant Postmaster General, who said that 62 per cent in number of the postal savings-bank deposits are by foreigners, and that 75 per cent of the amount deposited belongs to foreigners; in other words, the department takes the position that this system so far, instead of being a detriment to the banks, has been an advantage;

that it has brought out of hiding money which would not have been placed in the banks themselves, and by this method, the Government being responsible for the deposits, it is able to place in the banks of the different localities money which otherwise would be kept in hiding. It is their opinion that if the amount is increased it will bring more money out of hiding.

I do not think there is any disposition upon the part of the Post Office Department to insist that the amount of deposits be unlimited. I think they have come to realize that the Senate committee acted wisely in refusing to allow unlimited deposits.

Mr. GALLINGER. Mr. President, I have no knowledge as to the proportion of the depositors who are foreigners, but I apprehend that what the Senator says is substantially correct. There is no doubt that certain immigrants coming from southern Europe who are not acquainted with the system of banking in this country but are acquainted with the postal savings system in their own country prefer that system to our savings-bank system. But what I wanted to emphasize was the fact that if the Government goes into this matter on a large scale, not only will that money be deposited to a greater extent in the postal savings banks, but in the event of one of the senseless scares that get possession of the public mind occasionally, resulting in the so-called runs on banks which nine times out of ten are without any foundation in fact, our people may be led to withdraw their deposits from the savings banks and invest them to a large extent in the postal savings banks on the ground that the Government being back of them they are absolutely safe.

Mr. CLARK of Wyoming. Will the Senator yield just for a moment?

Mr. GALLINGER. Certainly.

Mr. CLARK of Wyoming. I should like to ask the Senator in this connection, as he is thoroughly conversant with the savings-bank situation, if he knows what the average deposit of the individual depositor is in the savings banks of his own State, for instance?

Mr. GALLINGER. The average deposit, taking the six New England States, is $411.

Mr. CLARK of Wyoming. Then this proposed legislation might perhaps result in inducing the average depositor to withdraw his entire deposit from the savings bank and deposit it in the postal savings banks.

Mr. GALLINGER. Undoubtedly it would operate in that way if there was a so-called run on any particular savings bank or the savings banks in general.

Mr. SMITH of Georgia. Mr. President, I should like to ask the Senator if, under the law as it stands, the same result might not follow and if it is not true that practically none of the deposits have been withdrawn from the savings banks?

Mr. GALLINGER. That is very likely true; but I am supposing something that may happen. I think we have a right to look a little into the future in matters of this kind and ask ourselves the question whether, in the event of some disturbance in our financial system and a growing feeling that our banks are not perhaps as safe as they ought to be, this very thing may not, and very likely will not, happen if we go into this matter wholesale, as it were? That does not apply to its full extent to the bill as the Senate committee has reported it.

Mr. SMITH of Georgia. Mr. President, if the Senator will allow me further, we had in view avoiding any danger to the savings banks by providing that on deposits in excess of a thousand dollars there should be no interest paid. That was done to guard against that contingency.

Mr. GALLINGER. I feel that we are under obligations to the committee for that safeguard.

Mr. SMITH of Georgia. As to runs upon the banks, we thought that the savings banks were practically all protected by the provisions under which they operate that no immediate demand can be made for the savings held by them and requiring 30 or 60 days' notice—in many cases 60 days—so that we did not suppose a little temporary excitement would possibly affect them. I merely want to say to the Senator that we thought about the subject, and tried to shape the bill in such a manner as to guard against money being kept in hiding and to bring it where it could be used without interfering with those institutions that conduct in a proper manner a savings-bank business.

Mr. GALLINGER. Mr. President, as I said a moment ago, I personally, representing certain interests in a general way, feel under obligations to the committee for having placed in the bill the safeguards that they have. I will conclude now by saying that the Senator from Florida [Mr. BRYAN] having made the suggestion that he trusts the amendment I offered will not prevail, I take it for granted that the Senator's view in that matter will be indorsed by the Senate. The only added suggestion I wish to make is this, and I desire to address myself to the members of the committee.

When the bill goes to conference, as it doubtless will, or very likely will, the contested point will be as between an unlimited privilege of deposit and the limit of $2,000, so that the amount named in the pending bill as amended by the Senate committee may be greatly enlarged in conference. I desire to appeal to the Senator from Florida, and to my good friend the Senator from Georgia, if the bill passes in the form in which it is reported and is now under consideration, that they will exert a very strong effort to have the bill agreed to as it is passed by the Senate.

Mr. BRYAN. Mr. President, I feel like assuring the Senator that the Senate committee were firmly of the opinion that the amount should not be unlimited. We kept the bill in the committee for between two and three months. In view of the apparent position of Senators and of the Senate, I do not feel that we would be justified in yielding upon that point.

While I am on my feet I desire to state, for the information of the Senator from Michigan as to the amount on deposit and as to whether the amount has been reduced, that I am informed by the department that on January 31 there was $40,037,884 on deposit, and on February 28, which is the latest date covered by the official figures, there was $41,500,000 on deposit, so undoubtedly the rumor that reached the Senator is unfounded.

Mr. DU PONT. Mr. President, I observe in the report of the committee that a good deal of stress is laid upon the position with reference to the bill of our citizens of foreign birth. The report says:

> The unanimous complaint of postmasters from the inception of the service has been that the present statutory limitations have made it impossible to accept vast sums of money that have been tendered to them, and it is shown by the files of the Post Office Department that depositors, especially those of foreign birth, frequently refuse to make deposits if the amounts tendered by them can not be accepted.

Then the report goes on to say:

> The experience of the service has shown that foreign-born citizens frequently accumulate several hundred dollars before they attempt to open an account, and it is a source of great disappointment to them when the Government will safeguard only a portion of their earnings.

I merely wish to call the attention of the committee to the fact that I do not think our foreign-born citizens have any reason for complaint, because their native countries do not allow deposits as large as those permitted by the present law. In France the maximum deposit that can be made in the postal savings banks is $300, and in Italy I think it is $250, or about that. It seems to me, therefore, that our foreign-born citizens have no just ground for complaint against the law as it stands.

Mr. BRANDEGEE and Mr. CUMMINS addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut is recognized.

Mr. BRANDEGEE. Mr. President, I have been called from the floor for the last five minutes, and I do not know what this matter is. I will ask what the calendar number is?

The VICE PRESIDENT. The calendar number is 269.

Mr. BRANDEGEE. Are we proceeding under Rule VIII now?

The VICE PRESIDENT. We are. By unanimous consent, we began at this point.

Mr. BRANDEGEE. Mr. President, I do not wish to cut off any Senator who desires to discuss the matter under the five-minute rule, if the Senate wants to proceed without a vote this morning; but in the end, after what has been said about it, if anybody wants to say anything further, I shall object to final disposition of the matter this morning. I have had a great many communications and protests against this measure from home, and I am not prepared at this minute to discuss the matter. Therefore I shall object to any action being taken to-day.

Mr. LODGE. Mr. President, I supported the postal savings-bank bill with great cordiality, because I thought it was a very useful measure for certain defined purposes, those being to draw into the channels of business, through Government action, money which otherwise would not reach those channels of business; money held by people who were unfamiliar with savings banks, or who had a distrust of them, and who therefore hoarded their money instead of placing it in such a way that it could be used when they did not themselves require it.

I am sure, however, that it was not the intention of Congress at that time to create the postal savings banks with a view of putting the Government into the savings-bank business and making it a competitor with the private organizations which have grown up all over this country, which certainly in many cases are not stock companies at all, but are run exclusively in the interest of the depositors, and which have worked with extraordinary success and with the very minimum of loss.

In my own State we have over $800,000,000 in the savings banks. The limit of deposit, including interest, is $1,600. I think the average deposit is about $382. I am speaking from memory. To do anything to disturb that great mass of capital which is now wisely invested, and which is promoting industry and business, is a very serious matter.

The postal savings bank was prevented from entering into competition with ordinary savings banks in two ways—by the low rate of interest, and by the limitation on the deposit. The Senator from Delaware [Mr. DU PONT] has just pointed out that the limitation on deposits abroad, where postal savings banks have been long in existence, is $300 in the case of France and $250 in the case of Italy. Our limitation is already beyond those. Now it is proposed, even under the wisely modified bill of the Senate committee, to raise the limitation to $2,000. That is much larger than the limitation placed on savings banks deposits in my own State to-day. The tendency of this legislation is to put the Government into the savings bank business in competition with the existing banks. The first limitation, which was designed to prevent that, is being removed by extending the limit of deposit. The next step will be to raise the interest rate.

The Senate committee has put in a very wise amendment, that after the first $1,000 there shall be no interest paid; but we have no assurance, of course, as to what the House will insist on or what the final form of the bill will be. I think we are entering on a field which was never contemplated by the original framers of the bill or by Congress when it passed the bill. I do not think Congress ever had the idea that by creating the postal savings banks it was going to set up rivals to the existing banks. I think the purpose was to supplement them.

Mr. GALLINGER. That was disclaimed during the debate.

Mr. LODGE. As the Senator from New Hampshire reminds me, that was specifically disclaimed during the debate. The purpose was to supplement the existing banks, to make a place for money which was not in the savings banks, and would not, either through ignorance or prejudice or fear, go to the savings banks, but would be intrusted to the Government.

Mr. President, I suppose it is very old-fashioned, but I am against putting the Government into business all the time, and I think we have gone far enough in the case of the postal savings banks. We have begun to build railroads, and now it is proposed that we shall go into the mining business. I think we should be extremely careful about this bill. It is a departure from the purpose of the Postal Savings Bank System, which was to supplement and not to destroy the existing system of savings banks, which has been long tested and which has worked extremely well.

Mr. BRYAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. LODGE. I yield to the Senator from Florida.

Mr. BRYAN. I desire to ask the Senator what is the rate of interest paid on savings deposits in New England.

Mr. LODGE. From 3 to 4 per cent. I think it is 3 per cent in Massachusetts at this time.

Mr. BRYAN. Of course, under this law it is 2 per cent on a thousand dollars.

Mr. LODGE. I understand that. I have already said that the limitation on interest was not removed.

Mr. BRYAN. Let me say to the Senator that under the law as it stands now 30 per cent of the deposits can be taken away from the locality. Under section 9 of the present law, and also under the Federal reserve act, all money deposited by the postal savings committee will be deposited in a member bank. Upon yesterday we agreed to offer an amendment, first, to allow the money to be deposited in banks, whether National or State, and whether members of a Federal reserve bank or not, and also to strike out of section 9 the permission now given to take 30 per cent of the money away from where it originated, so as to require all except the reserve of 5 per cent to remain in the locality.

It seems to us that so amended, instead of working an injury to the banks, this bill will be a benefit to them, because the interest is less. The depositors can not get interest upon the full amount deposited if the amount exceeds $1,000, and if money is withdrawn from a bank in a given locality and is placed with the postal savings bank it is immediately replaced in the bank from which the depositor withdrew it.

Mr. LODGE. Mr. President, I think the amendments to which the Senator from Florida has just alluded are very wise. I am not particularly disturbed about changing the locality of the savings. I think we have made sufficient arrangements in the bank bill for violently moving money from one part of the country to another, and I think it is well in this bill to guard against that. I think the amendment of which the Senator spoke is a very wise one, but that is not the point that is troubling me. I think we ought to keep the postal savings bank within the lines for which it was intended, and not put the Government any further into the savings-bank business. Moreover, I think it is a good plan not to begin to amend these laws until we have tried them out a little more thoroughly than we have in this case.

Mr. SWANSON. Mr. President, if the Senator will permit me, this law has been tested, and the system is an expense to the Government. It is being run at a loss. This is simply an amendment designed to make it self-sustaining.

It seems to me the postal savings bank, like any other bank, must have some money upon which interest is not paid. The other banks will get the money cheaper than they do now at 3 per cent. I do not see how they will be injured at all. The banks are able to use the confidence the Government has in them when there is a lack of confidence on the part of the people toward them.

This bill does not let the Government go into the banking business. The Government makes no loans to individuals. The Government loans no money. The Government simply takes money that it thinks is hidden on account of fear of banks, on account of fear of loaning to individuals, that is out of circulation, and loans it to the banks, under the amendment offered here, at less interest than the banks pay on it now. The Government loans it at 2½ per cent. The banks usually pay 3 per cent. I am unable to understand how this can do anything else except benefit the banks, and through benefiting the banks benefit the public that borrows money from the banks.

Mr. LODGE. Mr. President, if the Senator will allow me, I never said that this was putting the Government into the banking business. It is in that business already. I said it was putting it into the savings-bank business, which is a totally different thing.

Mr. SWANSON. The savings-bank business, as I understand, involves loaning money and buying securities. This system simply involves depositing in existing banks the money received.

Mr. LODGE. It all goes into the same channel eventually.

Mr. SWANSON. It goes into the same bank channel; so I do not see why it interferes with the existing banks.

Mr. LODGE. It all goes into business, and that is the good feature of it; but I repeat that the purpose of the postal savings-bank law was not to put the Government into the savings-bank business, but to enable us to get into the channels of business, through the Government postal savings bank, money which otherwise would be hoarded. That was the purpose of the law.

Mr. SWANSON. Does the Senator think the Government ought to continue to operate the Postal Savings Bank System at a great loss each year?

Mr. LODGE. The expenses of the Government do not seem to be very troublesome to anybody at the present time.

Mr. SWANSON. It ought to be self-sustaining, as far as possible.

Mr. CLARK of Wyoming. Mr. President, will the Senator yield to me for a moment?

Mr. LODGE. Yes.

Mr. CLARK of Wyoming. The Senator from Virginia states that during the last year, by borrowing money through the savings bank, the Government has lost. Does the Senator believe we can recoup that loss by borrowing more money?

Mr. SWANSON. Very easily. We accept a thousand dollars and pay interest on it. Under this amendment we can get $2,000 and loan $1,000 of it, on which no interest is paid.

Mr. CLARK of Wyoming. Yes; but we have just been informed by other Senators discussing this question that that provision will keep down the deposits and that we will not get deposits above a thousand dollars unless we pay interest on them.

Mr. SWANSON. In some cases you will. Universally, you will not; but nobody can conduct a deposit business and loan money for about the same rate of interest he pays for it unless there is some money obtained upon which there is no interest paid. This was intended for the purpose of enabling the Government to make the system self-sustaining, and it is impossible to devise any other method of doing it.

Mr. DU PONT. Mr. President, I should like to ask the Senator from Virginia a question. Will the Senator from Virginia please state the amount of the loss to the Government during the past year in consequence of the operation of the Postal Savings Bank System?

Mr. SWANSON. The report of the Postmaster General states it. Of course, it is the contention of those who run the Postal

Savings Bank System that the account is not accurately made; but the senior Senator from Kansas [Mr. BRISTOW], who was on the committee that discussed the matter for a long time, ascertained and felt that it resulted in a great loss to the Government. There were some people who thought it ought not to be continued on account of the loss sustained by the Government, and who thought the amount ought to be unlimited so as to make sure that it would be self-sustaining.

Mr. LODGE. Mr. President, I think I shall have to decline to yield further.

Mr. SWANSON. I think the figures are found in the report of the Postmaster General.

Mr. LODGE. Mr. President——

RADIUM-BEARING ORES.

The VICE PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the special order, which will be stated.

The SECRETARY. A bill (S. 4405) to provide for and encourage the prospecting, mining, and treatment of radium-bearing ores in lands belonging to the United States, for the purpose of securing an adequate supply of radium for Government and other hospitals in the United States, and for other purposes.

Mr. SUTHERLAND. Mr. President, on yesterday I made the point of order——

Mr. BRYAN. Will the Senator permit me to offer, so that it may be printed and pending, an amendment to the bill we have just been considering?

Mr. SUTHERLAND. Mr. President, when this matter was laid before the Senate on yesterday I made the point of order that it was not in order to lay the bill before the Senate at the hour of 1 o'clock. The rules of the Senate as to the status of a bill—I should like to have order, Mr. President.

The VICE PRESIDENT. The Senate will be in order. It is also a rule of the Senate that a point of order is not debatable.

Mr. SUTHERLAND. I understand that. I asked the Chair yesterday whether he cared to hear me, and I understood him to say that he did.

The VICE PRESIDENT. In other words, the rules of the Senate are "more honored in the breach than the observance." The Chair is desirous of hearing the Senator from Utah.

Mr. SUTHERLAND. The rules of the Senate are in some confusion respecting the status of a bill which has gone to the Calendar of Special Orders, but I think there can be no doubt under the rules that a bill so assigned does not come up automatically day after day at the same hour of the day at which it was originally set down for hearing. Rule X provides that—

Any subject may, by a vote of two-thirds of the Senators present, be made a special order; and when the time so fixed for its consideration arrives the presiding officer shall lay it before the Senate unless there be unfinished business of the preceding day—

I may stop at this point to say that under that provision of Rule X the Senator from Montana [Mr. WALSH] asked to have the radium bill made the special order for Friday, the 10th day of this month, at 1 o'clock. The Senate so ordered; and at 1 o'clock, upon Friday, the 10th, the presiding officer, complying with the order of the Senate, laid the bill before the Senate, and its consideration was proceeded with until 2 o'clock, when the unfinished business was laid before the Senate. The rule proceeds:

And if it is not finally disposed of on that day it shall take its place on the Calendar of Special Orders in the order of time at which it was made special, unless it shall become by adjournment the unfinished business.

The latter part of the rule which I have just read clearly contemplates that when the bill which has been made the special order has not been disposed of on the day for which it was first assigned it shall go to the calendar under the head of special orders, and if there shall be more than one such bill upon the Calendar of Special Orders those bills shall be arranged upon the Special Order Calendar in the order of time at which they were originally made special, which means, as I understand it, that if the Senator from Montana had moved on Thursday that his bill be made the special order for Friday, and on Friday some one else had moved that another bill be made the special order for Saturday, neither of those bills having been disposed of upon either of those days, they would take their place upon the calendar in the order of the radium bill first and the second-named bill next.

But no provision is made in the rule respecting the time when these bills upon the Special Order Calendar shall be considered. The rule simply provides that they shall go upon the calendar in a certain order. Then the second paragraph of Rule X provides that—

When two or more special orders have been made for the same time, they shall have precedence according to the order in which they were severally assigned, and that order shall only be changed by direction of the Senate.

It seems to me that provision is perfectly plain, and it simply means that if it shall turn out that two or more bills have been assigned for a particular hour of a particular day they shall be taken up in the order of time at which the requests for their special consideration had been made.

Thus far in Rule X there is absolutely no provision as to when this Calendar of Special Orders shall be considered. That they may not be considered at 1 o'clock of each day is made perfectly apparent by Rule VIII, which provides that—

At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and continue such consideration until 2 o'clock.

So under that rule of the Senate it is mandatory that at the conclusion of the routine morning business the Chair shall lay before the Senate the Calendar of Bills and Resolutions which are entered upon our calendar under the head of general orders, and it is further mandatory that the consideration of that Calendar of General Orders shall continue until 2 o'clock. Manifestly that could not be complied with if in the meantime a bill upon the Calendar of Special Orders should be laid before the Senate.

Then the rule continues—

and bills and resolutions that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once and for five minutes only upon any question; and the objection may be interposed at any stage of the proceedings, but upon motion the Senate may continue such consideration—

I call particular attention to this—

and this order shall commence immediately after the call for "concurrent and other resolutions"—

In other words, it shall commence at the conclusion of the routine morning business—

and shall take precedence of the unfinished business and other special orders.

So in addition to the mandatory provision that the Calendar of General Orders shall be taken up and shall be considered until 2 o'clock we have the further provision in the rule that that consideration shall take precedence of the unfinished business and other special orders. In other words, the consideration of the calendar upon which we are now engaged under the rule must take precedence of any bill upon the Special Order Calendar.

Rule IX, which may reflect some light upon the subject, provides that—

Immediately after the consideration of cases not objected to upon the calendar is completed, and not later than 2 o'clock, if there shall be no special orders for that time, the Calendar of General Orders shall be taken up and proceeded with in its order, beginning—

And so on.

This means that under Rule VIII we proceed to the consideration of unobjected bills upon the General Order Calendar, and that when that is completed, or in any event at the hour of 2 o'clock, if it has not been completed at that time, we proceed under Rule IX to consider the General Order Calendar, irrespective of whether the bills are objected to or not.

Immediately after the consideration of cases not objected to upon the calendar is completed, and not later than 2 o'clock, if there shall be no special orders for that time * * * the Calendar of General Orders shall be taken up.

There is only one case that could literally fall within the expression "if there shall be no special orders for that time." That would be a case where the Senate had made a special order for the consideration of a bill at a particular hour of a particular day. In other words, upon Friday, the 10th, at 1 o'clock, if the Senate was about to proceed with the consideration of the calendar under Rule IX, the bill of the Senator from Montana would be laid before the Senate under the clause "if there shall be no special orders for that time." But the mere fact that the bill has gone to the Special Order Calendar gives it no status as to time at all, and it would seem, so far as the rules are concerned, that the bill, having been made the special order for a particular hour of a particular day, has its day in court upon that day, and then it goes to the Special Order Calendar in somewhat the same manner that bills go to the calendar under Rule IX, to be brought up only by a special motion. However that may be, it seems perfectly clear that it has no status at any particular hour of the day.

There have been very few precedents established by the Senate upon this subject. There was a case which arose in the Senate February 16, 1858, where a bill had been made the special order for half past 12 o'clock upon a particular day. The consideration of it was not finished upon that day, and the presiding officer undertook to lay before the Senate upon a

later day, at the same hour, this bill which had been made the special order. In the discussion Senator Stuart observed:

Mr. STUART. I much prefer that the Senate should pass on this question. I am very clear that the special order does not come up until 1 o'clock.

I may stop to observe that the rules as we have them now were not in operation at that time. Precisely what the rules of the Senate were I am not advised, but there was certainly no rule with reference to unfinished business except there was a morning hour——

The VICE PRESIDENT. The Chair will correct the statement of the Senator from Utah. There was a rule, Rule XXXI, and it did provide that the unfinished business should be the special order and should come up at 1 o'clock.

Mr. SUTHERLAND. I was about to make that very statement. I was proceeding to say—except that there was a rule with reference to a special order becoming the unfinished business. The morning hour at that time expired at 1 o'clock. By subsequent amendments to the rules the morning hour now expires at 2 o'clock. Senator Stuart proceeded:

And I hope that upon this occasion, where there is apparently no very great solicitude on the subject immediately before the Senate, that point will be settled. There is nothing in the rule which continues a special order from day to day at the hour for which it was first made a special order. A special order is made for 1 o'clock, and that being the hour of proceeding to the ordinary general business of the Senate, on the expiration of the morning hour the Senate proceeds to the consideration of that special order; but I present this case for consideration; it is competent for the Senate, undoubtedly, to make a special order for half past 2 o'clock to-morrow. At half past 2 o'clock to-morrow the Senate proceeds to consider it, and then adjourns without disposing of it. Will that go over until half past 2 o'clock the next day, and at every subsequent day can it not be called up until half past 2 o'clock? I think that after the day for which it was first made a special order has passed it then becomes a special order among the other special orders at 1 o'clock. It takes its rank according to the thirty-first rule, which rank is decided by the day of its date. The first day you take it up at the hour specified, because the assignment fixes the day and the hour, but at all subsequent days it comes up at 1 o'clock.

Now, even if we were to follow that view with reference to this case, then the Calendar of Special Orders, if there were no unfinished business before the Senate, would come up every day, not at 1 o'clock but at 2 o'clock. The Vice President, after ruling upon the question, said:

The VICE PRESIDENT. If there be no objection, then the Chair will take the sense of the Senate, not in regard to this question of order but in regard to the wishes of the body touching the arrangement of the special orders The Chair will put it in this form: Is it the sense of the Senate that a special order which has been assigned for one day at an earlier hour than 1 o'clock shall, if not finished on that day, fall into its proper place and be called not before 1 o'clock thereafter? If there is no objection, I will put that question to the Senate.

Then he put the question:

Is it the sense of the Senate that orders which have been or shall be assigned for an earlier hour than 1 o'clock shall, if not finished on that day, be not called thereafter until 1 o'clock?

And the vote having been taken upon it the Vice President announced "the ayes have it, and that will be the order of business hereafter."

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. SUTHERLAND. I do.

Mr. WALSH. Will the Senator from Utah kindly state if I have gathered his position correctly, namely, that this special order comes up at 2 o'clock instead of 1 o'clock, or comes up immediately upon the conclusion of the unfinished business?

Mr. SUTHERLAND. No, Mr. President; I have not said that. What I say is that under no construction of the rule could it come up before 2 o'clock.

Mr. WALSH. That is not the question I addressed to the Senator. Will the Senator kindly tell us when, in his estimation, it will properly be before the Senate?

Mr. SUTHERLAND. I thought I had already made my position clear about that. I think, upon consideration of all the rules of the Senate upon the subject, a bill, when it is made the special order for a particular time, has its day in court for that hour and that day. If it had not been disposed of upon that day, then it goes to the Calendar of Special Orders, with reference to which no time has been fixed for consideration, and it must come up just as bills come up under Rule IX, upon a specific motion for that purpose; that it does not come up at any particular hour. Then I was proceeding to argue that in any event it can not come up at 1 o'clock, and in any event it can not come up before 2 o'clock of any day.

Mr. WALSH. We understand that, of course, very clearly; but will the Senator kindly tell us what is meant by that portion of the rule which states that—

If it is not finally disposed of on that day, it shall take its place on the Calendar of Special Orders in the order of time at which it was made special, unless it shall become by adjournment the unfinished business.

Mr. SUTHERLAND. That simply means that in the arrangement of the Special Order Calendar the bill which was first made a special order shall occupy the first place on the calendar.

Mr. WALSH. Then the Senator's position is that it has no standing whatever, any more than any other bill, and can be brought before the Senate again only by another motion?

Mr. SUTHERLAND. The Senator has stated my position.

Mr. WALSH. In other words, it loses whatever right it has by being the unfinished business that day?

Mr. SUTHERLAND. It loses any special right after the day when it has been first considered.

Mr. LODGE. Mr. President——

Mr. SUTHERLAND. I yield to the Senator from Massachusetts.

Mr. LODGE. The practice since I have been in the Senate has been such as has just been described, I think, but it is always unsafe to trust to memory. Before the days of unfinished business I believe the special order carried the privilege. I feel quite sure it has not had any privilege since I have been here. The reason was obvious. If the Senator will allow me, I will trespass but a moment upon his time. If special orders are to have a continuous privilege, you will mortgage all the time of the Senate, you will mortgage it every day, and you will have it mortgaged away ahead by a succession of special orders. The practical objection is what has led to the practice of the Senate, as it certainly has been of late years, that the special order had its day in court, and if it was not then finished it either had to be made another special order or be taken up on motion.

Mr. WALSH. If the Senator will permit me a remark, the way to get rid of that is not to make special orders.

Mr. SMOOT. Will the Senator from Utah yield to me?

Mr. SUTHERLAND. I yield to my colleague.

The VICE PRESIDENT. The Chair is perfectly willing to hear a reasonable amount of discussion, but the Chair realizes that there is going to be an appeal from the decision of the Chair and the Chair would like to shorten the matter as much as possible. The Chair has not any doubt that in numerous instances a special order when not concluded on the first day has been taken up by a motion subsequently, but the Chair does not believe that there will be any authorities cited to show that this question has been raised since 1901. While the Chair believes that custom can make law, the Chair does not believe that custom can set aside law. So the real question involved is the construction of the rules.

The Chair repeats there is going to be an appeal from the decision of the Chair, and then there will be ample opportunity to discuss the question. When the Senator from Utah has concluded, the Chair wants to rule and to throw the matter open to the Senate for discussion.

Mr. SUTHERLAND. In view of the intimation of the Chair, I shall not now trespass further upon the time of the Senate and will submit to a ruling.

The VICE PRESIDENT. Has the Senator from Utah any authority which he desires to cite to the effect that a point of order was made when the Chair of its own motion laid down the special order at the hour fixed for the same?

Mr. SMOOT. That question has not arisen, so far as I am aware, since I have been a Member of the Senate. I want to say to the Chair that the case cited by my colleague [Mr. SUTHERLAND], which occurred in 1858, was under the rules of the Senate of 1856.

The VICE PRESIDENT. The Chair understands that.

Mr. SMOOT. And I desire to call the attention of the Senate to that particular rule and the reason why the question was brought before the Senate at that time and why the Vice President ruled as he did. I also want to call the attention of the Senate to the fact that the rule of the Senate to-day in regard to special orders is entirely different from the rule of the Senate of 1858 in reference to special orders. If we had the rule of 1858 to-day, there is not any question that the special order would come up every day, because of the fact that Rule XXXI——

The VICE PRESIDENT. The Chair——

Mr. SMOOT. It will take but a moment for me to refer to the rule, Mr. President.

The VICE PRESIDENT. The Chair has the rule embodied in the remarks which the Chair proposes to make in ruling on the question.

Mr. SMOOT. Very well.

The VICE PRESIDENT. At a former session, at the hour of 1 o'clock, the Chair laid before the Senate what is known as the radium bill. Upon the right of the Chair so to do being

questioned, the Chair ruled that as such bill had been made a special order for 1 o'clock upon April 10 by a two-thirds vote of the Senate it retained its position as a special order from day to day at the hour of 1 o'clock until disposed of or unless it became by adjournment the unfinished business.

This ruling was based upon Rule X of the Senate, which reads as follows:

1. Any subject may, by a vote of two-thirds of the Senators present, be made a special order; and when the time so fixed for its consideration arrives the presiding officer shall lay it before the Senate, unless there be unfinished business of the preceding day, and if it is not finally disposed of on that day it shall take its place on the Calendar of Special Orders in the order of time at which it was made special, unless it shall become by adjournment the unfinished business.

2. When two or more special orders have been made for the same time, they shall have precedence according to the order in which they were severally assigned, and that order shall only be changed by direction of the Senate. And all motions to change such order or to proceed to the consideration of other business shall be decided without debate.

Since that ruling was made the attention of the Chair has been called to Rule VIII, which reads as follows:

At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions and continue such consideration until 2 o'clock; and bills and resolutions that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once and for five minutes only upon any question; and the objection may be interposed at any stage of the proceedings, but upon motion the Senate may continue such consideration; and this order shall commence immediately after the call for "concurrent and other resolutions" and take precedence of the unfinished business and other special orders.

From this rule it has been argued that the only effect of a special order is to give the subject precedence at the hour named and for the day named, and that thereafter unless the same shall upon the first day have become the unfinished business of the Senate, it can only be taken up upon motion. The point of order suggested is not without its intellectual difficulties. The Chair has, however, given the subject as careful thought and investigation as reasonable diligence in the time allotted would permit. The Chair still believes that the ruling was correct, but cheerfully accedes to the right of the Senate not only to make but also to construe its own rules, and will not therefore be embarrassed either by an appeal from this ruling or by its reversal if appealed from.

The reasons for the view of the Chair are that prior to the adoption of the present rules of the Senate the unfinished business was in the nature of a special order and had preference over all other special orders. The present rules since their adoption have had in contemplation three things—morning business; calendar under Rule VIII, if that calendar was completed prior to 2 o'clock, then the Calendar of General Orders, under Rule IX; and unfinished business at 2 o'clock. In 1888, upon the resolution of Senator Hoar, the morning hour was extended from 1 o'clock until 2 o'clock, since which time the Chair has no knowledge that the Calendar of General Orders, under Rule IX, has ever been reached. The clause in Rule VIII which provides that that rule shall take precedence of the unfinished business and other special orders, in the judgment of the Chair, was applicable to the time when the morning hour expired at 1 o'colck, when the unfinished business was a special order and when bills had been set down as a special order for a certain day and not for a certain hour.

The Chair believes that a bill may be made a special order for a certain day, without fixing any hour at which it is to be considered; in which event the morning business would be first disposed of, the calendar under Rule VIII, the unfinished business after 2 o'clock, and then the special order. The Chair fails to see why it requires a two-thirds vote to make a bill the special order if when so made it obtains no higher privileges than can be obtained for it by a majority vote of the Senate.

In 1858, on February 16, Mr. Stuart submitted a question of order—

whether a subject made the special order of the day for half past 12 o'clock or for any other hour for a particular day, and not during that day finally acted upon, did not on any future day become a special order for the hour of 1 o'clock unless the Senate should specifically determine otherwise.

The Vice President, Mr. Breckenridge, thereupon took the sense of the Senate upon the subject, and the Senate decided that—

The special orders which have been or shall be assigned for an earlier or later hour than 1 o'clock for a particular day shall, if not acted upon or completed on that day, be taken up or called on any future day, under the thirty-first rule, at the hour of 1 o'clock unless otherwise determined by the Senate.

The thirty-first rule was:

When the hour shall arrive for the consideration of a special order, it shall be the duty of the presiding officer to take it up, unless the unfinished business of the preceding day shall be under consideration.

It will be observed by this ruling, whatever may be said as to the time, the bill was preserved from day to day as a special order of the Senate.

It appears quite clear from the earlier rules of the Senate that the unfinished business coming up at the end of the morning business did so as a special order. Rule XV, in force from 1820 to the adoption of the present rules, read:

The unfinished business in which the Senate was engaged at the last preceding adjournment shall have the preference in the special orders of the day.

The Chair believes that the opinion of the Senate in 1858 disclosed it to be the then view of the Senate that a special order had higher rights than a bill taken up upon motion; that it was not and could not by operation of law and without affirmative action upon the part of the Senate be displaced. The Chair thinks that this has been authoritatively once settled by the Senate. In 1900 the Senate made what is known as the Nicaragua bill the special order for December 10 at 2 o'clock p. m. This was, of course, at the very hour when unfinished business was to be taken up and disposed of by the Senate, and there is no dispute that the unfinished business has precedence of the special order. This matter remained in abeyance until the 23d of February, 1901, when the question was raised by Senator Morgan, of Alabama, who had been an honored Member of this body since 1877, and this question was finally passed upon by the President pro tempore of the Senate, Mr. Frye, who had served 10 years in the House of Representatives, 20 years in the Senate of the United States, and at that time had presided continuously over this body for more than 5 years. I shall not pretend to quote the discussion upon the question when Senator Frye was called upon to decide the question, but only to make some excerpts. At one point in the discussion, Senator Morgan said:

The rule of the Senate is that a special order shall only give way on and after the day that it has been set for to the unfinished business coming over from yesterday. Here the Senate, in the closing days of the last session of Congress, by unanimous consent, fixed the 10th day of December as the day on which the Nicaragua Canal bill should be heard as a special order of the Senate, not merely the two-thirds vote, but the unanimous consent of the Senate was given, and from that day to this I have been waiting to find some period of time when there would be no unfinished business coming over from yesterday. I have now found that period of time; and I insist upon the rights of that bill and of the country in connection with it. Those rights are so clear that the President pro tempore of the Senate on frequent occasions to me personally and in public, in the presence of other gentlemen, has said that that was the rule of the Senate and an unavoidable one.

He said further:

Now, sir, I produce the record upon you and upon this Senate. I deny the right of any Senator to get up here unless he amends that record and contradicts it. Let somebody come forward with an amendment and show that there is some motion or agreement of the Senate that this measure which I am now advocating should lose its place after you had unanimously put it upon the calendar for the 10th day of December.

Further he says:

The framers of this body of parliamentary law, acting upon the general parliamentary law, which is set forth in our book here as the rules of parliamentary law compiled by Thomas Jefferson, saw that it was necessary to protect a special order of the Senate by adopting Rule X. They had adopted Rule IX. They saw it was necessary to protect a special order of the Senate against the very point the Senator from Rhode Island, Mr. Aldrich, has made here to-day; that is to say, that if it so happened that the special order was not considered on the day to which it was appointed it was lost entirely. Just observe the absurdity of such a rule.

After a thorough discussion of the question, participated in by Senators Morgan, Aldrich, Spooner, and Hale, the President pro tempore, Mr. Frye, decided:

The Chair has been ready to rule on the point of order. The Chair calls the attention of Senators to the rule which provides that when a point of order is made no debate is admissible. The oleomargarine bill, in the opinion of the Chair, was very clearly displaced as unfinished business by the motion made by the Senator from Maine on yesterday. The presiding officer can not agree to the contention made by the Senator from Rhode Island. A special order requires a two-thirds vote and is almost the only matter before the Senate which has such a requirement. In the judgment of the Chair that clothes a special order with more than usual rights; it clothes it with unusual rights. In the opinion of the Chair, whenever there is no unfinished business subsequent to the special order made, that special order is to be laid before the Senate as unfinished business. Of course, on a motion to proceed to the consideration of any other subject, the special order would be displaced if that motion prevailed.

There is no difference in law construing of that case and this, save the fact that the special order in that case was made for 2 o'clock when it could not dispossess the unfinished business which is also in the nature of a special order and this bill which was made a special order at 1 o'clock.

The Chair has no doubt that the present bill is a special order for 1 o'clock from day to day or until it becomes the unfinished business at 2 o'clock or until it has been disposed of by order of the Senate. The reason for this is that at the hour of 1 o'clock a motion can be made to take up a bill upon the calendar. This may be done by a majority vote, but as the present order was

made by a two-thirds vote it remains such special order until by affirmative action of the Senate it is displaced.

It may not be out of place to recall the fact that the present body of rules was adopted on January 11, 1884, to take effect January 21 following, and that the rules were framed by the Committee on Rules, composed of William P. Frye, of Maine; John Sherman, of Ohio; John J. Ingalls, of Kansas; Isham G. Harris, of Tennessee; and George H. Pendleton, of Ohio. It is significant that it was the chairman of the committee who drew the rules who decided the point in 1901.

From the decision of the Chair, the Chair understands, the Senator from Utah [Mr. SUTHERLAND] appeals.

Mr. SUTHERLAND. Yes, Mr. President.

The VICE PRESIDENT. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. SMOOT. On that I should like to submit a few remarks.

Mr. SUTHERLAND. Well, I yield to my colleague.

Mr. SMOOT. I beg the Senator's pardon. I overlooked the fact that he had the floor.

The VICE PRESIDENT. The Chair hopes that it will not be considered as any disrespect to the Senators discussing the question if the Chair withdraws, as he has an engagement that requires him to leave at the present time.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. KERN in the chair). The Senator from Utah has the floor.

Mr. SUTHERLAND. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Gallinger	Nelson	Smith, Mich.
Brady	Gronna	Norris	Smoot
Brandegee	Hitchcock	O'Gorman	Sterling
Bristow	Hughes	Overman	Sutherland
Bryan	James	Page	Thomas
Burleigh	Jones	Perkins	Thompson
Burton	Kenyon	Pomerene	Thornton
Catron	Kern	Ransdell	Townsend
Chamberlain	Lane	Robinson	Vardaman
Chilton	L , Md.	Shafroth	Walsh
Clark, Wyo.	Lewis	Sheppard	Warren
Crawford	Lippitt	Shively	Weeks
Cummins	Lodge	Simmons	West
Fall	Martine, N. J.	Smith, Ga.	Works

Mr. SMOOT. I wish to announce that the senior Senator from Kentucky [Mr. BRADLEY] is unavoidably detained from the Senate.

Mr. WALSH. I wish to announce the continued absence of my colleague [Mr. MYERS] on account of illness.

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. A quorum is present.

Mr. SUTHERLAND. Mr. President——

Mr. WALSH. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Montana?

Mr. SUTHERLAND. Yes.

Mr. WALSH. I desire to say to the Senator that it is not exceedingly important that this intricate and interesting question of parliamentary practice should be determined now. Of course, the discussion which has ensued and which will ensue will consume all the time between 1 and 2 o'clock any day, so that practically it has no significance or importance.

I had intended to state at the outset that I did not desire to have the bill taken up for discussion for 40 or 50 or 60 minutes, during which time it could not possibly be disposed of; and I merely hoped that it might have so much precedence under the rules that it would be properly before the Senate upon the disposition of the unfinished business.

I have no further interest in the question now before the Senate, so far as it affects the bill under consideration, because it can do no good to get the bill before the Senate at this time.

Mr. SUTHERLAND. Mr. President, the question now before the Senate is a very much larger one than this particular bill. The Vice President has ruled that when a bill has been made the special order for a particular hour upon a particular day, thereafter, for all time to come until it is disposed of, or at least during the life of the Congress, until it is disposed of, it will come up automatically at that same hour every day.

That presents a pretty serious question for the Senate, because if it will apply to this bill it will apply to a dozen bills pending upon the Special Order Calendar, if we have so many. One Senator may move to proceed to the consideration of a bill at half past 12 upon a particular day and another Senator may move to proceed to the consideration of another bill at 1 o'clock upon a particular day, and another Senator to proceed to the consideration of another bill at half past 1 upon a particular day, and so on. All of those bills, neither of them having been disposed of at the hour and the day upon which they were specially set, go to the Calendar of Special Orders; and, if the ruling of the Vice President is right, we have mortgaged the time of the Senate half an hour every day to this bill, half an hour every day to the second bill, half an hour every day to the third bill, and so on.

Certainly such a question as that is a very serious one, upon which the Senate ought to pass.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SUTHERLAND. I yield to the Senator.

Mr. NORRIS. Would it not require a two-thirds vote in each one of the cases the Senator has put, so that, after all, it would be within the control of the Senate as to whether or not it would mortgage its time?

Mr. SUTHERLAND. Oh, yes; it requires a two-thirds vote before a bill can be assigned for a particular hour of a particular day. That circumstance alone is sufficiently out of the ordinary to require a two-thirds vote. We have given a bill a special and unusual status when we have set it down in advance for consideration at 1 o'clock upon a particular day. That is an unusual circumstance—an unusual status to give a bill. In order to give it that one day in court the rules require that there shall be a two-thirds vote. The ruling of the Chair, however, goes beyond all that and holds that, notwithstanding it has not been disposed of on the day for which it was set, it continues to hold that status, coming up at the same hour every day until it has been finally disposed of.

I think there is nothing in the rules which justifies such a ruling; and I think it is a matter of sufficient consequence that it ought to be determined by the Senate wholly irrespective of the disposition of this particular bill.

Mr. SMITH of Michigan. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Michigan?

Mr. SUTHERLAND. Yes.

Mr. SMITH of Michigan. Is it not the opinion of the Senator from Utah that, in the light of the present ruling of the Chair, the Senate will be much more careful than it otherwise would be in setting aside special hours for the consideration of a bill? It is within the power of a very small portion of the membership of the Senate to negative a request of that character; and if a bill is to hold its place as the Vice President has indicated it would, as far as I am concerned I would be very reluctant to give my consent to the consideration of a bill under those circumstances.

Mr. SUTHERLAND. I think the Senator is quite correct. If the ruling of the Vice President stands, I should not only be reluctant but I think I should decline hereafter to give my assent to the making of a special order at all. I am perfectly willing to make a bill the special order for a particular hour if it is understood that it must be disposed of on that day, and that if not disposed of it takes its place upon the Special Order Calendar; but I certainly would not consent to make a bill a special order for a particular day if that fact carried with it the consequence that the bill, until disposed of, would be called up every day at that same hour.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SUTHERLAND. I yield to the Senator.

Mr. GALLINGER. The very circumstance that the Senate permitted this bill to be made a special order without dissent, and without asking for a vote, and that it went through without contest, lends strength to the contention that those of us who were willing that that should be done supposed that the matter would take the course that it always has taken since I have been in the Senate—that a special order would hold its place only for that one day. Otherwise, there will always be a contest as to the making of special orders, and a vote will be demanded, I apprehend, if a bill is contested at all.

Mr. SUTHERLAND. And debate will be had.

Mr. GALLINGER. And debate will be had.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. SUTHERLAND. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I was not on the floor at the time, but I understood that there was no attempt to ascertain whether or not there was a two-thirds vote in favor of this special order.

Mr. SUTHERLAND. That is true.

Mr. BRANDEGEE. It was practically a unanimous consent, as I understand.

Mr. SUTHERLAND. It was unanimous.

Mr. BRANDEGEE. That it should be taken up for consideration.

Mr. LODGE. It was only technically a two-thirds vote.

Mr. BRANDEGEE. Of course, if it was unanimous it included the two-thirds.

Mr. SUTHERLAND. Mr. President, I had said substantially all I wanted to say before the Vice President ruled upon this question, but inasmuch as other Senators have come into the Chamber since the discussion was had I desire very briefly to restate my position with reference to the matter.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SUTHERLAND. I do.

Mr. VARDAMAN. I was out of the Chamber when this question came up. I will ask the Senator to permit me to ask the Chair to state the question before the Senate.

The PRESIDING OFFICER. The question before the Senate is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. VARDAMAN. But what was the question? I was not present when the Chair rendered the decision.

Mr. SUTHERLAND. If the Chair will permit me, I will state, for the benefit of the Senator from Mississippi, that several days ago the Senator from Montana [Mr. WALSH] moved that the so-called radium bill be made a special order for 1 o'clock on Friday, the 10th of this month. That was acquiesced in by the Senate practically by unanimous consent. There was, as I recall, no dissenting vote upon the question.

Mr. LODGE. It was done by consent.

Mr. SUTHERLAND. When the hour of 1 o'clock on Friday arrived, the Vice President laid the bill before the Senate, and the Senate proceeded to its consideration. The consideration of the bill continued until the hour of 2 o'clock, at which time the unfinished business, being the grain-inspection bill, was laid before the Senate, and the consideration of the radium bill ended so far as that day was concerned.

Upon the following day, or, rather, upon Monday following—there being no session on Saturday—the Vice President at the hour of 1 o'clock proceeded to lay this same bill before the Senate, holding that it having been assigned for the hour of 1 o'clock on Friday, and not having been disposed of on that day, it came up automatically every day thereafter at the hour of 1 o'clock until disposed of. That ruling of the Vice President I have challenged. I have insisted that this bill, having been set for Friday at 1 o'clock, had its day in court upon that day, and that after that day it ceased to have any peculiar status so far as time was concerned.

I have already called attention to the rules of the Senate upon that matter, but I am obliged to do so again. They seem to me very clear.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. SUTHERLAND. Yes.

Mr. BRANDEGEE. I simply wish to make a parliamentary inquiry. There is an appeal pending from the ruling of the Chair?

Mr. SUTHERLAND. There is.

Mr. BRANDEGEE. At 2 o'clock the unfinished business will be laid before the Senate?

Mr. SUTHERLAND. Yes.

Mr. BRANDEGEE. I simply wish to ask the Senator, if we do not get some sort of a unanimous-consent agreement that this matter shall be deferred without prejudice until to-morrow at 1 o'clock, what will be the status of his appeal?

Mr. SUTHERLAND. I presume it would go to the calendar.

Mr. BRANDEGEE. The appeal would go to the calendar? If possible, I wanted to get a unanimous-consent agreement, or to ask for it, before 2 o'clock. I simply make that suggestion to the Senator.

Mr. LODGE. If the Senator will permit me, under the ruling of the Chair, which of course governs as until set aside, it will come up at 1 o'clock to-morrow.

Mr. SUTHERLAND. The bill will come up.

Mr. LODGE. And the bill will bring the point of order with it.

Mr. SUTHERLAND. Yes; the Senator is correct.

Mr. SMOOT. I believe it will be necessary to ask that the pending ruling of the Chair also shall go over until to-morrow to be disposed of.

Mr. LODGE. The bill brings the point of order with it. The point of order is pending on the bill.

Mr. SUTHERLAND. But the pending question is an appeal from the decision of the Chair.

Mr. LODGE. That comes up with the bill.

Mr. BRANDEGEE. But an appeal is not a point of order.

Mr. LODGE. No. It arises on a point of order, however.

Mr. BRANDEGEE. I beg the Senator's pardon. I am not clear that I agree with him on that point. My impression is that the appeal from the decision of the Chair in laying the matter before the Senate is the only matter before the Senate, and that the bill itself will not be laid before the Senate at 1 o'clock until it is decided whether or not the Chair is correct in ruling that it will go before the Senate at 1 o'clock, and that decision is appealed from.

Mr. LODGE. While I have never known the case to arise, I should think the Chair's ruling on the point of order would stand until set aside by the Senate.

Mr. SMOOT. It would not hurt anything to ask unanimous consent that the pending appeal be brought up when the bill is brought up to-morrow.

Mr. GALLINGER. Oh, well, that is understood.

Mr. SMOOT. I ask unanimous consent that that be done.

Mr. GALLINGER. I object to that. It will come up necessarily.

Mr. SUTHERLAND. Mr. President, it is a matter of indifference to me whether the question is disposed of to-day or to-morrow or some other day, but I think it ought to be disposed of as speedily as possible.

I shall now proceed with my remarks.

I have already stated what proceedings the Senate had taken with reference to this bill. Rule X of the Senate provides, in substance, that—

> Any subject may, by a vote of two-thirds of the Senators present, be made a special order; and when the time so fixed for its consideration arrives the presiding officer shall lay it before the Senate.

That, of course, has been done.

Mr. OVERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SUTHERLAND. In just a moment. The rule continues—

> If it is not finally disposed of on that day—

That is, upon Friday, the 10th day of April, applying it to this bill—

it—

The bill—

> shall take its place on the Calendar of Special Orders in the order of time at which it was made special.

That means simply that the special orders shall be arranged upon the calendar in chronological order, the bills that were first made special orders taking first place on the calendar, and so on, in the order of time in which they were made special.

The rule gives the Calendar of Special Orders no particular status at all. When we come to the question as to how the Special Order Calendar shall be disposed of, we must go elsewhere than to Rule X, because it does not bear at all upon that question.

I now yield to the Senator from North Carolina.

Mr. OVERMAN. Mr. President, I am rather inclined to agree with the Senator in the position he has taken. The matter of special orders is rather an old-time custom. I think it has gone out of use in the Senate to-day, and the unfinished business has taken the place of the special order. The confusion has come about, as I understand, by reason of an amendment introduced by the Senator from Massachusetts fixing the hour of 2 o'clock instead of 1 o'clock.

Ordinarily a special order would come up, as I understand, at 2 o'clock as unfinished business does to-day. That is the reason for the expression in the rule that it shall come up if there is no unfinished business, because unfinished business does not come up until 2 o'clock. Formerly special orders came up at 1 o'clock; but the change of the rule as the result of the amendment offered by the Senator from Massachusetts changed the hour, and therefore this would come up regularly at 2 o'clock on the Special Order Calendar, provided there was no unfinished business, and not at 1 o'clock, if it came up at all. I am rather inclined to think the effect of it is just like a motion to take up a bill on the calendar at a certain time instead of at the hour of 1 o'clock on that day. That is all it amounts to.

Mr. SUTHERLAND. I can not go quite so far as the Senator from North Carolina seems inclined to go. I think, under the

rules, when a bill is made a special order it is simply given an unusual status upon that day, and having failed of passage upon that day it simply goes to the calendar under the head of special orders, and can be brought up only by a motion, as I have illustrated here before, in precisely the same way that bills go to the calendar under Rule IX.

Mr. OVERMAN. Why have a Special Order Calendar, then, if it would have no more effect than having a bill on the ordinary calendar? I think the intention of the rule is that after 2 o'clock, if there is no unfinished business, it will be like unfinished business, as was the case before the adoption of the rule as to unfinished business.

Mr. SUTHERLAND. Let me invite the Senator's attention to Rules VIII and IX upon the subject.

Rule VIII reads as follows:

At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions and continue such consideration until 2 o'clock.

There is the mandatory provision that the Calendar of General Orders shall be taken up and its consideration proceeded with until the hour of 2 o'clock. In order that even that mandatory provision shall be made clear it is further emphasized by this provision later along in the rule—

and shall take precedence of the unfinished business and other special orders.

Therefore it is perfectly clear that when the calendar is being called under Rule VIII the consideration of the calendar takes precedence not only of the unfinished business but of other special orders.

Mr. OVERMAN. I agree to that.

Mr. SUTHERLAND. So that up to 2 o'clock it is perfectly clear that this special order can not be considered.

Mr. OVERMAN. I agree to that.

Mr. SUTHERLAND. But the ruling of the Vice President is that it comes up every day automatically at 1 o'clock.

Mr. OVERMAN. I disagree with the Vice President on that point.

Mr. SUTHERLAND. In answer to the precise point of the Senator from North Carolina, I call his attention to——

INSPECTION AND GRADING OF GRAIN.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 120.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

Mr. NELSON. Mr. President, at the close of the discussion yesterday I called attention to what a great wheat market and what a great milling center Minneapolis has become. It is one of the greatest primary wheat markets in the country. From 75,000,000 to 100,000,000 bushels of wheat are marketed there every year—depending on the volume of the crop—and over 80 per cent of it ground into flour. Because of the fact that it is a great milling center that market has been the best primary cash market in the country. The spot prices, as they call it, or the cash prices, at Minneapolis have always been better than at almost any other primary market in the country, and they are always ahead of future sales. Looking at the quotations of grain in the Minneapolis papers, there is scarcely a day but you find that the cash figure is 2 or 3 cents ahead of the future sales. While we farmers of the Northwest have sometimes been grumbling at the millers and at the grain trade of Minneapolis, yet on the whole it has furnished us the best market in the country.

I remember very well when the question of Canadian reciprocity was before the Senate how Senators compared the Minneapolis market with the other markets of the country, especially the Winnipeg market, which is practically the market at the head of Lake Superior, the Fort William or the Port Arthur market. We showed then that the prices of wheat were on an average from 10 to 15 cents a bushel higher at Minneapolis than the Winnipeg or Fort William price, and as a rule the price was even higher and better than the cash price at Chicago. And the farmers of North Dakota have had the full benefit of this market in common with and on a footing of equality with the farmers of Minnesota.

Mr. President, in view of the fact that the grain-inspection system of Minnesota has been assailed and has practically been made the basis for seeking this kind of legislation, I propose to call the attention of the Senate in some detail to the nature and character of the Minnesota grain-inspection system. In order that you may understand it, I will explain how grain was handled before the present system was evolved and came in vogue. When I was a boy farmers had their fanning mills on their farms. When the wheat was thrashed they ran it through a fanning mill and cleaned it before taking it to market at the mill or the railroad station. It was cleaned wheat they marketed and sold and hence the question of dockage for dirt and foul seeds did not prevail. That old method, on account of the great labor involved, is now obsolete. Farmers no longer fan or clean their own wheat except what little they need for seed. A farmer's fanning mill is simply used to-day for the purpose of cleaning his seed wheat. Otherwise he takes the grain as it is thrashed to the local elevator and he sells it with all the foul seed, smut, cockle, wild buckwheat, wild oats, and all other similar foul seeds in it.

The local elevators at first, and for a number of years, were in the habit of cleaning the wheat before shipping it to the terminal elevators. For a number of years that system prevailed, but the local elevators found that they could not dispose of the offal, or the screenings, as we call them. They could not dispose of it at home only to a very limited extent. Occasionally the farmers and the people in the village would buy some of the screenings for chicken feed, sometimes for hog feed, but the bulk of it the local elevators could not get rid of at any price at home.

So the elevators resorted to another system. Instead of fanning and cleaning the grain at the local elevators before shipping it, they shipped the grain just as they received it from the farmers to the mills and to the terminal elevators, and the mills and terminal elevator proceeded to clean it and take out all the foul seed—all the screenings. The terminal elevators and the mills—and it is a curious thing, too—found a market for those screenings. The better part of the screenings were utilized by the manufacturers of so-called pure stock food. They would buy those screenings by the ton at wholesale from the mills and the elevators, then take the best part of them and grind them up, put a little good grain in with them and dope it with a little medicine and sell it to the farmers in packages as pure stock food.

Now, because of the fact that the grain is brought to the local elevators to be marketed in an unclean state, a system of dockage has grown up. That is, the farmer brings his grain to the country elevator uncleaned—just as it comes from the thrashing machine. The local elevator man examines the grain as it is tendered. He sees it is full of foul seeds; it has smut in it, it has cockle in it, it has wild buckwheat in it, it has wild mustard in it, it has wild oats in it, and other foreign substances. He says to the farmer, "I have got to dock you so much for this foul stuff; I will dock you so much." Ordinarily, unless there is much foul stuff in the grain, the dockage is usually from 1 to 2 pounds to the bushel. There is grain in which there is so much foul seed that the dockage of it exceeds this amount.

Mr. WEST. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. I do.

Mr. WEST. The Senator says that it is docked from 2 to 3 pounds. That is 2 or 3 pounds on how much?

Mr. NELSON. From 1 to 2 pounds per bushel. I am glad the Senator interrupted me. It is docked from 1 to 2 pounds a bushel, and sometimes where the grain is very good, where it comes from the thrashing machine in good order with very little foul seed in it, only a little chaff and dust in it, then it is docked much less. I have had wheat that has been docked only a half pound to the bushel.

Now, how is the wheat marketed and handled? In most of the country east of the Rocky Mountains, it is handled in bulk. It is shipped in bulk from the local elevators. On the Pacific coast, I understand, and in some of the Mountain States, it is still handled and shipped in sacks, just to what extent I am unable to say. I only know in a general way that such is the case.

We have two classes of grain houses or elevators, as we call them, that handle the grain. We have local elevators—sometimes called country elevators—along every railway station in the State where there is any grain to handle. Some stations have only one, other stations have two and three, and I have known quite small stations in a good grain belt to have as many as four and five.

These country or local elevators may be grouped into three classes. One class we call line elevators, another class we call independent elevators, and the third class we call farmers' elevators.

A line elevator is an elevator that is owned and controlled by a terminal elevator company. A terminal company has terminal elevators, say, at Minneapolis and Duluth. In order to keep those terminal elevators full of grain, to receive storage fees, it establishes throughout the country at the various railroad stations local elevators—grain houses—and sends men out to operate them. Such elevators are feeders for the terminal elevators; hence we call them in our part of the country line elevators.

Then we have another class of elevators that are independent—not connected with any terminal elevator. They are usually elevators built and operated by business men in the little towns and villages in order to keep up the price of grain and make a good local market. We call them independent, because they are not attached to any terminal elevator. They buy grain directly from the farmers and ship it to the terminals to commission men there. The commission man sells their grain. He can sell it by sample on the grain exchange or otherwise to millers, exporters, or terminal elevator companies.

The third class of country elevators that we have are what we call farmers' elevators; that is, where farmers associate themselves together to build and operate a local elevator, in order to keep prices up and to cut off the profits of middle men. These elevators ship their grain to commission men at the terminals like the independent elevators. There is a considerable number of such farmers' elevators both in Minnesota and North Dakota, and their number is on the increase. Those farmers' elevators usually send their grain to commission merchants. They are not attached to any terminal elevator company, but they send their grain to commission merchants to be sold like the independent elevators.

We have besides, at the terminals, as we call them, at the city of Minneapolis and at the city of Duluth, big terminal elevators. Those are great big grain houses, holding thousands and thousands of bushels. They are owned by companies, generally incorporated, sometimes, I believe, by partnerships.

The elevators of those terminal companies are maintained and kept up for the purpose of storing grain till wanted by the mills or for export. They get the grain from their line elevators in the first place, and then they buy from the commission men the grain of the independent and farmers' elevators, and they sell it from time to time as there is a demand for it to the millers, to the millers of Minneapolis and the millers at many other points. In other words, they are wheat magazines upon which the mills draw from time to time as their needs may require.

The farmers markets his grain at the local or country elevator. It may be a line elevator, it may be an independent elevator, or it may be a farmers' elevator. That grain is shipped from the local points to the terminals and when it comes there it is inspected by the State grain inspection system, and sold by sample on the grain exchange, and when sold it either goes directly to the mills or to the terminal elevators.

Now, Mr. President, I am going to call your attention briefly to our system of grain inspection in Minnesota. As I said yesterday, I think it is the most perfect and complete system of any State in the Union. While there are seven other States that have a State system, I think Minnesota is one of the pioneers. We first began in 1885, when we passed a law for the regulation and control of terminal elevators, placing them under the control of the railroad and warehouse commission. That was the beginning. We found under that law, not so much complaint at the terminals as we found at the interior points, at the local elevators. Farmers would come with their grain to their local elevator, the local grain buyer, and he would offer them so much. "I will give you No. 1 Northern, or No. 2, or No. 3, as the case might be, and I will dock you 1 or 2 pounds a bushel and will pay you so much," and when the farmer complained of the grades, dockage, weight, and prices allowed him by these local men they would say, "I can not do any better for you because this is all that will be allowed me at the terminal." In many cases they prevaricated; misrepresented and deceived the farmer in this respect, and so the farmers were, to a large extent, at the mercy of these local elevator men, for, be it known that over 90 per cent of the grain when it reaches the terminals has ceased to be the property of the farmers. It passes out of their hands at the local elevators.

I have been a farmer in a small way, Mr. President, ever since 1874, raising grain. I have had some wheat to sell every year—sometimes more, sometimes less, dependent upon the crop—yet I have never shipped a carload of grain either to Duluth or Minneapolis; I have always sold what grain I had at the local elevator and taken the grade, dockage, and price that has been allowed me there.

As I have already indicated, we soon discovered in Minnesota that the great trouble was with the country elevators. So in 1893 we passed a law to which I called your attention yesterday, putting all country elevators, whether line elevators, independent elevators, or farmers' elevators, under State control, making them all take out a license every year. The license fee was very small. We required a license simply to put them on the State book and make them subject to State control. They were put under the charge of our railroad and warehouse commission. We have in Minnesota, and have had for years, a railroad and warehouse commission consisting of three members. A part of the time they have been appointed, and a part of the time elected. At this time and for some years past we have elected them.

These local elevators buy the wheat, and also receive it for storage. The farmer sells his wheat to them, or stores it with them. If he needs the cash, he sells; if he does not need the cash and looks for a rise in the price, he stores the wheat. Whether it is a farmers' elevator, or independent elevator, or line elevator, they buy or store as the farmer may elect. When the farmer comes there with his grain the elevator man says, "I will allow you such and such a grade and dock you so much and pay you so much." If the farmer accepts that and sells, he gets the cash; if he does not sell but wishes to store, he gets a storage ticket which states the amount of grain in pounds and bushels, the grade of it, and the rate of dockage. If the farmer is dissatisfied with the grade and dockage, and believes that he is not given a high enough grade, and is docked too much, then a sample is taken of that grain—two or three quarts; I forget just how much—and it is put into a sack, sealed, and sent to the chief grain inspector at St. Paul for examination, and he determines whether the grade and dockage is just or not.

In addition to these two laws, the law of 1885 providing for the regulation and inspection of terminal elevators and the grading of grain at those points and the country elevator law of 1893, we provided in 1899 for a board of grain appeals, consisting of six men appointed by the governor. It is a board sitting in two sections, one section of three men at Duluth constantly in session, and another section of three men constantly sitting at Minneapolis. That is called our board of grain appeals.

I call your attention to the fact that practically there are three tribunals that pass upon the question of grades and dockage under our Minnesota system. When your carload of grain comes into the terminal elevator the grade and dockage are passed upon in the first instance by an inspector. If the owner of the grain is dissatisfied with that inspection he can immediately call for a reinspection, a reinspection not by the man who made the first inspection, but a reinspection by other inspectors, by the chief inspector or two of his deputies. If the shipper of the grain is still dissatisfied he can appeal to the board of grain appeals consisting, as I said, of six members. So there are three tribunals to pass upon it; first, the original inspector; next, the inspectors who reinspect it; and third, the board of grain appeals.

I desire, Mr. President, to call the attention of the Senate briefly to the main features of our terminal-inspection law. Under this law, while the supreme control is under the railroad and warehouse commission, we have under that commission one chief grain inspector and several deputies and we have one chief weighmaster and several deputies. The force is divided into these two classes—the inspection force and the weighing force. All these men, whether inspectors or weighers, are under bond to the State of Minnesota and the State can not only enforce those bonds, but any party injured by the inspection or weighing is at liberty and is given the right by statute to institute a suit upon that bond and get relief in damages. No such relief is given by this bill.

All our public terminal warehouses are required to take out a license and they are placed under big bonds, not less than $50,000 in each case.

Section 2047 of the Revised Laws of Minnesota, as amended, defines public terminal elevators as follows:

SEC. 2047. *Defined.*—All elevators or warehouses located within the switching limits of St. Paul, Minneapolis, and Duluth, and other points in the State which are now, or may hereafter be, designated as terminal points, in which grain is received for storage in bulk, and that of different owners mixed together or so stored that the identity of the different lots or parcels is not preserved, shall be public warehouses known as "terminal warehouses."

I will call the attention of the Senate to section 2050:

No such warehouseman shall sell or otherwise dispose of or deliver out of store any such grain without the express authority of its owner and the return of the storage receipt except as herein provided, nor—

And I ask Senators to listen to it—

nor mix together grain of different grades in store, nor select grain of different qualities, but of the same grade, for storage or delivery, nor in any way tamper with the grain of others while in his possession or custody, with the purpose of securing any profit to himself or any other person. * * * Any person violating any provision of this section shall be punished by a fine of not more than $1,000 or imprisonment in the State prison for not more than five years, or both.

There is another important provision of the statute pertaining to these terminal elevators, and that is that they are required to provide separate bins for the storage of grain. If a farmer, an independent, or farmers' elevator ships grain to St. Paul or to Minneapolis or Duluth to a public warehouse, he can ask to have that grain put in a separate bin and not mixed with other grain. That has been the law and is the law to-day. But very few farmers avail themselves of that privilege, as I shall show further on by a report of the North Dakota commission.

Our grain-inspection force is practically under civil-service rules. For the last 20 years, so far as I know, we have never allowed politics to interfere with it. Our grain force is well disciplined, well organized, and is composed of men who have grown up in the service. When a new man is appointed in the service, he is at first assigned to the humble position of a "helper," at $50 or $60 a month, to help the "sampler" to open cars. After proving his skill and efficiency he is gradually and slowly promoted.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. Certainly.

Mr. WEST. Whose duty is it to appoint the grain inspectors?

Mr. NELSON. The grain inspectors are appointed by the railroad and warehouse commission.

Mr. WEST. Those who own elevators do not dictate the appointments?

Mr. NELSON. No; they have nothing to do with the administration of the law. The elevator men have no more to do with it than has the Senator from Georgia. The inspection force is appointed entirely by the Railroad and Warehouse Commission. The men who own and control the country and the terminal elevators have nothing to do with these appointments. It is entirely a State force appointed by the railroad and warehouse commissioners of the State of Minnesota.

Mr. WEST. And they are not paid by the owners of the elevators?

Mr. NELSON. No; they are paid by the State.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. NELSON. I do.

Mr. McCUMBER. Of course there has been no question raised as to the matter referred to by the Senator from Georgia; but let me ask the Senator from Minnesota from what source do the warehouse commissioners obtain the inspectors?

Mr. NELSON. They get them mainly from among the farmers.

Mr. McCUMBER. No. The inspectors must be men who have had experience in inspecting under some system.

Mr. NELSON. Mr. President, we began at an early day gradually and in a limited way to supervise and inspect terminal elevators. From small beginnings our force has gradually grown up and our inspection force has been mainly recruited from farmers and farmers' sons.

Take the members of our board of grain appeal. That board, as I said, consists of two sections, one section of three at Duluth and another section of three at Minneapolis. As a rule, two out of that board of each section are farmers or men who have been engaged in farming and raising grain. We have been very careful about that.

I remember when I was governor a little incident which may properly be related here. A young man in my town who had been raised on a farm and worked on a farm but had moved into town, and who thought he was quite a fellow, came to me and wanted me to secure him a place on the grain inspection force. I told him that I could only get him in as a helper; that the railroad and warehouse commission did not appoint new men as inspectors or deputy inspectors, or as weighers or deputy weighers; that he could only get in as a helper and would have to serve an apprenticeship as such. A helper is a man who walks about with the grain sampler, helps to open the cars, and take samples for the inspector.

Helpers usually start at a salary of from fifty to sixty dollars a month. I secured the appointment of this man, who was from my home town, as a helper, I think, at $50 or perhaps at $60 a month. He had been at work for about a month or six weeks at Minneapolis, when one day he came down to the capital and called on me at the governor's office. He was highly indignant. He said to me: "Why, I thought you were going to help me get something respectable to do in the grain-inspection service." I said, "I have helped you the best I could; I have asked the railroad commission to give you as good a place as they could." "Well," said he, "what do you think they have done? They have made me a helper. I am compelled to open cars and to assist the sampler and crawl in on my hands and knees and take samples. I want you to understand, Mr. NELSON, I am too good and too big a man for that." "Well," I said, "I am very sorry, but I can not do any better for you. You will have to continue in that capacity and demonstrate your efficiency before you can get something higher."

That has been the method pursued in our grain-inspection service. It has been entirely nonpartisan. The bulk of the force has been recruited from among the farmers of the State. On the whole, it is as efficient and reliable a public service as can well be conceived of or as any section of the country can well have.

As I have already stated, our grain force is divided into two sections; that is, into two groups. One is the inspection division, under a chief inspector and under which are the grain samplers; the other is the weighing section, under a chief weighmaster. The weighers and the inspectors are all under bond, and anyone who is injured by any of these men, either by false weights or by improper inspection, has a remedy on these bonds. While the bond runs to the State, the statute provides that anyone injured may sue upon the bond. Let me quote the law. It reads:

All bonds required by this subdivision shall be filed with the secretary of state, and suit may be brought thereupon by any person injured by the misconduct of the principal.

I shall now, at the risk of being a little tedious, call your attention in detail to just how the grain business is handled at terminal elevators. I have here a statement which I shall afterwards corroborate from a report of a commission of North Dakota——

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Nebraska?

Mr. NELSON. Certainly.

Mr. HITCHCOCK. Before the Senator from Minnesota proceeds to that detail, will he give information concerning the number of inspectors employed under the laws of Minnesota?

Mr. NELSON. I can not give the Senator the number.

Mr. HITCHCOCK. How long has the law been in effect?

Mr. NELSON. The law providing for terminal inspection has been in effect since 1885.

Mr. HITCHCOCK. What would be the effect upon the Minnesota system of the passage of the bill advocated by the Senator from North Dakota [Mr. McCUMBER]?

Mr. NELSON. It would utterly break up and destroy the system.

Mr. HITCHCOCK. And it would break up and destroy the system of every other State which has established grain inspection?

Mr. NELSON. Certainly; it would break up the system of every State in the Union.

Mr. WEST. Before the Senator proceeds——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. Certainly.

Mr. WEST. Is there any possible chance whereby this law could be made uniform throughout the States and yet allow the States to have charge of the inspection? I have reference to the standardization of grades of grain.

Mr. NELSON. There is no objection to creating national standards, but I will show you later on that in order to do that you would have to have at least from 10 to 12 different classes of standards for wheat. We can establish uniform standards of grain for the whole country, leaving the inspection in the hands of each State government, simply requiring them to adhere to the Federal standard. The Lever bill, in substance, so provides, and a similar bill has been introduced by the Senator from Oklahoma [Mr. GORE] in the Senate. We are quite willing that grades shall be standardized; we have no objection to that; but we have established in Minnesota a perfect, well-regulated grain inspection system that is now giving satisfaction and has given satisfaction for a great many years to the farmers of Minnesota.

I now ask those of you who are present to listen to the method in which the business is done. I read from a paper entitled "Minnesota State Inspection and Weighing Depart-

ments and Sampling Bureaus," by John G. McHugh, secretary Chamber of Commerce, Minneapolis, Minn.:

INSPECTION OF GRAIN.

The inspection and grading of grain in Minnesota is exclusively in the hands of the Minnesota grain inspection department, which is under the supervision of the Railroad and Warehouse Commission of Minnesota.

Grain shipped to Minneapolis is inspected by the State samplers in the various railroad terminal yards where it is placed by the railroad company upon arrival. The inspection department also samples at certain outlying points, viz, Staples, Glenwood, Melrose, and Wilmar, Minn. The sampling of grain at these outlying points is for the purpose of facilitating the delivery of the grain after its arrival at the terminal market, and to prevent delay in unloading and demurrage charges. In Minneapolis the Great Northern Railway has two terminal storage yards where grain is sampled, the Soo two yards, the Omaha one yard, the St. Louis one yard, the Great Western Railway one yard. When the cars of grain reach these terminal yards or storage yards at the outlying points above mentioned it is ready for State and bureau sampling.

During the fall and winter months the State samplers arrive at the railroad yards above mentioned about daybreak, or as soon as there is sufficient light for proper sampling. The State samplers secure samples of the car for the State inspectors, who grade the grain, but these samples are only for the use of the State inspection department.

It therefore is necessary for the commission merchants and others selling grain on the exchange floor of the chamber of commerce to secure additional samples of the cars by which the grain will be sold.

A number of years ago each commission firm and line elevator company employed its own samplers, or had the samples secured by some of their employees.

Now they combine and send their samplers there to get samples for the grain inspection.

However, owing to the number of railroad yards to be visited, this method was found exceedingly inconvenient, and as a result certain individuals engaged in the sampling work formed two bureaus, known as the sampling bureaus, and these two sampling bureaus now secure practically all of the samples by which grain is sold in the exchange room of the chamber of commerce. These sampling bureaus make a charge for each car sampled, and each of these bureaus have their own customers.

All of the samplers—

These are not the samplers of the State—

All of the samplers are licensed by the chamber of commerce, and make daily reports to the chamber of commerce regarding the seals broken and applied by them in the work of sampling.

Then follow the rules by which these samplers are governed. The State sends a sampler early in the morning to take samples of the grain from each car. They break the seal, unlock the car, recording the number of the seal and the number of the car, take a sample of the grain, put it in a sack, and send it to the inspector for inspection. At the same time, or about the same time, a sampler for the chamber of commerce appears and takes samples of the same grain. He brings his samples to the chamber of commerce, and the grain is sold there upon those samples.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. Certainly.

Mr. WEST. Suppose that two men sampling a specific carload disagree; what is then the result?

Mr. NELSON. Neither of the samplers has anything to do with the grading of the grain. The State sampler goes to the car, gets a sample of the grain, puts it in a sack, and sends it to the State inspector, who passes upon the grade and dockage. The other sampler represents the chamber of commerce—the grain exchange—and takes his samples to the chamber or exchange, where those samples are spread out on tables for the inspection by the members of the exchange, and it is upon these samples that the cash sales are made from day to day. The State sampler does not pass upon grade or dockage at all; he merely procures samples for the inspectors. The other sampler, representing the chamber of commerce, gets samples which he sends to the chamber of commerce. I repeat, the two samplers are independent of each other, and neither one of them passes upon the grade or dockage.

Mr. WEST. Mr. President, what I wanted to get at was this: Does the inspector to whom the samples go look over both of the samples which are taken?

Mr. NELSON. No; he does not have anything to do with the sample that is taken out by the representative of the chamber of commerce. That is an independent transaction and is outside of State authority.

Mr. WEST. May I ask what is the use of having two samples taken out of the same car?

Mr. NELSON. I will tell the Senator why that is done. It is because on the chamber of commerce, as I have said, the grain is sold by samples. They send their samplers to the cars to secure samples, and when the samples are brought in they are put on the table in the chamber of commerce, and the grain is sold by sample. The other sample taken by the State official is sent to the State inspector, who passes on the grade and dockage. There is no connection between the two. The one is a State institution, while the other is wholly a private institution pertaining to the chamber of commerce.

Mr. President, I ask, without reading, to insert in my remarks at this point the rules governing the samples in taking samples out of the cars and the sealing rules. There are 18 of those rules, which are very minute and describe how the samples are to be taken, the manner in which seals are to be broken on the cars, and the manner in which the cars from which samples are taken are to be resealed.

The PRESIDING OFFICER. If there is no objection, the request will be granted.

The matter referred to is as follows:

The following are the sampling and sealing rules under which the employees of the sampling bureaus work:

1. No licensed sampler shall accept a sample of grain of any kind from another sampler, State, or bureau. Every sampler must sample his own car.

2. No licensed sampler is permitted to open up a car and go away without first closing the door and sealing same.

3. Sampling bureaus must provide a bar for each railroad yard, which the licensed sampler must use when necessary to aid them in closing doors so that they may be properly sealed.

4. In cases where it is not possible to close car doors or to seal them properly, a notation must be made by the sampler upon the sealing card giving the reason.

5. Flax must be probed not less than seven times, all other grain not less than five times at points equally distributed in the car; or as many times as may be necessary in each case to obtain a correct sample.

6. All samples must be probed samples, except when large loads prevent it, in which case the sample may be taken from the doorway and marked "Grab."

7. When able to get into cars to probe them, but not able to secure a sample from the bottom, the tickets must be marked "No bottom."

SEALING RULES.

8. Seals must be carefully protected and must be kept under lock and key when not in use.

9. Seals must not be left hanging on car doors while samplers are in cars securing samples.

10. Seals must be used in numerical order. No excuse will be taken for failure to obey this rule.

11. Defective seals must be returned to the office of the secretary of the chamber of commerce, with the report of the sampler. Defective seals must be reported upon the report of seals used as being defective.

12. Seals that are lost must be reported as lost in their regular order on the sealer report.

13. Sealers must furnish their sealing report daily to their employers.

14. Seals will be issued in lots of 100 and charged to each sampler. Samplers are forbidden to loan seals under any condition whatever.

15. A new bunch of 100 seals will not be furnished to any sampler, nor to any employer for account of any sampler, until the previous lot has been fully accounted for.

16. Samplers requesting a new lot of seals through their employer must furnish their employer with the numbers of the seals still remaining in their possession.

17. Samplers securing seals direct from the secretary's office must furnish the same information.

18. Samplers are permitted to use one-half of the back of their cards for their numbers. The other half of the back of the card must be kept free for notes regarding car doors, etc. If possible, however, these notes should be made on the face of card.

The violation of these rules or careless sampling would result in the revocation of the sampler's license.

Mr. NELSON. I quote further from the same document.

As stated above, the State samplers and the bureau samplers arrive in the railroad yards at the same time. The bureau samplers are not allowed to break railroad seals, and the cars are opened, and the railroad seals broken by a State sampler, who makes a record of the seal broken, and later of the State seal applied after the car has been sampled both by State and bureau samplers.

Senators will understand that the cars come to the terminals sealed. The seal is broken by the State sampler when he takes the sample. At the same time he records the number of the car, the number of the seal, and everything that pertains to the identity of it. After the sample has been taken out the car is resealed, and the seal which is then put upon it is called the State seal. I read:

The railroads provide offices in their yards for the use of the State and bureau samplers. Railroad clerks also provide lists of cars of grain and seed ready for sampling. The State samplers secure samples from all of these cars, but the bureau samplers secure samples of those cars only which are shipped to their customers. The bureau samplers and the State samplers are not permitted to sample a car at the same time.

After the cars have been sampled, both by the State samplers and the bureau samplers, the doors are then closed and sealed by a State sampler, who keeps a record of the seal originally broken and the seal applied, as above mentioned.

The State sampler also makes a record of the car number and its initial. Samples are secured both by the State samplers and by the bureaus—

I ask Senators to listen to this—

by means of a double hollow brass tube, called a probe, which is thrust down through the grain to the bottom of the car in a number of places. These probes have openings corresponding to each other from one end to the other.

Then follows a description of the process, which I ask may be inserted in my remarks without reading.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

When the probe in inserted, the inner tube is turned so that these openings are closed. After the probe reaches the bottom of the car, the inner tube is turned so as to allow the grain to rush into these openings and fill the probe. If the grain near the bottom of the car is tough and damp, it will not flow freely, and the dry grain might fill the probe from end to end. In order to prevent this, a plug is placed between the first and second openings at the end of the probe so that if the dry grain above rushes in rapidly, it can not fill the end of the probe. This gives the tough or damp grain at the bottom of the car, if any, a sufficient time to fill the bottom section of the probe.

The work of securing samples of the car, both for inspection and sale, is exceedingly important. The samples secured should accurately represent the entire carload. Where grain is unevenly loaded, it is a difficult thing to secure an accurate sample of the car.

The State and bureau samplers make use of a cloth in securing samples, upon which the contents of a probe are emptied. When the probe has been inserted, opened, and filled with grain, the inner tube is then turned, and the probe closed and withdrawn. It is then held horizontally and opened, and the grain examined by the sampler, whether State or bureau, to detect any variation in the quality of the grain from the top to the bottom of the car. The contents of the probe are then dumped upon the cloth and other probes taken in various parts of the car. If no appreciable variation develops, all of the grain secured by the probe from various parts of the car are then mixed together thoroughly upon the cloth, and a sample sack is filled with this mixture, care being taken that the contents of the sample bag shall be an accurate average of this grain, and shall also accurately represent the amount of foreign matter in the grain.

Should the car be unevenly loaded so that the grain in one part of the car is quite different from the other, or should the car be "plugged" by an unscrupulous shipper, two or more samples are taken of the car in as many sample sacks, and an estimate is made of the quantity of each kind of grain in the car.

The State samplers place in the sample pack just mentioned a ticket on which has been placed the car number and initial. The sample is then taken to the State inspector's office in the Flour Exchange Building, Minneapolis, Minn., where under a proper light it is carefully graded by expert inspectors.

Mr. NELSON. After the samples have been secured by the State sampler they are taken to the inspection department and—

The grade and dockage of grain is then determined by means of testing apparatus adapted to the work, consisting of finely adjusted scales and sieves of various kinds.

The grading of grain by these inspectors is based upon rules laid down by the State inspection department.

Now let me call your attention to this:

The Minnesota grades are fixed annually, about the 1st of September each year, at a joint meeting of the grain inspection boards of Minneapolis and Duluth, commonly referred to as boards of appeal.

Our grain season does not open until the fall of the year—usually about the middle of September. There is usually no grain thrashed until about that time. Before the grain sale season commences the board of grain appeals, consisting of six men, meets and determines upon the grades for the crop of that year, and after they have determined upon that and notice is published they have no right to change that grade during the year; it is a permanent thing. They can only change it by a vote of five out of the six members; it requires almost a unanimous vote before they can change that grading.

Each of these boards consists of three members appointed by the governor of Minnesota, and each member must have the same qualifications as grain inspectors, and not more than two members of each board shall be of the same political party. Their terms of office are for two years, and they are required to give a bond in the sum of $5,000 for the faithful discharge of the duties of their office.

As stated before, these boards meet in joint session about the 1st of September each year, and establish the description of the grades of grain subject to State inspection, known as the Minnesota grades. These grades when determined are published daily for a week in a newspaper at Minneapolis and Duluth.

The State inspectors are governed by the descriptions of the Minnesota grades as above mentioned in inspecting the samples secured by the State samplers.

That is, they follow the grades laid down and fixed by the board of grain appeals. If any shipper of grain is dissatisfied with the inspection made by the inspector in the first instance, he has a right, as I have said, to call for a reinspection. That reinspection must be made by other inspectors, and not by the original inspector. It must be made by the chief deputy inspector and his first two assistants, who had nothing to do with the first inspection. If the shipper is still dissatisfied with the reinspection, he can appeal to the board of grain appeals, and that board finally settles the grade. I quote further from this document:

These inspectors, in determining the grade and dockage of each car, do not know in any instance to whom this car of grain belongs.

After the inspectors have determined the grade and dockage of any of the cars, lists are made showing the car number, initial, grade, dockage, etc., which are posted conveniently for those desiring this information. The sample sacks are numbered in numerical order as they are inspected, and after inspection are carefully hung on sample racks to be preserved for 36 hours, if occasion should require, that further reference may be had to them for either reinspection or appeal. These inspectors not only have no knowledge of the ownership of the grain that they are grading, but they do not know from whom or what point the grain was shipped, so that the judgment of the inspector at the terminal is based wholly upon the grain before him.

At the same time that the State samplers deliver their sample sacks to the State inspection department for grading, the bureau samplers deliver these sample sacks direct to the tables in the exchange room of the chamber of commerce, which are rented by their customers. In ordinary cases, these samples are placed upon the cash grain tables in the exchange room before the opening of the market at 9.30 a. m. each day.

REINSPECTION AND APPEAL.

In case the owner of the grain or his representative, the commission merchant, is not satisfied with the grade or dockage, he may secure a reinspection of the grain, and may apply to the board of appeals after the reinspection. Reinspections are made by the chief deputy inspector and his first two assistants, who receive the grades and dockage of the other inspectors; no inspector being permitted to regrade or reinspect his own work. If the owner or commission merchant is not satisfied with the reinspection, an appeal may be taken to the board of grain appeals, one of which is located at Minneapolis and the other at Duluth. These boards are in continuous session from 9 o'clock a. m. until 2 p. m.

The bureau samplers put in their sample sacks a ticket, giving the name of the sampling company, the car number, initial, and capacity, the name of the firm (their customer) for whom the sample was secured, the date, and the name of the sampler.

That refers to the bureau sampler—the sampler for the chamber of commerce, but the State sampler does nothing of the kind. He simply takes down the number of the car, the number of the seal, and to what line the car belongs. Neither the sampler nor the inspectors know whence that grain comes, or who is the owner thereof.

I call your attention again to the fact that when the car of grain comes from the country and is placed on the side track of the railroad, in the morning the sampler who represents the State and is a State official under bond goes there and takes a sample of the grain. Formerly that sample was examined at or near the car at the time it was taken out of the car. It is not so now and has not been so for several years. It is now put in a sack and sent to the inspection department. The other man, representing the chamber of commerce, who goes there and takes samples, sends them to the chamber of commerce, where they are spread on a table and used as the basis of the cash or spot sales.

If the commission firm representing a farmers' elevator company is dissatisfied with the grade received he immediately files with the State inspection department a request for reinspection on a blank form provided by the State, giving the car number and initial, etc., this request being signed by the commission merchant.

If this reinspection is not satisfactory to the commission merchant he then files with the chief deputy inspector an order for appeal to the board of appeals on a blank form provided by the State, which gives the car number, etc., and is signed by the commission merchant or party requesting the appeal. When this is done, the samples of the car upon which an appeal is taken are delivered by the State inspection department to the board of appeals, who examine the sample and determine the proper grade. The decision of the board of appeals is final and conclusive. In case it can be shown that the sample secured from the car by the State samplers was incorrect the board of appeals will at once reconsider their decision, based upon a fresh sample.

Among the duties of the State samplers when securing samples for inspection and grading is that of examining each car of grain for leaky conditions that might exist and making a record of the same on their record books.

SALE OF GRAIN IN THE EXCHANGE ROOM.

The car of grain is sold in the exchange room of the chamber of commerce, based upon the sample secured by the bureau sampler before mentioned.

They call him the bureau sampler; he is the sampler of the chamber of commerce, and all the cash grain or cash sales at Minneapolis are sold upon samples furnished by this sampler and not upon State inspectors' grades. The cash sales of wheat on the chamber of commerce are not sold according to grades fixed by the State inspection department, but are sold according to samples obtained by the sampler of the chamber of commerce.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. NELSON. I do.

Mr. STERLING. I should like to inquire if the samples put upon the table in the chamber of commerce are not graded at all?

Mr. NELSON. No; those samples are not graded.

Mr. STERLING. Are they not given as samples of certain grades in grain?

Mr. NELSON. Not at all. The State sampler takes a sample out of the car and puts it in a sack, and that sample is sent to the State inspector, and he grades it. The sample that is taken by the chamber of commerce man is not graded at all.

Now, we have in Minnesota another law which I do not think other States have enacted, and to which I desire to call the attention of Senators. We require every commission merchant who deals in grain and other farm products to take out a State license and to give a bond. If he is engaged in the grain-commission business, he has to give a bond of at least $5,000, and more if his business requires; the amount is fixed in proportion to his business.

I quote further from the statement from which I have already quoted, as follows:

The commission merchant empties the contents of the sample sack into a sample pan, which is then placed upon the cash grain table for examination by the buyer. In this pan is also placed the sampler's ticket which was contained in the sample sack, giving information regarding the car. The samplers are required to state upon their cards whether the grain is in a heating or hot condition, if such be the case, and these tickets must be displayed in the pan when the grain is offered for sale to the buyers.

The commission merchant offering grain for sale for farmer elevator companies must be licensed by the railroad and warehouse commission, and must furnish a bond to the railroad and warehouse commission in amount satisfactory to the commission. All commission merchants, members of the chamber of commerce, soliciting shipments from country merchants are licensed and bonded by the railroad and warehouse commission. Such license may be revoked by the railroad and warehouse commission for cause and upon notice and hearing. For the purpose of fixing or changing the amount of bond required, the commission may require complete statements of the business from the commission merchant, these statements being for the exclusive use, however, of the railroad and warehouse commissioners. The laws of Minnesota require that the commission merchants shall render a true statement in writing to the shipper within 24 hours of the amount sold, price received, name and address of the purchaser, and the day, hour, and minute of the sale, and shall forward vouchers for all charges and expenses. If the shipper of grain is not satisfied with the manner in which the commission merchants have handled his shipments, he may file complaint with the railroad and warehouse commission, who shall investigate the matter complained of. In making the investigation, the railroad and warehouse commission can compel the commission merchant to produce all books, records, etc., regarding the matter.

I refer to this matter because it is very important. Grain shipped from these country elevators, from independent and farmers, as I described them a moment ago, is shipped to commission merchants. We had some years ago some experience in that matter. Some of those commission merchants turned out to be unreliable. Some of them failed, entailing great losses on the farmers; but a few years ago our State legislature passed a law requiring all commission merchants to take out a license and to give a bond and to be subject to the regulation and control of the Railroad and Warehouse Commission of Minnesota. Therefore if I, owning an independent country elevator, ship grain to a commission merchant, he will go to the chamber of commerce and sell that grain by sample; but I have some protection, because the commission merchant is now a licensed officer and under a bond, and is subject to the regulation of the railroad and warehouse commission.

But I continue the quotation:

When the grain is sold by the commission merchant a confirmation of the sale is promptly forwarded to the shipper, giving the particulars above mentioned. If this car has been sold to a terminal elevator or mill orders are given to the railroad company for the delivery of this car to the terminal elevator or mill.

If the buyer desires to secure an additional sample of the car for checking purposes he employs one of the sampling bureaus above mentioned to secure this sample for him. The bureau sampler thereupon breaks the State seal, keeping a record of the number of the seal broken, and applies a chamber of commerce seal, all seals being numbered consecutively.

A daily report is furnished to the secretary of the chamber of commerce by the bureau sampler of the seals broken and applied. When the car reaches the terminal elevator or mill for unloading it then comes under the control of the State weighing department, which is also under the supervision of the railroad and warehouse commission. State weighers are located at all of the leading terminal elevators and mills. The State weigher at once makes a careful examination of the car to detect any bad order conditions and a complete record is made of any such conditions found.

The inspection of the car for leaky conditions having been finished the State weigher takes a complete seal record of the car before the seals are broken In case the mill or elevator company, at whose plant the car has been set for unloading, should break the seals for private inspection they also are required to make a record of the seals which they have broken and the seals which they apply.

Next I come to the State weighing department. That is distinct from the inspection department. I quote on this point from the document already quoted from, as follows:

STATE WEIGHING.

After the seal record has been secured the car is placed at the unloading pit, where, by means of steam shovels, the grain is unloaded from the car.

The grain is then elevated to the garner, which is the large receiving hopper located just above the scale hopper. After the scale has been properly balanced and the hopper valves securely closed the grain is drawn down from the garner into the scale hopper.

The grain is then carefully weighed by the State weigher and the original entry of weight is made in a record book provided for the purpose. He then takes a specially arranged ticket, and by means of the type-registering device with which all scales on which State weights are given are equipped, he obtains a type-printed record of the weight, which must correspond with the weight recorded in the book.

He then checks this type-printed record with the figures that he first recorded in the record book, and if they do not agree it is his duty to at once thoroughly investigate the work before the grain has been dropped from the scale to discover the cause of the difference in the records.

Since an incorrect record can not be obtained from the type-register device unless it is actually broken or out of order, it is practically impossible for error to enter into the work of weighing under the present system.

Another check that tends toward accuracy is the fact that all through the weighing operation the State weigher has not been alone in the work, for the mill or elevator weigher has been present all the time, and as a result the two men are enabled to compare their work and figures as an extra precaution against mistakes.

At the larger elevators in the system where the weighing is done on hopper scales in the cupola two men are employed by the State, one being stationed upstairs where the weighing is done, and the other supervises the work of unloading and handling downstairs. This downstairs man sees that the cars are properly swept; it is his duty to know that all of the grain has been elevated from the unloading pit before the signal is given to the State weigher above to weigh the grain; and he must know that the car is placed at the particular unloading pit which corresponds with the scale number upstairs, on which scale the State weigher has been advised the carload of grain is to be weighed. It is this downstairs man who keeps the seal record.

The men who weigh the grain at these terminals are State officers, and they are under bonds. If they commit any wrong, if they are guilty of false weighing whereby anybody suffers any damage, the person injured can sue them on their bonds just as well as the State.

Sometimes there is a complaint that they do not give full weight. Here is a rule laid down to reach such cases. It is a rule laid down by our grain inspection department, but unfortunately the shippers do not follow it:

When a shipper of a car of grain obeys the law by placing a card in the car, giving the shipping weight, an immediate investigation is made if there is an apparent discrepancy.

In other words, our State rule requires that when a man ships a carload of wheat from an interior point he shall prepare a card stating the weight of the grain, the amount of bushels, and put it inside the car. The object of that rule is that when the car gets to the terminals, if there is a discrepancy between the weight in the car, as given on the card, and the weight of the State weighers at the terminal, the controversy can immediately be settled. They can have it looked up, and see where the mistake is. Unfortunately, however, that is a rule with which the shippers fail to comply in most instances. I quote further:

When a shipper of a car of grain obeys the law by placing a card in the car, giving the shipping weight, an immediate investigation is made if there is an apparent discrepancy between the State weight and the shipping weight, and it is very plain that such an investigation, made while the grain is still held in the scale hopper, is of more value than when made a few days or weeks after the weighing has been done and all the circumstances surrounding the case may have been forgotten.

When there is no shipping weight ticket placed in the car the State weigher has no means of knowing the amount of grain the shipper has loaded into the car, and consequently he would not know of the fact if a shortage did actually exist.

Here is a description of the system of weighing, which I ask to have inserted in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Where track scales are used instead of hopper scales, the loaded car is uncoupled from all other cars, placed upon the scale platform and weighed. Then when the grain has been unloaded from the car, the empty car is weighed to obtain the tare weight. This tare weight is deducted from the gross weight in order to obtain the net weight of the grain. A complete record of the work is kept the same as in hopper scale weighing, and the recorded weights are checked by means of the type registering device previously mentioned.

When the State weigher closes his report for the day it is mailed at once to the State weighmaster's office where the report must be on hand by 7 o'clock a. m. on the day following the weighing.

From these records on file in the weighmaster's office an official certificate of weight is issued, bearing upon its face the car number, initial, contents, and State weight, together with the date and place where the grain was weighed. This certificate is stamped with the seal of the office of the State weighmaster, and forms the basis of settlement between the seller and buyer in the matter of weight.

All State weighers are under a surety fund of $5,000.

They are wholly independent in their work, not knowing to whom a single car of grain belongs, and they also know that the tenure of their office is not dependent upon the good or ill will of mill or elevator people at those weighing stations where they may be stationed.

Scale experts are employed by the department, whose sole duties are to test the scales and keep them adjusted to the Government standard of weights. Nor does the State supervision cease at the testing of the scales, but takes up the details of proper scale construction, elevating machinery, and all apparatus that enters into the handling of the grain before it is fully weighed.

The mechanical improvements at the terminals have kept pace with the progress of development of the State system of records and weighing, and to-day in the mills and elevators are installed the most improved type of scales that money can buy.

In the matter of track scales the old wood foundations are replaced with steel and concrete, and the track scale capacity has increased from 100,000 pounds to 200,000, while the largest hopper scales in the world are in Minneapolis, with a capacity of 120,000 pounds, net.

Automatic devices are used to aid in securing exact results; the sacks are sealed to prevent willful or accidental changing of the scale leverage without the knowledge of the department.

A close supervision is kept over all scales on which State weights are given, and this does not mean just ordinary care in the use of the scales, but means a complete and severe test from minimum to maximum capacity of every scale in the system.

The State grain department thoroughly investigates all claims that are presented.

When a claim is presented alleging a shortage, it is placed on file and handled in the order of its filing. The records are carefully

checked over to see if an error has been made in transposition of numbers, addition of drafts, or by actual mistake in recording figures or a set of figures.

The type register ticket, which has been carefully preserved for reference is then examined and compared with the figures as shown by the original written record.

The record of the work is then investigated at the unloading station. The seal records are also checked up.

Another very important branch of the State grain department is the system of patrol service, whereby the cars loaded with grain are watched while going through the terminal yards, to detect any leaking condition that might exist as well as to guard against pilferage.

Many times leaking cars are found and reported by these special watchmen, that would not show to be leaky except when in motion, for cars often leak in the yards when switched about and do not show evidence of leakage when set for unloading.

Much has also been accomplished in the way of protecting the property of shippers from pilferage, a loss against which the country shipper would be powerless if it were allowed to exist unchecked.

Since these special watchmen cover the whole terminal system wherever cars of grain are handled, they are a further check upon the work of seeing that the cars are properly swept at the different unloading stations which they are continually passing during their yard work.

These men are regular weighers assigned to this patrol service, and are empowered with police authority.

The State grain department stands as the arbitrator between the seller and the buyer; it treats both with equal fairness; it is disinterested as to the financial interest involved, its only care being to see that justice is done.

It has the supervision of grading and weighing of all grain that pours into the terminal markets, and it aims to be an active and energetic factor in the work of securing correct grades and weights, making constant efforts toward the improvement of the service by the adoption of the most modern equipment, and by the application of the experience that years in the development of the work has given.

REPORT TO THE SHIPPER.

When the exact weight of the car is known to the commission merchant, he then renders an invoice to the buyer for the amount due for the car, and also forwards an "account sale" to the country shipper, particulars regarding the car, giving the car number, initial, kind of grain, gross weight, dockage, if any, and net weight, price per bushel sold at, and gross proceeds. Also showing the charges, including freight, inspection and weighing fees, commission, etc. If the shipper attached a draft to the bill of lading, and this draft has been paid by the commission merchant, this amount is deducted as an advance from the net proceeds, and the balance forwarded with the account sale to the country shipper, together with duplicate inspection and weighing certificate and expense bills, etc.

In addition to the patrol service of the weighing department for the purpose of checking leaking cars, the chamber of commerce employs inspectors who visit the local and outgoing railroad yards for the same purpose, and also to detect any cases of rough handling of the railroad equipment which might result in loss to the shipper.

The country shipper can always secure a complete seal record by applying to the State inspection department and to the office of the secretary of the chamber of commerce. If the car at the time of unloading has a railroad seal on one side, which was attached at the shipping point, and on the other side a chamber of commerce seal, the secretary's office of the chamber of commerce can immediately advise regarding the number of the seal broken when the chamber of commerce seal was applied. If this was a State seal, the State inspection department can furnish him the number of the seal broken when the State seal was applied. By this method a complete sealing record is kept from the time the car was shipped until it is unloaded, even though it may have been opened for sampling several times.

If the farmers' elevator company is dissatisfied with the treatment accorded it by the commission merchant, it can make complaint to the railroad and warehouse commission, and, in addition, can file complaint with the secretary of the chamber of commerce, who will investigate the shipment. Farmers' elevator companies and shippers generally should not hesitate to request an investigation of their shipments by the secretary of the chamber of commerce.

Mr. NELSON. To sum up, Mr. President, when a carload of grain reaches Minneapolis from an interior point, from a country elevator, it is put on a sidetrack. Early next morning a State sampler goes to the car and gets a sample of the grain with his probing instrument. He takes that sample, puts it in a sack, and it is handed to the State grain inspector or to a deputy inspector. The inspector passes upon the grade and the dockage. He takes the sample, runs it over a sieve, as I stated a moment ago, tests it, and fixes the grade and the amount of dockage.

If the owner of the carload of grain is dissatisfied with that inspection, if he feels that the inspector has not given him the grade that he ought to have for the grain, if he feels that he has not given him the proper amount of dockage, he can immediately apply for a reinspection. A reinspection is thereupon had by other inspectors, usually by a chief deputy and two assistants. If the owner of the grain is still dissatisfied he can immediately appeal to the board of grain appeals. So it is difficult to see how you could provide a better and safer system to protect the public. There are practically three tribunals—first, the original inspector; second, the reinspectors; third, the grain appeal board—that pass on the grades and the dockage.

In this connection I wish to say further that our inspection system is not compulsory like the plan proposed in this bill. A farmer or a country elevator can ship grain to Minneapolis or St. Paul without having State inspection. A farmer in our State can secure a car, load his grain directly on the car, and send it to a commission merchant at Minneapolis, and that commission merchant can sell it directly to the millers without there being a single bit of State inspection. There is nothing compulsory in the system as in the pending bill.

Since 1885 Minnesota has been engaged in formulating and perfecting her grain-inspection system, and we have by degrees and finally got a system in which the farmers and shippers are better protected than in almost any other State I know of. Many years ago it was difficult for independent elevators and farmers' elevators to get sites at railway stations. If the independent elevator or the farmers' elevator applied to the railroad companies for a site to build an elevator or warehouse on, the railroad companies would look wise and say: "Well, we would like to accommodate you, but we have not room. We need what land we have around that station for our yards and tracks. We can not spare you ground for a site"; and in that way they would stand them off.

Finally, in 1893, I think, we succeeded in passing a law compelling the railway companies to give sites for independent and farmers' elevators; and if the railroad companies refused to give sites for that purpose we authorized condemnation proceedings, so that they could secure sites in any event. Since we passed that law we have had no difficulty. Our farmers have had ample opportunity to secure elevator sites and warehouse sites in the country.

That is not all, Mr. President. The farmers felt that they would like to ship their grain without shipping it through an elevator, without paying toll either to a local or terminal elevator. So we provided by legislation, I think pretty much at the same time, though I am not sure about the year, that the railroad companies should furnish cars to the shippers, and that they should equip their stations with platform scales at the stations, to the end that a farmer might notify the railroad company in season and say: "I want a car to ship a carload of wheat to Minneapolis, and I want it as soon as I can get it"; and when the car was furnished—and they would be careful to furnish it, under the rules of the railroad and warehouse commission, in the order in which the demand was made, whether by an elevator or a farmer—the company was required to have a platform scale where the car could be pulled on the scales and weighed before it was shipped.

In that way we afforded our farmers every possible facility. A farmer in Minnesota to-day can ship a carload of wheat from his local station to Duluth or Minneapolis without the grain passing through an elevator. He can haul the grain right up to the car, put it into the car, and ship it direct to the commission merchant at Minneapolis, who can sell it to the miller by sample, without having any State inspection or grade at all.

During the early years of our system of grain inspection until we secured the country-elevator law in 1893 there was some complaint among our farmers. In recent years, aside from a few politicians who seek to make political capital out of it, our farmers in Minnesota have been fairly well satisfied with our system of grain inspection. There has been no complaint made by them, so far as I know, in respect to the system. Of course there have been from time to time reinspections and appeals, but the outcome of this has, on the whole, been satisfactory. The complaint has come mainly from our adjoining State of North Dakota. They have had the benefit of the same market we have had. There has been no discrimination between their grain and our grain in any respect.

I can tell where part of the trouble of North Dakota arises from. It arises from their system of thrashing. Owing to the large farms they have had in North Dakota and the scarcity of help, a large share of their grain has not been stacked. It has been thrashed from the shock. To some extent that has been true in our State, in the upper part of it, in the so-called Red River Valley, but not to the same extent as in North Dakota. In North Dakota a large share of their grain is not stacked before thrashing, and it oftentimes happens that before the grain is thrashed out of the shock it becomes bleached and injured by rain and sunshine and storm, and thus it loses in color, quality, and grade.

During the earlier years of their farming, while their land was new, their wheat was tolerably clean and nice, as clean as any of ours; but in later years, owing to their extensive system of farming their larger farms and owing to their methods of farming, oftentimes seeding grain without plowing the land, simply running those pulverizers or rotary cultivators over it, they got a good deal of foul seed in their grain—wild oats, smut, cockle, pigeon grass, and a lot of those things.

The greatest trouble, however, came from shock thrashing. Some falls they would be fortunate, and perhaps there would be little or no rain between the time the grain was cut and the

time they put it through the thrashing machine; but other falls, again, they might have two or three storms and showers. Those thrashing machines have big crews. They are in a hurry about their work, and if there is a rainstorm they are not always careful to wait long enough to have the grain thoroughly dried before going on. It is because of that shock thrashing that their wheat, though originally of a good quality, oftentimes comes to the terminal stations bleached and looking badly.

Those big farmers thrash from the shock. They haul their grain immediately to the country warehouse, perhaps into the car, and it is shipped immediately, and when it is shipped in that way it is liable to heat, deteriorate, and become damaged.

We farmers know that grain, after it is cut and shocked and after it is put in stacks, goes through a sweating process. In the case of our moderate-sized farmers, who stack their wheat, if the grain gets bleached a little in shock, if we stack it and let it stand in stacks two or three weeks it goes through a sweating process, and it regains its natural and good color, which it had lost in the bleaching process, and improves in grade and quality.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. NELSON. Certainly.

Mr. SHERMAN. Before the Senator leaves that point, I wish to inquire if the wheat that undergoes the stacking process does not ship more safely and with less liability to deteriorate in transit?

Mr. NELSON. Certainly. I have always been careful to stack my wheat. I never thrash it until it has stood at least three or four weeks in stacks, because wheat in stacks undergoes a sweating process and at first it becomes a little tough.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. NELSON. Yes, sir.

Mr. McCUMBER. I might also ask the question whether the Senator does not believe that the North Dakota farmer understands that as well as anyone else and makes due allowance for it?

Mr. NELSON. No; I do not think they all do, for if they did there would be more grain stacked and less shock thrashing among them.

Mr. McCUMBER. I think he does, Mr. President, fully as well as the Minnesota farmer or anyone else.

Mr. NELSON. I think a good deal of the trouble comes from that source.

Mr. McCUMBER. I can say——

Mr. NELSON. Fortunately, I have here a North Dakota witness as to the good quality of our system of inspection and showing their own failure to pass the proper legislation.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota further yield to the Senator from North Dakota?

Mr. NELSON. Yes, sir.

Mr. McCUMBER. I simply want to say, for the intelligence of the average farmer of North Dakota, that he does understand that condition just as well as the Senator from Minnesota or myself, and he makes full allowance for naturally deteriorated grain.

Mr. NELSON. I am not disputing the intelligence of the North Dakota farmers. They are as intelligent as the Minnesota farmers. The trouble in North Dakota is that they have had a larger proportion of what we call the large farms, and farming in that country is not like it is in the older States.

In the older States, where they engage in stock raising and have a lot of cattle, they keep hired men by the year. On the North Dakota farms they have little to do in the winter; they are large prairie farms; there is no wood to get in, and nothing particularly to do except to take care of the few head of horses and cattle they have. They get a large part of their help from the big cities in summer. They go to the big cities and get all kinds of help, and they rush their farming through as rapidly as they can, under great pressure and as expeditiously as possible. That is one reason why they resort to shock thrashing, because they avoid the expense and trouble of stacking.

I have talked with many North Dakota farmers about the matter and they have said: "I am satisfied I would get a better grade for my grain, and do better, if I could stack it and let it stay in stack before thrashing; but, unfortunately, it is so hard to get help that we have to rely upon the help we can get from the big cities, and for that reason we have to get along the best way we can without stacking our grain, and thrash it as rapidly as possible."

In 1907 the Legislature of North Dakota passed a law known as chapter 129 of the laws of 1907. It is as follows:

CHAPTER 129.

(S. B. No. 195—Hanna.)

BOARD OF GRAIN COMMISSIONERS.

An act providing for the naming by the governor of the State of a board of grain commission, prescribing their duties, and providing an appropriation therefor.

Whereas the people of the State of North Dakota generally recognize the fact that the inspection of grain in the terminal cities in Minnesota and Wisconsin has not been satisfactory to them, and that there has been more or less conflict as to the grades of the grain and the dockage on same, and

Whereas, from the investigation made by the committee from the North Dakota State Bankers' Association during the past summer, it was shown that there were abuses and that conditions existed which ought not to exist, and which should be remedied: Now, therefore the following law is proposed for enactment by the legislature:

Be it enacted by the Legislative Assembly of the State of North Dakota:

1. Board appointed; duties; appropriation. There shall be appointed by the governor of this State, within 60 days after the passage and approval of this act, a nonpartisan board, consisting of three members, who shall be citizens and freeholders of the State, and not, directly or indirectly, interested in any elevator company, to be known as the "grain commission board." The duties of this board shall be to go to the cities of Duluth, Minneapolis, and Superior, and to carefully investigate the feasibility and practicability of the State of North Dakota buying or leasing or building an elevator to be used as a terminal elevator for the use and benefit of the people of the State of North Dakota, and making a report thereof. The said board in their investigation shall make full inquiry into the present grain inspection, the methods of handling of grain, the dockage of grain and the expense of cleaning grain, and the disposition of the screenings and their approximate value. They are to report as to the probable cost of buying, leasing, or building of a terminal elevator of a certain capacity, and the probable expense of operating the same, including taxes and insurance. Also to report any further matters that may come to their knowledge during their investigation and that would be of help in throwing further light and information on the subject. The board shall make a detailed report of their findings to the governor of the State, which shall be submitted by him to the next session of the legislature for such action as they shall deem proper. Each member of the board shall receive for the time actually spent by him in the performance of his duties the sum of $7 per day and his actual and necessary traveling and other expenses, but in no event shall each member of the commission spend more than 60 days in the performance of their duties. Not more that 50 days shall be spent in this work in the year A. D. 1907, and not more than 10 days in the year A. D. 1908 to supplement their findings of 1907, and to bring down their report as to conditions as near to the time of the meeting of the next State legislature as possible. The board is hereby authorized to employ and pay for a stenographer to assist in preparing their report. For the purpose of carrying out the provisions of this act there is hereby appropriated out of the State treasury of moneys not otherwise appropriated the sum of $2,000, or so much thereof as may be necessary, to pay the per diem and expenses of the commission and their stenographer.

2. Emergency. Whereas an emergency is said to exist in that this board should be appointed prior to July 1 next, therefore this act shall be in force from and after its passage and approval.

Approved, March 4, 1907.

I now have the report of the commission which that law provided for, and I desire to read from the report. It was a commission of three men. I will read the report, for it will clearly justify and make good the statement that the system of inspection in Minnesota is a good one, and it is not subject to all the vituperation and criticism that have been invoked against it here. Mind you, this report was made at about the time the hearings were had that my friend from Illinois [Mr. SHERMAN] referred to yesterday.

I read from public document No. 37 the report of the board of grain commissioners to his excellency, John Burke, governor of North Dakota. It appears to have been printed in 1908:

Pursuant to the provisions of the statute providing for the appointment and designating the duties of this board, we severally qualified by executing a bond in the penal sum of $5,000, running to the State of North Dakota, and conditioned upon the faithful discharge of our duties as members of said board of grain commissioners, said bonds being on file in the office of the secretary of state.

On November 14, 1907, we met in the city of Minneapolis and organized by the election of Mr. A. R. Thompson as chairman and Mr. M. O. Hall as secretary of the board.

The board immediately took up the matter of investigating the system of terminal grain inspection and weighing in vogue at Minneapolis, Duluth, and West Superior, beginning their duties in this respect by an investigation of the State weighing system in operation at the city of Minneapolis.

In pursuance of this the board repaired to the office of Mr. P. P. Quist, State weighmaster of grain, and informed him of their desire and purpose. Mr. Quist, in his capacity as the chief of the Minneapolis weighing department, rendered efficient and accommodating service to this board in pursuing their investigation.

We first inspected the office of the weighing department. On the long counters we found spread out for the use of the public carbon copies of the weighers' daily reports.

I ask attention to this:

We first inspected the office of the weighing department. On the long counters we found spread out, for the use of the public, carbon copies of the weighers' daily reports, which showed in detail the work of the previous day, giving car numbers, initials, kinds of grain, and weights. These reports also showed notations of leaks or any other bad-order condition of the cars which might have resulted, or did result, in a shortage. When leaky cars are discovered a special report is made by

the weigher and the leak designated on the reverse side of the written report, which has a diagram of a freight car.

Our attention was called to the Minnesota statute, which requires all shippers—

I want to invoke your attention to this:

Our attention was called to the Minnesota statute which requires all shippers to place a card on the grain door of the car shipped, giving the outweight, so that in case of a discrepancy as between local weights and terminal weights an immediate investigation can be made to determine such discrepancy, for it is very obvious that such an investigation will be of more value if made at once instead of after days or weeks have elapsed.

If the name and address of the shipper appear on these shipping cards and the weigher's report shows such car to be in bad order, a letter is at once sent to the address given and a copy of the weigher's report inclosed, which can be used in making a claim against the transportation company for the grain lost in transit. Mr. Quist assured us, in this connection, that a just claim accompanied by such an official report is hardly ever rejected by the transportation companies, but usually settled promptly. We wish to emphasize the importance of this to our shippers—of weighing the grain and inclosing a card in the car showing the outweights, as a basis for recovery in case of shortage.

It is the North Dakota commission that has this to say:

We next visited the electric steel elevator at Minneapolis, which, as the name thereof would indicate, is built entirely of steel, having round steel tanks for storage purposes. This elevator, being fireproof, is exempt from the Minnesota law, which requires that all grain stored in public elevators must be insured in favor of the owner—

It is a matter I had forgotten to state, that except in fireproof elevators, when the grain is stored there, the company owning the elevator is required to take out an insurance for the benefit of the grain holders—

thus saving a great deal of money, as the insurance rate on grain is quite high. At this elevator we made a very close inspection of the system of weighing in vogue, which is identical with the system generally in operation at Minneapolis, Superior, and Duluth. An assistant State weigher was stationed on the ground floor of the elevator. His duty is to keep a record of the seals of the cars about to be weighed. He makes a careful examination of the car in order to detect any bad order or leaky conditions, and it is also his duty to see that the car is properly swept out after being unloaded. He then notifies the State weigher, who is stationed in the upper story or cupola of the elevator, that the car has been unloaded and the contents thereof elevated. The scales in this elevator, as in most all other of the terminal elevators, are located in the cupola, most of them having a weighing capacity of from 85,000 to 120,000 pounds. The scales are of the so-called "hopper-scale" variety. The scale beams are equipped with a register device, which prints the weight on the ticket. The scale hoppers are also provided with a Neale patent indicator, which is not only a check against a leaky scale hopper, but against accidents and even dishonesty. In weighing the grain, after it is elevated into the hopper, two men are employed—one is a State weigher, representing the State, and the other some employee, representing the particular elevator company or mill where the grain is being handled. Each of these men keeps a separate record. They check up their weights at the scale before the grain is dropped from the hopper with a view that no error can be made, and especially when it is further checked by the so-called automatic "type-register" ticket. There is also a device which indicates when the scale hopper has been opened, and which makes it impossible to receive other grain into the hopper before the same has been completely emptied. When the day's work is ended the State weigher makes out a full report, in duplicate, of his day's work, which is sent to the State weighmaster's office, together with the automatic register ticket, where they are again checked by clerks with report sheets to detect any error that may have been made in the report. This is done for the purpose of still further insuring the correctness of the official certificates to be issued by the weighing department. These certificates are issued in the first instance to the consignee of the grain in question or upon application in duplicate form to any person or persons who have any interest in the grain so weighed.

Our board next made a visit to the Pillsbury "A" mill. Here we examined into the condition of the cars that were standing in the mill yard preparatory to being unloaded. Several of these cars showed indications of having leaked while in transit and were in a condition unfit for carrying grain. Investigation proved that State employees had made this inspection and had made a complete record of conditions. The system of weighing in vogue at this mill was also inspected, and was found to be about the same as that at the elevator just described. This mill has a daily capacity of 17,000 barrels of flour.

We next visited the Phoenix mill, where the weighing of the grain unloaded there was done on a track scale, also under supervision of the State weighing department. The system in vogue here we found to be this, that the gross weight of a car and contents were first ascertained and then the grain is unloaded and the empty car reweighed to ascertain the tare. In no case is the stencil weight marked on the car taken for the tare. No reliance is placed on the stencil weight on cars. Moreover, at these track scales all cars are detached from other cars while being weighed. We were informed in this connection that about one-third of the different stations where State weighing is in force at Minneapolis were equipped with such track scales. These track scales are equipped with the same safety devices and automatic registers that are used on the hopper scales.

After describing where the weighing is done—the two kinds of weighing: one the hopper system, taking it up to the top and weighing it, and the other the platform weighing—the commission proceeds:

Our attention was called to the fact that all State weighers are under $5,000 bonds, conditioned upon the faithful and honest discharge of their duties as such. Again, our attention was called to the fact that aside from the constant scale supervision by an experienced scale expert employed by the State, the shipments from elevators to mills, or from scale to scale, where State weighing was in force, were carefully watched with a view of ascertaining whether these scales weighed the same. One of the purposes of this is to detect any scale getting out of order.

This practically concluded our investigation into the public weighing system at Minneapolis. A few days later, however, we resumed such investigation as to the system at Duluth and Superior, and there we found that practically the same system was in operation, conducted in the same manner.

We found in pursuing this investigation—

I ask attention to this—

that an unusually large number of cars are received at terminal points in bad order, cars that are received in such condition that it is quite obvious that more or less loss has been sustained while in transit—losses that in most cases, perhaps, should be borne by the transportation companies, inasmuch as it is only right and proper that a transportation company should in the first instance furnish a car in good condition and deliver its contents intact to the consignee. Responsibility for discrepancies occurring while in transit should be in most cases borne by the transportation companies. We also found that at Duluth and Minneapolis 85 per cent of all the grain was weighed on so-called "hopper scales."

Scales taken up:

Furthermore, that it appears that there is a regular shrinkage of about 30 pounds per 1,000 bushels caused by hauling, as it is a well-recognized fact that grain can not be handled without a loss when elevated and weighed in hopper scales.

One of the complaints that the Senator from North Dakota made was that they deducted 30 pounds out of each carload for shrinkage, and so forth. There is no law for it and that custom has since been abandoned. There was a time when, out of a carload of wheat, for in a carload of wheat there are now generally from 1,000 to 1,200 bushels, they deducted 30 pounds, or half a bushel, out of the 1,000 or 1,200 bushels as a matter of shrinkage. This North Dakota commission that I am reading from continues:

It appears to this board that this is an injustice to the shipper, and we would recommend as an improvement to the present system of weighing, and in perfect fairness to the shipper, that all grain be weighed on track scales before unloading instead of hopper scales.

TERMINAL INSPECTION OF GRAIN.

Our board next—

This is the North Dakota board—

Our board next took up the matter of terminal inspection of grain, and in this connection made careful and diligent inquiry into the system in vogue as to grade and to dockage. The Minnesota terminal-inspection system was established by an act of the legislature in 1885, and has been in operation since that time under the provisions of the general law, as amended from time to time. The terminal-inspection law was the outgrowth of a demand on the part of the farmers of Minnesota for a system different from commercial inspection, which obtained prior to the enactment of the Minnesota grain and railroad laws of 1885. Prior to this time the inspection of grain at the Minnesota terminals was in the hands of men who were appointed by the chamber of commerce.

It was claimed by shippers that such an arrangement was too one-sided, giving the purchaser of the grain practically the sole privilege of fixing its grade and its dockage. Under the present system, the State becomes the arbiter between the shipper and the buyer. As originally established, this system was conducted almost entirely on the basis of outside or car-door inspection. When a carload of grain—

And here they proceed to describe it—

When a carload of grain reached the terminal market, it was placed by the railroad company upon special tracks called inspection tracks, which were provided for in each railroad yard. A State grain sampler appeared in the morning, as soon as it was light enough to see, accompanied by an inspector. He first took a record of the car number and initials, also a record of the number of the car seal, which he had to break in order to enter the car. He then took a hollow brass tube, called a probe and by plunging this tube down through the grain to the bottom of the car in five or more places he secured a fair simple of the grain throughout the entire car.

Now, this is what the North Dakota commission said:

These several probes were deposited at the door of the car, from which the inspector made his inspection and fixed the dockage. The sampler then resealed the car—

I may say that since this time the samples are sent to the inspector; they are no longer inspected in front of the car.

The sampler then resealed the car, keeping a record of the State inspection seal, applied in place of the broken railroad seal. While a State inspector was determining the grade of the grain in the car in question, a sampler employed by the chamber of commerce at Minneapolis, or the boards of trade at Duluth and Superior, also took a sample, which sample was turned over to the consignee of the car for exhibition in the chamber or board of trade. The chamber of commerce and the board of trade also keep a complete seal record. Such was the system originally employed. In later years the Minnesota Railroad and Warehouse Commission, who are charged with the supervision by law of the inspection and weighing departments, have made several innovations. The most important is doubtless the one that there is no more car-door or outside inspection.

That is what I called attention to a moment ago.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. I yield.

Mr. WEST. I do not think I made the point clear to the Senator a few moments ago in reference to the comparison. I have not yet learned the difference on a comparison between the State inspector and an inspector of the board. They both go there and inspect?

Mr. NELSON. No; they do not inspect.

Mr. WEST. Well, they get samples?

Mr. NELSON. That is all.

Mr. WEST. And those samples are inspected subsequently?

Mr. NELSON. Yes.

Mr. WEST. Now, what I wish to know is whether there is any comparison between the inspections made by the State and the board of trade?

Mr. NELSON. No; there is no inspection by the board of trade. The Senator misapprehends the situation.

Mr. WEST. Then, may I ask a further question?

Mr. NELSON. Certainly.

Mr. WEST. The sale is made on the inspection of the board of trade, is it not?

Mr. NELSON. No, sir; not at the chamber of commerce. I have tried to repeat that several times. I am sorry the Senator was not here.

Mr. WEST. Perhaps I was out at the time, but what I wish to know is the relations sustained between the inspections made by the State and the inspections made by the board of trade?

Mr. NELSON. There is no inspection by the board of trade, and there is no relation between the two. The board of trade simply sends its man there to get samples of the grain, and those samples are brought to the chamber of commerce and spread out upon the table. They are not graded by the chamber of commerce. Their samplers simply bring a specimen of the wheat and a ticket showing from what car it is taken, where it came from, to identify it, and it is sold in the chamber of commerce for cash by the sample that is laid on the board.

Mr. WEST. Perhaps I have misstated it when I use the term "board of trade." But the sale is made on that inspection?

Mr. NELSON. No; it is not made on it. It is made on looking at the grain on the table. There is no inspection or grading of it.

Mr. WEST. Well, who grades it when it is sold?

Mr. NELSON. There is no grading of what is sold on the board of trade. It is sold by sample. I quoted from the book here yesterday, and I will quote from this report as I go further on and show the same thing.

Mr. McCUMBER. Mr. President, that we may have a clear understanding, will the Senator allow me to ask him a question there?

Mr. NELSON. Certainly.

Mr. McCUMBER. I have shipped some grain myself, and my colleague ships a great many carloads every year. Although the system the Senator speaks of is in vogue and samples are taken before the exchange, and those samples, we will say, are not graded at all; but every time the commission merchant sends me back my account or my colleague's account it shows that this grain was graded at a certain price; that it was docked a certain number of pounds per bushel; that the price was a certain price; that it was sold there at that price at that hour; and when I look at the reports I find it is sold for the exact price that the grain was at that hour. So I can not see how it is sold by sample. While the sample may guide in the matter, I can not see how it is sold by sample when they always report back to me that it is sold at a certain grade, reporting on that grade and the price on that grade.

Mr. NELSON. But the price is made by the chamber of commerce upon the sample laid on the table.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the junior Senator from North Dakota?

Mr. NELSON. I yield.

Mr. GRONNA. The Senator from Minnesota is correct to a certain extent. There is a little ticket placed in the little pan where they have the sample, and on that ticket is marked the condition of the grain and the weight of it, and, of course, that is the grade.

Mr. NELSON. Who marks the ticket? That is not done by the grain inspector.

Mr. GRONNA. The ticket is marked.

Mr. NELSON. Not by the State officer.

Mr. GRONNA. It may not be marked by the State officer, but it will be marked by the man who takes it up.

Mr. NELSON. It will be marked by the sampler of the board or the chamber of commerce, but not by any State officer.

Mr. GRONNA. If the Senator will further permit me, we will say now there is a car of No. 1 northern grain. The sample may be a good sample of No. 1 northern, or it may be a poor sample of No. 1 northern. If it is a good sample, it will naturally command a premium. Of course, that is an advantage to the farmer. I will admit that it is an advantage to the farmer that the samples are shown, because if it is a good sample of No. 1 northern, he will get the advantage.

Mr. NELSON. Does not the Senator know that if he will look at the quotations in the Minneapolis papers he will find No. 1 northern quoted at different prices at cash sales, and that is because it is sold by sample?

Mr. GRONNA. That is true; but it is also true, Mr. President, that each little basin, as I call it, has a ticket in it showing the car number, the weight, the quality, and the conditions all through.

Mr. NELSON. That is not prepared by the State official.

Mr. GRONNA. Of course, the grain is sold on the grade from the condition of the sample.

Mr. NELSON. Of course, it is sold by sample. That is what I said. It is sold by the sample.

Mr. BRADY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Idaho?

Mr. NELSON. Certainly.

Mr. BRADY. I should like to ask the Senator a question relative to the loss in weight. I do not exactly understand the Senator, whether the 30 pounds on a thousand bushels was an arbitrary loss.

Mr. NELSON. There was an arbitrary rule that they adopted, but that rule is obsolete now; they do not adhere to it at all.

Mr. BRADY. How do they figure the loss?

Mr. NELSON. They do not figure any now.

Mr. BRADY. They have discontinued that practice?

Mr. NELSON. They have discontinued the practice now. I do not know how many years ago they discontinued it.

Mr. BRADY. I understood from some discussion here on the floor that that had been done, and I was anxious to know the facts in regard to it.

Mr. NELSON. There was such a rule at one time. That is, it was a general rule. It was conceded on all hands that there was liable to be some shrinkage in shipment, and so they adopted, after awhile, an arbitrary rule without figuring and determining it. They have now abandoned that rule. That is no longer in vogue; but you can see how slight it was. Carloads now run from 1,000 bushels up to 1,500 bushels, and 30 pounds on a carload would not surely be a great deal of shrinkage.

Mr. BRADY. It is not a great deal. I am asking for information only. That is not in vogue now?

Mr. NELSON. No; it is not in vogue; that is, it is not the rule now.

Mr. BRADY. If the Senator please, I should like to have a little further information relative to the question asked by the junior Senator from Georgia [Mr. WEST]. I am not yet clear in my mind regarding the grading of the wheat that is purchased by sample on the Board of Trade in Minneapolis. I understood the Senator to say in his previous remarks that the State inspector would go around the car——

Mr. NELSON. Not the State inspector.

Mr. BRADY. Who goes through the car?

Mr. NELSON. It is the State sampler. He goes and takes a sample. That is all he does.

Mr. BRADY. Whom does he represent—the State or the board of trade?

Mr. NELSON. He represents the State. There is a State sampler and there is a sampler who represents the chamber of commerce. To make it plain to the Senator, suppose there is a carload of grain out here. I am a sampler for the State, and the Senator is a sampler for the chamber of commerce. We both go there and take a sample out of that car. I take my sample to the State inspector, and he inspects it. The Senator takes his sample to the chamber of commerce, and there it is put in a pan with a ticket, and so forth, and spread upon the table.

Mr. BRADY. The Senator has made it very plain. I think I understand it now.

Mr. NELSON. On the chamber of commerce the grain is sold upon that sample.

Mr. BRADY. But what becomes of the inspection made by the State grain inspector?

Mr. NELSON. The State inspects that grain. It takes a sample and gives the grade to it, and pronounces what the dockage is.

Mr. BRADY. Does that govern the board of trade in buying and selling?

Mr. NELSON. No; it does not govern the board of trade. The board of trade itself, as a board, does not do any buying or selling. That is done by commission men, who buy and sell on the board of trade to the millers.

Mr. BRADY. What does the Senator say is the effect of the inspection by the State grain inspector?

Mr. NELSON. The main value of that inspection, as far as I can see it, is that cash sales are made by sample on the board of trade. The chief value of the State inspection is that it relates to the question of future sales or to what we call hedging.

There is a good deal of that done. As I explained yesterday, when, I think, the Senator was not here, a mill buys, say, 10,000 bushels of grain to-day to be made into flour. They do not know how the future market will be. That wheat may drop in price a great deal before they get it made into flour and sold. So, to protect themselves, at the same time they buy that wheat they sell to deliver in the future, and in that way they accomplish a sort of insurance to protect themselves. If the Senator had been here and heard the Senator from Illinois [Mr. SHERMAN], who explained that system more clearly than I have done, he could see the great value of it.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. McCUMBER. If it will not disturb the Senator in the slightest——

Mr. NELSON. Not if it is reasonable; but I want to get through. I do not want to be interrupted too much.

Mr. McCUMBER. I do not want to impose upon the Senator at all, but I wish to ask him if all the future sales are not filled with certificates from the warehouses and not with certificates as to the car of grain that is unloaded into the warehouse, and the warehouse certificates are applied to fill future contracts?

Mr. NELSON. Here is the point about that. I sell a thousand bushels of No. 1 northern, to be delivered, say, at Minneapolis or at Duluth in June next. I must deliver wheat that at the terminal will pass at that grade. I have agreed to sell and deliver, say, 10,000 bushels of No. 1 northern, or No. 2 northern, or No. 1 hard, as the case may be. Now, when the time comes I have a right to deliver the actual wheat. If I see fit to deliver the actual wheat, instead of settling the differences, as they do at the clearing houses, the man who receives that wheat has a right to ask for a State inspection. He has a right to show that the thousand bushels of wheat I deliver come up to the grade that I have agreed to sell. There is where the State inspection applies.

But I want to proceed and read from this report, because it throws a good deal of light. This is the report of the North Dakota commission upon our system.

Mr. SHERMAN. Before the Senator leaves that point——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. NELSON. I yield.

Mr. SHERMAN. I wish to suggest that in addition to the very useful purpose stated by the Senator from Minnesota the official grade of it is authentic information to the world of the visible supply of that quality of grain in the open markets of the United States, and to that degree they furnish most valuable information not only to the millers but to the trade generally.

Mr. NELSON. Yes; all that is true. I will quote further from this report, and it will show what I have been trying to explain to the Senator from Georgia [Mr. WEST] and the Senator from Idaho [Mr. BRADY]. I am reading from the report of the North Dakota commission upon the Minnesota inspection.

All grain is now inspected inside. The grain sampler—

I wish Senators would listen now, so that they will not be mistaken about this matter—

All grain is now inspected inside. The grain sampler, instead of depositing the several probes of grain taken by him at the car door, to be then and there inspected, now deposits them in a small sack, called a sample sack. In this sack, together with the grain, he places a ticket of the car, on which has been marked the number of the car and initials. The sample is then taken or expressed to the State inspection officer, where, under light, it is inspected by expert inspectors. The grain dockage, if there by any dockage, is then determined by means of apparatus adapted to the work, consisting of finely adjusted scales and sieves of different kinds.

In the event that the shipper or consignee is not satisfied with either grade or dockage, as the case may be, of the grain in the car in question, it is his privilege to call for a reinspection. The grain is then at once reinspected by the chief deputy inspector or his assistant, using for their reinspection purpose the same sample as originally based upon. In case either of the parties is still dissatisfied with the reinspection, it is their privilege to call for an appeal, which means that the merits of the case will then be considered by the State board of grain appeals, a board of nine members, three of whom officiate at Minneapolis, three at Duluth, and three at Superior. This is an entirely independent board, being appointed by the governor of the State, while the inspectors and weighers are appointed either by the railroad and warehouse commission themselves or, with their consent, by the chief inspector of grain. In Superior they are appointed by the State grain commissioners of Wisconsin. In case of controversy as to the grade or dockage, a sample of the grain being submitted to the board of appeals, an entirely new sample is procured from the same car. Thus, while the original inspector and the chief deputy inspector reviewing his inspection use the same sample, the board of appeals procures an entirely new sample from the same car.

In pursuance of the system of indoor inspection, and with a view of expediting the disposition of cars upon arrival at the terminals, thus alleviating the annual car shortage, the Minnesota commission have established sampling stations in interior towns in that State. Thus, there is a sampling station at Wilmar, at Melrose, at Cass Lake, at Sandstone, and at Staples.

Grain samplers in the employ of the inspection department are stationed at these places, which in all cases are division points. As the grain comes to these points it is sidetracked, and the State samplers, together with the commercial samplers, obtain samples of the grain in the same manner as indicated above. These samples are then inclosed in a strong wooden box, securely locked, to which there are two keys, one in the possession of the sampling foreman at the interior point and the other in possession of the inspection office at Minneapolis or Duluth, as the case may be. The samples, when so secured, are sent by express to the terminal point which is the destination of the cars of grain of which they are samples. It thus quite frequently happens that the samples are received some time before the arrival of the car of grain that they actually represent. This affords plenty of time for original inspection and reinspection, if required. In this manner all the preliminary details are settled when the car arrives, and it can be immediately ordered to its final destination, thus assuring prompt unloading and disposition for further use. The grade and dockage given by the board of appeals is final.

I quote further:

Our board also found that the rules that govern the grading and docking of grain at the terminals in Minnesota are established at the beginning of each grain year by the members of the board of appeals. They are charged by law with meeting every year and establishing such grades as in their judgment the conditions may warrant. As soon as the grade and dockage of any carload of grain has been completed or finally determined a certificate of inspection is issued by the State inspection department. Thereafter the carload of grain may be sold or delivered at any mill or elevator for unloading. In this connection we desire to state that it is also made the duty of the grain samplers during their work in the railroad yards to make a careful examination of each car of grain with which they come in contact for the purpose of discovering any leaky conditions that may exist, and they are also charged with reporting to the office any indications on the surface of the grain in the car which would indicate that any grain might have been removed, either by leakage or otherwise, from such car.

I will further show you how careful we are in Minnesota in these matters.

I quote further from the report—

have also established an important branch of the State inspection and weighing system, that of watching or patrolling the terminal yards, whereby cars loaded with grain are continually watched while going through these yards, in order to detect leaky conditions that may exist, as well as to guard against pilfering.

So you understand, we not only have this inspection system by which these samples may be taken and the grain inspected, but we have a police there in the yards where the cars are brought in who go there at once and examine the cars and see that they are not in a leaky condition and that no grain is stolen or pilfered from them.

The terminal railroad yards are usually located in outlying districts where the vigilance of special watchmen is required. Very often leaky cars are found and roported by these special watchmen that would not show to be leaky except when in motion, for cars often leak in the yards when being switched about, which does not show any evidence of leakage when standing still. A great deal has also been accomplished in this respect in protecting the property of shippers from pilferage, a loss against which the local shipper would be almost powerless if it occurred. These special watchmen cover the entire terminal system wherever cars of grain are handled, and they also see to it that cars are properly swept at the different unloading stations. These special watchmen assigned to this patrol service are empowered with police authority.

The commissioners were treated with all possible courtesy by the chiefs of the respective departments, both in Wisconsin and Minnesota, and they apparently had nothing to conceal.

When the carloads come to the terminals we not only grade the grain properly and inspect it properly, but we have appointed a police there to see that the cars are in a good condition and that there is no pilfering and no leakage or anything.

I quote further from the report.

"HANDLING OF THE GRAIN AT TERMINALS."

This is the North Dakota Commission—

Grain, after being inspected and weighed, at terminals, is disposed of by going to mills or terminal elevators. Some of the coarse grain is unloaded by teams from the car. Grain that goes to the several mills, in most all cases, can be considered as sold to these mills for manufacturing purposes, as it stands to reason that a mill would not buy grain that it did not intend to use for some purpose.

Here I call the attention of the Senators from North Dakota to this, and this is from their own commission:

As a matter of fact, over 95 per cent of all the grain that arrives at the terminals has passed from the original possession of the raiser of the grain into the possession of the several line, independent, or farmers' elevators that operate the local elevators on several railroads that lead to these terminals.

This is the testimony of the North Dakota commission, that over 95 per cent of the grain when it reaches Minneapolis has ceased to be the grain of the farmer and has gone into the hands of the middlemen; that it is owned either by the local elevator company or is owned by the terminal elevator company.

Mr. BRADY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Idaho?

Mr. NELSON. Certainly.

Mr. BRADY. I merely want to ask the Senator relative to the description he read a few moments ago as to the policing of the tracks and safeguarding the grain after it arrives in Minneapolis.

Mr. NELSON. And in Duluth.

Mr. BRADY. And in Duluth. Was that from the report of the North Dakota commission?

Mr. NELSON. Yes; they reported that we had done that in Minnesota.

Mr. BRADY. The language used is that of the commission?

Mr. NELSON. Yes; this is what that commission says. I am reading from the report of the North Dakota commission. They do not give us such a bad character. We not only inspect North Dakota grain and grade it, just as we do our own, but we provide special detectives and policemen to look after their cars as well as our own. We are not so very bad, after all.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. NELSON. Yes.

Mr. McCUMBER. I would not have interrupted the Senator except for the fact that he directed his remarks to me, calling my especial attention to what he was reading with reference to the fact that 95 per cent of all our grain by the time it arrives in Minneapolis has passed out of the farmers' hands. I think that is approximately correct, but the value of what these elevators receive must get back to us.

Mr. NELSON. That is an argument. I am anxious to proceed, and I trust if there is to be any argument the Senator will make it in his own time. I am willing to answer questions and explain matters as I proceed with my remarks, but I do not like to have other arguments made in the course of my address. I called the Senator's attention to this report because it was the report of the Senator's own State commission. I continue the quotation:

Less than 5 per cent of the grain received at these terminals belongs to original shippers or farmers. Investigation at local markets shows that most all farmers raising grain dispose of the same at the local markets—

Now, listen to this—

and their interest in terminal inspection, weighing, and prices is measured with the indirect effect of such conditions. As these conditions are good or bad, they reflect themselves back on the producers. The shipper of grain to the terminals has his option, if he desires to temporarily store his grain, to patronize either public or semipublic terminal elevators.

When he ships the grain to the termin[illegible] he has a right to patronize the public or semipublic elevators.

The public elevators are licensed as such, and their business is under the jurisdiction and supervision of the railroad and warehouse commission of that State. Daily reports are made from these houses to the State warehouse registrar.

Now, listen—

These houses are not permitted to mix grain of different grades together. While it is permissible to mix the grain of different owners, the grade being the same, it is not allowed to mix that of superior and inferior grades. Thus the identity of the grain stored is retained.

That is in our public elevators. I am reading, I repeat, the report of the North Dakota commission.

It is inspected in by the State inspector, and inspected out in the same manner. The weighing in and out is on the same plan, and under State supervision.

Here is another point:

These elevators offer an opportunity that independent shippers and others may afford themselves of, who may consider their grain to be of superior quality, and who desire to dispose of the same by special sale or otherwise.

By utilizing these public elevators shippers can, if they so desire, preserve the identity of their grain by special binning, the same—

That is, if I ship grain to any of these public elevators, I can have it put in a separate bin and its identity preserved, if I so desire.

This feature of special warehousing being given them by law. In view of this it is quite remarkable that so little use by shippers is made of the public terminal elevators, particularly by those raisers and shippers of grain who are fortunate in owning and producing the higher grades.

That is what the commission says; that it is unfortunate, that while this facility is afforded to the farmers who raise a superior quality of grain to have it stored in separate bins, they fail to avail themselves of it.

It would seem that they, above all others, would take advantage of an opportunity to get the higher prices that the superior grade of their grain entitles them to. The latter suggestion appears particularly pertinent, as it would affect North Dakota farmers and shippers, who, this board feels, are the producers of the better grades of grain.

There are also private elevators. According to the Minnesota law, which I read a while ago, elevators that receive grain for storage for the public are public elevators, and they are governed by the rules to which I have referred. We have also in the cities what are called private elevators, the owners of which buy the grain they store and take no other grain into the elevators than what they buy and own.

At the present time there is one of these public elevators at Minneapolis and one at Duluth. In addition to acquiring a license for the proper conduct of their business, they are also bonded to the State of Minnesota in a sum sufficient to guarantee the performance of their duties as public warehouses, in accordance with the provision of law.

In speaking of semipublic elevators we refer to those houses where grain is inspected in and out by State inspectors, and also weighed in and out by State weighers. There are a large number of these houses, most all of which are owned by private parties. We refer to them as semipublic elevators under State supervision of grades and weights. This does not mean, however, that the identity of the grain going into these houses must be preserved; that is optional with the owner of the grain. If he so desires, he can mix grain of different grades. These semipublic houses handle a great bulk of the grain that comes to the terminals. While they have public inspection and weighing, they are private in operation, inasmuch as the grain they handle belongs either to the elevator or to the private parties for whom they warehouse and handle the same.

This is a phase of the terminal grain business that has been quite generally misunderstood by our North Dakota shippers and farmers, who seem to think that all the elevators of Minneapolis and Duluth are public houses, where the identity of the grain must be preserved and as received. We here desire to strongly emphasize the distinction that exists between public and semipublic houses.

The report also calls attention to another fact, and I invite the attention of the junior Senator from North Dakota [Mr. GRONNA] to this, in view of the question that he asked my friend from Illinois [Mr. SHERMAN] on yesterday:

Another class of terminal houses that invited and engrossed the attention of our board are the so-called grain hospitals or mixing houses. Of these there are quite a number at the terminals. As their name suggests, they make a business of cleaning, scouring, and mixing grain for profit. The grain that is not in a warehousable condition is conditioned, smutty grain is scoured, grain of inferior grade or no grade is mixed with grain of better grades to insure the market grade or quality. Wheat that is too light in weight for a certain grade is mixed with heavier wheat, so that it may acquire the proper weight. Smutty wheat—

Smut is a poisonous substance, and unless you can extract it from the wheat the flour made from such wheat is not fit to eat—

which in its dirty condition would be unfit for human food is scoured or washed and brought up to a No. 2, or sometimes even a No. 1, grade. Foreign seeds and foul stuff are removed from the grain. On the whole, the grain hospital system is a business practice whereby inferior and unmarketable grain is improved and made marketable. That this process requires the mixing with the poor grain of some of the better or perhaps the best grain is admitted.

It is very curious that at the end of their report this commission recommend that the State of North Dakota build terminal elevators at Duluth and Minneapolis. That is a part of their recommendation; but, in addition, they recommend not only that the State build terminal elevators, but that North Dakota build a terminal hospital for the grain. Here is what their report says:

In another place in this report we have described the business of the so-called grain "hospitals" or mixing houses. The improvement of grain by this process has become quite modern, and in our judgment permanent, and we would suggest that the benefits of thus improving grain ought to be within the reach of farmers and shippers from our State.

That is, from North Dakota.

With this end in view we would suggest the acquirement or operation of grain hospitals—one to be at Minneapolis and the other at the head of the Lakes, to be operated in connection with our terminal elevators. This would afford an opportunity for our North Dakota farmers or shippers who are unfortunate to come into possession of or raise smutty grain or whose grain has been damaged by inclement weather or who have not the facilities for cleaning grain before delivering same at the local market to ship their grain to these houses for the purpose of improvement, they to become the beneficiaries of the increased market value by reason of such improvement and to be recompensed in a reasonable manner for the offal from such grain.

We inquired into the cost of cleaning and improving grain at these houses, and found that such cost ranges from one-half to 2½ cents per bushel, according to the condition of the grain handled. For original cleaning the usual charge is from one-half cent to 1 cent per bushel, but if it becomes necessary to scour or wash grain the cost is materially increased, being from 2 cents to 2½ cents per bushel. However, in view of the largely increased market value of grain treated in this manner, it is quite obvious that still larger profits should accrue to those who would avail themselves of the opportunity of thus improving their grain.

A great deal of stress has been laid on the fact that these "mixing houses," as they call them, or, as they are designated in this report, these "hospitals," take inferior grades of grain and improve them by scouring, cleaning, fanning, and airing them until they become a higher grade. This report is fair enough to recognize the necessity of that. It describes these "grain hospitals" and it recommends that the State of North Dakota, for the benefit of the farmers of that State, establish a grain hospital, one of such grain hospital elevators to be in Duluth and another in Minneapolis.

So that after all they are not so hostile in North Dakota to these grain hospitals, or mixing houses, as it has been made to appear.

Mr. President, those who are familiar with the grain business know how it oftentimes happens that by rain, bad weather, peculiar climatic conditions, and other drawbacks grain becomes

injured and damaged, and that unless we have a so-called grain hospital, where they can take care of the grain for the time being, the farmers would have to sell such damaged grain for hog and cattle feed. In my own experience I have had a great deal of trouble when there has been much rain on the grain while it stood in the shock. It would in such case have a tendency to sprout and become damaged in the shock and in the stack.

A great deal of stress has been laid on the fact that these elevators take in grain of a lower grade and ship out grain of a higher grade. While there may be some apparent injustice in some cases, it comes chiefly from improving the condition of the grain. I have had a little experience which illustrates the good that sometimes results from thoroughly cleaning the grain. In 1904, about 10 years ago—I am not exactly sure about the date, but the Senator from North Dakota, sitting in front of me, I think will remember it—we had in wheat what we called the black rust, something we never before had had in Minnesota. We always have from time to time a little of the red rust, but, as a rule, it has not affected our wheat very much. It has frequently affected our barley and our oats; but that year we had a black rust, and the effect of it was that the wheat did not ripen well; there was a good deal of shrunken, light wheat in the field. In the year to which I refer I had the black rust on my farm, and when I hauled my grain to the elevator men in the fall—there was not much grass seed in it; there was very little foul seed in it; its chief defect was shrunken and not fully ripened berries, the result of the black rust; there was not any smut in it; it had a little wild oats and some pigeon grass in it—when I took that grain to the elevator I could only get a No. 2 grade for it. I had some of that wheat left in the spring, and I had to use it for seed. I ran it twice through a fanning mill in my own granary on the farm in order to clean it and get seed suitable for planting. After I had done my seeding I had, perhaps, 40 or 50 bushels left, and I hauled that wheat to the same elevator man who had taken the wheat from that bin in the fall when I was given a No. 2 grade, and he gave me No. 1 for it. That shows how grain may improve by a system of fanning and cleaning through a fanning mill.

I quote further from said report as follows:

It suggests itself to our board that the modern grain hospital under proper supervision would serve a public purpose providing the profits they made were indirectly reflected back to the producer of the superior grade which they handled. These houses, together with the mills and semipublic houses, are also the beneficiaries of the sale of the immense amount of screenings or dirty grain. This brings us to that particular feature of our official duty which requires that we shall "make full inquiries into the dockage of grain and the expense of cleaning grain, and the disposition of screenings, and their approximate value." Screenings are here designated in the law as dirt, foul stuff, and foreign seeds contained in the grain as raised and brought to market. It presents one of the lamentable features of local disputes as between the seller and buyer.

In the early days, when the farmers cleaned their grain and when because of new and clean ground there was little or no foreign stuff in the grain there was no dockage. Later it became necessary and to-day dockage is recognized as a necessary and legitimate practice and has been officially sanctioned for years. Wheat, flaxseed, and rye are now officially docked at the terminal. The last few years have shown a very large increase in dockage, as would appear from the records. Thus, in 1904 the average dockage was 21.1 ounces per bushel; in 1905 it was 18.6 ounces per bushel; in 1906 it was 27.9 ounces per bushel; in 1907 it was 32.2 ounces per bushel; and in 1908, 39.2 ounces per bushel. This latter is the record for the crop year ending August 31, 1908.

All of this emphasizes the growing importance of this feature of the grain business. Not many years ago screenings or dockage were of little or no commercial value, being burned, as a rule, under boilers in engine rooms of mills or elevators. To-day they are used for various commercial purposes, ranging in value from $7 to $15 per ton.

The commissioner, after giving figures as to the amount of screenings, add:

In our own State of North Dakota, owing to practically no regulation, this board would feel warranted in doubling the figures.

We have approximately the same number of local elevators in North Dakota as they have in Minnesota.

This appears to us altogether the more remarkable when we consider the fact that the North Dakota lands are much newer and ought to produce, and, in our judgment, do produce, cleaner grain than the long-farmed land of Minnesota. In view of this we feel justified in estimating the commercial value of the screenings now practically given away by North Dakota grain raisers at not less than $150,000 per year. The North Dakota grain producer does not only give away this vast amount of screenings, but he is in addition taxed the regular amount of freight that accrues on shipments of grain in which the same is contained. It may appear impracticable, but nevertheless the waste of this immense amount of stuff, which is suitable for food purposes for stock, would suggest the idea that it should be kept at home and used by our farmers instead of being given away and paying freight on the same besides.

Our own farmers are as foolish as the North Dakota farmers in this respect. I have already explained that years ago our local elevators, when they got the grain from the farmers, they would fan it and clean it in the local elevator and then ship the clean wheat to the terminals; but the trouble was they could not get rid of the offal—the screenings. The farmers would take a little of the screenings home for the chickens and the pigs, and the people in the villages would come and get a little for the chickens, too, but the elevators found it very difficult to dispose of the screenings, so they abandoned that system of cleaning the wheat at the local elevators, and they now ship it in an unclean condition to the terminal elevators where it is cleaned and where, as I have said, they have opened a great market for the screenings.

The report further adds:

the farmers' elevators, or independent elevators, or even the line elevators, might equip their houses with cleaning machinery, so that these screenings might be kept at home and probably ground into feed.

I suppose they have tried it in North Dakota, as we tried it in Minnesota. The farmers would not take but a small amount of the screenings from the local elevators, and so the local elevators were forced to ship the uncleaned wheat to the terminals.

I quote further from the report, as follows:

Screenings as now sold at the terminals are used principally for the feeding of sheep and for the manufacture of food. Thousands of tons of feed are annually shipped into this State, and it would seem to be an act of wisdom to retain our own screenings right at home and use them for such purposes instead of shipping them to Minneapolis, Duluth, and Superior, paying the freight on same, and then shipping the manufactured feed back into this State, which seems to be the logical, or rather the illogical, consequences of our present system.

MINNESOTA LAW GOVERNING AND REGULATING PUBLIC ELEVATORS.

(See Exhibit "F.")

TERMINAL GRADES AND CLASSIFICATION.

Terminal grades, under the Minnesota laws, are established annually by the State board of grain appeals. Formerly this was done by the railroad and warehouse commission, but since 1899 this duty devolves on the separate board appointed by the governor of the State, who are in no wise connected with or responsible to the railroad and warehouse commission. We quote the law relating to this board.

* * * * * * *

Quoting a prominent Twin City grain man: "Fixing price of wheat by committee of chamber of commerce and spread in price of grade is one of the greatest injustices in the grain trade." Our board also inquired into the differences in price, as between the several classes of wheat; there are three classifications of wheat which affect our State, namely, that called northern spring wheat, durum or macaroni wheat, and velvet chaff wheat. The latter wheat as yet has been raised in our State only in very limited quantities. The raising of durum wheat has, however, assumed large proportions, the amount reported as being raised in 1907 being 18,822,630 bushels, as against 50,658,389 bushels of northern spring wheat, as reported to the commissioner of agriculture, by the several licensed local elevators doing business in our State.

These figures suggest the importance that the raising of durum wheat has assumed in our State, and our board felt justified and warranted, in view of this, to make careful and diligent inquiries into the terminal grading and prices, as well as into local grading and prices, as they affected the disposition of this wheat. When we began this investigation we found that this wheat was being graded under the separate classification at the terminals, namely, that of durum wheat. Otherwise the inspection, dockage, and weighing is done in the same manner as that for other wheat. We also found that there was a large difference in the price of this wheat as compared with the corresponding grades of northern spring wheat.

On October 14, 1907, when we first took up this matter, the official difference in price at Minneapolis between No. 1 Northern spring wheat and No. 1 Durum wheat was 17¾ cents. This, we believe, was about the average difference that they obtained at terminal markets during the grain season of 1907. At this time, November, 1908, the difference in price between No. 1 spring wheat and No. 1 Durum at terminals is 16 cents. We also found that the difference at local markets in North Dakota as between Northern spring wheat and corresponding grades of Durum wheat was fully as large and sometimes even larger than the average which we quote for the terminals.

In view of this fact and of the generally recognized fact of the superiority of the Durum wheat our producers are justified in inquiring and being informed as accurately as possible whether this large discrimination in these two classes of wheat is justified by their flour-making qualities and disposition as to sale, etc. Our board devoted some little time to making inquiries along this line, and in pursuing this course of this investigation we had two objects in view. First, to find out the relative value of these two wheats as to their flour-making qualities. In this respect we submit, together with this report, several scientific tests that have been made by competent analytical chemists, one of whom is Prof. E. F. Ladd, food commissioner of North Dakota, and the other test was made by the Howard Chemical Laboratory, of Minneapolis.

Mr. President, if this report is carefully read through—and I shall insert more of it in my remarks without taking the time of the Senate in reading it—Senators may discover that very little fault is found with the Minnesota grain-inspection system by this board. They complain a great deal about the prices paid for durum or macaroni wheat. The grain-inspecton system of Minnesota does not regulate the prices of grain; it has nothing to do with prices; it inspects and grades; it establishes the grades; and when those grades are established, the price paid is fixed by the men who deal on the grain exchanges, the millers, and other dealers.

Durum or macaroni wheat is a new variety of wheat introduced some years ago by the Agricultural Department in the Northwest for the reason that it was supposed to stand drought better than other kinds of wheat; and I presume it does so. At first, it seemed to be a better yielder per acre and to stand the drought better than the old-fashioned varieties—the Scotch

Fife and the Blue Stem—but the millers did not like it at first. It did not make as white flour as the other wheat and was harder to grind. After a while an export demand for the wheat sprung up, especially from Southern Europe—for macaroni purposes—and this demand tended to increase the price, and then the millers began mixing a small percentage of it with their other wheat, so that in time the price of durum wheat increased till for the last two or three years there has only been a difference of from 4 to 5 cents per bushel between that and other varieties of good spring wheat, and that is about the difference now.

I quote further from the report:

From the observations and inquiries that we made and the information that we were able to obtain we are of the opinion that there is an uncalled for and unjust price discrimination as between northern spring wheat and durum wheat. Inasmuch as this is a subject intimately connected with the matter of interstate commerce, we would suggest that the Federal Government should carefully inquire into the local and terminal purchase of durum wheat and what becomes of the same after it leaves local markets. We deem it quite essential to the proper protection of the grain growers, who are raising durum wheat, that they should receive the full market value for such wheat as demonstrated by its actual flour or food value. We are constrained to believe that at this time they are not receiving such full value, but that large quantities of this wheat are being ground together with northern spring wheat and disposed of in domestic and foreign markets for the full price at value of northern spring wheat flour.

* * * * * * *

During the present year the Minnesota board of grain appeals has established another classification of wheat, namely, that called "velvet chaff wheat.' This is a comparatively new variety of wheat, and while the same has been grown in Minnesota and South Dakota for some years it has as yet not been very much in our own State. However, it is quite probable that in the course of a few years, on account of its hardiness and superior yield, it will be extensively raised in North Dakota. Up to the present year this velvet chaff wheat was mixed by local buyers with their northern spring wheat and disposed of as such. Millers grinding the same claim to have discovered a perceptible inferiority as between this and the blue-stem variety, and mainly at their request a new classification was established.

The difference in the price of the corresponding grades of northern spring wheat and velvet chaff at this time is 6 cents per bushel. We are not prepared to state as to whether or not this is an unjust discrimination, as we have stated in regard to the difference in prices between durum and northern spring wheat. However, we believe also that in this instance careful investigation by the Federal Government ought to establish the correctness or incorrectness of the difference in price.

While perhaps not strictly germane to the duties and functions of this board, we assume the liberty of briefly stating the modus operandi in vogue at the terminals as to the purchase and sale of grain. This business is conducted almost entirely through the agency of the Minneapolis Chamber of Commerce and the Duluth and Superior Boards of Trade. These are organizations of men engaged in the grain business for the purpose of facilitating such business, organized on the theory that a large volume of grain that finds its way to these terminals necessitates some central place where the same, or samples thereof, can be presented for sale, and where seller and buyer can meet advantageously to make the trades and purchases which their business necessitates. This board is willing to go on record as not favorable to so-called chambers of commerce and boards of trade, but until some better system is adopted they must be tolerated.

These organizations employ grain samplers, whose duty it is to accompany the State grain samplers and to secure proper samples of the grain in cars which are about to be inspected. These samples are presented on tables during the open sessions of the chamber of commerce or board, with an official tag affixed showing what the State inspection was as to such car. This affords a reliable way of presenting and selling the several cars of grain as they are received from day to day. The sales so made by members of these organizations, whose charge is 1 cent per bushel for all kinds of grain except oats, for which a charge is made of one-half cent per bushel. No discrimination is made in the sale of grain, the shipments of individuals receiving the same attention from the commission men, who are members of these organizations, as those of larger concerns.

A complete record is kept of all sales as to time, place, and price, and from this record can be ascertained at any future time the exact price for which any carload of grain may have been sold in the past. These organizations also exercise care as to the financial standing of the several members connected therewith who do a commission business and who solicit consignments of grain from shippers.

I now wish to call attention to another episode in connection with the North Dakota system.

In 1909 the North Dakota Legislature sent a committee of three senators and three representatives to see our legislature and our grain-inspection service as to whether we would not allow North Dakota to appoint on our board of appeals some members from their State. Our State authorities and the members of our legislature were quite willing, and the grain-inspection department was willing; but they submitted to the attorney general of the State the question whether the Legislature of Minnesota could pass a law authorizing them to appoint two members of the grain board of appeals from North Dakota. The attorney general held that under the constitution of Minnesota our State would not have the right to appoint two citizens of North Dakota to sit and act with them officially as members; but the attorney general made a suggestion which I will read. Here is what he says. After first stating that it would be unconstitutional to appoint two members from North Dakota as members of our board of grain appeals, he suggested this:

Appreciating how desirable in the present instance such an arrangement would seem to be, I beg to suggest that if the State of North Dakota should appoint some citizen of that State, to be paid by it, to sit with, but not as a part of, the board of grain appeals of this State; and if the legislature of this State should authorize the same so far as it was concerned, giving such persons full access to all books and records of such board of grain appeals, all the practical advantages of the plan asked for would be effectuated, and no apparent legal objection could arise thereto.

This suggestion was adopted. I have here the correspondence, and I ask to have it inserted in my remarks. The first letter is a letter from Mr. Sundburg, chairman of the senate committee, and Mr. Davis, chairman of the house committee. I have the letter addressed by them to the attorney general. I have the attorney general's reply. I have the letter from Mr. Staples, the head of the railroad and warehouse commission, favoring the plan. I ask to have these letters published.

He says, in this letter:

A remarkable fact in reference to the matter of complaint is that this general complaint against the inspection and weighing service in Minnesota is confined entirely to the State of North Dakota.

I ask to have this correspondence inserted in my remarks without reading.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

ST PAUL, MINN., *February 4, 1909.*

GRAIN AND WAREHOUSE COMMISSION,
St. Paul, Minn.

GENTLEMEN: We herewith inclose you copy of a letter, which we had just addressed and mailed to the attorney general of this State.

It was represented to the joint committees of the Senate and House on grain and warehouse by the delegation from North Dakota, that the chamber of commerce of Minneapolis saw no difficulty in a practical way in granting the request of the North Dakota delegation.

At your earliest convenience kindly give us, in writing, the views of the commission on this question: if there be any practical difficulties, what the same are, and if in your judgment such difficulties may be obviated.

Very respectfully, yours,

BENGT. E. SUNDBURG,
Chairman Senate Committee.
ANDREW DAVIS,
Chairman House Committee.

ST. PAUL, MINN., *February 4, 1909.*

Hon. GEO. T. SIMPSON, *Attorney General, St. Paul, Minn.*

DEAR SIR: The undersigned, chairman, respectively, of the grain and warehouse committees of the senate and house request your opinion, at your earliest convenience, upon the following matter:

A delegation from the senate and house of the State of North Dakota on yesterday met with the joint committees on grain and warehouse of the senate and house of this State and requested that our laws be so changed that North Dakota could have a representative upon the grain board of appeals at Minneapolis and Duluth, and after a full hearing the said joint committees adopted a motion expressing it as the sense of the committees that the request be granted, upon condition that it could be constitutionally and legally granted, and upon the further condition that it should upon investigation be found to be practical.

At said hearing it developed that a similar request had been made of the State of Wisconsin for representation upon the board of appeals at West Superior, Wis.

We desire your opinion whether, under our constitution, such request can be granted, and, if so, what if any changes would be necessary in our laws in order to permit another State to be represented on the grain appeal board of this State, and what practical difficulties, if any, would stand in the way of carrying out the project.

Very respectfully, yours,

B. E. SUNDBURG,
Chairman Senate Committee.
ANDREW DAVIS,
Chairman House Committee.

ST. PAUL, MINN., *February 6, 1909.*

Hon. ANDREW DAVIS,
Chairman, Grain and Warehouse Committee,
House of Representatives Building.

DEAR SIR: Replying to your valued favor of January 4, in reference to suggestion that provision be made by law for the appointment on the board of grain appeals of one or more members from some other State than Minnesota, will say the delegation from the Legislature of North Dakota met with this commission and devoted considerable time to the discussion of the question. Naturally the duties of this department make it necessary that we be thoroughly conversant with the subject. It has been necessary in the past for us to refute many charges brought against the Minnesota service by certain persons from without the State, made in most cases without any foundation or real knowledge of the conditions which exist.

There are at the present time—have been for years past and always will be—certain individual complaints which have more or less justification. As long as the question of inspecting grain is dependent upon the personal judgment of man mistakes will be made; also in the weighing "in" and "out" of approximately 400,000,000 bushels of grain annually as we do in our department there will be an occasional mistake made by a weigher, but we wish to say emphatically that there is absolutely no discrimination made in the matter of inspection or weighing of the grain as between that grown in Minnesota and that grown in any other State. In fact, the inspector and weigher, as a rule, has no knowledge where the grain comes from.

A remarkable fact in reference to the matter of complaint is that this general complaint against the inspection and weighing service in Minnesota is confined entirely to the State of North Dakota.

We believe, however, that considering the fact that the State of North Dakota sends into our terminals for inspection and weighing approximately 100,000,000 bushels of grain annually, it might be good policy to permit the appointment of two members out of the six members on the boards of appeal from outside the State of Minnesota; this would enable the selection of two men from the State of North Dakota, if that would seem to be the most proper and reasonable thing to do by the appointing power. By the placing of two men from outside the State on the board of appeals, an opportunity is given for exercising a voice in the matter of making rules, the establishment of grades, and the overseeing of the manner in which the work of weighing and inspection is done, and would enable the people from the outside to secure information which they would be willing to accept as reliable, and by this means, in our judgment, the cause for complaint would soon fade away.

If the constitution will permit legislation of this character, our commission can see no objection whatever to the plan.

Very respectfully, yours,

C. F. STAPLES, *Commissioner.*

FEBRUARY 15, 1909.

Messrs. BENGT. E. SUNDBURG,
Chairman Senate Committee.
ANDREW DAVIS,
Chairman House Committee.

GENTLEMEN: In your favor of recent date you ask whether, in my opinion, under the constitution of this State, the request of the delegation of the Senate and House of the North Dakota Legislature that the laws of the State of Minnesota be so changed as to allow the State of North Dakota a representative upon the board of grain appeals of this State may be granted. To put the matter in another way, the State of North Dakota asks the Legislature of Minnesota to so change the laws of this State that a citizen of North Dakota may be appointed by the governor of this State to and hold an office created by and under the laws of this State.

Replying thereto I beg to advise that, in my opinion, the request of North Dakota may not be granted.

It is not an argument in favor of such a procedure that the same is not specifically prohibited and therefore implied granted by the terms of our constitution. Such a person so appointed would be an alien to this State, and it is an "acknowledged principle" which lies at the very foundation, and the enforcement of which needs neither the aid of statutory nor constitutional enactments or restrictions, that the Government is instituted by the citizens for their liberty and protection, and that it is to be administered and its powers and functions executed only by them and through their agency.

Appreciating how desirable in the present instance such an arrangement would seem to be, I beg to suggest that if the State of North Dakota should appoint some citizen of that State, to be paid by it, to sit with, but not as a part of, the board of grain appeals of this State, and if the legislature of this State should authorize the same, so far as it was concerned, giving such person full access to all books and records of such board of grain appeals, all the practical advantages of the plan asked for would be effectuated, and no apparent legal objection could arise thereto.

Yours, truly,

GEORGE T. SIMPSON, *Attorney General.*

Hon. F. S. TALCOTT, H. J. BESSESEN, and
G. S. TRIMBLE, *Senators*, and J. H. FRAINE,
JAMES HILL, and S. J. DOYLE, *Representatives*,
Composing special committee on part of the Legislature of the State of North Dakota to investigate and report on conditions relating to the inspection and weighing of grain at the Minnesota terminals, to wit, Minneapolis and Duluth.

GENTLEMEN: Replying definitely to your proposition made to the senate and house committees on grain and warehouse of the Minnesota Legislature, which proposition embraced a request for a member on each of our grain-inspection boards at Minneapolis and Duluth, and which proposition had been favorably considered by and had the indorsement of the railroad and warehouse commission of our State, and by the chief inspector of grain of our State and the members of the grain-inspection boards of our State, and which also had the favorable indorsement of his excellency, Gov. John A. Johnson, and which proposition had also met with the indorsement of the senate and house committees on grain and warehouse of this legislature, we desire to most respectfully submit the inclosed official communication from the attorney general of our State, which, in our judgment, quite fully and effectually negatives the request and proposition made by your committee as far as the appointment of such representatives is concerned when made by the governer of this State, and in the same manner as he now appoints the members of the grain-inspection board.

Mr. NELSON. This communication leaves no doubt as to the unconstitutionality of such action and disposes of the proposition as a feasible legal arrangement.

However, the attorney general suggests a different method by which to accomplish the object sought; namely, by representation on these boards by citizens of your State who could act in the capacity of sitting or ex-officio members, whose appointments came from some authority in your State, and whose emoluments were provided for in the same manner.

This proposition has been fully and carefully considered by the railroad and warehouse commission of this State, whom our laws designated as the supervisors of the grain interests of the State, and it has met with their unanimous and cordial approval. They have also submitted the question to the chief inspector of grain and to the grain-inspection board of this State, and it has also met with their approval.

Acting on this, we, therefore, on behalf of the legislature of this State, and of the railroad and warehouse commission thereof, and of the chief inspector of grain, and of the grain-inspection board and its members, make this proposition to your committee for submission to your legislature:

We will receive at our grain terminals, Minneapolis and Duluth, two properly appointed and accredited grain experts who shall have full access to the meetings of the grain inspection board, full access to the office and inspection room of the inspection and weighing department, full access to such places where grain is cleaned and weighed, and who, in addition, will be given every opportunity to fully inform themselves as to the methods in vogue of grading, docking, or inspecting grain as far as the same comes legally under the supervision of the board of railroad and warehouse commissioners of this State, the said appointed experts to serve without emoluments on the part of this State and to have no vote in the determination of questions voted on by the grain inspection board.

By the commission.

A. C. CLAUSEN, *Secretary.*

In pursuance of that request, and upon the suggestion of the attorney general, the Legislature of North Dakota and the Legislature of Minnesota passed legislation to which I will refer. I quote from the laws of North Dakota for 1909, chapter 134:

APPOINTMENT OF EXPERTS.

Whereas North Dakota representation upon the board of appeals of the grain inspection department of the State of Minnesota would be of distinct benefit and advantage to the State of North Dakota; and

Whereas through the representations and personal efforts of the special committee appointed by this legislative assembly, an agreement has been reached whereby two residents of North Dakota, who are experts in the matter of grain grading and inspection, will be permitted to sit with the Minnesota boards of appeal at Minneapolis and Duluth and have access to the books and records of such boards and personal knowledge of the transactions of such boards; and

Whereas such representation will give to the people of the State of North Dakota a better knowledge of the conditions prevailing in the matter of grain inspection and better opportunity to present their claims in behalf of the producers of this State. Now, therefore,

Be it resolved by the Senate of the State of North Dakota, the House of Representatives concurring:

1. *Governor may appoint.—Duties.—Salary.—Appropriation.*—The governor is hereby authorized to appoint two residents of North Dakota, who shall be expert in the matter of raising and grading and knowledge of grain, to sit with the Minnesota board of appeals at Minneapolis and Duluth, such appointments to be made under such legislation as may be passed by the Legislative Assembly of the State of Minnesota, the salaries of such expert representatives to be $3,000 per year, they to serve during the entire year and to make a report to the governor to be transmitted to the legislative assembly at the opening of the session of 1911. The expense incurred under this resolution is hereby authorized and declared to be proper and in the interest of the people of this State.

Approved March 16, 1909.

That was the act of the North Dakota Legislature. The Minnesota Legislature responded to this in the following joint resolution:

JOINT RESOLUTION NO. 18.

Whereas the legislative assembly of the State of North Dakota has passed a joint resolution authorizing the appointment of two grain experts, residents of that State, to sit with the Minnesota boards of grain appeals at Minneapolis and Duluth, in order to make themselves and through them the people of the State of North Dakota familiar with the weighing and inspection departments of this State and the methods pursued by said members in determining appeals; and

Whereas it is highly desirable to establish and maintain the most friendly and cordial relations with the people of the State of North Dakota, and especially so upon a matter in which the people of that State are so vitally interested:

Now, therefore,

Be it resolved by the Senate (the House of Representatives concurring), That the said representatives of the people of North Dakota be, and they are hereby, cordially invited to sit with the boards of grain appeals of this State and the railroad and warehouse commissioners, and the members of said boards of appeal and all officers and employees of this State engaged in the weighing and inspection departments are hereby requested to afford to said representatives every facility in their power for a perfect understanding of the methods pursued in this State in the weighing and inspection of grain and in the determining of appeals.

Approved March 27, 1909.

This shows, Mr. President, how we have always been ready to meet the people of the State of North Dakota. When they came to our legislature and wanted us to appoint two members from their State on our board of grain appeals we were ready to do it. We were willing to do it; our legislature was willing; our railroad and warehouse commission was willing to do it. When, however, the attorney general said we could not do that strictly, but we could allow them to pick out and appoint two or three men who could sit with our members without a vote and examine and inspect everything and become thoroughly familiar with it, our State authorities adopted that suggestion and were ready to meet it.

I have here the reports of these two men, made to the legislature, and I will quote from some of it. The board was appointed under the laws I have quoted, the Minnesota law and the North Dakota law. This is the report they made to the governor of North Dakota, dated January 3, 1911:

In accordance with Senate bill No. 345, enacted by the eleventh legislative assembly, year A. D. 1909, providing for two State grain commissioners, who were to be appointed by the governor of the State, to serve on the Minnesota board of appeals at Minneapolis and Duluth terminals, and having been regularly appointed and commissioned August 26, the year 1909, to serve as members of said board of appeals, we very respectfully submit the following report:

Immediately following our appointment to office we proceeded to Minneapolis, where we established our headquarters office which, through the courtesy of the railroad and warehouse commission of Minnesota, was furnished us.

Owing to the fact that the law providing for the said commission was not specific as to our duties; also, that various conflicting reports had been circulated throughout our State with regard to Minnesota's system of inspection; we felt that better service could be rendered in the discharge of our duties by jointly acting together in our investigations. We find that the method of determining grades and their system of inspection to be as follows:

In compliance with the provisions of section 2062, chapter 28, revised laws of 1905 of the State of Minnesota, the joint Minneapolis and Duluth grain-inspection boards (that is, the board of appeals) meet about the 1st day of August and establish grades of grain for a period of one year, which shall be known as Minnesota grades. The appeal board consists of six members—three at Minneapolis and three at Duluth—and hold their appointment under the governor.

They are the court of last resort in the matter of grades. When a car of grain reaches the terminal market, it is placed by the railroad company upon inspection tracks, which are provided in each railway yard. A State sampler is on hand in the morning, as soon as it is light enough to see. He takes the seal record of the car. He then takes a hollow brass tube, and by plunging it through the grain, to the bottom of the car, in several places, secures a fair sample of the whole load. The sampler reseals the car and keeps a record of the State seal applied. A sample of the grain is also taken by the chamber of commerce sampler, which is given to the consignee. A seal record is also kept by the chamber of commerce sampler. The sample thus obtained by the State sampler is placed in a sample sack and a ticket giving the number of the car and initials. The sample is taken to the State inspection office, where it is inspected.

Now, listen to this:

The grade and dockage is then determined by means of finely adjusted scales, and sieves of different kinds. If the shipper is not satisfied with grade or dockage, he can call for reinspection. The case is then reviewed by the chief deputy inspector or the assistant chief deputies. In case the parties interested are still dissatisfied, an appeal can then be called for. Then the case will be brought before the board of appeals, and the grade and dockage determined by them will be final.

Another duty of the inspection department is to make an examination of each car for leaky conditions, and keep a record of it. When grade and dockage has been determined, a certificate of inspection is issued by the State inspection department. The grain is then sold and unloaded. All grades of grain as now graded here are made on its physical appearance.

Here is a queer notion of this board, to which I wish to call attention:

This we believe to be unjust and should be made on its commercial or milling value, determined by accurate chemical analysis, and baking tests.

In other words, they recommended that you should not grade it by its physical appearance, but by its commercial value when it has passed through a grain hospital and has been tested and its baking capacity ascertained. You can see how utterly impracticable what they recommend here is. Unless the grain, before it is sent to the inspector, has been in a hospital, has been treated, has been conditioned, as it is called, and unless it has been tested for baking purposes it could not be graded. Wheat never has been graded on that basis anywhere, that I know of, and could not be so graded till it had passed through a grain hospital and bakery.

We find that wheat that was graded three northern, on account of its badly bleached color, made as good flour, and the baking test was equal to the best hard or No. 1 northern grades. Also smut in wheat affects the grade just to the amount of smut it contains. Take, for instance, a sample of our best northern wheat and let it contain smut, and it will be graded as low as No. 3 or rejected.

That is true. I have no doubt, because smut in wheat is a poisonous substance, and smutty wheat would make flour that would be hardly fit to eat.

This we also believe to be unjust. All wheat is washed by the modern mills of our country, as well as smutty wheat, in order to properly temper it for grinding. We understand the cost is no more to condition smutty wheat than any other wheat.

To "condition" it means to have it rid of the smut.

The smut being all removed by the same operation, this is another good reason why it should be graded on its commercial value. The difference in the price paid for smutty wheat is from 4 to 10 cents per bushel under No. 1 northern price. We find, and it is freely admitted that about all cargoes loaded out of Duluth carry one pound and oftentimes more dockage per bushel than is not taken into account or considered. The mixing of the different grades as they are inspected in and the grades they finally take on out inspection is unjust and works to the disadvantage of our State.

In justice to the farmers and growers of grain we believe the inspection department from the samplers to the board of appeals, inclusive, should be taken out of politics and come under civil service regulation. So that no person or persons connected with the service would depend on holding his job upon the success or failure of any political party.

That is exactly what our system has been in Minnesota for years. It is taken out of politics. We have had in recent years Democratic governors, and we have had Republican governors, and there never has been an upheaval or a change in our inspection force. We have as good a civil service in that respect as it is possible to have anywhere.

Now, let me read from this report further:

No doubt the matter of weighing grain at the terminals at Minneapolis and Duluth and other weighing stations have been more severely complained of than any other department of the grain business, *but, we believe, not always justly, from the fact the shippers do not always weigh their grain. The manner of weighing grain we find to be as follows:*

First, the State weigher examines the car for bad order or leaky conditions. If any are found, a complete record is made of these conditions. Before unloading the weigher takes a record of the seals. The car is then placed at the unloading pit and the grain elevated to the garner located above the scale hopper. The scale is balanced and the grain drawn into the scale hopper and weighed and the weight recorded in a book provided for that purpose. The weigher than takes a special ticket and by means of a type-registering device a printed record of the weight is obtained which must correspond with the weights in the record book. All State scales are equipped with this type-registering device.

In the large elevators the weighing is done on hopper scales in the cupola. Here two men are required for the work. One upstairs does the weighing, and the one below keeps the seal record, sees that the cars are properly placed for unloading, and that the cars are swept. He then signals the weigher above that the grain is all elevated. It is then weighed.

At some places track scales are used. In weighing in this instance the car is uncoupled from other cars and weighed on the scale platform. When emptied, the car is weighed back, and the net weight is thus obtained and the record kept, same as the hopper-scale weights. The State of Minnesota has a law requiring the shipper to place a card in the car giving the shipping weight. We find that not 10 per cent of the shippers comply with this law. It is very important that they should do so, for then the State weigher would note any difference between the State weight and the shipper's weight while the grain is still in the hopper. The matter could then be immediately investigated, and if loss was caused by leaky conditions of the car the shipper would have valid claim against the railroad company. He would know the actual amount of his loss, and settlement could be more easily obtained. Each day the weigher sends reports to the State weighmaster's office, from which an official certificate of weight is issued, giving the car number, initial, contents, State weight, the date and place where weighed, and if found in bad order notation is made on the certificate.

We have found that in several instances where we were asked to investigate cases of shortages that the car or cars of grain that had been consigned to the commission company by our shippers, after having been inspected by the Minnesota inspection department but not weighed by them, were reconsigned by the commission company to mills elsewhere in the State of which they were stockholders. The said milling company, not having a State weigher, issued a private certificate of weight which was nearly identical with the regular Minnesota State certificate of weight, differing only in having been signed weighmaster instead of State weighmaster, as the regular State certificate would show. The shipper believed he had received the regular Minnesota certificate of weight.

There has been some complaint about shrinkage in weight. The shippers have in some instances complained that the weights given them at the terminals have been insufficient—less than the amount shipped. In this connection I wish to read the following from this report:

The number of bad order cars, that is, cars without seals or doors and having leaky sides, ends, or bottoms found by the State weighing department for the past 5 years will average more than 15,000 cars each year at Minneapolis alone.

The following table of bad order conditions we believe will be of interest: We find the total number of cars weighed at Duluth in the months of September, October, November, and December, 1909, were 25,979 cars. The total number of leaky cars at Duluth for the same period was 7,225. The total number of cars weighed at Minneapolis for the months of September, October, November, and December, 1909, were 56,214. The total number of leaky cars was 3,502 for the same period.

A number of these cars are in bad condition. A large number of them are leaky. They are not properly coopered inside. They are in leaky condition. When the cars reach the terminal there has been a loss in weight from these causes. When our State inspection department weighs that wheat, there is a discrepancy, and it is immediately charged by the shipper to the weighing department, instead of being charged to the railroad company, as it ought to be charged.

The report goes on further, as follows:

Other bad conditions were as follows: Cars received without seals at Minneapolis and Duluth, 5,486; patched cars received at Minneapolis and Duluth, 6,009; car doors found open at Minneapolis and Duluth, 1,597; and numerous cars found without doors and with other defects. Thus it can be readily seen why there are so many shortages in weights complained of. A visit to the various railroad and inspection tracks, which, by the way, are more commonly known as the "wheat fields," at terminals and see hundreds of bushels of wheat that are strewn and wasted oftentimes through lack of care and careless switching and handling of cars would convince any shipper of grain of the necessity of weighing his grain and placing a card in the car showing the actual net weight.

We would advise that every farmers' or independent elevator of our State should be equipped with an automatic scale and every car weighed before shipping to terminal markets, and a card placed in the car as required by the Minnesota State law. These scales are not expensive, easily installed, and do not require much room or need much attention.

Then the report speaks of the Durum wheat, and the great discrepancy in the price of it, to which I have already referred. It says:

The question of durum wheat may well be touched upon in this report. At the terminals of Minneapolis and Duluth there are received each year about 30,000,000 bushels of this wheat, which, according to analysis and baking tests, made both by State and private laboratories, makes as good a loaf in nearly all particulars as good No. 1 northern wheat. Such being the case, it is contended by the best authorities that the commercial value of the two grains is about the same, and at the outside there is only 5 cents per bushel difference in favor of the best northern wheat.

What they complain of in this report is this: At one time, in the early days of Durum wheat, there was a difference of between 15 and 25 cents a bushel, but now that big difference has disappeared. I have the market report of the Minneapolis

Journal for April 3, which shows that the difference between Durum and No. 1 Northern was only from 3 to 4 cents per bushel, and that has substantially been the difference for the last two or three years.

Now I shall ask leave to suspend. I desire to add something further to my remarks to-morrow, but I shall not take over half an hour.

Mr. REED. Mr. President, I am very greatly interested in this bill, and I had intended to take some part in the debate. I find that it is absolutely necessary for me to leave the city this evening, and I can not be back before the first of next week, Tuesday being the earliest possible day. I think there are other Senators who want to speak. I understand that the Senator from North Dakota [Mr. GRONNA] is obliged to leave the latter part of this week. After some conference with the Senator in charge of the bill [Mr. MCCUMBER], I have thought that possibly we could agree upon some day in the future when we could vote upon it, and I wanted to suggest a unanimous-consent agreement to vote on the legislative day of May 1.

Mr. SMOOT. Would it not be just as well if the Senator from North Dakota would ask that the bill be temporarily laid aside, in the absence of the Senator from Missouri, and upon his return take it up and dispose of it as the unfinished business?

Mr. REED. That would be entirely agreeable to me, if it would suit the Senator from North Dakota [Mr. GRONNA].

Mr. SMOOT. I will ask the Senator from North Dakota [Mr. GRONNA] at what time he intends to return.

Mr. GRONNA. Mr. President, I would prefer to have a definite time set for the disposition of the bill.

Mr. SMOOT. If the Senator from North Dakota desires a definite date I have no objection, but I thought the best way to dispose of the matter and get it out of the way entirely would be to have it temporarily laid aside until the Senator from Missouri and the Senator from North Dakota return.

Mr. REED. Of course, either arrangement will suit me. My personal preference would be to lay it temporarily aside until I could get back, but I must take into consideration the fact that the Senator from North Dakota [Mr. GRONNA] wants to be present at the vote and the further discussion.

Mr. SMOOT. I will ask the Senator from North Dakota if May 1 would be satisfactory to him to vote upon the bill?

Mr. GRONNA. That would be satisfactory to me.

The VICE PRESIDENT. Is there a request for unanimous consent?

Mr. REED. In view of the fact that there would have to be a roll call, I will ask the Senator in charge of the bill if it would be agreeable if we simply pass a motion at this time that the bill be laid aside until May 1 and then be made the special order of business.

Mr. SMOOT. We could make it a special order for that time by a vote, but we could not by a vote lay the bill aside to be taken up on a particular day as the unfinished business.

Mr. REED. What I mean is a mere motion to make it a special order for that day. If that will be satisfactory to the Senator in charge of the bill, it will be to me.

Mr. MCCUMBER. Mr. President, I dislike very much to lay the bill aside at any time. There are a number of other speeches to be made upon the subject, and I wish to keep it before the Senate as the unfinished business. I am inclined to accommodate every Senator, as I have stated heretofore. I wish that we may have a vote upon the measure and that every Senator who desires may have an opportunity to present his views. It would be entirely satisfactory to me to fix May 1 to vote upon all amendments and upon the bill, but there are a number of speeches to be made and, as I have had charge of the measure, I should like an opportunity, after the speeches are concluded in opposition, in an address of sufficient length, probably from half an hour to an hour, to meet the several arguments made by all the Senators who are opposing the bill.

If we can agree to take up the bill on the 1st day of May and dispose of it on that day, with all amendments, it would be entirely satisfactory to me, provided Senators can get through with the arguments that are to be made in opposition to the bill in time to give me an opportunity to reply to those arguments upon that day.

Mr. SMOOT. Then let it be made the legislative day and not the calendar day.

Mr. SHIVELY. That might involve dragging the debate along for two or three or four days. In other words, unless it is fixed pretty definitely now Senators will postpone their speeches until that time.

Mr. SMOOT. They will do that anyhow. I am perfectly satisfied to fix a certain time upon that day if the Senator from North Dakota [Mr. MCCUMBER] will agree to it.

Mr. MCCUMBER. I think it ought to be the legislative day, unless there can be an understanding that the Senators who are going to speak will speak between now and that time or agree to give me a reasonable time on that day. I do not desire to have all the time taken up by the opposition and have no possible opportunity to reply to their several arguments.

Mr. REED. Mr. President, as far as I am concerned—and, of course, I can only speak for myself—I shall so conduct my remarks upon the bill as to leave the Senator from North Dakota plenty of time to close the debate. I think he is entitled to that. I should like to ask the Senator, would he prefer to have a unanimous-consent agreement, which would involve a roll call, or simply a motion passed making the bill the special order for the 1st day of May?

Mr. MCCUMBER. I could not agree to make it a special order under the uncertainty of the rules in reference to a special order, and even as I myself would understand the rules. I would rather simply agree that the bill should be taken up at a certain hour upon the 1st of May, and that the same and all amendments should be voted upon before the close of that legislative day. That seems to me to be the only way by which we can reach a satisfactory conclusion. I have no doubt it will be disposed of during that day without any particular trouble. I think the inquiry made by the Senator from Indiana [Mr. SHIVELY] can be answered in that way. From what I know of the status of the bill, if we take it up at a reasonable hour on that day and proceed to a vote, we will not run it beyond that calendar day.

Mr. SHIVELY. Then say "on the calendar day."

Mr. MCCUMBER. Let us agree that we will take it up immediately on the close of the morning business upon that day.

Mr. SHIVELY. Let it be the calendar day, so that we will know we are going to dispose of it on that day.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the senior Senator from North Dakota yield to his colleague?

Mr. MCCUMBER. I yield.

Mr. GRONNA. I was going to suggest to the Senator from Missouri, if he will ask unanimous consent to take up the bill on May 1, which is on Friday, and that a vote shall be taken on the bill and all amendments thereto not later than Saturday, the 2d, say at 4 or 5 o'clock, I think that would be acceptable to all Senators.

Mr. REED. Very well, Mr. President; I will then ask unanimous consent that Senate bill 120 be made the special order——

Mr. MCCUMBER. I wish the Senator would not put that in, but simply ask that the bill be taken up at that time.

Mr. REED. That it shall be taken up on May 1 at the conclusion of the morning business, and that said bill, together with all amendments thereto, shall be voted upon on that legislative day, and in no event later——

Mr. SWANSON. Mr. President, I can not consent to that. The legislative day might continue indefinitely, so that no other business could be done. A filibuster might start, and it would cut off the calendar and suspend the entire business of the Senate, so I will object to the words "legislative day."

Mr. REED. I ask that it shall be voted upon together with all amendments not later than 5 o'clock on the 2d day of May.

Mr. SHIVELY. I can not agree to that. It seems to me that we ought to be able to fix a day and not give two days to this work at that time.

Mr. REED. Very well. Of course, if there is objection, I must change the request. I suggest, then, that it be voted upon on the calendar day of the 1st of May. I think we can dispose of the discussion in the way the Senator from North Dakota [Mr. MCCUMBER] suggests.

Mr. MCCUMBER. To accommodate the Senator and with the understanding, which I trust will be carried out, that I may have an opportunity to reply to the arguments against the bill before the final vote upon that day, I shall not object. I will consent to that so far as I am concerned.

Mr. HITCHCOCK. Mr. President, I have an objection to the idea of agreeing in advance to vote upon a bill on a certain calendar day. We know by experience that the result of such an agreement is that when that calendar day arrives a number are cut short of an opportunity to discuss the question, and we know that before that time there will not be a quorum of Senators here to listen to the discussion. I think the only way to frame a unanimous-consent agreement is to have it the legislative day, and that will give everyone an opportunity to discuss the question, including the author of the bill.

Mr MCCUMBER. The Senator, I think, will see that the Senator making the request is between two fires. On one hand, the Senator from Virginia objects to the legislative day; and on the other hand, the Senator from Nebraska objects to

the calendar day. I do not know how he is to have any kind of a motion or request agreed to.

Mr. SWANSON. It would seem to me that we ought to fix upon a time. The object of a unanimous-consent agreement is to bring the Senate to quick action. I have seen repeatedly here delay after delay, the morning business and everything delayed from one day to another, the morning hour dispensed with, the calendar dispensed with, and everything dispensed with on account of having a unanimous-consent agreement in connection with the legislative day. We do not know what may develop in connection with this measure, and consequently I can not consent to the legislative day, which might mean a week.

Mr. REED. Mr. President, it is evident that we can not get a unanimous-consent agreement.

Mr. McCUMBER. Let me say to the Senator that as it seems almost impossible to-day to arrive at a unanimous-consent agreement, and it is impossible to tell just how long the debate will last, I will do my very best to keep in communication with the Senator and inform him and try to accommodate him as much as it is possible for me, being in charge of the bill, without at the same time endangering its loss.

Mr. REED. The Senator is very generous; but the fact is that my trip takes me to my own State. I will get there Friday morning. If I have good fortune, I will get through with my business in the supreme court, say, on Saturday, and I shall immediately return. The moment I am through I shall return. It is possible that the docket might be laid over until Monday, but not probable. Therefore a notice to me would not do me much good, because I am coming back as soon as I possibly can. But I shall trust to the Senator himself to give me an opportunity to be heard upon the bill on my return.

Mr. McCUMBER. I am doubtful if we get a vote on it this week. I think I can lay it aside temporarily to dispose of other business without any objection by the Senate. At least, I will do the best I can to see that every Senator has a full opportunity to express his views.

Mr. SHIVELY. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 16, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 15, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Take us, O God, our heavenly Father, into Thy nearer presence, that we may behold the glories which wait on the faithful, that we may be encouraged to strive earnestly to unfold the eternal possibilities which Thou hast wrapped up in us. Rich are we by inheritance, but we shall prove recreant to our trust if we do not increase and multiply them.

For the treasures of precious worth
We must patiently dig and dive;
For the places we 'ong to fill
We must push and struggle and drive;
And always and everywhere
We'll find in our onward course
Thorns for the feet and trials to meet
And a difficult river to cross.

But if we are with Thee nothing can prevent us from the desired goal. For Thine is the kingdom, and the power, and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3863. An act granting lands to Hot Springs Lodge, No. 62, Ancient Free and Accepted Masons, of Hot Springs, Ark.;

S. 2223. An act to create the Crater Lake National Park revenue fund;

S. 1943. An act in reference to the issuance of patents and copies of surveys of private land claims;

S. 4657. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 4553. An act to authorize the appointment of an ambassador to Argentina.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 11269. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

PORTO RICAN CITIZENSHIP.

Mr. McKENZIE. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD on the bill pending pertaining to Porto Rican citizenship by having printed in the RECORD a memorial by the House of Delegates of Porto Rico relating to said measure.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in reference to Porto Rico.

Mr. ANTHONY. I did not understand what the gentleman wished to extend his remarks on.

Mr. McKENZIE. It is on the bill providing for citizenship for Porto Rico.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

CALENDAR WEDNESDAY—ALLEGATION AND PROOF OF LOYALTY IN CERTAIN CASES.

The SPEAKER. This is Calendar Wednesday, and the unfinished business is the bill H. R. 5850, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union——

Mr. WATKINS. Mr. Speaker, pending that I desire to ask unanimous consent that general debate on this bill be limited to one hour and a half, one-half to be controlled by the gentleman from Illinois [Mr. MANN] and one-half to be controlled by myself.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that general debate be limited to one hour and a half, one half to be controlled by himself and the other half by the gentleman from Illinois [Mr. MANN.] Is there objection? [After a pause.] The Chair hears none. The house automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Georgia [Mr. BARTLETT] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5850, with Mr. BARTLETT in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5850, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 5850) to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911.

Mr. WATKINS. Mr. Chairman, will the gentleman from Illinois consume part of his time now?

Mr. MANN. Mr. Chairman, I yield 30 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, the bill before the House proposes to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911. The important feature of the bill is that which provides that in all cases contemplated to be heard under this section no allegation or proof of loyalty shall be required in the presentation or adjudication of claims. There seems to be a good deal of question whether this really does, as a matter of fact, change the present law. If it is necessary to make that point clear, I am rather inclined to the opinion that the bill ought to pass. I think we have gotten far enough away from those troublesome and unfortunate days that we ought to give a liberal interpretation to the laws that ordinarily apply in cases of this kind. These cotton cases come dangerously near, if they were not in fact acts of, confiscation in time of peace.

It is a regrettable fact that owing to the lapse of time the probability is that very few of those who themselves lost this property or their direct heirs or descendants would be benefited, and in many cases moneys would be paid to those who have no real moral claim to it. If we could reimburse and compensate those who actually suffered those losses I think there would be little question in the mind of anybody as to the propriety of doing what is here proposed to be done.

Mr. Chairman, this bill is a striking reminder of the infinite variety of troublesome questions that war leaves in its wake. Fifty years and more after the Civil War we are still troubled with these questions and we are still paying year after year enormous sums to in part compensate for the waste and suffering caused by that war. In view of those lessons that we and

other peoples of the world have learned relative to the waste of war we have all of us hoped that the nations in the future, or our Nation at least, would hesitate long before embarking on warlike operations or taking steps likely to lead to war.

This has been our hope; and yet, gentlemen, we are informed that to-day at least 12 of the greatest battleships that float the deep are on the way to Tampico on a warlike errand. No mention is made of what disposition is to be made of the good ship "Friendship" or the superdreadnaught "Goodfellowship," of which we heard so much in the recent past. Down at Tampico, Mexico, the Government of Mexico, whose neighbor, whose best friend we are, or ought to be, has one or two back-number, decrepit gunboats, any one of which a 13-inch gun would blow from the bosom of Tampico Bay and sink to the bottom of the sea. We have there now three or four of the mightiest dreadnaughts in the world, but we are sending all of our great Atlantic Fleet. Why? To settle the all-important question whether we shall be given a salute of 5 or 21 guns. [Laughter and applause on the Republican side.]

We have been making treaties with all the world under which we pledge ourselves to refer to boards of conciliation or arbitration any questions that may arise that would tempt or tend to invite hostilities with a foreign power. Our Secretary of State prides himself upon being the evangel of peace, of arbitration, of the settlement of international troubles by peaceful means.

Mr. SLOAN. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. SLOAN. Might the gentleman not excuse the sending of the good ship "Friendship" and the good ship "Fellowship" on the basis that we do not know yet, and can not for some time, of course, know, whether they would have to pay tolls or not?

Mr. MONDELL. Well, they may have been sunk by the British, that have recently taken the Panama Canal.

We have been offering, almost forcing upon, the nations of the world treaties under which we agree to arbitrate matters involving questions of national honor, but to-day the fleet is steaming under forced draft to Tampico. For over a year in northern Mexico American citizens have been insulted, browbeaten, their property destroyed, their lives taken. We have appealed to the bandits and cutthroats in command of the forces there in vain. Day before yesterday the press informed us that though we had appealed on behalf of 600 Spanish citizens whom we have taken under our protection by our own act, protested against the confiscation of their property by Villa, protested against their expulsion from the country in which they have lived for generations, the State Department has accepted the declaration of Carranza and Villa that our protest is in vain and the incident is closed. When a British subject whose protection we had assumed is foully murdered in the presence or in the vicinity of the bandit chief of the revolutionary forces in northern Mexico our State Department accepts his statement with regard to it, handed to us by Carranza, bearing every evidence of falsity, making no apology, offering no redress, without protest.

For months, while Americans by the hundreds and thousands have been forced out of northern Mexico, while their property was being destroyed, during which time many have suffered indignity and some have suffered death at the hands of bandits cooperating with the so-called constitutionalist forces, we have declined to send forces across the Rio Grande to enforce our demands, and we have supinely accepted as final the refusal on the part of the so-called constitutionalist leaders to consider our demands or to give adequate redress in the cases in which they condescended to give them any consideration.

Even when the body of an American citizen, foully murdered, was known to lie in a neglected grave almost within sight of our border we refused to send forces to recover his body or demand the punishment of his murderers.

But down at Tampico it is different. There the Government of Mexico is operating. Last December our President informed the world that that Government must fall. In one breath he made the declaration that there was no government in Mexico, and in the next that the Government that he had recognized by sending his emissary, John Lind, must and would fail. He refused to establish the official relations with the Government and people of Mexico that international usage require for the protection of our people in Mexico and virtually gave notice to every force of rapine and revolution that we would give every aid short of actual warlike operations to break down the established government in the City of Mexico and to aid the assaults of its enemies. The President has followed that program steadily, using the prestige and the power and the might of this great Nation to bring about the defeat and ruin of a neighboring government, and now he has sent our fleet to enforce the mandates that reflect personal prejudice and enmity against the man who happens to be at the head of the Government of Mexico.

Down at Torreon the forces of Villa destroyed property worth millions of dollars. Was there any protest on the part of our Government? There was not. I do not know that there should have been. But when the Federal Government in Mexico, attempting to hold its lines and protect its people at Tampico, fired some shots that threatened to injure the property of a branch of the Standard Oil Co. and of the oil company controlled by powerful British interests we presumed to say that the Government of Mexico should not use its armed forces for the purpose of maintaining its own sovereignty.

But they did fire some shells over the Standard Oil tanks and the oil tanks of Lord Cowdray's company, our demands to the contrary notwithstanding. And I am glad they did. When we reach that point in the management of our international affairs that we feel that we can call upon the armed forces of any country to desist from acts necessary for the protection of its sovereignty, which in no wise involve ours or the lives of our people, I hope that any nation against whom we endeavor to enforce that sort of bulldozing will resist it to the last. It was not a question of protecting life, but there was danger that the property of the Standard Oil Co. and of the English oil company would be destroyed in the attempt of the Government of Mexico to maintain our sovereignty, and we presumed to say they could not do it.

Then came this incident at Tampico, that has taken from the international scene the ship "Friendship" and the dreadnaught "Goodwill" and has replaced them with the 13-inch guns of our real dreadnaughts. What is it all about? What was it that happened that has given excuse for all this bluff and bluster? I do not know exactly, and I have not been able to find anyone that does. The first story, before it was viséd, revised, and doctored by the administration journals, was that a party of marines in a launch landed at Tampico for the purpose of securing some gasoline for the launch motor. They were arrested without violence, kept for a short time under arrest, but not confined, as I understand it. There was no violence; not even a uniform was mussed, though some feelings may have been ruffled. They did not have their flag with them. They were in uniform, and they were probably armed. They were a foreign armed force in a country then under hostile fire. I do not pretend to know much about international law, but——

Mr. RUBEY. Will the gentleman yield?

Mr. MONDELL. I can not yield, as I have very little time. I do not pretend to know much about international law, but if I understand the facts, I do not know what else could have been done by the officer in direct command under the circumstances. On learning what had been done, the officer in command ordered the liberating of the men, we are informed. In a short time the matter was reported to the Government in the City of Mexico and apology was freely and promptly offered. The officer immediately in command was ordered punished. This is the awful insult to the flag for which and on behalf of which the American Navy is to-day steaming down the coast with hostile intent, proposing, I assume, to line up in battle array in front of the two little measly worm-eaten gunboats that Mexico has off Tampico. If it was not so utterly and indefensibly bombastic, so stupid and therefore serious, it would be a delightful comedy sketch. Huerta not only offered an apology, he not only promised to punish the officer who, if I have the facts aright, really did nothing that under the conditions existing he could not properly be excused for doing, but Huerta also offered to fire a salute of five guns in order to make it clear that no affront was intended to the men or officers of the vessel whose men had been temporarily arrested. But we must have 21 guns or nothing. We must have the last ounce of this pound of flesh. Our citizens in northern Mexico murdered, their property to the extent of hundreds of millions destroyed, the constitutionalist forces refusing to give serious consideration to our representations in regard to these things, and nothing done but to continue to accept the insults of the constitutionalist leaders and to furnish them arms and ammunition.

Now the scene shifts. Now the opportunity is presented to carry out the presidential determination to eliminate Huerta from the situation. If Huerta complies with our unreasonable demand it is hoped and expected that his compliance under conditions that do not command the respect and judgment of the Mexican people will weaken him in their esteem and so strengthen the forces of revolution aimed at the Government of which he is the head. If he should not comply, here is an excuse to intervene, the opportunity to have some things that have weakened the prestige of the administration in the

recent past forgotten in the call to arms, the call on the patriotism of the American people.

Where is the good ship "Friendship"? Where is the superdreadnaught "Goodwill"? Where are the peace treaties? Where are the men who have taken every affront that Villa and Carranza have offered us without question?

We surrendered at Panama, and the American people do not like it. The American people have grown tired of the continual failure to protect the property and lives of our people in northern Mexico; and here is a chance, not to remedy the conditions against which complaint has been made, but to weaken the only force in Mexico at all effective in the protection of the lives and property of our citizens and in the maintenance of peace and order in that country.

It may be that here is an opportunity for the President to appeal to the patriotism of the American people in order that they may forget Panama, in order that they may overlook the failure of the administration to do its duty in the protection of our citizens and their property in northern Mexico, in the zone of the revolution; but I do not believe our people are so simple as to be misled by this play of fake heroics.

Everybody knows, or will know, there was no intentional insult to the flag or our uniform at Tampico. There was no flag connected with the incident, according to the earlier dispatches. But the administration journals of this morning have finally dragged the flag in and dragged the marines out of the boat, whereas the first uncensored dispatches gave it that the marines, without their flag, went in uniform into Tampico and some minor officer took them into custody, probably not knowing what else to do with an armed alien force in a zone of revolution. The Government in the City of Mexico, following the rule that it has followed uniformly, even in the face of our continued opposition to it, in the face of our continued efforts to overthrow it, preserving an attitude of good nature and friendly consideration, offered to and did punish the offending officer, offered an apology, offered even to salute with guns, but drew the line at 21.

Some may wonder why the Government of Mexico, realizing our power, our ability to enforce and demand however unreasonable, should not accede to it. I can readily understand how any self-respecting Government might very properly halt after having offered every reasonable and proper reparation and refuse to meet a demand which it considers, and which probably is, under the circumstances, unreasonable and unwarranted. The salute is, I assume, demanded on the claim that an intentional affront and insult was offered to our uniform and our flag. From what information I have been able to secure that is not the case, and it is but natural that any self-respecting Government should decline to do an act which amounts to a confession that those acting under its authority have not only acted hastily and possibly in a way not warranted by international usages, but with purpose and intent to humiliate our men and insult the uniform and the flag. I have no doubt but what the Government of Mexico claims that nothing of the sort was done or intended; and if that is true, they are entirely justified in refusing to comply with a demand we have no right to make.

Our administration has persistently, in harmony with the avowed and announced hostility of the President toward Huerta, engaged in acts which come perilously near being acts of war against his Government. By giving aid and comfort to its enemies and thus weakening the Government at the City of Mexico we have prolonged and enlarged the area of the revolution in northern Mexico to the infinite loss and damage of our people and other foreigners in their lives and in their property; and now a trifling incident is seized upon, an incident that involved no harm or injury to anyone, to further weaken and embarrass the Mexican Government. And so this is the mighty issue involved, the dignity of a Nation of 100,000,000 people, that to enforce it in the teeth of a miserable little fleet of worm-eaten gunboats we invoke all the forces of our mighty fleet of dreadnaughts. Aye, as our German friends would say, if it did not contain the possibility of an awful tragedy, "it would be to laugh." [Applause on the Republican side.]

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Illinois the remaining time?

Mr. MONDELL. I yield back the balance of my time.

The CHAIRMAN. Four minutes are reserved.

Mr. WATKINS. Mr. Chairman, I now yield 15 minutes to the gentleman from Texas [Mr. GREGG].

The CHAIRMAN. The gentleman from Texas [Mr. GREGG] is recognized for 15 minutes.

Mr. GREGG. Mr. Chairman, I shall confine myself to the discussion of the bill that is up for consideration to-day. This bill provides for such amendment and modification of the law that anyone who has a claim against the Government for property taken under the captured and abandoned property act, passed in 1863, may bring a suit in the Court of Claims, and proof of loyalty is not to be made a jurisdictional question in the courts as it is now.

Now, Mr. Chairman, it is strange to me that there has not been long ere this some similar provision of law. The custom and usage of civilized warfare for more than a century as to property taken from the enemy for the use of the army, even in a country invaded, has always been to pay for such property taken from a private individual. On March 12, 1863, pending the war, as we all know, Congress passed what is commonly known as the captured and abandoned property act. I am going to review this law just to make the matter plain to the Members of Congress who have not had time or opportunity to give it thought and consideration.

This act of March 12, 1863, authorized the collection of all abandoned and captured property in the States of the Confederacy; authorized the sale of such property and directed, after deducting certain expenses, the payment of the net proceeds into the Treasury of the United States. This law also provided that the owner or owners of any of the property so taken might, within two years after the close of the war, bring suit for the recovery of the proceeds. But the law contained the provision that before the recovery should be authorized the owner should establish his loyalty to the Union throughout the war.

Now, what condition did that bring about? Of course, the people of the South, who knew they had not been loyal, who knew they could not establish their loyalty, did not go into the courts, because they knew of that provision in the law and supposed, as a matter of course, that they had no right to recover, because they were not loyal, and the law expressly provided that they would have to prove their loyalty in order to recover.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Ohio?

Mr. GREGG. Yes.

Mr. WILLIS. Does the gentleman think that was an unfair or an unwise provision of the law—that requirement as to proof of loyalty?

Mr. GREGG. I shall discuss that later.

Mr. WILLIS. Very well.

Mr. GREGG. I was just coming to this point: Notwithstanding the provision of that law, as you know, a proclamation of general amnesty or pardon was issued by the President of the United States. All the subjects of the Confederate Government were pardoned, and the Supreme Court of the United States, in the Padelford case, held that the pardon restored all these claimants to their property rights in and to the proceeds of this property taken and sold, put them as though they had never been disloyal to the United States; in other words, that it wiped out the past, and that the proceeds of that property which had been sold and put into the Treasury were held by this Government as a trust for the owners, regardless of their loyalty; that there were no longer any disloyal citizens in this Union; that their property rights had been fully restored; and that the proceeds of property taken and sold were held as a trust.

Notwithstanding that the court so held, this money has been held in the Treasury of the United States, and the owners are barred from any right to bring suit to recover same, because the act authorizing suit limited the right to two years after the close of the war.

We are trustees. We are holding property in trust. Yet by our might as sovereign we deny to the beneficiary of the trust the right to recover the trust estate to which he is entitled. We are pleading the statute of limitations against them. This would be dishonorable in an individual. How much more dishonorable in a great Government.

Mr. ELDER. Will the gentleman yield?

Mr. GREGG. Yes.

Mr. ELDER. As a matter of fact, under the decision in the Padelford case, those who were not loyal in fact were held to be loyal as a point of law, and some who put in their claims did recover under that decision. Is not that the fact?

Mr. GREGG. Yes; some did.

Mr. ELDER. Now, it is merely a question of the statute of limitations; and those who, knowing, as a matter of fact, that they had not been loyal, did not presume to put in their claims, can not now recover merely because of the lapse of time, which was limited.

Mr. GREGG. Yes. As I said before, the law limited the right to sue to two years. The people in the South who knew they were not loyal did not sue, because under the terms of the law they thought they had no right to sue.

Mr. ELDER. A few of them did sue.

Mr. GREGG. Such as thought they could establish their loyalty. Most of those who sued thought they could establish their loyalty. By the time the Padelford case was decided, the two years had expired, and these people who did not claim to have been loyal had no remedy, and no remedy has ever since been given to them. No opportunity has ever been given them to establish their rights so clearly given to them in the Padelford case.

Mr. STEPHENS of Texas. Will my friend yield?

Mr. GREGG. Yes.

Mr. STEPHENS of Texas. Is it not a fact that unless this money can be recovered it will amount to a confiscation of property?

Mr. GREGG. That is the effect of the Supreme Court decision.

Mr. STEPHENS of Texas. And is it not a fact that no property in the United States has been confiscated on account of disloyalty, as far as the gentleman knows?

Mr. GREGG. Not as far as I know. Now, I want to read a few brief extracts from opinions of the Supreme Court. As I said, the court first held that the pardon restored all rights in the Padelford case, reported in Ninth Wallace, page 531. They followed that opinion in the Klein case, reported in Thirteenth Wallace, page 128; in the Armstrong case, Thirteenth Wallace, page 154; the Pargoud case, Thirteenth Wallace, page 156; the Carlisle case, Sixteenth Wallace, page 147; and the Young case, Ninety-seventh United States, page 39.

So the original decision in the Padelford case has been so often followed and is so thoroughly established as the law of the country that there is no gainsaying its correctness now.

Mr. GOULDEN. Will the gentleman yield?

Mr. GREGG. Yes.

Mr. GOULDEN. Can the gentleman inform the committee how much money is involved or what amount of money will be required?

Mr. GREGG. There are various estimates—from $4,000,000 to $10,000,000.

Mr. GOULDEN. Can the gentleman further tell just how much is in the Treasury now?

Mr. SISSON. If the gentleman will permit, the Treasury Department shows that something less than $1,000,000 would possibly be affected by this bill.

Mr. GOULDEN. That is what I want to know.

Mr. SISSON. If every man was able to prove that the particular money in the Treasury was his own.

Mr. GOULDEN. I understand.

Mr. GREGG. The amount just stated by the gentleman from Mississippi [Mr. SISSON] covers only the property taken subsequent to June 1, 1865. In answering the question of the gentleman from New York [Mr. GOULDEN] I covered the whole period of time, property taken prior to and subsequent to June 1, 1865.

Mr. GOULDEN. From $4,000,000 to $10,000,000 is the total sum involved if all claims were allowed.

Mr. GREGG. Yes; from $4,000,000 to $10,000,000. Now, my only objection to this bill is that it does not go back far enough, because if citizens have the right to recover for property taken after June 1, 1865, then citizens ought to have the right to recover for property taken prior to June 1, 1865, because, as I said before, the decisions of the Supreme Court put those from whom property was taken prior to 1865 in the position of being just as loyal and just as much entitled to all their property rights as you are to-day or I am to-day.

Now, for the information of the committee I want to read just a few extracts from the opinions of the Supreme Court of the United States in the cases referred to by me. In the Padelford case the court said:

> In the case of Garland (4 Wall., 333) this court held the effect of a pardon to be such "that in the eye of the law the offender is as innocent as if he had never committed the offense"; and in the case of Armstrong's Foundry (6 Wall., 766) we held that the general pardon granted to him relieved him from a penalty which he had incurred to the United States. It follows that at the time of the seizure of the petitioner's property he was purged of whatever offense against the laws of the United States he had committed by the acts mentioned in the findings, and relieved from any penalty which he might have incurred. It follows further that if the property had been seized before the oath was taken the faith of the Government was pledged to its restoration upon the taking of the oath in good faith.

In the eye of the law, according to the Supreme Court, the past was completely wiped out, and the offender was as innocent as if he had never committed the offense.

Now, in the Klein case the Supreme Court, following the Padelford case, said:

> We conclude, therefore, that the title to the proceeds of the property which came to the possession of the Government by capture or abandonment, with the exceptions already noticed, was in no case divested out of the original owner. It was for the Government itself to determine whether these proceeds should be restored to the owner or not. The promise of the restoration of all rights of property decides that question affirmatively as to all persons who availed themselves of the proffered pardon. It was competent for the President to annex to his offer of pardon any conditions or qualifications he should see fit; but after those conditions and qualifications had been satisfied, the pardon and its connected promises took full effect. The restoration of the proceeds became the absolute right of the persons pardoned on application within two years from the close of the war. It was, in fact, promised for an equivalent. "Pardon and restoration of political rights" were "in return" for the oath and its fulfillment. To refuse it would be a breach of faith not less "cruel and astounding" than to abandon the freed people whom the Executive had promised to maintain in their freedom.

The court said that the restoration of the proceeds became the absolute right of the pardoned. Now, that is an absolute right. Why do we, simply because we have the power of the sovereign, deny these men the opportunity to assert their absolute right?

In the Armstrong case the court said:

> We have recently held, in the case of the United States against Klein, that pardon granted upon conditions, blots out the offense if proof is made of compliance with the conditions, and that the person so pardoned is entitled to the restoration of the proceeds of captured and abandoned property, if suit be brought within "two years after the suppression of the rebellion." The proclamation of the 25th of December granted pardon unconditionally and without reservation. This was a public act of which all courts of the United States are bound to take notice, and to which all courts are bound to give effect. The claim of the petitioner was preferred within two years. The Court of Claims, therefore, erred in not giving the petitioner the benefit of the proclamation.

They were passing upon this very identical question. It was a suit to recover the proceeds of property captured and abandoned, which was sold and the proceeds paid from the Treasury.

In the Carlisle case the court said:

> After these repeated adjudications, it must be regarded as settled in this court that the pardon of the President, whether granted by special letters or by general proclamation, relieves claimants of the proceeds of captured and abandoned property from the consequences or participation in the rebellion, and from the necessity of establishing their loyalty in order to prosecute their claims. This result follows whether we regard the pardon as effacing the offense, blotting it out, in the language of the cases, as though it had never existed, or regard persons pardoned as excepted from the general language of the act, which requires claimants to make proof of their adhesion, during the rebellion, to the United States.

In the Young case the court said:

> We have decided that the pardon closes the eyes of the courts to the offending acts, or, perhaps more properly, furnishes conclusive evidence that they never existed as against the Government.

These decisions, Mr. Chairman, establish the absolute right of these claimants to the restoration to them of the money which represents the value of their property.

Now, to show you how unjustly these claimants have been treated I call your attention to the fact that after the Supreme Court had clearly established their right to this money in the Treasury which is the proceeds of their property taken and sold, and after their right to sue was barred by the original act, nothing was done to authorize those from whom property was taken to sue for or recover the proceeds of their property until March 3, 1883, when Congress passed what is known as the Bowman Act. To avoid the effect of the decisions in the Padelford and other cases the Bowman Act provided that in every claim for stores and supplies taken during the Civil War the claimant must allege and prove loyalty as a jurisdictional fact, and that if the court should not find him loyal it should have no further jurisdiction and dismiss the petition. Under this provision unless the claimant first showed his loyalty the court would not proceed to determine his case, and thereby the decisions in the Padelford and other cases were overridden and made of no avail. I fail to appreciate the magnanimity of a Government which would thus circumvent the decisions of its highest court. As I have said before, I think this bill should make the same provisions for recovery of property taken prior to June 1, 1865, that it makes for the recovery of property taken after June 1, 1865. The author of this bill, Mr. WATKINS, of Louisiana, informs me that he did not make such provision because he did not believe it could be passed if he had. So I suppose we will have to take this on the principle that a half loaf is better than no bread at all.

Now, why would it be impossible to pass the bill had it provided for the recovery of property taken prior to June 1, 1865? Because some are clinging to the prejudices of the past. In the name of justice is it not time that this prejudice should die out? The Supreme Court, composed of men not in sympathy with the South in that unfortunate conflict, have held that all southern men were fully restored to all their property rights in this property, and that the Government was holding it as a trust for the owners and their heirs. These owners and their heirs for nearly 50 years have been asking that this trust be faithfully accounted for, and all this time Congress has turned and con-

tinues to turn a deaf ear to their just demands. It is an outrage, for which no justification or palliation can be offered.

We are now one people, actuated by one common impulse—the glory and upbuilding of our common country. During the Spanish War the blue and the gray fought side by side. To-day our fleet is being assembled to protect the dignity of our country. Upon those battleships are men and boys from Dixie land just as willing to risk their lives to protect the honor of our flag as are those from other sections of our land. Is this not a fitting day to say to all our people everywhere that they may enter our courts to recover their rights without being asked any questions as to their loyalty? Is it not a fitting day to blot that word from American jurisprudence and legislation?

Mr. WATKINS. Will the gentleman from Illinois use some of his time?

Mr. MANN. Does the gentleman from Louisiana propose to use any more time?

Mr. WATKINS. I expect to use half an hour to close.

Mr. MANN. Does the gentleman expect to close in one speech?

Mr. WATKINS. Yes.

Mr. MANN. The gentleman to whom I was to yield has stepped out temporarily. I will yield five minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Chairman, one of the biggest problems now pending in this country or which this country has ever had to confront is the subject of railroad rates. For a long time we have struggled with the problem of regulating railroads. We have reached out, step by step, determined to lessen the high cost of living by reducing the tremendous income of railroads. There can be no other logic of the fight we have been carrying on, no other reason can be given, except that we wanted to reduce the high cost of living, that we wanted to bring some kind of relief to the toiling masses of the country, to the people that were paying the tremendous toll of the railroads.

Finally we got control of them to a certain extent. We got them subject to the interstate-commerce law, made the Sherman Act apply, and it seemed that we were about to have our innings. The present administration came into power and announced the Panama Canal was going to reduce the railroad rates. The time has come when the people's servants were to make good on their behalf.

On the eve of this resolution we have the practical announcement that the administration is favorable to a judicial decree or a governmental order that the railroad rates are already too low. We are just about to be informed that it is necessary in order that these railroads may be permitted to live, to keep the speculators who exercise a usurped prerogative of ownership from starving, to raise the freight rates.

According to the figures, the capital of the roads in the district that is to receive this rate increase amounts to $1,386,073,429, and a 5 per cent increase is approximately $70,000,000. If we increase the railroad rates in that district $70,000,000, thereby increasing the dividends—profits on stock—$70,000,000, it will be equivalent to increasing the principal more than a billion and a half dollars. A stock which yields a Government guaranteed dividend of $70,000,000 is worth $1,550,000,000, figuring on a 4 per cent basis, and the natural effect of such increase will be to take up a billion and a half dollars' slack out of the limp and watered stock of the railroads in that particular district. If that kind of a proportionate increase is extended all over the country, it will equal about three times that much, and the amount of stock of the railroads which bear the face value of about $20,000,000,000, but are worth not more than $15,000,000,000, will be increased about $5,000,000,000. And if they get the increase in one district, they will want it everywhere.

The people of the country finally succeeded in revising the tariff, and thought they had done something wonderful. Many of us helped to do it and everybody pretended to want to help. We thought we had done something in reducing by a few millions the tariff duties on dutiable goods. And then immediately it is proposed to raise the railroad rates on the articles that are principally placed on the free list. When you raise railroad rates, you put the principal tax on the heavy articles like sugar, rice, lumber, and all those things on the free list. The man who toils and fills his dinner pail day by day is the man who pays the tremendous increase in freight rates. The increased freight on silks and luxuries will be so low proportionately as not to be noticed.

Seventy million dollars in this district is equal to the entire income tax that will be received by the Government over the whole Nation. So if such an order goes into effect, if the Interstate Commerce Commission, as it is said the President favors, does issue a certificate or order requiring the people to raise the rate that they pay the railroads by a sum equal to $70,000,000, it will be equivalent to compelling the consumers of articles on the free list, in the main, to pay into the coffers of the railroads a sum as great as the entire national income tax, and away goes your claim that you have compelled the rich of this country to pay in any greater proportion than the poor.

For my part I would rather let the tariff go on and pay that sum to the Government. It surely is not so offensive to pay a few millions as tariff on the dutiable articles as to compel the rank and file to pay many more millions to the railroads. I would rather pay the tariff to the Government than to pay freight rates to the railroads.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. MANN. I yield to the gentleman three minutes more.

Mr. COX. Will the gentleman yield?

Mr. BRYAN. Yes.

Mr. COX. I want to put a question for information. Can the gentleman from Washington give the committee any facts as to how much of a burden the increased wages to railroad employees has entailed upon the railroads within the last two years?

Mr. BRYAN. I can not give the definite figures.

Mr. COX. Can the gentleman approximate it?

Mr. BRYAN. They claim, and of course it is true, that the increase of wages has caused an increase of the expense of maintaining and operating the lines.

Mr. COX. I saw a statement that it amounted to $50,000,000.

Mr. BRYAN. I do not believe that, especially in this district. The figures do not justify it. There are about 1,750,000 employees on all the railroads in the United States. Testimony before the Interstate Commerce Commission—extracts of which I am proposing to put in the RECORD—show, for instance, that in regard to the Pennsylvania Railroad the agent or representative the other day admitted, in testimony brought out by the matchless cross-examination of Mr. Thorne, that in the last year they had made 9¼ per cent dividend on the capital stock. The result of the cross-examinations that have been carried on show that the Pennsylvania Railroad has been investing in a large amount of property and has made permanent stock issues; that the dividends that would have gone to stockholders had been used to make permanent improvements, and then they complain that on these extra added shares of increased capitalization they do not receive sufficient return, and they say the cost of maintenance has been increased. It is very much a matter of bookkeeping, as the testimony will show.

Mr. MURDOCK. Will the gentleman yield?

Mr. BRYAN. Yes.

Mr. MURDOCK. How does the gentleman explain the contradiction in the fact that we are about to raise the railroad rates in the United States, and that Canada within the last week issued an order through a commission reducing her rates? How does it come that Canada can do that when the United States is going to increase them?

Mr. BRYAN. It is because Canada has gone more thoroughly into the railroad proposition and has nationalized the great part of her lines. Instead of attempting to control railroads at long distance she is controlling them at short distance, so that she knows the details more thoroughly and she knows the bookkeeping more thoroughly. She has had one bureau in complete authority all over the Dominion of Canada. Canada is committed to the doctrine of government ownership of all its railroad lines, and when the Canadian Government talks about its railroad it is talking about itself to a great extent.

In this country we have one Interstate Commerce Commission, and then we have 48 different States, with their separate railway commissions, and they criss-cross and fight each other, contend with the railroads at one time, and with other jurisdictions at another time. Sometimes they engage in sham battles, sometimes in real battles. Then we have an Attorney General that will not let the New Haven operate unless Mr. Morgan resigns. As fast as the Interstate Commerce Commission gets the railroads to working together under uniform system and uniform accounting the Attorney General goes after them to make them compete and keep fighting each other. The commission tends to lower and the Attorney General to raise rates. The result is that we get nowhere, we accomplish nothing. We ought to have one great nationalized line here belonging to the Government.

Mr. MURDOCK. The gentleman believes the facts do not warrant an increase in these rates?

Mr. BRYAN. I certainly do not believe the facts warrant an increase in the rates.

Mr. MURDOCK. And that if we could get at the real facts a decrease would be in order?

Mr. BRYAN. There are a number of lines where the evidence showed the rates ought to be decreased, quite emphatically so. I think it is right and proper that a little publicity should be given to that side of the case, in view of the reports that are being published generally in the press, and the attempt to intimidate, if possible, the Interstate Commerce Commission and force it into a raise in rates.

Mr. TALCOTT of New York. Mr. Chairman, will the gentleman yield?

Mr. BRYAN. Yes.

Mr. TALCOTT of New York. Does the gentleman from Washington favor Government ownership rather than Government regulation?

Mr. BRYAN. Mr. Chairman, I think Government regulation has proved a farce. I think the time for playing with this has passed, and that the fiction of ownership ought to be wiped out, and the Government ought to own and run these railroads for the people at cost. There should be no profits or dividends on transportation any more than on the Postal Service.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. BRYAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BRYAN. In extension of my remarks I call to the attention of the House the fact that the Alaska railroad is the beginning of Government ownership of railroads in the United States. There is no real difference in Alaska and elsewhere so far as the principle of the thing is concerned. Of course the argument was made that in Alaska the Government owns the land, the mines, and the resources; therefore the Government should own the railroads. I agree with that argument that ownership of all these resources should carry with it ownership of the railroads, and since the people own the resources of continental United States, the people should own the roads—the wagon roads and the railroads.

The railroad kings attempt to apply the rule this way: Whoever owns the railroads should own the resources; therefore give us the timberlands, the coal, the mines, the lands. But they have the thing reversed. The people will not give them any more in a wholesale way the resources of this country; the people will own these resources, and we demand the railroads.

The people are going to take the railroads, too. Transportation is a governmental function. All the nations of the world are recognizing that. England has permitted the Rothschild syndicate and the Bank of England crowd to monopolize the railroads, and the result is that Germany, with her nationalized lines, enjoys a very much better rate, and is putting the English manufacturers to all sorts of trouble in trade competition. Why should the Rothschilds levy toll on all the product of all the labor of England? Why should that condition obtain in this country? It is against justice, it is wrong in principle, and must come to an end.

GOVERNMENT OWNERSHIP BEING UNIVERSALLY ADOPTED.

Many do not realize that Government ownership of railroads has been accepted by the verdict of practically all the civilized nations of the world as essential. The soundness of the principle that railway transportation, just as the Postal Service, is a Government function has been recognized by 50 out of 54 nations. Only 4 civilized nations refuse to recognize the principle. These are England, Spain, Turkey, and the United States.

In England it is admitted that public sentiment is strongly in favor of Government ownership, and a royal commission has just been appointed to study the matter. In commenting on the situation in England, the Railway Age Gazette of December 5, 1913, says:

> The growing interest in the subject of railway nationalization is strikingly illustrated by the recent appointment in Great Britain of a royal commission to inquire into the relationship between the railway companies and the state in respect of matters other than safety of working and conditions of employment and to report what changes, if any, in that relationship are desirable. The announcement comes almost simultaneously with that of the National Civic Federation in this country of its intention to undertake a national survey of social progress, which will include a study of the question whether regulation of railways and other public-service corporations is a failure, and whether State ownership should be substituted for that of private capital.

Carl S. Vrooman makes the following comment on the progress of Government ownership of railways in England:

> That a similar state of affairs exists in Great Britain, the only other first-class power which still holds firmly to the policy of private ownership and management of transportation facilities, is borne out by a statement which was made to the late Frank W. Parsons not long ago by Mr. W. M. Ackworth, the most conservative railroad authority in England, to the effect that nine out of every ten people in Great Britain would vote for public ownership if the question were submitted to a vote to-morrow.

In other foreign countries there were in 1910, 218,358 miles of government-owned railroad to 98,786 miles of private owned. Just recently Spain has taken steps to build a line across that country to be owned and operated by the Spanish Government.

In speaking of unlocking Alaska, in his recent message President Wilson said:

> One key to it is a system of railways. These the Government should itself build and administer, and the ports and terminals it should itself control in the interest of all who wish to use them for the service and development of the country and its people.

"These the Government itself should build and administer." Is not that strong enough? But President Wilson goes further and tells you the reason why, "in the interest of all who wish to use them."

William Jennings Bryan, good Democratic authority, said in 1906, just after returning from a trip around the world, where he rode most of the land portion of the journey on government-owned railways, said he had despaired of Government regulation and stood personally for Government ownership. After giving splendid reasons for his view, he added:

> Another reason which has led me to favor Government ownership is the fact that the people are annually plundered of an enormous sum by extortionate rates; that places are discriminated against and individuals driven out of business by favoritism shown by the railroads. You say that all these things can be corrected without interference with private ownership. * * * Is there any Democrat who is not willing to go as far as President Roosevelt and admit the necessity of Government ownership in case the people are convinced of the failure of regulation? I can not believe it.

A week or two later, in commenting on his utterances advocating public ownership of all railroads in this country, Mr. Bryan, at Louisville, Ky., in September, 1906, said:

> In my speech at the New York reception I made a brief reference to the Government ownership of railways, and I thought I had expressed myself so clearly that my position could not be misconstrued even by those who desired to misconstrue it. The New York speech was prepared in advance. It was not only written, but it was carefully revised. It stated exactly what I wanted to state, and I have nothing to withdraw or modify in the statement therein made.

The purpose of the present argument is to protest against raising rates and tremendously increasing the value of all railway securities which are held in private hands. So far as the advice not to express opinion while the Interstate Commerce Commission is at work on this delicate judicial matter is concerned, I can simply say that however much I regard the givers of such advice it does not appeal to me at all. Such advice is almost absurd when applied to courts, for the interests always manage to get their view expressed and the courts are always able to decide a case on the merits without regard to such expressions, and in very many cases they do so decide; but when it comes to a trade commission or a commerce commission, I do not lay any stress whatever on the argument. I think the time has come for the people of this country, the Joneses who pay the freight, to come to the relief of the Interstate Commerce Commission. I think the members of that commission have been rendering a great patriotic service to the country. They have been abused and censured at every turn by the great interests and many newspapers for not handing down an order favorable to the railroads. A tremendous campaign has been waged. Yet the commission has held fast to its duties and has refused to be driven into a position that would be an outrage against the plain people of this country, who must in the end pay every cent of the three billions now collected annually by the railroads. Later I intend to present to Congress some of the details of this campaign of intimidation. I wish the people could have the assistance that would come from a compilation of such facts, and I will make the facts public if they are furnished to me. It is impossible to make thorough compilations and at the same time discharge other duties.

I now present for the thoughtful consideration of those who have been reading these fairy tales of starving railroads the following excerpt from the voluminous testimony taken by the commission. Mr. Thorne's cross-examination of Mr. Rea, of the Pennsylvania, is illuminating both as to bookkeeping and as to actual admitted profits:

Mr. THORNE. Mr. Rea, during the past year, 1913, you sold several large blocks of securities of the Pennsylvania Railroad?

Mr. REA. Not very much.

Mr. THORNE. What was the first rather large one sold?

Mr. REA. I do not recall; but we made a stock allotment to our shareholders.

Mr. THORNE. What volume—how much?

Mr. REA. It was a 10 per cent allotment. It realized about $45,000,000.

Mr. THORNE. Did you make any sale to the public?

Mr. REA. That was the public.

Mr. THORNE. Of any other securities?

Mr. REA. That was to the public.
Mr. THORNE. I say, of any other securities?
Mr. REA. Yes; we have sold a number of treasury assets to bankers.
Mr. THORNE. What prices did any of your securities bring that were not allotted to your stockholders?
Mr. REA. The current prices.
Mr. THORNE. What were they?
Mr. REA. I could not tell you offhand.
Mr. THORNE. You do not remember of any large sale of securities that you made last year?
Mr. REA. I do not think we made any.
Mr. THORNE. Did you make any at all last year?
Mr. REA. No. We have sold about $15,000,000 worth of securities since the 1st of January, various kinds of bonds that were in the treasury.
Mr. THORNE. Had you sold any bonds or stocks last year except by stock allotment to the public?
Mr. REA. Car trust certificates, yes; sold through bankers.
Mr. THORNE. How much?
Mr. REA. I think there were eighteen or nineteen millions.
Mr. THORNE. What month was that?
Mr. REA. *It was sold*, I should think, about a year ago.
Mr. THORNE. Was it about the 1st of April?
Mr. REA. I don't know. There was a report made to the commission about it.
Mr. THORNE. Do you know how long those car-trust certificates run?
Mr. REA. Ten years, payable in annual instalments.
Mr. THORNE. At what price were those sold, at what basis?
Mr. REA. I could not tell you off hand.
Mr. THORNE. Can you state it approximately?
Mr. REA. No.
Mr. THORNE. Is there any man in the room who can state it for you?
Mr. REA. Probably about a 5 per cent basis, although I do not recall it. Judging from market conditions at that time, I should say, if they sold on a 5 per cent basis, it was a favorable sale.
Mr. PATTERSON. That statement will be filed if the commission desires to know.
Mr. THORNE. You are familiar with conditions of the market; you follow that, I presume, closely?
Mr. REA. Very closely.
Mr. THORNE. And you study at what rate people can dispose of their securities, large companies, so as to know the trend of business conditions?
Mr. REA. Yes, sir; that is a part of my duty.
Mr. THORNE. Can you name any other company, in any other line of business than the railroad business, that sold securities, running 10 years—by the way, were there payments to be made annually on those 10-year certificates?
Mr. REA. Yes; all of car trusts are made in that manner.
Mr. THORNE. Can you name any other company that was able to sell securities due within one year, in the form of notes or otherwise, that were able to sell during the month of April, of last year, at a better rate than you did?
Mr. REA. No; I don't know of any. Perhaps I would be modest in mentioning that.
Mr. THORNE. Was there any other company, in any other line of business in the United States, that was able to sell any securities payable 10 years from date, that sold the same, at any better rate than yours were sold, during the month of April, 1913?
Mr. REA. Not that I know of.
Mr. THORNE. When was the next large lot of securities or notes or bonds, sold during the year 1913 by your company, the Pennsylvania Railroad?
Mr. REA. I do not think we sold any, the Pennsylvania Railroad. As I say, we realized $45,000,000 on our capital, on the stock allotment.
Mr. THORNE. That was an allotment at par?
Mr. REA. At par.
Mr. THORNE. About what was the market at that time?
Mr. REA. I suppose about 110 per cent or 115 per cent.
Mr. THORNE. For that stock?
Mr. REA. The par is 50 of Pennsylvania stock, and that would make it about $55 a share or $54—I don't remember at the time.
Mr. THORNE. Does a stock allotment have any effect of depressing for a time market values of your outstanding securities?
Mr. REA. It generally does.
Mr. THORNE. It is a sort of a redivision, is it not?
Mr. REA. It is an enlargement of the shareholders.
Mr. THORNE. And naturally must have that effect?
Mr. REA. Yes; that is the tendency.
Mr. THORNE. Another thing. During the year 1912 did you make any sales of notes, bonds, or stocks, aside from stock allotment?
Mr. REA. Nineteen hundred and twelve?
Mr. THORNE. Yes.
Mr. REA. I could not recall. We generally do some financing each year.
Mr. THORNE. I notice an increase of your property investment of something over $200,000,000 since 1910. Do you know how much of that represents new capital and how much is built out of surplus and income?
Mr. REA. Well, my statement explains the addition of the New York tunnel extension.
Mr. THORNE. I do not mean the details. Do you know as to the whole?
Mr. REA. That is a very large sum that went into the account in that year, and it is explained in the statement.
Mr. THORNE. Do you know the total amount of new capital put into property—not out of earnings or income, but out of new capital?
Mr. REA. When?
Mr. THORNE. Since 1910.
Mr. REA. We could furnish it to you.
Mr. THORNE. I would like very much to have that. Do you know during the last five years any time you made any sales of bonds that any other company in any other line of business in the United States was able to sell their bonds at a better rate?
Mr. REA. It seems to me that is tantamount to asking me whether the credit of the Pennsylvania Railroad Co. is not about at the top.
Mr. THORNE. That is just exactly what I am asking.
Mr. REA. Well, if you want my opinion, I should say that it is.
Mr. THORNE. I understand that one of the main propositions upon which you rely is the return on the property investment, which you claim is inadequate. Am I correct?
Mr. REA. Yes, sir.

Mr. THORNE. I desire to call your attention to this sentence from the annual report of the Interstate Commerce Commission of 1908:
"It is a well-known fact that no court, or commission, or accountant, or financial writer would for a moment consider that the present balance-sheet statements, purporting to give the 'cost of property,' suggests, even in a remote degree, a reliable measure either of money invested or of a present value."
Do you have any modification or correction of your statement you have made as to relying upon return on your property investment?
Mr. REA. After hearing that?
Mr. THORNE. Yes.
Mr. REA. No, sir. I do not see the relation myself.
Mr. THORNE. Do you approve of what I have just stated? Do you agree with it?
Mr. REA. With that?
Mr. THORNE. Yes.
Mr. REA. Well, it is a mere declaration.
Mr. THORNE. Do you believe that is correct?
Mr. REA. In part; yes.
Mr. THORNE. That the property investment, the cost of property accounts of the carriers, do not suggest even in a remote degree a reliable measure, either of money invested or of present value?
Mr. REA. I should think they must have had the Pennsylvania in mind when they wrote that, because I have stated here that our property investment account, as shown on the balance sheet, is far, far below the actual money that has gone into it.
Mr. THORNE. Is it a measure of the money that has gone into it from the owners of the property or from earnings?
Mr. REA. What is the difference between money appropriated from earnings, withheld from dividends, legally and morally distributable, and money raised on the issuance of new securities?
Mr. THORNE. I do not desire at this time to take time to argue that question. It is a matter of argument before the commission. I was merely asking, to find out, if I could, fairly, what your position was in regard to it. And I do again ask, Is it your idea that you are entitled to a return upon a property investment which does not represent or suggest in the remotest degree either the value or investment?
Mr. REA. I think that is a straining of the commission's declaration, Mr. Thorne, if you will pardon the expression. In other words, I think if you put that construction on it it would be equivalent to saying that all of our accounts are inaccurate and wrong.
Mr. THORNE. It has reference to only one of the accounts—in regard to your cost of property.
Mr. REA. I have told you that our own is far, far below the actual money that has gone into property.
Mr. THORNE. And gone in from outside sources or from earnings?
Mr. REA. No matter where it came from, it is money.
Mr. THORNE. Can you tell me what amount of money has gone in from outside sources into your property? Would you be able to give that figure to the commission?
Mr. REA. I think we have.
Mr. PATTERSON. It is already in the record.
Mr. THORNE. No; from outside sources?
Mr. REA. From outside sources?
Mr. THORNE. Yes.
Mr. PATTERSON. You mean the capital of the company?
Mr. THORNE. I mean no investment from earnings or income.
Mr. PATTERSON. That is from inside sources.
Mr. REA. We have already stated that our capital stock of the Pennsylvania is fully paid in cash. That is $500,000,000, in round figures.
Mr. THORNE. I notice an increase of $30,000,000 in total capitalization since 1910. Would it be your judgment from outside sources and not from the earnings of the property?
Mr. REA. I don't know. I don't know to what you refer. Where do you get that $30,000,000?
Mr. THORNE. That applies to the property east and west, the system.
Mr. REA. That is probably correct, if it is on that statement.
Mr. THORNE. That would represent approximately the investment, then, from outside sources; is that the answer?
Mr. REA. If that is the figure. I should want to verify it.
Mr. PATTERSON. Whatever figure is stated in the 10-year statement is believed to be correct.
Mr. REA. On page 5 of my statement I said:
"For these purposes the property investment account of the system, I have stated, increased in the last 10 years $530,000,000; of this about $366,000,000 were provided out of new capital and $164,000,000 of surplus."
Mr. THORNE. That does not answer my question. My question was for 1910.
Mr. REA. Why not?
Mr. THORNE. My question was for 1910. You are making some comparison between 1910 and 1913.
Mr. PATTERSON. What does the 10-year statement show?
Mr. BUNTING. It indicates about $31,000,000.
Mr. PATTERSON. Then I think there is no doubt Mr. Rea will say it is correct.
Mr. REA. I have no doubt that is correct, sir.
Mr. THORNE. There has been considerable testimony in this case tending to show that the carrier can adjust its maintenance allowances somewhat in accordance with the policies of the company, rather than being controlled by the absolute needs of the property; that from year to year you decide how much you can do, considering the resources available, and adjust your maintenance to a large extent in accordance with that. Do you coincide substantially with that statement?
Mr. REA. I do not think that is quite the view that I got or that I have.
Mr. THORNE. Would you state what that is?
Mr. REA. In the first place, there is very little leeway given to the carriers with respect to their charges to maintenance, either of equipment or maintenance of way. A company can, if it takes the chances, allow its property to depreciate and run down. It can, as was formerly the custom in years gone by, work with a very close margin on maintenance of way and maintenance of equipment in lean years and then in good years pile it on strong.
Now, with the new rules of the Interstate Commerce Commission as promulgated June 30, 1907, a new condition of affairs came about. I believe generally that all of the railroad companies are endeavoring to live up to those rules and orders as rigidly as it is possible for them to do it.
Among other things, it requires depreciation of equipment. They made no order at that time with respect to maintenance of way.

although I asked them some years ago for that, and they have since given us permission to adopt a program of depreciation for maintenance of way and equipment.

Now, then, a corporation is not unlike an individual. You must at the beginning of every year look forward to what your possible income will be and the extent to which you can make your expenditures for various items.

We on the Pennsylvania under present conditions provide for our depreciation for equipment based on our experience of past years, and then we charge it out in accordance with train-miles, which gives us a measure of the charge in relation to the business actually done. We expect to do that with respect to our maintenance of way. The property will depreciate materially, due to the elements, whether you run trains over it or not; and if you defer in one year you must make up in the future.

In other words, if you do not do your full duty by your maintenance of way this year you may not be able to do it; but it will follow you, and it must be done in the future. So that in years that have gone by, prior to 1907, anyhow, the method of charging out expenses was more or less irregular by all carriers. I think, however, since that date there has been much more uniformity, and it is steadier and better all the time.

Mr. THORNE. You say it has been steadier all the time. The attention of Mr. Rogers was called this morning to this fact, that in 1909, as compared to 1908, there was a decrease in your maintenance of way and structures; the next year, in 1910, an increase of 27 per cent; the next year a decrease in way and structures; the next year an increase of 2⅔ per cent; the next year an increase of 29 per cent—that is, 1913. I asked Mr. Rogers to state what peculiar circumstances existed in those two years that there should be that remarkable increase compared to the other years, and the only statement that he finished, because of other interruptions, was that there had been considerable extensions and additions, and the rules of the commission permit the charging of replacement in kind to operating expenses in such cases.

Are there any other facts than I have just stated peculiar to the two years which I named that caused that rather remarkable variation from the per cent of increase of the other years that occur to you?

Mr. REA. I do not think, if you will pardon me for saying so, you have fully explained Mr. Rogers's answers. I have read them all over very carefully and indorsed them fully. I do not think there is very much else to be said.

Mr. THORNE. Read them over?

Mr. REA. Yes; he presented his testimony here and gave you the reasons.

Mr. THORNE. Well, it was just this morning. You say you have read them over.

Mr. REA. Well, presented here in an exhibit.

Mr. THORNE. I was referring to his answer in respect to a question I put to him on this particular point. There was not anything with reference to that in the exhibit.

Mr. REA. Has not he explained the figures?

Mr. THORNE. He said it was substantially constant. You have said you thought they were more constant and regular since the change of the rules in 1907 and 1908.

Mr. REA. Yes.

Mr. THORNE. I have just called your attention to these large variations, and I simply ask you if you have any other important facts, other than what I stated to you, to account for that variation.

Mr. REA. No; except the financial panic of 1907, which is a very important fact.

Mr. THORNE. I call your attention to the fact that the commission in the 1910 case held that the company should be entitled to 5 per cent on its common stock after paying all fixed charges and have 2½ per cent for surplus, or 6 per cent on its common stock and 1½ per cent for surplus. I notice by the exhibit filed by your representatives in this case that one of the factors relied upon is the return on investment.

Mr. PATTERSON. There is no statement to that effect.

Mr. THORNE. These exhibits are put in; you are relying on these exhibits——

Mr. PATTERSON. To give the facts. I will explain to you the theories.

Mr. THORNE. Do you consider, Mr. Rea, the return on capitalization, as of any significance, in view of what I have just stated, in regard to the ruling of the commission in 1910?

Mr. REA. I think the return on the property investment is a safer guide.

Mr. THORNE. Do you consider this other guide of any significance that was suggested by Mr. Commissioner Prouty in the unanimous opinion of the commission?

Mr. REA. All the elements should be considered.

Mr. THORNE. Should that element be considered?

Mr. REA. Well, that is a matter of opinion.

Mr. THORNE. In your judgment is it fair to consider that as one of the elements in analyzing the——

Mr. REA (interposing). Not as stated by Mr. Prouty, or whoever made that statement.

Mr. THORNE. You do not agree with that statement?

Mr. REA. No, sir; I do not.

Mr. THORNE. I call your attention to the fact that the exhibits filed by your representatives in this case, covering the Pennsylvania system east and west, shows after paying all operating expenses, and all taxes, all fixed charges, a return of 9.64 per cent for the year 1913.

Mr. PATTERSON. Return on what?

Mr. THORNE. Capital stock outstanding. Is that correct or not?

Mr. REA. That is correct.

Mr. THORNE. Now, Mr. Rea, I will ask you this question: What, in your judgment, ought that percentage to be in order to be adequate?

Mr. REA. I don't know.

Mr. THORNE. Have you any suggestion what it ought to be?

Mr. REA. Yes, sir; I have.

Mr. THORNE. What is it, in your opinion?

Mr. REA. In 1903 that same figure was 14.07 per cent.

Mr. THORNE. Do you think it ought to be 14 per cent?

Mr. REA. It has been gradually receding ever since, until in 1913 it reached 9.64 per cent, which was lower than any year in the 10-year period.

Mr. THORNE. Mr. Rea, can you show me any other instance in that entire series of years when the maintenance was as large as it was in 1913?

Mr. REA. No. We never did anything like the volume of business and we did not have $500,000,000 of capital stock.

Mr. THORNE. Do you know how much your maintenance would have been if it had been the same percentage of gross, which represents the volume of business, in 1913 as it was in 1912?

Mr. REA. No; I could not; but I don't think that would have been a guide unless you knew what was going on in 1912.

Mr. THORNE. Supposing 1912 was the largest maintenance in your history up to that time. Can you show me another year in that entire table when your maintenance charge was larger than in 1912?

Mr. REA. No; I would not expect it to be.

Mr. THORNE. If your maintenance in 1913 had been the same per cent of gross as in 1912, you would have had a return of 14.1 per cent on your capital stock outstanding above all your fixed charges and taxes.

I will now ask you, is it your claim that 9.64 is too small and that it ought to be that 14 per cent which you had in 1913 above all fixed charges and taxes?

Mr. REA. I will not say what it ought to be.

Mr. THORNE. Do you care to give us any light as to what you think it ought to be?

Mr. REA. Not any more than I have already stated.

Mr. THORNE. That is all.

Mr. REA. Based upon our experience, a substantial margin above the amount to be distributed is necessary to maintain the property and give the proper service.

Mr. BRANDEIS. In connection with that question, I asked you to submit figures as between the passenger and freight——

The CHAIRMAN. Just a minute. Is that all with Mr. Rea?

Mr. LYON. I have a few questions yet.

Mr. BRANDEIS. In that connection I would like to call this to the attention of Mr. Bunting and the commission. Mr. Bunting, I understood you to say there was a readjustment of the division in 1907, and that that would prevent the figures being comparable.

Mr. BUNTING. I think that was the year; it was about that time.

Mr. BRANDEIS. I merely wanted to call the attention of the commission to the fact, and also the attention of Mr. Bunting to the fact, that it perhaps would not have a very important bearing on the adjustment, from the report of the Pennsylvania as to the net earnings. The net revenue from passenger service decreased per passenger mile from 4.91 in 1907 to 1.46 in 1913; that is, the great decrease in passenger revenue took place from 1907, as it had taken place also from 1903. It was then 4.60. It was 4.90 in 1907 and fell to 1.46 in 1913, whereas the decrease in the freight returns per ton per mile was from 1.76 to 1.64 in 1907 and to 1.55 in 1913. That is, even if there was some adjustment, we should be very glad to have the details.

Mr. BUNTING. I merely mentioned it because it was quite a large one. Taxes are also in there.

Mr. BRANDEIS. But it did not very seriously affect the results in the figures so far as presented.

Mr. BUNTING. It was a pretty large amount, somewhere about $3,000,000, I think. Taxes had also increased since 1908. But I will furnish the figures on a comparative basis.

Mr. BOND. Won't you state how much that is divided on a train-mile basis and how much the decrease in freight-train miles has thrown onto the passenger service? In the case of the Baltimore & Ohio it threw more than 4 per cent by saving three millions in freight, that increased the expenses of the passenger more than 4 per cent.

Mr. BUNTING. I am inclined to think that when you get these figures they will be absolutely valueless.

Mr. BRANDEIS. We assume the Pennsylvania, in giving these figures to us, as well as to the public, have done the best they could.

Mr. BUNTING. For purposes of comparison one with the other they are valueless.

Mr. BRANDEIS. We assume not only for purposes of comparison, but we assume also actually they have done the best they could in presenting the facts, and that the estimates are the best judgment they could form. Is not that the fact, Mr. Bunting?

Mr. BUNTING. They have done the best they could.

Mr. BRANDEIS. That is all we can ask.

Mr. LYON. Mr. Rea, in your statement, on page 3, you say the cost of the New York tunnel was $108,000,000, which was charged into the property investment account for the year ending June 30, 1913. Is it reasonable for a railroad to expect a return upon such an investment immediately after it is made?

Mr. REA. No; we do not expect it. As I explain in my statement, none of these large expenditures can be expected to be immediately productive to their full value.

Mr. LYON. These expenditures by the Pennsylvania, as you have clearly set forth, have been very large in the last three years, amounting to $500,000,000—10 years.

Mr. REA. You will observe nearly half of it is due to New York tunnel extension being brought into the account on account of the commission's ruling

Mr. LYON. The operation of that tunnel, I see by Poor's Manual, shows a deficit of $2,000,000 or $3,000,000 a year.

Mr. REA. Well, the Pennsylvania operates it, and assumes that.

Mr. LYON. Was it reasonable to expect your net operating revenue to increase immediately after putting into your property investment account—and I mean the return upon the property investment—such large sums as for the New York Terminal?

Mr. REA. The actual expenditure there was spread over a period of 9 years.

Mr. LYON. I understand that.

Mr. REA. It did not appear in the operating account until 1911. Of course, we had to furnish the money as we went along.

Mr. LYON. But the actual increase in property investment was not made for the year ending June 30, 1911, but made during a period of 10 or 11 years?

Mr. REA. Quite right.

Mr. LYON. And on your books it appears as though it were made for the year ending June 30, 1911?

Mr. REA. No. I understand it is only in the operating account, is it not?

Mr. BUNTING. No; property-investment account for the year ending June 30, 1911.

Mr. LYON. In other words, $108,000,000 was thrown into the property-investment account——

Mr. BUNTING. There was no property-investment account for the Pennsylvania tunnel and the terminal prior to 1911, because the commission does not prescribe a property-investment account for a road under construction. The minute it is open for operation, then it is the property-investment account, and that company goes into the combined statement of all the roads of the Pennsylvania Railroad system.

Mr. LYON. In other words, it was suddenly increased by that amount, in one year; that is correct, is it not?

Mr. BUNTING. Yes.

Mr. LYON. And now you do not show a return upon that suddenly-increased amount, growing out of a large passenger terminal. Is it reasonable to expect the return to show——

Mr. REA. Take it out, and the result is not so very much different.

Mr. LYON. Maybe not; but $108,000,000 is quite a sum of money, about 10 per cent of the property investment.

Mr. PATTERSON. If you take it out, Mr. Rea, you would still have no return upon the remaining $100,000,000?

Mr. REA. Quite right.

Mr. LYON. Are there any other large sums that have been spent by the Pennsylvania in rebuilding this line almost completely from Pittsburgh to Trenton?

Mr. REA. Not rebuilding; building an additional line. We are passing from a four-track to a six-track railroad between New York and Philadelphia and Pittsburgh.

Mr. LYON. Has not the Pennsylvania Railroad track been substantially rebuilt in the last 10 or 15 years?

Mr. REA. In many places.

Mr. LYON. Through the mountains almost completely rebuilt?

Mr. REA. Rebuilt and we have improved it.

Mr. LYON. When those improvements are going on it is a fact that your operating expenses are rather abnormal?

Mr. REA. It tends to increase the operating expenses oftentimes. In our case, as you know, these lines were built away from the main lines and they did not interfere with them. From Harrisburg to Trenton it was an entirely new location, and so over the Allegheny Mountains, and it did not interfere with main-line traffic.

Mr. LYON. A good deal of the money was expended on account of places where it did interfere?

Mr. REA. I am sure that is going on everywhere—on every railroad. That is one of the things we have with us always.

Mr. LYON. In the statement you have filed here I find your transportation account has run along parallel lines with your operating revenue substantially since 1898. I have diagramed it from the reports which have been furnished by the systems, and I have it for the Pennsylvania lines.

The maintenance of way and structure practically proceeded along the same lines until the year 1913, when it suddenly crossed your income and mounts up very high.

The same is strikingly true of your equipment in 1913, and to a large extent also true in 1912, although strikingly so in 1913.

Would you think in a year of that kind, showing your net income, it would be fair for the commission to consider your net income in a year of such conditions, as to the maintenance account, in determining whether there should be an increase of rates on your system?

Mr. REA. I think it is entirely proper, in view of the explanation we have made through Mr. Wallis and Mr. Rogers, which are indorsed by me.

Mr. LYON. The explanations which they made?

Mr. REA. They have given you the reasons for this increase and the probability that it will continue.

Mr. LYON. They were not very emphatic about their continuing.

Mr. REA. How are you going to change it? You are not going back to the small car, the light rail, the small railroad. Their testimony is on file. I think it substantiates what I say.

Mr. BUNTING. It certainly does.

Mr. LYON. Then your opinion is the maintenance account of 1913 would be the normal maintenance account for the Pennsylvania for the future?

Mr. REA. I regard that as pretty nearly as near as you can judge.

Mr. LYON. Have not the New York Central Lines——

Mr. REA. Of course, based on the business. If the tonnage goes down, the traffic goes down; the maintenance account may be reduced somewhat. You can not cut off your depreciation.

Mr. LYON. I find that your maintenance account has increased much more rapidly than your tonnage for the year 1913.

Mr. REA. And for the reasons stated in their testimony.

Mr. LYON. If you were to take the years 1910 to 1912 and add to that a percentage based upon the increased business which you did in 1913, and from that get your maintenance account, you would have had $11,000,000 more net than you actually showed through the expenditure you made in 1913.

Mr. REA. That is a very short method of reaching a conclusion, and I do not think it is at all satisfactory or accurate. It is mere assumption. Based on business done, I think there is very little variation.

Mr. LYON. What is little variation?

Mr. REA. But, after all, gentlemen, in comparing one year with another you must look at the standard of the property. How can you sit here and determine a comparison between 1913 and 1910 unless you knew what the property was then and the conditions surrounding it in that year? These comparisons are very fallacious.

Mr. LYON. The commission has got to do the best it can. It does not know this property, and can not see all those things which you can see. All they can do is to judge the future by the past. Of course, merely to say that what you have done in 1913 is all right if it shows a large increase, I can not think it would be the basis of the commission's opinion.

Mr. MANN. Mr. Chairman, I do not intend to detain the committee in reference to the bill, and had not intended to say a word. The gentleman from Washington [Mr. BRYAN] has been discussing the question of whether the Interstate Commerce Commission is to permit a raise in rates on the different railroads of the country. I have no opinion upon that subject. The Interstate Commerce Commission was created in the belief and the hope that a commission wholly outside of political activity, in a way representing the legislative end of the Government, not under the influence of either the railroads or the shippers, standing between the two, hearing evidence and argument, might reach a conclusion which would be accepted by the people as just or as nearly just as there is any method of reaching justice. All decisions of the Supreme Court, I take it, are not correct, and yet we have to leave matters to the Supreme Court. So far as railroad rates are concerned the Interstate Commerce Commission is the Supreme Court. I do not believe those intimations which have appeared at some times in the newspapers that the President has intimated to the Interstate Commerce Commission that he favors an increase in rates. I do not believe that any of the officials of the Government would express directly or indirectly such an opinion to the Interstate Commerce Commission or seek in any way whatever to influence the action, the judgment, or the orders of that commission. After all, in these controversial questions somebody must reach a determination. For years we kept on increasing the powers of the Interstate Commerce Commission with much hesitancy on the part of the legislative body of the country, feeling it was being granted too great a power; but from time to time, with the experience that we had, we have increased the powers of that commission. That increase in general was asked for by the shippers, and at times was objected to by the railroads. That commission has these powers now. I believe it to be an honest body, an intelligent body, a body wholly apart, in my judgment, from political considerations in the way of partisan politics, at least, a body which will endeavor to reach and will reach, as well as finite nature can reach, a just determination of this and other questions relating to railroad rates; and I am quite content to keep to myself any opinion on the subject I might have and let the commission render its judgment, and accept the judgment of the commission. [Applause.]

Mr. SIMS. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. SIMS. Does the gentleman not believe that this matter is so important that the commission ought to be the best judge of what time it will take them to properly investigate and arrive at a decision?

Mr. MANN. If I did not so express myself, I failed to make myself plain.

Mr. SIMS. I so understood; but there has been much talk of rushing the commission through, pell-mell, and I think the commission ought to have all of the time necessary, and ought to be the judges of that, and it is altogether out of place for us on the outside to try and rush them one way or the other.

Mr. MANN. I fully agree with that statement.

Mr. JOHNSON of South Carolina. Has the commission finished the taking of testimony in the case?

Mr. MANN. I am not able to inform the gentleman.

Mr. JOHNSON of South Carolina. They were taking testimony a few days ago. If the testimony is concluded, it certainly has been concluded within the last two or three days.

Mr. BRYAN. It has not been concluded; but if the gentleman will allow me just a brief interruption, it has been published in all of the papers that the President has an opinion on the matter, and great publicity has been given to that. Just the other day, on press day, there was issued from the White House, or at least published, after the reporters had left the White House, in the Washington Star and other papers the following statement:

> The President to-day declined to publicly express himself about the proposed increase of freight rates, as he does not wish to be placed in the position of influencing the Interstate Commerce Commission, but he did not denounce or deny any of the stories printed that he privately hopes to see the request of the railroads given favorable consideration by the commission.

That statement has been published repeatedly in practically all of the press of the country—that the President has a positive view on the matter, and hopes that the increase will be made.

Mr. MANN. Mr. Chairman, the President, I believe, invites the newspaper correspondents to meet him twice a week, and permits any of them to ask him any kind of a question. It is a somewhat difficult position in which the President places himself, whether he answers or does not answer, and some correspondent may honestly print a story as to what the President privately believes, while the President publicly states that he will not express an opinion. I do not for one moment believe that the President, or that any man who could be elected President of the United States, would endeavor to influence the opinion of the Supreme Court on a question pending before that court, or that he would endeavor to influence the judgment of the Interstate Commerce Commission on questions pending before that commission. [Applause.]

Mr. FOWLER. Will the gentleman yield for one question?

Mr. MANN. Certainly.

Mr. FOWLER. The gentleman was interrogated about the time of taking the testimony. I ask the gentleman if it is not currently reported that at least a portion of the hearings is to be concluded on the 28th instant?

Mr. MANN. I do not know, I will say to the gentleman. I have nothing to do with the question, and do not concern myself with it because I have no desire to form an opinion on a matter concerning which I ought not to have an opinion. [Applause.]

Mr. SIMS. Mr. Chairman, agreeing fully with the gentleman from Illinois, I would like to ask him one further question, and that is, if in his judgment the determination of whether existing rates are reasonable or unreasonable, or the proposed increase is reasonable or unreasonable, that to pass on such a question is to exercise quasi judicial power, and that the commission should be given all the consideration and respect that we would give to a court under such circumstances?

Mr. MANN. Oh, while the commission is designated as the legislative commission, practically it is a court. I yield the balance of my time to the gentleman from Ohio [Mr. WILLIS].

The CHAIRMAN. The gentleman has three minutes left.

Mr. WILLIS. Mr. Chairman, in that time I can not do more than reiterate the opinion which I expressed in this House two years ago, when this bill was under consideration. At that time I had given the matter a good deal of attention and made some examination of the very voluminous records of the Treasury Department, and, I think, had read all the Supreme Court cases that had any bearing whatever upon the matter involved here. I said then:

> These parties have not sued in time. They have been guilty of laches. They have sinned away their day of grace. They had the opportunity under the act which allowed them to sue within two years of the time the war closed. They had their remedy under the act of 1872. Now it is proposed not only to change the doctrine that has been absolutely the unbroken policy; but, mark you, sir, it is proposed to amend the law so as to take away from the Government of the United States the defense as to requiring proof of loyalty by claimants, which its own attorneys are making now in the cases pending in court.

It seems to me, from what I have heard of the arguments here to-day, that the case is going off on a misunderstanding of the facts involved. The facts are that substantially the only property that can be reached in this bill is property which was owned by the Confederacy at the close of the war. Now, in order that there can not be any doubt about that, I quote from a circular issued from the Treasury Department on the 9th day of January, 1900, Circular No. 4, copies of which can be obtained. Remember this fund reached, originally, something like $25,000,000. It has been paid out from time to time under various acts of Congress; the Government has been just as well as generous, and out of that fund from time to time amounts have been paid until it is reduced to something like $5,000,000. Now, here is the conclusion the Secretary of the Treasury reached after a most careful investigation. He says in this circular:

> It follows, therefore, that the balance of the fund in the Treasury received from the sale of cotton represents the proceeds received from the sale of cotton that belonged to the Confederacy.

Now, the argument that is made here concerning the rights of individual claimants is entirely beside the mark. The fact is that these claimants have already had their day in court; the fact is that this cotton was sold to the Confederacy—not confiscated by the Confederate Government, but sold to the Confederate Government, a perfectly bona fide commercial transaction in every respect. The representatives or officers of the Confederate Government went into the open market and bought this cotton in competition with other buyers and paid for it.

Mr. MURDOCK. With what?

Mr. WILLIS. With the only money in circulation in the Confederacy—Confederate currency; and I submit it was not an act of confiscation.

On July 1, 1912, I addressed a letter to the Attorney General making inquiry as to the nature of these claims. The reply which came from his office appears in full in the CONGRESSIONAL RECORD of December 4, 1912, and from that reply I quote the following:

> Most of the claims were rejected on the ground that the cotton had been sold to the Confederate Government by the original owners, as shown by bills of sale. In the case of Whitfield *v.* The United States (92 U. S., 165) the Supreme Court held that such bills of sale passed title, and no recovery could be had by the original owners for cotton so disposed of.
>
> The object and legal effect of the bills referred to by you are to amend section 162 so as to dispense with proof of loyalty, to nullify the bills of sale to the Confederate Government, and to make judgments in this class of cases free from the claims of assignees in bankruptcy or insolvency.
>
> The policy of enacting such legislation is a matter entirely for the consideration of Congress.
>
> The reports from the Treasury Department in the cases that have been filed since the 1st of January under said section 162 of the new Judicial Code mostly show that the cotton had been sold to the Confederate Government and bills of sale given by the original owners. The reports in another class of cases show that cotton had been bought by the Confederate Government and resold or contracted for to individuals, who now make claims to the proceeds thereof.
>
> In view of the fact that section 162 of the new Judicial Code did not go into effect until the 1st of last January, and, furthermore, that the various questions which the Government have raised under this act have not been passed upon by the court, and, in addition to this, the fact that in no instance have the claimants' attorneys who are now seeking to recover under this section presented a case in which they are ready for trial, it would seem that before further legislation time should be given for adjudication of some cases under the recent law.

The Confederate Government was the purchaser of this cotton, and in a great many cases the Confederate Government followed the policy of leaving this cotton in the hands of the vendor, constituting him, as it were, the bailee. Now, it is claimed by some that title to this cotton did not pass to the Confederate Government, but remained in the original vendor. In the last Congress bills were pending, and I think they have been reintroduced in this Congress by gentlemen who contend that inasmuch as the Confederacy fell and this currency became worthless that therefore these sales were null and void, and therefore these people who, in order to aid the Confederacy by enabling it to hypothecate stores of cotton, actually sold their cotton to the Confederate Government and got the money for it and spent the money are at this late day, by removal of the requirement of proof of loyalty, to be allowed to come in and present their claims, have the charge of disloyalty removed, and get a portion of this $5,000,000. I repeat, that nearly every penny of this $5,000,000 was the proceeds of the sale of property of the Confederate Government; that these claimants are not entitled to it; and that this bill ought not to pass.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WATKINS. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Thirty minutes.

Mr. WATKINS. I thought I had more time, I thought the gentleman from Texas did not consume all of his time.

The CHAIRMAN. He did.

Mr. WATKINS. I yield the balance of my time to the gentleman from Mississippi [Mr. SISSON].

Mr. WILLIS. Mr. Chairman, before the gentleman from Mississippi begins I desire to ask unanimous consent to extend my remarks in the RECORD by inserting certain matter to which I have referred.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SISSON. Gentlemen of the committee, the statement just made by the gentleman from Ohio was a statement which was thrashed out between the gentleman and myself in the debate which occurred when this bill passed the House by an overwhelming majority before. Here is a list of the names of the parties whose cotton was taken and to which the Confederate government had no shadow of a claim. However, I did not intend to go into a legal discussion of the rights of a private citizen, for that question is not involved in this bill, for all the decisions of the Supreme Court hold that even when cotton was taken from a private citizen, even during hostilities, if he was restored to citizenship by act of Congress, that he was restored to all the rights of any other citizen.

But this is not involved in this question at all. Take the bill and read it and you will find that the only cotton that can be recovered for is cotton which was taken in the fall of 1865, which was produced by the citizens during the year 1865 or held by them at that time as their own private property. A great deal of cotton was actually taken which was produced in 1866; that is, it was actually planted and gathered during that year. In fact, all of the cotton taken as covered in this bill is cotton that was taken after hostilities had ceased. If we were called upon to rest our case upon the decisions of the Supreme Court, then we would have the right to ask that the bar that has stood against our people all these years be removed. Why, I stated to the gentleman from Ohio [Mr. WILLIS] in the debate—and I am not in accord with many of my southern colleagues—that I took the position then, and I take the position now, that when a citizen of the South sold his cotton to the Confederate Government the title to the cotton passed into the Confederate Government, and when that government failed the Government of the United States had the right to that cotton.

Mr. GREGG. Will the gentleman yield to me?

Mr. SISSON. I will.

Mr. GREGG. I want to state to the gentleman that we have in the Committee on War Claims a list of the cotton that it was claimed by the Treasury Department was sold by individuals to the Confederate Government, and we allow no bills for any of that cotton at all.

Mr. SISSON. And every bale of cotton that can be identified as having been the property of the Confederate Government is listed as property of the Confederate Government on the books of the Treasury Department, and this list which has been furnished here is the list of cotton for which the Confederate Government never had a claim; and to show you that they recognize the justice of this claim, every man whose cotton was taken under like conditions who was loyal to the Federal

Government in the South, and many of them, by the way, whose wives had no opportunity to show disloyalty, went into the courts, and I expect they stretched the blanket just a little bit as to their loyalty, and recovered cotton claims identically like these. But the unfortunate situation was that a limitation as to time within which to file suit was placed in the first bill after the Civil War. That time was two years. In the law there was a provision that the claimant should make oath and prove that he had always in the past been loyal to the Federal Government. This he could not do. That bar has been against him from that day to this. Those men, after the Confederate Army surrendered in 1865, and after all active hostilities ceased, went back to a destroyed country and into their cotton fields and gathered the cotton in the fall of 1865, which was ginned and baled. This was their property. The Government *had no right* to it. Then in 1866 they stepped into the furrow and planted a crop and worked and gathered it. This was also theirs, and the Federal Government had no right to it. These Government agents, or most of them, were not altogether as honest as they might be, and this cotton was taken irrespective of the claims of many of the people of the South. The honest Government agents, when there was no Confederate tag or mark upon it, and when the evidence was that it was cotton that was gathered in 1865 and produced in 1866, sold the cotton, and, taking the expenses of the sale out, covered the money into the Treasury to the credit of those people, and it is there now, according to the report of the Secretary of the Treasury. It stands there to the credit of these people.

Now, it has been urged here that it has been a long, long time. One of the most distinguished lawyers that ever served in this House was the gentleman from Pennsylvania, Mr. Moon, and he is literally a Philadelphia lawyer. When he, with his Republican colleagues, in majority in this House, and with Republicans in majority in the Senate, on the joint committee, revised the civil laws, they believed they had removed the bar so that these people could prove their identity and could prove that they were entitled to the money that was put to their credit in the Treasury. And they believed that they had removed the bar. While I was a member of that committee, I was not a member of the joint commission. We had to go through 17 volumes of the acts and boil them down to this little act here which I now hold in my hand, and when all the work was done and assembled it was found that the right to recover was given, but they realized when it was too late to change it that they had failed to amend the procedure. Those of you who will examine it will find in section 159 this clause—this is in reference to your right to go into court with your petition, omitting that part of the section which has no bearing on this issue—and I will read only that. It says:

SEC. 159. * * * that the claimant, and where the claim has been assigned the original and every prior owner thereof, if a citizen, has at all times borne true allegiance to the Government of the United States, and, whether a citizen or not, has not in any way voluntarily aided, abetted, or given encouragement to rebellion against the said Government, and that he believes the facts as stated in the said petition to be true. The said petition shall be verified by the affidavit of the claimant, his agent or attorney.

Now, the man who had fought in the Confederate Army had taken the oath of allegiance, had come under the flag in good faith, and, as has been contended by many of the great statesmen of the country, was never out from under the flag, but was only in rebellion under the flag, can never recover from the Government any claim, however just, if that clause applies to him, even though the claim arose after the war. We in this bill are only asking that the Confederate soldier be dealt with according to the terms laid down by Mr. Lincoln—

lay down your arms, resume your former relations to the Union, and you shall have all the rights that all the citizens of these States have.

They accepted the terms at Appomattox; they did it in good faith; and since that time they have borne the burdens with you of the North all these years. They have borne the burdens of war with you; they have defended the flag as loyally as you have. In addition to that, if the United States Government should get into trouble to-day they would prove their loyalty with their blood. Yet to recover what was theirs they have waited all these years, because even that which they produced with their labor was denied them, even though produced after they had surrendered in good faith, because the law required that they must swear that they had always borne true allegiance to the Government. Therefore, under this act, any citizen who has a claim against the Federal Government, if it arose out of a transaction only a few weeks back, the old Confederate soldier would have to so swear to-day, if the Government did not pay his claim without suit, before he could recover, and it would be a bar to an old soldier, even though he fought in the Spanish War for the flag. Is the time not here to do him justice and give him what he labored for after the war was over?

But I am not insisting here that you shall change the law in reference to the claims occurring during the Civil War and where the cotton was sold to the Confederate Government, but I do ask you in the name of justice, in the name of fairness, to say to these people whose cotton was taken after the war and was sold by the Government and the proceeds paid into the Treasury and is there now to their credit, that that money shall be paid to them. It is theirs. The war was over, hostilities had ceased and peace was restored. The Government had no right to this cotton. Be just and fair is all that I ask. Say to the old Confederate soldier and his children that our Government does not want a penny of money which it took from them unjustly after the war. For certain purposes of administration they did not remove the laws of war until 1866, when Gen. Grant was sent down into all the southern capitals and made an investigation to ascertain whether those States had in good faith abolished slavery by law, and whether or not they were contracting with the erstwhile slaves, then freedmen.

Gen. Grant makes a most glowing report. I wish all of you could read the report that the great general made when he went through the South and pictured the conditions there, horrible as they were, showing how heroically and how courageously and how in good faith the white people of the South were endeavoring to live up to their obligation; how they went back and gathered their crop, were laboring to rebuild their homes and to overcome the ravages of war. Prior to that time, with no courts open to them, the Government agents in the preceding fall had gathered up all the cotton, making no distinction as to whose cotton it was, but took it all.

Now, what we ask you to do is not to pay for the cotton that was taken by an agent that did not go into the Treasury, but to pay these people that money that now stands to their credit in the Treasury of the United States. Why, you say, has it not long since been paid to them? The only reason is this bar of loyalty. The Republicans of the House, with Judge Moon of Pennsylvania, the chairman of the Codification Committee, believed that this money should be paid, and so does Mr. SHERLEY, a distinguished Democrat on that committee at that time, and Judge HOUSTON, of Tennessee, another distinguished Democrat; Judge BARTLETT, of Georgia, though not a member of the Revision of Laws Committee, first discovered that the committee had failed to complete its work. It was not discovered until it was too late to remedy it.

In clause 176 the right of recovery is given, but before you can avail yourself of that right you have to swear that you were always loyal to the Federal Government. The procedure clause was overlooked. Judge BARTLETT discovered that that was overlooked, and it was amended here in the House, as you all will recollect; and you will recall, also, that the bill passed by a great big majority. In the Senate, however, for some reason—I do not know why, either from pressure of business or otherwise—this amendment did not pass. This whole bill involves, according to the Treasury report, less than a million dollars of money. I do not believe that all the claimants will ever be able to prove that they are the individuals who are entitled to recover, because a great many of the people have died, and the proof will be hard to get.

This request on the part of us in the South is that you will simply remove the bar and allow these claimants to go into court. If they can show that they are the parties entitled to the money, they should recover it. It will be the duty of the court to ascertain the facts as to whether the cotton gathered in 1865, after the war was over, or cotton produced and gathered in 1866, was the property of the claimant. Congress will take absolutely no chances. It certainly can trust its own courts.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Kansas?

Mr. SISSON. Yes.

Mr. CAMPBELL. I had a letter from a party in Georgia somewhere—I think, near Atlanta—a day of two ago, saying that the grandfather of the writer had lost in the summer of 1865 a very large amount of cotton. The party did not know what had been done with it. He thought it had been destroyed. Would the provisions of this bill cover claims for that sort of thing?

Mr. SISSON. Oh, no. The only thing covered in this bill—the only thing that can be covered in this bill—is the money which appears, according to the Treasury report here—which appears in this volume to the credit, we will say, of Mr. CAMPBELL, if you are living and your cotton was taken in 1865 or

1866 and the net proceeds of the sale thereof covered into the Treasury, and you can establish the fact that you are the PHIL CAMPBELL who lost the cotton. In that case you could get the money under this bill, as shown by the itemized list here.

Now, there is an entirely different class of claims where the cotton was sold to the Confederate Government. As I said before, where a man sold his cotton to the Confederate Government and the Confederate Government hypothecated that cotton and with the proceeds bought munitions of war, then I think that title to the cotton has passed from the individual to the Confederate Government, and I do not believe that the Congress of the United States will ever pay one single penny for that cotton. I want to be fair and honest not only with the House, but with myself and my constituents.

Mr. CAMPBELL. Take a case like that I have mentioned, where the cotton was taken some time in the summer of 1865.

Mr. SISSON. It would not be touched by this bill at all. If the claimant was loyal to the Government——

Mr. CAMPBELL. But the war was over.

Mr. SISSON. It was over in 1865. They were at peace in all portions of the South. The actual hostilities ceased at Appomattox, and legally hostilities ceased on June 1. All those people recover if the cotton was captured after that date.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Ohio?

Mr. SISSON. I do.

Mr. WILLIS. There is no question in my mind about the gentleman's fairness or loyalty or anything of that kind. This is merely a legal question, as I understand it.

Mr. SISSON. Yes.

Mr. WILLIS. The gentleman's contention is that these people who sold their cotton to the Confederate Government and received pay for it and, so far as we know, spent the money, do not have any claim against the Government of the United States?

Mr. SISSON. Yes. That is my contention.

Mr. WILLIS. That is my opinion. But how does the gentleman know that that will be the opinion of the claimants? Can he point out anything that will prevent any of these men from presenting their claims?

Mr. SISSON. They can not present any claims unless the money has actually gone into the Federal Treasury as the proceeds of their cotton, because all the Confederate cotton has been listed and a careful investigation made of it, and that cotton that was sold to the Confederate government will never be paid for. But when the cotton was taken during 1865 and 1866 from private citizens and sold as their cotton and the money actually paid into the Treasury as their money, that money is due them. That money has not been appropriated. It is true, we understand that moneys are mixed and mingled in the Treasury, but the books show that that money is there now to the credit of those individuals or their heirs who are included in this list of claimants.

Mr. WILLIS. The gentleman has not yet answered my question. If you pass this bill, what is there to prevent any of these men who do not take the view that the gentleman so fairly takes, but who take a contrary view, coming in and having their cases adjudicated?

Mr. SISSON. Simply because they have absolutely no title to the cotton and there is no money to their credit.

Mr. WILLIS. But that is only the gentleman's opinion and mine. The claimants may not take that view. If you pass this bill, you open up that question.

Mr. SISSON. Suppose my friend WILLIS had lived down South and his cotton had been taken, and he wanted to go into court to prove that he was the Willis whose cotton was taken. You could only recover the Willis credit in the Treasury. You could not recover any other credit. You could only recover the amount of money which was placed there to your credit. That is all you could recover. You could not recover for anybody else; and where the Government has decided that issue, where the Government has decided that it was WILLIS's cotton and not Confederate cotton, then WILLIS is certainly entitled to it, and that is all there is in this issue.

Mr. GREGG. Will the gentleman yield?

Mr. SISSON. I yield to the gentleman from Texas.

Mr. GREGG. In answer to the gentleman from Ohio [Mr. WILLIS] I wish to state that this bill does not authorize the payment of any particular money. It simply authorizes a suit. Right at the threshold of the suit the plaintiff would be met with the question of title. Now in the suit it is not the question of our construction, but the court would pass upon the question of title, and the plaintiff would have to show his title; and if it was shown that it was cotton sold to the Confederate Government his title would fail, and he would have no right to recover.

Mr. WILLIS. Will the gentleman yield there?

Mr. SISSON. I will yield.

Mr. WILLIS. Does not the gentleman admit that these people to whom he has just referred had a right to sue under the act that was passed in 1865 and also under the amendatory act of 1872? They have had this right twice, and have been guilty of laches, and they sinned away their day of grace.

Mr. SISSON. But the gentleman must realize that the very act to which he refers required that they make an affidavit that they had always been loyal to the Federal Government. This they could not make. The court of justice was closed in their faces. They had rights, but were denied the opportunity to assert them.

Mr. J. M. C. SMITH. I understood the gentleman to say that some cotton was taken in 1866.

Mr. SISSON. Yes; it was.

Mr. J. M. C. SMITH. Will the gentleman give any explanation of the reasons for taking it at that time?

Mr. SISSON. I will have to go into an explanation which carries us back to some time when the feeling was rather bad. Now, the truth is that the agents of the Government, going around and collecting the cotton of the Confederate Government, would go to a ginhouse or go to a warehouse where the cotton was stored. They would take with them the books showing the sale of the cotton to the Confederate Government, and if there was other cotton there they were not very particular about whose cotton it was, and they rolled it all onto the wagons and onto the trains and sent it to Yazoo City, or Vicksburg, or Greenville, or New Orleans, or Galveston, and other ports and sold it. At that time you sold the cotton to commission merchants at the ports. Now the rules are entirely different. The Government charged that cotton with the expense of sale, and the remainder of the proceeds was then covered into the Treasury. Frequently when the agents of the Federal Government would segregate this cotton they would find a certain number of bales of cotton belonging to the Federal Government, and they would turn the money for that into the Treasury; but where the cotton belonged to a private citizen they did not turn it into the Treasury, but turned it into their own pockets. That happened to private cotton in 1865 and 1866.

But many of these agents were honest men. Many of them did exactly what was right. When they found that there was cotton belonging to private persons, they reported that fact. If I had the time I should like to explain to the gentleman how they tagged their cotton. I will state it briefly. When the Confederate Government bought a bale of cotton they had a long iron rod with barbs on it, and you could shove it into the center of the bale, but 20 oxen could not pull it out, because the barbs would catch. So the only practicable way to get one of these rods out of the bale after driving it in with a sledge hammer was to tear the cotton to pieces. Then on the end of that iron rod there was a flat piece with the number of the bale of cotton and the letters "C. S. A." stamped upon it.

Now, the records would show the date of the sale of that cotton to the Confederate Government. Upon that evidence the cotton was sold and the money was turned into the Treasury for the Confederate cotton. There is no claim for that. The only thing that is being asked now is that something like $900,000 in money remaining to the credit of the people who were not able to show loyalty, whose cotton was taken in 1865 and 1866, be made subject to suit, that they be permitted to go into the Court of Claims and show that that was their cotton. That is all there is of it. If they can not show that this was their cotton, they can not recover under this bill.

Mr. FESS. Will the gentleman yield for a question? I want information.

Mr. SISSON. Yes.

Mr. FESS. The cotton belonging to the Confederate Government does not come under this bill at all.

Mr. SISSON. Oh, no; not at all.

Mr. FESS. The cotton that was taken from people who were loyal does not come under it.

Mr. SISSON. No; because all those people who could prove loyalty have long since recovered.

Mr. FESS. This relates to the cotton owned by the people who could not prove their loyalty?

Mr. SISSON. Yes. Now, there is no contention that these men are not entitled to it. After the Civil War they went back and took the oath of allegiance, in good faith, to become good citizens. These men whose property was wrongfully converted to the use of the Government after 1865 were back at home working for their wives and babies, poverty stricken, in a deso-

lated country. This tort was committed on them after they had laid down their arms. When the Government accepted them back into the Nation the Supreme Court, going even further than I am now contending for, said if private property was taken even during the Civil War, and a man was a Confederate general, that after he was taken back he recovered all his rights; and, except for the existence of this statute, he had a right to recover against the Government, but you took it away from him by the statute. We only ask you to allow him to go into court and have his rights adjudicated. You certainly will not deny us this boon at this late day.

Mr. WATKINS. Mr. Chairman, as shown by the unanimous report of the Committee on Revision of the Laws on this bill, its sole purpose is to dispense with the necessity of alleging and proving *loyalty* in those claims arising under section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, in which act provision is made for the repayment of the money paid into the United States Treasury, the proceeds of property taken by the Federal authorities after June 1, 1865, under the act of Congress approved March 12, 1863.

When the judicial code was enacted into law it was not contemplated that sections 159 and 160 should be construed together with section 162, as the law which gave origin to sections 159 and 160 is entirely separate and distinct from all the law and the principles of law giving rise to and involved in section 162. The principles of law enunciated in section 162 gives an entirely new feature of law not found in any other law extant, and was intended primarily to protect noncombatant citizens of the United States in the enjoyment of their property which on account of the contingencies of war they had abandoned, and it was the intention of the law that this class of property should be taken in charge by the United States Government as custodian and as trustee for the owners of the property and converted into proceeds and held in the United States Treasury as a trust fund for the original owners, their heirs and assigns.

The act of Congress approved March 12, 1863, section 1, provided that such property shall not include any kind or description which has been used, or which was intended to be used, for waging or carrying on war against the United States, and describing that character of property which is used in carrying on war, not including cotton in the description. Section 2 provides for the sale of the property and for the depositing of the proceeds thereof into the Treasury of the United States, and section 3 of the act allows the claimants two years after the suppression of the rebellion to assert their claims in the Court of Claims and to recover on proof of loyalty.

In the case of United States against Klein, reported in Thirteenth Wallace, page 128, the Supreme Court of the United States in a most able and exhaustive opinion decides that under the various proclamations of the President of the United States granting amnesty to those who were engaged in rebellion against the Government the question of loyalty was eliminated from that class of cases arising under the act approved March 12, 1863, as amended by act approved July 2, 1864, and going so far as to hold that although there was incorporated in an appropriation bill a statement by Congress that no pardon nor amnesty granted by the President shall be admissible in evidence on the part of any claimant in the Court of Claims, still, as the pardon granted by the President had already become operative, this act of Congress was not applicable to the cases arising under the act of March 12, 1863. In that case the court expressly and explicitly declares that the proceeds arising from the sale of this property was a trust fund held by the United States Government in the Treasury in a fiduciary capacity for the benefit of the claimants.

Bear in mind that under the act of March 12, 1863, there were two prerequisites to the institution of a suit in the Court of Claims for the recovery of the proceeds of this property under the captured and abandoned property act of Congress. One requirement was that the suit should be instituted within two years after the suppression of the rebellion, and the other requirement was that the claimant should have always been loyal to the Government. The Klein case having definitely and explicitly decided that the President's amnesty proclamations dispensed with the necessity of alleging and proving loyalty, it was not necessary, in the opinion of the lawmakers, to deal with the question of loyalty in enacting section 162 of the act to codify, revise, and amend the laws relating to the judiciary approved March 3, 1911. Hence, in enacting section 162 in this codification, it was only provided that time should be eliminated, permitting the owners of the proceeds of the property to assert their claims without reference to the statutes of limitations. This enactment removed every bar and enabled the owners to present their claims to the Court of Claims, and had it not been for the fact that a controversy arose as to whether sections 159 and 160, which preceded section 162 in the act of revision, did make a requirement for the allegation and proof of loyalty, and which contention was asserted on the part of the United States Government in cases pending before the Court of Claims, it would not have been necessary, or even advisable, for this present amendment, now under consideration, to have been offered.

In a former presentation of this same bill during the last Congress it was seriously contended that the Haycraft case, reported in Twenty-second Wallace, page 81, overruled the case of the United States against Klein and required the allegation and proof of loyalty. Nothing is more remote from the decision in question than this contention. On page 85 the grounds upon which the Court of Claims dismissed the petition are clearly set forth in the statement of the case by the court, in which it is held, first—

> That no action for proceeds of captured and abandoned property would lie, except under the provisions of the act of March 12, 1863.

And—

> That such action, to be maintainable, must be brought within two years after the suppression of the Rebellion.

That is, the court stated the Court of Claims had held as a basis for its decision that it was required that the suit be brought within two years; otherwise the court would not have jurisdiction or right to try the case, and this was the sole basis for the decision in this case, as is clearly shown by the expressions of the Chief Justice in delivering the opinion, on page 92, where the language "within two years" is expressly used, as also on pages 93, 94, 95, 96, and 97, and this repeated use of the expression that the case must have been brought within two years, and no statement anywhere that it was the decision of the court that loyalty was necessary to be alleged or proven. In other words, it was clearly the opinion of the court in that case that while primarily the court would be without jurisdiction to try the case unless it was brought within two years from the suppression of the Rebellion and the allegation and proof of loyalty, still their affirmance of the doctrine of the Klein case, as clearly announced on page 95, shows that it was not the intention of the court to base their decision upon the question of loyalty. On page 96 the court expressly declares that—

> Pardon and amnesty have no effect, except as to such as sue in time.

A careful reading of this decision can convey no other idea except that the claimant had not instituted the suit until after the lapse of two years.

The existing law, as incorporated in section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, clearly eliminates the requirements of the court in that decision, and the question of time is no longer an essential element in the prosecution of these cases. However, as the Court of Claims, in deciding the case of Lincoln, administrator of Joseph A. Harvey, deceased, against United States, on February 9, 1914, stated—

> In the delay likely to be created to meritorious suitors there is cause to regret that section 162 does not contain a limitation of time within which all suits must be brought—

it is deemed advisable to provide in this amendment a time in which all litigants may present their cases to the Court of Claims, so there may be an equitable distribution of the proceeds, and for that reason two years is stated in this bill as the time in which parties may be permitted to file their claims.

In this most able and exhaustive decision of the Court of Claims dismissing the defendant's motion, the court, Judge Howry being the organ, collates the various decisions upon the subject of loyalty and the necessity of alleging and proving it under those cases arising under the captured and abandoned property act of March 12, 1863, and shows conclusively that it is not necessary in the light of these decisions to allege or prove loyalty, and draws a clear distinction between the class of cases intended to be covered by sections 159 and 160 of the Judicial Code and section 162.

The principles of law, as well as the elements of jurisprudence involved in these separate and distinct enactments, are so clear-cut and distinct and separate in their intendment and purpose it is clearly evident that the lawmaker never intended that section 162 should be construed with or governed by the provisions of sections 159 and 160.

It would not at all be necessary to go into this elementary discussion if it were not for the fact that in a previous presentation of this bill before the Congress these questions were raised, and it is for the purpose of making an explanation which may eliminate all such foreign matters from this discussion in this instance that these matters are reverted to.

Under the act approved March 12, 1863, known as the captured and abandoned property act, as amended by act approved July 2, 1864, it was provided that agents of the Government

should take charge of abandoned and captured property in any State or Territory in the United States designated as in insurrection against the lawful Government of the United States, and that this property should be sold and the net proceeds paid into the Treasury of the United States, and the claimants allowed two years after the suppression of the rebellion to reclaim the proceeds.

This bill now being considered has for its purpose the repayment to those claimants from whom this property was taken the proceeds of the property which was taken after the cessation of hostilities. As a matter of fact, the war as waged between the contending forces had closed in April, and there had been entire cessation of hostilities prior to the 1st of June, 1865, and it is for that property which was taken by the agents of the United States Government after the 1st of June, 1865, from noncombatants that this bill provides relief; and it is for this Congress to determine as to whether, after a lapse of nearly half a century, it shall still be contended that after the war was over and the people had gone to their peaceful pursuits it shall be required of them to prove that they were loyal to the Government before they can recover the proceeds of that property which was taken from them by the United States Government in trust and placed in the vaults of the Treasury of the Government to their credit, as shown by Senate Executive Document No. 23, Forty-third Congress, second session. This document is a report from the Secretary of the Treasury giving the bales of cotton which were taken from the individuals, their names and residence; stating when and where and for what amount the cotton was sold, and giving the net proceeds which were placed in the Treasury in trust for the claimants; and showing that there is now in the Treasury a net balance to the credit of the owners of the cotton of $4,886,671.

This money has been in the Treasury to the credit of the persons who are explicitly designated for about half a century without any interest, and having been taken under a law which was an anomaly, and as stated by the Supreme Court of the United States to be different in its character to any other law of any nation in allowing the property of noncombatants to be taken even during hostilities, and this property, the proceeds of which is sought to be recovered through the instrumentality of this bill, was taken after the war had closed and after the people had gone back to their peaceful pursuits, having been led to believe by the proclamation of the President of the United States that they would have restored to them that property which had been taken under the provisions of the law, the guise of which led them to believe that this great Government of ours, acting for them in a fiduciary capacity, had taken charge for their protection and would make restoration when called upon to do so. But now when these claimants seek to procure from the representatives of this great Nation the proceeds of that property to which they are legally and justly entitled, these representatives interpose technicalities and endeavor by dilatory measures to hamper and hinder the restoration of the proceeds of this property to which these claimants are justly entitled. This, too, after the sword of Lee is sheathed forever; the martial spirit of Stonewall Jackson has gone to its long, long home; the immortal soul of Jefferson Davis has taken its eternal flight, while his name has been restored upon the arch of Cabin John's Bridge; the boys of the North and the boys of the South marched shoulder to shoulder with little Joe Wheeler and Fitzhugh Lee in the Spanish-American War; the Sherwood pension bill has passed the Democratic House of Representatives, and the reunion at Gettysburg has heralded to the world that the North and the South are a Union, one and inseparable, living as a nation united in heart and sentiment, forgiving the past and looking to the future for the divine blessings of a benignant Providence, all glorying in one flag, under the folds of which the forces of this great Nation shall be marshaled for its future welfare and grandeur, to rise still higher in the galaxy of nations and inspiring the world with confidence in our honor, integrity, and heroism.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, be amended so as to read as follows:

"SEC. 162. The Court of Claims shall have jurisdiction of any claim therefor filed within two years from the date of the passage of this bill, of those whose property was taken subsequent to June 1, 1865, under the provisions of the act of Congress approved March 12, 1863, entitled 'An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States,' and acts amendatory thereof, where the property so taken was sold and the net proceeds thereof were placed in the Treasury of the United States; and the Secretary of the Treasury shall return said net proceeds to the owners thereof, on the judgment of said court, and full jurisdiction is given to said court to adjudge said claims, any statutes of limitations to the contrary notwithstanding: *Provided*, That no allegation or proof of loyalty shall be required in the presentation or adjudication of such claims."

Mr. WATKINS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. Is it a committee amendment?

Mr. WATKINS. No; it is not.

The Clerk read as follows:

Page 2, line 10, after the word "any," insert the word "prior."

Mr. WATKINS. Mr. Chairman, the object of that amendment is simply to make the expression more explicit and definite. I want to make it so that it can be definitely understood that this statute of limitation refers to previous acts of limitation. There are several statutes barring claims, and one of them, the statute of limitation, provides that claims of this kind shall be barred by a lapse of six years' time. This will make it perfectly clear that it refers to prior statutes on the subject.

Mr. GREGG. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. GREGG. There is a limitation in this act, and this makes it definite that it refers to previous acts.

Mr. WATKINS. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana.

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Chairman, I move to amend by striking out the following language at the end of the bill:

Provided, That no allegation or proof of loyalty shall be required in the presentation or adjudication of such claims.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, lines 12 and 13, strike out the following language:
"*Provided*, That no allegation or proof of loyalty shall be required in the presentation or adjudication of such claims."

Mr. WATKINS. Mr. Chairman, if the gentleman from Illinois is not going to make any remarks in support of his amendment, I want to be heard. I wish to state to the Members of the House, those who favor the passage of the bill, that they should vote against this amendment for the reason that it is striking out the very object of the bill; the very language which is used there is the amendment which has been incorporated in this bill for the purpose of making section 162 in the codification of the laws give the right to those to recover whether they were loyal or not loyal.

I will repeat what I have said before, that the purpose of section 162 was to grant the right to these people from whom this cotton was taken to prove their claims without the question of loyalty being considered. That is the very purpose we are seeking by this bill.

The purpose of section 162 was to grant a right to these people from whom the cotton was taken, as shown by Senate Document 23, but on account of the construction which had been placed by the United States attorney, claiming that sections 159 and 160 governed section 162, although the Court of Claims has decided recently that they are not analogous propositions, not in the same line of thought, not on the same subject matter, still the attorney for the United States made that contention. Judge MOON, chairman of the Committee on the Revision of the Laws, made it perfectly clear that it was the intention to pay this amount. He afterwards, in a conservative speech, emphasized his ideas to the House, although he was on the other side of the House, and spoke in favor of the bill passed by the majority. He showed his purpose to stand by the declarations made in that speech and by the declarations he made at the time the question was in conference and under consideration, and it would be a violation of faith of the most flagrant kind to vote in favor of this amendment offered by the gentleman from Illinois.

Mr. MANN. The gentleman from Louisiana is correct in stating what would be the effect of this amendment if adopted. The whole purpose of the bill is to evade a provision of the law requiring proof of loyalty as it now stands. The rest of the bill is practically a reenactment of existing law. This provision which I have moved to strike out proposes to allow the proof of claims against the Government by those who were not loyal during the Civil War. I do not think it is a good practice to enter upon, and therefore I have made the motion.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MANN) there were 20 ayes and 74 noes.

So the amendment was rejected.

Mr. WATKINS. Mr. Chairman, I move that the committee do now rise and report the bill with amendment to the House

with the recommendation that the amendment be agreed to and that the bill pass.

The motion was agreed to.

The committee accordingly rose; and Mr. ALEXANDER having taken the chair as Speaker pro tempore, Mr. BARTLETT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 5850) to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, and had instructed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and the bill as amended do pass.

Mr. WATKINS. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The *motion* was agreed to.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. MANN) there were 84 ayes and 21 noes.

So the bill was passed.

On motion of Mr. WATKINS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

THE JUDICIARY CODE.

Mr. WATKINS. Mr. Speaker, I call up the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. Mr. Speaker, this bill is on the Union Calendar. Under the rules of the House, it being called up by the committee, the House automatically resolves itself into Committee of the Whole House on the state of the Union. The parliamentary inquiry is, When is it in order to raise the question of consideration on the bill? I will say to the Chair that Mr. Speaker Cannon ruled under this same rule that it was in order in Committee of the Whole to raise the question of consideration. It must be in order some time, and I make the parliamentary inquiry as to whether it is in order now in the House or whether it would be in order in Committee of the Whole.

Mr. MURDOCK. Would that permit two-thirds in Committee of the Whole to dispense with the day?

Mr. MANN. Oh, this is a question of consideration on this bill only. When this rule was first adopted, the first question that arose under the rule was whether it would require a motion to go into Committee of the Whole on the state of the Union on a Union Calendar bill, or whether the House would automatically resolve itself into the Committee of the Whole. Mr. Speaker Cannon ruled that under the provisions of the rule, it being in order under the rule to call up a Union Calendar bill, and the committee having that right, and the rules requiring that the bill when called up should be considered in Committee of the Whole House on the state of the Union, therefore it was not necessary to make a motion to that effect, but that the Chair would declare the House resolve into the Committee of the Whole House on the state of the Union and call a chairman to the chair.

The SPEAKER pro tempore. As the Chair understands, the rule provides that the House shall automatically resolve itself into Committee of the Whole.

Mr. MANN. Oh, no; I am suggesting to the Speaker now how that ruling arose. The rule does not determine that. The rule authorizes the calling of Union Calendar bills on Calendar Wednesday on call of committees, and the rules of the House require that all Union Calendar bills shall be considered in Committee of the Whole House on the state of the Union; but the committee having the right to call up the bill, and the other rule requiring that the bill shall be considered in the Committee of the Whole House on the state of the Union, Mr. Speaker Cannon held it was not necessary to make a motion to go into Committee of the Whole House on the state of the Union, and that the Chair would automatically resolve the House into the committee; but at the same time the House having the right to determine whether to proceed with a particular bill, that the question of consideration might be raised in Committee of the Whole House on the state of the Union, which can not be done ordinarily. Subsequently the same ruling was announced when we had under consideration the bill to codify the laws relating to the judiciary, of which this is a companion bill. It is immaterial to me when we can raise the question of consideration.

Mr. FOSTER. Having called up this particular bill in the House, would it be competent to raise the question of consideration now in the House?

Mr. MANN. I am making a parliamentary inquiry of the Speaker. The rulings heretofore have been that the question of consideration could not be raised in the House, but that it could be raised in Committee of the Whole.

Mr. WATKINS. Mr. Speaker, if the gentleman has concluded his remarks, I wish to state to the Speaker that it is a well-recognized rule and invariably adopted by the Speaker, as was done during the consideration of the bill which we have just passed, that the House shall automatically resolve itself into the Committee of the Whole House on the state of the Union, and in view of that fact, and partially for the purpose of allaying any fears of the gentleman who has raised the point, I will state that as soon as this bill is reached in Committee of the Whole and the consideration of it has begun and I obtain the right of way on the calendar for the bill to be considered my purpose is to ask unanimous consent—which I believe will be granted—to postpone the further consideration of the bill and give my reasons for it at the time. It is not my purpose to crowd out other legislation or to retard the progress of other bills which really deserve earlier consideration than this. This is a matter which can wait.

Mr. FOSTER. I do not understand how the gentleman is going to be able to do that after we go into the Committee of the Whole.

Mr. GARNER. He can move that the committee rise.

Mr. MANN. Then we would not be any further along after the committee rose.

Mr. WATKINS. I do not want to waive any of my rights.

Mr. BARTLETT. I do not understand that if the gentleman gets into the Committee of the Whole and then gets out, and some other bill is taken up and considered that that gives him any preference. He would lose his rights in that way.

Mr. GARNER. Mr. Speaker, referring to the parliamentary status and the suggestion of the gentleman from Illinois, construing these two rules together—one of them giving the right to the committee to call up a bill on the Union Calendar on Calendar Wednesday, and the other rule requiring a Union Calendar bill to be considered in Committee of the Whole, it has been universally held that the House automatically resolves itself into the Committee of the Whole House on the state of the Union, and if it does, no business can transpire between the time the bill is called up and the time the House resolves itself into the Committee of the Whole, because it would not be automatic if any business could be transacted between those times.

Mr. MANN. But the gentleman will recognize that the gentleman from Louisiana can call up his bill and move to close debate. That permits business to occur.

Mr. GARNER. After we have had some debate?

Mr. MANN. Yes; but the gentleman to-day when he called up the former bill which was pending could have, pending that, moved to close general debate, so that the mere calling up of a bill does not mean that instantly the House is resolved into the Committee of the Whole, because that would foreclose the right to move to close general debate. Here is the situation: Suppose the House does not want to take this bill up, a bill of nearly 200 pages, and we automatically resolve the House into the Committee of the Whole, and it should be held then by the Chairman that we can not raise the question of consideration in committee, and some gentleman moved that the committee rise, which would be in order, and the motion should be agreed to and we would go back into the House, the Committee on Revision of the Laws still would have the call and could immediately call the bill up again.

Then the gentleman says that automatically we must go back into the Committee of the Whole, and some gentleman moves that the committee rise, and we might continue to do that the balance of the day. No gentleman will claim that that would be proper.

Mr. GARNER. I did not intend to convey the idea, I will say to the gentleman from Illinois, that any business furthering the interest of this bill can not be transacted after the bill was called up, but I did intend to convey the idea that my construction of these two rules is that no business other than the consideration of this bill, either its defeat or the furthering of its passage, could be transacted.

Mr. MANN. I think that is right.

Mr. GARNER. I do not anticipate that any Chairman of the Committee of the Whole will reverse the precedents that have been set heretofore with reference to committees of the House——

Mr. MANN. My judgment, as I expressed before, is you can raise the question of consideration in the committee, and on

that I desire to have a ruling of the Speaker before we went into the committee, so there could be no question about that.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARRETT of Tennessee. May I ask the gentleman if he is in accord with the ruling made by the former Speaker on the question of consideration?

Mr. MANN. Heretofore Speaker Cannon held——

Mr. GARRETT of Tennessee. I know what he held.

Mr. MANN (continuing). That you could not raise the question of consideration in the House on this automatic call, but when you got into the Committee of the Whole you could raise the question of consideration there. I am quite content to have it raised in either place, but I made the part of the inquiry as to whether or not it was in order now or in the committee.

Mr. GARRETT of Tennessee. It has been my feeling about the matter—I do not know whether my impression is worth anything much—but my impression of the question of consideration is that even on Calendar Wednesday it ought to be raised when the bill is called.

Mr. MANN. Of course there is nothing you can raise the question of consideration on a bill that has to be considered in the Committee of the Whole House, because ordinarily that is done by a motion, and you can defeat the motion.

Mr. BARTLETT. And when in the Committee of the Whole it is the determination of the House to consider the bill ordinarily.

Mr. MANN. And ordinarily determined on a motion, but you can not determine by a motion here, because there is no motion made.

Mr. GARRETT of Tennessee. The rule is this, of course, when any motion or proposition is made—of course there is no motion made here, but there is a proposition——

Mr. MANN. I take it that it is perfectly clear——

Mr. GARRETT of Tennessee. When any motion or proposition is made the question, "Will the House now consider it?" shall have to be put if it is demanded by a Member. This, of course, is a proposition, though it is not a motion. I am not quarreling with the decision of the former Speaker, and I have no doubt the gentleman has given more attention to it than I have.

Mr. MANN. The ruling of the former Speaker, I will say to the gentleman from Tennessee, was made by consent on both sides as a mere matter of convenience.

Mr. MURDOCK. Might I inquire of the gentleman, is it not in the interest of time to adopt that ruling of Speaker Cannon?

Mr. MANN. I think that is true.

Mr. MURDOCK. And has not Speaker CLARK adopted that ruling?

Mr. MANN. I think he has never been called upon to pass upon it.

Mr. LLOYD. Is it possible to make an arrangement by which this bill might become a continuing order at some other time than on Calendar Wednesday?

Mr. MANN. I do not believe it is possible at this stage of the session. I think this bill ought to be considered and probably passed. I do not see how it is possible at this stage of the session to set down for a hearing in the House a bill that might probably take two or three weeks for consideration. I am not willing to stay here until next October for the purpose of passing this bill.

Mr. LLOYD. If it does not interfere with the appropriation bills or conference reports and matters of that character, which are privileged, what objection is there to making it the continuing business of the House?

Mr. MANN. Well, when we get the appropriation bills a little further along and out of the way we might consider it.

Mr. LLOYD. I want to state frankly that the Committee on the Revision of the Laws have no desire to monopolize the business of Calendar Wednesday if it can be avoided. That committee would like to have this bill, which is important to every Member of the House and the country, made a continuing order of business, when other matters of special importance are not being considered. We will certainly reach a time, after we get through with appropriation bills, when there will be nothing special to be done in the House, and we would like to have this bill made the continuing order, so that this particular bill might be taken up at such time.

Mr. MANN. Let me suggest this to the gentleman. We have got a long Private Calendar which, if it is taken up, will have to be considered probably after the appropriation bills are largely out of the way. The Public Lands Committee has a long list of bills on that calendar of importance which it desires to get up; the Committee on Interstate Commerce has quite a bunch of bills which it wants to consider; the Committee on the Judiciary is in the same fix. I do not know, but I suppose the Committee on Rules will give consideration to the respective merits of these propositions if necessary, and the length of time they will take. I am not willing, so far as I am concerned, to foreclose the right to consider these other bills by giving a right to a bill that will certainly take two or three weeks if it is considered in the House.

Mr. LLOYD. I have not any question at all but that this bill would take at least two weeks for consideration.

Mr. MANN. So far as I am concerned, I am willing to vote for the bill as it stands, without consideration.

Mr. MURDOCK. Will the gentleman yield?

Mr. MANN. I will, if I have the floor.

Mr. MURDOCK. Is there not some virtue in the proposition of the removing of the rights of raising the question of consideration in the House or in the Committee of the Whole, because you can get a roll call in the House?

Mr. MANN. I do not think it makes much difference, I will say to the gentleman, on the Union Calendar.

Mr. MURDOCK. You get no record in the Committee of the Whole.

Mr. MANN. That is true, but I do not think it makes very much difference on Union Calendar bills. The bill we would ordinarily want a roll call on, the bill by itself, is usually a House bill. We raise the question of consideration on those when they are called.

Mr. MURDOCK. Is it not in order to raise the question of consideration in the Committee of the Whole except in this instance?

Mr. MANN. No; it is not. Take an appropriation bill, and you move to go into Committee of the Whole. You can raise the question of consideration in a way by voting "no" on that motion.

Mr. MURDOCK. And that is equivalent to the question of consideration?

Mr. MANN. It is equivalent to the question of consideration.

Mr. MURDOCK. But it seems to me there would be some virtue in having a roll call on a question of consideration on a bill which you can not get in the Committee of the Whole.

Mr. MANN. That might be; but that might make a very effective method of filibuster on Calendar Wednesday, also.

Mr. CAMPBELL. Mr. Speaker, I recall very well the discussion on this floor with reference to the practice suggested by the gentleman from Illinois [Mr. MANN] with regard to automatically going into the Committee of the Whole on these bills. Calendar Wednesday was fresh. It had just been adopted by the House, and the object was to safeguard every moment of the day if it was possible. And the purpose, in a practically unanimous-consent agreement in the discussion upon this floor, that the House automatically go into Committee of the Whole, was to avoid anything like a filibuster that might be undertaken against the consideration of bills.

Mr. MURDOCK. But, if the gentleman from Kansas will yield——

Mr. CAMPBELL. Yes.

Mr. MURDOCK. In avoiding the possibility of filibuster you also took away from the House the right to go on record for consideration of the bill?

Mr. CAMPBELL. Well, the loss of that right was gained in the consent that the bill could be considered. There was practically a unanimous consent that the bill should be considered. The question of consideration, however, was reserved to the Committee of the Whole, and I do not recall of any case where the question of consideration has been raised on bills in Committee of the Whole.

Mr. FOSTER. Is it the idea of the gentleman from Kansas [Mr. MURDOCK] that this bill ought to have consideration now?

Mr. MURDOCK. I am inclined to wait on this bill.

I would like to inform the Chair of this feature of the case. If the question of consideration is raised in the House—and I realize the Chair is about to rule—if the question of consideration was raised in the House, there would be an opportunity for a record vote. If the Chair rules, and follows the ruling of Speaker Cannon, that the question of consideration can be raised in the Committee of the Whole, there is no record vote. I think that has a bearing upon the proposition.

Mr. BARTLETT. Why?

Mr. MURDOCK. It puts the House on record.

Mr. FESS. Mr. Speaker, may I be heard on this point?

The SPEAKER pro tempore. The Chair will be glad to hear the gentleman.

Mr. FESS. Mr. Speaker, as I understand it, the rules governing proceedings in the Committee of the Whole limit the number of motions that can be made, and in that number the question of consideration is not included. I also understand that the motion to go into the Committee of the Whole can not be made except when there is a motion before the House for

consideration, because it is a mere commitment of a matter to a committee—in this case the Committee of the Whole—and if the situation was not to go into the Committee of the Whole by automatic action, but by a motion in the ordinary way, it would be very clear that objection to the consideration of the motion would be in order when the motion to go into the Committee of the Whole is made. But not going into the Committee of the Whole by a motion, but by automatic action by virtue of the rules on Calendar Wednesday, then it seems to me that it is perfectly clear under parliamentary law that you can not object to the consideration of the question when the House goes into the Committee of the Whole automatically. If you could, it would be amending the rules of the House by mere motion. On the other hand, the rules limiting the motions made in the Committee of the Whole, which do not specify consideration as one of them, do not permit this motion in the Committee of the Whole. It is a case of one motion or a parliamentary situation shutting out another motion, just the same as the previous question would shut out the motion to amend or force the motion to a vote. If such a motion were allowed in the committee, its results would nullify the automatic procedure by simply reversing by vote of the committee an action in pursuance of the rules of the House.

Therefore, under our rulings, it seems to me, from the standpoint of parliamentary law—unless you have some rules here in the House that are not generally included in parliamentary law—that the objection to the consideration of the question when the House goes into committee by automatic action is neither allowed in the House nor is it allowed in the Committee of the Whole, but ruled out by the rules of the House as a motion not in order when a bill comes up for consideration in the situation now before this House.

The SPEAKER pro tempore. The rule, paragraph 4, Rule XXIV, provides:

After the unfinished business has been disposed of the Speaker shall call each standing committee in regular order, and then select committees, and each committee when named may call up for consideration any bill reported by it on a previous day and on the House Calendar, and if the Speaker shall not complete the call of the committees before the House passes to other business he shall resume the next call where he left off, giving preference to the last bill under consideration.

Paragraph 7, Rule XXIV, with reference to Calendar Wednesday, provides:

7. On Wednesday of each week no business shall be in order except as provided by paragraph 4 of this rule, unless the House by a two-thirds vote on motion to dispense therewith shall otherwise determine. On such a motion there may be debate not to exceed five minutes for and against.

On a call of committees under this rule bills may be called up from either the House or the Union Calendar, excepting bills which are privileged under the rules; but bills called up from the Union Calendar shall be considered in Committee on the Whole House on the state of the Union.

The unfinished business having been disposed of and the Committee on Revision of Laws having the right to call up bills reported from that committee for consideration, and that committee having called up a bill on the Union Calendar for consideration, it is the opinion of the Chair that it is the duty of the Speaker, under the rules, paragraphs 4 and 7 of Rule XXIV, to declare that the House automatically resolves itself into Committee of the Whole House on the state of the Union for the consideration of the bill and to call some one to preside in committee.

Whether or not the question of consideration may be raised in committee, the Chair does not feel called upon to decide. He is inclined to the opinion, however, taking the spirit of the rule and the purpose it was intended to accomplish into consideration, that it is very doubtful if such a motion would be in order.

The gentleman from Louisiana [Mr. WATKINS] calls up the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the bill.

Mr. FOSTER. Mr. Speaker, may I make a parliamentary inquiry?

The SPEAKER pro tempore. The gentleman will state it.

Mr. FOSTER. I did not catch the Speaker's ruling, whether or not the question of consideration could be raised in the House.

The SPEAKER pro tempore. The Chair is of opinion that it can not be raised in the House under this rule.

Mr. FOSTER. And it can be raised in committee?

The SPEAKER pro tempore. Whether or not it can be raised in committee the Chair is not called upon to decide. The gentleman from Missouri [Mr. RUSSELL] will take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, with Mr. RUSSELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15578, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled——

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. I desire to raise the question of consideration of the bill. I suppose, properly speaking, the first reading of the bill should be had before that question is raised.

Mr. LLOYD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with——

Mr. MANN. Without affecting the right to raise the question of consideration.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] raises the question of consideration. What does the gentleman from Missouri [Mr. LLOYD] rise to say?

Mr. LLOYD. I rise to ask unanimous consent that the first reading of the bill be dispensed with.

Mr. MANN. Of course, properly speaking, the bill should first be read before the question of consideration should be raised.

The CHAIRMAN. The gentleman from Missouri [Mr. LLOYD] asks unanimous consent that the first reading of the bill be dispensed with without prejudicing the question of consideration raised by the gentleman from Illinois [Mr. MANN].

Mr. BARTLETT. Mr. Chairman, I did not hear what the Chair said.

The CHAIRMAN. The gentleman from Missouri [Mr. LLOYD] asks unanimous consent that the first reading of the bill be dispensed with provided it shall not prejudice the question as to consideration, raised by the gentleman from Illinois [Mr. MANN].

Mr. BARTLETT. Mr. Chairman, if the question of consideration should come now, why not follow the rule?

Mr. MANN. The rule requires the bill to be read before the question is raised.

Mr. BARTLETT. I think the bill ought to be read.

The CHAIRMAN. Is there objection?

Mr. BARTLETT. I object.

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] objects. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the laws relating to the judiciary be, and they hereby are, codified, revised, and amended, with title, chapters, headnotes, and sections, entitled, numbered, and to read as follows:

Mr. WATKINS. Mr. Chairman——

Mr. RUCKER rose.

The CHAIRMAN. The gentleman from Louisiana.

Mr. BARTLETT. Mr. Chairman, the bill is being read, is it not?

Mr. WATKINS. Mr. Chairman, I have no amendment to offer to this bill.

Mr. BARTLETT. The bill has not been read. I raise the question of order.

The CHAIRMAN. The bill has not been read and the reading has not been dispensed with.

Mr. BARTLETT. I make the point of order that the bill has not been read and there is nothing to be done until the bill is read.

Mr. WATKINS. Mr. Chairman, I want to take further steps to postpone the consideration of the bill, and I want to give my reasons for it.

The CHAIRMAN. It can only be done by unanimous consent. The bill is now being read.

Mr. WATKINS. For that purpose, Mr. Chairman, I move that the committee do now rise.

Mr. BARTLETT. Mr. Chairman, the reading of the bill can not be interrupted in that way.

The CHAIRMAN. The gentleman from Louisiana [Mr. WATKINS] moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. BARTLETT. A division, Mr. Chairman.

The committee proceeded to divide.

Pending the division,

Mr. BARTLETT. Mr. Chairman, I withdraw the demand for a division.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary and had come to no resolution thereon.

Mr. WATKINS. Mr. Speaker, I ask unanimous consent to have read the resolution which I hold in my hand, and I ask its adoption by unanimous consent.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to have a certain resolution read.

Mr. MURDOCK. Mr. Speaker, how far does the request for unanimous consent go? Does it go both to the reading and to the adoption?

Mr. WATKINS. For the present I ask unanimous consent that it be read, and then I will ask unanimous consent that it be adopted.

The SPEAKER. Is there objection to the reading of the resolution?

There was no objection.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Mr. WATKINS moves that the consideration of H. R. 15578 (No. 170, Union Calendar) be deferred until the fourth Wednesday in May, 1914, to be then considered, unless there then be under consideration some bill on the Wednesday Calendar, in which case the bill H. R. 15578 shall be taken up for consideration upon the conclusion of the call of the committee then having a bill under consideration.

Mr. WATKINS. Mr. Speaker, I ask unanimous consent that the resolution be adopted.

Mr. RUCKER. Reserving the right to object——

Mr. GARRETT of Tennessee. Mr. Speaker, I object.

Mr. WATKINS. Then, in view of that objection, and in deference to the gentleman from Tennessee, I move that the resolution be adopted.

Mr. MANN. I make the point of order that that motion is not in order.

Mr. FOSTER. That motion is not in order.

Mr. MANN. It is not a privileged motion.

The SPEAKER. The point of order is undoubtedly good, and is sustained. The Clerk will report the next bill.

Mr. MANN. A parliamentary inquiry. Is not the regular order the resolving of the House into the Committee of the Whole House on the state of the Union?

The SPEAKER. Yes. The House automatically resolves itself——

Mr. WATKINS. I call for the consideration of H. R. 15578.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. What was the motion of the gentleman from Louisiana [Mr. WATKINS]?

Mr. WATKINS. That we proceed to the consideration of H. R. 15578, No. 170 on the Union Calendar.

Mr. MANN. That is the regular order.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the consideration of that bill, and the gentleman from Missouri [Mr. RUSSELL] will take the chair.

Mr. RUCKER. Oh, Mr. Speaker, I want to talk a little bit.

The SPEAKER. The Chair understands, but the trouble is that under that automatic rule nobody can talk. [Laughter.]

Mr. RUCKER. Mr. Speaker, a parliamentary inquiry. Then had we not better revise the rules?

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union, with Mr. RUSSELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of H. R. 15578.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. BARTLETT. I object.

The CHAIRMAN. The gentleman from Georgia objects.

Mr. RUCKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RUCKER. If another bill should ever be reached, is there any way to prevent the taking away from gentlemen who want time to debate as much time as is consumed in this farce that we are playing here now?

Mr. MURDOCK. That is not a parliamentary inquiry.

The CHAIRMAN. Under the rules this bill after it is read will be subject to general debate.

Mr. RUCKER. I want to serve notice that this time will be made up in some way. I think gentlemen are trying to put off the consideration of another bill that is coming, but there will be opportunity for debate on it. I serve notice on gentlemen now——

Mr. BARTLETT. I call the gentleman to order. He has no more rights than anybody else——

Mr. RUCKER. The gentleman from Georgia ought not to make that statement.

Mr. BARTLETT. I will not consult you about it. I will not consult you about anything.

Mr. RUCKER. I will get my speech made, anyhow.

Mr. RAGSDALE. Mr. Chairman, I move that we order the fleet sent here instead of sending it to Mexico.

The CHAIRMAN. The committee will be in order. The Clerk will proceed with the reading of the bill..

The Clerk began the reading of the bill.

Mr. BRYAN. Mr. Chairman, I ask unanimous consent that the further first reading of the bill be dispensed with.

Mr. ELDER. I object.

Mr. MOORE. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MOORE. I move to strike out the last word.

The CHAIRMAN. That is not in order. This is the first reading of the bill.

Mr. MANN. The gentleman is a slow freight train. The bill has not been read.

Mr. MOORE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. Is it proper before the first reading of the bill is concluded to have any explanation of it by the gentleman in charge?

The CHAIRMAN. It is not. The first reading of the bill can only be dispensed with by unanimous consent.

Mr. MOORE. Another parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. When may we have some explanation of the bill by the chairman of the committee in charge of it?

The CHAIRMAN. After the bill has been read.

Mr. MANN. The first of October.

The CHAIRMAN. After the bill has been read, when it is up for consideration and amendment.

The Clerk proceeded with the reading of the bill.

Mr. MOORE. Mr. Chairman, I move that the further reading of the bill be dispensed with.

Mr. BARTLETT. I object.

The Clerk proceeded with the reading of the bill.

Mr. MOORE. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. I made a motion a little while ago that the further reading of the bill be dispensed with. That was objected to, and the objection seems to have been held by the Chair to be a valid one. Have I not the right to move to dispense with the first reading of the bill?

The CHAIRMAN. A motion of that sort is not in order. The first reading of the bill can only be dispensed with by unanimous consent.

Mr. MANN. The gentleman can argue the point of order.

Mr. MOORE. Then the motion to suspend is not in order at this time?

The CHAIRMAN. It is not.

Mr. MOORE. Mr. Chairman, I should like to be heard on the point of order.

Mr. BARTLETT. I object and call for the regular order.

The CHAIRMAN. The regular order is called for, which is the reading of the bill.

Mr. MOORE. Have I not the right to discuss the point of order?

The CHAIRMAN. No; the gentleman has not made any point of order.

Mr. MOORE. Mr. Chairman, I make the point of order that no quorum is present.

The CHAIRMAN (after counting). One hundred and six Members present, a quorum, and the Clerk will read.

The Clerk proceeded with the reading of the bill.

Mr. MADDEN. Mr. Chairman, the information which is being conveyed to the committee through the Clerk is very interesting, and I suggest the absence of a quorum.

The CHAIRMAN. The gentleman from Illinois makes the point that no quorum is present.

Mr. FOSTER. And I make the point of order, Mr. Chairman, that that is dilatory.

Mr. MADDEN. It is evident to everybody that there is no quorum here.

Mr. DONOVAN. Mr. Chairman, the truth can not be dilatory, and the truth is there is no quorum present.

Mr. FOSTER. The Chairman just counted a quorum.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and one Members present, a quorum.

Mr. MADDEN. Mr. Chairman, a great many clerks and messengers were on the floor, and I am afraid that the Chair was not able to distinguish between them and Members, and I therefore ask for tellers on the question of a quorum.

Mr. FOSTER. That is out of order.

Mr. GARRETT of Tennessee. Mr. Chairman, I make the point of order that it is not in order to demand tellers on counting a quorum. The House is not dividing.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

Mr. MANN. I move that the committee do now rise, Mr. Chairman, and let us ascertain whether we have a quorum.

The CHAIRMAN. The gentleman from Illinois moves that the committee do now rise.

The question was taken; and on a division (demanded by Mr. BARTLETT) there were—ayes 20, noes 47.

Mr. MANN. I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. MANN and Mr. WATKINS.

The committee again divided; and there were—ayes 25, noes 58.

Mr. MOORE. Mr. Chairman, I make the point of order that no quorum is present.

Mr. FOSTER. The announcement of the vote by tellers does not demonstrate that there is no quorum present.

Mr. MURDOCK. I want to say that I did not vote.

Mr. FOSTER. That is what I am getting at.

The CHAIRMAN. The Chair will count. [After counting.] Ninety-two Members are present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Austin	Dunn	Key, Ohio	Porter
Bailey	Edmonds	Knowland, J. R.	Powers
Borchers	Estopinal	Kreider	Reilly, Conn.
Brockson	Farr	Lafferty	Roberts, Mass.
Broussard	Fitzgerald	Lee, Ga.	Rogers
Brown, W. Va.	FitzHenry	L'Engle	Rothermel
Browne, Wis.	George	Lever	Rupley
Bruckner	Gerry	Lindquist	Sabath
Brumbaugh	Goeke	Linthicum	Saunders
Buchanan, Tex.	Goldfogle	Loft	Scully
Bulkley	Goodwin, Ark.	McAndrews	Seldomridge
Burgess	Gordon	McKellar	Sells
Burke, Pa.	Griffin	Maher	Sharp
Butler	Hamill	Manahan	Sinnott
Candler, Miss.	Hamilton, N. Y.	Martin	Slayden
Carew	Hardwick	Merritt.	Slemp
Carlin	Hay	Metz	Sparkman
Cary	Hayes	Miller	Stafford
Casey	Heflin	Montague	Stanley
Chandler, N. Y.	Helvering	Moon	Stout
Clancy	Hinebaugh	Morgan, La.	Sutherland
Clark, Fla.	Houston	Morin	Taylor, Ala.
Claypool	Howell	Moss, Ind.	Thomas
Coady	Hoxworth	Neeley, Kans.	Thompson, Okla.
Collier	Hughes, W. Va.	Neely, W. Va.	Townsend
Connolly, Iowa	Hulings	Norton	Underhill
Cooper	Jacoway	O'Shaunessy	Vollmer
Crisp	Jones	Palmer	Wallin
Cullop	Kahn	Peters, Me.	Walsh
Dale	Keister	Peters, Mass.	Whitacre
Dooling	Kelley, Mich.	Phelan	Wison, Fla.
Doremus	Kelly, Pa.	Platt	Winslow

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15578) to modify, revise, and amend the laws relating to the judiciary, and the committee finding itself without a quorum had caused the roll to be called, and 302 Members had answered to their names, and he presented a list of the absentees.

The committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

The Clerk proceeded with the reading of the bill.

Mr. DONOVAN. Mr. Chairman, I did not hear sections 37 and 38 read by the Clerk. Has he not made a mistake?

Mr. BARTLETT. Those are amendments to the bill.

The CHAIRMAN. The Chair understands those are amendments.

Mr. BARTLETT. They are committee amendments, and it is not necessary for the Clerk to read them now.

Mr. MURDOCK. They will be reported later.

Mr. WATKINS. So that gentlemen may be properly advised, if they will look at the report on the bill they will see these places italicized are not committee amendments, but they are new enactments placed there by the commission appointed for the purpose of redrafting the law and a part of the original bill. There are no committee amendments in the bill itself.

The CHAIRMAN. The Chair will state it is printed in italics, and that is the way amendments are usually printed in the bill, so the reading clerk had reason to believe they were amendments.

Mr. BARTLETT. On the first page of the bill it says "existing law is printed in roman; amendments and new sections are printed in italic." That is the reason I thought they were amendments.

Mr. WATKINS. There are no committee amendments whatever to the bill.

Mr. MOORE. Mr. Chairman, I ask unanimous consent that these amendments be read for the information of the House. Some of us are trying to follow the reading of this bill. You have passed sections 37 and 38, which seem to be amendments. Why should not these amendments be read for the information of the Members?

Mr. MURDOCK. No; they are not amendments.

Mr. BARTLETT. The committee report says there are no committee amendments.

Mr. RUCKER. Regular order, Mr. Chairman. We want to hear this bill read.

The CHAIRMAN. The Clerk will continue the reading of the bill.

Mr. MOORE. Mr. Chairman, what has become of my request?

The CHAIRMAN. The Clerk is going to read the italicized portion.

The Clerk resumed the reading of the bill.

Mr. DONOVAN. Mr. Chairman, are not we going to have sections 37 and 38 read?

Mr. MOORE. Mr. Chairman, I understood the Chair to rule that they were to be read on the request made by myself.

The CHAIRMAN. The Chair understood they are to be read, and the Clerk will read.

Mr. RUCKER. Mr. Chairman, I ask unanimous consent, in order that there be no confusion about this, to begin at the first page and read it all over.

Mr. BARTLETT. I hope they will.

The CHAIRMAN. The Clerk will read.

The Clerk resumed the reading of the bill.

Mr. MOORE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. We have just read the paragraph relating to the salaries of district attorneys. It may be that there will be some amendments to that paragraph. May I ask when an opportunity to offer amendments will present itself?

The CHAIRMAN. Well, the Chair would think that when we commence reading the bill the second time for amendment——

Mr. MANN. Next Christmas.

The CHAIRMAN. The bill is now being read for the first time.

Mr. MANN. The bill is now being read for the information of the gentleman from Pennsylvania, if that is possible.

Mr. MOORE. The gentleman from Pennsylvania is very much instructed by the reading of the bill and he wants to hear more of it. He may want to offer an amendment, and he is asking, in good faith, when an opportunity will present itself to offer amendments?

Mr. BARTLETT. The gentleman will have opportunity.

The CHAIRMAN. Of course, this is subject to amendment when it is read a second time. When that date will be the Chair can not tell the gentleman.

Mr. MOORE. When the bill is read a second time there will be a chance to amend?

The CHAIRMAN. The Chair thinks so.

Mr. MOORE. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. We have read now about 28 pages of this bill, of which there are 198 pages. At the rate at which the bill is being read it probably will not be finished until the end of next Calendar Wednesday. May I ask the Chair if it is likely the bill will come up for a second reading on that day?

The CHAIRMAN. The Chair does not believe that is a parliamentary inquiry.

Mr. MOORE. Mr. Chairman, is it not a parliamentary inquiry to ask when the bill will be read for a second time? We are now reading the bill for the first time. As a parliamentary matter, is it not proper to ask when the bill will be read for a second time?

The CHAIRMAN. The Chair can not tell how much delay there will be in the reading of the bill.

Mr. MOORE. But assuming there is no delay in the reading of the bill for the first time, will we commence the reading of the bill for a second time immediately after it is read for the first time?

The CHAIRMAN. That must be determined by a mathematical calculation, and the gentleman from Pennsylvania is perhaps better qualified to do that than the Chair.

Mr. MOORE. I think the Chair has not yet answered the parliamentary question. The suggestion of a mathematical calculation is no answer to a parliamentary question.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

Mr. MOORE. Mr. Chairman, I wanted to know when, under the rules, we would begin to read the bill a second time?

The CHAIRMAN. After it has been read the first time.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Would it be in order for the Chair to appoint some one to privately conduct a school of parliamentary law for the benefit of our genial friend from Pennsylvania?

The CHAIRMAN. The Chair does not know about that, but would suggest that the gentleman from Illinois give him his opinion. The Clerk will proceed with the reading.

Mr. MOORE. Mr. Chairman, in view of the fact that the gentleman from Illinois seems to be dissatisfied with this procedure, I move that the committee do now rise.

Mr. MANN. Oh, I am not dissatisfied.

The CHAIRMAN. The question is on the motion of the gentleman from Pennsylvania that the committee do now rise.

The question was taken, and the Chair announced that the ayes had it.

Mr. MOORE. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from Pennsylvania demands tellers. As many in favor of ordering tellers will rise and stand until counted. [After counting.] Five gentlemen standing, not a sufficient number, and tellers are refused.

So the motion to rise was rejected.

The CHAIRMAN. The Clerk will continue with the reading.

The Clerk resumed the reading of the bill.

Mr. RUCKER (interrupting the reading). Mr. Chairman, I ask unanimous consent to address the committee for three minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to address the committee for three minutes. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, I think if the gentleman from Missouri addresses the House for three minutes, filibustering to that extent, the gentleman from Georgia ought to have three minutes also in which to address the committee.

Mr. RUCKER. Very well; let him have it.

Mr. BARTLETT. Mr. Chairman, I demand the regular order.

Mr. RUCKER. Oh, do not do that. In behalf of the American citizens who are sitting in the gallery, I want to explain that this farce does not take place every day.

The CHAIRMAN. The gentleman from Georgia demands the regular order. The Clerk will read.

Mr. RUCKER. Did the Chair put my request?

The CHAIRMAN. The gentleman from Georgia objected.

Mr. MANN. Mr. Chairman, I do not think the gentleman from Missouri [Mr. RUCKER] ought to filibuster and take up the time of the committee in this way.

Mr. BARTLETT. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The Clerk will read.

Mr. MURDOCK. Mr. Chairman, a parliamentary inquiry..

The CHAIRMAN. The gentleman will state it.

Mr. MURDOCK. During the long reading of this bill there have been frequent interruptions. In the printing of to-day's proceedings in the RECORD will those interruptions show that they occurred during the reading of the bill or at the end of the bill?

Mr. RUCKER. If the gentleman wants to get his speech in the RECORD, he will have to do it while the bill is being read.

Mr. MANN. It will appear in the RECORD that during the reading certain things took place.

Mr. MURDOCK. Then the RECORD shows, first, the reading of the bill entire, and at the conclusion of the reading of the bill that the following interruptions took place? Is that true?

Mr. MANN. I do not think the RECORD will show the reading of the bill entire.

Mr. BARTLETT. Mr. Chairman, I submit that is not a parliamentary inquiry, and that we ought to hasten on with the reading of this bill.

Mr. MURDOCK. Oh, yes; it is a parliamentary inquiry.

Mr. BARTLETT. Mr. Chairman, I demand the regular order.

Mr. MOORE. Mr. Chairman, I hope the gentleman from Georgia will give the gentleman from Kansas an opportunity to explain his position.

The CHAIRMAN. The Chair is informed that the custom has been for the Clerk to first begin the reading of the bill, and that fact is noted, and then the interruptions follow.

Mr. MURDOCK. So that all of these interruptions will come together to-morrow morning in the RECORD and they will not be comprehensive?

Mr. MOORE. For one, I have not been able to comprehend the gentleman's interruptions as yet.

Mr. RUCKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Has the gentleman from Kansas concluded?

Mr. MURDOCK. I have concluded my inquiry.

Mr. RUCKER. Mr. Chairman, I have a parliamentary inquiry to make.

The CHAIRMAN. The gentleman will state it.

Mr. RUCKER. Mr. Chairman, I understood the Chair to state that the custom is to let the RECORD show the reading of the bill in full, and then the interruptions follow the reading of the bill. I want to ask what is going to become of the speech of the gentleman from Pennsylvania, delivered here to-day, if we do not get through with the reading of the bill until next Wednesday?

Mr. MOORE. Oh, it would follow the paragraph immediately preceding.

Mr. RUCKER. That is what I was trying to explain to the gentleman from Kansas.

Mr. BARTLETT. Oh, put it in cold storage; it will keep.

Mr. MOORE. The speech will follow the paragraph immediately preceding.

Mr. RUCKER. Preceding the bill?

Mr. MOORE. No; preceding the speech. The gentleman from Kansas, for instance, interrupted, and, as I understand it, the paragraph immediately preceding his interruption will appear and then his remarks will follow that paragraph.

Mr. RUCKER. The explanation is entirely satisfactory, Mr. Chairman.

Mr. BARTLETT. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman from Georgia demands the regular order. The Clerk will read.

The Clerk resumed the reading of the bill.

Mr. TALCOTT of New York (interrupting the reading). Mr. Chairman, I move that the reading of the remainder of the bill be dispensed with.

The CHAIRMAN. The motion is not in order. It can only be done by unanimous consent.

Mr. TALCOTT of New York. Then I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New York [Mr. TALCOTT] asks unanimous consent that the further reading of the bill be dispensed with. Is there objection?

Mr. DONOVAN. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Connecticut objects. The Clerk will read.

The Clerk resumed the reading of the bill.

Mr. RUCKER (interrupting the reading). Mr. Chairman, I notice that the distinguished gentleman from Georgia [Mr. BARTLETT], who is responsible for this farce, is not here. I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from Missouri [Mr. RUCKER] makes the point of no quorum. The Chair will count. [After counting.] Thirty-nine gentlemen are present, not a quorum. The Clerk will call the roll.

The roll was called, and the following-named Members failed to answer to their names:

Anthony	Caraway	Fitzgerald	Hoxworth
Ashbrook	Carew	Flood, Va.	Hughes, W. Va.
Austin	Carter	Frear	Humphrey, Wash.
Bailey	Cary	George	Jacoway
Barchfeld	Casey	Gerry	Johnson, Ky.
Bartholdt	Chandler, N. Y.	Gillett	Jones
Bathrick	Clancy	Goeke	Keating
Bell, Ga.	Coady	Goldfogle	Keister
Borchers	Connelly, Kans.	Goodwin, Ark.	Kelley, Mich.
Brockson	Connolly, Iowa	Gordon	Kelly, Pa.
Broussard	Copley	Green, Iowa	Kent
Brown, W. Va.	Crisp	Griffin	Kindel
Browne, Wis.	Cullop	Guernsey	Knowland, J. R.
Bruckner	Dale	Hamill	Konop
Bulkley	Dooling	Hardwick	Kreider
Burgess	Doremus	Harrison	Langham
Burke, Pa.	Edmonds	Heflin	Lee, Ga.
Butler	Estopinal	Hinds	L'Engle
Callaway	Farr	Houston	Lenroot
Candler, Miss.	Ferris	Howard	Lever
Cantrill	Finley	Howell	Linthicum

Loft	Moss, Ind.	Powers	Smith, Md.
McAndrews	Moss, W. Va.	Prouty	Sparkman
McDermott	Neeley, Kans.	Rainey	Stafford
McGillicuddy	Neely, W. Va.	Reilly, Conn.	Stedman
McGuire, Okla.	Norton	Roberts, Mass.	Stout
McKellar	Oglesby	Rogers	Taylor, Ala.
Madden	O'Shaunessy	Rothermel	Thomas
Maher	Page, N. C.	Rupley	Thompson, Okla.
Manahan	Palmer	Sabath	Townsend
Martin	Patten, N. Y.	Saunders	Vollmer
Merritt	Peters, Me.	Scully	Wallin
Metz	Peters, Mass.	Seldomridge	Walsh
Miller	Plumley	Sharp	Whaley
Mondell	Porter	Sims	Wilson, Fla.
Montague	Post	Slayden	Winslow
Morin	Pou	Slemp	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, and finding itself without a quorum, he had caused the roll to be called, whereupon 290 Members had answered to their names, and he returned a list of the absentees.

The SPEAKER. The committee will resume its sitting.

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

Mr. WATKINS. Mr. Speaker, before that motion is put I would like to have the majority leader here. He wants to make a request.

The SPEAKER. The Chair does not believe that that motion is proper at this particular juncture. The committee did not rise for any purpose whatever except to get a quorum. The committee will resume its sitting.

The committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

Mr. MOORE. Mr. Chairman, may I ask the gentleman from Louisiana [Mr. WATKINS] how long he expects to continue the reading of this bill to-night?

Mr. BUCHANAN of Illinois. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Illinois [Mr. BUCHANAN] moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. RUCKER. A division, Mr. Chairman.

The committee divided; and there were—ayes 86, noes 37.

So the motion was agreed to.

Mr. DONOVAN. Mr. Chairman, what is the vote?

The CHAIRMAN. Eighty-seven ayes, 37 noes.

Mr. DONOVAN. I make the point of order, Mr. Chairman, that there is no quorum present.

The CHAIRMAN. It does not require a quorum for the committee to rise.

Mr. CAMPBELL. But, Mr. Chairman, there is a quorum of the committee present.

The CHAIRMAN. Yes; there is a quorum present. The motion is agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. HART, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Benjamin Warner, no adverse report having been made thereon.

CHANGE OF REFERENCE.

By unanimous consent, at the request of Mr. SMITH of Idaho, the Committee on the Judiciary was discharged from further consideration of the bill (H. R. 12315) to prohibit the sale or gift of intoxicating liquors to minors and Indians within the admiralty and maritime jurisdiction of the United States, and the same was referred to the Committee on Alcoholic Liquor Traffic.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, at the request of the chairman having in charge the legislative, executive, and judicial bill, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. RUCKER. Reserving the right to object, Mr. Speaker, I desire to ask the gentleman a question.

Mr. UNDERWOOD. Yes.

Mr. RUCKER. What is the purpose of that request?

Mr. UNDERWOOD. Well, I will state that the gentleman in charge of the bill is anxious to dispose of it early to-morrow, and we are anxious to get up the bill to follow it.

Mr. RUCKER. Is it to advance legislation?

Mr. UNDERWOOD. Yes; it is to advance legislation.

Mr. RUCKER. I had not supposed there was any disposition to advance legislation, judging from the character of the vaudeville performance—which nobody ought to tolerate—that has been indulged in in this House this afternoon. I want to congratulate the gentleman who is soon to grace another body, because he at least is in favor of expediting legislation.

I want to suggest to the gentleman, still further reserving the right to object, that if you, while you still lead us upon this floor, do not take the bit in your own teeth and put a curb on some gentlemen who live not far from you, I tell you I am afraid the Democratic Party will be damned by the people of this country [laughter] because of this wanton, reckless, unjustifiable waste of time in the transaction of the public business as it ought to be. [Laughter.]

Mr. FOSTER rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. FOSTER. I ask for the regular order.

Mr. RUCKER. I reserve the right to object.

The SPEAKER. The regular order is demanded. Is there objection to the request of the gentleman from Alabama [Mr. UNDERWOOD]?

Mr. RUCKER. I had not quite finished yet, Mr. Speaker.

The SPEAKER. The regular order is demanded.

Mr. RUCKER. "Time at last sets all things even." I await my time.

Mr. UNDERWOOD. Mr. Speaker, we are confronted with a situation in this House that we have been confronted with before. Whenever we get one of these long bills to codify the laws of the United States it is very difficult to pass it. Of course under the rules any bill must be read at the Clerk's desk before the question of consideration can be raised, and although a codification bill is very difficult and tiresome, it is for the House to determine whether it will take it up, and there is no way in which you can dispense with that tedious operation except to bring in a special rule.

Mr. RUCKER. Will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. RUCKER. Can not you do it by unanimous consent?

Mr. UNDERWOOD. You can do anything by unanimous consent if it can be had.

Mr. RUCKER. What reason on earth can a Member have for not giving unanimous consent?

Mr. UNDERWOOD. I do not know the reason.

Mr. RUCKER. Can the gentleman suggest any reason?

Mr. UNDERWOOD. I do not know.

Mr. RUCKER. I do not think anybody else does.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. BUCHANAN of Illinois. Mr. Speaker, I regret very much to be constrained to object to this request, but I am so engaged to-morrow at 11 o'clock that I can not be here, and there is a matter in the bill important to me and to the country. I desire to be present and therefore feel constrained to object.

Mr. UNDERWOOD. I want to say that this is a great legislative bill. We must get these bills through if we expect an early adjournment. All of us ought to make our personal engagements conform to the work in this House. I think the time has come when we ought to expedite this bill. I understand there will be some debate on it, and an hour's time in the morning will probably carry the bill faster than an hour's work later. Of course this is a unanimous-consent proposition and one objection will carry it over, but I hope the gentleman from Illinois will try and make his personal engagements accord to the business of the House.

Mr. BUCHANAN of Illinois. If I had known of the desire on the part of gentlemen to begin to-morrow at 11 o'clock, I perhaps could have made my personal engagements conform to that hour, but I had no information of anything of that sort, and I have made my engagements in important public matters.

Mr. J. I. NOLAN. Is it not a fact that several Members of the House have important engagements at 11 o'clock to-morrow?

Mr. BUCHANAN of Illinois. That is the fact, and therefore I object.

Mr. RUCKER. Mr. Speaker, I want to ask unanimous consent that the House take a recess until 8 o'clock this evening

for the further consideration of this bill to revise and codify the laws, which the gentleman from Georgia [Mr. BARTLETT] is so anxious to have disposed of. [Laughter.]

Mr. BRYAN. Reserving the right to object to the request of the gentleman from Missouri, this is a matter of great importance, and I hope there will be no objection to it.

The SPEAKER. Is there objection?

Mr. MURDOCK. Mr. Speaker, under the rules is it in order to take a recess on Calendar Wednesday? As a matter of fact, I claim it is not.

The SPEAKER. The gentleman is correct. The Chair had forgotten for a moment the fact that it is Calendar Wednesday.

Mr. RUCKER. That rule ought to be changed, too. [Laughter.]

The SPEAKER. The request of the gentleman from Missouri is out of order.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 1829. An act for the relief of W. D. McLean, alias Donald McLean.

INTERSTATE TRADE COMMISSION.

Mr. COVINGTON. Mr. Speaker, I ask unanimous consent that the bill H. R. 15613 on the Union Calendar, to create an interstate trade commission, to define its power and duties, and for other purposes, be made a matter of continuing order of business to be called up in the House as the Speaker may recognize.

Mr. HENRY. Mr. Speaker, I object.

RETURN OF A BILL.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent that the bill S. 1689, passed by the House on March 9, be recalled from the Senate, for the reason that it has been discovered that the same item is carried in an omnibus bill already passed.

The SPEAKER. Has the gentleman a resolution to that effect?

Mr. SCOTT. I have not.

The SPEAKER. That is the modus operandi, to introduce a resolution asking the Senate to send it back. The Chair will recognize the gentleman in the morning after the reading of the Journal.

PENSIONS.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House bill 11269, to disagree to the Senate amendments, and ask for a conference.

Mr. UNDERWOOD. I understand that is a pension bill.

Mr. KEY of Ohio. Yes.

The SPEAKER. The gentleman from Ohio [Mr. KEY] asks unanimous consent to take from the Speaker's table H. R. 11269 with Senate amendments, to disagree to the Senate amendments, and ask for a conference.

Mr. MOORE. Mr. Speaker, does this bill pertain to the Spanish-American War veterans?

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and to certain widows and dependent children of soldiers and sailors of said war.

Mr. KEY of Ohio. I was advised that that was a bill from the Committee on Pensions, and not from the Committee on Invalid Pensions. As this bill does not come from our committee, I withdraw my request.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11269.

The SPEAKER. Is that the bill which was just called up?

Mr. RUSSELL. Yes. I ask unanimous consent to disagree to the Senate amendments and ask for a conference.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Missouri asks unanimous consent to take this bill from the Speaker's table, to disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. RUSSELL, Mr. ADAIR, and Mr. LANGHAM.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3863. An act granting land to the Grand Lodge, Ancient Free and Accepted Masons, grand jurisdiction of Arkansas; to the Committee on the Public Lands.

S. 2223. An act to authorize the use of the revenues in the Crater Lake National Park in the management of the same, and the construction, repair, and improvement of roads, trails, and bridges in the park; to the Committee on the Public Lands.

S. 1943. An act in reference to the issuance of patents and copies of surveys of private land claims; to the Committee on the Public Lands.

S. 4657. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 4553. An act to authorize the appointment of an ambassador to Argentina; to the Committee on Foreign Affairs.

ORDER OF BUSINESS.

Mr. WATKINS. Mr. Speaker, I move that the House do——

Mr. RUCKER. Before the gentleman makes that motion I ask unanimous consent for one minute and a half in which to address the House.

The SPEAKER. The gentleman from Missouri asks to address the House for one minute and a half. Is there objection?

There was no objection.

Mr. RUCKER. Mr. Speaker and gentlemen of the House, I want to ask the House in all seriousness to vote down the motion to adjourn which is going to be made. Let us stay here to-night, as we ought to do, and try to dispose of some public business. This whole day has been absolutely lost. The season is advancing. Every gentleman here wants to go to his home. We have duties here which we ought to dispose of and which our constituents demand that we dispose of. Let us remain here and do it. If we have been guilty of folly this afternoon—and I am willing to take my part of the responsibility and let others take theirs—let us return here to-night and as Representatives of a great people see if we can not do something to make amends for the wanton, woeful waste of the public time which we have indulged in to-day. [Applause.] I hope that gentlemen on both sides of the aisle will agree to this. You do not have to stay here, because nobody will make the point of no quorum. We will have to yet consume three hours in the reading of that bill. Let the clerks read turn and turn about, and let us get through with that reading, because unless this is done at night sessions it will take all of one and perhaps two more Calendar Wednesdays to read the bill we have been reading here to-day. Public bills of great importance are pending——

Mr. TALCOTT of New York. Mr. Speaker, will the gentleman yield?

Mr. RUCKER. I yield, but my time is very short.

Mr. TALCOTT of New York. Will the gentleman inform us why he made the point of no quorum?

Mr. RUCKER. Only for the purpose of emphasizing the absurdity of the position occupied by some gentlemen in compelling the reading of that darned bill [laughter], because they know nobody wants to hear it. Now, I appeal to you to vote down the motion to adjourn. I want a big majority on the Democratic side, and I demand of all you self-confessed patriots on the Republican side to stand by us good Democrats over here and help us keep the House in session until this bill is read.

Mr. WATKINS. Mr. Speaker, if the gentleman is in favor of taking a recess, I will ask him why it is that he does not make a motion to that effect before I make the motion to adjourn.

Mr. RUCKER. I will answer the gentleman by saying that I tried to do that. I asked unanimous consent that the House take a recess until 8 o'clock to-night, and then to continue the reading of the pending bill; but I was told that could not be done under parliamentary law on Calendar Wednesday; hence I could not do it. It appears you can not do anything on Calendar Wednesday that certain folks do not want done. The rules need amendment, and need it badly——

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. WATKINS. Mr. Speaker, in view of the declaration of the gentleman——

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. RUCKER) there were—ayes 81, noes 59.

Mr. RUCKER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. It does not take a quorum to adjourn.

Mr. RUCKER. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Missouri demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Thirty-nine Members have risen in the affirmative. Those opposed will rise. [After counting.] One hundred and one in the negative. A sufficient number, and the yeas and nays are ordered.

Mr. BARTLETT. Mr. Speaker, a point of order. Where no quorum is present a demand for the yeas and nays has to be seconded by a majority of those present. There is no quorum of the House here.

Mr. PAYNE. That was not determined.

Mr. BARTLETT. The division has developed that there is no quorum present, and in order to have the yeas and nays the demand must be seconded by a majority of those who are present.

Mr. PAYNE. Mr. Speaker, if the gentleman is through, I desire to say that there was a quorum, presumably, present when the motion to adjourn was made, and the motion was in order. While we have been voting the gentleman has discovered, he thinks, that no quorum is present. No question was raised about a quorum before that time.

The SPEAKER. The Chair is inclined to think, although he will look up the authority, that the position the gentleman from Georgia takes applies only to where the point of no quorum is made and there is a call of the House.

Mr. BARTLETT. Mr. Speaker, I withdraw the point of order.

The SPEAKER. The Clerk will call the roll.

The question was taken, and there were—yeas 157, nays 74, answered "present" 5, not voting 195, as follows:

YEAS—157.

Abercrombie	Estopinal	Keating	Scott
Aiken	Fergusson	Kennedy, Conn.	Sells
Alexander	Fess	Kennedy, Iowa	Shreve
Allen	Fields	Kennedy, R. I.	Sisson
Aswell	Fordney	Kettner	Sloan
Barchfeld	Foster	Key, Ohio	Smith, Idaho
Barnhart	Gallagher	Kirkpatrick	Smith, Saml. W.
Bartlett	Gard	Kitchin	Smith, N. Y.
Booher	Garner	Korbly	Smith, Tex.
Buchanan, Ill.	Garrett, Tenn.	La Follette	Stedman
Burke, S. Dak.	Gilmore	Lazaro	Steenerson
Byrnes, S. C.	Gittins	Lesher	Stephens, Miss.
Byrns, Tenn.	Glass	Lieb	Stephens, Tex.
Campbell	Godwin, N. C.	Lobeck	Stone
Caraway	Goldfogle	McClellan	Stringer
Carr	Good	McLaughlin	Taggart
Church	Goulden	Maguire, Nebr.	Talcott, N. Y.
Clark, Fla.	Graham, Ill.	Mahan	Taylor, Ark.
Claypool	Graham, Pa.	Moon	Tribble
Clayton	Greene, Mass.	Moore	Tuttle
Collier	Greene, Vt.	Morgan, La.	Underhill
Conry	Gregg	Morgan, Okla.	Vare
Cooper	Griest	Murray, Okla.	Vaughan
Cox	Hamilton, Mich.	Nelson	Volstead
Curry	Hardy	Oldfield	Watkins
Davis	Harrison	O'Leary	Watson
Decker	Hart	Page, N. C.	Weaver
Dershem	Hawley	Park	Webb
Dickinson	Hay	Payne	Whaley
Dies	Hayden	Peterson	Whitacre
Donohoe	Hayes	Plumley	White
Donovan	Henry	Prouty	Williams
Doolittle	Hill	Quin	Willis
Doughton	Holland	Rainey	Witherspoon
Driscoll	Howard	Rauch	Woods
Dunn	Hull	Rayburn	Young, N. Dak.
Dupré	Humphreys, Miss.	Reed	Young, Tex.
Eagan	Jacoway	Reilly, Wis.	
Eagle	Johnson, Utah	Rouse	
Edwards	Kahn	Russell	

NAYS—74.

Adair	Cantor	Lee, Pa.	Rubey
Ainey	Cramton	Levy	Rucker
Anderson	Crosser	Lewis, Pa.	Shackleford
Ashbrook	Davenport	Lindbergh	Sherwood
Avis	Deitrick	Lloyd	Sims
Baker	Dillon	Logue	Smith, J. M. C.
Baltz	Dixon	Lonergan	Stephens, Cal.
Barkley	Esch	McCoy	Sutherland
Barton	Faison	MacDonald	Switzer
Beakes	FitzHenry	Mapes	Tavenner
Bell, Cal.	Fowler	Mitchell	Temple
Bowdle	French	Murdock	Thacher
Britten	Garrett, Tex.	Murray, Mass.	Thomson, Ill.
Brown, N. Y.	Hensley	Nolan, J. I.	Towner
Brumbaugh	Hobson	O'Brien	Walters
Bryan	Igoe	O'Hair	Wingo
Burke, Wis.	Johnson, Ky.	Phelan	Woodruff
Burnett	Johnson, Wash.	Raker	
Calder	Lafferty	Roberts, Nev.	

ANSWERED "PRESENT"—5.

Adamson	Gray	Morrison	Underwood
Browning			

NOT VOTING—195.

Ansberry	Bathrick	Borland	Browne, Wis.
Anthony	Beall, Tex.	Brockson	Bruckner
Austin	Bell, Ga.	Brodbeck	Buchanan, Tex.
Bailey	Blackmon	Broussard	Bulkley
Bartholdt	Borchers	Brown, W. Va.	Burgess
Burke, Pa.	Goeke	Lenroot	Ragsdale
Butler	Goodwin, Ark.	Lever	Reilly, Conn.
Callaway	Gordon	Lewis, Md.	Riordan
Candler, Miss.	Gorman	Lindquist	Roberts, Mass.
Cantrill	Green, Iowa	Linthicum	Rogers
Carew	Griffin	Loft	Rothermel
Carlin	Gudger	McAndrews	Rupley
Carter	Guernsey	McDermott	Sabath
Cary	Hamill	McGillicuddy	Saunders
Casey	Hamilton, N. Y.	McGuire, Okla.	Scully
Chandler, N. Y.	Hamlin	McKellar	Seldomridge
Clancy	Hammond	McKenzie	Sharp
Cline	Hardwick	Madden	Sherley
Coady	Haugen	Maher	Sinnott
Connelly, Kans.	Heflin	Manahan	Slayden
Connolly, Iowa	Helgesen	Mann	Slemp
Copley	Helm	Martin	Small
Covington	Helvering	Merritt	Smith, Md.
Crisp	Hinds	Metz	Smith, Minn.
Cullop	Hinebaugh	Miller	Sparkman
Dale	Houston	Mondell	Stafford
Danforth	Howell	Montague	Stanley
Dent	Hoxworth	Morin	Stephens, Nebr.
Difenderfer	Hughes, Ga.	Moss, Ind.	Stevens, Minn.
Dooling	Hughes, W. Va.	Moss, W. Va.	Stevens, N. H.
Doremus	Hulings	Mott	Stout
Dyer	Humphrey, Wash.	Neeley, Kans.	Sumners
Edmonds	Johnson, S. C.	Neely, W. Va.	Talbott, Md.
Elder	Jones	Norton	Taylor, Ala.
Evans	Keister	Oglesby	Taylor, Colo.
Fairchild	Kelley, Mich.	O'Shaunessy	Taylor, N. Y.
Falconer	Kelly, Pa.	Padgett	Ten Eyck
Farr	Kent	Paige, Mass.	Thomas
Ferris	Kiess, Pa.	Palmer	Thompson, Okla.
Finley	Kindel	Parker	Townsend
Fitzgerald	Kinkaid, Nebr.	Patten, N. Y.	Treadway
Flood, Va.	Kinkead, N. J.	Patton, Pa.	Vollmer
Floyd, Ark.	Knowland, J. R.	Peters, Mass.	Walker
Francis	Konop	Peters, Me.	Wallin
Frear	Kreider	Platt	Walsh
Gardner	Langham	Porter	Wilson, Fla.
George	Langley	Post	Wilson, N. Y.
Gerry	Lee, Ga.	Pou	Winslow
Gillett	L'Engle	Powers	

So the motion to adjourn was agreed to.

The Clerk announced the following pairs:

Commencing April 8, ending April 25:

Mr. MCKELLAR with Mr. NORTON.

Until further notice:

Mr. CLANCY with Mr. HAMILTON of New York.

Mr. TAYLOR of Alabama with Mr. HUGHES of West Virginia.

Mr. GORMAN with Mr. BURKE of Pennsylvania.

Mr. GUDGER with Mr. GUERNSEY.

Mr. TALBOTT of Maryland with Mr. MERRITT.

Mr. DALE with Mr. MARTIN.

Mr. BAILEY with Mr. ANTHONY.

Mr. BATHRICK with Mr. AUSTIN.

Mr. ANSBERRY with Mr. BROWNE of Wisconsin.

Mr. BELL of Georgia with Mr. BUTLER.

Mr. BLACKMON with Mr. CARY.

Mr. BURGESS with Mr. DANFORTH.

Mr. CALLAWAY with Mr. CHANDLER of New York.

Mr. CANDLER of Mississippi with Mr. DYER.

Mr. CANTRILL with Mr. COPLEY.

Mr. CARLIN with Mr. EDMONDS.

Mr. CARTER with Mr. FAIRCHILD.

Mr. CLINE with Mr. FALCONER.

Mr. CONNOLLY of Iowa with Mr. FARR.

Mr. COVINGTON with Mr. FREAR.

Mr. DENT with Mr. GREEN of Iowa.

Mr. DIFENDERFER with Mr. HAUGEN.

Mr. DOREMUS with Mr. HELGESEN.

Mr. FERRIS with Mr. HINDS.

Mr. FINLEY with Mr. HINEBAUGH.

Mr. FITZGERALD with Mr. GILLETT.

Mr. FLOOD of Virginia with Mr. HOWELL.

Mr. FRANCIS with Mr. HULINGS.

Mr. GEORGE with Mr. HUMPHREY of Washington.

Mr. GOEKE with Mr. KEISTER.

Mr. GOODWIN of Arkansas with Mr. KELLEY of Michigan.

Mr. GORDON with Mr. KELLY of Pennsylvania.

Mr. HARDWICK with Mr. KIESS of Pennsylvania.

Mr. HEFLIN with Mr. KINKAID of Nebraska.

Mr. HOUSTON with Mr. J. R. KNOWLAND.

Mr. HUGHES of Georgia with Mr. KREIDER.

Mr. JOHNSON of South Carolina with Mr. LANGHAM.

Mr. KINKEAD of New Jersey with Mr. LANGLEY.

Mr. KONOP with Mr. MILLER.

Mr. LEE of Georgia with Mr. MONDELL.

Mr. LEVER with Mr. MORIN.

Mr. MONTAGUE with Mr. PAIGE of Massachusetts.

Mr. NEELEY of Kansas with Mr. MOSS of West Virginia.

Mr. PADGETT with Mr. MOTT.

Mr. PALMER with Mr. PATTON of Pennsylvania.

Mr. PATTEN of New York with Mr. PARKER.

Mr. POU with Mr. PETERS of Maine.

Mr. REILLY of Connecticut with Mr. PLATT.
Mr. ROTHERMEL with Mr. POWERS.
Mr. SABATH with Mr. PORTER.
Mr. SAUNDERS with Mr. ROGERS.
Mr. SHARP with Mr. RUPLEY.
Mr. SHERLEY with Mr. ROBERTS of Massachusetts.
Mr. SLAYDEN with Mr. SINNOTT.
Mr. SMALL with Mr. TREADWAY.
Mr. SPARKMAN with Mr. WINSLOW.
Mr. STEPHENS of Nebraska with Mr. SLEMP.
Mr. SUMNERS with Mr. MANAHAN.
Mr. TAYLOR of Colorado with Mr. SMITH of Minnesota.
Mr. THOMAS with Mr. MCKENZIE.
Mr. WILSON of Florida with Mr. LINDQUIST.
Mr. WALKER with Mr. MCGUIRE of Oklahoma.
Mr. TOWNSEND with Mr. MADDEN.
For the session:
Mr. METZ with Mr. WALLIN.
Mr. SCULLY with Mr. BROWNING.
Mr. UNDERWOOD with Mr. MANN.
Mr. ADAMSON with Mr. STEVENS of Minnesota.
The result of the vote was announced as above recorded.

Accordingly (at 5 o'clock and 53 minutes p. m.) the House adjourned to meet to-morrow, Thursday, April 16, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GRAHAM of Pennsylvania, from the Committee on the Judiciary, to which was referred the bill (H. R. 15190) to amend section 103 of the act entitled "An act to codify, revise, and amend the laws relating to the Judiciary," approved March 3, 1911, as amended by the act of Congress approved March 3, 1913, reported the same without amendment, accompanied by a report (No. 536), which said bill and report were referred to the House Calendar.

Mr. AVIS, from the Committee on Military Affairs, to which was referred the resolution (H. J. Res. 242) authorizing the Secretary of War and the Secretary of the Navy to loan equipment for the purpose of instruction and training to sanitary organizations of the American National Red Cross, reported the same without amendment, accompanied by a report (No. 537), which said resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ADAIR, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 15692) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 534), which said bill and report were referred to the Private Calendar.

Mr. SCOTT, from the Committee on Claims, to which was referred the bill (H. R. 5195) for the relief of the Atlantic Canning Co., reported the same without amendment, accompanied by a report (No. 535), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. YOUNG of North Dakota: A bill (H. R. 15693) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States; to the Committee on Indian Affairs.

By Mr. LEVY: A bill (H. R. 15694) to reestablish the grade of commodore on the active list of the United States Navy; to the Committee on Naval Affairs.

By Mr. BURKE of Wisconsin: A bill (H. R. 15695) to amend an act amending section 8 of an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved March 3, 1913; to the Committee on Interstate and Foreign Commerce.

By Mr. FERRIS: A bill (H. R. 15696) for the relief of the Wichita and affiliated bands of Indians; to the Committee on Indian Affairs.

Also, a bill (H. R. 15697) providing for the retirement of certain officers of the Philippine Scouts; to the Committee on Military Affairs.

By Mr. KENNEDY of Connecticut: A bill (H. R. 15698) for erecting a suitable memorial to John Ericsson; to the Committee on the Library.

By Mr. JOHNSON of Kentucky (by request of the Commissioners of the District of Columbia): A bill (H. R. 15699) to amend an act entitled "An act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District," approved May 13, 1908; to the Committee on the District of Columbia.

By Mr. CRAMTON: A bill (H. R. 15700) to provide an exclusive remedy and compensation for accidental injuries resulting in disability or death to employees of common carriers by railroad or by water engaged in interstate or foreign commerce or in the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Mr. BURKE of Wisconsin: A bill (H. R. 15701) to carry out the findings of the Court of Claims in the case of Guy C. Pierce; to the Committee on War Claims.

By Mr. SLAYDEN: Joint resolution (H. J. Res. 249) for the appointment of George Frederick Kunz as a member of the North American Indian Memorial Commission; to the Committee on the Library.

By Mr. MOSS of West Virginia: Resolution (H. Res. 468) calling for ballots from Federal Reserve Board organization committee; to the Committee on Banking and Currency.

By Mr. STEPHENS of Texas: Resolution (H. Res. 469) asking the Secretary of War for certain information relating to the removal of the old Pennsylvania Sixth Street Depot and the removal of the old Long Bridge across the Potomac River; to the Committee on the District of Columbia.

Also, resolution (H. Res. 470) asking the Secretary of the Interior for certain information regarding damage done the United States by the wrongful use of the Mall and the streets of the city of Washington by the Baltimore & Potomac Railroad Co.; to the Committee on the District of Columbia.

By Mr. THACHER: Memorial requesting Congress to pass legislation providing for public ownership and operation of coal mines; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Missouri (by request): Memorial of the House of Delegates of Porto Rico to the President and to the Congress of the United States concerning citizenship; to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 15692) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Private Calendar.

By Mr. CAMPBELL: A bill (H. R. 15702) granting an increase of pension to Sarah Ann Hubbard; to the Committee on Invalid Pensions.

By Mr. CLANCY: A bill (H. R. 15703) granting an increase of pension to Henry E. Phelps; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15704) for the relief of Henry C. Deming; to the Committee on Military Affairs.

Also, a bill (H. R. 15705) providing for the retirement of Col. David L. Brainard, Quartermaster Corps, United States Army; to the Committee on Military Affairs.

By Mr. CLARK of Florida: A bill (H. R. 15706) for the relief of Lieut. Col. Joseph Y. Porter; to the Committee on Military Affairs.

By Mr. COPLEY: A bill (H. R. 15707) granting an increase of pension to Frank Hogan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15708) granting an increase of pension to Mary E. Wilkins; to the Committee on Invalid Pensions.

By Mr. ESTOPINAL: A bill (H. R. 15709) for the relief of the legal representatives of the estate of Alphonse Desmare, deceased, and others; to the Committee on War Claims.

By Mr. FRENCH: A bill (H. R. 15710) for the relief of Nettie Kenjoski, Fannie E. Jobe, Morova Jobe, J. P. Jobe, George Morrow, and Jessie Kempfer; to the Committee on Indian Affairs.

By Mr. KELLEY of Michigan: A bill (H. R. 15711) granting an increase of pension to Albert F. Ward; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Connecticut: A bill (H. R. 15712) granting a pension to Patrick Lallay; to the Committee on Invalid Pensions.

By Mr. MOORE: A bill (H. R. 15713) to correct the military record of Henry Laddey; to the Committee on Military Affairs.

By Mr. NEELY of West Virginia: A bill (H. R. 15714) granting a pension to Tilla L. Eckard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15715) granting a pension to Matilda Lindsay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15716) granting an increase of pension to James W. Poole; to the Committee on Pensions.

Also, a bill (H. R. 15717) granting an increase of pension to William *Hodgkiss*; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 15718) for the relief of the heirs of Margaret Stevens, deceased; to the Committee on War Claims.

By Mr. POST: A bill (H. R. 15719) granting an increase of pension to Samuel Sparrow; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 15720) granting an increase of pension to Eliza Leedy; to the Committee on Pensions.

By Mr. THOMPSON of Oklahoma: A bill (H. R. 15721) granting a pension to Samuel A. Blair; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15722) granting a pension to Ira Current; to the Committee on Pensions.

Also, a bill (H. R. 15723) granting an increase of pension to Erwin D. Bulen; to the Committee on Invalid Pensions.

By Mr. THACHER: A bill (H. R. 15724) granting an increase of pension to Andrew J. Jenney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15725) granting a pension to Annie F. Merritt; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Pennsylvania, Michigan, Maryland, and Indiana, against polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Georgia and Michigan, against polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Curryville, Pike County, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ADAIR: Petitions of 203 citizens of Keystone, Ind., and 500 citizens of Anderson, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ANSBERRY: Petition of 202 citizens of Bryan, 50 citizens of Broughton, and 250 citizens of Grover Hill, all in the State of Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of sundry citizens of Bedford County, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BATHRICK: Petition of the Woman's Christian Temperance Union and sundry citizens of Warren; sundry citizens of Amboy, Ravenna, Kent, Lordstown, Akron, and Brookfield; and Denmark Grange, Ashtabula County, all in the State of Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BELL of California: Petitions of 35 citizens of Pasadena, Cal., and 265 citizens of Long Beach, Cal., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BROWNING: Petitions of 140 citizens of Salem, N. J., and sundry citizens of Camden County, N. J., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Tenth Ward Branch, Socialist Party, of Camden, N. J., favoring congressional investigation of coal-mine strike and Government ownership of coal mines; to the Committee on the Judiciary.

By Mr. BUCHANAN of Illinois: Petition of sundry citizens of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. BURKE of South Dakota: Petitions of 16 citizens of Lemmon, S. Dak., and 400 citizens of Sturgis, S. Dak., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BURKE of Wisconsin (by request): Petition of sundry citizens of Randolph and Almond, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CALDER: Petitions of sundry citizens of the sixth congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. CANTOR: Petition of sundry citizens of New York City, against national prohibition; to the Committee on the Judiciary.

By Mr. CARY: Petitions of various members of the Young People's Christian Temperance Legion of Milwaukee, Wis., favoring national prohibition; to the Committee on the Judiciary.

Also, petition from the International Union of United Brewery Workmen of Milwaukee, Wis., signed by 4,505, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50 or any other prohibition measures; to the Committee on the Judiciary.

By Mr. CLARK of Florida: Petition of the United Church of Christ, of St. Petersburg, Fla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CLINE: Petitions of 8,225 citizens of the twelfth congressional district of Indiana, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 171 citizens of Angola, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DALE: Petition of the American Cranberry Exchange, of New York City, relative to Senate bill 2269 and the cranberry barrel; to the Committee on Coinage, Weights, and Measures.

Also, petitions of the Joseph Fallert Brewing Co. and Pril Bros., of Brooklyn, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DANFORTH: Petition of the Northeastern Saengerbund of America, of Philadelphia, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. DONOHOE: Petition of sundry citizens of Philadelphia, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Philadelphia, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. DONOVAN: Petition of Tunxis Grange, No. 13, Patrons of Husbandry, of Bloomfield, Conn., favoring farmers' credit bill (H. R. 11898); to the Committee on Banking and Currency.

Also, petition of the Northeastern Saengerbund of America, against national prohibition; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of sundry citizens of Kansas, favoring establishment of a bureau of farm loans (H. R. 11755); to the Committee on Banking and Currency.

By Mr. ESCH: Petition of sundry citizens of Wisconsin, favoring House bill 12928, relative to compensatory time for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Wisconsin, against Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. FESS: Petitions of various churches of Hillsboro, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GARD: Petition of Robert M. Sohngen and about 650 other residents and electors of Hamilton and Butler Counties, Ohio, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, which provide for nation-wide prohibition of alcoholic beverages; to the Committee on the Judiciary.

By Mr. GARNER: Petition of the United Brotherhood of Carpenters and Joiners of America, Local Union No. 425, and Boilermakers and Iron Ship Builders of America, favoring investigation of mining troubles in Colorado; to the Committee on Rules.

Also, petition of various wholesale and retail dealers in tobacco and drugs of the State of Texas, favoring passage of House bill 13723, anticoupon bill; to the Committee on Ways and Means.

By Mr. GILMORE: Petition of North Star Lodge, No. 230, Order of Vasa, of North Easton, Mass., relative to erecting a monument to John Ericsson; to the Committee on the Library.

By Mr. GORMAN: Petition of 9,500 citizens of Cook County, Ill., against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Cook County, Ill., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 250 citizens of Blue Island, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Illinois: Petition signed by Dan Flynn and 285 other citizens of Auburn, Springfield, Dawson, Farmersville, Bunker Hill, Staunton, Carlinville, Gillespie, Dorchester, Benld, Mount Olive, Witt, Nokomis, Virden, Litchfield, Hillsboro, New Berlin, Girard, Harvel, and Thayer, all in the twenty-first congressional district of Illinois, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GRIEST: Petitions from the secretary of Local Union No. 206, Brewery Workers, of Lancaster, Pa., and bearing the signatures of several hundred citizens of Lancaster city and county, protesting against legislation as proposed in the Hobson-Sheppard-Works resolutions providing for nation-wide prohibition in the manufacture, sale, and importation of alcoholic beverages; to the Committee on the Judiciary.

Also, resolutions favoring the adoption of a constitutional prohibition amendment from Refton and West Willow United Brethren Churches, of West Willow; Salem United Brethren congregation, of Manheim; Trinity United Evangelical congregation, of Lititz; Bethany United Evangelical Sunday School, of Lancaster; St. Daniel's Methodist Episcopal congregation, of Chester; Christiana Woman's Christian Temperance Union, of Christiana; First English Lutheran congregation, of Columbia; Presbyterian congregation of Columbia; Salome United Brethren Church, of Columbia; First Methodist Episcopal Church of Columbia; Church of God Sunday School, of Landisville; Lititz Woman's Christian Temperance Union, of Lititz; Octoraro Young People's Bible Class, of Christiana; Bethany United Evangelical Church, of Lancaster; Willard Woman's Christian Temperance Union, of Lancaster; St. Paul's Reformed Society of Christian Endeavor, of Manheim; New Holland United Brethren Church, of New Holland; Keystone League of Christian Endeavor, of Millersville; Little Britain Presbyterian Church, of Little Britain; Lancaster Woman's Christian Temperance Union, of Lancaster; Mount Zion African Methodist Episcopal Church, of Columbia; St. Daniel's Methodist Episcopal Church, of Chester; Bird-in-Hand Woman's Christian Temperance Union, of Bird-in-Hand; Methodist Episcopal Church of Bird-in-Hand; Young People's meeting, of Mount Zion African Methodist Episcopal Church of Columbia, all in the State of Pennsylvania; and Clayton Baptist Church, of Clayton, N. J.; to the Committee on the Judiciary.

By Mr. GRIFFIN: Petition of the National Association Bureau of Animal Industry employees of Brooklyn, N. Y., favoring passage of House bill 9292, relative to salaries, etc.; to the Committee on Agriculture.

By Mr. HAMLIN: Petition of sundry citizens of Missouri, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAMMOND: Petition of sundry citizens of Winnebago, Minn., favoring the adoption of an amendment to the Constitution of the United States providing for national prohibition; to the Committee on the Judiciary.

By Mr. HART: Petition of the Northeastern Saengerbund of America, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAYES: Petitions of 75 citizens of Estrella, 75 citizens of Templeton, 130 citizens of San Luis Obispo, 390 citizens of Palo Alto, all in the State of California, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HELGESEN: Petition of 88 citizens of Chaffee, 1,679 citizens of Fargo, 45 citizens of Durbin, 45 citizens of Erie, 70 citizens of Argusville, 70 citizens of Harwood, 100 citizens of Buffalo, 215 citizens of Crary, 200 citizens of Rankin, 60 citizens of Horace, 65 citizens of Hickson, 150 citizens of Leonard, 27 citizens of Prosper, 75 citizens of Park River, and 60 citizens of Kelso, all in the State of North Dakota, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HULINGS: Petition of 33 citizens of Warren County, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Petition of E. A. Sennewald and the Koerber-Brenner Music Co., of St. Louis, Mo., favoring House bill 13305; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Rice Stix Dry Goods Co., of St. Louis, Mo., favoring bill relative to transmission of false statements through the mails in order to secure credit; to the Committee on the Post Office and Post Roads.

By Mr. KELLEY of Michigan: Petition of 100 citizens of Wickware, Mich., and 60 citizens of Ypsilanti, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Iowa: Petition of the Medical Society of Chicago, Ill., and the Medical Society of Des Moines, Iowa, against Nelson amendment to the Harrison antinarcotic bill; to the Committee on Ways and Means.

Also, petition of the Commercial Association of Ottumwa, Iowa, relative to the rebuilding of the dam on the Des Moines River at Ottumwa; to the Committee on Rivers and Harbors.

By Mr. KINDEL: Petition of 35 citizens of Erie, 43 citizens of Wray, 38 citizens of Lyons, 80 citizens of Greeley, 75 citizens of Akron, and 125 citizens of Boulder, all in the State of Colorado, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KINKEAD of New Jersey: Petition of sundry citizens of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of New Jersey, against national prohibition; to the Committee on the Judiciary.

By Mr. KONOP: Petition of 13 citizens of Crandon, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LAFFERTY: Petition of B. E. Thompson and several thousand other citizens of Multnomah County, Oreg., against national prohibition; to the Committee on the Judiciary.

By Mr. LEE of Pennsylvania: Petition of the Northeastern Saengerbund of America, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LEVY: Petition of M. J. Whittall, of New York City, relative to legislation prohibiting the naming of the resale price on any articles of merchandise by the producer thereof; to the Committee on Interstate and Foreign Commerce.

Also, petition of Sweet-Orr & Co., of New York, relative to trades relations bill; to the Committee on the Judiciary.

Also, petition of sundry citizens of New Orleans, relative to selection of Federal reserve banks; to the Committee on Banking and Currency.

Also, petition of New York Stereotypers' Union, No. 1, favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of the American Cranberry Exchange, of New York City, relative to Senate bill 2269, establishing a uniform standard barrel for all fruits, etc.; to the Committee on Agriculture.

Also, petition of P. B. Lonegan, of New York City, relative to increase in salary for employees in the customs service at port of New York; to the Committee on Reform in the Civil Service.

Also, petition of the Women's Auxiliary to the Twenty-ninth Assembly District Republican Club, of New York City, and the American Institute of Social Service, favoring appropriation for Federal children's bureau; to the Committee on Expenditures in the Department of Labor.

Also, petition of M. J. Quinn, Ingalls Kimball, and Beadleston & Woerz, of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. LEWIS of Maryland. Petition by members of the Church of the Brethren of Frederick County, Md., in support of the House joint resolution to prohibit the sale of intoxicating liquors; to the Committee on the Judiciary.

Also, petition of Messrs. Lilly, Dungan & Co., of Baltimore, Md., in support of the legislation to prohibit the giving away of coupons with tobacco products; to the Committee on Ways and Means.

Also, petition of Joseph A. Burkart, of Montgomery County, Md., opposing the passage of House joint resolution 168 and Senate joint resolutions 88 and 50 for the prohibition of intoxicating liquors; to the Committee on the Judiciary.

By Mr. LIEB: Petitions of John L. Hougland, William Frick, William Cage, Harvey R. Baldwin, H. J. Builtman, Henry E. Elsfelden, A. E. Hord, John Schellhorn, G. W. Dannettell, George Geier, M. G. Perrin, E. V. Heeger, Colin McDougall, Frank Kaffenberger, Anton Kingwald, Joseph F. Lichtenberg, William Deeg, jr., Leo Ziegler, and A. Philip Neldig, all of Evansville, Ind., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petitions of sundry citizens of Bristol and of the first congressional district of Connecticut favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Julius A. Pond, of Bristol, Conn., in favor of national prohibition; to the Committee on the Judiciary.

By Mr. McCLELLAN: Petitions of W. B. Martin, of Tannersville; E. Deyo Van Wyck, of Greenville; citizens of Columbia County; and C. H. Evans & Co., of Hudson, all in the State of New York, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Saugerties, N. Y., and 200 citizens of New Paltz, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. McGILLICUDDY: Petitions of First Baptist Church of Nobleboro; Park Street Methodist Episcopal Church, of Lewiston; Current Events Club, of Augusta; West Paris Grange; citizens of West Paris and vicinity; citizens of Lewiston; and citizens of Friendship, all in the State of Maine, advocating national prohibition; to the Committee on the Judiciary.

By Mr. MANN: Petition of Chicago Medical Society, protesting against Senate amendment to House bill 6282; to the Committee on Ways and Means.

Also, petition of the South Florida Land Owners' Association, favoring the Clark drainage bill; to the Committee on Rivers and Harbors.

By Mr. MAPES: Petition of sundry citizens of Grand Rapids, Mich., against national prohibition; to the Committee on the Judiciary.

By Mr. METZ: Petition of sundry citizens of the tenth congressional district of New York and of the Borough of Manhattan, New York City, against pending prohibition legislation; to the Committee on the Judiciary.

By Mr. MOORE: Petition of Rev. H. E. Hauton, secretary of the Presbyterian Ministerial Association of Philadelphia, Pa., and of sundry citizens of Philadelphia, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Philadelphia, Pa., against national prohibition; to the Committee on the Judiciary.

Also, petition of the Women's Organization, National Association of Retail Druggists, of Philadelphia, Pa., favoring House bill 13305, the price-fixing bill; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSS of Indiana: Petition of 772 citizens of Vigo County, Ind., against national prohibition; to the Committee on the Judiciary.

Also, petition of 74 citizens of Rosedale, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MURRAY of Oklahoma: Petition of sundry citizens of Moore, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. NELSON: Petition of sundry citizens of Belmont and Madison, Wis., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Albion, Wis., against Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Albion, Wis., favoring House bill 12928, relative to compensatory laws for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. J. I. NOLAN: Petition of the Sailors' Union of the Pacific, of San Francisco, Cal., against House bill 11740, levying a poll tax on fishermen temporarily employed in Alaskan waters; to the Committee on the Territories.

Also, petition of the Sacramento County (Cal.) Pomona Grange, favoring House bill 11897, relative to farm credits; to the Committee on Banking and Currency.

Also, petitions of the Christian Endeavor Society of the Seventh Avenue Presbyterian Church, the Epworth League of the Hamilton Methodist Episcopal Church, and the Society for Christian Service of the Calvary Presbyterian Church, all of San Francisco, Cal., representing 421 residents of San Francisco, Cal., indorsing the joint resolutions introduced to provide for national constitutional prohibition; to the Committee on the Judiciary.

By Mr. PALMER: Petition of 45 citizens of Stroudsburg, 58 citizens of Richmond, and 150 citizens of Echo Lake, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PAYNE: Petitions of various churches of Victor, Phelps, Gorham, Geneva, Canandaigua, Alton, Moravia, and Lyons, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PLUMLEY: Petition of Mark Joslyn and 65 other citizens of the third congressional district of Vermont, favoring national prohibition; to the Committee on the Judiciary.

By Mr. POST: Petitions of 350 citizens of Van Wert, 50 citizens of Springfield, 265 citizens of Troy, 28 citizens of Ashville, all in the State of Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. POU: Petition of 24 citizens of Wendell, N. C., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAINEY: Petition of 32 citizens of Kampsville, 106 citizens of Hardin, the Woman's Christian Temperance Union of Jerseyville and Rockport, the Christian Church of Timewell, and citizens of Fidelity, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. REED: Petitions of 45 members of the Advent Christian Church of Farmington; 70 people of the congregation of the Second Advent Christian Church of Farmington; 43 members of the Sunday school of the United Congregational Church, of Fremont; 75 members of the congregation of the Advent Christian Church of Exeter; 300 members of the congregation of the First Methodist Episcopal Church of Milford; and 75 members of the congregation of the Advent Christian Church of Concord, all in the State of New Hampshire, favoring national prohibition of the liquor traffic; to the Committee on the Judiciary.

By Mr. RUBEY: Petitions from the sixteenth congressional district of Missouri, approving the Sheppard-Hobson resolutions for national constitutional prohibition; to the Committee on the Judiciary.

By Mr. SIMS: Petition of 120 citizens of Savannah, 150 citizens of Big Sandy, and 50 citizens of Westport, all in the State of Tennessee, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SPARKMAN: Petitions of 50 citizens of Leesburg, 50 citizens of Clearwater, and 40 citizens of Terra Ceia, all in the State of Florida, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEDMAN: Petitions of sundry citizens of Leaksville, Rockford, Stokes, and Reidsville, N. C., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Petition of the San Francisco Labor Council relative to House bill 1933, regulating interstate commerce in convict-made goods; to the Committee on Labor.

Also, petition of S. Farmucchi, of Los Angeles, Cal., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Victor Valley, Cal., favoring appropriation for improvement of Mojave River; to the Committee on Rivers and Harbors.

Also, petition of the Sailors' Union of the Pacific Coast, relative to House bill 11740, imposing a poll tax on fishermen temporarily employed in Alaskan waters; to the Committee on the Territories.

By Mr. STEPHENS of Texas: Petition of 500 citizens of Claude, Tex., and 200 citizens of Vernon, Tex., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SUTHERLAND: Petition of students of Salem College, West Virginia, favoring national prohibition; to the Committee on the Judiciary.

By Mr. TALBOTT of Maryland (by request): Petition of sundry citizens of the second congressional district of Maryland, favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of the second congressional district of Maryland, against national prohibition; to the Committee on the Judiciary.

By Mr. TEMPLE: Petition of 1,560 citizens of New Castle, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Reading Circle of 1889, of New Castle, Pa., favoring Federal child-labor bill; to the Committee on Labor.

Also, evidence in support of a bill (H. R. 15371) granting an increase of pension to Albert G. Dougherty; to the Committee on Invalid Pensions.

By Mr. THACHER: Petition of sundry citizens of Sandwich, Chilmark, Oak Bluffs, and Chatham, all in the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of North Star Lodge, No. 238, of North Easton; of Engelbrekt Lodge, No. 40, of Brockton; of Ire Liljor Lodge, of Attleboro; of Three Crowns Lodge, No. 91, of Lynn, all of the Order of Vasa; and the Scandinavian Sick and Death Benefit Society of Lynn, all in the State of Massachusetts, relative to erection of a monument to John Ericsson; to the Committee on the Library.

Also, petition of sundry citizens of North Carver and Oak Bluff, Mass., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Plymouth, Mass., against national prohibition; to the Committee on the Judiciary.

By Mr. TOWNER: Petition of 70 citizens of Clearfield, Iowa, favoring the enactment of a national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of 95 citizens of Corning, Iowa, favoring the enactment of a national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. UNDERHILL: Petition of the Northeastern Saengerbund of America and sundry citizens of Chemung and Steuben

Counties, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Waverly, Tyrone, Savona, Trumansburg, Corning, Avoca, and Etna, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of New York State, against Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. WEAVER: Petitions of sundry citizens of Cleveland County, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of J. P. Currin, of Kenton, Ohio, and other members of the First Baptist Church of Kenton, in favor of the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of C. L. Flatter, of Patterson, Ohio, and other citizens of that place, in favor of the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. S. T. McCormick, of Kenton, Ohio, and other members of the Woman's Christian Temperance Union, in favor of the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Theodore G. Erler, of Findlay, Ohio, and other members of the First Baptist Church of Findlay, in favor of the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

By Mr. WILSON of New York: Petitions of various voters of the third congressional district of New York and the United Brotherhood of Carpenters and Joiners of America, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the affiliated trades of the New York Navy Yard, favoring construction of a battleship at a Government navy yard; to the Committee on Naval Affairs.

By Mr. WINGO: Petitions of sundry citizens of Arkansas, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Logan County, 81 citizens of Van Buren, 51 citizens of Mansfield, 35 citizens of Paris, all in the State of Arkansas; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petitions of 150 citizens of McHenry, 35 citizens of Leak, 7 citizens of Minnewaukon, 100 citizens of Oriska, 400 citizens of Cooperstown, and E. F. Alfson and others, all in the State of North Dakota, favoring national prohibition; to the Committee on the Judiciary.

By Mr. YOUNG of Texas: Petitions of 1,500 citizens of Tyler, Tex., and 450 citizens of Gilmer, Tex., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

THURSDAY, *April 16, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek Thy favor and blessing and such measure of Thy grace as that our lives may be pitched upon the plane where there is no law. We would no longer be bondslaves of sin or children tossed to and fro, but the sons of God, freemen having fullness of knowledge, depth of sympathy, and vision into the inner courts of life. We pray that we may understand the Divine program for us as individuals and for our great Nation, and that Thy will may be done in and through us. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. ADAIR, and Mr. LANGHAM managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 5850) to amend section 162 of the act to codify, amend, and revise the laws relating to the judiciary, approved March 3, 1911, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 1829) for the relief of W. D. McLean, alias Donald McLean.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented telegrams in the nature of petitions of the Brotherhood of Locomotive Engineers, of Whitefish, Mont., and of the State Board of Officers Junior Order United American Mechanics, of Vermont, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented a petition of Waldron-Murphy Camp, No. 26, United Spanish War Veterans, Department of Illinois, praying for the enactment of legislation granting pensions to widows and orphans of veterans of the Spanish-American War and the Philippine insurrection, which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Church Hill, Milton, New Lisbon, West Lebanon, Clayton, Deedsville, and Terre Haute, all in the State of Indiana; of sundry citizens of Southfield Township, Port Huron, Port Hoyse, Spring Lake, and Onaway, all in the State of Michigan; of sundry citizens of Dunmore, Pa.; and of sundry citizens of Brunswick, Ga., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

Mr. LIPPITT presented memorials of sundry citizens of the State of Rhode Island, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of the State Christian Endeavor Union; of the congregations of St. Paul's Methodist Episcopal Church, of Providence, and the Methodist Episcopal Church, of Centerville; of the Woman's Christian Temperance Union of Westerly; and of sundry citizens of Providence, Bristol, and Westerly, all in the State of Rhode Island, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Duquesne, Pa., praying for the enactment of legislation to permit the wearing of uniforms similar to that of the United States Army by members of the United Boys' Brigade of America, which were referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of Pittsburgh, Pa., praying for the enactment of legislation to compel carriers to switch freight to and from points upon its line or terminals when such movement is part of interstate transportation under such conditions and for such compensation as shall be just and reasonable, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Federation of Trade Unions, of York, Pa., and a petition of Local Union No. 1056, United Mine Workers of America, of Gallitzin, Pa., praying for an investigation into the conditions existing in the mining districts of Colorado, which were referred to the Committee on Education and Labor.

He also presented a petition of Valkyrian Lodge, No. 28, Scandinavian Brotherhood of America, of Braddock, Pa., praying that an appropriation be made for the erection of a monument to the memory of Capt. John Ericsson, which was referred to the Committee on the Library.

Mr. LA FOLLETTE presented petitions of sundry citizens of Wisconsin, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Wisconsin, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Grand Rapids and Fort Atkinson, in the State of Wisconsin, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of La Farge, Wis., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. KERN presented petitions of sundry citizens of Rosedale, Hortonville, Bloomington, Indianapolis, and Westfield, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BURTON presented memorials of sundry citizens of Ohio, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Ohio, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Columbus, Ohio, praying for the enactment of legislation to allow compensatory time for services rendered by letter carriers on Sundays, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Swedish Central Society, of Youngstown, Ohio, praying that an appropriation be made for the erection of a monument to the memory of Capt. John E. Ericsson, which was referred to the Committee on the Library.

He also presented a petition of the Swedish Central Society, of Youngstown, Ohio, praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. GALLINGER presented a petition of Local Union No. 132, United Garment Workers of America, of Keene, N. H., and a petition of the New Hampshire Federation of Labor, praying for the enactment of legislation to prohibit the interstate shipment of convict-made goods, which were referred to the Committee on Manufactures.

He also presented the petition of Mrs. Martha S. Kimball, of Portsmouth, N. H., praying that an appropriation be made for the maintenance of the Children's Bureau, which was referred to the Committee on Appropriations.

He also presented a petition of the fish and game commissioner of Concord, N. H., and a petition of the chairman of the commissioners on fisheries and game, of Boston, Mass., praying that the appropriation of $100,000 to carry into effect the provisions of the Federal migratory-bird law be retained in the Agricultural appropriation bill, which were referred to the Committee on Agriculture and Forestry.

Mr. KENYON presented memorials of sundry citizens of Davenport, Iowa, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Iowa, praying for the adoption of an amendment to the Constitution to prohibit the manfacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. POMERENE presented memorials of sundry citizens of Cincinnati and Hamilton, in the State of Ohio, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry church organizations of Wadsworth, Columbus, Hillsboro, Marion, Butler, Roundhead, Salem, Kent, Brookfield, Defiance, Kenton, Oberlin, Lockland, Continental, Pioneer, Coshocton, Mendon, Youngstown, Aka, Toledo, Xenia, Akron, Wellington, Yellow Springs, Samantha, North Dayton, South Dayton, Alliance, Damascus, London, Ravenna, Richwood, and North Concord, all in the State of Ohio, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SUTHERLAND presented a memorial of Local Union No. 815, Cooks and Waiters, of Salt Lake City, Utah, and a memorial of sundry citizens of Salt Lake City, Utah, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Allentown, Pa., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the board of directors of the Deseret National Bank and of the Deseret Savings Bank, of Salt Lake City, Utah, praying for the adoption of an amendment to the income-tax law to provide a method of information at the source in lieu of the present method of collection at the source, which was referred to the Committee on Finance.

Mr. McLEAN presented a memorial of German-American Alliance of Waterbury, Conn., and a memorial of Musical Protective Local Union No. 55, of Meriden, Conn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of Manchester Lodge, No. 99, of South Manchester, Conn., praying for an appropriation for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on Foreign Relations.

He also presented a petition of James W. Milne Camp, No. 14, United Spanish War Veterans, of Rockville, Conn., praying for the enactment of legislation granting pensions to widows and minor children of soldiers and sailors of the Spanish-American War, which was referred to the Committee on Pensions.

Mr. PERKINS presented memorials of sundry citizens of California, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the Labor Council of San Francisco, Cal., praying for the enactment of legislation to regulate interstate commerce in goods or merchandise made wholly or in part by convict or prison labor, which was referred to the Committee on Manufactures.

He also presented a memorial of the Alaska Fishermen's Union, of San Francisco, Cal., remonstrating against the enactment of legislation to amend chapters 52 and 54 of an act of the Legislature of Alaska, which was referred to the Committee on Territories.

Mr. POINDEXTER presented petitions of the congregation of the Baptist Church of Charleston and of sundry citizens of Vancouver, San Juan County, and Whatcom County, all in the State of Washington, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by the Association of Alaska Salmon Packers, of Seattle, Wash., favoring an appropriation for the construction of additional vessels for the charting and surveying of the waters of the Alaskan coast, which were referred to the Committee on Commerce.

Mr. NELSON presented a petition of sundry citizens of Mankato, Minn., praying for the enactment of legislation to amend the postal and civil-service laws, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Winnebago, Duluth, Lake Crystal, Madelia, and Hutchinson, of the congregation of the Presbyterian Church of Round Lake, and of the Woman's Christian Temperance Union, of Thief River Falls, all in the State of Minnesota, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Minneapolis and Stillwater, in the State of Minnesota, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a memorial of the German-American Alliance of Waterbury, Conn., and a memorial of Musical Protective Local Union No. 55, American Federation of Musicians, of Meriden, Conn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented a petition of sundry citizens of Ogemaw, Mich., praying for the adoption of a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a memorial of sundry citizens of Detroit, Mich., remonstrating against the adoption of an amendment

to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry organizations of Grand Rapids, Mich., and a petition of sundry citizens of Clayton, Mich., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Bellaire, Mich., praying for the passage of the so-called pure wool and pure leather bill, which was referred to the Committee on Manufactures.

Mr. LODGE presented petitions of sundry citizens of Boston, Mass., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of the City Council of Quincy, Mass., praying for the enactment of legislation to provide pensions for superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. WEEKS presented memorials of sundry citizens of Boston, Everett, Chelsea, Malden, Dorchester, Somerville, Cambridge, Lynn, Beverly, and Roxbury, all in the State of Massachusetts, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. CRAWFORD presented a petition of sundry citizens of Charles Mix County, S. Dak., praying for the enactment of legislation to establish a system of rural credits, which was referred to the Committee on Banking and Currency.

Mr. JOHNSON presented petitions of Skowhegan Grange, Patrons of Husbandry, of Skowhegan; of Grand Lodge, Independent Order Good Templars, of Waterville; of the congregations of the Pine Street Congregationalist Church, of Lewiston; the Methodist Episcopal Church of Waldsboro; the Congregationalist Church of Dedham; the Congregationalist Church of Otisfield; the Baptist Church of Fort Fairfield; the Main Street Free Baptist Church, of Lewiston; of Easton Grange, Patrons of Husbandry, of Easton; of Ashland Grange, Patrons of Husbandry, of Ashland; of sundry citizens of Ashland, Fort Fairfield, Holden, Bangor, Waldsboro, Otisfield, and of Emerson H. Doughty, of Portland, all in the State of Maine, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SHIVELY presented memorials of sundry citizens of Indiana, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Westfield, Ind., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented memorials of the Knox County Medical Society, the Boone County Medical Society, the Owen County Medical Society, and the Martin County Medical Society, all in the State of Indiana, remonstrating against the enactment of legislation to prohibit physicians, dentists, and veterinarians from dispensing and distributing narcotic drugs, which were ordered to lie on the table.

He also presented a petition of Richard J. Harden Camp, No. 2, United Spanish War Veterans, of Washington, D. C., praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish-American War and the Philippine insurrection, which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. CRAWFORD, from the Committee on Claims, to which was referred the bill (S. 1127) for the relief of Samuel H. Walker, reported it with an amendment and submitted a report (No. 426) thereon.

Mr. CLAPP, from the Committee on Indian Affairs, to which was referred the bill (S. 4857) for the relief of the St. Croix Chippewa Indians of Wisconsin, reported it without amendment and submitted a report (No. 427) thereon.

Mr. JOHNSON, from the Committee on Claims, to which was referred the bill (S. 105) for the relief of John T. Brickwood, Edward Gaynor, Theodore Gebler, Lee W. Mix, Arthur L. Peck, Thomas D. Casanega, Joseph de Lusignan, and Joseph H. Berger, reported it with amendments and submitted a report (No. 428) thereon.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 425) to accompany bill (S. 5278) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 181. Sidney Payne Smith.
S. 729. Wenzel Patzelt.
S. 1538. Sherwood C. Bowers.
S. 1982. Frank M. Eldredge.
S. 2163. George A. Porterfield.
S. 2283. William H. Rackliff.
S. 2825. Harry Jones.
S. 2837. Matilda Robertson.
S. 2858. Phebe W. Chase.
S. 3524. Nelson Dimick.
S. 4240. Mary J. Torney.
S. 4588. William A. Taylor.
S. 4724. John Andrews.
S. 4989. Joseph A. Black.
S. 5058. Charles W. Halls.
S. 5071. George F. Behymer.
S. 5118. John Abplanalp.
S. 5120. Hezekiah C. Cotner.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KENYON:

A bill (S. 5279) granting an increase of pension to James E. Reed; to the Committee on Pensions.

By Mr. GRONNA:

A bill (S. 5280) to provide for the creation of a national farm loans association and State and local associations, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 5281) for the relief of Wiley W. Houston (with accompanying papers); to the Committee on Military Affairs.

By Mr. OLIVER:

A bill (S. 5282) granting an increase of pension to Wesley A. Loucks (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 5283) to regulate the catching of whales in the waters of the Territory of Alaska; to the Committee on Fisheries.

A bill (S. 5284) for the relief of Frank C. Darling; and

A bill (S. 5285) for the relief of A. M. Darling, administrator; to the Committee on Claims.

By Mr. LODGE:

A bill (S. 5286) for the relief of Frances L. Snell; to the Committee on Claims.

By Mr. McLEAN:

A bill (S. 5287) authorizing the Secretary of War to erect a monument at Valparaiso, Chile (with accompanying papers); to the Committee on the Library.

A bill (S. 5288) granting an increase of pension to Cecilia Murphy (with accompanying papers); to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 5289) to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work; to the Committee on Commerce.

By Mr. CLAPP:

A bill (S. 5290) granting an increase of pension to Fridolin Strobel; to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 5291) to authorize Edmund Richardson, or the parishes of East Carroll and West Carroll, La., or both, to construct a bridge across Macon Bayou, at or near Epps Ferry, La.; to the Committee on Commerce.

By Mr. JAMES:

A bill (S. 5292) granting an increase of pension to David Britton; to the Committee on Pensions.

By Mr. ROOT:

A bill (S. 5293) for the promotion and retirement of Col. David L. Brainard, Quartermaster Corps, United States Army (with accompanying papers); to the Committee on Military Affairs.

By Mr. JOHNSON:

A bill (S. 5294) granting an increase of pension to Daniel Richardson; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 5295) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. OWEN:

A bill (S. 5296) for the relief of A. W. Holland (with accompanying paper); to the Committee on Post Offices and Post Roads.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. CRAWFORD submitted an amendment proposing to appropriate $6,200 for the maintenance of an assay office at Deadwood, S. Dak., etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. KENYON submitted an amendment proposing to appropriate $500,000 for farm demonstration outside of the cotton belt, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. LODGE submitted an amendment authorizing the Secretary of the Interior to add to the rolls of each of the Five Civilized Tribes the names of persons shown by the governmental records to be entitled to enrollment, irrespective of technical legal bars, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

POSTAL SAVINGS BANKS.

Mr. TOWNSEND. I submit a resolution in reference to deposits of postal savings funds, the matter that was up yesterday.

The resolution (S. Res. 340) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Postmaster General is hereby directed to report to the Senate at as early a date as practicable the amount of money now on deposit in the postal savings banks of the United States; also the amount of such deposit on October 1, 1913, and on the 1st day of each month thereafter to April 1, 1914, inclusive.

ADDRESS BY SENATOR PENROSE—AFFAIRS IN MEXICO.

Mr. OLIVER. I have here a short address delivered by my colleague [Mr. PENROSE] in the Whitehall Baptist Church, at Tacony, Pa., last Sunday upon the Mexican situation. I ask unanimous consent to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Armed intervention by the United States was held up yesterday by Senator PENROSE as the outcome of the present situation in Mexico, the inevitable solution of the problem, unless this Government changes its policy and takes steps to change conditions to suit the situation. In an address delivered in the Whitehall Baptist Church, Tacony, Senator PENROSE voiced vigorous criticism of the Wilson administration's policy with respect to foreign relations, with particular reference to Mexico.

Senator PENROSE addressed a small but enthusiastic audience. The Rev. Herbert Hargraves, pastor of the church, introduced him. After the address there was an impromptu reception for the Senator.

After his set speech, Senator PENROSE said he did not mean to indicate that we were actually in danger of war, but merely wanted to enlighten the people on the true conditions. The United States never participated in a war of aggrandizement, but always and only for either its own independence, for the maintenance of the Union, or for humanitarian reasons. The flag would never be carried to warfare, he concluded, for the personal advantage of any politician or set of politicians.

SENATOR PENROSE'S SPEECH.

Senator PENROSE said he was actuated in taking up a public discussion of the Mexican situation because of "less information and more misinformation in the minds of the people." This lack of information, he added, "has also been true of the statesmen who are now guiding the destinies of the Nation." The people had kept quiet, he said, because they did not want to embarrass the administration and its policy. He continued:

"The fundamental error in our attitude toward Mexico is that we have undertaken to deal with that country as we would with Denmark or Spain or Italy. We have assumed not only that Mexico is a nation in the political sense of the term, but also that the Mexicans are a people more or less homogeneous and certainly more or less animated by social and political motives which we would recognize as of the same category as our own political ideals, even if somewhat modified in form or application.

"No greater mistake could have been made. In the first place, Mexico within its political borders contains three distinct races. The migration which took place on this continent during the centuries while the Normans were conquering England was a migration consisting of various tribes of our own North American Indians. They pushed down from the North until they had reached the site of the present City of Mexico, about 200 years before Cortez landed on the Mexican shores of the Gulf.

"To give a better idea of what happened, it is well to remember that Mexico may be described as a long V-shaped high tableland, with the point roughly in the neighborhood of Mexico City. A narrow strip of low coast land lies on both the Pacific and the Atlantic sides of this V. From Mexico City to the extremity of the peninsula of Yucatan is nearly the same distance as it is from the Rio Grande to the City of Mexico. This country beyond the city is relatively low and is what is described as the tierra caliente (hot lands). The migratory Indians from the north, who are the Aztecs of Mexican history, pushed off the high plateau their predecessors, who are known as the Toltecs. They also are Indians. All the races in Mexico are Indians, and most of the inhabitants of Mexico are Indians to-day.

"Mexico is an Indian country. There are some 15,000,000 people in the country, according to the census of 1910. The census does not include racial statistics, but conservative students of Mexican conditions consider that of these 15,000,000 people, 13,000,000 are so nearly of pure Indian blood that such admixture of Caucasian blood as may flow in their veins is a negligible quantity, from a scientific standpoint. It is certainly negligible from a moral standpoint. Of the remaining 2,000,000, it is doubtful if there are 250,000 Mexicans of absolutely undiluted Caucasion blood, and the remainder are crossbreds between the Spanish settlers and the Indians in varying proportions of European and native blood.

"Too much emphasis can not be laid on this condition. The problems which Mexico has to face are problems based on the same mental and moral characteristics, the same racial peculiarities, as the problems which we had to face in the winning of the plains and the Rocky Mountain country in the third quarter of the last century.

"The conditions were somewhat modified. The Spaniards, when they conquered Mexico, followed a policy which was different from that of our pioneers. The result of that policy was that the Indian lost something of his nomadic characteristics and became imbued in varying degrees with the characteristics of an agricultural instead of a hunting race. This change brought with it, however, no degree of homogeneity. There are some twenty-odd distinct tribes among the inhabitants of Mexico and an equal number of Indian tongues, with more local dialects.

"The same intertribal hostility which was the motive of the wars constantly going on when Cortez came to Mexico first has persisted to this day, although its outward form has been somewhat modified by the control of civilization. It persists in the form of resentment and hostility on the part of district against district, and most especially the north against the south.

"The Spanish colonial rule did nothing to overcome this. I believe that our conception of that period of colonial rule has been that of one in which the Viceroy of Mexico was the regal representative, with all the pomp and stately trappings which accompanied royal delegates in those days, and who ruled more or less directly over the whole region which we now know as Mexico.

"As a matter of history, the various lieutenancies—or intendencias, as they were called—when Mexico was divided were ruled as independent satrapies, and the intendents, or King's lieutenants, in the different sections of the country reported directly to the court and the King at Madrid, having no dealings with the Viceroy at Mexico for administrative or political purposes, their relations with him being purely fiscal and confined to the remission, through him, of the taxes and tribute to the court. This governmental organization naturally contributed to the maintenance of regional and tribal peculiarities, and even hostilities. At no time until the days of Porfirio Diaz can there be said to have been any sustained attempt to consolidate the unorganized and widely differing tribal units of Mexico into a homogeneous people.

TRIBAL CHARACTERISTICS.

"President Wilson wrote in one of his books that constitutional government was not a thing which could be given to a people. A very great part of the difficulties of our present situation with Mexico is due to his attempts to give constitutional government, not even to a people, but to a collection of Indian tribes whose racial characteristics are still painfully in evidence.

"If you have been reading the dispatches from the correspondents following the campaign in Mexico, you will notice in these last few days that the reports of the fighting in the vicinity of Torreon have all reflected the Indian character. There have been many incidents related of physical bravery and of truly Indian stoicism in the face of death and agony. This is the more admirable side, but the same dispatches, if read between the lines, also display the other characteristics which the records of a century of our expansion on this continent have compelled us to recognize as equally characteristic of the Indian. I mean cruelty—barbaric cruelty—and revenge that is nothing less than pagan.

"I say when read between the lines, because the returning correspondents tell by word of mouth details regarding incidents to which they merely referred in their letters, which make one doubt that this can be the continent of America in the dawn of the twentieth century. These tales of mutilation and torture sound like the barbarities of the Middle Ages.

"It is bad enough to know that these cruelties are inflicted by Mexicans on Mexicans. When, however, we realize that they have also been inflicted on American citizens and on American women and children, it is difficult to display that patience which is asked for with the action of an administration whose policy has fomented the conditions of anarchy and reversion to primitive instincts which permit such things to be.

"When the homes of American citizens are raided by bandits, and American men bound to trees in the good old Indian way of binding the victim to the stake, and the daughters of the house are assaulted, it is hard to restrain our human instincts as men and brothers and subordinate them to the political expediency which is demanded to uphold a course avowedly based on the highest principles of political morality.

LONG SCORE OF BARBARITIES.

"This is no composite picture, no exaggeration, of merely disagreeable incidents. I have referred to an actual case in the terms in which it actually occurred, and in which it is actually on record with the Government at Washington. There is a long score of barbarities of this and other kinds, some of which can not be even mentioned in this presence—most of them fully recorded in reports in Washington; and it seems to me that not only the expediency but also the morality which it has been announced is to be the basis of our policy toward our neighbors to the south has not only failed to demonstrate its expediency, but what the ordinary citizen understands as morality, both of object and of procedure, has been more distorted than one should expect from such high professions. A policy which requires constant suppression of fact in order to retain even the possibility of public support is not conducive to the spread of ideas of public morality.

"An incidental feature of our Government's policy, which finds it necessary to furnish weapons and ammunition to a bandit chieftain who

has been clever enough to label himself a 'Constitutionalist,' is the loss and personal peril incurred by the faithful missionaries who have been laboring in the field of Mexico.

"The work of these missionaries has a wide field. There are Indians to-day in the middle of the peninsula of Yucatan who are worshiping the stone idols of their ancestors of a thousand years ago, and in whose villages back in the midst of the tropical jungle there is no sign of Christianity, and the name itself is nearly unknown. The field of the missionaries reaches from the Indians in this condition to the schools which have been maintained for the free education of the young men of the largest cities, fitting them for commercial, industrial, and professional life.

"It is a curious commentary on the morality of our policy that it has been vigorously protested against by these very missionaries and ministers of the gospel as contrary to humanity and subversive of order and civilization.

"These men, who have lived in that country, know that the pretensions of bandits and the political spoilsmen masquerading together as prophets of a new freedom for the downtrodden Mexican, by which the President has been misled, are nothing but the veriest farce. There is little basis for the theory that the label of 'Constitutionalist' will change the hearts and the habits of men who have grown to maturity with the instincts of their race, and in the practice of brigandage and outlawry, restrained only by such limits as are set by the feebly effective administration of law and order.

EXHIBITION OF CUNNING.

"In the recent campaign the outward manifestation of these habits has been largely checked by the constant admonitions of the authorized representatives of this Government who have accompanied the leaders of the constitutionalists in their campaign about Torreon. Constant reiteration of 'Don't do this,' 'Don't do that,' 'Washington will not approve of this,' 'Washington will not stand for that,' has produced a modification of the outward usual demonstrations of native instinct. With the cunning which we have also come to know is a racial characteristic, the lesson has been easily learned, that professions of love and devotion to the principles of justice, morality, and freedom are absolutely necessary to retain the support of the great neighbor to the north.

"Promises to reform and be good are the payment for rifles and ammunition with which to be brutal. It seems to me that our heroes of the Indian wars—Crook, Miles, and others—could furnish us with some parallels from the history of their own Indian campaigns. There is something that would be humorous, if the whole situation were not so fraught with danger, in the picture of the head of this Nation, who has possibly never seen an Indian except on full-dress exhibition, lecturing a nation which has ruled some 14,000,000 of them with at least sufficient success to keep them alive and most of them doing some little useful agricultural work.

"As a matter of fact, it is not seemly for us to give many instructions to the Mexicans on the theory and practice of handling Indians, unless it be considered of greater morality to exterminate them than it is to subjugate them and mold them into some participation, however imperfect, in the machinery of social and industrial life.

MOST PRESSING PROBLEM.

"I have referred to the danger of the situation. I am not referring to the suffering or loss of American citizens in Mexico, nor to the danger of incidental complications on our southern frontier. I have in mind the fact that Mexico is not the only troublesome question in our foreign relations. There is a serious question confronting us on the Pacific Ocean. There are other questions confronting us on the south, though none so pressing as those of Mexico.

"It is a maxim of ordinary common sense that if a man or a nation has a difficult and delicate problem to handle with a neighbor he can give it more intelligent attention and secure better results in his negotiations if he is free to devote his attention to the matter in hand. If he is embarrassed at the same time by complications in other directions, he is not in as good a position. If complications can be tangled up with the first question, so that he is encompassed on all sides with difficulties, the prospect of a satisfactory result are considerably diminished.

"If we were to be forced into intervention in Mexico, it is perfectly clear that other countries who had any questions at issue with us, whether in Europe or Asia, would find it an opportune time to press their claims. It is only a step further to the conclusion that some one of these countries might undertake to assist Providence to modify the course of events to such an extent that we would be driven into intervention, notwithstanding our reluctance.

"It appears to be sure that this administration will endure untold suffering and loss on the part of American citizens and others under our protection rather than take any action which might be construed as hostile or even mildly corrective toward Mexico. But there is a point at which cumulative effect of outrages on American men, women, and children, if called to the attention of the people as a whole by some spectacular incident, would arouse them to such an extent that the sentiments of horror at barbarity and the protection to one's own people would result in an uprising of sentiment which would force corrective measures.

"This mental attitude on the part of the American people is sufficiently well known to some of our neighbors to set them considering on how it may be turned to their advantage.

MAY REPEAT MAINE TRAGEDY.

"Local conditions in several parts of Mexico make it no idle dream, but an actual and real danger, that if the Mexicans themselves should not be guilty of some spectacular outrage, the stage setting and the actors would be manipulated for them in such a way that the hand behind the scenes would not be discovered, and the desired result of another 'blowing up of the Maine,' figuratively speaking, would be secured.

"It is because we want to eliminate this danger and alter a course which is so likely to drag us into a costly intervention and possible war that the real facts about Mexican problems should have the greatest publicity. True constructive statesmanship will seek for a way to restore order in a country in which its own mistaken policy has fostered anarchy and bloodshed.

"The imposition of inapplicable standards of government to a people who have not even the word 'government' in the language of a large number of them is so preposterous an error that common intellectual honesty demands its acknowledgment and retraction.

"The theory that the chiefs of the constitutionalists are a saving remnant in Israel to lead their people out of the wilderness of oppression and barbarism, and that Villa is the prophet, is about as true as that the gunmen of the East Side of New York are the bulwarks of law and order.

EXPULSION OF SPANIARDS.

"The expulsion of the Spaniards from Torreon is but the first step in their application of justice and morality. The Spaniard represents to the Mexican Indian and the Comanche and Apache who compose an important part of Villa's army the visible embodiment of the Caucasian dispossessors of the soil, the man who drove the Indian from the happy hunting grounds of his fathers, the man who has held those happy hunting grounds for 400 years and who has compelled the Indian to work instead of lying comfortably on the ground and letting ripe bananas drop into his mouth, or the fruit of the cactus bush, and in the more rigorous climates of the highlands putting enough grains of corn into holes in the ground made with a stick and then leaving them to the rains and sunshine of Providence to enable him to eke out a precarious and squalid existence between the seasons.

"This is the feeling which is at the bottom of the expulsion of the Spaniard. This is the manifestation of the true sentiment and intention of the revolution. There is an agrarian problem. There is the same problem of getting the Indian to use an allotment of land made to him, and to prevent the counterpart of 'squawman' from getting away from the Indian all that belongs to him, that this country had to face on its Indian reservations and in Oklahoma.

"There has been much land allotted to the Indian and sold for a mess of pottage. And the land problem in Mexico does exist. But if all the great estates were wiped out to-day and the land divided at the rate of 3 acres and a mule to every patriot who has fought in the constitutionalists' army, the problem would be no nearer solution by that act than it is to-day. On the contrary, it would be setting back progress for half a generation, for the land, inside of 5 or 10 years, would all be in the hands of a new group of harpies and speculators, and in the meantime such organization of the forces of production as there is in the country would have utterly disappeared.

"This is no place nor time to enter into a discussion of the extremely difficult and complex problem presented by land tenures in Mexico. But the vital and pressing feature of the situation to-day is the restoration of order and the reestablishment of a condition which will permit these problems to be dealt with with some intelligence, instead of great passion.

ESSENCE OF REVOLUTION.

"The essence of the revolution conducted by Villa and his associates, with the exception of a very few genuine reformers with no experience, is the restoration of the land to the Indian. The restoration of the land to the Indian means the restoration of the Indian race as a race to its own in the possession of that part of this continent.

"The question which is presented not only to Mexico but to the United States and to all the powers of Europe is whether either civilization, Christianity, or humanity demands that the Caucasian race shall draw back from its expansion and from its mission as the bearer of civilization and turn Mexico over again to the Indian race, to go back to the human sacrifices of the Aztecs, the squalor and poverty of the hill Indians, and the paganism of the jungle, for just so surely as the first step is taken in the expulsion of the Spaniards, the Indian will try to take the next step, which will be the expulsion of the Germans or the Americans or of all other Caucasians.

"Does morality or expediency counsel turning back the march of progress and the denial of all the Caucasian civilization has accomplished in the last 400 years on this continent?

"An assertion frequently made by the President is that the clamor for intervention comes from the 'interests' which have large investments in Mexico. This is wholly untrue. The large corporations would prefer to deal with a less highly organized Government than that of the United States and with one also that displays a livelier appreciation of efforts for the development of an enormously rich and industrially backward country.

"The administration involves itself in a contradiction on this point. In one breath it charges that the Governments of these countries to the south of us are weak and unsophisticated in their dealings with the wily representatives of large foreign investors, and it alleges that these foreign interests make large and improper profits out of this condition. Then when a clamor arises at the ineffective and badly conceived policy of the administration in Mexico, and many calls are heard for the intervention, the administration promptly accuses the interests just referred to of being responsible for this agitation.

"Both charges can not be true, although they are both as true and as consistent as most of the positions taken by the administration about Mexico. If it is true that the Mexican Government is granting improper favors to capitalists, certainly the capitalists who are profiting by them are not clamoring for intervention to put an end to this satisfactory condition. On the other hand, if this charge is not true, the alternative is that the Mexicans are intelligently administering their own affairs and our dictation to them and interference with them is an unwarranted piece of intrusion in the affairs of a neighbor.

CALL FOR INTERVENTION.

"Where the call for intervention really comes from, when it comes at all, is from the individual American citizen whose little all is at stake.

"If the big interests suffer in Mexico, they can recoup in South Africa or other mining countries or in Canada on power plants, as is actually happening to two of the principal so-called 'interests' in Mexico. But take the specific cases of one or two American citizens that have come to my knowledge.

"One was a dentist, a man of perhaps 45, who had lived in Mexico long enough to build up an excellent practice. Severe illness and expensive surgical treatment had encroached heavily on his savings. On his recovery, just as he was about to get back his losses from his practice, this administration warned all Americans to leave Mexico, and emphasized it by sending Government transportation for them. This man left in obedience to the orders of his Government. When he went he left his all. You can not carry a professional practice with you from one country to another. It is hard to have to start in at middle life to build up a new practice in a community from which one has been absent for many years. This would be hard under any circumstances, even were the cause the act of God. It is doubly hard when the cause is the weakness and lack of wisdom of high officials of one's own Government.

"I cite this case because it is typical. There are hundreds of Americans who have lost their all in the same way. Doctors, professional men, planters, farmers, electricians with small repair shops, miners with promising and paying little mines, tie contractors, engineers, mechanics—these are the great body of Americans in Mexico.

"Many of these have been ruined at one blow by the action of their own home Government. Who will pay them indemnity? Not Mexico. She has no responsibility. She did not turn them out. Does this administration expect to reimburse all these Americans that it has ordered out of Mexico?

"Take the case of a small planter in the State of Vera Cruz. After working for other people as employee and manager for some years he got hold of a piece of land. It was not clear of debt, but he got enough out of his first crop on it to increase his area under cultivation, and this present crop would have put him fairly out of debt on his land. The attitude of this administration has forced him to abandon his place, and unless he can make some apparently impossible arrangement he loses all he had put in.

PLAIN CITIZENS RUINED.

"These are the people who are suffering by the policy of this administration—not the interests. For every American hurt who is working for the big financial corporations in Mexico there are scores of plain citizens who have been almost quite ruined. This condition breeds resentment.

"This resentment extends to foreign powers. Great Britain may remain quiet during one Benton affair. Will she during four or five? And the result of the present policy of the administration is to foster conditions which tend daily more and more to increase the danger and the probability of more Benton affairs.

"And there will be German Bentons and French Bentons. The Spaniards are being treated more tenderly. They are sent out of the country.

"This condition is what makes forced intervention loom up as a probable result. The only way to insure its not happening is to change the conditions.

"Anything that can be done to hasten this change is a patriotic step, as it removes by just so much the danger of costly and maybe bloody intervention.

"An unprejudiced review of the situation warrants the conclusion that there would to-day be no organized revolution, at least outside the Pacific States of Sonora and Sinaloa, in the extreme northwestern corner of Mexico, across the mountains, had Huerta been recognized.

"There are sound reasons for this opinion. Consider what Huerta did in four months of last year, after taking possession. Starting with half the States of the country in the hands of hostile governors and administrations, he had established order in more than half of those and put his military provisional governments in nearly all the rest. His generals had marched straight through the middle of north Mexico and rolled the revolutionary forces back against the Chihuahua Mountains in the west and scattered them entirely in the east.

"Had it not been for the moral support given the revolutionists by this administration and the hope of material support in arms and munitions (which they afterwards actually got), is there any reason to suppose they could have kept up an important organized military force?

HUERTA'S TASK.

"Is it not a reasonable conclusion that there would have been a fair measure of peace and order in the country if Huerta had been given the support which was given to Mr. Villa, inasmuch as Huerta has been able to maintain himself for over a year not only without such support but actually in the face of just the moral disapproval of our administration, then the active and successful financial boycott which has prevented it from raising any money abroad, and, lastly, an open source of supply of arms and ammunition for his enemies?

"The mistake was made doubtless from high motives. But it is fairly obvious now, even to a partisan supporter, that the man most likely to secure peace in Mexico was the one who was rejected.

"And it also seems clear that the price we are forcing Mexico to pay in bloodshed, rapine, pillage, and anarchy is not warranted by the reasonable expectation of the establishment of social justice and free government through the instrumentality of the man who has lied brazenly and officially to the Government of the United States in the matter of the Benton murder, flouting not only our Government but ordinary human honesty, and illustrates his sense of economic justice by the wholesale deportation of hundreds of residents of Mexico without a fair hearing or any trial, even a farce, simply because they are members of a given race."

THE CALENDAR.

The VICE PRESIDENT. The morning business is closed, and the calendar under Rule VIII is in order.

Mr. BRYAN. I ask unanimous consent to proceed with the consideration of Order of Business 269, the bill (H. R. 7967) to amend the act approved June 25, 1910, authorizing a Postal Savings System.

Mr. WILLIAMS. If we are going to proceed with the consideration of the calendar, I think we ought to proceed to the business upon the calendar that has been discussed and is the unfinished business. While I have no objection at all to the consideration of the bill to which the Senator from Florida refers, I have an objection to sidetracking the other matter. I shall object to any unanimous consent to recur to the calendar except to take the calendar up just where we left it off.

The VICE PRESIDENT. The bill the Senator from Florida wishes to call up is on the calendar at the point where it was left off when last under consideration.

Mr. WILLIAMS. Yesterday I was at home sick, and I do not know what occurred; but what became of Order of Business 101, Senate resolution 156, that was the unfinished business on the calendar?

Mr. BRYAN. I will state to the Senator that yesterday unanimous consent was given to begin on the calendar where we had left off on the last day we devoted time to the calendar, and the bill amending the law authorizing a Postal Savings System was the bill under consideration.

Mr. WILLIAMS. The last day we devoted to the calendar Senate resolution 156 was called up, and it was afterwards displaced by a motion to take up the grain-inspection bill, but it did not lose its place as unfinished business on the calendar. Of course if unanimous consent was granted yesterday, it was displaced again yesterday; but it would take unanimous consent to displace it again to-day.

The VICE PRESIDENT. Day before yesterday the calendar was taken up, and, upon objection, Senate resolution 156 went over. Yesterday, by unanimous consent, the further consideration of the calendar was resumed at the point which had been reached, at Order of Business 269, House bill 7967. Now, the Chair understands the request is to begin on the calendar at the point where it was concluded upon yesterday instead of returning to the first number on the calendar.

Mr. WILLIAMS. And that requires unanimous consent?

The VICE PRESIDENT. It requires unanimous consent.

Mr. WILLIAMS. I shall object.

Mr. SMOOT and Mr. GALLINGER. Regular order!

The VICE PRESIDENT. The first bill on the calendar will be stated.

The bill (S. 1240) to establish the legislative reference bureau of the Library of Congress was announced as first in order upon the calendar.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 655) authorizing the Secretary of the Interior to survey the lands of the abandoned Fort Assinniboine Military Reservation and open the same to settlement was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will go over.

The joint resolution (S. J. Res. 41) authorizing the Secretary of the Interior to sell or lease certain public lands to the Republic Coal Co., a corporation, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The joint resolution will go over.

The bill (S. 2242) making it unlawful for any Member of Congress to serve on or solicit funds for any political committee, club, or organization was announced as next in order.

Mr. OLIVER. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 3312) to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex., was announced as next in order.

Mr. BRYAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 2651) providing for the purchase and disposal of certain lands containing kaolin, kaolinite, fuller's earth, and other minerals within portions of Indian reservations heretofore opened to settlement and entry was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will go over.

TELEGRAMS OF SENATORS.

Senate resolution 156 limiting expenditures for telegrams sent or received by Senators was announced as next in order on the calendar.

Mr. BRYAN. Let that go over.

The VICE PRESIDENT. The resolution will go over.

Mr. WILLIAMS. Mr. President, this matter has reached the final stage of its consideration. Of course the Senate is not going to escape a vote upon the resolution sooner or later. Most of the Senators have walked up to the line and have voted to dispense with the franking privilege. I have nothing to do with their motives in casting that vote. I cast it with them. Now, they either meant it or they did not mean it. They have adopted the amendment offered by the Senator from Iowa [Mr. KENYON], and if they meant their vote they are willing to do what they said they wanted to do when they voted for the Kenyon amendment. If they did not mean it, then they are playing with the country and playing with themselves and playing with the resolution.

Of course at this stage of the proceeding I can not help one objection carrying the resolution over, but at 1 o'clock I shall move to take it up, and I hope that the Senators who voted for the Kenyon amendment will join me in bringing the matter to a final consideration and disposition.

Mr. SUTHERLAND. I understood the Senator from Mississippi to say that the Senate adopted the substitute offered by the Senator from Iowa. My understanding of what the Senate did is that it adopted the substitute offered by the Senator from Iowa as an alternative for the proposition submitted by the committee. The effect of the vote of the Senate was to say that it preferred as between the two propositions that submitted by the Senator from Iowa, but it has in no manner bound the

Senate to adopt it as the final rule upon the subject. I said myself in speaking upon it that I preferred to provide that no telegrams should be paid for at all rather than impose the limit upon the expenditure which was suggested by the committee. But I do not want to be understood by saying that that I in any manner bind myself to support the proposition in its final form. Speaking for myself I wish to say that I do not intend to do so; I intend to vote against this whole proposition because I think it is absurd. I think if telegrams sent by Senators are official, that they ought not to be paid for by the individual Senators, but ought to be paid for by the Government because they are governmental business. I think also there ought not to be any limitation put upon the amount which can be spent for that purpose, and I intend to vote that way when the time shall come.

Mr. SMOOT. Regular order, Mr. President.

Mr. WILLIAMS. Mr. President, I do not know of any such parliamentary procedure as the adoption of a resolution as an alternative.

The VICE PRESIDENT. There is a call for the regular order; there is objection to the present consideration of the resolution. The Secretary will proceed to call the calendar.

BILLS, ETC., PASSED OVER.

The resolution (S. Res. 84) providing that any Senator upon his own request may be recorded and counted as present in order to constitute a quorum was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The resolution goes over.

The resolution (S. Res. 218) proposing an amendment to the standing rules of the Senate was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The resolution goes over.

The joint resolution (S. J. Res. 26) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. SUTHERLAND. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 3023) relating to the duties of registers of United States land offices and the publication in newspapers of official land-office notices was announced as next in order.

Mr. SHIVELY. Let that go over.

The VICE PRESIDENT. The bill goes over.

The joint resolution (S. J. Res. 94) to authorize the Secretary of Commerce to investigate the condition of trade in China, for the purpose of determining the desirability of establishing there a permanent exposition of the products of the United States of America was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The joint resolution goes over.

The bill (S. 2425) to authorize the Roanoke River Development Co. to construct and maintain a dam across the Roanoke River in Mecklenburg County, in the State of Virginia, approximately 20 miles below the town of Clarksville, in said State, was announced as next in order.

Mr. BURTON. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The bill (S. 3971) to provide for a permanent exhibit of the resources of the States of the Union in or near Washington, D. C., was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill goes over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 4260) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of other wars than the Civil War, and certain widows and dependent relatives of such soldiers and sailors, was considered as in Committee of the Whole. It proposes to pension the following-named persons at the rates stated:

William Guhl, late of Company A, Twenty-second Regiment United States Infantry, War with Spain, $12 per month in lieu of that he is now receiving.

Mary E. Macklin, widow of Edgar A. Macklin, late captain, Tenth Regiment United States Infantry, $30 per month in lieu of that she is now receiving and $2 per month additional on account of the minor child of said Edgar A. Macklin until he reaches the age of 16 years.

William Llewellyn, late of Company K, Third Regiment Nebraska Volunteer Infantry, War with Spain, $12 per month.

Gilbert Barnett, jr., late of Company M, Second Regiment United States Artillery, War with Mexico, $50 per month in lieu of that he is now receiving.

Buford E. De Vall, late of Company M, First Regiment Mississippi Volunteer Infantry, War with Spain, $20 per month.

Charles E. Stanley, late of Company C, First Regiment New Hampshire Volunteer Infantry, War with Spain, $12 per month.

Arthur G. Bosson, late of Company C, Fifth Regiment Massachusetts Volunteer Infantry, War with Spain, $14 per month.

Henry Koehler, late of Company L, Twenty-eighth Regiment United States Infantry, War with Spain, $12 per month.

Augustus R. Dixon, late of Company C, First Battalion, Twelfth Regiment United States Infantry, $12 per month.

William N. Russell, late of Company D, United States Mounted Rifles, Texas and New Mexico Indian war, $20 per month.

Mary E. McAuley, widow of Lauchlen F. McAuley, late of Company I, First Regiment Alabama Volunteer Infantry, War with Mexico, $20 per month in lieu of that she is now receiving.

Sarah Ann Jones, widow of William Jones, late of Capt. De Korponay's detachment of recruits, Third Regiment Missouri Volunteer Mounted Infantry, War with Mexico, $20 per month in lieu of that she is now receiving.

Elizabeth A. Tice, widow of Frank W. Tice, late of Company A, Thirty-first Regiment Michigan Volunteer Infantry, War with Spain, $12 per month and $2 per month additional on account of each of the minor children of the said Frank W. Tice until they reach the age of 16 years.

Henry F. Baldwin, late first lieutenant Company A, First Regiment Wisconsin Volunteer Infantry, War with Spain, $12 per month.

Gertrude M. Phares, widow of Eber H. Phares, late of Company I, One hundred and sixtieth Regiment Indiana Volunteer Infantry, War with Spain, $12 per month and $2 per month additional on account of each of the minor children of the said Eber H. Phares until they reach the age of 16 years.

Michael Reynolds, late of Company H, Sixth Regiment United States Infantry, Indian war, $20 per month in lieu of that he is now receiving.

Mary E. High, widow of William P. High, late of Company I, Second Regiment New Jersey Volunteer Infantry, War with Spain, $12 per month and $2 per month additional on account of each of the minor children of the said William P. High until they reach the age of 16 years.

George W. Goodman, late of Capt. Robert Porter's company, California Volunteers, California Indian war, $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The bill (S. 4261) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, was considered as in Committee of the Whole. It proposes to pension the following-named persons at the rates stated:

George W. Miller, late sergeant major Fifth Regiment West Virginia Volunteer Cavalry, and first lieutenant Company H, Sixth Regiment West Virginia Volunteer Cavalry, $50 per month in lieu of that he is now receiving.

John M. Dickerson, late second lieutenant Company D, One hundred and thirty-third Regiment Ohio National Guard Infantry, $30 per month in lieu of that he is now receiving.

Elender B. Gabbard, widow of Lewis C. Gabbard, late of Company D, Eighth Regiment Kentucky Volunteer Infantry, and Company B, Fourth Regiment Kentucky Volunteer Mounted Infantry, $20 per month in lieu of that she is now receiving.

Caroline Hill, widow of Thomas F. Hill, late first lieutenant Company I, Twelfth Regiment Ohio Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Thomas M. McKenry, late of Company K, Eighth Regiment Iowa Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Charles R. Bunnell, late of Company F, Fourteenth Regiment Connecticut Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Mary L. Fish, widow of Walter Fish, late of Company D, Tenth Regiment Connecticut Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Abby M. Barstow, widow of Charles T. Barstow, late of Company M, First Regiment Connecticut Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Theodore E. Smith, late of Company A, First Regiment Connecticut Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

Minnie Wadsworth Wood, widow of Oliver E. Wood, late colonel, Artillery Corps, and brigadier general, United States Army, retired, $40 per month in lieu of that she is now receiving.

Jerusha Hayward Brown, widow of Edward M. Brown, late lieutenant colonel Eighth Regiment Vermont Volunteer Infantry, $50 per month in lieu of that she is now receiving.

Harman Eastman, late of Company D, Twenty-eighth Regiment Iowa Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Thomas Ryan, late of Company E, Twenty-first Regiment Missouri Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Jackson Tibbens, late of Company E, One hundred and thirty-seventh Regiment, and Company C, Two hundred and seventh Regiment, Pennsylvania Volunteer Infantry, $30 per month in lieu of that he is now receiving.

William Ramsey, late of Company D, Sixth Regiment Kentucky Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Harriet N. Crowell, widow of Joseph D. Crowell, late of Company E, First Regiment Rhode Island Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Hiram Brubaker, late of Company K, First Regiment Indiana Volunteer Heavy Artillery, $30 per month in lieu of that he is now receiving.

Andrew Armstrong, late of Company G, Second Regiment Illinois Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

Susan E. Smith, widow of Lewis B. Smith, late of Company E, Eighth Regiment Ohio Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

John Yonker, late of Company E, Twelfth Regiment Illinois Volunteer Cavalry, $36 per month in lieu of that he is now receiving.

Charles Moritz, late of Company F, Twenty-ninth Regiment Indiana Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Oliver P. Stout, late of Thirteenth Battery Indiana Volunteer Light Artillery, $30 per month in lieu of that he is now receiving.

Mariam Norris, widow of John C. Norris, late of Company I, Twenty-first Regiment Kentucky Volunteer Infantry, $12 per month.

Alfred H. McPheron, late of Company I, Forty-ninth Regiment Kentucky Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Garret W. Patterson, late of Company C, Eleventh Regiment Kentucky Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

Jane Herrington, widow of Lafayette Herrington, late of Company H, Twenty-seventh Regiment Illinois Volunteer Infantry, and former widow of Cyrus Farmer, late of Company K, Seventy-third Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Eunice B. Prescott, widow of Lewis Prescott, late of Company D, First Regiment Maine Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Warren T. Noyes, late of Company H, Ninth Regiment Maine Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Fannie Pike, widow of William Q. Pike, late of Company K, Ninth Regiment Maine Volunteer Infantry, $20 per month in lieu of that she is now receiving.

William H. Mason, late of Company I, Seventh Regiment Pennsylvania Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

John D. Orcutt, late of Company E, Fourteenth Regiment New Hampshire Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Julia N. Jewett, widow of Arthur N. Jewett, late of Company L, First Regiment Massachusetts Volunteer Heavy Artillery, and Company H, Fourteenth Regiment Veteran Reserve Corps, $20 per month in lieu of that she is now receiving.

Lewis G. Whiting, late of Signal Corps, United States Volunteers, $30 per month in lieu of that he is now receiving.

Charles C. Brown, late of Company C, Twenty-first Regiment Wisconsin Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Joshua Oyster, late of Company K, Second Regiment Pennsylvania Volunteer Heavy Artillery, $30 per month in lieu of that he is now receiving.

Frank D. Murdock, late of the Twenty-fifth Independent Battery New York Volunteer Light Artillery, $30 per month in lieu of that he is now receiving.

Caroline Waldron, widow of Charles A. Waldron, late first lieutenant Company B, Second Regiment Rhode Island Volunteer Infantry, $20 per month in lieu of that she is now receiving.

George Wood, late of Company C, Sixth Battalion, District of Columbia Volunteer Infantry, $15 per month.

William A. Babcock, late of Company B, Thirty-eighth Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Mary A. Heck, dependent mother of James C. Heck, late of Company C, Second Regiment Pennsylvania Provisional Volunteer Heavy Artillery, $12 per month.

William Butler, late of Company E, Forty-fourth Regiment Missouri Volunteer Infantry, $30 per month in lieu of that he is now receiving.

James Carroll, late of Company F, Forty-seventh Regiment Ohio Volunteer Infantry, $36 per month in lieu of that he is now receiving.

George W. Hurd, late of Company H, Second Regiment New Hampshire Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Frances K. Scates, widow of Edgar Scates, late of Company A, Twentieth Regiment Maine Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Christina Dralle, widow of Gottlieb Dralle, late of Company A, Second Regiment Northeast Missouri Home Guards, $12 per month.

Lizzie M. Smith, widow of Monroe A. Smith, late of Company E, Sixth Regiment New Hampshire Volunteer Infantry, $12 per month.

Seymour Norman, late of Company A, Seventh Regiment West Virginia Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Thomas McGooden, late of Company D, Eighth Regiment New York Volunteer Cavalry, $24 per month in lieu of that he is now receiving.

Rhoda A. Work, widow of William A. Work, late of Company D, Fifty-ninth Regiment Ohio Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Eugene Davis, late of Company C, Twentieth Regiment, and Company F, Fifth Regiment, Connecticut Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Benson K. Robbins, late of Company A, Forty-fourth Regiment Indiana Volunteer Infantry, $40 per month in lieu of that he is now receiving.

James B. Parker, late of Company C, Eighth Regiment Michigan Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Patrick Gibbons, late of Company G, Third Regiment New York Volunteer Light Artillery, $30 per month in lieu of that he is now receiving.

Michael Reichard, late of Company F, One hundred and twentieth Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

William Ferguson, late of Company G, Thirteenth Regiment West Virginia Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Marshall Canfield, late of Company H, Tenth Regiment West Virginia Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Jacob H. Wetzel, late of Company F, Seventh Regiment West Virginia Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

Emma A. Davis, widow of Henry K. Davis, late of Capt. Edward Fitzki's battery, Pennsylvania Emergency Militia, $12 per month.

Mary A. Sweet, widow of Darius A. Sweet, late of Company E, First Regiment Rhode Island Volunteer Light Artillery, $20 per month in lieu of that she is now receiving.

Martha Makee, widow of Alfred O. Makee, late of Company A, Second Regiment Rhode Island Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Albert Bennett, late of Companies M and H, Twelfth Regiment Illinois Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

Nancy A. Bliss, widow of John Bliss, late of Company H, Second Regiment Wisconsin Volunteer Cavalry, $12 per month.

Elmer H. Pond, late of Company K, Sixty-first Regiment Massachusetts Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Franklin E. Fisher, late of Company C, Fiftieth Regiment Pennsylvania Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Jane L. Starritt, widow of Samuel P. Starritt, late of Company I, First Regiment Michigan Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Lorina Tyler, widow of John W. Tyler, late of Company D, First Regiment Alabama Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Emil Hagler, late of Company C, Fifteenth Regiment Missouri Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Sarah T. Keller, widow of Samuel L. Keller, late of Company I, Ninety-ninth Regiment, and Company E, One hundred and eighty-third Regiment, Ohio Volunteer Infantry, and former widow of J. Alexander Lantz, late of Company C, Sixty-seventh Regiment Ohio Volunteer Infantry, $12 per month.

Alice C. Sawtelle, widow of Charles Greene Sawtelle, late brigadier general and Quartermaster General, United States Army, $50 per month in lieu of that she is now receiving.

Charles H. Boyd, late of Company H, Tenth Regiment Vermont Volunteer Infantry, $36 per month in lieu of that he is now receiving.

William H. Hyatt, late of Company D, One hundred and forty-third Regiment Ohio National Guard Infantry, $30 per month in lieu of that he is now receiving.

James L. Donham, late of Company E, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Franklin J. Krause, late of Company K, One hundred and forty-third Regiment Pennsylvania Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Melancthon Doren, late of Company F, One hundred and sixty-first Regiment Ohio National Guard Infantry, $24 per month in lieu of that he is now receiving.

David N. Taylor, late of Company B, Twentieth Regiment Iowa Volunteer Infantry, $30 per month in lieu of that he is now receiving.

George A. Greenlee, late of Company G, Thirteenth Regiment West Virginia Volunteer Infantry, $24 per month in lieu of that he is now receiving.

David Klingensmith, late of Company C, Fourth Regiment West Virginia Volunteer Infantry, $30 per month in lieu of that he is now receiving.

John O'Hara, late of Company K, Thirteenth Regiment New York Volunteer Heavy Artillery, $30 per month in lieu of that he is now receiving.

Sarah Burch, widow of Andrew P. Burch, late of Company A, One hundred and thirty-second Regiment Illinois Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Truman H. Tryon, late of Company I, One hundred and fiftieth Regiment Pennsylvania Volunteer Infantry, $36 per month in lieu of that he is now receiving.

James Lemison, late of Company I, Second Regiment Illinois Volunteer Cavalry, $50 per month in lieu of that he is now receiving.

William H. Ruckle, late second lieutenant Company D, Sixteenth Regiment Ohio Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Jefferson Thomas, late of Companies C and D, Thirteenth Regiment Indiana Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Jane E. Stewart, widow of John S. Stewart, late of Company E, One hundred and seventy-ninth Regiment Ohio Volunteer Infantry, $20 per month in lieu of that she is now receiving.

James Edwards, late of Company M, Eleventh Regiment Illinois Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

William F. Graham, late of Company D, One hundred and thirty-eighth Regiment Illinois Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Allen McDannell, late of Company L, Ninth Regiment Iowa Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

Ebenezer C. Rush, late of Company E, Fourth Regiment Vermont Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Silas P. Curtis, late of U. S. S. *Colorado*, United States Navy, $24 per month in lieu of that he is now receiving.

Adoniram C. Harper, late of Company D, One hundred and thirty-second Regiment Illinois Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Etta M. Flaherty, widow of John L. Flaherty, late of Company E, Fifty-fifth Regiment Ohio Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Henry Eaton, late of Company A, Fifth Regiment Michigan Volunteer Cavalry, $50 per month in lieu of that he is now receiving.

William W. McDaniel, late of Company F, Eighty-ninth Regiment Illinois Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Elmer Mulinex, late of Company E, Ninth Regiment Iowa Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Charles W. Stigers, late of Company A, Eighth Regiment Delaware Volunteer Infantry, $24 per month in lieu of that he is now receiving.

Leander R. Sayles, late of Company G, One hundred and sixteenth Regiment Ohio Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Serena J. Washburn, widow of Henry D. Washburn, late colonel Eighteenth Regiment Indiana Volunteer Infantry, $50 per month in lieu of that she is now receiving.

Oregon Washburn, late of Company C, Sixth Regiment Missouri Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Corda P. Gracey, widow of Samuel L. Gracey, late chaplain Sixth Regiment Pennsylvania Volunteer Cavalry, and former widow of Harrison O. Pratt, late of Company M, First Regiment Massachusetts Volunteer Heavy Artillery, $12 per month.

John D. Beasley, late of Company B, One hundred and thirty-fifth Regiment Illinois Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Western P. Munroe, late of Companies F and A, Sixty-first Regiment New York Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Joseph Lansen, late of Company G, Sixteenth Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Newton C. Dealing, late of Company H, Thirty-third Regiment New Jersey Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Abby P. Randall, widow of Darius H. Randall, late of Companies G and B, Twenty-first Regiment Connecticut Volunteer Infantry, and second lieutenant Company H, Twenty-fifth Regiment United States Colored Volunteer Infantry, $20 per month in lieu of that she is now receiving.

Edmund T. Hulaniski, late captain Company M, Twelfth Regiment United States Colored Volunteer Heavy Artillery, $30 per month in lieu of that he is now receiving.

Wilton G. Lewis, late of Company G, One hundred and twelfth Regiment New York Volunteer Infantry, $30 per month in lieu of that he is now receiving.

William H. Goodwin, late of Company H, Third Regiment New Hampshire Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Frank Kesler, late of Company F, One hundred and eighty-third Regiment Ohio Volunteer Infantry, $30 per month in lieu of that he is now receiving.

John Lynn, late of Company A, Forty-eighth Regiment Kentucky Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Benton Braden, late of Company H, Sixth Regiment Provisional Enrolled Missouri Militia, $24 per month in lieu of that he is now receiving.

Simon B. Rothchild, late of Company D, Eleventh Regiment Kentucky Volunteer Cavalry, $30 per month in lieu of that he is now receiving.

Abram R. Darling, late of Company G, One hundredth Regiment Illinois Volunteer Infantry, $30 per month in lieu of that he is now receiving.

Mr. SHIVELY. On page 13, I move to amend by striking out lines 21, 22, 23, and 24, the soldier in that case having died since the bill was reported.

The VICE PRESIDENT. The amendment proposed by the Senator from Indiana will be stated.

The SECRETARY. On page 13, after line 20, it is proposed to strike out the following clause:

> The name of James L. Donham, late of Company E, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BUSINESS PASSED OVER.

The joint resolution (S. J. Res. 10) proposing an amendment to the Constitution of the United States, fixing the time for the convening of Congress and commencement of the terms of the President, Vice President, Senators, and Representatives, was announced as next in order.

Mr. SUTHERLAND. Let that go over.

The VICE PRESIDENT. The joint resolution goes over.

The bill (S. 1986) to remove the charge of desertion from the military record of Henry Fuller was announced as next in order.

Mr. TOWNSEND. Let that go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 3594) to correct the military record of Peter Duchane was announced as next in order.

Mr. TOWNSEND. Let that go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 1990) to correct the military record of Samuel J. Kearns was announced as next in order.

Mr. TOWNSEND. Let that go over.

The VICE PRESIDENT. The bill goes over.

The resolution (S. Res. 254) to create a special committee of five Senators to assist the Interstate Commerce Commission in investigating certain facts regarding the methods and practices of the Louisville & Nashville Railroad, and for other purposes, was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The resolution goes over.

The bill (S. 392) to create in the War Department and Navy Department, respectively, a roll designated as "the Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, was announced as next in order.

Mr. OVERMAN and Mr. WILLIAMS. Let that go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 121) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. WILLIAMS. Let that go over.

The VICE PRESIDENT. The bill goes over.

TRAFFIC IN OPIUM.

The bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Finance with amendments.

Mr. WILLIAMS. I ask that the formal reading of the bill be dispensed with and that it be read for amendment, the amendments reported by the committee to be first considered.

Mr. OLIVER. Mr. President, I have received some letters suggesting amendments to this bill which I have not at hand now, which I should like to consider and compare with the bill. Therefore I ask that the bill go over.

Mr. WILLIAMS. We have all those amendments, and they can be offered from the floor.

Mr. THOMAS. And a great many of them have been accepted by the committee.

Mr. OLIVER. I am willing to let the bill go on and be read, with the understanding that it shall not be acted on to-day, so that I may have time to look into it.

Mr. WILLIAMS. That is all right. Several Senators want to offer amendments, and we will consider all of the amendments, of course. I now renew my request for unanimous consent that the formal reading of the bill be dispensed with and that it be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will proceed to read the bill.

The Secretary proceeded to read the bill.

The first amendment reported by the Committee on Finance was in section 1, page 2, line 1, after the word "thereof," to insert "or hypodermic syringes or needles adapted to administer any of the above drugs."

Mr. BURTON. Mr. President, it seems to me that is a very severe regulation. It means a compulsory requirement, does it not, for the registration with the collector of internal revenue of every hypodermic syringe or needle adapted to administer any of the drugs referred to in the bill? These hypodermic syringes or needles are in very general use for the alleviation of pain. Would not this provision require every physician or surgeon who uses one to register with the collector of internal revenue "his name or style, place of business, and place or places where such business is to be carried on"?

Mr. SHIVELY. Mr. President, it seems to me that it certainly would, and without any reference to whether he ever would use it for any of the prohibited purposes.

Mr. BURTON. Yes.

Mr. SHIVELY. It is based on the word "adapted." The adaptability of a hypodermic needle or syringe to the use of the particular drugs mentioned would require the application of these regulations.

Mr. BURTON. A practitioner might never employ the articles the use of which is prohibited or limited by this bill. He might employ other substances which are in very general use and which are innocuous.

Mr. THOMAS. Mr. President, if the Senator will permit me, I will call his attention to a proposed amendment to the amendment which has been suggested to the committee by the National Drug Trade Conference, and which, so far as I know, is acceptable. After the word "drugs," in line 3, add the words:

Except veterinary hypodermic syringes and needles, and hypodermic syringes and needles designed and used for the administration of serums, vaccines, toxins, and analogous products.

Would not the added words suggested by this body, which has given very great consideration to this measure, meet the criticism of the Senator?

Mr. BURTON. I am inclined to think it would. I should like to ask by what body was this amendment suggested?

Mr. THOMAS. By the National Drug Trade Conference of the United States.

Mr. LODGE. Mr. President——

Mr. THOMAS. If the Senator will permit me a moment, I will move to amend the proposed Senate committee amendment by the addition of the words which I have just read.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to amend the amendment of the committee on page 2, line 3, after the word "drugs," by inserting the words "except veterinary hypodermic syringes and needles, and hypodermic syringes and needles designed and used for the administration of serums, vaccines, toxins, and analogous products."

Mr. THOMAS. Now I yield to the Senator from Massachusetts.

Mr. LODGE. Mr. President, I only desire to say with regard to the amendment that I gave a good deal of attention to this bill when it was before the committee, and I think the amendment offered by the Senator from Colorado meets the objections which I have received against the provision as reported by the committee. The objection made to the provision was that it was so broad that it covered the hypodermic syringes and needles used for the administration of serums, vaccines, and other harmless substances, by not defining them; and it seems to me that the proposed amendment to the amendment meets the objection entirely.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from North Dakota?

Mr. LODGE. I yield.

Mr. McCUMBER. I want to ask the Senator from Massachusetts how he distinguishes between a hypodermic needle used for cocaine and similar substances and one used for antitoxins. The same kind of needle is employed, is it not?

Mr. LODGE. No; I think not.

Mr. McCUMBER. I do not know, but I can not see why the same needle can not be used for both purposes.

Mr. LODGE. I understand that the amendment proposed by the Senator from Colorado has been suggested by the people who deal in these syringes, and that they consider it completely covers the distinction.

Mr. THOMAS. It is fair to say on behalf of the National Drug Trade Conference that it objects seriously to the proposed Senate committee amendment, but its suggestion is that if that amendment is to be adopted it should be adopted with this modification. Their explanation to me, in part, is that a great many of these syringes are attached to rubber bulbs and small bottles or vials containing the substance to be injected by the syringe, the motive power being furnished by squeezing the bulb.

Mr. CLARK of Wyoming. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. THOMAS. Yes.

Mr. CLARK of Wyoming. As I understood, the objection raised by the Senator from Ohio [Mr. BURTON] was that the amendment reported by the committee would render subject to registration under the penalties of the bill the selling of hypodermic needles where they are used in the regular practice of medicine for the alleviation of pain, as is often very necessary. I do not understand from the reading of the amendment proposed by the Senator from Colorado that that amendment covers that objection.

Mr. THOMAS. It does not, if it is an objection we should consider. The difficulty is that if you make such an exception you may practically defeat the purpose of the amendment. I see no objection nor harm in requiring a registration of these instruments wherever used.

Mr. OLIVER. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Pennsylvania?

Mr. THOMAS. I simply desire to make one more statement and then I will yield. If any class of people should be excepted or exempted from the operation of this registration requirement, it might easily defeat the purpose of the amendment. Now I yield to the Senator.

Mr. OLIVER. Mr. President, the National Drug Trade Conference appear to have suggested a number of amendments to this bill, and it seems to me that the general tenor of those amendments is in the direction of helping the bill in a reasonable and legitimate way. I will ask the Senator from Colorado if I am not right in that?

Mr. THOMAS. I think so, although there are one or two suggestions which might be excepted from my commendation.

Mr. OLIVER. I will read what they say in regard to this amendment. They suggest that the amendment be entirely eliminated, and they say:

> If the bill is effective with reference to the drugs coming under its operation, the provision respecting hypodermic needles, etc., is not needed. If the bill is not effective, the provision is useless. The victim may be absolutely deprived of the hypodermic syringe and yet take morphine by the mouth in pill or tablet form. Indeed, this is now the customary method, while cocaine and heroin are usually "snuffed."

Mr. President, I do not think that the amendment reported by the committee is essential to the object aimed at by this legislation, and I think it ought to be defeated.

Mr. THOMAS. It seems to me to be equally true, Mr. President, that the victim might be deprived of the power to obtain morphine simply to take it by the mouth in pill or tablet form, and yet at the same time be able to use it by means of the hypodermic syringe; so that we certainly, by seeking to cover all methods of use, subserve the purpose for which the bill is to be enacted into law, if it is to be enacted at all.

Mr. SMOOT. Mr. President——

Mr. THOMAS. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, in answer to the question asked by the Senator from North Dakota [Mr. McCUMBER], I will state that the hypodermic syringes employed for injecting serums are not the same as hypodermic syringes used for administering opiates of all kinds. The hypodermic syringe for serums is hermetically sealed. Not only is the serum itself sealed, but the needle is sealed as well, and never opened until it is used.

Mr. McCUMBER. And never used again, as I understand?

Mr. SMOOT. And never used but once. I understand that the National Drug Trade Conference takes the position that this class of needles be excepted. I also believe they recommended that hypodermic syringes or needles adapted to administer any of the drugs named in the bill, such as cocaine, morphine, or any of that class of drugs, should be excluded, unless the use of them is in the practice of medicine, and then the person using them must be registered.

Mr. WILLIAMS. Mr. President, all that is required here is that a person having one of these instruments shall register with the collector of internal revenue his name, place of business, and the place or places where such business is to be carried on. That is no great hardship. I suppose you have all seen—I have—the drug fiend sitting around with his hypodermic syringe and now and then poking it up his sleeve and giving himself a dose. It starts by the physician prescribing it, and then later on telling the patient that he can go to the drug store and buy one of these little instruments for 50 cents, I believe, and that he does not need to send for a doctor whenever he wants to use it.

It will act as a deterrent to have this man register his name and place of business and conform to the requirements of this act. There is no great hardship at all involved in it, and to that extent it is a deterrent of the opiate and "dope" habit.

I hope the committee amendment, together with the amendment offered by the Senator from Colorado, may be adopted.

Mr. POMERENE. Mr. President, along the line of the suggestions made by the Senator from Pennsylvania [Mr. OLIVER], I will state that some time ago I received a letter from Prof. J. H. Beal, who is the chairman of the committee that has in charge the revision of the United States Pharmacopœia, and is also the editor of the Journal of the American Pharmaceutical Association, and one of the ablest chemists in the country. He writes as a friend of this bill, but he is opposed to the amendment which has been offered in the Senate.

With the permission of the Senate I should like to read just a paragraph or two from his letter. He says:

> I write as a friend of the bill, and would rather see it enacted in its present form than to have it defeated. Nevertheless, there are some small changes which I think should be made before it becomes a law, and I shall be very much pleased if you can see your way clear toward advocating the changes I shall suggest.
>
> The following references are to the print known as calendar No. 213, report No. 258:
>
> On page 2, lines 1, 2, and 3, is found the language, "or hypodermic syringes or needles adapted to administering any of the above drugs." This language should, I think, be stricken out. If the drugs can not be kept from habitues, the clause is useless, since the drugs are usually taken by the mouth or by snuffing. It is mainly in popular novels and on the stage that the hypodermic syringe is important. The average "coke fiend" has no use for it.
>
> It is common nowadays for manufacturers to inclose serums, antitoxins, etc., in a vial which is converted into a syringe by the attachment of a needle, and this practice is very desirable since it greatly lessens the chances of contamination. I think it unwise, therefore, to place a restriction upon this very proper use of the hypodermic syringe, which is to the advantage of countless thousands of worthy citizens, in order to place a purely imaginary restraint upon users of habit-forming drugs.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. THOMAS] to the amendment of the committee.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is upon agreeing to the amendment of the committee as amended.

The amendment, as amended, was agreed to.

Mr. THOMAS. Mr. President, on page 2, line 16, after the word "drugs," I move to insert——

The PRESIDING OFFICER. That point has not yet been reached, and the Senator will suspend. The Secretary will state the next amendment of the committee.

The SECRETARY. On page 2, line 12, after the word "drugs," the committee proposes to insert the words "or articles."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I should like to call the attention of the Senator from Colorado to line 16, page 2. I think the words "or articles" should go in after the word "drugs."

Mr. THOMAS. Yes; when I interrupted before it was with the purpose of suggesting the insertion there of the identical words which appear in line 12, the words "or articles."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, line 16, after the words "aforesaid drugs," it is proposed to insert the words "or articles."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. On page 2, line 20, after the word "section," the committee proposes to insert the following proviso:

> *Provided further*, That officers of the United States Government or the State government or the State governments who are lawfully engaged in making purchases of the above-named drugs or articles for the various departments of the Army and Navy and for Government and State hospitals shall not be required to register and pay the special tax as herein required.

Mr. THOMAS. Mr. President, the committee suggests an amendment to this amendment, beginning after the word "required," and reading as follows:

> *Provided further*, That officers of the United States Government who are lawfully engaged in making purchases of the above-named drugs and articles for the various departments of the Army and Navy and for Government hospitals and prisons, and officers of any State government or of any county or municipality therein who are lawfully engaged in making purchases of the above-named drugs or articles for State, county, or municipal hospitals or prisons, and officials of any Territory or insular possession of the United States who are lawfully engaged in making purchases of the above-named drugs for hospitals or prisons therein, shall not be required to register and pay the special tax as herein required.

The PRESIDING OFFICER. The Chair will inquire whether that is offered as a substitute for the committee amendment?

Mr. THOMAS. No, sir; as an addition to the committee amendment.

Mr. SMOOT. Mr. President, I think it ought to be a substitute for the amendment of the committee. It covers all that the committee has in its amendment and also additional matter suggested by the drug trade.

Mr. THOMAS. I think the suggestion of the Senator from Utah is most pertinent. It should be a substitute instead of an addition.

The PRESIDING OFFICER. The question is on agreeing to the amendment, in the nature of a substitute, offered by the Senator from Colorado.

The amendment was agreed to.

The SECRETARY. On page 3, line 5, after the words "drugs," it is proposed to insert the words "or articles."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. CUMMINS. Mr. President, what was done with the amendment offered just a moment ago?

The PRESIDING OFFICER. The substitute offered by the Senator from Colorado was adopted.

Mr. CUMMINS. I could not hear all that was said by the Senator from Colorado when he read the substitute. I did not know that the question had been put on it.

Mr. THOMAS. I will reread it if the Senator desires.

Mr. CUMMINS. Yes; I should like to hear the addition that was made, as compared with the committee amendment.

Mr. THOMAS. I inadvertently stated it as an addition to the amendment. The Senator from Utah very kindly called my attention to the fact that it should be offered as a substitute. I will now read the substitute:

Provided further, That officers of the United States Government who are lawfully engaged in making purchases of the above drugs and articles for the various departments of the Army and Navy and for Government hospitals and prisons, and officers of any State government or of any county or municipality therein who are lawfully engaged in making purchases of the above-named drugs or articles for State, county, or municipal hospitals or prisons, and officials of any Territory or insular possession of the United States who are lawfully engaged in making purchases of the above-named drugs for hospitals or prisons therein, shall not be required to register and pay the special tax as herein required.

Mr. CUMMINS. I desire to ask the Senator from Colorado a question with regard to the meaning of the paragraph that has just been read.

Mr. THOMAS. The purpose is to exempt the officials and institutions named from the requirements of the section or paragraph.

Mr. CUMMINS. I understand that; but I thought it contained something else. I will ask the Senator from Colorado whether it is intended that a regularly admitted practitioner of medicine who compounds for a patient a prescription in which opium is used shall register and pay the fee that is here provided?

Mr. THOMAS. Mr. President, that subject is covered subsequently in the bill; at least, that is my recollection.

Mr. WILLIAMS. It is covered in subdivision (a), on page 4.

Mr. CUMMINS. I think it there says that there must be special employment.

Mr. THOMAS. If the Senator will turn to page 4 of the bill, he will find upon that and succeeding pages certain exemptions made which, I think, include the class of people to which his question refers.

Mr. CUMMINS. I read now what I suppose the Senator from Colorado refers to:

Nothing contained in this section shall apply—

(a) To the dispensing or distribution of any of the aforesaid drugs to a patient by a physician, dentist, or veterinary surgeon registered under this act in the course of his professional practice only: *Provided,* That such physician, dentist, or veterinary surgeon shall—

And now I read the proposed committee amendment—

have been specially employed to prescribe for the particular patient receiving such drug or article: *And provided further,* That such drug shall be dispensed in good faith and not for the purpose of avoiding the provisions of this act.

That seems still to imply that it can be done only by a physician who is registered under this act.

Mr. THOMAS. Mr. President, one of the amendments which will be proposed when we reach that part of the bill will be to eliminate from it the words "registered under this act," on line 20.

Mr. CUMMINS. I am very glad to have that information. I raised the question now because it seemed to me the paragraph under consideration did bring into the scope of the act every doctor who compounded a prescription for a patient.

Mr THOMAS. Without the exceptions subsequently appearing in the bill, perhaps it would have had that effect.

Mr. CUMMINS. When we come to paragraph (a) I shall ask the Senator from Colorado just what is meant by the words "specially employed"; but I shall not do so at this time.

Mr. THOMAS. I thought there was a copy of the House report attached to the bill, but I find there is not.

Mr. OVERMAN. A copy of the House report is included in the Senate report. The Senator will find it in the file.

Mr. THOMAS. I am much obliged to the Senator.

Mr. BRANDEGEE. Mr. President, is the substitute in print which the Senator from Colorado sent to the desk and which was agreed to, as I understand?

The PRESIDING OFFICER. It is in print, in pamphlet form.

Mr. BRANDEGEE. I should like to see it, in order to know what we are discussing.

Mr. THOMAS. I did not understand the inquiry made.

Mr. LODGE. If the Senator from Colorado will allow me, I will state that the amendment relating to Government officers was simply redrafted and reframed in the form of a substitute so as to exempt officers of States, counties, and municipalities from the special tax and the registration, including them in the exemption with Government officers who are purchasing for hospitals and prisons. All it does is to exclude Government officials from the provision.

Mr. THOMAS. And State officials.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SMOOT. Before proceeding with the bill beyond line 5, I should like to suggest to the Senator that there ought to be an amendment in line 3.

Mr. THOMAS. I was just going to propose it.

Mr. SMOOT. That is necessary on account of the substitute that was adopted by the Senate.

Mr. THOMAS. I send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 3, line 3, after the word "person," it is proposed to insert the words "obliged to register under the terms of this act."

Mr. THOMAS. That is the amendment to which the Senator from Utah refers.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. On page 3, line 20, after the word "drugs" at the end of the line, it is proposed to insert the words "or articles."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading was continued.

The next amendment was, on page 4, line 1, after the word "drugs," to insert the words "or articles."

The amendment was agreed to.

RADIUM-BEARING ORES.

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Chair lays before the Senate the special order for the day, which will be stated.

The SECRETARY. A bill (S. 4405) to provide for and encourage the prospecting, mining, and treatment of radium-bearing ores in lands belonging to the United States, for the purpose of securing an adequate supply of radium for Government and other hospitals in the United States, and for other purposes.

The PRESIDING OFFICER. There was an appeal taken by the Senator from Utah [Mr. SUTHERLAND] from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. WALSH. I move that the appeal be laid on the table.

Mr. SUTHERLAND. I did not hear the statement.

The PRESIDING OFFICER. The Senator from Montana moves that the appeal be laid upon the table. [Putting the question.] The noes seem to have it.

Mr. WALSH. I ask for the yeas and nays.

Mr. LEWIS. Mr. President, as a parliamentary inquiry I desire to ask that the exact status be stated to the Senate. What is the question to be voted upon? As the Chair has just stated it, I understand that a point of order is made, but I am not able to gather as to what is the point of order made and what was the ruling that is to be sustained or not.

The PRESIDING OFFICER. The ruling of the Chair is printed in the RECORD this morning in full. It was to the effect that the Senate having by a two-thirds majority decided that a certain bill should be made a special order for a certain day at a certain hour that bill remains the special order for that hour on every succeeding day until disposed of. From that decision an appeal was taken by the Senator from Utah [Mr. SUTHERLAND], and the Senator from Montana [Mr. WALSH] now moves to lay that appeal upon the table. The yeas and nays are called for on the motion of the Senator from Montana.

Mr. SMOOT. Mr. President, just a moment. I hope the Senator from Montana will not insist upon that motion.

Mr. GALLINGER. It is not debatable, Mr. President.

Mr. SMOOT. I know it is not debatable.

Mr. LODGE. Debate will go on afterwards. It will not cut off debate. We shall debate the decision.

Mr. WALSH. I desire to say to the Senator from Utah that under ordinary circumstances I would not feel bound to make

a motion of this kind; but this question has been debated on three successive days and the whole hour lost——

Mr. GALLINGER and others. Regular order!

The PRESIDING OFFICER. The yeas and nays are demanded on the motion of the Senator from Montana to lay the appeal upon the table.

The yeas and nays were ordered.

Mr. TOWNSEND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Norris	Simmons
Bankhead	Hitchcock	O'Gorman	Smith, Md.
Borah	Hughes	Oliver	Smoot
Brady	James	Overman	Sutherland
Brandegee	Johnson	Owen	Swanson
Bryan	Jones	Page	Thomas
Burleigh	Kenyon	Perkins	Thompson
Burton	Kern	Pittman	Townsend
Catron	Lee, Md.	Poindexter	Vardaman
Chilton	Lewis	Ransdell	Walsh
Clark, Wyo.	Lippitt	Robinson	Warren
Cummins	Lodge	Root	Weeks
du Pont	McCumber	Saulsbury	West
Fall	McLean	Shafroth	Williams
Gallinger	Martine, N. J.	Sheppard	Works
Gore	Nelson	Shively	

Mr. SHEPPARD. I wish to announce for the day the unavoidable absence of my colleague [Mr. CULBERSON] and to state that he is paired with the Senator from Delaware [Mr. DU PONT].

The PRESIDING OFFICER. Sixty-three Senators have answered to their names. A quorum is present. The question recurs upon the motion made by the Senator from Montana [Mr. WALSH] to lay upon the table the appeal of the Senator from Utah [Mr. SUTHERLAND]. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BANKHEAD (when his name was called). I will transfer my pair with the Senator from West Virginia [Mr. GOFF] to the junior Senator from South Carolina [Mr. SMITH] and vote "yea."

Mr. VARDAMAN. Mr. President, I am among the number who were absent when the question was put. I should like to have the Chair state the question before the Senate.

Mr. GALLINGER, Mr. LODGE, and others. Too late.

The PRESIDING OFFICER. The roll call can not be interrupted. The Secretary will proceed.

The Secretary resumed the calling of the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. I transfer that pair to the Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. As he is absent from the city, I withhold my vote.

Mr. FALL (when his name was called). I have a general pair with the senior Senator from Arizona [Mr. SMITH]. Not knowing how he would vote, I refrain from voting.

Mr. KERN (when his name was called). I transfer my pair with the senior Senator from Kentucky [Mr. BRADLEY] to the junior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. McLEAN (when his name was called). I have a pair with the senior Senator from Montana [Mr. MYERS] and withhold my vote.

Mr. WALSH (when Mr. MYERS's name was called). I announce the absence of my colleague [Mr. MYERS] on account of illness.

Mr. SAULSBURY (when his name was called). Has the junior Senator from Rhode Island [Mr. COLT] voted?

The PRESIDING OFFICER. He has not.

Mr. SAULSBURY. Then I withhold my vote.

Mr. SMITH of Maryland (when his name was called). I have a pair with the Senator from Vermont [Mr. DILLINGHAM] which I transfer to the Senator from Nevada [Mr. NEWLANDS] and vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). The senior Senator from Michigan [Mr. SMITH] is absent on important business. He is paired with the junior Senator from Missouri [Mr. REED]. I desire this announcement to stand for all votes to-day.

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. CLARKE] who is absent. On that account I withhold my vote.

Mr. WARREN (when his name was called). I announce my pair with the Senator from Florida [Mr. FLETCHER] and withhold my vote.

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Virginia [Mr. MARTIN] I vote "yea."

The roll call was concluded.

Mr. SAULSBURY. I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the junior Senator from Oregon [Mr. LANE] and vote "yea."

Mr. CLARK of Wyoming (after having voted in the negative). In transferring my pair with the Senator from Missouri [Mr. STONE], I did not observe that the Senator from Vermont [Mr. PAGE] is in the Chamber. Conscious of my error in that regard, I now withdraw my vote.

Mr. SUTHERLAND. I transfer my pair with the Senator from Arkansas [Mr. CLARKE] to the Senator from Kansas [Mr. BRISTOW] and vote "nay."

Mr. CRAWFORD. I have a general pair with the senior Senator from Tennessee [Mr. LEA]. As he is absent I withhold my vote.

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY]. He has a general pair with the junior Senator from Indiana [Mr. KERN]. I wish also to announce that the junior Senator from Wisconsin [Mr. STEPHENSON] has a general pair with the Senator from South Carolina [Mr. TILLMAN]. I will allow this announcement to stand for the day.

The result was announced—yeas 32, nays 32, as follows:

YEAS—32.

Ashurst	Johnson	Poindexter	Simmons
Bankhead	Kern	Pomerene	Smith, Md.
Chamberlain	Lee, Md.	Ransdell	Swanson
Gore	Lewis	Robinson	Thompson
Hitchcock	Martine, N. J.	Saulsbury	Thornton
Hollis	O'Gorman	Shafroth	Vardaman
Hughes	Owen	Sheppard	Walsh
James	Pittman	Shively	Williams

NAYS—32.

Borah	Cummins	Nelson	Smith, Ga.
Brady	Gallinger	Norris	Smoot
Brandegee	Gronna	Oliver	Sterling
Bryan	Jones	Overman	Sutherland
Burleigh	Kenyon	Page	Thomas
Burton	Lippitt	Perkins	Townsend
Catron	Lodge	Root	Weeks
Chilton	McCumber	Sherman	Works

NOT VOTING—31.

Bradley	Dillingham	McLean	Smith, Mich.
Bristow	du Pont	Martin, Va.	Smith, S. C.
Clapp	Fall	Myers	Stephenson
Clark, Wyo.	Fletcher	Newlands	Stone
Clarke, Ark.	Goff	Penrose	Tillman
Colt	La Follette	Reed	Warren
Crawford	Lane	Shields	West
Culberson	Lea, Tenn.	Smith, Ariz.	

The PRESIDING OFFICER. The motion to lay the appeal on the table is lost. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. SMOOT. Mr. President, the Vice President yesterday, in ruling as he did, gave his opinion upon, first, a ruling by the Vice President, Mr. Breckinridge, in 1858; and, second, upon a ruling by Senator Frye in the year 1890. I call particular attention to the precedent of February 16, 1858, the ruling by Vice President Breckinridge, which was cited.

Mr. CHILTON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from West Virginia?

Mr. SMOOT. I do.

Mr. CHILTON. Unfortunately, I was not here when the proposition that is before the Senate came up. I should like to have the Senator state what the question is. I was detained in a committee. I should like to know what is the question on which the Senator is addressing the Senate.

Mr. VARDAMAN. Mr. President, I should like to have order in the Chamber. We can not hear anything that is being said on the other side.

The PRESIDING OFFICER. The Senate will be in order.

Mr. SMOOT. In answer to the Senator from West Virginia, I will say that the question is whether a special order made for a certain day, if not disposed of upon the day set for the special order, has a right to be presented at the same hour of the day following the day for which it was set.

The Vice President has held that the special order comes up automatically the following day at the same hour of the day for which it was set upon the first day. He pointed, first, to a precedent in the year 1858, the ruling made by Vice President Breckinridge, and cited a part of the rule; but I want to call the attention of the Senate to the fact that the vital part of the

rule the Vice President did not call to the attention of the Senate. I want to read the rule that was in force in 1858:

When the hour shall have arrived for the consideration of a special order, it shall be the duty of the Chair to take up such special order, and the Senate shall proceed to consider it, unless it be postponed by vote of the Senate.

That is what the Vice President called attention to, but in paragraph 4 of that rule it is specifically stated:

Special orders shall not lose their position on account of intervening adjournments, nor shall they lose their relative position on the calendar, except by vote of the Senate, until finally disposed of.

Mr. OVERMAN. That rule has been changed.

Mr. SMOOT. Mr. President, if that rule were in force to-day in this body, there would be no question that the ruling of the Chair on yesterday was right, but the rule has been changed. Rule X now covers this question. I am not going to take the time to read it, for all Senators are familiar with it.

Mr. President, in a short statement I made the other day I said that the practice of the Senate ever since I had been a Member of it had been that whenever a special order had been made for a certain day it was taken up upon that day, and if not disposed of on that day it lost its place and went to the calendar under special orders. It has not thereby lost any of its rights other than that of a special order, but it has had its day in court; it has been before the Senate, and if not finally disposed of, of course, goes to the calendar.

I wish to say that if a special order was being considered at the time of adjournment, the following day it would become the unfinished business of the Senate. That, however, was not the case in this instance. Let me call attention to one precedent—and I shall not go through all the others that I have here—and I believe that nearly every Member of this body will remember the circumstances under which the precedent to which I shall refer was established. On August 16—and this was in the second session of the Sixty-second Congress—a special order was made, as shown by the following debate:

Mr. KENYON. As the Senator from Vermont [Mr. PAGE] has been successful in securing unanimous consent, I desire to ask that Calendar No. 838, being the bill (S. 4043) to prohibit interstate commerce in intoxicating liquors in certain cases, be made a special order for December 16, to be taken up and considered after the morning hour, not to interfere with the Archbald case. I do not believe the bill can receive consideration at this session, and hence I do not want to impose it upon the Senate, but I do want a hearing on this bill. It is a bill to regulate the shipment of intoxicating liquors into prohibition States.

Mr. SMOOT. Mr. President, the request, as I understand, is that the bill be made a special order for that day?

The PRESIDENT pro tempore. The Chair so understands. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. President, this, I repeat, was in the Sixty-second Congress. A special order was made to take up the bill on December 16, during the first session of the Sixty-third Congress. Now, let us follow that special order and bill and see what became of them.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. I do.

Mr. WEST. The Archbald case was the unfinished business?

Mr. SMOOT. The Archbald case was an impeachment trial, which, of course, is a privileged question.

Mr. WEST. Oh, yes. I did not understand what was referred to.

Mr. SMOOT. We find by an examination of the CONGRESSIONAL RECORD that the bill made a special order by the request of the Senator from Iowa [Mr. KENYON] was never mentioned until the 16th day of December, at the following session of Congress. On that day, under the special order, the Senator from Iowa addressed the Senate on the bill made the special order. He did not conclude his remarks on that day, but what did he do the following day? The Senator from South Dakota [Mr. CRAWFORD] had given notice that he intended to call up the omnibus claims bill, and immediately after the conclusion of morning business the Senator from South Dakota [Mr. CRAWFORD] moved to take up the claims bill. The motion was agreed to, and the Senate proceeded to the consideration of the bill.

After the bill had been considered for some time, the Senator from Iowa asked if the Senator from South Dakota would not consent to have the bill temporarily laid aside to enable him to conclude his remarks. Mind you, the bill of the Senator from Iowa had no right in the body; it was not laid before the Senate, but the Senator asked unanimous consent to continue its discussion. That was granted, and the Senator from Iowa proceeded with his remarks. He did not finish his remarks on that day. The next day the omnibus claims bill was again taken up immediately after morning business; the Senator from Iowa again asked unanimous consent to conclude his remarks, and the request was granted. That was on the 18th day of December.

We never again heard of that bill until January 10; it was never laid before the Senate; no motion was ever made in reference to it, and no preference was given to the bill until January 10, when the then Senator from Tennessee, Mr. Sanders, asked that, by unanimous consent, an order be entered to vote upon the bill at a certain hour upon a certain day. The Senate will remember that the Senator from Minnesota [Mr. CLAPP] was then in the chair. He said, "Hearing no objection, the request is granted." I immediately arose in my seat and said that my attention had been diverted from the business of the Senate by the Senator from Arkansas [Mr. CLARKE], otherwise I would have objected. We discussed that matter for a couple of days, and the Senate then decided to reconsider the order agreed to by the Senate. After that, there was still another unanimous consent asked that the bill be voted upon on a certain day. That unanimous consent was agreed to, and the bill was voted upon some time in January.

Mr. President, how many of us can remember the vocational-education bill of the Senator from Vermont [Mr. PAGE], Senate bill No. 3, and how many times that bill was made a special order? It had its day in court; the Senator from Vermont spoke upon it; but the bill was not voted upon. It never secured any right whatever other than on the day for which it was made a special order.

Mr. President, the other precedent pointed to by the Vice President was the ruling made by Senator Frye. I have gone through the entire record in that case, and I do not see how any Senator can read it without realizing that there were peculiar circumstances attending it. Senator Morgan was interested in the Nicaragua Canal bill. As every Senator knows, the ambition of his whole life was to get that matter before the country and have it acted upon, but he found that measure blocked by the unfinished business from the 10th day of December until the 26th day of February, in a short session of Congress, Congress having to adjourn on the 4th day of March.

In order to get that bill before the Senate, Senator Frye held in this very decision that the unfinished business, which was the oleomargarine bill, was displaced because of the adoption of a motion of Senator Hale to take up another bill after 2 o'clock, although the bill so taken up was disposed of within one hour and the consideration of the oleomargarine bill was resumed. I think it clear that the motion of Senator Hale did not displace the unfinished business, although in his decision Senator Frye held that it did. The Nicaragua bill could not have been brought up unless the oleomargarine bill had been displaced, and I have no question in my mind, Senators, that the oleomargarine bill was displaced for that purpose only.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. I do.

Mr. SMITH of Georgia. The Senator has called attention to the fact that the rule on this subject was changed, and, as I understand his contention, it was changed to prevent a special order from having precedence on the second day. Has the Senator examined and can he bring to our attention the debate in the Senate in connection with the change of the rule?

Mr. SMOOT. Mr. President, I have looked up the RECORD when that rule was reported to the Senate, but there was no debate touching that point that I can find.

Mr. OVERMAN. Mr. President, after the adoption of that amendment to the rules did not the practice of making bills special orders fall into absolute disuse, and since that time has it ever been resorted to until the last session, I think, when the Senator from Vermont [Mr. PAGE] had a bill made the special order? The Senator from Utah has been here 10 years or more, and I will ask him if within his recollection any measure has been made a special order except in the two instances which have been cited? Since the rules were amended on motion of Senator Hoar extending the morning hour from 1 o'clock to 2 o'clock we have always considered the unfinished business after that hour and never a special order.

Mr. SMITH of Georgia. Mr. President——

Mr. SMOOT. In a moment I will yield to the Senator. Now I want to call the attention of Senators to the fact that in more than one case a special order has been made for a certain day, the bill discussed upon that day and then the bill has gone to the calendar under special orders and remained on the calendar to the close of the session; it was never called up or acted upon or discussed after the day for which it was set as a special order.

Mr. SMITH of Georgia. Is it not probably true, then, that all of the precedents cited which permit a special order to be heard on the day following and continuously thereafter were under the old rule, and that unless attention is called to the

fact that the rule has been changed those precedents might be misconstrued as applicable to the present rule?

Mr. SMOOT. I will say to the Senator that the only precedents pointed to fall under Rule XXXI.

Mr. OVERMAN. That is the old rule.

Mr. KERN. When was the rule changed?

Mr. SMOOT. In 1884.

Mr. KERN. Before or after the Frye ruling?

Mr. SMOOT. Before the Frye ruling.

Mr. GALLINGER. Mr. President, if the Senator from Utah would extend his investigations a little further he would find that at one time during the Sixty-second Congress there were two special orders on the calendar at the same time under the heading of "Special orders," which never were laid before the Senate at a particular hour and which never were called up, as I remember, during the entire session.

As I recall the matter, it happened to be my privilege to preside over the Senate about that time, in conjunction with the distinguished Senator from Georgia, Mr. Bacon, who has passed away from us, and certainly I never thought of laying a special order before the Senate at a given time and neither did the Senator from Georgia.

Mr. SMOOT. Mr. President, I will venture to state that a special order has never been laid before the Senate except on the day fixed.

Mr. SMITH of Georgia. That is, since the change in the rule.

Mr. SMOOT. Since the change in the rule.

I want to impress upon the mind of the Senate what that rule was.

Mr. VARDAMAN. Is the Senator referring to the old rule?

Mr. SMOOT. To the old rule which was in force in this body when Vice President Breckinridge rendered his decision.

Mr. VARDAMAN. I hope the Senator will read it.

Mr. SMOOT. I will read it. I read from paragraph 4 of Rule XXXI:

> Special orders shall not lose their position on account of intervening adjournments; nor shall they lose their relative position on the calendar, except by vote of the Senate, until finally disposed of.

Mr. CHILTON. From what is the Senator reading?

Mr. SMOOT. From the old rules. I sent to the library and got a copy of the old rules.

Mr. KERN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Indiana?

Mr. SMOOT. I do.

Mr. KERN. I understand the present rule was adopted in January, 1884?

Mr. SMOOT. Yes.

Mr. KERN. The Frye ruling was in 1901.

Mr. SMOOT. That is true.

Mr. KERN. Seventeen years afterwards.

Mr. SMOOT. I have so stated, Mr. President. I thought the Senator, in asking me a moment ago the question, referred to the prior ruling of Vice President Breckinridge.

Mr. KERN. No; I was referring to the Frye ruling.

Mr. SMOOT. But the Frye ruling, I will say to the Senator, was made under the circumstances which I have explained, and I have stated the reason why I believe that ruling was made.

Mr. KERN. The Senator has discussed the motive for the ruling, but the ruling was made since the present rules were adopted.

Mr. SMOOT. The Senator certainly knows, however, that the present Vice President has held time and time again that where unfinished business comes up at 2 o'clock, if a bill is taken up on motion after 2 o'clock and is disposed of before adjournment, it does not displace the unfinished business.

Mr. GALLINGER. Of course not.

Mr. SMOOT. Of course it does not, and yet under the ruling of Senator Frye it was held that such a motion did displace the unfinished business.

Mr. GALLINGER. To fortify the position which the Senator is so ably advocating I will ask does it not follow, as a matter of fact, that if the ruling which the Vice President made is a sound one the Senate acted foolishly in changing the old rule which exactly carried out what the Vice President contends should be the procedure of the Senate?

Mr. SMOOT. And a rule could not be framed in more specific language to carry out that idea than did the old rule.

Mr. GALLINGER. Exactly.

Mr. SMOOT. And the very reason it was changed was to get rid of special orders which might be held as a buffer against all other legislation.

Why, Mr. President, if this ruling is held correct, if a special order is made to take up a bill upon a certain day at 12.30 o'clock and that special order has to come before this body every day thereafter at 12.30 o'clock until disposed of, what would we do with the morning business; what would we do with the calendar; what would become of the business of this body?

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Montana?

Mr. SMOOT. Yes; I yield.

Mr. WALSH. Mr. President, I ask the Senator from Utah whether the remedy for that situation of affairs is not in the action of the Senate in refusing to make a bill a special order, and whether, since the rule requires the vote of two-thirds in order to make a bill a special order, it is not presumable that no bill will be made a special order unless it is some matter of very vital and urgent consequences?

Mr. SMOOT. I will say to the Senator that I have seen bills made special orders here upon which Senators never expected any action. They wanted to make speeches upon the bills—they thought their particular States were interested in them—and it gave them a chance to make the speeches. I desire to say to the Senator now, however, that if I had had any thought whatever that the Vice President would have held that the special order asked for by the Senator from Montana would result in the bill being brought before this body every day at 1 o'clock, of course I never would have consented.

Mr. WALSH. If the Senator will pardon me further, I did not ask about possible abuses; I asked about the consideration that induced the adoption of the rule. I asked him whether, when the rule was adopted providing that a bill could not be made a special order except by a vote of two-thirds, the rule did not contemplate that only bills of special urgency would be made special orders?

Mr. SMOOT. The rule contemplated just what the practice of this body has been ever since the adoption of the rule. That is that a special order, when granted by a two-thirds vote, has a right to its day in court, and if not disposed of upon that day it ceases to have any right over and above any other bill that may be upon the calendar at that particular time.

Mr. President, it would be far better for the Senate to amend its rules, if it thought the present rule is not plainly expressed, than to have a rule adopted now that is absolutely out of harmony with all the practices of this body since January, 1884, when the present rule was adopted.

There is more to this matter than the consideration of this particular bill. So far as I am personally concerned, I wish to say to the Senator from Montana that I would vote to take up his bill at any time after morning business is concluded. It is not a question of retarding the consideration of that bill. There is a greater question involved here. It is whether or not this body will respect its rules. If the rules are not right, the only proper thing to do is to amend the rules, and not to violate them.

I believe that is all I have to say upon this subject. I do not see how the Senate of the United States can vote any other way than to disagree to the ruling of the Chair as long as the rules remain as they are.

Mr. WEST. Mr. President, I should like to ask the Senator from Utah a question. His contention, as I understand, is that under all circumstances no special order has any existence here outside of the day on which it is brought up?

Mr. SMOOT. Absolutely, unless the special order is being considered at the time of adjournment. If it is being considered at the time of adjournment, it automatically becomes the unfinished business.

Mr. WALSH. Then it has its place by reason of its being unfinished business, and not a special order?

Mr. SMOOT. Certainly; and that has been the practice in this body ever since the present rules were adopted.

Mr. WALSH. So, in answer to the question of the Senator from Georgia, the Senator from Utah says it has a preference only on that day?

Mr. SMOOT. On that day, unless it becomes the unfinished business by being under consideration at the time of adjournment.

Mr. LODGE. Mr. President, I desire to speak very briefly on this question, simply because the result of the ruling of the Chair goes so very far. It will either create a situation in which all business will be clogged, because we shall do that worst of all things, mortgage the time of the Senate from day to day, and special orders will be piled up one on top of the other, or it will result in stopping all special orders. I think the latter will be the probable result.

If this ruling is to prevail, I can not imagine that the Senate will take any measure out of its usual status in that way and clothe it with a continuous privilege, taking away from the

calendar and from all other business the time now allotted to it before the unfinished business is reached.

The case of 1858, which has been so much discussed, may be easily set aside. That ruling was made under entirely different conditions. Those were the days when there was no unfinished business, and special orders took the place of unfinished business, enabling the Senate to take up from day to day a specific measure.

I was in the Senate when Senator Frye made the ruling in regard to the Nicaragua resolution, which Senator Morgan had had made the special order for December 10. I have looked over the ruling since, and have followed its course after the day on which the ruling was made, in order to refresh my memory. I say it with all respect, but, in my judgment, Senator Frye's ruling has no relation to the point under consideration here.

Senator Frye's ruling went simply to the point that a special order retained that character until it had once been dealt with; that is, that being fixed for December 10 it never lost its privilege until it had its day in court. The proposition of the Vice President now is that when we make a bill a special order we not only give it a privilege for the day for which it is asked but we clothe it with a continuous privilege like the unfinished business, and that it is to come up automatically, as this is coming up automatically now, at 1 o'clock, cutting out the calendar and everything else.

That certainly has not been the practice of the Senate. The practice of the Senate ever since I have been a Member of this body has been that a special order exhausted its privilege when it had its day in court—that is, it exhausted its privilege except that it then went to the Calendar of Special Orders, which under the rules of the Senate has no particular meaning that I have ever been able to discover—but it had no continuous privilege. That has been the practice of the Senate, and it has always been placed on the ground that we must not mortgage the time in this way from day to day. Anyone can see how easy it would be to clog the whole business of the Senate by having the unfinished business come up at 2 o'clock and a special order at 1 o'clock or half past 12. In a little while we should have all the time of the Senate mortgaged for days or for weeks ahead.

The rules are silent as to what becomes of a bill after it goes on the Calendar of Special Orders; but, Mr. President, I am very clearly of the opinion that the practice of the Senate has been wholly against the ruling of the Chair, and I am quite certain that Senator Frye's ruling proceeded only as far as the privilege for the day. The next day, which was not cited here, Senator Morgan brought up the matter again and claimed privilege for his resolution, and asked the Chair—Senator Frye—if his ruling did not give him that privilege. Senator Frye said, "It does not."

It will be remembered that the time fixed for Senator Morgan's resolution was 2 o'clock, so that at 2 o'clock his special order was taken up; and by taking it up at 2 o'clock it was transformed into unfinished business. Senator Frye said that it became unfinished business; and then, by motion of the Senate, it was set aside by taking up the fortifications bill. In other words, Senator Frye held that this special order, adopted by a two-thirds vote, was set aside by a majority vote.

If the privilege was continuous, of course that could not have been done. The privilege which the two-thirds vote gives is that the bill, whether at the time first named or not, shall have its day in court. There the privilege ends.

You may parallel it with the case of a conference report. A conference report has the highest privilege. It can be called up at any time, but when it is called up the privilege is exhausted. It has no further privilege. The question of consideration can be raised upon it. It has no continuous privilege from day to day. The privilege is exhausted, and in the same way the privilege of the special order is exhausted. I am speaking of the practice of the Senate, and I am speaking in accord with Senator Frye's rulings. The privilege is exhausted when it has had its day before the Senate.

Mr. President, recognizing, as I do, the gap that there is in the rules in regard to what shall become of the Calendar of Special Orders, it seems to me that is one of the many things that ought to be dealt with in a revision of the rules. I think it would be wise to abolish special orders altogether. They have ceased to be useful; and if this ruling is enforced, in my judgment it will be many a long day before you will see another special order. All Senators have many bills in which they are interested. Senators are interested in the calendar. They are not going voluntarily to cut themselves off for a single measure.

Under the old system the special order amounted to very little. It was often used, as the Senator from Utah has pointed out, where a Senator desired to make a speech.

I wish simply to lay these considerations before the Senate in regard to the results of this new ruling. It is a very vital change in the practice of the Senate. Personally I hope the Committee on Rules, or a special committee appointed by this body, may be authorized to take up the question of the rules and cover some of these disputed points on which there is a chance for great differences of opinion, and which I think can be cleared away without changing the great body of the rules, which I think are very wise, and under which we do business very well.

Mr. SUTHERLAND. The ruling of the Vice President ought to be distinctly understood by the Senate. It is that this bill, having been made the special order for a particular hour of a particular day, continues thereafter to enjoy the same privilege and to come up at the same hour of every subsequent day until it has been finally disposed of.

Whatever may be the status of a bill which has been made the special order, or whether it has any status at all different from that enjoyed by any other bill upon the calendar, it is apparent, upon a moment's consideration of the rules of the Senate, that it does not enjoy the privilege which the Vice President has given to it. I have read the rule before, but I desire to call attention to it again because other Senators are now in the Chamber, and I should like very much to have the attention of Senators who may be interested in this subject.

Rule VIII distinctly provides that—

> At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and continue such consideration until 2 o'clock.

There can not be the slightest doubt as to the emphatic meaning of that rule. It is not qualified except by way of emphasis, as I shall show in a moment. It provides, without qualification, that every day at the conclusion of the morning business—which means the routine morning business—unless upon motion the Senate shall otherwise order, the Senate shall proceed to the consideration of the General Order Calendar, and shall continue that consideration until the hour of 2 o'clock. So, if we stop there, there is clearly an inhibition against taking up anything at 1 o'clock, because the rule has emphatically provided that we must continue until 2 o'clock with the particular order of business described in Rule VIII.

By way of emphasis, further along in the rule, it is said:

> And—

Meaning the consideration of the calendar, which must continue until 2 o'clock—

> and shall take precedence of the unfinished business—

It does not even stop there—

> shall take precedence of the unfinished business and other special orders.

Can anything be plainer than that—that this rule that the Calendar of General Orders shall be proceeded with until the hour of 2 o'clock each day shall take precedence of a special order? Yet the Vice President has held, not that the rule shall be enforced which declares that the General Calendar shall take precedence of a special order, but precisely the contrary—that a bill upon the Special Calendar shall take precedence of the General Order Calendar—a ruling which is directly in the teeth of the rule of the Senate.

The next rule, Rule IX, provides:

> Immediately after the consideration of cases not objected to upon the calendar is completed, and not later than 2 o'clock, if there shall be no special orders for that time, the Calendar of General Orders shall be taken up and proceeded with in its order.

So the two rules, taken together, contemplate that for the first two hours of every session, until 2 o'clock if we meet at 12, we shall proceed with the unobjected cases upon the calendar to the exclusion of everything else, unless there has been a special motion to dispense with the rule; that then, at the hour of 2 o'clock, whether or not we have concluded the consideration of unobjected cases, we shall proceed to consider the same calendar, namely, the Calendar of General Orders, for cases whether they are objected to or not, unless, as the rule says, there is a special order for that time. Of course there is no special order for that time to-day.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

Mr. LODGE obtained the floor.

Mr. SHIVELY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. LODGE. I was only going to ask permission to say one word in explanation of what I have just been saying on the point of order, and it is only a word. I think I did not make quite clear the basis of Senator Frye's ruling, and I want to emphasize it.

Senator Morgan's special order called for the bill to be taken up at 2 o'clock on December 10. That is the hour of the unfinished business. There was unfinished business from that time until the 23d of February, and he never got it up, because the special order did not displace the unfinished business. On February 23 the unfinished business had gone, there was none, and then Senator Frye held that the special order had never lost its privilege for its day before the Senate, and that is all he held—that the privilege, which he held the special order had, had never been exhausted.

PENSIONS AND INCREASE OF PENSIONS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. STERLING conferees on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 5850. An act to amend section 162 of the act to codify, amend, and revise the laws relating to the judiciary, approved March 3, 1911, was read twice by its title and referred to the Committee on the Judiciary.

EXECUTIVE SESSION.

Mr. SHIVELY. I move that the Senate proceed to the consideration of executive business.

Mr. WILLIAMS. Pending that I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Nelson	Simmons
Brady	Hitchcock	O'Gorman	Smoot
Brandegee	Hughes	Oliver	Sterling
Bristow	James	Owen	Sutherland
Bryan	Jones	Page	Thomas
Burleigh	Kern	Pittman	Thompson
Burton	Lane	Poindexter	Thornton
Catron	Lee, Md.	Ransdell	Townsend
Chamberlain	Lewis	Robinson	Walsh
Chilton	Lippit	Shafroth	Warren
Clark, Wyo.	Lodge	Sheppard	Weeks
Cummins	McCumber	Sherman	West
Fall	Martine, N. J.	Shively	Williams

Mr. WALSH. I wish to announce the absence of my colleague [Mr. MYERS] on account of illness.

Mr. ASHURST. I wish to announce that the junior Senator from Minnesota [Mr. CLAPP] is absent on business of the Senate.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. A quorum of the Senate is present. The question is on the motion of the Senator from Indiana that the Senate proceed to the consideration of executive business. [Putting the question.] The ayes seem to have it. The ayes have it.

Mr. WILLIAMS. Let us have the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The ayes have it, and the Sergeant at Arms will clear the galleries and close the doors.

The Senate thereupon proceeded to the consideration of executive business. After 3 hours and 30 minutes spent in executive session the doors were reopened.

AGRICULTURAL APPROPRIATIONS.

Mr. GORE. From the Committee on Agriculture and Forestry I report back with amendments the bill (H. R. 13679) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915, and I submit a report (No. 429) thereon. I desire to give notice that I shall ask the Senate to take up the bill at the first opportunity.

The PRESIDING OFFICER (Mr. HUGHES in the chair). The bill will be placed on the calendar.

Mr. SHIVELY. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 17, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 16, 1914.

UNITED STATES ATTORNEY.

Charles L. Rigdon, of Cheyenne, Wyo., to be United States attorney, district of Wyoming, vice Hilliard S. Ridgely, removed.

UNITED STATES MARSHAL.

Arthur P. Carpenter, of Brattleboro, Vt., to be United States marshal for the district of Vermont, vice Horace W. Bailey, deceased.

COLLECTOR OF CUSTOMS.

Walker Taylor, of Wilmington, N. C., to be collector of customs for the district of North Carolina, in place of Benjamin F. Keith, resigned.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Commander Archibald H. Scales to be a captain in the Navy from the 10th day of March, 1914.

Commander Victor Blue, an additional number in grade, to be a captain in the Navy from the 10th day of March, 1914.

Lieut. Commander George E. Gelm to be a commander in the Navy from the 13th day of February, 1914.

Lieut. Walter N. Vernou to be a lieutenant commander in the Navy from the 13th day of February, 1914.

Lieut. (Junior Grade) Guy E. Davis to be a lieutenant in the Navy from the 21st day of February, 1914.

Ensign Sydney M. Kraus to be a lieutenant (junior grade) in the Navy from the 6th day of June, 1913.

Henry M. Stenhouse, a citizen of Colorado, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 4th day of April, 1914.

William A. Stoops, a citizen of Michigan, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 4th day of April, 1914.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 16, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art the source of all that is truest, purest, noblest, best in the heart of man, humbly and reverently we bow in Thy holy presence and pray with all the fervor of our soul that good may be the ruling passion of our life and of all lives; that evil may be consumed by the overwhelming power of love; that every heart, every home, every land may dwell in peace, joy, happiness; and pæans of praise we will give to Thee, in the spirit of Him who died that we might live. Amen.

The Journal of the proceedings of yesterday was read and approved.

RETURN OF BILL FROM SENATE.

Mr. SCOTT. Mr. Speaker, I desire to offer a resolution, and I ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Iowa [Mr. SCOTT] asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

House resolution 472.

Resolved, That the House of Representatives request of the Senate the return to the House of the enrolled bill S. 1689, authorizing the accounting officers of the Treasury to allow in the accounts of the United States marshal for the district of Connecticut amounts paid by him from certain appropriations, which passed the House on March 9, 1914.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15279, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes.

Mr. JOHNSON of South Carolina. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of South Carolina. What is the status?

The CHAIRMAN. The question pending when the committee rose from the consideration of the bill last Tuesday was the amendment offered by the gentleman from Iowa [Mr. GOOD].

Mr. JOHNSON of South Carolina. I ask that that amendment be again reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

The Clerk read as follows:

Page 138, insert as a new paragraph, at the end of line 4, the following:

"To carry into effect the provisions of the act approved April 9, 1912, providing for the investigation of questions of infant mortality and dangerous occupations, $50,000."

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Add at the end of the amendment:

"*Provided*, That this appropriation shall not be expended for any investigation that the Public Health Service is required or authorized by law to make."

Mr. JOHNSON of South Carolina. Now, Mr. Chairman, I would like to have unanimous consent that the debate on the pending amendment and all amendments thereto close in a given time. How much time does the gentleman want?

Mr. GOOD. Will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. GOOD. Would it not be a good idea to run on a little while, until we determine how many people desire time?

Mr. JOHNSON of South Carolina. I am afraid if we do that it will be just as difficult 30 minutes from now to get an agreement as it is now. Mr. Chairman, I ask unanimous consent that all debate on the pending paragraph and amendments thereto close in 50 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on the pending paragraph and amendments thereto close in 50 minutes. Is there objection?

Mr. MURDOCK. Mr. Chairman, reserving the right to object, there are 10 men on their feet now who want time.

Mr. JOHNSON of South Carolina. There are only about 7 or 8 people on their feet.

Mr. MURDOCK. I counted 10 a minute ago, I will say to the gentleman.

Mr. MANN. Let us see. The gentleman from Kansas [Mr. MURDOCK] wants 5 minutes, the gentleman from California [Mr. J. I. NOLAN] wants 5, the gentleman from Wisconsin [Mr. LENROOT] wants 15, the gentleman——

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on the pending paragraph and amendments thereto close in 1 hour, 30 minutes of the time to be controlled by the gentleman from Iowa [Mr. GOOD] and 30 minutes by myself.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent that all debate on the pending paragraph and amendments thereto close in one hour——

Mr. MANN. Make it an hour and a half.

The CHAIRMAN. The gentleman will withhold until the Chair states the unanimous-consent request. One-half of the time to be controlled by the gentleman from Iowa [Mr. GOOD] and one-half of the time by the gentleman from South Carolina [Mr. JOHNSON].

Mr. HOWARD. Mr. Chairman, reserving the right to object——

Mr. MANN. Will not the gentleman make it one hour and a half?

Mr. JOHNSON of South Carolina. Oh, no.

Mr. MANN. Oh, yes; please do. [Laughter.] There are so many people interested, and it is all on this proposition. Make it an hour and a half.

Mr. JOHNSON of South Carolina. I noticed in the RECORD of yesterday morning that quite a number of speeches have already been made or inserted, which is the same thing.

Mr. MANN. We who are on our feet did not do so. Make it an hour and a half.

Mr. JOHNSON of South Carolina. I think an hour is ample. The gentleman from New York [Mr. FITZGERALD] is very anxious to get away, and so am I.

Mr. MANN. So am I. But make it an hour and a half. It is actual debate on the proposition.

Mr. MURDOCK. There is nothing in controversy after this is passed.

Mr. JOHNSON of South Carolina. How much time does the gentleman from Iowa [Mr. GOOD] want?

Mr. GOOD. I will say that there are seven gentlemen here now on this side of the House——

Mr. JOHNSON of South Carolina. I will ask for an hour and 10 minutes, Mr. Chairman.

Mr. GOOD. There are seven gentlemen on this side who have already risen. There are several on that side who want to speak in favor of the amendment, so I suppose I would have to yield to those gentlemen on that side who would want to speak. That being the case, I ought to have on this side at least three-quarters of an hour—in fact, an hour—to yield five minutes to each man who wants to speak in favor of the amendment. And I will say to the gentleman, we will make haste by allowing liberal time.

Mr. JOHNSON of South Carolina. If we have not been liberal in the consideration of this bill, I fail to know the meaning of the word.

Mr. MANN. We appreciate that. Do not ruin your reputation now.

Mr. JOHNSON of South Carolina. Mr. Chairman, I am going to ask unanimous consent to make it 1 hour and 20 minutes, and if I can not get unanimous consent for 1 hour and 20 minutes, I am going to move to close it. That gives each side 40 minutes.

The CHAIRMAN. The gentleman from South Carolina amends his unanimous-consent request and now asks unanimous consent that all debate on the pending paragraph and amendments thereto close in 1 hour and 20 minutes, one half of the time to be controlled by the gentleman from Iowa [Mr. GOOD] and one half by the gentleman from South Carolina [Mr. JOHNSON]. Is there objection? [After a pause.] The Chair hears none. The gentleman from South Carolina [Mr. JOHNSON] is recognized.

Mr. HOWARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOWARD. I addressed the Chair a moment ago and reserved the right to object and I understood the Chair recognized me. I do not know whether he recognized me for that purpose or not, but before the Chair stated the proposition this last time I asked for recognition to reserve the right to object for the purpose of asking the gentleman from South Carolina whether he would allow me some time.

Mr. JOHNSON of South Carolina. I will allow the gentleman five minutes.

The CHAIRMAN. The Chair will state to the gentleman from Georgia that he thought he spoke loudly enough for everyone to hear him, and stated the amended proposition of the gentleman from South Carolina [Mr. JOHNSON], which was to limit the debate to 1 hour and 20 minutes, one half of that time to be controlled by the gentleman from Iowa [Mr. GOOD] and the other half to be controlled by the gentleman from South Carolina; and the Chair asked if there was objection.

Mr. HOWARD. I do not want to be discourteous to the Chair, as I was a moment before, to break into the Chair as he was stating the proposition. A minute thereafter I reserved the right to object, and the Chair recognized me. I merely want to say to the gentleman from South Carolina that I shall want five minutes.

The CHAIRMAN. The gentleman from Iowa [Mr. GOOD] is recognized.

Mr. GOOD. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. TREADWAY].

The CHAIRMAN. The gentleman from Massachusetts [Mr. TREADWAY] is recognized for three minutes.

Mr. TREADWAY. Mr. Chairman, I want to express my hearty approval of the amendment offered by the gentleman from Iowa [Mr. GOOD], increasing the amount available for the work of the Children's Bureau. We in Massachusetts have endeavored to keep up with the progressive views of the day in the adoption of proper laws under which our citizens shall live. Massachusetts has long had the honor of having the best and most advanced methods of factory inspection and the care of women and children under employment. Certainly our State wants to ask consideration of the Federal authorities for the

extension of the child-labor studies, which may materially affect the health and life of future generations.

Massachusetts has always been more than proud of the laws under which our State carries on so-called welfare work. We even have in our State legislature to-day a committee having to do solely with questions of social welfare, and certainly there is no more pressing need than the care of our children and infants.

As indicative of the interest of Massachusetts in the subject of child welfare and proper consideration for women about to become mothers, I desire to read chapter 229, acts 1911, of the acts and resolves of Massachusetts. I believe this was the first statute of the kind passed in any State, and I am proud to have been able to assist in having it become a law. The law is as follows:

An act relative to the employment of women in mercantile, manufacturing, and mechanical establishments.

Be it enacted, etc., That no woman shall knowingly be employed in laboring in a mercantile, manufacturing, or mechanical establishment within two weeks before or four weeks after childbirth.

SEC. 2. The foregoing section shall be included in the notice with regard to the employment of women now required to be posted in mercantile, manufacturing, and mechanical establishments, and the provisions thereof shall be enforced by the district police.

SEC. 3. Violations of section 1 of this act shall be punished by a fine not exceeding $100.

SEC. 4. This act shall take effect on the 1st day of January, 1912.

Approved, March 31, 1911.

I received only this morning a strong, urgent appeal from a constituent of mine asking support for this additional appropriation, and I will incorporate the letter as part of my remarks:

HOLYOKE, MASS., *April 14, 1914.*

Mr. ALLEN T. TREADWAY,
Washington, D. C.

DEAR MR. TREADWAY: I am writing to ask your support for adequate appropriation for the Children's Bureau. I understand that the Appropriations Committee of the House of Representatives has just refused to recommend an appropriation of $165,000. Last year only $25,640 was appropriated. I understand that an effort will be made to amend the bill on the floor of the House so as to secure an increased appropriation.

If the Government can appropriate $7,699,191 for the Bureaus of Plant and Animal Industry, it surely ought to be able to spare a little more than $25,000 for the Children's Bureau. The time is already at hand when children are to be considered of at least equal importance with plants and animals.

Very truly, yours,

_____.

Enormous sums have already been favored by this Congress for investigation or suppression of diseases affecting cattle and animals and for study and information about diseases of plants. How much more necessary it is that a proper appropriation should be made for the bureau caring for the children and babies of the land. The amount asked is infinitesimal in comparison with the importance of the subject. The lives of our children must be rated by every Member of this House as of much greater value than cattle and plants. The comparison is a sad commentary on our humanitarianism.

It seems to me exceedingly unfortunate that in establishing such important bureaus as this on child labor greater consideration can not be given to the organic law, so that we shall not be hemmed in here in this great Congress by these very questions of extension of just such work as this, which I am sure the American people desire and expect us to bring about, and at the same time which may be subject to a point of order, not understood by the people of the country. We can not, in the making of organic laws, establish at the very beginning and consider what may be the outcome of such a bureau as this one under consideration to-day, but we ought, in my opinion, to have some way whereby amendment can be made to these organic laws under such considerations as the present, and I am sure the gentleman from Iowa [Mr. GOOD] is doing a great benefit to the cause of humanity in offering an amendment in such form that the Chair in his wisdom sustained it.

It is not necessary at this time to discuss means of economizing the funds of the Government. This is not one of the places for parsimony. Let us be as liberal in the support of this bureau as the object is deserving. Nothing but words of praise are spoken for the method in which the able head of the Children's Bureau is conducting her work. Let us increase her resources within all reasonable bounds. I hope to see the work of the Children's Bureau so increase and expand its sphere of usefulness as to become one of the greatest instruments for good we have in the conduct of the affairs of our Government.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Colorado [Mr. KEATING].

The CHAIRMAN. The gentleman from Colorado [Mr. KEATING] is recognized for five minutes.

Mr. KEATING. Mr. Chairman, I am in favor of the adoption of the amendment suggested by the gentleman from Iowa [Mr. GOOD], but I do not think his amendment provides sufficient funds for this bureau.

The Children's Bureau is just two years old. It was organized in April of 1912, and the act creating it provides that it shall "investigate and report upon matters pertaining to the welfare of children and child life among all classes of our people, and shall especially investigate the questions of infant mortality, birth rate, orphanage, juvenile courts, desertion, dangerous occupations and accidents of children, employment, and legislation affecting children in the several States and Territories."

That is a pretty big job, but Miss Lathrop, the chief of the bureau, has demonstrated that she has the requisite talent.

During the last two years she has been struggling along trying to make both ends meet on a little appropriation of $25,640 a year. This has been barely sufficient to meet her salary and the salaries of the handful of clerks and experts provided in the organic act. There has been practically no money for outside work or for the printing or distribution of reports.

While Miss Lathrop has been laboring under these serious handicaps she has found time to outline a really ambitious program for the development of her bureau. She submitted her ideas to the Committee on Appropriations and asked for an allowance of $164,640. The committee, in its wisdom, has seen fit to reject her plea and to insist that for the coming year she shall have exactly the same appropriation she was allowed for the current fiscal year. In other words, Mr. Chairman, this bureau is not to be permitted to develop. Miss Lathrop and her assistants may continue to draw their salaries, but if the Committee on Appropriations has its way they will not be permitted to do anything looking toward the solution of the many and intricate problems affecting the child life of this Nation.

The gentleman from Iowa suggests that in addition to the $25,640 allowed by the committee the bureau be given $50,000 in a lump sum. I insist that that is not enough, and that instead of $50,000 we should place $139,000 in this lump appropriation, making the total appropriation $164,640, the amount requested by Miss Lathrop.

Gentlemen may talk about extravagance as much as they like, but I insist that while the people of this country are in favor of economy they are in favor of the right kind of economy. A few weeks ago we rushed through this House, by unanimous consent, a bill appropriating $600,000 to stamp out hog cholera. We would have made the appropriation $6,000,000 if the experts had told us that by the expenditure of such a sum they could save the lives of the hogs of this country. I would have voted for such an appropriation, and you would have voted for such an appropriation, Mr. Chairman, and the people of the country would have approved of such an appropriation. If it is essential to protect the lives of the hogs of this country, how much more important it is to protect the lives of the children of this country. The experts tell us that each year 300,000 children die in this country before they attain the age of 1 year. We are assured that fully one-half of these deaths are directly traceable to ignorance and lack of care.

This is truly a slaughter of the innocents.

We are lagging behind the world in this matter of the care of the child. Even little New Zealand has so far outstripped us that the death rate among children there is only one-half the death rate among children in this country. We must not continue to tolerate this state of affairs.

But the problem of the care of the babies of this country is only one of the many activities of this bureau. It is especially charged with the duty of investigating and reporting on dangerous occupations of children. This brings up the problem of child labor, one of the most important questions before the American people to-day.

As a member of the Committee on Labor I have had occasion to give much thought and study to this question. The committee recently held hearings on the child-labor bill introduced by the distinguished gentleman from Pennsylvania [Mr. PALMER], and I want to present to the House at this time a few brief extracts from the mass of intensely interesting evidence submitted to the committee in the course of those hearings.

Here is the story told by Mrs. Florence Kelley, general secretary of the National Consumers' League. Mrs. Kelley has devoted her life to this work and has achieved a national reputation. Her labors have been confined to the States of the North and East and have been directed in large part to the amelioration of the conditions surrounding the employment of children. I quote from her testimony:

I spend my summers in a village in Maine where there are two principal industries—fishing and the preserving of fish and shell food. All

summer long there floats around on the Atlantic Ocean, about 4½ miles outside of the seashore line, a wretched little boat occupied by two men who are without a country. They are native citizens of the State of Maine, but were found guilty of gathering in Blue Hill Bay 1,560 scallops illegally. There is a fine by the Federal Government of $1 a scallop for every scallop taken illegally. These men will never be able to pay that fine. So they can not land, and all summer long they live in this little boat, and in the winter go up into Canada, because the Federal Government enforces very efficiently the protection of scallops in our part of Maine.

In the village is a factory which preserves scallops and fish. Under the laws of the State of Maine children can not work in that factory until they are 14 years of age, and they have very rigid limitations on their hours and a stiff educational requirement, but the nearest justice of the peace is 28 miles away.

The State of Maine is very eager to promote the canning industry. The number of child-labor inspectors is very insufficient, and the consequence is that when fish are brought in to the cannery the children are sent there by their fathers, who are a very shiftless set. They are a great deal like the man in Janet Lee's little story of Uncle William. He was asked what the people do in Maine in the long winter. He replied, "Along about the beginning of November you make a big fire in the fireplace, and from then until Washington's Birthday you sit and think, and then along after Washington's Birthday you mostly just sit there." These fathers are about like that. Whenever there is any work they send their children into the factory, and the children work at any age and unlimited hours. You can understand how confusing it is to their moral sense. The Federal Government is very much interested in the protection of the scallops. Everyone is interested in scallops in that part of Maine, because it is hard to get food there, and the Government is particular that the scallops should be taken care of. But it seems disproportionate that these two men should be kept out on the sea in that boat forever, and then have the children of the State of Maine, encouraged by their parents to break the law whenever opportunity offers, and have Uncle Sam keep his hands off out of respect for the local State authorities, who do nothing at all.

The discrepancy is not always so picturesque, but in principle the same kind of thing occurs in a thousand forms all over the country. We seem to take care of everything except the most essential thing—the children, whose moral sense is being molded now. When we are dead they will be the Republic. Negatively, of course, Uncle Sam is assuming a great responsibility in his continued neglect of them, in his continued application to the minor interests of the country and continued neglect of the greater interests of the Republic.

That is the way the matter presents itself increasingly to numbers of people who from year to year become interested in the problem of the immigrant children or our own poor white children, such as these children in Maine who are losing their childhood and the privileges of education, who are going the way the English children have gone for the last 100 years.

Our industries are increasing. One State after another changes from an agricultural State to a manufacturing State. We find this process going on in the most conspicuous manner in New Jersey, where formerly there was chiefly fruit growing and agriculture, but now every steerage that comes into the port of New York brings with it children who work in the manufacturing industries there. The compulsory-education law is very laxly enforced in New Jersey. We do not ask the Government to interfere with that, but we do believe this proposed Federal law would come to the rescue, right there in that one State, of an increasing number of children every year that passes, and there has been dire need of it.

It is over 30 years since I enlisted in the effort to get better legislation for the protection of the children. I believe there are more children under 16 years old working to-day in dangerous occupations than there were when I began, because our manufacturing industries have increased stupendously and our State legislation has halted. There has been no unity in our progress. The 48 States suggest the legs of a centipede, some going forward and some paralyzed, the total progress lamentably slow. This Republic is one, and we can not go on forever with a favored class of children in the Northwestern States, where there is a requirement that the children shall not work until they are 15 years of age, and they are kept in school throughout the eighth grade, while in the southern cotton-manufacturing States there is no compulsory education and either entire lack of legislation by the State or a collection of nugatory laws. South Carolina at one time restricted the work of children to 10 hours a day, but afterwards decided that life was too easy for them and prolonged the hours to 66 hours a week, and permitted 11 hours a day for young children. We can not, as one Nation, go on having favored children in the Northwest and oppressed, helot children in the Southeast. We can not go on having such a relation as that now in Pennsylvania, where children 14 years old may work all night in the glassworks, and in West Virginia there is no enforcement whatever of the child-labor law. They work at any age.

In Ohio, the State adjacent to those two, boys can not work until they are 15 years old—in manufacture—and can not work at night until they are 16, and the law is enforced. It is hard upon the children to have such discrepancies.

As I stated, Mr. Chairman, Mrs. Kelley's story has to do with the States of the North and East. Now, let me present you some evidence from the Southern States. I realize that my friends of the South are rather sensitive on this subject, and I am sure I have no desire to further offend them. We are told, however, that the truth will make us free, and in this case we must tell the truth in order that the children of the South—the white children, by the way—may be freed from the evils of the industrial system prevailing south of Mason and Dixon's line. Here is the story told your Labor Committee by Mr. W. H. Swift, secretary of the North Carolina Child Labor Committee, and for two years one of the trusted employees of the National Child Labor Committee. I quote from the official report of the hearing:

Mr. SWIFT. I have spent two years talking about this matter face to face with men who are in the habit of using children for the manufacture of their goods. So far as I now remember, I have never heard a single man, either in North or South Carolina, claim that it would not be a good thing for the child and for the community to forbid the employment of children. The best reason why it would be good to have such a law I heard expressed by a mountaineer. I was talking to a little body of mountaineers about this matter, and after I got through a long, skinny fellow got up and said: "I have some folks who are working their young ones in the mill, but I am with you, and I will tell you why: We are cattle raisers up in this country, and I notice when a fellow gets a good heifer up here to raise fine stock he does not put her to work." That was his reason for being in favor of a restricted law.

But, passing that over, the question will come how, in this country, are we going to be able to restrict the use of children in manufacturing establishments and in mines? There are just two possible ways. It can be successfully done by the Federal Government. In some States it can not be successfully done for a great many years by the State governments. Some of the States, of course, will enact and have enacted laws which forbid the use of children under 14 years of age or for more than eight hours a day. In other States, where the same goods are manufactured and come in competition with the goods manufactured in the other States, they do not have this law. There are other States which have an 11-hour law and 12 years as the limit, which is not observed. Take my State of North Carolina, or South Carolina, the age limit is 12 for the employment of children. The hours of labor are 11 hours a day for five days in the week, with a short Saturday. I, myself, have seen children under 14 years of age—I do not think they could have been over 13 and, perhaps, not over 12—working 12 hours all night long, and I was informed they did not even stop for a midnight lunch. In other words, North and South Carolina are engaged largely in the spinning of yarns; that manufacture has become a tremendous industry in our section—95 per cent of all yarns spun in either of these two States, or all cloth woven in those States is spun or woven by the work of children under 14 years of age; in a large number of cases under 13 years, and in many cases, from personal observation, under 12 years.

South Carolina has enforced pretty well the age limit of 12 and the 11-hour day. To show you how this thing works: In 1905 we passed a law in North Carolina that no child under 12 years shall be employed; that after 1907 no child under 13 should be employed, except in an apprenticeship capacity. Now, I think any reasonable man would understand that it was meant that after 1907 there should be fewer children than in 1905, but the fact is that as soon as we passed that law every child engaged in the manufacturing of cotton in North Carolina took an "apprenticeship." So we should not have put that exception into the law. Why did that occur? It occurred for this reason, and this is the ruling reason: A certain number of our people wanted to use children in the manufacture of goods. A certain other number of our people, either through ignorance or what they consider to be poverty, feel driven to employ their children.

We have had in my State a great many agents come into the State, into the rural communities, and tell our farm people who were not very successful what a good thing it would be to live near the manufacturing establishments and put their children to work. The result is that thousands of our people have moved to these manufacturing establishments and have been in a measure successful, but a part of their success is based upon the fact that that part of their family between 12 and 14 have been working 11 hours a day in order to bring in the money which they make.

The CHAIRMAN. Mr. Swift, can you tell us who seem to be the worst offenders as parents in that respect—the colored or the white parents?

Mr. SWIFT. We have no colored factory workers in my State at all; no negroes, so far as I know, except one silk mill. No colored people work in the manufacturing establishments. They are white people.

Mr. MAHER. Are they native white or immigrants?

Mr. SWIFT. Ninety-nine and nine-tenths per cent——

Mr. MAHER (interposing). Are native white?

Mr. SWIFT. Yes, sir; we scarcely have any foreigners down there at all.

The CHAIRMAN. Is it a fact in the South that the colored children do not work in those mills and the white children do?

Mr. SWIFT. Yes, sir.

Mr. PALMER. Why is it?

Mr. SWIFT. Well, sir, we do not want colored people in our mills. I think it has been tried, but it was not successful.

Mr. MAHER. They prefer to kill white children instead of colored children?

Mr. SWIFT. Well, that is going a little far; but they use the white children.

The CHAIRMAN. That means that the little colored children play around the streets and fields and the white children are at work.

Mr. SWIFT. Yes; it means more than that. I do not want to reflect on the State, but I have seen a great many strong, robust negro children, 12 to 14 years of age, on their way to school, while the white children were working from 6 in the morning until 8 in the evening.

Mr. MAHER. White children?

Mr. SWIFT. Yes, sir; but I must not talk too far, because I have to go back home.

The CHAIRMAN. It is your duty to tell this committee all you can.

Mr. SWIFT. I am doing it as I have seen it. You ask me why that is. I give it to you as my opinion that children in this section of our country—in my section—will not get ample protection within the next 5 and, I think, 10 years unless the Federal Government gives it to them. Having for two years gone hard up against this proposition, I am thoroughly convinced that if you leave it as it is and go there in 5 years you will find plenty of children under 14 years of age at work. We have had this law protecting children up to 12 since 1905. I have seen many violations of it. So far as I now know, there has not been in my State but one prosecution for the employment of a young child. The reason of it is because the manufacturers are influential. They control the thought, and I think they will do it for some time.

There is another point on this. The reason we do not do it is this: North Carolina and South Carolina are adjacent. If in North Carolina we undertook to change the age limit and the hours, we are met with the proposition that South Carolina has not done it, and the people will move across the line, and then when we go to South Carolina and suggest that we change the age limit they say North Carolina will take all our wealth. A law of this kind will solve the problem so that North and South Carolina would be working on a fair basis and fair with every other section of the country. I can not see any way by which it can be done successfully except by the Federal Government, and it will be done wisely that way.

I might go on for hours, Mr. Chairman, but I think I have submitted enough to demonstrate the urgent need of this bureau

dedicated, as it is, to the work of safeguarding the children of this Nation.

Who can fix the value of a baby's life? There is not a man within the sound of my voice who would not sacrifice wealth, position, life itself, in order that his offspring might continue to live. If you are willing to pay such a price in order to save your baby, will you hesitate to authorize the expenditure of a few thousand dollars in a work which will result in the saving of thousands of babies? I know what your answer will be. I know the temper of this House. I know it will vote by an emphatic majority to grant the very modest request made by the chief of this bureau. We will have plenty of opportunity to economize. The other day I read in the papers that the Diplomatic and Consular appropriation bill carried an increase of $750,000, and that this money was needed to build homes for our ambassadors in foreign lands. Let us postpone the erection of these palaces for diplomats until we have taken needed steps to conserve human life.

I trust the gentleman from Iowa will increase the amount provided in his amendment from $50,000 to $139,000. If he does not do so, I will claim the privilege of offering an amendment to strike out the figures "$50,000" in his amendment and substitute the figures "$139,000." I predict with confidence that the membership of this House will approve the change.

The CHAIRMAN. At the proper time the gentleman will be recognized for that purpose.

Mr. KEATING. I yield back the remainder of my time, Mr. Chairman.

The CHAIRMAN. The gentleman from Colorado yields back the remainder of his time.

Mr. GOOD. Mr. Chairman, I will ask the Chair to notify me when I have used five minutes of my time.

The CHAIRMAN. Very well.

Mr. GOOD. Mr. Chairman, for this department there was estimated in one item $106,640. In another item there was estimated $58.000. The committee reported out but $25,640.

The difficulty arose by reason of the fact that the language under which the appropriation was estimated was subject to a point of order. The amendment which I have offered is not as complete as I would like to see it, but to make it complete and workable would leave it in a condition where it would be subject to a point of order.

I believe that the amount which I have placed in the amendment I have offered is insufficient to carry on the great work of investigation of the question of infant mortality. Every year there are born in the United States two million two hundred and some odd thousand children. Three hundred thousand of these infants die every year before they attain the age of 1 year. I have here a report showing the death rate of infants in a number of cities, which is very illuminating.

Deaths of infants under 1 year for every 100 births, 1910.

STATES.	
Connecticut	12.7
Massachusetts	13.1
New Hampshire	14.6
New York	12.9
Rhode Island	15.8
CITIES.	
Dunedin	[1] 3.8
Los Angeles, Cal	9.7
Bridgeport, Conn	12.3
New Britain, Conn	[2] 15.1
New Haven, Conn	10.8
Stamford, Conn	[2] 13.1
Washington, D. C	15.2
Indianapolis, Ind	12.3
Boston, Mass	12.6
Brockton, Mass	[2] 10.2
Fall River, Mass	18.6
Lawrence, Mass	[2] 16.8
Lowell, Mass	23.1
Lynn, Mass	[2] 10.0
Malden, Mass	[2] 9.0
New Bedford, Mass	[2] 17.9
Somerville, Mass	[2] 10.2
Springfield, Mass	[2] 12.5
Worcester, Mass	13.7
Detroit, Mich	17.9
Grand Rapids, Mich	12.2
Kansas City, Mo	15.4
St. Louis, Mo	11.5
Omaha, Nebr	12.6
Newark, N. J	12.4
Buffalo, N. Y	16.2
New York, N. Y	[3] 12.5
Syracuse, N. Y	16.0
Cincinnati, Ohio	13.1
Columbus, Ohio	12.1
Dayton, Ohio	12.9
Philadelphia, Pa	13.8
Pittsburgh, Pa	15.0
Providence, R. I	14.4
Seattle, Wash	8.2
Spokane, Wash	12.8
Milwaukee, Wis	14.5

[1] For 1912.

[2] Sixty-ninth Report of Births, Marriages, and Deaths in Massachusetts. These cities were chosen in order that an opportunity might be given to compare the New Zealand rates with cities in the United States in approximately the same population class as the New Zealand cities.

[3] The report of the New York State Department of Health shows a reduction to 10.5 per 100 births in 1912.

I desire to call the attention of the House to the fact that right here in Washington fifteen out of every one hundred infants die before they become 1 year old. In Fall River, Mass., the death rate of infants under 1 year is 18 per cent, and in Lowell, Mass., it is 23 per cent. This high death rate of infants is alarming. It should remind this House of its responsibility. If by an increased appropriation to investigate this question of infant mortality we can reduce this high death rate of infants, that appropriation, no matter how large, should be made. The question naturally arises, Can we, by appropriating money for a thorough investigation and for carrying forward this work, reduce this alarming death rate?

Mr. MURRAY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. GOOD. I can not yield; I have not the time. I would like to yield to the gentleman.

In this great work unfortunately we are not pioneers. Similar investigations have been carried on in other countries with wonderful results.

In 1907 there was organized in New Zealand the society for the health of women and children. At that time in Dunedin the death rate of infants under 1 year was almost 9 per cent. By the prosecution of this work in less than six years they reduced the death rate so that last year it was only 3.8 per cent. Think of it. The investigation of the subject and a real forward movement to reduce infant mortality in less than six years resulted in a reduction of the death rate of infants before they attained the age of 1 year in Dunedin, New Zealand, from 9 per cent to 3.8 per cent, and the infant mortality for infants under 1 year was reduced to 5 per cent.

This is a great work. In New Zealand it is a work of education. Likewise it must be a work of education in this country. We know comparatively little in this country with regard to the care of children. The work that has been carried on in New Zealand has been to educate the father and the mother with regard to the care of their offspring. In the United States during the past 10 years there were more deaths of infants under 1 year than from tuberculosis in all forms and at all ages. Out of every 5 deaths in New York State, 1 is that of a baby less than a year old. Of the 16,213 babies that died in 1910 before they reached the age of 1 year, one-third died before they were 1 month old. Most of these babies would have lived had they been given intelligent care and the right kind of food, so the authorities claim. If this is true, why should we delay this investigation? Why delay this campaign of education? For that is what this means. Sir Arthur Newsholme, the great English statistician, has so well stated the case that I quote his words:

> Infant mortality is the most sensitive index we possess of social welfare. If babies were well born and well cared for, their mortality would be negligible. The infant death rate measures the intelligence, health, and right living of fathers and mothers, the standards of morals and sanitation of communities and governments, the efficiency of physicians, nurses, health officers, and educators.

The solution of this great question will solve another problem equally important. While it is important to reduce the death rate of infants it is equally important that the annual new arrivals, numbering more than 2,200,000 that will live, will be healthy and strong children. Without health and strength they can not grow up to become useful men and women.

It is not intended that this appropriation by Congress is the only contribution that will be made to this great work. The great cities, charitable and benevolent organizations, and woman's clubs will contribute far more. But the National Government must lead in this movement, and what can we hope to accomplish in such an undertaking with the paltry sum of $25,640? The estimate of Miss Lathrop, the chief of this great bureau, to carry forward this work for the year is $164,640, or about 50 cents for each infant under 1 year that dies every 12 months. The work in which Miss Lathrop is engaged is too great, the necessity of having her succeed is too important, and the cause of sick infants which her work may save if she is supported is too tremendous for this House to assume the responsibility of reducing her estimate. She is doing a great work, and she is doing it well. Let us give her the money she needs.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] is recognized.

Mr. MURDOCK. Mr. Chairman——

The CHAIRMAN. Does the gentleman from South Carolina yield?

Mr. MURDOCK. I have no time. I am trying to get it.

Mr. JOHNSON of South Carolina. I am yielding a good deal of my time——

Mr. GOOD. I yield five minutes to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. I thank the gentleman from Iowa for the time yielded to me. Mr. Chairman, it is unbelievable to me that the Committee on Appropriations would set out to block the work of the Children's Bureau. I say that with the full knowledge of the workaday attitude of an Appropriations Committee toward a bureau of the Government. Usually an administrative bureau asks more than it is entitled to, and the Committee on Appropriations, acting within their rights, justly resist it. But this is particularly not true of the Children's Bureau. That bureau is new. Under the law it is authorized to do certain things, and it needs a certain amount of money to do those things. I do not believe there is a man here on either side of the Chamber who, if he understood fully the work the bureau is doing and its part in the betterment of the industrial life of the Nation, would resist these amendments giving the Children's Bureau the amount it asks. I do not believe there is a man here who, if he knew the statistics in the case, would stand out against the bureau.

Out of every 1,000 births in this country, 159 of the children die before they reach the age of 1 year. Out of every thousand only 14 children die between the ages of 1 and 5 years. Wherever a locality or community has a high infant mortality of children under 1 year of age, that community also has a high infant mortality of children between the ages of 1 and 5 years. Therefore, the matter of infant mortality, dealing with the death of infants under 1 year of age, is of the highest importance to the Nation. Some one has said, and said truthfully, that infant mortality is the most sensitive index of social welfare that we have. What is that? Is it simply a pretty phrase? No; it is a fact, and an ugly fact. Last night I took home a Government document dealing with the survey this Government made of conditions in Fall River, Mass., in 1908, in the matter of infant mortality. I want the Members of the House to listen, and to listen solemnly, to some of the records in this document, available to all of us, but read by few. I want to read some cases of women who went back to work a few days after childbirth. Here is case No. 1:

Mother returned to work in mill at two weeks; child died at six months of bronchitis; breast fed exclusively two weeks, then at night, but during day given condensed milk "when baby cried"; bottle "cleaned once or twice every day"; child strong at birth, but weakened by lack of fresh air and improper food; cared for by neighbor. Mother, Syrian.

Here is another case:

Mother returned to work in mill at two weeks; child died at 4½ months of gastroenteritis; not nursed at all, although mother had milk; fed on condensed milk and cow's milk (not bottled); long-tube bottle used, "washed when needed"; "table food" at 4 months; grandmother cared for child in mother's absence; Coderre's Infant's Sirup. Mother, Portuguese.

Here is still another case:

Mother returned to work in mill at three weeks; child died at 5 months of gastroenteritis; child nursed exclusively two weeks; mother's milk then deficient, and child was nursed at night and given Eskay's Food, barley water, and white of egg for 4½ months; began to fail when mixed feeding was given; sick two months; cared for by neighbor in mother's absence. Mother, English.

Here is another case:

Mother returned to housework in boarding house at three weeks; child died at 25 days of infantile debility; not nursed at all, although mother had milk; was boarded out and fed exclusively on condensed milk. Mother, Irish.

These ugly entries and others like them show how intimately infant mortality touches the life of the Nation. An effort by Congress to investigate fully these conditions with a view to correcting them is not a mere sentimental impulse. It is business; it is grave business—the important business of conserving human life.

Gentlemen, how far are you going to let go without thorough and scientific investigation this sort of industrial situation and the domestic conditions it reflects? Why not meet adequately this proposition now? Why not stand for the full amount that the Children's Bureau asks? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of South Carolina. I yield five minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Chairman, the gentleman from Kansas [Mr. MURDOCK], who has just spoken, has very aptly put the question of the importance of the health of the people of this country. It sometimes seems to me that we give too much attention to matters of commercialism and not enough to the health and social welfare of our people, because no nation can be a strong nation unless its people are a healthy people. And the way to make a healthy person is to begin with the child from birth. In order to have the child grow into a strong, healthy person it must have the right kind of care. The Children's Bureau is endeavoring to investigate and give such information as it is now able to do in order to overcome the ills to which infants are subject. There is an amendment offered by the gentleman from South Carolina [Mr. JOHNSON] which proposes that this money shall not be spent in the same line of work as is now carried on by the Bureau of Public Health. I believe that is proper and right. We ought not to duplicate this work, and we ought to build up the Public Health Service to look after matters dealing directly with disease.

The vital statistics secured by the Census Office and published once each year give the births and deaths in the United States. The Children's Bureau, presided over by a most intelligent and estimable lady, Miss Lathrop, who has the work of her bureau at heart, has been endeavoring to do the best she could with the help she gets from appropriations to do a valuable work for the people, and I think she ought to be encouraged in this great work she is now doing. I observe by the hearings certain lines of work she is taking up in order to educate the people with reference to the sanitation, care, and attention of infants. The Public Health Service is also issuing bulletins that can be read, not only by doctors but by the public generally, bearing upon the matter of disease and how to prevent it.

I remember a couple of years ago that, with my colleague from Illinois [Mr. MANN], we had the Committee on Interstate and Foreign Commerce insert in the bill changing the Public Health Service a provision that enabled them to issue these bulletins that the people might read in reference to health and that they are now issuing them, which Members are receiving once each week, and I am sure if they will take the trouble to examine them they will be convinced of their great value.

I want to say as a Member of this House that I take pride in the fact that I have been able to be of some service in bringing about such a provision, and what little help I could give I gave heartily that the people might receive this valuable information.

Any true physician in this country is endeavoring as best he can to stamp out disease, to relieve the people from further dangers of sickness and suffering.

We remember that a few years ago there was sent to Cuba a commission on yellow fever. All the physicians that went there to investigate that disease lost their lives in that investigation, but they did show in the end the cause and the way to prevent yellow fever, and to-day there is not a country in the world that fears yellow fever because they know how to stamp it out.

That is what we need in this country, not only a knowledge of how to cure disease but to prevent it, and that is why we want to educate the people who do not now know these things. When that is done we shall have rendered a valuable service to all the people of the country. I hope that the amendment will be agreed to and that we may do more in this line. [Applause.]

Mr. GOOD. Mr. Chairman, I yield to the gentleman from California [Mr. J. I. NOLAN].

Mr. J. I. NOLAN. Mr. Chairman, on Tuesday I tried to get recognition to introduce some amendments that were prepared by the Children's Bureau and intrusted to the gentleman from Massachusetts [Mr. PETERS]. Unfortunately he had to go away on important business and has been detained, and he intrusted the amendments to my care. I find, however, under the ruling of the Chair on the amendment offered by the gentleman from Pennsylvania [Mr. KELLY] that the amendments would have been out of order. If in order, they would have given the Children's Bureau $162,640.

Mr. Chairman, I am in favor of giving the Children's Bureau the money they asked for from the Appropriations Committee, that amount being $162,640, and I shall vote for an amendment giving the bureau that amount, which, in my judgment, is little enough for this very important work. I am not in favor of the amendment offered by the gentleman from South Carolina. I believe the Public Health Service and the Children's Bureau perform a purely distinct service for children. I have a brief here that I want to insert in the RECORD after I get through, but I am going to insert an extract to show the difference between the Children's Bureau and the Department of Public Health.

Dr. Cressy L. Wilbur, chief statistician for vital statistics of the Census Bureau, estimates that in this country we lose each year 300,000 infants under 1 year of age. Half of these lives could be saved if methods of infant care already well known to science could be given general application. The infant death

rate in New Zealand is less than half the estimated rate of the United States.

Now, here is what I want to call especial attention to:

The Children's Bureau has undertaken an investigation, novel in method, to determine what the social factors are which prevent the benefits of our present stage of civilization from reaching every baby. It is attempting to determine why it is that the baby born in the United States has not the same chances of life and health as the baby born in New Zealand. This is not a medical investigation; it considers the social and economic causes producing the effects doctors are called upon to remedy.

In other words, they are trying to investigate the causes, social and economic, that produce the causes that the department of health is called upon to remedy.

To continue:

Because of the small funds at the disposal of the bureau the investigation thus far has been limited to a single small city—Johnstown, Pa. This experimental investigation has demonstrated the feasibility of the method, and the bureau now asks for 25 field agents and 13 tabulation clerks, with the necessary appropriation for traveling expenses and subsistence, to enable it to investigate typical communities in all parts of the country. This is to be the preliminary survey from which may be devised constructive measures for eliminating conditions causing infant mortality.

The Children's Bureau during the first two fiscal years of its existence has had a staff of 15 persons. Its appropriation for salaries has been $25,640 per annum. In addition to this, it has had no moneys except two small allotments from departmental funds, one for printing and the other for contingent expenses. Its budget, all told, has been less than $35,000 a year.

With such a small appropriation it was impossible for the bureau to cover the wide field prescribed for it by Congress, and it decided to concentrate on the most pressing problem in the promotion of the welfare of the children of this country, the problem of giving every child the foundation for a successful life—health. Everything else is secondary, health is fundamental; and health, in the broad, full meaning of the word, has economic and social aspects, some of which are of more far-reaching importance than its medical phases.

Dr. Cressy L. Wilbur, chief statistician of vital statistics of the Census Bureau, estimates that in this country we lose each year 300,000 infants under 1 year of age. Half of these lives could be saved if methods of infant care already well known to science could be given general application. The infant death rate in New Zealand is less than half the estimated rate of the United States. The Children's Bureau has undertaken an investigation, novel in method, to determine what the social factors are which prevent the benefits of our present stage of civilization from reaching every baby. It is attempting to determine why it is that the baby born in the United States has not the same chances of life and health as the baby born in New Zealand. This is not a medical investigation; it considers the social and economic causes producing the effects doctors are called upon to remedy.

Because of the small funds at the disposal of the bureau the investigation thus far has been limited to a single small city, Johnstown, Pa. This experimental investigation has demonstrated the feasibility of the method, and the bureau now asks for 25 field agents and 13 tabulation clerks, with the necessary appropriation for traveling expenses and subsistence, to enable it to investigate typical communities in all parts of the country. This is to be the preliminary survey from which may be devised constructive measures for eliminating conditions causing infant mortality.

Statistics have already demonstrated that many babies die from causes which were at work during the prenatal period. Many of these deaths can be prevented if the mother knows and applies the simple rules of hygiene applicable in such cases. The Children's Bureau has, therefore, brought together these rules in a simply written little pamphlet that costs the Government a few cents a copy. It has proved immensely popular. Already nearly 30,000 have been distributed to individual mothers who have written for it. Because of the bureau's small appropriation for printing it has had to adopt strict rules against sending this pamphlet in large quantites even where it knows that it would be wisely distributed. City departments of health and child hygiene, hospitals, dispensaries, visiting nurses' associations, infant welfare stations, settlements, and charity organizations, not to mention many individual doctors, nurses, and Members of Congress, have written for it in quantities. These requests have had to be generally refused. Thousands more could have been distributed if the Government had been as liberal with this pamphlet for the prospective mother as it has been with the pamphlet for the farmer on the diseases of the horse.

This is the first in a care of children series. The bureau proposes to issue others, but the work is delayed. The bureau is hampered by the lack of ordinary clerical and stenographic assistance. Franks for 30,000 of these pamphlets have had to be written, not to mention the thousands of letters necessary when the correspondent asks the bureau some question which can not be met by merely writing a frank for a publication. This correspondence is growing in magnitude as knowledge of the bureau spreads. Just after the Outlook and the Independent printed favorable editorials on the bureau's pamphlet on Prenatal Care the office was so swamped with requests that it was weeks before the available clerks could catch up with the mail, and a similar situation is likely to arise when the bureau issues its next popular pamphlet. When it had only one pamphlet it was swamped. What will happen to it when it has several, unless Congress provides a sufficient force to handle the work?

Already its research work has been delayed by the growing pressure of routine clerical work incidental to its mere existence as a Government bureau. At the very outset the bureau began to gather together existing material on the subjects which it is directed by law to investigate. A foundation was laid for a library of current literature regarding children, and a statistical handbook to contain in brief compass the available Federal statistics of children was started. The library is seriously crippled for lack of assistance, and only one of the five parts of the handbook has been issued thus far. Five tabulating clerks are asked, so that this foundational statistical survey may be pushed to completion.

The Commission on Industrial Relations has turned to the Children's Bureau for assistance in its child-labor work, and effective cooperation has been established. The bureau is now studying the methods employed in supervising the passage of the child from school into industry. It has made a thorough compilation of the child-labor laws of the several States, which it will send to the printer at the close of the present sessions of the State legislatures, and it is planning to bring together in a brief pamphlet the existing statistical data on the subject. Its correspondence discloses an insistent popular demand for such information. In the estimates the establishment of a special division is asked to undertake this work. Unless provision is made for it the work will have to be curtailed.

Mothers' pension laws have come upon us with a rush. Already 28 States have adopted such laws. The Children's Bureau has in press a compilation of these laws with a description of the systems prevailing in Denmark and New Zealand. Careful investigation is necessary to see how this new system works in the different States. Reports should be made so that each State may profit from the experience of her sister States. A similar service should be performed in the case of the juvenile courts. Some cities have a juvenile court which is a juvenile court in name only. In practice it is a police court. Others have a real juvenile court with an equity procedure and an adequate force of probation officers. What is being done for the juvenile delinquent in the smaller cities and in rural districts? The bureau wishes to establish a social-service division to lay the foundation for investigation of this character.

The chief of the bureau, in her annual report, presented an outline of a proposed form of organization, showing in detail precisely how she proposed to use the force she asked for:

Proposed organization.

THE ADMINISTRATIVE OFFICES.

	Salary.
1. Office of the chief:	
Chief of bureau	$5,000
Private secretary of chief of bureau	1,500
Division of correspondence and publicity—	
Expert on cooperation with outside organizations	1,800
Expert on exhibits	1,600
Correspondence clerk	1,400
Draftsman to prepare exhibit material, charts, and maps for reports	1,200
Stenographer	1,200
Messenger to the chief	840
2. Office of the assistant chief:	
Assistant chief of bureau	2,400
Administrative clerk in charge of leave, records, properties, and accounts	1,600
Stenographer	1,200

DIVISION OF CHILD HEALTH.

Expert on sanitation, in charge	2,800
Writer of popular pamphlets on the care of children	1,800
Stenographer	1,200

INDUSTRIAL DIVISION.

Industrial expert in charge	2,000
Research assistant	1,600
Do	1,400
Stenographer	1,200

SOCIAL-SERVICE DIVISION.

Social-service expert in charge	2,000
Research assistant	1,400

(Would share stenographer with other divisions.)

STATISTICAL DIVISION.	Salary.
Statistical expert in charge	$2,000
Field force, including:	
1 field agent, at $1,800	1,800
4 field agents, at $1,600	6,400
10 field agents, at $1,400	14,000
12 field agents, at $1,200	14,400
Tabulating force:	
1 assistant in charge	1,600
2 examiners of field agents' returns, at $1,400	2,800
10 tabulating clerks, at $1,200	12,000
8 tabulating clerks, at $1,000	8,000
2 stenographers, at $1,000, who would also act as tabulating clerks	2,000
1 copyist, at $900	900
Stenographer	1,200

THE LIBRARY.	
Librarian expert	2,000
Cataloguer	1,200
Stenographer	1,200

She also asked for $58,000 as a miscellaneous fund to provide for the expenses of the bureau for certain purposes. This fund is made up of the following items:

Basis of estimates, miscellaneous expenses Children's Bureau, fiscal year ending June 30, 1915.

Travel and subsistence:		
Subsistence of 27 field agents, at $4 per day, 335 days per year	$36,180	
Traveling expenses of 27 field agents, at $20 per month	6,480	
Travel and subsistence of chief of bureau	1,000	
Travel and subsistence of assistant chief	300	
Travel and subsistence of 5 experts	1,000	
Miscellaneous travel	200	
		$45,160
Employment of experts and temporary assistants		5,000
Employment of interpreters		1,200
Reports and material for bureau publications		5,000
Books of reference, newspapers, and periodicals, etc		1,000
Reprints from State, city, and private publications		500
Exact total		57,860
Rounded total		58,000

The Children's Bureau should be encouraged, and it should be done right now; and there is only one way to do it, and that is to give it sufficient funds to proceed with and expand the very good work that has been started in Johnstown, Pa. The amount asked for by the bureau will be used in a way that will reflect credit on those who vote for this amendment of $139,000.

The amendment of the gentleman from South Carolina [Mr. JOHNSON] will only tend to create friction between the Bureau of Public Health and the Children's Bureau, and should be defeated, so as to leave the bureau free to carry on its good work and save to this country hundreds of thousands of babies that are lost through neglect in the United States every year.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield to the gentleman from Connecticut [Mr. LONERGAN].

Mr. LONERGAN. Mr. Chairman, I am in favor of the appropriation contained in the amendment offered by the gentleman from Iowa. I have a letter here from a constituent that I would like to have the Clerk read in my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SOUTH MANCHESTER, CONN., *April 14, 1914.*

Hon. AUGUSTINE LONERGAN,
Washington, D. C.

MY DEAR MR. LONERGAN: The Appropriations Committee of the House has recommended that the appropriation for the Children's Bureau be $25,000 instead of $165,000, as asked by Miss Lathrop, the chief of the bureau. I write to ask your help in securing the full appropriation so urgently needed to carry on the work of the bureau.

My brothers are members of the firm of Cheney Bros., silk manufacturers. I am in close touch with the work of the factory nurse, with the department which employs children over 15 years of age, having for several years passed on all such children employed. I know our public schools and the work of a local child-welfare league. In all these ways I know from actual experience, which combines in a way the point of view of the manufacturer with that of the social worker, how necessary the Children's Bureau is and how greatly all forms of social work for children requires the carefully collected and well-presented information which it is beginning to disseminate. It has already furnished us with an excellent monograph on prenatal care, which I use in connection with a mothers' club. But if it were able to even begin to cover the work outlined in the admirable first report of the chief, manufacturers, merchants, and school men alike could turn to it for the information they now lack. The work of the Children's Bureau should not be crippled by such an inadequate appropriation. We are unusually fortunate in having the bureau under its present chief, who is better equipped to develop it on useful lines than probably anyone else in the country.

Will you give this matter your consideration?

Sincerely, yours,

MISS MARJORY CHENEY.

Mr. GOOD. Mr. Chairman, I yield to the gentleman from New York [Mr. CALDER].

Mr. CALDER. Mr. Chairman, I am very much in favor of the amendment offered by the gentleman from Iowa [Mr. GOOD], who, with me, represented the minority on the subcommittee of the Committee on Appropriations which had charge of the drafting of this bill. His amendment provides for the appropriation of $139,000 for the investigation of the questions of infant mortality and dangerous occupations of children, and if the amendment is agreed to, it will place this money in the control of the Children's Bureau of the Department of Labor. The bill as reported from the Appropriations Committee carried with it an appropriation of $25,640. The effect of this amendment will be to give Miss Lathrop, in charge of the bureau, the amount asked for in her estimates, the sum of $164,640.

I dislike very much to differ with my colleagues on the Appropriations Committee in this matter. Congress appropriates millions of dollars in protecting the lives of animals and over $200,000,000 each year for the Army and Navy, and it can not very well afford to have it go out to the country that we are only willing to appropriate a little over $25,000 for the support of the Children's Bureau. Gentlemen may maintain that the matter of protection of children is a function that the States and their subdivisions should look after. The city of New York, which I represent in part, has given great attention to this subject. In that State the child is forbidden to work before reaching the age of 14 and after that has to have a certificate from the board of health certifying the child's ability to perform manual labor. In our board of health a bureau is maintained to look after the children. Numerous societies also give attention to the matter of child welfare. There are, however, many communities in the Nation where no attention whatever is given by the authorities to this important subject, and it is these communities that should be aroused to their responsibilities. Sporadic investigations, while producing a little light on the subject, are not productive of lasting effects. It is the intention of the Children's Bureau to make a thorough investigation in the communities where child welfare receives no attention, to investigate the causes of infant mortality, and also look into the question of various industries in which child labor is employed.

It has been stated that every year in the United States over 2,000,000 children are born, and of this number approximately 300,000 die every year before reaching the age of 1 year. Is this not an appalling condition of affairs? The majority of these deaths can be traced to ignorance and negligence, and these two conditions we should attempt to abolish just as much as we are striving to abolish crime and diseases of all characters. The old saying "everybody's business is nobody's business" is certainly true in the matter of child welfare. When the establishment of the Children's Bureau was first talked about, its necessity was clearly demonstrated and eventually a law was passed authorizing its organization. Since its establishment it has done a wonderful work with the small means at its command. This question of child welfare is now our business and it behooves us to give it proper attention. The work of this bureau tends toward making better and healthier future citizens.

When Miss Lathrop appeared before the Committee on Appropriations she outlined the scope of the work she desired her bureau to take up, and, in my judgment, made an excellent case.

This work should not be hampered by lack of funds and ought to receive the enthusiastic support of every Member of this House.

I earnestly hope the amendment of the gentleman from Iowa [Mr. GOOD] will receive favorable consideration.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman and gentlemen of the committee, I heartily approve of the amendment offered by the gentleman from Iowa [Mr. GOOD] as supplementary to the amount allowed by the Committee on Appropriations. I hope that any of us who favor this amendment on this side of the aisle under the conditions in existence in the Children's Bureau will not be accused by anybody of any unholy alliance with the "looters of the Treasury." This bureau can do more good for the amount expended than any other bureau in any department of this Government. It is stated authoritatively that out of 300,000 infants born in the United States annually 150,000 little souls enter into eternity within the age of 1 year because of preventable disease. If those 150,000 infants are not worth the effort and expenditure of the small sum asked for the maintenance of this bureau, then none of our appropriations are worthy of consideration.

Mr. POU. About $1 apiece.

Mr. HOWARD. Just about a dollar apiece, as suggested by my good friend from North Carolina.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. HOWARD. Yes.

Mr. PAGE of North Carolina. Does the gentleman suppose that this appropriation is going to save that number of children?

Mr. HOWARD. No; it may not save them all. The hope is that this bureau can reach the wage-earning mothers of the country, who have not been properly taught to care for their infants. Probably it may make suggestions about the prevention of infantile paralysis, which takes off thousands of these little children. Its functions do not overlap and do not abrogate any power that the Public Health Bureau has. This does not hinder the Public Health Bureau in its work in investigation of the causes of hookworm and pellagra in the South, or the treatment of those diseases. This goes out into the homes of the humble workers of the country and teaches the mothers who have to earn their livelihood and support of their little children by the sweat of their faces how to care for those children, and if there ever was a country on earth that is poverty-stricken, so far as vital statistics are concerned, it is the United States of America. On vital statistics of the social conditions in the United States we are far behind any civilized country on earth, and this bureau will do one good that I know has not been suggested here so far during this debate. That is this: If any social conditions exist in this country in the States where the Federal Government seeks to enter, of course with the permission of the State, the probability is that the very presence of the Federal Government will stir those States, from the standpoint of pride, to remedy any conditions they might fear would be exposed by the bureau and criticized by the world. [Applause.] That is one good that it will do, and that good will overshadow the meager appropriation asked for by the amendment of the gentleman from Iowa.

Mr. Chairman, there are a great many ramifications in this particular bureau that can not be discussed within this time of the good that it can do. I do not know what statements were made at the beginning when this bureau was provided for. I happened to have the honor of being present when it was being considered. It had my hearty approval from the moment it was introduced until it was finally passed. Without any reflection on the great Committee on Appropriations, because I believe every one of them is trying to do his plain duty, I think probably they take into consideration certain statements made on the floor of this House at the time of the passage of the bill providing for the bureau as binding on the future administration of affairs in the Department of Labor, and they want to say now, because two years ago certain appropriations were asked for, that the Children's Bureau ought not, at this time, to ask for an increased amount. I hope the amendment offered by the gentleman from Iowa will be agreed to, so this bureau will not be hampered in the beneficent work it is so efficiently doing and which will redound to the betterment of conditions of thousands of innocent little babes yet unborn.

Mr. GOOD. Mr. Chairman, I yield to the gentleman from Illinois [Mr. McKENZIE].

Mr. McKENZIE. Mr. Chairman, in supporting the amendment of the gentleman from Iowa and also voting for the increase in the appropriation for conciliation, I intend no reflection upon the members of the Committee on Appropriations. I realize something from past experience, as a member of the appropriations committee in another legislative body, of the trying duties of members of the Committee on Appropriations, and I am satisfied these gentlemen have not been endeavoring to obtain the designation of "watchdog of the Treasury," which, by the way, is no mean distinction when placed upon a man by his constituents. But there are some cases where the committee, in an endeavor to keep within the law, cuts appropriations to a point where the work intended to be accomplished can not not be carried out, and, in my judgment, these are two of those cases. The work of conciliation in industrial disputes and the saving of children's lives in our country are two of the great problems of the day; and, in my judgment, of all the many achievements of the great leader of the Progressive Party, Theodore Roosevelt, while President of the United States—the Panama Canal, the settlement of the Russian-Japanese War, and many other things—the greatest was in bringing about, by conciliation, a settlement of the great coal strike in this country. [Applause.] In that he was doing something for Americans, for his own people; and in behalf of Miss Lathrop, a woman whom I have known for many years in Illinois, and with whose work I am well acquainted, I hope the amendment of the gentleman from Iowa will be agreed to. [Applause.]

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield to the gentleman from Indiana [Mr. Cox].

Mr. COX. Mr. Chairman, I think it was three years ago the gentleman from Illinois [Mr. MANN] proposed an amendment to a bill to extend the scope of the work of the Public Health Service. For some reason I opposed the amendment; I suppose it was due to lack of knowledge and information on my part at the time. Subsequent events in the history of my little family have taught me that never again while a Member of this House will I oppose any reasonable appropriation made in the interest of public health which undertakes to solve the problem of life and death. The amendment proposes to increase this appropriation from $25,560 to $50,560. I am heartily in favor of this amendment; in my mind no valid, sound, and legitimate argument based upon the grounds of economy or otherwise can be successfully made against this proposed amendment. We are confronted to-day in the United States with the stupendous if not appalling fact that each year there are born in the United States 300,000 children who die before reaching the age of 1 year. It is conceded and confessed by medical and scientific men that one-half of this vast army of little souls which die each year could be saved if the people knew more about how to treat and handle children, and if this increased appropriation saves but one little life it will be the best money the Government ever appropriated in its history.

The babies and the children constitute the real wealth of any nation; our wealth is not and should not be measured in dollars and cents; this is a false measuring rod; but it should be measured by a strong, healthy, virile, fighting race of people; and a child born into the world has a perfect right to life, and if through blind, stupid ignorance we are losing no less than 150,000 children each year, if a solution of this problem can be had at any cost, as representatives of the fathers and mothers who lose these children, it is our duty to give them aid and assistance in the way of giving them a sufficient amount of money to solve this problem.

I believe the Children's Bureau is the greatest bureau in this Republic; nothing equals it in importance; nothing appeals to our homes and our families as the Children's Bureau. I have been and am a rigid economist, but I am not "pound foolish and penny wise," and I believe that an ounce of prevention is better than a pound of cure, and if the Children's Bureau can by a scientific investigation and research prevent this enormous death rate, it is money better spent than can be spent for any other purpose or any other governmental function. The other day an appropriation went through this House carrying $600,000 to stamp out hog cholera and dourine, a disease of horses; an appropriation in the Agricultural bill of $400,000 to stamp out the ravages of the boll weevil of the South, and $250,000 more to destroy the cattle tick of the South, all of these appropriations being justifiable on the ground that the money thus expended tended to conserve our material resources, thereby adding to the Nation's wealth, and if this was justifiable on this ground, is it not much more justifiable on our part that we give to the Children's Bureau such sums of money as they can legitimately use during the next ensuing fiscal year that will aid the mothers in taking care of their young children?

The Agricultural Department estimated that it needed $90,000 for the ensuing year to protect the migratory birds, and the Committee on Agriculture gave this department $50,000 for this purpose. The life of one babe is worth all the migratory birds that ever sailed the air from the Lakes to the Gulf or from ocean to ocean.

The Children's Bureau should have a large sum of money for printing, to the end that the mothers of this country might be furnished with free literature giving the mothers of the land advice and information as to how to care for the children. There are now 530 farm bulletins for distribution, treating on almost every conceivable subject on the farm, from the raising of grain and vegetables to the handling and care of live stock, and there is placed to our credit each year for distribution no less than 20,000 of these farm bulletins, and yet not a dollar is carried in this bill for printing bulletins which ought to be distributed and disseminated by the bureau to mothers of the Nation. I hope public sentiment throughout the Nation will get behind this bureau, and that every mother interested in the welfare of her children will make a direct and earnest appeal to Members of Congress to see to it that this bureau is well provided with the sinews of war—money to enable it to do this splendid work.

Mr. Chairman, two years ago I saw this House vote down a proposition wherein it was proposed, by what is known as the Rockefeller Endowment Fund, to give to the Government of the United States the annual income on $100,000,000, and every dollar of this income was to go to the scientific study and treatment of diseases and the uplifting of mankind, with a free dissemination of this information to the public. Why Congress refused to accept it is more than I can understand, unless it was solely on the ground that it bore the name of Rockefeller; yet the only thing that was asked for in the bill was that Congress grant articles of incorporation to the Rockefeller Endowment Fund forever thereafter, giving to Congress complete and absolute control over the corporation, to the extent that in the event the directors failed to carry out the provisions of the articles of incorporation Congress had complete power to then and there repeal it. It further provided that the principal should never exceed $100,000,000 and that the income had to be expended each year in the scientific investigation, study, treatment, and so forth, of diseases. Never before was such a proposition made to any civilized government on the face of the earth.

Congress accepted the Smithsonian fund, amounting to, I believe, $500,000, but the Nation to-day is paying 6 per cent interest on that fund. While it has done a great deal of good, and I think the people are getting back in return, from an educational viewpoint, the amount of money that they are required to pay each year as interest on the fund, yet the Rockefeller endowment fund did not propose to cost the people of this country one penny, but on the contrary proposed to give to the people, free of charge, no less than $6,000,000 per year, every dollar of which was to be expended in aiding, helping, and uplifting the people, free of charge to them, and that information gained by the scientists employed by this fund should be disseminated free of charge to the people. Think of what $6,000,000 per year could do in scientifically investigating and studying the problems of human life to-day. With this fund at their disposal, if they could hire scientists who would develop a specific treatment against many of the children's diseases, I doubt very much whether the mothers of the Nation would care whether it came from Rockefeller or any other source. What the mothers are crying for is help, aid, and assistance, not caring very much who its donor might be, whether it be a generous Government or philanthropic benefactors. It is results they want. In my judgment, Congress made a fatal mistake in refusing to accept this tremendous endowment fund. I took this question up with the Hon. Jerome D. Greene, trustee of the Rockefeller Institute for Medical Research and member of the general education board, and on the 17th of January, 1913, received a letter from him, together with an itemized statement and memoranda showing the total amount of contributions made by the Rockefeller Institute for Medical Research and the institutions to which the donations were made, together with memoranda outlining its general scope of work, which I insert in the RECORD and make a part of my remarks:

THE ROCKEFELLER SANITARY COMMISSION,
Washington, D. C., January 17, 1913.

Hon. WILLIAM E. COX,
Chairman Committee on Expenditures in the Treasury Department, Washington, D. C.

DEAR SIR: I have your letter of January 16 relating to H. R. 21532, the bill for the incorporation of the Rockefeller Foundation, and I am deeply grateful to you for this evidence of your desire to be accurately informed before making up your mind on the subject.

The following are the directions in which Mr. Rockefeller's money has been given in the past:

(1) General education board: To this board Mr. Rockefeller has given about $50,000,000, of which about $30,000,000 is now retained as endowment, the balance having been distributed among various institutions. The two chief objects for which the board has given money are for higher education and for farm demonstration work in the South.

(2) Rockefeller Institute for Medical Research: This is located in New York City and has received a little over $9,000,000 from Mr. Rockefeller, of which nearly $8,000,000 is retained as endowment. The institute has the best-equipped laboratories and research hospital in the world and is concentrating its resources on the problems of cancer, pneumonia, infantile paralysis, scarlet fever, and other diseases the cause or treatment of which are not yet understood. Among the most important results thus far achieved may be mentioned the serum treatment of epidemic meningitis, which has changed a death rate of 75 per cent to 25 per cent, the survivors now being wholly cured instead of being left imbecile or crippled as formerly; a cure for tetanus or lockjaw; a method of operating on blood vessels which has made possible the saving of many lives by transfusing blood from a well person to one afflicted with anemia or who has nearly bled to death from injury; the discovery that infantile paralysis is infectious, thus leading to effective measures to prevent the spread of the disease. Who shall say that any one of these discoveries alone would not justify ten times the amount given to the Rockefeller Institute? All these results have been achieved in less than 10 years.

(3) The Rockefeller sanitary commission for the eradication of the hook-worm disease: To this cause Mr. Rockefeller has given the sum of $1,000,000, nearly all of which has now been expended in the Southern States during the last three years. The work has been carried on exclusively through State agencies and with the cooperation of local physicians, and has been partly remedial, about 400,000 persons having been examined with a view to treatment, and a large proportion of these cured or relieved, and partly educational, millions of persons having been taught the hygienic and sanitary precautions which prevent infection. Incidentally this work has permanently improved the local health organizations, thus reaching far beyond the immediate field of hook-worm infection.

(4) Private benefactions: These are numerous and large, but I have no estimate of their amount. It probably equals or exceeds the total of the three categories above mentioned.

The characteristic of Mr. Rockefeller's benefactions is that they have been the means of stimulating rather than replacing self-help and self-reliance. The promotion of improved methods of corn and cotton growing in the South by the general education board has not been by flooding the agricultural communities with money they have not earned as a substitute for local enterprise, but by showing through a few farms here and there, with a moderate expenditure for instruction and demonstration, how a hundred neighboring farms could, with their own labor, double or quadruple their products. The endowment of education through schools, colleges, and universities has stimulated the sense of local responsibility instead of destroying it, as is graphically indicated by the fact that for about seven and a half millions of dollars, contributed through the general education board to institutions of learning in all parts of the country since 1905, about $38,000,000 has been raised by these institutions in fulfillment of the board's conditions. The sending of a single physician to Texas about a year ago by the Rockefeller Institute for Medical Research has resulted in the effective instruction of the public health authorities and many private physicians in that State once for all as to the method of dealing with a virulent outbreak of epidemic cerebrospinal meningitis.

The question how the Rockefeller Foundation is to spend its money is a legitimate one for the public to ask before the charter is granted, especially in the light of ignorant forebodings lest a large sum of money might seek the protection of a charter for private rather than for public ends. This question is answered, first, by the unequivocal language of the charter, pledging the use of the money exclusively for charitable and humanitarian purposes, subject to the control of Congress, and, secondly, by the concrete illustration of how these same resources have been used while under private control through the general education board, the sanitary commission for the eradication of the hookworm disease, and the Rockefeller Institute for Medical Research. It may be confidently expected that far-reaching measures for the promotion of public health along both educational and medical lines will have the first attention of the trustees.

Very truly, yours,

JEROME D. GREENE,
Trustee of the Rockefeller Institute for Medical Research and Member of the General Education Board.

Subscriptions to colleges by the General Education Board.

SOUTHERN STATES.

[Total appropriation, $2,877,500.]

	Subscribed by General Education Board.	Supplemental sum.	Total.
MARYLAND, $250,000.			
Johns Hopkins University	$250,000	$750,000	$1,000,000
VIRGINIA, $390,000.			
Emory and Henry College	50,000	200,000	250,000
Randolph-Macon College	60,000	130,000	190,000
Randolph-Macon Woman's College	75,000	175,000	250,000
Richmond College	150,000	350,000	500,000
University of Virginia	50,000	450,000	500,000
Washington and Lee University	5,000	45,000	50,000
NORTH CAROLINA, $387,500.			
Davidson College	75,000	225,000	300,000
Meredith College	50,000	100,000	150,000
Salem Academy and College	75,000	225,000	300,000
Trinity College	150,000	850,000	1,000,000
Wake Forest College	37,500	112,500	150,000
SOUTH CAROLINA, $125,000.			
Converse College	50,000	150,000	200,000
Furman University	50,000	250,000	300,000
Wofford College	25,000	100,000	125,000
GEORGIA, $275,000.			
Agnes Scott College	100,000	250,000	350,000
Mercer University	75,000	225,000	300,000
Wesleyan Female College	100,000	200,000	300,000
ALABAMA, $25,000.			
Howard College	25,000	75,000	100,000
MISSISSIPPI, $150,000.			
Millsaps College	25,000	75,000	100,000
Mississippi College	125,000	275,000	400,000

Subscriptions to colleges by the General Education Board—Continued.

SOUTHERN STATES—continued.

	Subscribed by General Education Board.	Supplemental sum.	Total.
ARKANSAS, $75,000.			
Hendrix College	$75,000	$225,000	$300,000
TENNESSEE, $625,000.			
George Peabody College for Teachers	250,000	750,000	1,000,000
Maryville College	50,000	150,000	200,000
Union University	25,000	75,000	100,000
University of Chattanooga	150,000	350,000	500,000
Vanderbilt University	150,000	150,000	300,000
KENTUCKY, $175,000.			
Central University of Kentucky	50,000	150,000	200,000
Georgetown University	25,000	75,000	100,000
Transylvania University	50,000	150,000	200,000
Williamsburg Institute	50,000	170,000	220,000
TEXAS, $400,000.			
Baylor University	200,000	400,000	600,000
Southern Methodist University	200,000	800,000	1,000,000
Total, Southern States	2,877,500	8,657,500	11,535,000

WESTERN STATES.

[Total appropriated $3,500,000.]

OHIO, $885,000.			
Denison University	$75,000	$225,000	$300,000
Marietta College	60,000	240,000	300,000
Oberlin College	125,000	375,000	500,000
Ohio Wesleyan University	125,000	375,000	500,000
University of Wooster	275,000	825,000	1,100,000
Western College for Women	100,000	350,000	450,000
Western Reserve University	125,000	375,000	500,000
INDIANA, $300,000			
De Pauw University	100,000	400,000	500,000
Earlham College	75,000	325,000	400,000
Franklin College	75,000	325,000	400,000
Wabash College	50,000	150,000	200,000
MICHIGAN, $25,000.			
Kalamazoo College	25,000	75,000	100,000
ILLINOIS, $50,000.			
Knox College	50,000	200,000	250,000
WISCONSIN, $290,000.			
Beloit College	150,000	550,000	700,000
Lawrence College	90,000	310,000	400,000
MINNESOTA, $350,000.			
College of St. Thomas	75,000	225,000	300,000
Carleton College	100,000	500,000	600,000
Hamline University	50,000	150,000	200,000
Macalester College	125,000	575,000	700,000
IOWA, $600,000.			
Coe College	150,000	600,000	750,000
Cornell College	100,000	300,000	400,000
Drake University	100,000	300,000	400,000
Grinnell College	200,000	700,000	900,000
Morningside College	50,000	150,000	200,000
COLORADO, $200,000.			
Colorado College	100,000	700,000	800,000
The University of Denver	100,000	300,000	400,000
KANSAS, $175,000.			
Ottawa University	25,000	75,000	100,000
Washburn College	25,000	75,000	100,000
Baker University	125,000	375,000	500,000
MISSOURI, $525,000.			
Drury College	125,000	475,000	600,000
Washington University	200,000	800,000	1,000,000
William Jewell College	125,000	375,000	500,000
Central College	75,000	225,000	300,000
SOUTH DAKOTA, $150,000.			
Dakota Wesleyan University	50,000	200,000	250,000
Huron College	100,000	400,000	500,000
Total, Western States	3,500,000	12,600,000	16,100,000

Subscriptions to colleges by the General Education Board—Continued.

EASTERN AND MIDDLE STATES.

[Total appropriated, $2,440,000.]

	Subscribed by General Education Board.	Supplemental sum.	Total.
MAINE, $50,000.			
Bowdoin College	$50,000	$200,000	$250,000
VERMONT, $150,000.			
Middlebury College	50,000	150,000	200,000
University of Vermont	100,000	400,000	500,000
MASSACHUSETTS, $450,000.			
Amherst College	75,000	375,000	450,000
Harvard University	62,500	62,500	125,000
Mount Holyoke College	100,000	400,000	500,000
Smith College	212,500	850,000	1,062,500
CONNECTICUT, $400,000.			
Wesleyan University	100,000	900,000	1,000,000
Yale University	300,000	1,700,000	2,000,000
NEW YORK, $430,000.			
Hamilton College	50,000	150,000	200,000
St. Lawrence University	50,000	150,000	200,000
Union College	100,000	300,000	400,000
University of Rochester	230,000	970,000	1,200,000
PENNSYLVANIA, $710,000.			
Allegheny College	100,000	400,000	500,000
Bryn Mawr College	250,000	380,000	630,000
Bucknell College	35,000	125,000	160,000
Franklin and Marshall College	50,000	308,000	358,000
Lafayette College	50,000	400,000	450,000
Pennsylvania College	50,000	150,000	200,000
Swarthmore College	75,000	425,000	500,000
Washington and Jefferson College	100,000	400,000	500,000
NEW JERSEY, $100,000.			
Princeton University	100,000	900,000	1,000,000
RHODE ISLAND, $150,000.			
Brown University	100,000	700,000	800,000
Women's College in Brown University	50,000	150,000	200,000
Total, Eastern and Middle States	2,440,000	10,945,500	13,385,500

MAY 24, 1912.

MEMORANDUM.

The General Education Board has three main lines of work:

1. The promotion of practical farming in the Southern States;
2. The development of a system of public high schools in the Southern States;
3. The promotion of higher education throughout the United States; and
4. The promotion of selected schools for negroes.

1. THE PROMOTION OF PRACTICAL FARMING IN THE SOUTHERN STATES.

For the first three years of its existence the board, through its representatives, made a careful study of public education in the Southern States. As a result of this study it reached the conclusion that the greatest present need of that part of our country is the increased productive efficiency of rural life. Eighty-five per cent of the people of the Southern States live in the country and by farming.

Careful inquiry was therefore made in the United States and in other countries regarding methods of delivering to farmers the practical agricultural knowledge that has been developed by National and State Departments of Agriculture, experimental farms, etc. In the course of this inquiry the representatives of the board met Dr. Seaman A. Knapp, who by demonstration farms was successfully combating the boll weevil in Texas and Louisiana. It was the opinion of the board that the demonstration farm methods of Dr. Knapp could be employed successfully in promoting general agriculture as well as in combating the specific enemy of the cotton industry. A conference was therefore had with Secretary Wilson, of the United States Department of Agriculture, who agreed that Dr. Knapp, who was a special representative of the Department of Agriculture, might supervise the work in other States than Texas and Louisiana, provided funds for that purpose might be secured. The General Education Board, through the Department of Agriculture, under the above agreement, beginning in the early part of 1906, has made contributions for this purpose now aggregating $659,700. For the fiscal year 1912–13 the appropriation was $133,000. Since the death of Dr. Knapp, his son, Bradford Knapp, has been in charge of the work.

The latest report from Mr. Knapp shows that in the States thus aided by the general education board, 236 men are at work supervising the demonstration farms and 23,301 farmers are pursuing improved agricultural methods under such direction. He further estimates that 187,680 farmers are pursuing similar work as influenced by those farmers who are under the immediate supervision of the agents. This work has attracted the favorable attention of the Farmers' Union of the Southern States, of agricultural colleges, public-school authorities, and the public press. Under the auspices of Mr. Knapp special State agents have been appointed in the several Southern States, who are conducting demonstration work among the boys of the public schools. Approximately 20,000 of boys, from 12 years of age and up, under the

general designation of boys' corn clubs, are "learning by doing"; that is, instead of studying textbooks on agriculture they are performing practical agricultural demonstration on their fathers' farms and are making these experiments the basis of agricultural study in the schools. In his latest communications to our office Mr. Knapp says that the work is developing in importance and value far beyond his most sanguine expectations.

In 1910 girls' clubs were organized in South Carolina and Virginia. The objects of the girls' demonstration work are:

1. To stimulate interest and wholesome cooperation among members of the family in the home.

2. To provide some means by which the girls may earn money at home and at the same time get the education and viewpoint necessary for the ideal farm life

3. To encourage rural families to provide purer and better food at a lower cost and to utilize the surplus and otherwise waste products of the garden and orchard.

4. To furnish earnest teachers a plan for aiding their pupils and helping their communities.

The first year 325 girls were enrolled. In 1912, 23,550 girls in 14 Southern States were enrolled in what are called girls' canning and poultry clubs.

2. THE PROMOTION OF PUBLIC HIGH SCHOOLS.

The general study of educational conditions in the Southern States led the board to believe that the greatest lack in that region and, therefore, the greatest need was of public high schools. It is the policy of the board to do this work through existing organizations. Arrangement was therefore made with the several State universities in the Southern States whereby such universities could assume the leadership and direction of a movement designed to develop systems of high schools. Appropriations have been made by the general education board to the State universities in the following States: Alabama, Arkansas, Florida, Georgia, Louisiana, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, West Virginia, and Virginia.

The General Education Board appropriates to each university a sum sufficient to pay the salary and traveling expenses of a special high-school representative. This man, representing the university and the State department of education, goes to counties throughout the State, arouses and organizes public sentiment favorable to high schools, and secures the establishment and maintenance of public high schools. In the following States we are able to give exact figures. The following high schools have been established:

Alabama	93
Arkansas	30
Florida	15
Georgia	72
Louisiana	34
Mississippi	51
North Carolina	207
South Carolina	94
Tennessee	43
Virginia	258
West Virginia	15

As a result of this cooperative initiative on the part of the General Education Board, 912 new high schools have been established and $9,306,580 have been raised by the people for buildings and equipment, and the annual sum available for the support of public high schools has been increased $1,332,667.

Of this work, President Eliot, who has recently made a journey through the Southern States, has said: "It is the most valuable piece of constructive educational work now going on in the United States."

3. THE PROMOTION OF INSTITUTIONS OF HIGHER LEARNING.

The General Education Board uniformly makes its gifts for endowment. Colleges throughout the country decide how much money they wish to raise at a given time. Application is made to the General Education Board. A careful study of the institution is made, covering both its financial and educational strength. It is studied not only as a particular institution of learning, but in its relation to higher education generally in a particular State. Then to approved institutions the board makes contributions toward the total sums which they themselves have decided to raise. These contributions are made to the trustees of the several institutions, and the General Education Board exercises no supervision or control in any case after the money has been paid. It first decides that the institution is worthy of aid, and then makes its gifts without recourse. It is the conviction of the members of the board that they ought not to assume any supervision or control of the educational work in colleges.

Conditional appropriations by the board for higher education have been made as follows:

In the Southern States	$2,877,500
In the Western States	3,500,000
In the Eastern and Middle States	2,440,000
	8,817,500

These gifts on the part of the General Education Board are toward an approximate total of $41,020,500, which total sum represents the increase of educational endowment and equipment largely made possible by the contributions of the General Education Board.

4. SCHOOLS FOR NEGROES.

The board since its organization has contributed $620,105 to schools for negroes. The greater part of this contribution has been made to schools which train teachers. Contributions have also been made to schools founded and maintained by negroes where such schools have had connection with organizations that afford supervision and audit.

The board is also meeting the expenses of two rural school supervisors whose work is conducted in connection with the State department of education in the development of better school, economic, and social conditions in rural sections.

In this connection it should be said that negro farmers have shared fully in the cooperative demonstration work supported by the board under the supervision of Mr. Knapp.

CONCLUSION.

It should be noted that it is the policy of the General Education Board to work through existing institutions and agencies and not to undertake independent educational work.

The contributions for agricultural demonstration work are expended under the supervision of the United States Department of Agriculture, which through its accredited representatives has entire control of such expenditures. Payments are made by the General Education Board for this work on vouchers certified by representatives of the Department of Agriculture.

It seeks to promote public high schools, not by sending its own agents into the several States to do this work but by enabling State universities and State departments of education to do the work. Here again the direction and supervision of the work is entirely in the hands of the accredited representatives of the States.

Its contributions to colleges are not for specific departments in colleges or universities nor for particular kinds of education. The contributions are made to the trustees of the colleges who have full power to direct the expenditure thereof. The only promise required by the board in making its gifts is that the money which it gives shall be invested and preserved inviolable for the endowment of the college or university.

Mr. Chairman, I hope the amendment offered by the gentleman from Iowa will become a part of the law of the land, and if this is not sufficient I stand ready to vote every dollar that might be necessary to thoroughly equip and arm this bureau, the savior of the children, the friend of the mothers of the land—the Childrens' Bureau. I would even go further if necessary and vote to establish a department of health and make it one of the great departments of this Government.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? There is no objection.

Mr. GOOD. Mr. Chairman, I yield one minute to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Chairman, I will use that minute to give notice that I intend to offer a substitute at the conclusion of the general debate which will broaden and repeat or add to the original bill, and will raise the amount of money to be carried. I wish to add that the question of insuring the protection of the offspring, the evolutionary principle of a nation improving from generation to generation, is even more fundamental than that of self-preservation. Nature regards the improvement of the species as of even a higher order of importance than that of the preservation of the lives of individuals or of a generation, so that there can be no question of greater importance than this question that deals with the rising generation and the generations of the future.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman, I hope that this Congress will not refuse to give this bureau a sufficient amount of money to carry on the work contemplated by it. I rather favor the amendment that is proposed by Mr. KEATING, because I do not believe that $50,000 is a sufficient amount of money for this work. Now, I have known Miss Lathrop for a great many years, and, in my opinion, no woman in this broad land could be selected to carry on the important work of this bureau and get better results than I am sure Miss Lathrop accomplishes; and I make the declaration advisedly because her whole life has been dedicated to the study of the problems of child life. I have had several communications from the Hull House in Chicago, which is universally recognized as a powerful influence for the uplifting of humanity, and which is located in my district, asking me to use my influence in aiding this important branch of the Government. Now, I have no fear that there will be any conflict in this field of activity between the Bureau of Public Health and the Bureau of Education. The law clearly defines the functions and purposes of each bureau, and no conflict is possible. There is ample opportunity for them all to work. As I understand it, they are now contemplating, by the Children's Bureau, a study of conditions affecting feeble-minded children in this country. The conditions surrounding the feeble-minded children of this country can be more effectively dealt with in many respects by this bureau, working under Federal authority, than by any of the agencies known to existing law. And when we realize this, when we thoroughly understand the great good to humanity that this bureau can accomplish, we should not hesitate to deal generously with it in making appropriations for its support and maintenance.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GALLAGHER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. BUCHANAN of Illinois. Might I ask for information: By unanimous consent ought not all of these amendments be offered and read before the debate closes? I have not heard a single amendment read.

The CHAIRMAN (Mr. GARNER). They can not be offered except in the time of some gentleman who is speaking.

Mr. BUCHANAN of Illinois. Could they be read for information?

The CHAIRMAN. Of course if they are offered, they could be read in the time of the gentleman who has the floor at the time.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield four minutes to the gentleman from North Carolina [Mr. PAGE].

Mr. PAGE of North Carolina. Mr. Chairman, it is not my purpose to enter into a discussion of the merits or demerits of the appropriation that is asked for by the amendment, but rather to resent the criticism, somewhat veiled, yet apparent, that is aimed at the Committee on Appropriations in regard to this appropriation. It has been freely said in the public press and, I understand, upon the floor, that the Appropriations Committee, in reporting upon this item, had cut the appropriation for the Children's Bureau from $165,000 to $25,000. This statement is not true, and the Committee on Appropriations, in bringing in this item in the bill appropriating for the Children's Bureau, has endeavored to live up to the law as it was written upon the statute books, and that that is the law has certainly been verified by the ruling of the present Chairman of this committee on the amendment directly increasing the appropriation for the force employed in the Children's Bureau.

Now, the amendment that is offered by the gentleman from Iowa [Mr. GOOD] in a lump-sum appropriation avoids the point of order, but brings back into the House the most vicious form of appropriation, that of appropriating in a lump sum, so that Congress loses absolutely the control as to its expenditures. And, for one, if this appropriation is to be increased, I think it would be vastly better if it were made in detail to the employees and the work that should be done, and this is said without the slightest reflection upon the estimable lady who is at the head of the bureau. It has been the policy of Congress not to appropriate any lump sum for any purpose where it could be avoided, nor do I think it fair that the Committee on Appropriations should be placed in the attitude of antagonism to the health of the children of this country. That is not true, for they were among the Members of this House who voted for the establishment of this bureau and heartily favored its establishment, but we have stood for the law as it was written in bringing in this item at this time.

Now, Mr. Chairman, so far as the work of the bureau is concerned, I think an investigation upon the part of any Member of this House will clearly demonstrate that the bureau, along with every other new one that is created in any department of this Government, goes to work by duplicating the work already done by some other bureau. And we are appropriating money for the Department of the Census for the gathering of statistics; we are appropriating money for the Health Bureau for the issuing of bulletins as to the public health and as to the prevention of sickness; and this is a duplication in large part of the work which they are doing. I know, Mr. Chairman, we can not stand in the way of an appropriation asked for in the name of the children of America——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I yield two minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, for 12 years to my personal knowledge the believers in the humanitarian principle of conservation of the lives of children have been struggling to have a national bureau established that would in some manner, at least, remedy the existing ills prevailing throughout the country. Two years ago we passed a broad act vesting such authority in a children's bureau, but those two years have been years of organization, and when the time comes that this bureau, headed by a woman of estimable administrative force, wishes to carry out the functions which Congress laid down we are met with the cry of economy. But it is false economy; yea, more; it is suicidal economy.

The gentleman from North Carolina [Mr. PAGE] has just said that it is not the policy to make lump-sum appropriations. I cite to him the instance, when we created the Bureau of Naturalization, that upon the suggestion of his own committee hundreds of thousands of dollars, without any limitation whatsoever, were voted to that bureau to provide for its organization. And now when the small sum of $50,000 is asked for we are met with the cry that it would be against the best interests of the Government to grant this without some limitation. There are other functions besides child mortality with which this bureau is invested. Read the act creating this bureau and you will find that there are many other avenues of investigation which this bureau should properly follow, but because of not having funds at its disposal it is hampered in its work. Fifty thousand dollars is a mere bagatelle. You vote hundreds of thousands of dollars—yes, millions of dollars—to investigate hog cholera and diseases of cattle, and this House goes wild because the farmers' votes are back of it; but when you find poor children are involved, on which the very life of the country is dependent, you say it is extravagant expenditure. [Applause.]

Mr. JOHNSON of South Carolina. How many speeches has the gentleman?

Mr. GOOD. Oh, I have several. I yield to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, the child-welfare problem is a national problem. It is of immediate and supreme importance in every community throughout the land. It has become a world-wide problem. A movement has been instituted and an organization effected in Europe to establish an international bureau of child welfare. Not only in this country but in all civilized countries State, municipal, philanthropic, or charitable organizations are devoting time and effort to this great work.

In our own country organized effort may be said to have commenced in 1904 by the formation of the National Child Labor Committee. Its primary work was directed to secure laws protecting children from premature employment, especially in mills and factories. The general Federation of Women's Clubs several years ago organized systematic work which was carried on by over 2,000 clubs, representing nearly every State in the Union. Over $70,000 was spent in New York in one year by child-welfare associations. The National Child Welfare Committee has been especially active and effective in the work. Other voluntary organizations, and especially the Russell Sage Foundation, have done good work.

Under this stimulus State commissions and bureaus have been established by law in many of the States. In 1912 the Children's Bureau was created by Congress as a bureau in the Department of Commerce and Labor.

The intended scope of the work of the Children's Bureau, as stated in the terms of the act, is as follows:

> The said bureau shall investigate and report to said department upon all matters pertaining to the welfare of children and child life among all classes of our people, and shall especially investigate the questions of infant mortality, the birth rate, orphanage, juvenile courts, desertion, dangerous occupations, accidents and diseases of children, employment, and legislation affecting children in the several States and Territories.

Not only in general terms is the entire range of child-welfare work given to the bureau, but the principal activities at present demanding attention are particularly specified. The authority of the bureau is not only comprehensive, but Congress, by specific mandate, directs the bureau to do particular things which it names.

Upon the organization of the bureau Miss Julia C. Lathrop was made its chief. A more appropriate selection could not have been made. Both by personal qualification and by knowledge and experience she was so adapted to the intended work that the success of the bureau was assured by the one fact of her selection as chief.

As soon as similar selections could be made, a staff of 15 assistants was secured. As the initial appropriation was but $25,640, a larger working force could not be obtained. Work was at once begun. As the first specific direction of the act was to "especially investigate the question of infant mortality," to that great question the efforts of the bureau were at first principally directed.

When the facts regarding infant mortality in this country are considered the wisdom of Congress in especially directing attention to it is evident.

The Census Bureau reports that we lose every year in this country 300,000 infants under 1 year of age. One-half of these lives could be saved by the observance of well-known and easily applied hygienic and other scientific knowledge.

In the United States 15 out of every 100 infants die before they attain the age of 1 year; 7 out of the 15 could be saved.

In a short time New Zealand reduced her infant mortality rate from 9 to 3.8 per cent.

What work has been done under competent supervision in this country has shown that the lives of tens of thousands of children could be saved every year by well-directed effort. When conditions are remediable by means within our control, not to act is little less than criminal in such a matter, when the lives of human beings are at stake.

The work of the bureau on this subject was begun by determining the scope and plan of operation, and by the preparation of schedules for investigation and reports. Special agents were sent to Johnstown, Pa., which was chosen for the purpose of beginning the work. One thousand five hundred and fifty-one schedules were secured with most satisfactory results. It has been determined by Miss Lathrop that this work should be extended to at least 100,000 children in perhaps 50 typical communities, excluding the large cities. For this 25 additional field agents will be necessary, and the work will probably require three years for completion.

One of the first requisites is to secure complete and accurate birth registration. It is remarkable in most instances how insufficient the laws are and how inefficiently they are executed.

It is probable that under the most favorable existing conditions not more than 90 per cent of the births are properly registered. It is important that this should be done not only for scientific and health reasons but also, as Miss Lathrop well says, for the security of property, the establishment of citizenship and personal rights, regulating the entrance of children into industry, the protection of school privileges, and the exercise of the right of suffrage. The determination of the circumstances of birth goes into industrial, economic, pathological, and political fields. Upon a sufficient and reliable registration of births must be based in large part effective work in this division. Then for a year all the conditions of the child's life are kept in view and chronicled. In this way not only can immediate help be given, but an accumulation of facts and experience under varying conditions can be secured, which will form a basis for advice and action in localities not visited.

Notwithstanding the great importance of this work, notwithstanding its auspicious inauguration by the bureau, not a dollar of increase is given by the committee to carry out the work which Congress expressly directed should be done, and not 1 agent of the 25 needed can be secured unless this amendment shall be adopted.

Directly involved with the work which the act expressly commits to the bureau is sanitation. Miss Lathrop asks for an appropriation of $2,800 to secure an expert on sanitation, to advise and assist the bureau in its work on infant mortality, dangerous occupations, and accidents, and diseases of children, particularly enumerated as among the matters especially to be investigated by the bureau. This was refused and the bureau will be unable to carry on its work unless this amendment is adopted.

Miss Lathrop also asked for an industrial expert with a salary of $2,000. The great question as to when and under what conditions children should be allowed to enter industrial employment calls for expert work of the highest character. Child-labor laws are everywhere being enacted and amended after enacted. The bureau may bring the experience of all the States to the help of any seeking information and advice. This, also, was refused.

A social-service expert was also asked for. The work of this expert would be directed, Miss Lathrop says, to the investigation of the subjects of juvenile courts, orphanage, desertion, the breakdown of the family, guardianship, placing in families, playgounds in cities, and recreation generally. Greatly important are all of these, and intimately connected with the lives and happiness of all the people. This also was refused.

Miss Lathrop also asked for an appropriation for a library expert. As she explained, this expert would collect and tabulate not only books and reports on the subjects covered by the work of the bureau, but would make excerpts and abstracts for particular departments of the bureau, would scan the current publications of this country and Europe for valuable material, would preserve the facts and incidents pertinent to the work of the bureau, such as industrial accidents to children, juvenile delinquencies, the reports of juvenile courts, and the thousands of occurrences which relate to child welfare. This also was refused.

In short, the contemplated work of the bureau, as stated in the law which created it, can not be carried out if this appropriation is not increased.

No one can believe that it was expected the original amount appropriated for the organization of the bureau should not be increased. Congress would not outline so large a scope of work which it explicity commits to the bureau and expect that appropriations necessary to carry out its declared purpose should be withheld.

But two reasons for not increasing the appropriation are given by the committee. First, that authorizations for the increases asked should be subject to points of order. To that it may be said that if this amendment is not subject to a point of order, as the Chair has decided, neither would an authorization by the committee have been so subject. Besides, the committee have authorized many increases in this bill which it knew were subject to points of order. It might at least have shown a favorable disposition and placed the responsibility of objection elsewhere.

The other objection is that the work which the bureau chief desires to do is in large part a duplication of the work of the Census Bureau. That is certainly not the case. Mortality tables furnished by the Census Bureau can be used, but they are not sufficient for the work especially contemplated by the law for this bureau. The work of the bureau is not alone to collect statistics, but also facts, experience, knowledge, with suggestions, advice, and recommendations.

The matter is too important to be put aside for trivial reasons. It is too vital for petty economies. Any expenditure is justified when the lives and happiness of the children of the land are involved.

And the amount asked for this great work is, after all, moderate. A bare enumeration of the subjects to be covered by the work of the bureau—child welfare, infant mortality, the birth rate, orphanage, juvenile courts, desertion, dangerous occupations, accidents and diseases of children, employment, legislation affecting children in the several States and Territories—should be enough to convince anyone that the entire amount asked for by Miss Lathrop, $164,640, is not only moderate but it is small.

The Government appropriates annually over $7,000,000 to its Bureau of Plant Industry. Congress can hardly justify an appropriation of that amount for its plants, and an appropriation of only $25,000 for its children.

Only a few weeks ago we authorized the expenditure of nearly three-quarters of a million dollars for the investigation and eradication of diseases of animals. That was justifiable under the circumstances. But will gentlemen say, when it is admitted that each year in this country 150,000 children die from easily preventable causes, that it is justifiable to limit our expenditure to $25,000 when we have every reason to believe the work which this bureau may be enabled to do will materially aid to stay and prevent this awful loss?

It is not the purpose of the bureau to encroach on the rights of the States, as seems to be apprehended by some. Most of the legislation affecting these matters must be State and not National. But the General Government has a part in this work that no State can do. In the correlation of effort, in the harmonizing of forces working for general betterment, it can suggest and advise. In securing uniformity of State laws, so vitally important in these cases, it can greatly assist. In collecting the facts, the laws, the experience of all the States, and giving such knowledge to any State where action is contemplated, it may greatly aid in securing good results. By suggestion and advice it may prevent the experiment which must result in failure; it may secure the legislation which will secure the desired benefits. In these and many other ways the General Government can aid in this great work, and it can do so without encroaching in the slightest degree upon the reserved rights of the States.

There is no doubt this work is very important in the opinion of the people. There is no doubt that it is very close to the hearts of the women of our country. There is no other single item of this bill that will carry so much of the desire and hope of all the mothers of America as this appropriation. It would not only be unwise, it would be cruel and heartless not to fulfill that desire and to satisfy that hope. I sincerely trust the full amount estimated by Miss Lathrop and approved by the Secretary of Labor may be granted.

Mr. JOHNSON of South Carolina. Mr. Chairman, in order to save time I ask unanimous consent that all gentlemen who have spoken or who may speak on this paragraph and the amendments thereto be permitted to extend their remarks in the RECORD.

Mr. MANN. That can not be done in the Committee of the Whole, Mr. Chairman.

Mr. JOHNSON of South Carolina. Then go ahead. Let us not waste any time on the point of order.

Mr. MONDELL. Mr. Chairman, I am in favor of the amendment offered by the gentleman from Iowa [Mr. GOOD], and trust it can be perfected and increased so as to give the Children's Bureau the sum asked for carrying on their important and helpful work. It is true, as the gentleman from South Carolina [Mr. JOHNSON] and others have said, that neither the Appropriations Committee nor this Committee of the Whole has authority to increase either the number or the salary of those employed on the statutory roll of the Children's Bureau—that can only be done through the method of new legislation, which is not possible, if objected to, on an appropriation bill.

As I pointed out, however, on Tuesday, in arguing the point of order on an amendment to the statutory roll, it is in order to enlarge the opportunities and activities of this bureau by amendments to this bill carrying lump-sum appropriations for specific inquiries and investigations, which the law authorizes this bureau to make. I regret the majority of the Committee on Appropriations did not see fit to insert in the bill proper items for these purposes. As a minority member of the committee I am glad to have the opportunity to vote sufficient appropriations to fully equip the bureau to enlarge, extend, and amplify its splendid, useful, and valuable work.

Mr. RAKER. Mr. Chairman, the bill provides for "Children's Bureau, $25,640." The amount requested in the estimates by

the head of this bureau is $165,000. I am in favor of increasing the appropriation to the full amount requested in the estimate, believing that it is one of the most important bureaus, and the functions of this bureau are of most vital concern, and therefore a sufficient amount should be appropriated to carry out the purpose for which this bureau was created. The act to establish in the Department of Labor a bureau to be known as the Children's Bureau, approved April 9, 1912, provided that the bureau shall investigate and report to the department upon all matters pertaining to the welfare of children and child life among all classes of people, and shall especially investigate the questions of infant mortality, the birth rate, orphanage, the juvenile courts, desertion, dangerous occupations, accidents, and diseases of children, and the question of the employment of children, and the legislation affecting children in the several States and Territories.

The functions given to this bureau are of most vital concern to the Nation. This bureau has been established but a short time, but its work has been most remarkable in the good that it has already accomplished. The subjects first investigated were those fundamental to social welfare and to popular interest, to serve real human needs; from a practical standpoint, it was work that would be done a little at a time and presented to the people at stated intervals, so that real benefit could be had therefrom. As stated by Miss Lathrop, the head of the bureau:

All these requirements were met in the subject selected, that of infant mortality. In the first place, this subject is now challenging the attention of the whole civilized world. Because the United States differs from other civilized countries in having no general system of birth registration, it is impossible to state with accuracy our proportionate loss. But we have the estimate of the Census Bureau that our actual loss last year was 300,000 babies under 1 year of age, of whom at least half would now be living had we, as individuals and communities, applied those measures of hygiene and sanitation which are known and available. Here is a vast and unmeasured loss of infant life due solely to individual and civic neglect. The economic and industrial significance of such a loss in the general scheme of social welfare is beginning to be realized. It was once thought that a high infant death rate indicated a great degree of vigor in the survivors. Now it is agreed that conditions which destroy so many of the youngest lives of the community must also result in crippling and maiming many others and must act unfavorable upon the health of the entire community.

Sir Arthur Newsholme, the great English statistician, has said:

Infant mortality is the most sensitive index we possess of social welfare. If babies were well born and well cared for, their mortality would be negligible. The infant death rate measures the intelligence, health, and right living of the fathers and mothers, the standards of morals and sanitations of communities and governments, the efficiency of physicians, nurses, health officers, and educators.

From the work of this bureau during the short time of its existence it has clearly demonstrated the fact that the above statement of Sir Arthur Newsholme is true. There is no more important faction of the Government and no one bureau that has a higher duty to perform to the present and future generations than the work of this bureau.

It appears that 150,000 babies under 1 year of age die each year because of the lack of proper measures of sanitation and hygiene, which are known and available; and when these little lives can be saved, I, for one, shall unhesitatingly work and vote to increase the efficiency of this bureau and to give it the necessary means to carry out the splendid work it has initiated and to carry on the magnificent results that it has already obtained during its short existence. Information as to the date of birth should be available on behalf of every child in America. This is most necessary upon the child's entrance to school, as well as upon the question of the humane legislation which is now being placed upon the statute books of the Nation in regard to child labor.

One can not read the hearings had before the Committee on Appropriations without coming to the conclusion that every dollar of the amount requested by this bureau for its work by Miss Lathrop, its chief, should be ungrudgingly granted by this House. It was my fortune to be a Member of this House when this bureau was created, and at that time I gave every assistance that I could in behalf of its creation, believing then, as I am convinced now, that its works would justify beyond our fondest hopes its creation. While we have heretofore been expending large sums of money annually for agricultural experiments, preventing diseases among animals being spread, looking after the cattle tick and hog cholera, trying to stop the ravages of the boll weevil, doing what we could to prevent the spread of infected nursery stock, and looking after the "scabby sheep," our efforts have been sadly lacking in behalf of humanity and the child. Here is an opportunity to show our interest in behalf of humanity, to the end that human life may be conserved and lives preserved and assist in building up a strong, healthy, and virile race. Every particle of energy within me that can be expended for this worthy cause shall be exerted, and I appeal to my colleagues to stand for this entire amount of $165,000, as it is just and right and necessary from every viewpoint. The bulletins already issued by this department ought to be in every household in the land.

My vote shall be for the amendment to place the $165,000 on the bill in the Committee of the Whole and to urge upon the House to maintain such amendment.

I shall print as part of my remarks letters from organizations and schools in California that are urging the increased appropriation, in which requests I heartily join. The letters are as follows:

STATE NORMAL SCHOOL,
San Jose, Cal., April 17, 1914.

Hon. JOHN E. RAKER,
House of Representatives, Washington, D. C.

DEAR SIR: We, the undersigned members of the faculty of the California State Normal School at San Jose, urgently request you to use your most earnest endeavor to secure the appropriation of $165,000 asked for by the Chief of the Children's Bureau.

We consider it an outrage to set aside the paltry sum of $25,640 for the Children's Bureau and at the same time appropriate over $7,000,000 for the Bureau of Animal and Plant Industry.

We consider the conservation, protection, and development of the children of this Nation equally important with the raising of cabbages or the developing of big hogs.

Respectfully submitted.

M. E. Dailey, president; Gertrude F. Rowell, Lida C. Rousseau, Agnes E. Howe, S. Estelle Greathead, Isbel O. MacKenzie, Henry Meade Bland, Lulu A. Sours, Ethel M. Schureman, Mary Helen Post, Bessie C. McCabe, L. B. Wilson, Benjamin W. Spalding, Ida M. Fisher, Enid Kinney, Elizabeth McFadden, C. F. Ingerson, N. H. Bullock, M. D., Flora E. Beal, Elizabeth Lee McDermott, Maude I. Murchie, Clara Hinze, William S. Marten, Lila M. O'Neale, Hazel L. Whitmire, Martha E. Thomas, Clara H. Smith, Alice Bassler, Alma Prouty, Elizabeth Lee Buckingham, W. H. Baker, Carolyn H. Bradley.

CALIFORNIA CIVIC LEAGUE,
San Francisco, Cal., April 15, 1914.

Hon. JOHN E. RAKER.

DEAR SIR: The San Francisco Center of the California Civic League, an organization of 1,100 women voters, have learned that the Appropriations Committee of the House of Representatives has refused the appropriation of $165,000 asked for by the Chief of the Children's Bureau. As the present appropriation of $25,000 is utterly insufficient, we urge you most strongly to amend the appropriation so as to provide an increase for this most important and valuable work.

Yours, truly,

MARION DELANY,
Corresponding Secretary.

JUVENILE PROTECTIVE ASSOCIATION
OF LOS ANGELES COUNTY,
Los Angeles, Cal.

Whereas the Appropriations Committee of the House of Representatives has declined to report favorably on the increased appropriation for the National Child Welfare Bureau; and

Whereas we realize the paralyzing effect of this refusal on all phases of child-welfare work throughout the entire country: Therefore we are

Resolved, That we urge the Appropriations Committee to grant the increase of funds to meet the expansion of the bureau's work, which has been and will be of inestimable value to the children of the land.

Resolved, That a copy of this resolution be sent to each of our Senators and Representatives in Congress, and that they be reminded of the importance of quick action.

MRS. E. K. FOSTER,
President.
MRS. GEORGE RICE,
Corresponding Secretary.

RIVERSIDE CHAMBER OF COMMERCE,
Riverside, Cal.

Resolved, That the Riverside Chamber of Commerce indorses and urges the adoption of House bill 12292, introduced in the House of Representatives by the Hon. A. MITCHELL PALMER on January 26, 1914, as being the most important legislation in the cause of child labor ever considered in this country, and that its passage is most necessary to the welfare of the working children of the United States; and be it further

Resolved, That a copy of this resolution be immediately forwarded to every California Member of Congress.

RIVERSIDE CHAMBER OF COMMERCE,
HENRY L. GRAHAM, *President.*
H. M. MAY, *Secretary.*

By order of the directors, April 9, 1914.

Mr. KIRKPATRICK. Mr. Chairman, I desire to say that I am in favor of the amendment offered by the gentlemen from my State to raise the appropriation to $50,000. A great man once said on the floor of this Chamber, "I am for the laboring portion of our people." I am for the little kings and queens of every household in America. What I mean by the little kings and queens are the children, for they are the monarchs of our homes, the autocrats of the dining room and the pride of mother's hearts, and sometimes the terrors of grown-up sisters when their sweethearts come around.

The little boy of to-day will be the man of to-morrow, and the man of to-morrow will some day preside over the destinies of this Republic or be placed in command of an invincible army, or perchance direct the movements of an armored fleet,

The mortality list of babies in this country is appalling. This bureau is of recent origin, but my heart goes out in search of that infant class, the hope of the world for future heroes and heroines, and in them future generations who will rise up and call blessed the dear, good woman now in charge of this bureau.

Mr. GOOD. Mr. Chairman, I yield one minute to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Chairman, I wish to avail myself of this opportunity to correct a misstatement published in Collier's Weekly two years ago when this bureau was created. That publication stated that the entire Tennessee delegation failed to vote for the creation of this bureau. My information is that every member of the delegation favored the creation of this bureau, but were all absent, on a very sad mission, when the proposition came before this House, attending the funeral of the late Senator Robert Love Taylor, of Tennessee, and hence our names were not recorded on the roll call establishing this bureau.

In addition to that, I desire to state that last year we held the National Conservation Exposition at Knoxville, Tenn., and one of the most interesting and valuable features of that great exposition was the child's welfare building, under charge of Miss Cora Rule, of that city. The exhibits were selected and approved by Miss Lathrop, the efficient head of this new bureau.

In my opinion we can not appropriate money for a better or more valuable purpose, and we should give Miss Lathrop every dollar she says she needs in order to carry forward her good work. [Applause.]

Mr. LOGUE. Mr. Chairman, the increased appropriation having been asked for by the Department of Labor as necessary for the proper carrying on of the work of the Children's Bureau, I believe it should be granted, and I am heartily in favor of the increase covered by this amendment.

I consider that there is no better work to which attention can be given than that of bettering conditions in the home. Lack of opportunity and resources make it impossible at times to bring up children according to the standard which natural instincts and the love and affection of parents would suggest. The Federal Government, to my mind, can be a great factor in improving such conditions. Education is the great cry of the day. The preservation of health is the great need of the day. Avoidance of the dangers which are incident to daily life is important; and when the National Government can be of service, through the medium of education, in helping people to realize the standard by which they should live, it will be all the better for our great Republic.

Material prosperity is desirable. The Government is engaging in great national enterprises, giving assistance to a system of good roads which is country-wide in scope, and is about to construct a great railway through the Territory of Alaska for the proper development of that country. These things are important; but, to my mind, of greater importance and beyond them is the care of the children, the rearing of the child, and the education of the parents to the requirements incident to giving our country in the future strong and healthy men and women.

The Children's Bureau has a great field in which to work. The promulgation of general sanitary rules and the distribution of information that will help to preserve the health of children is great public work. A sound body begets a sound mind; a strong physique helps in strong mental development; and the work of the bureau will be in this direction.

We must not be unmindful of the fact that the formation of government is for the protection and preservation of the individual and not merely for material prosperity. Government is founded for the preservation of society, as society is founded for the preservation of the individual, and our primary thought should be directed toward this end, and above all to the welfare of the children, who, perhaps by force of circumstances surrounding their parents, can not have the things to which they are entitled.

If we want to build for the prosperity of the country, we must try to have the structure rest on the American home, where the children are guarded and protected and where there is given them every possible help that can be expected within the limitations of the parents, but those limitations lessened by governmental information as to how the risks and dangers that would be the natural sequence of limited opportunity can best be avoided.

The prime consideration of the day is for the individual. Great progress has been made in recent years, and still greater progress will be made. Health bureaus, safety bureaus, educational bureaus have awakened people to a realization of the best means of living and avoiding danger, and tend to preserve the life and health of the individual.

I know the hearts of all go out to innocent childhood. I know we are all inclined to keep them from as many dangers as we can. We should all be equally interested in seeing that they start physically equipped and mentally developed for the conquest of life, so that no matter how humble may be the surroundings of the home, it will be the center from which they will gather their best thoughts and inspiration, and the knowledge that will safely guide them through the future years.

In our ministrations to children and for children we should never be prompted by the thought of institutional work, but rather, if possible, carry over into the home knowledge and information that will prove of service in development and training. We will find that in bettering the condition of the child in its physical and mental development we will aid in the extension of the great fundamentals on which our Government rests and will help it to endure for all time, with the guiding thought of those who direct it upheld by a realization that its mission is to give to its citizens life, liberty, and the pursuit of happiness.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield to the gentleman from Ohio [Mr. BRUMBAUGH].

Mr. BRUMBAUGH. Mr. Chairman, I was very much interested in hearing the Member from Massachusetts [Mr. TREADWAY] tell of the advanced ground Massachusetts had taken on this subject. Ohio also has taken very advanced ground on the question of the protection and the employment of women and children. Ohio has had a very aggressive, progressive legislature and a great aggressive, progressive governor, Hon. James M. Cox, a former honored Member of this House. Under the leadership of Gov. Cox Ohio possibly would have as little need for special national legislation on this subject as any State in the Union. But nevertheless, Mr. Chairman, I am in favor of and shall vote for the most liberal provisions obtainable, such as I understand the amendment herewith proposed provides.

[By unanimous consent, Mr. BRUMBAUGH and Mr. THACHER were granted permission to extend their remarks in the RECORD.]

Mr. GOOD. Mr. Chairman, I yield to the gentleman from Indiana [Mr. BARNHART].

The CHAIRMAN. The gentleman from Indiana [Mr. BARNHART] is recognized.

Mr. BARNHART. Mr. Chairman, I trust that it can not be said of me that I take up much of the time of the Congress in speech making and that I am in the habit of voting against committees to increase well-considered appropriations. I hope also it may never be said of me that in my public service I have ever referred to a question of such importance to general humanity as this as a political question.

I heard one of my personal friends on the other side make reference to the author of the amendment, the gentleman from Iowa [Mr. GOOD], as "my friend" and then he went back and cheapened it by saying "my Republican friend." He ought to strike that out of the RECORD, and I believe he will do it when he remembers that the act establishing the Children's Bureau was passed by a Democratic Congress after a good many years of Democratic and Republican supremacy in this body. It is not a political question; it is a humane question. It is one that concerns the home welfare of every family in this land.

The estimates that have been prepared by the head of the Children's Bureau do not specifically show endeavor pertaining to the general education of the country on the question of the care of children. But I do want to say this, Mr. Chairman, that only this morning we reported out of the Committee on Printing a bill providing for the distribution of something like 100,000 documents on "The Care of the Baby."

Mr. MANN. Good!

Mr. BARNHART. But these different departments are inclined, gentlemen of the committee, to ask all the money they might possibly use. They even sometimes transgress the functions of other departments and overlap each other at unnecessary expense. But in this instance I do believe that after we have established this bureau we ought to give it substantial support.

Oh, we talk about saving money. Why, sirs, the original function of government was not money making nor money saving. It was to conduce to life, liberty, and the pursuit of happiness. That was the original function of government, and that is the purpose of this legislation. But in recent years we have talked so much about tariffs, and about helping people to make money, we have strayed away very largely from our real duty as legislators. One of these duties is the care and protection of child life, that we may add to the betterment of our race by contributing assistance to those in charge of childhood. A nation is strong or weak just as its people are physically,

mentally, and morally strong or weak. And if we would be stronger and better and happier we can do so by more intelligent attention to nurturing childhood into a stronger and more vigorous manhood.

This amendment increases the appropriation from $25,000 to $50,000, and even this is nearly $100,000 less than the Chief of the Children's Bureau asks for. Of course I agree with the committee that we frequently run wild in giving departments all they ask as we thereby encourage duplication of effort which ought to be avoided. If you were to ask me my candid opinion, I would say that we have too many departments aiming at and spending public money for the same thing. I think the Children's Bureau, the Public Health Service, and the Bureau of Education ought to be consolidated, and then they would not be duplicating expensive endeavor by different methods. For instance, the Bureau of Health is now issuing documents on The Care of the Baby; and the Children's Bureau will probably conduct investigations and publish and distribute similar documents; and the Bureau of Education might put out something similar, and all these documents could fall into the same hands, and thus time and money would be wasted.

However that may be, the health and well-being of the babyhood of our land demands immediate attention. You say we spend millions to fight lice off Texas steers, to fight the boll weevil, to fight hog cholera, and to teach horse and cattle doctoring. Of course we do, and we help the country financially in that way. But here we have a million young mothers in the United States bringing tender and precious babies into life every year, and the great majority of them with no training in the proper care of babies except that which they receive by way of warning from next-door mothers, who have learned their lessons in child care through the life-blighting experience of following one or more of their little ones to the grave.

Mr. Chairman, the two most important responsibilities resting upon us as legislators and as promoters of better things for mankind are to provide ways and means for improved health conditions and improved physical, mental, and moral possibilities for children. Therefore I am in favor not of extravagance in such endeavor but in providing every dollar that is needed in order to accomplish the largest results possible. We can not afford to risk questionable investments in general appropriations of the people's money, but neither can we afford to waste life and usefulness of posterity by neglecting the proper care of children on the fallacious pretext of saving money.

If I had more time I would like to discuss the importance of more intelligence in child care and the consequent advantage to our country in the stronger and more vigorous and effective citizenship which would surely follow. But we all know about this. We do appropriate liberally for other improvements in life's possibilities, and why not for better conditions for helpless children on whose future strength and mentality the destiny of this great country must depend?

Let us ever be mindful of those who must earn the money to meet the appropriations we of the Congress authorize; but in the matter of the health and happiness of our people, "Lord God of Hosts, be with us yet, lest we forget, lest we forget!"

When affliction strikes down our loved ones we freely offer to pay any price for their restoration to health, and we are constantly paying it. Is not it economy and is not it humanity to spend an ounce for prevention, as the Children's Bureau proposes to do, rather than spend a pound for cure? I believe so, and therefore I am in favor of providing the Children's Bureau with ample means to do its best.

Mr. GOOD. Mr. Chairman, I yield to the gentleman from New Hampshire [Mr. STEVENS].

The CHAIRMAN. The gentleman from New Hampshire [Mr. STEVENS] is recognized.

[Mr. STEVENS of New Hampshire addressed the committee. See Appendix.]

Mr. GOOD. Mr. Chairman, I yield the same amount of time to the gentleman from Minnesota [Mr. SMITH].

The CHAIRMAN. The gentleman from Minnesota [Mr. SMITH] is recognized.

[Mr. SMITH of Minnesota addressed the committee. See Appendix.]

Mr. GREENE of Massachusetts. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GOOD. Mr. Chairman, I yield to the gentleman from California [Mr. STEPHENS].

Mr. STEPHENS of California. Mr. Chairman, very few of the items in this bill have interested me as does this one of an appropriation for the Children's Bureau. In the development of this bureau every man, woman, and child in the United States is deeply concerned, and in providing funds for adequately carrying on the work intrusted to it every Member of Congress should be ready and willing to assist. Many of the States, perhaps most of them, have passed laws regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, and regulating the employment of school children under necessitous circumstances. My own State, California, has in the last few years taken an advanced step in such legislation, and if I had the time I would read the law enacted by California's Legislature and approved June 2, 1913. It is a humane law and worthy of the people of that great State and of the particular legislature that enacted it. I ask those who are most interested in this subject to read it.

Mr. Chairman, how can any man interested in the future of his children and his children's children acquiesce in the neglect of the conservation of the children of our land that we inexcusably permit year after year? How can any man concerned in the future of these United States keep from doing everything possible to promote good health, good working and good living conditions for the babies and the older boys and girls that are everywhere about us.

Mr. Chairman, the Children's Bureau under Miss Lathrop has in the very limited time it has been in existence done a wonderful work in behalf of the little ones. Miss Lathrop and her work deserves commendation, and I am glad to be one of those permitted to say a good word for her and her bureau and to vote for a larger appropriation than has been reported by the committee.

Mr. Chairman, I hope that an unusually large membership will be present when the larger sums proposed are voted on, and that more money will be given this worthy bureau—enough to broaden its scope and plans and sufficient to enable it to do some of the things that should be done, so that in the years to come we may be warranted in voting much larger sums to better the conditions of thousands of our little ones, and thus make a better Government, whether it be local, State, or National.

In closing my remarks, Mr. Chairman, I desire to read the following letter, in order to show the deep and widespread interest taken in this clause now before us:

LOS ANGELES, CAL., *April 8, 1914.*

Hon. WILLIAM D. STEPHENS,
House of Representatives, Washington, D. C.

DEAR SIR: The following resolution was adopted on April 8:

"*Resolved*, That the Southern California Child Labor Committee urgently requests that California Members of Congress use every endeavor to secure the appropriation of $165,000 desired by the chief of the Children's Bureau, believing that even this amount is to small for the work of that bureau, which is of such vital importance to the health and welfare of the children of this country.

"*And be it further resolved*, That a copy of this resolution be forwarded to every California Member of Congress."

Yours, very truly,

SOUTHERN CALIFORNIA CHILD LABOR COMMITTEE,
Per H. H. DURYIE, *Chairman.*

Mr. GOOD. Mr. Chairman, I yield to the gentleman from Michigan [Mr. MCLAUGHLIN].

The CHAIRMAN. The gentleman from Michigan [Mr. MCLAUGHLIN] is recognized.

[Mr. MCLAUGHLIN addressed the committee. See Appendix.]

Mr. GOOD. Mr. Chairman, I yield to the gentleman from Ohio [Mr. WILLIS].

The CHAIRMAN. The gentleman from Ohio [Mr. WILLIS] is recognized.

Mr. WILLIS. Mr. Chairman, I am in favor of the humanitarian principle involved in the amendment offered by the gentleman from Iowa [Mr. GOOD], and therefore I trust it will not be interfered with or crippled by the adoption of the amendment offered to the amendment by the gentleman from South Carolina [Mr. JOHNSON]. If the amendment to the amendment shall be adopted, the amendment itself as amended will be practically fruitless, so far as the objects we have in view are concerned. If we limit the expenditure of this appropriation to objects not included in the jurisdiction of the Health Bureau, we practically destroy the usefulness of the Children's Bureau.

I think, Mr. Chairman, there is no danger of overlapping in the work of the Health Bureau and the work that is proposed here in the Children's Bureau. It is work of an entirely different character. I invite attention to the fact that while we are providing for the growth and extension of the other bureaus we are withholding proper support from this one. I am not com-

plaining about extending other bureaus. I am not complaining because we have made wise and proper appropriations here for the extermination of the cattle tick, or the boll weevil, or the hog cholera. But I am complaining that with respect to this bureau, which relates to the health and the welfare of the children of this country, we are not providing for any extension whatsoever. Attention has already been called to the fact that the bureau has asked for something like $164,000. The committee has given it only $25,000. I wonder whether we all recall the exact purposes in view when this bureau was created? Let me call attention to the language of the law creating that bureau. It provided that—

The said bureau shall investigate and report to said department upon all matters pertaining to the welfare of children and child life among all classes of our people, and shall especially investigate the questions of infant mortality, the birth rate, orphanage, juvenile courts, desertion, dangerous occupations, accidents, and diseases of children, employment, legislation affecting children in the several States or Territories.

I submit, gentlemen of the committee, that there is not a line of activity in which any bureau or department of the Government can engage that is of more importance to the life and welfare of the people of this country than those activities which are involved in the language which I have just read. At the proper time I desire to offer an amendment in addition to the amendment offered by the gentleman from Iowa [Mr. GOOD], which I hope will be adopted. The amendment I propose to offer is to carry into effect the provisions in the act of April 9, 1912, providing for the investigation of accidents, diseases of children, and employment. This amendment I shall offer unless an increased amount is provided for in the amendment offered by the gentleman from Iowa [Mr. GOOD]. This bureau is doing a great work; in the name of the children of this country let us support it. One hundred and fifty thousand children less than 1 year old die annually in the United States of disease preventable by modern hygiene. We must stop the slaughter of the innocents. On this interesting subject Miss Lathrop, the efficient head of the bureau, says at page 801 of the hearings:

The first of these subjects was that of infant mortality, and after a very careful examination we determined that that ought to be the point at which to begin. Field inquiry was clearly indicated as intended for us by the fact that the original law gave us field experts or field agents. We chose this subject because it is challenging the attention of the whole world, and because nobody knows exactly what the conditions are in this country. We are told by the vital statistician of the Census Bureau that probably 300,000 babies less than a year old die in America every year, one-half of whom could have been saved by methods of child hygiene already known. Now, we wanted to make that inquiry serve several ends—we wanted to make it serve to stimulate the interest of local communities, we wanted to get our information to the attention of individual mothers, and we wanted to secure a body of actual statistical information valuable for scientists who could deal with it en masse. We also wanted to stimulate the general interest in the subject of vital statistics—an interest which Congress showed by a resolution passed in 1903. We prepared a schedule for the purpose, and went first of all into the city of Johnstown, Pa. We were directed by the law not to go into any private residence without the good will and assent of the owner.

Therefore the agents were told, "You must not only obey that law in the letter but in the spirit, and you must not go into any home, however humble, without the good will and assent of the mother"; first, because the humbler the people the more they need to be treated with dignity, and because, in the next place, without the good will of the people we could not get the schedules filled out. We made an appeal for the cooperation of the women of the country, or in that community, at least, in this effort on the part of the Government to save the lives of babies, whose effectiveness is shown by the fact that 1,551 schedules were secured with only two refusals.

This country is tremendously interested in what is going on in the several States with reference to the subject of child labor. This bureau is helping to solve that appalling problem; in the name of humanity let us do what we can to preserve the mental, moral, and physical health of America's children. Only by so doing can the perpetuity of our institutions be assured. I can conceive of no line of activity of greater importance to the country than that proposed in these amendments, and I hope they will be adopted in the name of the mothers and children of this country. [Applause.]

Mr. GOOD. I yield to my colleague from Iowa [Mr. HAUGEN].

[Mr. HAUGEN addressed the committee. See Appendix.]

Mr. GOOD. Mr. Chairman, may I inquire how much time remains?

The CHAIRMAN. Six minutes to the gentleman from Iowa.

Mr. GOOD. How much time remains on the other side?

The CHAIRMAN. Sixteen minutes to the gentleman from South Carolina.

Mr. BYRNS of Tennessee. How many more speeches will there be on that side?

Mr. GOOD. Two.

Mr. BYRNS of Tennessee. There will be only two more on this side. I suggest to the gentleman that he use some of his time now.

Mr. GOOD. I yield three minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Chairman, with reference to the amendment proposed by the gentleman from South Carolina [Mr. JOHNSON], I wish not only to indorse what the gentleman from Ohio [Mr. WILLIS] has said, but to go further and say that if that amendment is adopted this increased appropriation will be absolutely defeated, because under the amendment proposed by him, if the Public Health Service is authorized by law to make any portion of this investigation, the Children's Bureau can not use a penny of this money to make it, and the Health Service is authorized by law, but it is not given any money with which to do it.

With reference to the attitude of the Committee on Appropriations, as to whether they believe this increase was proper or not under existing law, the question is now squarely before this House, and we are called upon to decide whether we believe the preservation of human life is important enough to command the favorable consideration of Congress. To vote down this amendment of the gentleman from Iowa will, it seems to me, say to the country and to the world that we regard the life of a hog as more valuable than the life of a child; that we regard the rearing of cattle and horses as more important than the rearing of children. Why, Mr. Chairman, only a short time ago in the Agricultural appropriation bill we appropriated $625,000 for the investigation and extermination of diseases of animals. The very next paragraph appropriated $400,000 for the eradication of the southern cattle tick. By voting down this amendment we are going to say that the Congress of the United States is willing to spend more than $1,000,000 for those two purposes alone, but is unwilling to spend this small sum for the conservation of human life.

Much has been said about the Public Health Service, and I indorse all that the gentleman from Illinois [Mr. FOSTER] said in that regard; but last year we appropriated for that entire service only $1,800,000, while the two items that I have mentioned, contained in the Agricultural appropriation bill, aggregate more than one-half of that sum. I hope, Mr. Chairman, that we are not to-day going to take the position that while we are properly willing to spend vast sums in the conservation of our natural resources, we are unwilling to spend a reasonable amount in the conservation of human life. No more important question can come before this Congress, and it is a shame and a disgrace to the Congress of the United States that we have not paid more attention to this important subject in the past. I hope that we will, by adopting this amendment, at least start upon a correct policy. [Applause.]

Mr. JOHNSON of South Carolina. I yield to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Chairman, several gentlemen have referred to the fact that the Children's Bureau submitted an estimate for $165,000, and that the Appropriations Committee have only recommended the sum of $25,640. I wish to say that the Appropriations Committee in making this recommendation has followed strictly the law passed by Congress less than two years ago. The Children's Bureau submitted an estimate for employees alone for that bureau amounting to more than 650 per cent over the amount allowed by the law passed less than two years ago, and the Appropriations Committee felt that on account of the recent enactment of that law, and the recent declaration of Congress that the employees provided in the law were sufficient for the purposes of that bureau, they were not justified in bringing in an appropriation which was in direct violation of the permanent law.

Now, it is evident to me that the amendment of the gentleman from Iowa will prevail, but I want to call the attention of this committee to the amendment to the amendment offered by the gentleman from South Carolina [Mr. JOHNSON], and I want to ask this committee, before they vote, not to be stampeded into voting against that amendment. The gentleman from Wisconsin [Mr. LENROOT] says that it will absolutely defeat the purposes of the amendment offered by the gentleman from Iowa if it is adopted. I want to say to the gentleman from Wisconsin that the amendment of the gentleman from South Carolina does nothing more than prevent the duplication of work on the part of two bureaus in this Government. It does not seek to limit the investigations made by the Children's Bureau in independent matters, but it provides that if this work is already being done by law in the Bureau of Public Health, then this appropriation shall not be used for the same class or kind of work. Certainly the Members of this House do not want to adopt legis-

lation which will permit two bureaus of this Government to do the same kind of work.

It was stated by several gentlemen, particularly the gentleman from Iowa [Mr. GOOD], that this work being done by the Children's Bureau would be of great benefit and use in the larger cities with reference to infant mortality. I want to read to this committee what Miss Lathrop, the head of this Children's Bureau, had to say on this subject in response to a direct question which was asked by the gentleman from Missouri [Mr. BORLAND]. He asked her:

You do not propose to go into the big cities, do you?

She replied:

No, sir; we distinctly do not wish to go into the big cities because, in the first place, we can not afford it, and, in the second place, the work in the big cities has been undertaken by the city authorities and is also being done through civil authorities like the department of child hygiene in New York, which is a part of the health service. A similar department has been created in Chicago, and in a large number of the cities individual work along this line is being done.

And she further states that that work is being done well in these various cities.

Now, it is not fair to undertake to compare the work being done by the National Government with the work being done in New Zealand and in other countries, because gentlemen know that in every State in this Union we not only have State boards of health, but we have county boards of health and city boards of health. So it is hardly fair to make the comparison without taking into consideration the work being done by these boards of health in the various States, counties, and municipalities.

I sometimes think that at the rate we are now going in invading the rights and prerogatives of the States that it will not be very long until the States are deprived of all of their power.

I wish to say, Mr. Chairman, that I am in sympathy with the object and purpose of the Children's Bureau, and I do not want to be understood as being in any sense hostile to it or the work that it is doing. I simply contend that if any change is to be made in the law as now written, it ought to be done in the usual and proper way, after consideration by the proper committee—such as the Labor or Education Committee, I do not know which—and not in an indirect way, in an appropriation bill. This is what actuated the committee in bringing in this appropriation, and not any hostility or lack of appreciation of the value of the work it may perform.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. May I inquire of the gentleman from South Carolina how many more speeches there will be on his side?

Mr. JOHNSON of South Carolina. One more.

Mr. GOOD. I yield the remainder of my time to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, I shall vote for the amendment offered by the gentleman from Iowa, and also for an amendment to that amendment increasing the amount to $139,000, so as to give the Children's Bureau the full amount that they ask for. I desire, however, to call special attention of the committee to the amendment offered by the gentleman from South Carolina. I have no criticism of the Committee on Appropriations for bringing in the amount which they did. It was probably done largely through inadvertence, but I think the Committee of the Whole would be subject to severe criticism if it should now agree to the amendment of the gentleman from South Carolina, which is that no portion of this money shall be expended for any purpose which the Public Health Service is authorized to perform. It makes no difference under that amendment whether the Public Health Service is performing the service, but whether it is authorized to perform it.

I drew the language which extended the authority of the Public Health Service and which reads this way:

The Public Health Service may study and investigate the diseases of man, the conditions influencing the propagation and spread thereof, including sanitation and sewage.

That covers the whole scope of the study of diseases and the conditions surrounding man which may affect diseases. The Public Health Service therefore has authority under this law to make full investigation of the work which we have confided to the Children's Bureau, but they are not doing that work. They do not intend to do that work. There is no reason why they should do the work as against the Children's Bureau. I am not in favor of making an Indian present, as they used to say, to the Children's Bureau, of pretending to give in one hand a sum of money while you are pulling it back with the other hand. [Applause.]

Let us give the Children's Bureau this money which they need to carry on the work of the study of the mortality of children, of the causes of the death of children, what can be done to prevent disease and death of children, those things which may save human life in the way of saving the smaller children.

I tell you we owe it to ourselves, having taken the step forward in the creation of the Children's Bureau, to provide sufficient force to enable that most efficient chief of the bureau to carry on the work, and no appropriation made by this Congress will meet with such hearty approval of the whole American people as this provision for the Children's Bureau unhampered by the amendment of the gentleman from South Carolina. [Applause.]

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman from Illinois [Mr. MANN] called attention to the fact that he was the author of the law that caused the Public Health Service to investigate the diseases of men and the conditions influencing the propagation and spread thereof, including sanitation, sewage, and the pollution of navigable streams and lakes of the United States, and so forth. Then he informed the committee that the Public Health Service had the authority to make these investigations, but that it was not doing it.

Mr. Chairman, Homer sometimes nodded. I read from the current appropriation the very language from the law that the gentleman read giving $200,000 to the Public Health Service, and the Public Health Service is performing this duty under that appropriation. And yet gentlemen will probably be taken off their feet by propaganda that is very popular. I do not propose to be put in a false attitude, either as a Member of Congress or as a man. I voted for the Child Labor Bureau on a yea-and-nay vote when it was created. I am interested in children, because we are trying to raise six of them in my own home [applause]; but I am a law-abiding citizen.

The law limits the appropriations that this committee can bring in, and nobody knows it better than the gentleman from Illinois.

When the bill was under discussion in this House there had not been letters sent with the disingenuous questions in them all over the country, and here is what the gentleman from Illinois said about that law:

Then the bill creates a number of employees in the department, a useless proceeding, an improper method of legislation. Employees, when this bureau is first organized, will have nothing to do, and when they do have something to do this number of employees will not be sufficient; but the law will, happily, prevent an enlargement of the activities of the bureau beyond the number of employees now authorized, so that in the end, if they desire, they can not engage in great activities.

Mr. MANN. I evidently was a good prophet, was I not?

Mr. JOHNSON of South Carolina. I am quoting the gentleman's own language and he need not be ashamed of it. Mr. Chairman, the Committee on Appropriations is not a legislating committee. We followed the law. If the House sees fit to go beyond the law the Committee on Appropriations will be quite content. If the House sees fit to appropriate a lump sum of money and to refuse to adopt the limitation of language that shall be used for the gathering of these statistics that the Public Health Service gathers, that is the privilege of the House. But I contend that before the activities of the bureau are enlarged these questions ought to be referred to a committee having jurisdiction of them, the Committee on Labor, the Committee on Education, or the Committee on Interstate and Foreign Commerce. We did not have the time to inquire whether there ought to be a new Public Health Service established. We did not have the time to inquire whether there ought to be another Census Bureau established in another bureau of the Government.

Miss Lathrop testified before the committee that she got all the information she called on the Public Health Service for; that Dr. Blue treated her most courteously, but that she did not want to be constantly asking the Public Health Service for this information, therefore she wants a bureau of her own, or a division of her own, to duplicate the work. Do you gentlemen in your sober moments want to say that a great bureau of the Government, sustained at a cost of more than a million dollars a year, shall not be called upon to furnish the information that it has gathered but that a separate division shall be established for that service? If you do, vote for this amendment in this stampede.

Whoever before thought there was anything wrong in the Census Office or any other bureau calling upon the Public Health Bureau for information gathered by that bureau? What department of the Government hesitates to call upon the Bureau of the Census for statistics gathered there? Shall every department be provided with a statistical bureau of its own? That is what you propose to vote in here. There is no question about the ability of the Children's Bureau to get vital statistics from the Census Office. There is no question about

the Children's Bureau being able to get information from the Public Health Service. If you want to say that this particular bureau shall not be called upon to call on other bureaus for information, you have a right to do it; but, gentlemen, do not be stampeded. That is all this is. Oh, how unfair these questions are that have been sent out over the country, that the Congress appropriated $600,000 to stamp out hog cholera, and is only proposing to appropriate $25,000 for the babies of the country. I could, if I wanted to be unfair, put the Children's Bureau and its sponsors in the same attitude that they have tried to place this committee in. Could I not ask you why is it that you champions of the Children's Bureau and the head of the Children's Bureau are asking for only $165,000? Is not that an insult to the mothers and the babies of this Republic, when we appropriate four times that much for hog cholera? Where does your own questioning put you? You ask for only $165,000 for the babies, and yet the Secretary of Agriculture asked for $7,000,000 for plants! You ask for only $165,000 for the babies of America, and yet the Navy Department has asked for $150,000,000! What we give the Navy in one year would last 900 years for the babies at the rate you ask the money. Do you love your Navy nine hundred times better than you do your babies? Yet that is the form of unfair questions that you have been putting out all over this country. The babies of this country are very near and very dear to all thinking men. The children are our greatest assets. All of your commerce and all of your gold and silver and manufactures are not worth the babies; but every State in the Union has its board of public health and every city in the Union has its board of public health, every town of 1,000 people has its board of public health. In every school, in every county, the people are trying to teach hygiene and sanitation.

Mr. Chairman, this committee has as much interest in the babies as the gentlemen who propose to increase the appropriation, but this committee has followed the law. This committee believes that the Committee on Labor or some other committee having jurisdiction of the question should study this matter; and if it is desired to enlarge the activities of that bureau, then it should report appropriate legislation. We are just as willing, if the Congress says so, to appropriate $165,000,000 for the babies as we are $165,000. [Applause.]

The CHAIRMAN. The question is on the amendment to the amendment.

Mr. HOBSON. Mr. Chairman, I desire to offer a substitute for the amendment and the amendment to the amendment.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

To carry into effect the provisions of the act approved April 9, 1912, providing for the investigation of questions of infant mortality and dangerous occupations, and of all matters pertaining to the welfare of children and child life among all classes of our people, $100,000.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Alabama.

Mr. FITZGERALD. Mr. Chairman, I make the point of order that the vote upon that is not in order at this time. There is an amendment pending to the original amendment, and it is first in order to perfect the amendment.

The CHAIRMAN. The substitute has been offered to the amendment, and it is first in order to perfect the amendment.

Mr. MANN. Mr. Chairman, the substitute is in order.

The CHAIRMAN. The Chair understands that the substitute will be pending until the amendment is perfected.

Mr. MANN. The substitute is in order, but the vote comes first upon the amendment to the amendment.

Mr. FITZGERALD. Mr. Chairman, I wish to reserve the point of order against the substitute.

The CHAIRMAN. The question is on the amendment to the amendment.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that the amendment to the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment to the amendment.

There was no objection, and the Clerk again reported the amendment to the amendment.

The CHAIRMAN. The question is on the amendment to the amendment.

The question was taken; and on a division (demanded by Mr. JOHNSON of South Carolina) there were—ayes 59, noes 85.

So the amendment to the amendment was rejected.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer the following as an amendment to the amendment.

Mr. BUCHANAN of Illinois. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BUCHANAN of Illinois. Is it in order to offer an amendment after debate is closed?

The CHAIRMAN. It is. Debate was closed on the section and all amendments thereto.

Mr. BUCHANAN of Illinois. Then this matter of offering amendments can go on indefinitely?

The CHAIRMAN. The Clerk will report the amendment to the amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Add to the amendment the followng: "*Provided*, That this appropriation shall not be expended for investigation that the Public Health Service is required or authorized by law to make and are making."

Mr. BUCHANAN of Illinois. Mr. Chairman, I make the point of order on that.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BUCHANAN of Illinois. The amendment covers the same matter as the amendment which has just been defeated.

Mr. SHERLEY. Mr. Chairman, in answer to that I desire to call attention to the fact that this amendment is not only a limitation as to work that the Health Bureau is authorized to perform but is further limited so that it must be performing it.

The CHAIRMAN. The Chair gathered from the reading of the amendment that it adds the words "and are now making."

Mr. BUCHANAN of Illinois. Mr. Chairman, as I understand the amendment, it would have the same effect that the amendment just defeated would have had, which is, of course, to defeat the efficiency of this Child Labor Bureau. It would conflict with its work.

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order that debate has closed.

The CHAIRMAN. The point of order is overruled. The question is on the amendment offered by the gentleman from South Carolina.

The question was taken, and the Chairman announced that the noes appeared to have it.

On a division (demanded by Mr. JOHNSON of South Carolina) there were—ayes 78, noes 84.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. JOHNSON of South Carolina and Mr. GOOD) reported that there were—ayes 92, noes 102.

So the amendment was disagreed to. [Applause.]

Mr. GOOD. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

Mr. FITZGERALD. Whose amendment is this?

The CHAIRMAN. The gentleman from Iowa offers an amendment to the amendment, which the Clerk will report.

Mr. FITZGERALD. Mr. Chairman, I make the point of order that the gentleman from Iowa can not offer an amendment to his own amendment.

Mr. MANN. Oh, well, he can.

The CHAIRMAN. The Chair would ask the gentleman from New York to what rule he refers?

Mr. FITZGERALD. A Member having the floor can make one or more motions upon certain conditions; that is, other subsidiary motions. A gentleman can offer an amendment and move the previous question, but a gentleman can not propose an amendment and then offer an amendment to the amendment. He can withdraw the amendment and offer a new amendment.

Mr. MANN. He can not withdraw the amendment except by unanimous consent, and he has the same authority to offer an amendment to the amendment as the gentleman in charge of the bill has to offer an amendment to the bill.

Mr. FITZGERALD. I have no such authority, nor has the gentleman in charge of the bill, to offer an amendment and then take the floor and offer a further amendment to it and deprive other Members of their rights. The gentleman can not find any authority for it.

The CHAIRMAN. The Chair does not know any rule to prevent that, unless it is under the rule of being dilatory; and the question is whether it is dilatory.

Mr. FITZGERALD. I am not making the point of its being dilatory; but the point is the gentleman can not take the floor to offer an amendment to an amendment which he himself offers.

The CHAIRMAN. The Chair desires to say to the gentleman from New York that the gentleman from Iowa spoke to the Chair a few moments ago, saying he desired to perfect his amendment when all other amendments had been offered and had been voted either down or up, and it can not be a question

of being dilatory, because the gentleman spoke a long while ago to the Chair in regard to perfecting his amendment.

Mr. FITZGERALD. I did not make the point of the amendment being dilatory——

The CHAIRMAN. The Chair thought the gentleman did.

Mr. FITZGERALD. I distinctly stated that I made the point that the gentleman having offered one amendment could not offer an amendment to his amendment.

Mr. MANN. Mr. Chairman, it would be absolutely silly to say that a man in charge of a measure who offered a substitute could not offer an amendment to perfect it, or that a man who has offered an amendment can not offer an amendment to perfect it.

Mr. GOOD. Mr. Chairman, the amendment has not been reported.

The CHAIRMAN. The Chair was waiting for the gentleman from New York to conclude his argument on the point of order, if he so desired.

Mr. FITZGERALD. I will not delay the committee in attempting to get the authority, but I am quite certain the gentleman is not entitled to offer an amendment to the amendment which he himself has offered and which is pending. I know that the Chair can not recall a single instance in his long experience in the House of any attempt even being made to do so.

The CHAIRMAN. Well, the Chair does not recall a single instance——

Mr. FITZGERALD. If the gentleman wishes to withdraw an amendment which he offers and obtains unanimous consent to do so, then he could offer an amendment——

Mr. MANN. If the Chair waits for the gentleman from New York to find his precedents, it will take a very long time.

The CHAIRMAN. The Chair does not know any precedent of this character. The gentleman from Iowa offers an amendment to perfect the amendment, and therefore the Chair overrules the point of order. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Amendment to the amendment: Strike out of the amendment "$50,000" and insert "$139,000."

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. GOOD) there were—ayes 101, noes 97.

Mr. FITZGERALD. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. JOHNSON of South Carolina and Mr. GOOD) reported that there were—ayes 113, noes 95.

So the amendment to the amendment was agreed to.

Mr. HOBSON. Mr. Chairman, I ask unanimous consent to withdraw my substitute.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to withdraw his substitute. Is there objection? [After a pause.] The Chair hears none. The question is on the amendment as amended.

The question was taken and the amendment was agreed to. [Applause.]

Mr. TOWNER. Mr. Chairman, I want to ask the chairman of the committee, in this section 139 I notice the copyist and messenger are not provided.

Mr. JOHNSON of South Carolina. Where there is no amount fixed it is fixed by law.

The CHAIRMAN. Does the gentleman from Iowa desire to be recognized?

Mr. TOWNER. Mr. Chairman, I have interrogated the gentleman and have been satisfied.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Contingent expenses, Department of Labor: For contingent and miscellaneous expenses of the offices and bureaus of the department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture and repairs to the same, carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges, laundry, street car tickets not exceeding $100, lighting and heating; for the purchase, exchange, and care of horses and vehicles to be used only for official purposes; freight and express charges, postage to foreign countries, telegraph and telephone service, typewriters and adding machines, including their exchange; repairs to the building occupied by the office of the Secretary of Labor, $36,100; and in addition thereto such sum as may be necessary, not in excess of $13,500, to facilitate the purchase, through the central purchasing office as provided in the act of June 17, 1910 (36 Stat. L., p. 531), of certain supplies for the Immigration Service, shall be deducted from the appropriation "Expenses of regulating immigration" made for the fiscal year 1915 and added to the appropriation "Contingent expenses, Department of Labor," for that year; and the total sum thereof shall be and constitute the appropriation for contingent expenses for the Department of Labor, to be expended through the central purchasing office (Division of Publications and Supplies), Department of Labor.

Mr. BUCHANAN of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. BUCHANAN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 139, in line 5, after the word "labor," add the following: "For the purchase of safety paper for certificates of naturalization now required by law, and to be immediately available, $4,200."

Mr. JOHNSON of South Carolina. I make the point of order against the amendment. This is not a deficiency bill.

Mr. BUCHANAN of Illinois. Will the gentleman withhold the point of order?

Mr. JOHNSON of South Carolina. No. I wish to finish this bill.

The CHAIRMAN. The point of order is sustained.

Mr. J. M. C. SMITH. Mr. Chairman——

The CHAIRMAN. The gentleman from Michigan (Mr. J. M. C. SMITH] is recognized.

Mr. BUCHANAN of Illinois. I wish to strike out the last word.

The CHAIRMAN. Will the gentleman from Michigan [Mr. J. M. C. SMITH] yield?

Mr. J. M. C. SMITH. Mr. Chairman, I am in favor of increasing the appropriation for maintaining and carrying on the work of the Children's Bureau in the Department of Labor. The amount asked for by the director, Miss Lathrop, for the conduct of the work is $164,000, while the amount appropriated by the committee was only $25,640. There is no more important object for which an appropriation can be made than to conserve the lives and health of infants and children. This appropriation stands out clearly and distinctively in a class by itself. We appropriate millions for purposes not as important or vital as this. We appropriated $35,000,000 for the construction of a railroad in Alaska.

The sum of $25,000,000 was appropriated for good roads. The share allotted to Michigan will reach the sum of over $900,000. The amount asked for the use of this Children's Bureau will not exceed $3,000 to each State. This is not one-fourth the amount voted for the treatment and eradication of hog cholera at the present session. Surely not an exorbitant sum.

Mr. Chairman, it was stated in the hearings that 300,000 infants died annually before arriving at the age of 1 year, and that at least 150,000 of them could be saved by proper care and treatment.

If this be true, it has been a blot on the fair name of our country and shows the importance and crying need of this action. In our action here to-day the country is greatly interested. It sometimes is difficult to judge of the wishes and desires of our constituents in our action had here on the floor of the House on important matters, but there can be no doubt but what the unanimous desire and wish of all the people of our country are heartily in favor of liberally supporting this bureau. I am in favor of the amendment for increasing the appropriation.

Mr. BUCHANAN of Illinois. Mr. Chairman, I move to strike out the last word. The amendment which I just offered is made necessary to print blanks for naturalization——

Mr. JOHNSON of South Carolina. Mr. Chairman——

Mr. BUCHANAN of Illinois. Of course, if this committee is going to obstruct this kind of work, which they can do by points of order and other obstructions, and obstruct me from taking a minute's time, they will find that there are others who can play the obstruction game. If the committee wants to take that attitude, and the Democratic side of the House wants to support them, let the voters of the country decide who is right on these questions that are important to labor.

Mr. JOHNSON of South Carolina. Mr. Chairman, I make the point of order that the gentleman is not discussing his amendment. I have heard enough of that stuff.

Mr. BUCHANAN of Illinois. The gentleman has heard too much for his satisfaction and probably for his own gratification.

The CHAIRMAN. The gentleman from Illinois [Mr. BUCHANAN] will proceed in order and discuss his provision.

Mr. BUCHANAN of Illinois. Does the Chair decide that I was speaking out of order?

The CHAIRMAN. Undoubtedly the gentleman was speaking out of order.

Mr. BUCHANAN of Illinois. I want to say then, Mr. Chairman, while the committee has not given all the department has asked for, it will come somewhere near giving the amount in this contingent appropriation that is necessary probably to perform the work in an efficient manner. Of course, the Secretary of the Department of Labor, having been a labor man in his time, as have others in the department, has been a little

delicate about asking for all the funds necessary to operate with the greatest efficiency possible.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Rent: For rent of buildings and parts of buildings in the District of Columbia for the use of the Department of Labor, $12,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out the last word.

Mr. MANN. This is an appropriation for the rent of the building for the Department of Labor. I do not know whether there is an intention of that department to have a new building constructed or not. The bill carries an item for the Department of Commerce to have an addition built. I understand that the company which is to build that addition to the Department of Commerce has as its president Mr. Victor J. Evans. I noticed in the Star the other evening a statement that a new bank had been opened in that locality, where the Department of Commerce is, and that this man who is the president of the company which is to build the new addition to the Department of Commerce Building, is the vice president of this new bank, and associating with him as directors of the new bank are Mr. George C. Havenner, who is chief clerk, I believe, of the Department of Commerce; Mr. E. T. Quigley, who is, I believe, the assistant solicitor of the Department of Commerce; and Mr. Hugh Grant Smith, who is, I believe, private secretary of the Secretary of Commerce. It looks to me as though there was rather a close connection in this bank between the people who are building the addition and those who are advising that we rent it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Court of Appeals, District of Columbia: Chief justice, $7,500; 2 associate justices, at $7,000 each; clerk, $3,250, and $250 additional as custodian of the Court of Appeals Building; assistant or deputy clerk, $2,250; reporter, $1,500: *Provided*, That the reports issued by him shall not be sold for more than $5 per volume; crier, who shall also act as stenographer and typewriter in the clerk's office when not engaged in court room, $1,200; 3 messengers, at $720 each; necessary expenditures in the conduct of the clerk's office, $1,000; 3 stenographers, 1 for the chief justice and 1 for each associate justice, at $1,200 each; in all $36,710, one-half of which shall be paid from the revenues of the District of Columbia.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

I wish to direct the attention of the chairman of the committee having the bill in charge to the allowance of $5 per volume for reports of the court of appeals. That is the amount that has been carried for several years past. I recall when we had the Judicial Code under consideration, on a motion that I made, we succeeded in reducing the price of the reports of the Supreme Court from $2 to $1.50. It strikes me that this is a most exorbitant price to authorize any person to charge for reports of decisions. Can the gentleman inform the committee of the actual price this reporter charges for these volumes?

Mr. JOHNSON of South Carolina. I would say to the gentleman that this is the Court of Appeals of the District of Columbia, and the number of volumes to be sold is exceedingly limited.

Mr. STAFFORD. Well, so far as that is concerned, let us take, for instance, the reports of the Philadelphia courts, the common pleas court, and the volumes sold are very limited, and yet, nevertheless, the price does not meet the exorbitant price that you charge here. I do not believe you could hardly find any sale at $5 a volume unless this person had a monopoly; $3 a volume, $2.50 a volume, or $2 a volume would be compensatory.

Mr. JOHNSON of South Carolina. Probably there are five times as many lawyers in the city of Philadelphia as in the District of Columbia, and these books have absolutely no sale outside of the District.

Mr. STAFFORD. Does the gentleman mean to state to the committee that these volumes are sold at a price of $5 per volume, and that you authorize the reporter of the court to sell them at $5 a volume, when our State reports sell for $1.75 and the Supreme Court reports sell for $1.50? Something should be done so as not to put such an exorbitant price on the lawyers of the District.

Mr. JOHNSON of South Carolina. It was reduced, and there was not enough sale to pay the actual cost, and we had to put it back to $5.

Mr. STAFFORD. I think if you reduced it to $3 you would find it still would be published, but there would not be great profit in the hands of the reporter of the court. It is a question of giving some undue profit to the reporter.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Books for judicial officers: For purchase and rebinding of law books and books of reference for United States judges, district attorneys, and other judicial officers, including the nine libraries of the United States circuit courts of appeals, to be expended under the direction of the Attorney General: *Provided*, That such books shall in all cases be transmitted to their successors in office; all books purchased thereunder to be plainly marked, "The property of the United States," $16,000.

Mr. BARTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Nebraska [Mr. BARTON] moves to strike out the last word.

Mr. BARTON. I do so for the purpose of asking unanimous consent to extend my remarks in the RECORD on the subject of the Children's Bureau.

The CHAIRMAN. The gentleman from Nebraska [Mr. BARTON] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BARTON. I withdraw my pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For rent of necessary quarters in Washington, D. C., and elsewhere, $7,000; necessary traveling expenses of members of the court and clerk, $150; books, periodicals, stationery, supplies, freight, telephone and telegraph, heat, light, and power service, drugs, chemicals, cleansers, furniture, and printing; pay of bailiffs and all other necessary employees not otherwise specifically provided for; and such other miscellaneous expenses as may be approved by the presiding judge, $6,500; in all, $13,650.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to go back to the item at the bottom of page 133, beginning on line 24, providing for rent of quarters for the accommodation of the Census Bureau, $17,500, and authorizing the Secretary of Commerce to enter into a contract for a lease for a period of not to exceed five years. The purpose I have in view in making this request——

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent to return to page 133, line 24.

Mr. JOHNSON of South Carolina. Let him explain his purpose.

Mr. MADDEN. The purpose of asking this consent is to call attention to the fact that I understand that a great many of the officials of the Department of Commerce are identified officially with a bank, the owners of which are erecting this building and are to rent it, if they have not already rented it, to the Department of Commerce. On the face of the case it looks to me like a matter that ought to be investigated before an appropriation is made.

I have no charges to make against anybody, but I think the House should know the facts, and I think the Committee on Appropriations ought to know the facts. I think the House should be in possession of such information as I see published in one of this morning's newspapers, to the effect that these men, occupying official positions, both in the bank and in the Department of Commerce, are making contracts for the department with the bank. That provision ought not to go through without some investigation and discussion.

Mr. BARTLETT. Mr. Chairman, may I interrupt the gentleman a moment?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Georgia?

Mr. MADDEN. Certainly.

Mr. BARTLETT. What is to prevent the gentleman right now from stating what facts he has to bear out his allegations? There is nobody attempting to prevent him.

Mr. MADDEN. I will state that that information is contained in one of the newspapers this morning, which has already been read.

Mr. BARTLETT. That has already been stated by the gentleman's colleague [Mr. MANN]. The gentleman's colleague was on the job a little bit quicker than the gentleman himself was.

Mr. MADDEN. A man named Evans is the man who makes the contract with the Department of Commerce, and he is vice president of the bank and president of the corporation erecting the building, and associated with him in the bank of which he is the vice president is the private secretary of the Secretary of Commerce and two other officials of the Department of Commerce as directors. Those statements make it appear to me to be an altogether irregular transaction, in which the Congress of the United States ought not to make an appropriation until we have all the facts before us. That is all.

Mr. JOHNSON of South Carolina. Mr. Chairman, the statement of the gentleman makes it necessary for me to say that now, for the first time——

Mr. MADDEN. I will say right now that I do not believe a member of the Committee on Appropriations knew anything whatever about the facts in the case, and I am quite sure that if they did, not one member of this Committee on Appropriations would recommend any such contract as is provided for in this appropriation.

Mr. COOPER. Mr. Chairman, will the gentleman permit an interruption?

Mr. JOHNSON of South Carolina. Yes, sir.

Mr. COOPER. A moment ago the distinguished gentleman from Illinois, the leader of the minority, said that one of the officers of the corporation which is erecting this building is employed in the Department of Commerce——

Mr. MANN. Oh, no; the gentleman misunderstood me. I said that I understood that the president of the corporation that is to build the building is vice president of this new bank, and serving with him on the board of directors of the bank were the chief clerk of the department, the private secretary of the Secretary, and the assistant solicitor of the department.

Mr. COOPER. That is even more significant than I thought when I heard the gentleman from Illinois first make the statement.

Mr. CALDER. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I would like to have the gentleman from South Carolina explain why we are doing this. Some years ago Congress appropriated a lot of money which was used to buy a site for a new building for the Department of Commerce. We have had that site during these years, and yet meanwhile the Committee on Appropriations has induced Congress to sanction the construction by private capital of an entirely new building, away up on Nineteenth Street and Pennsylvania Avenue, and the leasing of it for a number of years for the Department of Commerce.

Mr. FITZGERALD. Mr. Chairman, if the gentleman will permit, I wish to say that the building has never been authorized; and if authorized, it could not be constructed within the life of this lease.

Mr. COOPER. Of course a building for the Department of Commerce never will be constructed if it never is authorized. But we have had the site for a number of years; and, in view of the fact that the Government is paying approximately $600,000 a year for the rent of privately owned buildings in Washington, we ought to save money by the construction of our own buildings.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. JOHNSON of South Carolina. I will yield to the gentleman from Kentucky.

Mr. SHERLEY. I merely wished to say, Mr. Chairman, with reference to the erecting of Government buildings, that I know of no instance where we have built a Government building in Washington and saved money over rent in doing it.

Mr. CALDER. Mr. Chairman, I simply want to make the statement that the banker referred to is a savings-bank official, and these men who are stated to be officers of the bank are merely trustees, and receive no compensation whatever as such.

Mr. MADDEN. That does not make any difference.

Mr. CALDER. I want to get that into the RECORD.

Mr. JOHNSON of South Carolina. I want to say, Mr. Chairman, that no member of the Committee on Appropriations, so far as I know, ever heard the suggestion thrown out until today on the floor that anybody connected with the Department of Commerce was either directly or remotely interested in the rental of these quarters. Of course the Committee on Appropriations was simply trying to provide quarters for the Department of Commerce. The Secretary desired, as far as possible, to have his entire force under one roof; and that is what induced the Committee on Appropriations to provide for those quarters. I shall not object to a request to go back to that item.

The CHAIRMAN. Will the gentleman from Illinois [Mr. MADDEN] restate his proposition for unanimous consent?

Mr. MADDEN. To go back to line 24, page 133, and to include lines 1 to 7, on page 134, for the purpose of reconsidering the question.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to return to line 24, page 133, and lines 1 to 7, page 134. Is there objection?

Mr. HAY. I object.

The CHAIRMAN. The gentleman from Virginia objects. The Clerk will read.

The Clerk read as follows:

For auditors and additional stenographers, when deemed necessary, in the Court of Claims, and a stenographer, at $1,600, for the chief justice, to be disbursed under the direction of the court, $7,000.

Mr. BUCHANAN of Illinois. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count.

Pending the count,

Mr. BUCHANAN of Illinois. Mr. Chairman, I withdraw the point.

The CHAIRMAN. The gentleman withdraws the point. The Clerk will read.

The Clerk read as follows:

SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1915 for the purchase of any typewriting machine at a price in excess of the lowest price paid by the Government of the United States for the same make and model of machine during the period of the fiscal years 1913 and 1914; such price shall include the value of any typewriting machine or machines given in exchange, but shall not apply to special prices granted on typewriting machines used in schools of the District of Columbia or of the Indian Service, the lowest of which special prices paid for typewriting machines shall not be exceeded in future purchases for such schools.

Mr. LONERGAN. Mr. Chairman, I make the point of order against this paragraph that it is new legislation.

Mr. JOHNSON of South Carolina. I concede that it is subject to the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. JOHNSON of South Carolina. I offer the following amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, by inserting, after line 17, on page 143, the following:

"SEC. 4. That no part of any money appropriated by this shall be used during the fiscal year 1915 for the purchase of any typewriting machine at a price in excess of the lowest price paid by the Government of the United States for the same make and model of machine during the period of the fiscal years 1913 and 1914; such price shall include the value of any typewriting machine or machines given in exchange, but shall not apply to special prices granted on typewriting machines used in schools of the District of Columbia or of the Indian Service, the lowest of which special prices paid for typewriting machines shall not be exceeded in purchases for such schools."

Mr. LONERGAN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. What is the point of order?

Mr. LONERGAN. On the ground that it is legislation.

Mr. BARTLETT. It reduces expenditures.

The CHAIRMAN. It is a limitation on this appropriation.

Mr. JOHNSON of South Carolina. The difference between the amendment and the section that went out on the point of order is this: The paragraph which went out said that no part of any money appropriated by this or any other act could be used for the purposes stated. The amendment leaves out the words "or any other act" and confines it to the money appropriated in this bill.

The CHAIRMAN. It appears clearly to the Chair that it is a limitation. The point of order is overruled.

Mr. MANN. I think there may be some question about the last two lines of the amendment. With the word "future" left out those two lines do not mean anything, because the purchases for the year are already covered in the preceding part of the amendment, and if the last two lines refer to purchases for the future, they are subject to the point of order.

Mr. JOHNSON of South Carolina. In order to save time and not have an argument on the point of order, I ask unanimous consent to strike out all after the word "service," in line 3, page 144.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to modify his amendment as stated. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment as modified.

The amendment as modified was agreed to.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. What became of the point of order made by the gentleman from Connecticut against the amendment?

The CHAIRMAN. The point of order was overruled. The Clerk will read.

The Clerk read as follows:

Within 30 days after the passage of this act the President shall appoint a board consisting of three persons in the employment of the Government who shall serve without additional compensation, and two of whom shall be experienced in mechanical manufacturing; it shall be

the duty of said board to make an investigation of typewriting and other machines of like character and to fix a mechanical standard to be required for typewriting machines for each class of work in the public service requiring the use of such machines; it shall also ascertain and report as nearly as may be practicable the probable maximum cost of producing each such machine, based upon such mechanical standard, and shall communicate the same to Congress through the Secretary of the Treasury at the beginning of its next session.

Mr. LONERGAN. Mr. Chairman, I reserve a point of order on that paragraph.

Mr. MANN. Oh, well, let the gentleman make the point of order.

Mr. JOHNSON of South Carolina. The point of order is well taken.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. LONERGAN. I make the point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

The head of every executive department and other Government establishment shall transmit to Congress, on the first day of its next session, a statement showing, for the first three months of the fiscal year 1915, the following relative to typewriting machines purchased during that period: The model, character, contract price, and make of each machine purchased; the model, character, amount allowed, and make of each machine given in exchange; total number purchased and total number given in exchange; aggregate cost, aggregate allowance on exchanges, and aggregate net cost of all machines. And there shall be submitted to Congress, on the first day of the session following the close of the fiscal year 1915, statements of all of the foregoing facts for the entire period of that fiscal year.

Mr. LONERGAN. Mr. Chairman, I make a point of order on that.

Mr. FITZGERALD. This merely requires the transmission to Congress of a statement regarding the number, prices, and models of all typewriters purchased by the various departments. Surely the gentleman ought to be willing to have Congress furnished with information regarding the purchase of typewriters, which information will enable the House to take proper action in regard to the matter of their purchase. This does not limit the price. It simply requires a statement furnishing information in a uniform manner. It is information that the House ought to have.

Mr. LONERGAN. I withdraw the point of order.

Mr. SHERLEY. Mr. Chairman, I move to strike out the last word. I think it ought to be said, in justice to the Committee on Appropriations, that all of these provisions with reference to typewriters were put into the bill with the idea of protecting the Government against what we believe to be excessive charges by the various typewriter companies that, if they are not in a combination, are so nearly so as to compel the Government to pay a great deal more than ought to be paid. The committee in the interest of economy were trying to arrive at a basis for determining whether or not, in order to protect the Government, it might not be advisable to build typewriters instead of purchasing them of these companies.

Mr. FOWLER. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. FOWLER. I want to know if you found any discrepancy in the various departments as to the prices paid?

Mr. SHERLEY. Oh, yes; there is a good deal. I think the prices paid for all typewriters, in view of the actual cost, are excessive. I think that anyone who investigates it will come to that conclusion.

Mr. BRYAN. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 145, in line 5, after the word "machines" insert: "and report on the operation of tabulating and punching machines in the office of the Auditor of the Post Office Department, both as to efficiency of such machines and as to requirements made in said office of clerks and employees therein."

Mr. JOHNSON of South Carolina. I make the point of order that that is not germane.

Mr. BRYAN. It is germane, it seems to me, Mr. Chairman. I will withdraw the amendment there and offer it as a new paragraph.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. BRYAN. Now, Mr. Chairman, I offer the amendment as a new paragraph, to come in after section 4.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

At the end of line 9, page 145, add a new paragraph, as follows:
"And report on the operation of tabulating and punching machines in the office of the Auditor for the Post Office Department, both as to efficiency of such machines and as to the requirements made in said office of clerks and employees therein."

Mr. SHERLEY. Mr. Chairman, a point of order on that, and I suggest that it is not in such form that it can be added as a new paragraph.

Mr. BRYAN. I will ask to insert the words "shall be made by the Secretary of the Treasury."

The CHAIRMAN. The gentleman from Washington asks unanimous consent to again modify his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add as a new section the following:
"And the Secretary of the Treasury shall report on the operation of tabulating and punching machines in the office of the Auditor for the Post Office Department both as to efficiency of said machines and as to the requirements made in said office of clerks and employees therein."

Mr. SHERLEY. Mr. Chairman, the amendment offered by the gentleman is subject to a point of order, but I do not care to make the point of order to it. But I am desirous of getting before the committee a proposal that, if possible, may be tied to this one, and it occurs to me that instead of having the Secretary of the Treasury make the report, a committee should be appointed to make a report on these machines and on typewriters and other matters, and if I can have the amendment for a moment I will move to amend it.

Mr. BRYAN. Mr. Chairman, I do not care how the proposition comes, whether it be an amendment as I first offered it or as a separate paragraph as I have at the Clerk's desk now, or whether it is under the suggestion that may be worked out by the gentleman from Kentucky, but I do want an investigation, if possible to secure it, on the operations in the office of the Auditor of the Post Office Department, in order that the facts may be sifted and the accuracy of the audit may be tested, and that the requirements of these employees may be known and all of these disputed facts may be put into the clear.

We have had here statements on this floor by men on the inside that complaints have been filed of inhuman and cruel treatment down there. The gentleman from Indiana [Mr. Cox] said that they came to his office day in and day out, when the machines were first instituted, with all kinds of complaints. Since I brought up the question, a few days ago, there have been a number of parties come to me, wherever I go in public places, when the meeting is over, two or three clerks will come up and tell of irregularities and unusual conditions that prevail in that particular office.

I have learned of the Treasury Department facts that make me believe that the audit is practically worthless in essential features. For instance, they do not take any kind of a check on the receipts. In the Treasury Department a warrant is not audited until the receipt is checked. Down there they punch holes for the amount, and if a postmaster gets stuck by a hole punched 5 instead of 7, he is short $2, and they send notice to him and he has to pay up. I am informed that one of the leading offices in the country refused to accept the audit of this department because of its inaccuracy.

Mr. SMITH of Minnesota. Will the gentleman yield?

Mr. BRYAN. Certainly.

Mr. SMITH of Minnesota. Has the gentleman ever visited this auditor's office and seen the machines in operation?

Mr. BRYAN. I have; yes.

Mr. SMITH of Minnesota. Does the gentleman know that it is mechanically impossible to make the mistake that he has suggested?

Mr. BRYAN. Of course, it is not impossible to punch a hole in the figure 7 instead of 5.

Mr. SMITH of Minnesota. Would not the mistake be detected before they file away the papers?

Mr. BRYAN. Not necessarily.

Mr. SMITH of Minnesota. As I understand it, they run a rod through several hundred papers, and if it strikes a 7 hole in place of a 5, it is mechanically impossible to put the rod through.

Mr. BRYAN. Of course, all the 5s and all the 7s are in line, and if a 7 hole was punched it would not line up with a 5 hole.

I want to call the attention of the committee to the fact that there had been filed complaints before the Health Department, and they attempted to investigate, and Mr. Kram discouraged it on account of the question of jurisdiction. He opposed it and prevented the investigation by the Health Bureau. Now, these things and all the conditions down there are such as to warrant an investigation of some kind. I am sure that if it is made that system of piecework will be put out of order forever.

It is very easy, Mr. Chairman, for us to procure an amendment or strike out a section on parliamentary point here and then have the usual process of making the change again in the Senate. I have noticed that there is a great disposition here to be law-abiding citizens on some bureaus; but on other bureaus and salaries they do not consider themselves bound by the fundamental law, and they say that fundamental law is not intended to govern and that new appropriation acts raising or changing these things are all right.

I ask unanimous consent to extend my remarks on this subject, covering the complaints that have been received.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BRYAN. Mr. Chairman, in extension of my remarks, I will say, I do not have very much faith in an investigation unless the Secretary of the Treasury is responsible for it or the commission is given authority to summon witnesses and take testimony under oath. Those women and men employed down there will not jeopardize their jobs by voluntary testimony. They must earn a living. I want a thorough investigation, and I believe this piecework business there under Auditor Kram will come to an end, and very soon, too.

The investigation should extend both as to the efficiency of such machines and as to the requirements made of the clerks and employees in Auditor Kram's office. I commend the plan to determine typewriter efficiency and to establish a mechanical standard for machines, as proposed in the bill. I want these punching machines in Auditor Kram's office also investigated; but, above the machines, I want the human beings down there to have as much consideration as this committee gives to typewriters that cost about $18 to manufacture. That is the proposition on which I lay most stress.

The chairman of the subcommittee [Mr. JOHNSON of South Carolina] and other gentlemen have laid great stress on the amount that has been saved in this department by the laying off of clerks and in other ways. There have been some savings; there is no denial of that and no desire to deny it. It is worthy of note, however, that all this saving is in pay to clerks, not in pay to the officers classified above clerks. The law of 1909 was compared with the present statute. In 1909 the pay of the high-salaried men rated above clerks was $31,750; this bill carries $37,000, an increase of over 16 per cent, in these high-salaried positions. The number of clerks has been decreased, but the aggregate pay for the high-salaried men has gone continually upward.

I believe the saving should not all be credited to the machines. In the first place, it has been shown that 50 per cent of one year's work is still undone and no intention of ever doing it—the so-called legislative audit. The money orders lie there unaudited to the sum of about a half billion dollars. That would account for quite a percentage of decrease, and now they are nearly six months behind again, so that we have absolutely untouched practically a whole year's work.

It has been shown that clerks in Mr. Kram's sweatshop are, to all intents and purposes, denied leave which is accorded to all other clerks. They must, under this auditor, agree to take care of their several desks, and when they return from their leave they find their work piled up on their desks for them to complete by night work, some of them working 10 hours per day till they have caught up. This practice, of course, helps Mr. Kram; and Mr. Kram's friends who own the stock in the company which owns the punching machines does not fail to tell about all these savings, thereby increasing the demand for the wonderful machines.

Then Mr. Kram works his clerks like slaves, docks them for every few minutes of time they lose, and fines them for every error. All this, of course, boosts this plausible auditor and promotes his praise by the committee here on this floor, who do not know the facts.

Since I made this attack on Mr. Kram's methods a few days ago I have been appealed to and congratulated by parties who send in their cards here on the floor and request an interview. No less than five such cases have occurred. At public meetings which I have attended they have come with their complaints. They are intelligent men and women, who want their names withheld. I have had some experience in investigations and in ferreting out the truth where there is divergence of opinion. I know you can not expect everyone to be satisfied, but I say that these employees have a good case against Mr. Kram. The saving is not what is pretended, either.

Why, do the gentlemen of this House know that the audit Mr. Kram makes is about three-fourths sham? I have been to the Treasury Department, and they tell me there that the essential feature of their audit in checking warrants is to see that the payment of the warrant is receipted by the payee, that a valid indorsement is on the warrant. That is the important item on a money order, but this wonderful audit of the plausible Mr. Kram does not consider that important feature at all. The girls that run these piece-rate machines—men will not run them; they can dig in the streets, a much easier occupation—can not investigate the matter of receipt. They must save time. No facts are worth while except the numbers that can be recorded by punches, and then they must rattle on, for this great Government is paying them by the piece; and if they do not keep up their efficiency, so the machines can get a good report and sell for a high price on the market, they will lose even the job they have. Suppose there was no receipt. That is nothing—an entirely immaterial matter.

Many postmasters refuse to accept this automaton audit. If the tired girl punches a 5 where the order called for a 7, the postmaster gets debited the difference—$2. Sometimes they pay up; in other cases they refuse. The postmasters of the country will lose confidence, and ought to lose confidence, in audits made at breakneck speed. That is not the way to work human beings, anyway. Here are some of the letters I have received concerning this proposition:

WASHINGTON, D. C., *April 10, 1914.*

Hon. JAMES W. BRYAN.

DEAR SIR: You certainly heard a correct report—that the Sixth Auditor's office was a hell on earth. It is the most corrupt office under the Government. That piecework is ruining the nerves of the girls who work on the machines. Some of them have to pay greater part of their salaries for errors made, as he charges for every error made in punching the cards. A nest of Republicans control everything; they get all the best positions and best-paying places. Democrats are getting nothing. The investigations there have gained no information about the way things are done. The chiefs of divisions and clerks could give information, but they would not dare to say anything against the system of doing the work. This would incur Mr. Kram's everlasting hatred, and in course of time they would lose their positions. Is there not a man in the Democratic Party competent to fill this place?

Respectfully,

——— ———.

WASHINGTON, D. C., *April 8, 1914.*

Hon. JAMES W. BRYAN,
House of Representatives.

DEAR SIR: All honor to you for the fight you have made on Kram and his sweatshop methods. I am not a Government employee and have absolutely no interest in this matter except that of humanity and fair play.

I know that Kram boasts that when the slaves under him make a certain amount under one system he will transfer them to the other, and vice versa.

To residents of Washington the office of the Auditor of the Post Office is well known by its evil reputation as an inhuman institution. Kram, who is a hypocritical fraud, has pulled the wool over the eyes of the Appropriations Committee. He draws a fat salary. Entering office as a Republican, he is now training with the Democrats.

Let me urge you to keep up your interest in this matter. Please dig into it and get some one in the Senate committee to do so. There is nothing like it under the Government or short of the lofts of New York. This fellow has these poor people terrorized, so you will have to devise methods of getting at the facts.

———,
Washingtonian.

WASHINGTON, D. C., *April 8, 1914.*

Hon. JAMES W. BRYAN, M. C.

SIR: Your attention, and also that of Mr. NOLAN, to the system of card punching in the office of the Auditor for the Post Office Department. Examine one of the cards after it is punched and see if you or Mr. NOLAN can read it. No name of the State, office, amount of order, or fee charged; nothing but a few punched holes in a card. It is the most absurd, no-sense system that was ever thought of by any person.

Respectfully,

——— ———.

We women in the office of the Auditor of the Post Office Department are deeply grateful to you for the effort you made in our behalf before the Appropriation Committee. Every word is true. You might have stated that the unaudited money orders are piled up, 15,000,000, while the auditor keeps chiefs of division after office hours to straighten the lines of desks and fasten them to the floor, so that they will not swerve an inch in position.

His plausible and utterly false statements to visitors are made in the presence of clerks, who listen aghast but do not dare to speak themselves.

He has been heard to call up Congressmen and offer to assist in securing high-class post offices in their districts through his influence over the Postmaster General.

Auditor Kram is a Machiavelli in nature. God bless you for the brave stand you made.

Please keep it up until success is gained and this office is exposed.

This is written in the name of the women clerks, and not meant to be merely anonymous in the usual term.

Representative BRYAN.

DEAR SIR: As an employee of the Auditor for the Post Office Department I desire to thank you for your part in defending the pieceworkers and your effort to abolish the pernicious system. Every word spoken

against it is true; and many other unpleasant conditions exist of which the employees dare not speak. We do not need to be penalized at such an exorbitant rate, as we have as much honor and pride in our work as Mr. Kram, and no one would want a bad record in office.

Sincerely,

AN EMPLOYEE.

—

APRIL 10, 1914.

Hon. J. W. BRYAN,
House of Representatives.

DEAR SIR: I read with much interest the article in the Evening Star of April 8 regarding piecework in the office of the Auditor for Post Office Department. I think it referred to the key punchers as the operatives are designated and not to the tabulating machines; the machines used to duplicate money orders are not electrical but are operated by hand. The keys are similar to those on a typewriter; of course, the work is more strenuous, because holes must be punched through the cards. Personally I do not object to the machine work and, so far as I have been able to ascertain, the majority of the employees prefer this system to the old way, namely, assorting and numbering. Under the *old* system the salaries for assorting were from $660 to $840, and some of those receiving the smaller salary were doing the same amount of work as those receiving the larger. Piecework has done away with that unsatisfactory state of affairs, but another trouble has developed which is similar, discrimination in distributing the work, of which we have three classes. First class, paying 12 cents per hundred; second class, 13½ cents per hundred; and third class, 15 cents. Second class we rarely get in our section, and third class is equally scarce at present, except in one or two cases. We would like the auditor to explain why a few selected employees are favored with the high-priced work.

We are charged $3 per hundred for errors, which seems out of proportion against 12 cents per hundred paid us for the work. We have a number of temporary employees in our office, and the auditor has given a great deal of the second and third class work to them and paid only 12 cents for it; of course, that means loss to regular employees.

All the pieceworkers are worried about leave of absence. We have not the slightest idea of what the auditor's intentions are. Sick leave has been reduced to 15 days, and those who have been ill enough to remain away this year have not been granted leave.

You were misinformed regarding the work being piled on the desk of a girl on leave, so she would have it to do when she returns; that is never done.

If these unfortunate conditions could be remedied and our present ratings for the work be assured—we do not know when Mr. Kram may decide on a reduction—we would be most grateful.

Thanking you and Representative NOLAN for the effort you have made in our behalf.

Most respectfully,

EMPLOYEE.

Of course, no claim is made that piecework operators have work piled up during leave. They have been practically denied leave. This piling up of work applies only to clerks.

WASHINGTON, D. C., *April 16, 1914.*

Representative BRYAN.

SIR: I desire to add my complaint against the sweatshop conditions in the Auditor's Office for the Post Office Department. The terrible strain of piecework and the fact that we are charged $30 a thousand for errors is such as to almost unfit one for work at all. Then we have green cards sent back marked "missing" or "duplicate" from the examiners, and we have to pay for them also. Now, there is no way of proving that these cards have been omitted by us. They are kept overnight and handled by several people who may lose them. Yet everything is charged to the key punchers. As the examiners are rated accordingly as to the number of errors found each day, don't you think it is an incentive for them to charge everything possible to the operative? There are some women who favor piecework, for they say they want the money even at the expense of their health. Is this just to the ones whose health is already so impaired that they can not keep up the strain? Mr. Kram has already transferred many whose health is entirely gone. I have been constantly under the doctor's care for one year.

Sincerely,

AN EMPLOYEE.

Kram takes these easy-worked Congressmen in there and tells them everything is "up on the sixth day;" and the Congressman sighs "What a wonderful man," but the Congressman is the victim of a mental cramming process. The truth is they are nine months behind now on the issued side of the audit and away behind on the paid side. There are clerks down there to-day working, on the issued side, on the fourth quarter of 1911. Let these defenders of this system who know all about this office deny that statement or admit that I know more about the auditor's office than they do. Not only that, but I know about the future intentions of the auditor as to this feature. The auditor is to put several extra clerks onto this old batch of work to-morrow. This is a division where visitors and smoking are not allowed. This has served the purpose now, for he has already made his wonderful record, and his misguided adherents here on the floor have already praised him for his marvelous efficiency. It is time now to catch up the back work. Of course anyone knows that if he had kept the clerks at work on this half billion dollars of money orders which he abandoned, and on the 1911 orders he is yet doing, and on the six months of current work that is behind, we would not have heard so much about his savings for Uncle Sam, for there would not have been any saving, in all probability.

Money-order carbon advices were abolished about the time this new auditing system, by punching cards, was adopted. This effected a tremendous saving, and a great deal of advertising has been done on this account for Mr. Kram and his system.

Auditor Kram is proficient in getting in on the urgent deficiency bill to help him make a record. He calls it Postal Savings System money there, but it is claimed that the record will show that postal savings money goes into this same account to a certain extent—and a very great extent, too. No wonder the Postal Savings Department is not making a good showing.

In the urgent deficiency bill approved March 4, 1913, Mr. Kram gets $49,300 for Postal Savings System, and in the legislative, executive, and judicial bill approved March 4, 1913, he is carried for the identical amount. One of these bills is H. R. 26680 and the other H. R. 28858—same date, same amount. I can not quite understand this, but no doubt Mr. Plausible knows, for he crammed into that very same bill the following paragraph, that was worth another $100,000 to the record of this office for saving. Just read it and ask yourself if you are really reading the solemn enactment of a Congress concerning an auditing department that becomes a laughingstock unless all the postmasters of the country trust it implicitly for its accuracy:

MISCELLANEOUS.

Hereafter the Auditor for the Post Office Department shall not assort and verify the money orders pertaining to postmasters' issued lists covering the period from January 1, 1912, to June 30, 1912: *Provided*, That the statements for said period and accompanying money orders shall be retained as a part of the record of unpaid money orders required by the act approved May 27, 1908.

I say it is an outrage for Members to stand here on the floor and claim to know so much about this department when they have been doing things so inexcusable as the enactment of the above to help him out. Yet they denounce me for pointing out the facts about this department and its auditor.

On the theory of maintaining discipline, Mr. Kram keeps his clerks intimidated. Certain clerks assert that he made a little address one day to the piece-rate workers about like this: "You folks needn't write letters to the Congressmen. They show me every letter you write. Why, just yesterday, I saw several of them."

I am informed that there is a most estimable lady clerk, from a Southern State, in whose face Kram shook his first one day to impress his power and his authority.

An investigation, properly made, where witnesses can be sworn and clerks will be protected, will reveal conditions in that department that will shame the defenders of Mr. Kram here on this floor. I am informed that a body of women—a dozen or more—waited on the Secretary of the Treasury a year ago concerning conditions in this department, and the Secretary promised to do something. But Mr. Plausible has made the impression that he has saved the United States of America $100,000 and a little more, and so the great Committee on Appropriations and the Congressmen that are gullible are ready to proclaim his praises and grow loud and eloquent as to his efficiency.

Mr. FITZGERALD. Mr. Chairman, the gentleman's statement about the conditions of this office are so grossly inaccurate that this committee will welcome the adoption of this amendment. The committee has the information desired, if the gentleman would take the trouble to read it. It is hoped that the fact that this amendment will be incorporated in the bill will encourage the gentleman from Washington to make a personal investigation of the facts. I am sure that he will be convinced as others who have done so are convinced that whatever the source of his information, whoever has furnished him with these wild dreams, he has been so far misled that he will regret that he was ever induced to make these statements upon the floor.

Mr. BRYAN. I will state to the gentleman that the worst things I got I obtained from the speech of the gentleman from Indiana [Mr. Cox]. He said they came to him and told him it was inhuman.

Mr. COX. Yes; and I refused to investigate on looking the matter up, for I found that the story was not true.

Mr. BRYAN. The gentleman went to Mr. Kram about it?

Mr. COX. No; I went there myself.

Mr. FITZGERALD. Mr. Chairman, if during the time that this bill has been under consideration the gentleman from Washington had taken one hour and had gone and looked into the matter himself, he would have saved considerable time of this committee and would not have been making these statements. It is for the purpose of having information that will completely refute his statements and show how preposterous they are that the committee hopes that the amendment will be adopted.

Mr. SHERLEY. Mr. Chairman, I desire to offer an amendment, as follows:

Strike out the words "the Secretary of the Treasury shall" and insert:

Within 30 days after the passage of this act the President shall appoint a board, consisting of three persons in the employment of the Government, who shall serve without additional compensation, two of whom shall be experienced in mechanical manufacturing. It shall be the duty of said board to make.

Then, at the end of the amendment offered by the gentleman from Washington, add the following:

And the said board shall also inquire and report to Congress as soon as may be practicable whether such machines or any other articles or materials used in considerable quantities by or for the sole use of the Government can be manufactured advantageously by prison labor controlled by the United States; and if so, at what cost Federal penal institutions can be equipped for such purposes and the system of payment of wages to or for the benefit of convicts so employed that it may be desirable to adopt.

Mr. FOSTER. Mr. Chairman, on that I desire to reserve the point of order.

Mr. SHERLEY. Mr. Chairman, I desire to be heard upon the point of order.

Mr. FOSTER. The gentleman from Kentucky reserved the point of order on the paragraph.

Mr. SHERLEY. I did not. The paragraph now offered being subject to a point of order, none being made, I submit this amendment is in order.

The CHAIRMAN. The Clerk will report the amendment.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the Clerk report the amendment as it would read if agreed to.

The CHAIRMAN. Without objection, the Clerk will report the amendment as it would read if the amendment to the amendment were agreed to.

There was no objection.

The Clerk read as follows:

Within 30 days after the passage of this act the President shall appoint a board, consisting of three persons in the employment of the Government, who shall serve without additional compensation, and two of whom shall be experienced in mechanical manufacturing. It shall be the duty of said board to make a report on the operation of tabulating and punching machines in the office of the Auditor of the Post Office Department, both as to the efficiency of said machines and as to the requirements made in said office of clerks and employees therein, and the said board shall inquire and report to Congress as soon as may be practicable whether such machines or any other articles or material used in considerable quantities by and for the sole use of the Government can be manufactured advantageously by prison labor controlled by the United States; and if so, at what cost Federal penal institutions can be equipped for such purpose and the system of payment of wages to or for the benefit of convicts so employed that it may be desirable to adopt.

Mr. FOSTER. Mr. Chairman, I make the point of order on the amendment offered by the gentleman from Kentucky. The amendment is not germane to the amendment offered by the gentleman from Washington.

Mr. SHERLEY. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. SHERLEY. Mr. Chairman, the amendment offered by the gentleman from Washington [Mr. BRYAN] was itself subject to a point of order. Under the rules of the House, it being subject to a point of order, and such point of order not being made, an amendment to it, if germane to it, is in order, even though as an original proposition it itself would be subject to a point of order. I therefore submit that the amendment offered by myself is germane to the amendment offered by the gentleman from Washington. The first part of my amendment consists simply in changing from the Secretary of the Treasury as the person who shall make the report to a committee of three men to be appointed by the President. Certainly that is germane to the amendment. The amendment of the gentleman from Washington dealt with the subject of considering the use and cost of certain tabulating machines used in the Post Office in the auditing department. My amendment carries the idea of also considering the advisability of manufacturing such machines by the use of prison labor, with the idea of determining whether that shall be desirable, and, if desirable, the method that may be adopted for equipping the prisons with the machinery necessary to make such machines and for the payment of proper wages to the convicts employed in such manufacture, and it is properly tied to the amendment offered by the gentleman from Washington.

Mr. FOSTER. Mr. Chairman, I suggest to the gentleman that the amendment offered by the gentleman from Washington [Mr. BRYAN] provided that the Secretary of the Treasury should report on the efficiency and use of these machines. Now, the gentleman from Kentucky [Mr. SHERLEY] undertakes to amend that amendment of the gentleman from Washington by providing that a committee be appointed to investigate not only that, but to investigate the question of the desirability of manufacturing these machines by convicts in the United States penitentiaries. I suggest to the chairman that an amendment of that kind is not germane to the amendment offered by the gentleman from Washington, which only provided for a report upon the efficiency and use of these machines now in the department and goes no further, but the gentleman from Kentucky undertakes to introduce an entirely different subject which is not germane to this amendment offered by the gentleman from Washington.

Mr. BRYAN. If the gentleman will permit me just a moment, I submit that anything that refers to a penitentiary and prison labor, in connection with the office of the Auditor for the Post Office Department, presided over by Mr. Kram, I think it is in order.

Mr. FOSTER. I am sure the gentleman does not desire to have this amendment go in so as to investigate the manufacture of these machines in penitentiaries without due consideration of the whole subject.

Mr. BRYAN. I think that anything which refers to convict labor is in order in connection with that department of the Post Office Department.

Mr. FOSTER. I take it the gentleman is not in favor of convict labor in the manufacture of these machines without any further consideration. I realize the intention of the gentleman from Kentucky is an humane one. I am in favor of giving these convicts some useful employment in such a way as not to interfere with free labor of the country. No one, I am sure, here believes in the contract system for convicts. Let us take up this question and solve it in a way that it can be given due consideration.

Mr. MANN. Mr. Chairman, I would like to be heard on the point of order. The gentleman from Kentucky says the amendment offered by the gentleman from Washington, having been subject to a point of order and that point of order having been withdrawn, any germane amendment may be added to the amendment. In a way that is absolutely correct, and yet the rule has been consistently observed for years in the House that while you may offer an amendment to an amendment or a proposition subject to a point of order, you could not through an amendment introduce a new subject matter. The rule is not quite so broad in offering an amendment to a proposition which was subject to a point of order as it is ordinarily. The Chair has held many times that you could not introduce a new subject matter by an amendment to a proposition, which proposition is subject to a point of order if a point of order is made against the amendment. In other words, while the House may not desire to make a point of order, and no Member of it, upon a proposition submitted, that does not authorize some one else to propose a new proposition as a germane amendment to that, although it might be germane under ordinary circumstances. In my judgment that takes out of the gentleman's amendment the provision authorizing the appointment of a commission. The direction to the Secretary of the Treasury to make a report is an entirely different proposition from ordering the President to appoint a commission to make a report. That is the introduction of a new subject matter entirely. And then the balance of the gentleman's amendment is not germane at all under any circumstances. The amendment of the gentleman from Washington relates only to the tabulating machines in the office of the Auditor for the Post Office Department, and the gentleman from Kentucky proposes to include a whole lot of other things, as I recall. Did it include typewriting machines? And he proposed to have a commission appointed to investigate whether these can be constructed in prison, and that is an entirely different thing, not germane to the provision directing a report upon the machines in the office now in operation. He proposes an amendment telling how or where the machines in that office shall be constructed.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks clearly the latter portion of the gentleman's amendment to the amendment is not germane and therefore the Chair sustains the point of order.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to address the committee for five minutes—I hope I will not take up that much time—touching the purpose of the amendment which I have offered.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to address the committee for five minutes. Is there objection?

Mr. FOSTER. Mr. Chairman, I would like to have five minutes also.

Mr. JOHNSON of South Carolina. Mr. Chairman, I hope the gentleman will not make that request.

Mr. MANN. Mr. Chairman, we have been trying on this side to give consideration to the chairman of this subcommittee——

The CHAIRMAN. The Chair is inclined to give the chairman all the consideration possible.

Mr. MANN. But if other gentlemen do not want to give consideration, there is no reason why we should.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Chairman, the purpose of my amendment might not be understood by a mere reading of just the language, and particularly on hearing it hastily read. I took occasion once before to call the attention of this House to what I thought was the indefensible position which the United States Government occupies toward Federal prisoners. These men are now being employed in useless work, they are being employed in the way of getting the least possible results from their labor, and they are being employed so as to give them or their families absolutely no benefit of their labor. I do not know any greater indictment of modern civilization that can be properly brought against it than in its treatment of the unfortunates of life who are put in penal institutions. To confine a man in the penitentiary for years and then to turn him out with practically not a dollar in the world and expect him to make his way with the stigma of prison service upon him is to ask almost the impossible. [Applause.] And I hope that the time is going to come when by some method we can arrange to give a man who has served his term a fair chance to make a useful citizen in America.

It was not with the idea of having prison labor compete with free labor; it was with the idea of expressly avoiding that situation that I offered my amendment. The Government necessarily uses a great quantity of material that these men could be put to the manufacturing of. The product of their labor would not go out into the open market to beat down the price of free labor. It would simply be used by the Government.

Mr. J. I. NOLAN. Will the gentleman yield?

Mr. SHERLEY. In just a moment. And by paying them a legitimate wage you would not have the situation you have now, where a contractor hires that labor at a totally inadequate price, and thereby is able to make goods at a false cost and to sell them in competition with free labor and undersell the products of such free labor.

Now I yield to the gentleman.

Mr. J. I. NOLAN. As to the amendment offered by the gentleman from Kentucky, I would like to ask if that is not in line with the system in the State of New York and in the State of California and in other States of the Union?

Mr. SHERLEY. I understand it is.

Mr. J. I. NOLAN. Outside of the fact that you provide an additional measure of payment either to the prisoner or his dependent relatives?

Mr. SHERLEY. I am not at all concerned in the United States Government getting its material cheaper by using prison labor, but I am concerned in giving those men a chance for their future. [Applause.]

Mr. J. I. NOLAN. I will say to the gentleman that I am heartily in accord with his ideas on that subject.

Mr. BRYAN. I find four lines here in the Democratic Textbook that refer exactly to this. But it happens to be from the Progressive Party platform:

> The abolition of the convict contract-labor system, substituting a system of prison production for governmental consumption only and the application of prisoners' earnings to the support of their dependent families.

That is from the platform of the Bull Moose Party.

Mr. SHERLEY. I want to say to the gentleman that I am still in favor of my proposition in spite of what he has read. [Laughter.]

Mr. BRYAN. I am glad you are willing to stand for something good.

Mr. SHERLEY. I can not believe that this House appreciated the motive that actuated me in offering this amendment, else no point of order would have been made against it. I realize that the gentleman from Illinois [Mr. FOSTER] properly objects to any competition of prison-made goods with goods made by free labor, and I share with him that view. But I do hope that we will some time authorize a commission to go into this matter to determine the cost of equipping these penitentiaries with the machinery necessary to determine what these men can be best put to, so as to teach them useful trades and provide for paying them such a wage as to enable them when they come out of prison to live the life of honest men with some chance of succeeding; and in cases where they have dependent wives and children, those wives and children will not be thrown upon the charity of the world, but may have something to support them. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I want to say just a word in reference to the amendment itself. The gentleman from Washington [Mr. BRYAN] has reiterated here in support of his amendment the charges he made when this bill was in its earlier stages. At that time, when he made the same charges, inquiry was made of him as to whether he had any personal knowledge to support them. He answered that he had not, and at the same time gentlemen arose in various parts of the House, who had made personal investigations, and stated that there was no foundation for them. The gentleman from Indiana spoke in reference to this matter, and, as the gentleman from Washington has said, the gentleman from Indiana stated at that time that he had had complaints with reference to this department. And on the strength of that the gentleman from Washington [Mr. BRYAN] has reiterated his charges, notwithstanding that the gentleman from Indiana [Mr. COX] stated, as I heard at that time and the other Members present heard, that he had made a careful and personal investigation, going not simply to the chief of the department but to the employees themselves, and that he found the charges were utterly without foundation.

Now, the man who is in charge of this department has shown himself to be one of the most efficient and most active and most energetic in the Government service anywhere, and if a man who is conducting his office in that manner is to be assailed as he has been here, without any knowledge of the facts to support it, there is nothing to encourage a Government servant in giving good service. Mr. Chairman, there is no cause for the investigation proposed by this amendment, and it ought to be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. BRYAN].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. BRYAN. Division, Mr. Chairman.

The committee divided; and there were—ayes 20, noes 58.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. VARE. Mr. Chairman, I ask unanimous consent to return to page 71.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to return to page 71 of the bill.

Mr. BYRNS of Tennessee. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Tennessee objects, and the Clerk will read.

Mr. BATHRICK. Mr. Chairman, before we leave that section——

Mr. BYRNS of Tennessee. I do not know for what purpose the gentleman from Pennsylvania wants to go back.

Mr. BATHRICK. Mr. Chairman, before we leave this section——

Mr. VARE. I want to go back for the purpose——

Mr. BATHRICK. I desire to offer an amendment.

The CHAIRMAN. The gentleman from Ohio [Mr. BATHRICK] offers an amendment, which the Clerk will report.

The Clerk read as follows:

> After line 1, page 145, add the following: "The relative cost of repairs and supplies for such makes of typewriters."

Mr. BATHRICK. That should be after the word "purchase," in line 1. Will the Clerk read that again?

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

> After the word "purchase," in line 45, insert the following: "The relative cost of repairs and supplies for such makes of typewriters."

Mr. BATHRICK. Now, Mr. Chairman, this amendment will induce valuable information as to the cost of a typewriter to the Government, which is not at all the original cost of the machine.

Mr. FITZGERALD. The provision that remains in the bill merely requires the head of each department to name the number of typewriters and the market cost. There is no investigation.

Mr. BATHRICK. My amendment requires he shall also state what the cost of repairs and supplies is. Will not the committee accept that amendment?

Mr. FITZGERALD. We have no objection to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BATHRICK].

The amendment was agreed to.

The Clerk read as follows:

> SEC. 5. That appropriations made in this or any other act shall not be available for purchase, maintenance, or repair of motor-propelled

vehicles unless specific authority be granted by law for such purchase, maintenance, or repair, or unless authority therefor be specifically stated in any appropriation used for such purposes.

Mr. J. I. NOLAN. Mr. Chairman, I make a point of order against that.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer the following amendment.

Mr. MANN. Mr. Chairman, I make a point of order against section 5.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] makes a point of order against section 5.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent to withdraw the paper that the Clerk is about to read and offer another. I concede that the point of order is well taken.

The CHAIRMAN. The point of order is sustained.

Mr. JOHNSON of South Carolina. Now, I have an amendment to offer, Mr. Chairman.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

In lieu of section 5, stricken out, insert:

"SEC. 5. That appropriations made in this act shall not be available for purchase, maintenance, or repair of motor-propelled or horse-drawn passenger-carrying vehicles in the service of any of the executive departments, or other Government establishments of the United States, unless specific authority be granted by the law for such purchase, maintenance, or repair, or unless authority for such expense is stated in specific terms in any general appropriation used to defray the same."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. VARE. Mr. Chairman, I ask unanimous consent to go back to page 71, for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. VARE] asks unanimous consent to go back to page 71, for the purpose of offering an amendment. Is there objection?

Mr. FOSTER. Reserving the right to object, Mr. Chairman, I would like to inquire what the amendment is.

Mr. MANN. What is the amendment?

Mr. VARE. I want to offer the following amendment: On page 71, line 7, after the figures "$4,000," insert "experienced builder and mechanic, $2,500."

Mr. FITZGERALD. Mr. Chairman, let the Clerk report it.

Mr. FOSTER. Let us hear the gentleman's request.

Mr. MANN. Reserving the right to object, I will say that that was the place that was in the current law and was left out of this bill.

Mr. FITZGERALD. What was that?

Mr. MANN. Under the Quartermaster Corps.

Mr. FOSTER. Mr. Chairman, I want to reserve the right to object.

The CHAIRMAN. The gentleman will have the right to object to the unanimous consent. The gentleman from Pennsylvania [Mr. VARE] asks unanimous consent to return to page 71, for the purpose of offering an amendment, which the Clerk will report.

Mr. MANN. Reserving the right to object, Mr. Chairman, I wish to say to the committee that this is a place under the office of the Quartermaster Corps. In the current law there is carried an item for an experienced builder and mechanic, $2,500. That is left out of this bill. Was it intentionally left out?

Mr. FITZGERALD. Yes. The Quartermaster General asked that it be left out. He did not want it. If that is the purpose of the gentleman's request, Mr. Chairman, I object.

The CHAIRMAN. Is there objection?

Mr. FITZGERALD. Yes; I object.

Mr. FOSTER. And I object, Mr. Chairman.

The CHAIRMAN. Objection is made.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] offers an amendment, which the Clerk will report. The Chair will inquire of the gentleman where this amendment is to be inserted?

Mr. JOHNSON of South Carolina. As a separate paragraph, following the one just adopted.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Insert, between lines 15 and 16, page 145, the following, as a new paragraph:

"There shall be submitted hereafter in the annual Book of Estimates a detailed statement for the fiscal year next preceding the one in which such Book of Estimates is submitted, showing the number of motor-propelled and horse-drawn passenger-carrying vehicles in the service of the Government, and as to each one the purposes for which used, the purchase price thereof, and the appropriation from which purchased.

"No expense shall be incurred hereafter for maintenance of more than one passenger-carrying vehicle for the use of any official of any executive department or other Government establishment of the United States, and any such vehicles now owned by the Government in excess of one for any official or employee shall be sold and the proceeds thereof covered into the Treasury."

Mr. MANN. Mr. Chairman, I make a point of order against the amendment, that it is pure legislation.

Mr. JOHNSON of South Carolina. The point of order is well taken, Mr. Chairman.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

SEC. 6. That all laws or parts of laws to the extent they are inconsistent with this act are repealed.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move to strike out the last word.

Mr. MANN. Mr. Chairman, I wanted to ask the gentleman from South Carolina a question. I move to strike out the last word. We both have moved to strike out the last word, but the gentleman is entitled to recognition.

Mr. JOHNSON of South Carolina. I moved to strike out the last word, Mr. Chairman.

The CHAIRMAN. The gentleman from South Carolina moves to strike out the last word.

Mr. MANN. Mr. Chairman, may I ask the gentleman from South Carolina a question in regard to this?

Mr. JOHNSON of South Carolina. Yes.

Mr. MANN. Is there any effect of this provision? Here is section 6—and this is carried in the law from year to year—which says that "all laws and parts of laws to the extent they are inconsistent with this act are repealed." Here is a legislative law that fixes the salary of some man different from the salary fixed in the current appropriation law, and this is a current appropriation law and this is a part of the current appropriation bill. I think really that is repealed. But we have it up in the air under these provisions.

Mr. JOHNSON of South Carolina. I am very much impressed with the wisdom of what the gentleman said, and I am disposed to offer an amendment which will cure that trouble. I ask unanimous consent to withdraw the pro forma amendment, and offer the following amendment.

The CHAIRMAN. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent to withdraw the pro forma amendment. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 145 strike out section 6 and insert in lieu thereof the following:

"SEC. 6. That all laws or parts of laws to the extent they are inconsistent with the rates of salaries or compensation appropriated by this act or any other act for the fiscal year 1915, or any subsequent year, are repealed, and the rates of salaries or compensation of officers or employees of the United States as appropriated for in any regular annual appropriation act shall hereafter constitute the salaries or rates of compensation of such officers or employees, respectively, until changed by subsequent annual rate of appropriation or other law."

Mr. FOSTER. Mr. Chairman, I make a point of order on the amendment.

Mr. FOWLER. I make a point of order on the amendment.

Mr. MANN. What is the point of order? It may not be subject to a point of order.

Mr. FOWLER. The point of order is that it is new legislation, which carries with it provisions enhancing the salaries of officers above the amounts fixed by permanent law. There are a number of salaries carried in this bill which are against the provisions of the statute. Many of them are above the statutory provision, and some of them are below the statutory provision. Those below the statutory provision are salaries of laboring men, and those above the statutory provision as a rule are salaries of men who are not necessarily laboring men. This is new legislation, which can not under the rules of this House be tacked on to an appropriation bill. I trust that the gentleman will withdraw his amendment. There was a plain understanding on the floor of this House that there would be an honest effort on the part of this committee to classify and equalize the salaries of the various officers and employees of the public service. Relying upon that statement, I withdrew further points of order against the increased salaries in the bill. And now, Mr. Chairman——

Mr. JOHNSON of South Carolina. Mr. Chairman, I make the point of order that the gentleman is not discussing the point of order.

The CHAIRMAN. The point of order is well taken.

Mr. MURDOCK. Mr. Chairman, will the Chair hear me on this proposition? Has the Chair sustained the point of order against the amendment?

The CHAIRMAN. The Chair has not ruled on the point of order. The Chair will hear the gentleman.

Mr. JOHNSON of South Carolina. I want to ask the gentleman from Illinois a question.

The CHAIRMAN. Does the gentleman yield?

Mr. FOWLER. Yes.

Mr. JOHNSON of South Carolina. The gentleman states that there was an understanding on this floor that certain things would be done. Does the gentleman believe that the amendment I have offered is in conflict with any statement that I made on the floor?

Mr. FOWLER. I do.

Mr. JOHNSON of South Carolina. The gentleman is very emphatic about it. What statement did I make that does not conform to this proposed amendment? I wish the gentleman would state it, because I keep my word.

Mr. FOWLER. Mr. Chairman, I had interposed many points of order against the increase of high-salaried men above the provisions of the statute. It was a very painful duty that I felt I ought to perform——

Mr. JOHNSON of South Carolina. Will the gentleman answer my question?

Mr. FOWLER. Because it looked as though I was doing it single-handed.

Mr. JOHNSON of South Carolina. Will the gentleman answer my question?

Mr. FOWLER. The distinguished chairman of the subcommittee made a statement on the floor of this House, in substance——

Mr. CALDER. Mr. Chairman, I make the point of order that the gentleman is not discussing the point of order.

The CHAIRMAN. The gentleman will please confine himself to the point of order.

Mr. FOWLER. I shall be glad to do so, except that I want to answer the question propounded by the distinguished gentleman from South Carolina.

Mr. JOHNSON of South Carolina. Mr. Chairman, time is precious, and it takes the gentleman so long to answer the question that I will withdraw it, and I will make this statement——

Mr. FOWLER. I have not yielded the floor to the gentleman except for a question.

The CHAIRMAN. The Chair is ready to rule.

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman has stated that the amendment I have offered is not in conformity with the statement that I made on the floor. The statement that I made on the floor was followed by the amendment to which I referred, and was objected to by the gentleman from Kansas [Mr. MURDOCK]. I thought then it was in conformity with what I said, but I do not want anybody to be put in a false light. I do not want to mislead anybody, and if the gentleman from Illinois says that that amendment is not in conformity with my statement, I ask unanimous consent to withdraw it.

Mr. FITZGERALD. I object.

Mr. MURDOCK. Mr. Chairman, I do not know how the Chair is going to rule, but I think the House ought to be informed on this point of order. As I caught the reading of the amendment it is a very important one. If it is held to be in order and is adopted, it will materially change the practices of the House.

Mr. BYRNS of Tennessee. That is a matter that can be discussed later.

Mr. MURDOCK. I should like to point out to the chairman, if he will permit me, that there are a number of salaries provided in this bill which are statutory. Where the Committee on Appropriations in its superior wisdom increases one of these salaries, it is within the power of any member of the Committee of the Whole to make the point of order that the increase changes existing law, and that the increase is out of order for that reason. This amendment which is offered takes that power away from the individual member.

Mr. FITZGERALD. The gentleman is mistaken.

Mr. MURDOCK. It permits the Committee on Appropriations to cover into law all these increases of salary.

Mr. FITZGERALD. The gentleman does not mean that this amendment will prevent Members taking out of appropriation bills on points of order any increases of salaries reported by the committee.

Mr. MURDOCK. It prevents the individual Member from making a point of order against an increase of salary over the amount provided in the statute. It takes away from the Member a right that every individual in this House has possessed for over a hundred years.

Mr. FITZGERALD. The gentleman has not done it in the 11 years he has been here. He has not made that point of order.

Mr. MURDOCK. Points of order ought to be made and are made frequently. Here is a proposition to cover into the appropriation bill as permanent law all the increases. Such a proposition ought not to be passed on hurriedly and in this fashion.

Mr. FITZGERALD. Mr. Chairman, this bill in the beginning provides—

> That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June 30, 1915, for the objects hereinafter expressed.

If section 6 as it is printed is not incorporated in the bill, it makes it possible for any person whose compensation is carried in this bill at less than the sum fixed in some statute to bring an action in the Court of Claims to recover the difference between the amount appropriated and the amount fixed by statute.

Section 6 as it appears in the bill is clearly legislation and subject to a point of order. It changes the law in so far as salaries are appropriated for in this bill. Every statute which fixes a salary at a higher or lower rate is changed. The purpose of the amendment as offered is to make definite what has been intended. The gentleman from Kansas [Mr. MURDOCK] states that this amendment, if adopted, would take away the right exercised by hundreds of Members of the House. It does nothing of the kind. If adopted, any provision reported in the bill which will provide compensation in excess of the fixed compensation would still be subject to a point of order and would go out on a point of order. But what it does do, Mr. Chairman, if adopted, would be to prevent what has happened a number of times during this session—to prevent provisions in the bill providing for compensation of officials carried for 10, 15, 20, and, in some instances, as long as 40 years from being eliminated from the bill because of some forgotten statute fixing the compensation at less than has been paid for the long series of years.

Mr. MURDOCK. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MURDOCK. And it would make the work of the Committee on Appropriations permanent law.

Mr. FITZGERALD. It would not make the work of the Committee on Appropriations permanent law; the gentleman does not comprehend what is being done.

Mr. MURDOCK. If it is in order under this amendment to make a point of order against an increase of salary, how is it possible to bring in an amendment defeating the right of an individual to make a point of order?

Mr. FITZGERALD. If the gentleman will read the paragraph proposed to be stricken out, he will notice that all laws and parts of laws inconsistent with this act are repealed. If there could be any more comprehensive provision drafted to be included in this bill, I would be glad to have the gentleman suggest it. The amendment offered by the gentleman from South Carolina is a narrowing of the scope of the provision rather than any enlargement of its scope.

Mr. MURDOCK. Under the amendment offered by the gentleman from South Carolina it would be in the power of the Committee on Appropriations to enact all the salaries in this bill into permanent law. That can only be done by a separate bill; there are some limitations even on the Committee on Appropriations.

Mr. FITZGERALD. The Committee on Appropriations has not now and would not have any such power. The gentleman ought not to make that statement as to the unlimited power of the Committee on Appropriations, in view of what has been done in this House in the last two or three days, in which he has been a very important factor.

Mr. MURDOCK. The Committee on Appropriations occasionally slips up, but it will not slip up in the future if this amendment is adopted.

Mr. FITZGERALD. No member of the committee desires to mislead anyone. The purpose of this amendment is to fix a statutory salary or compensation for the various positions carried in this bill as they are now. Hereafter if any attempt were made to increase the compensation it would still be subject to a point of order.

Mr. LENROOT. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. LENROOT. If the purpose is to fix a statutory salary by amendment, does not that change existing law—which is in violation of law?

Mr. FITZGERALD. No; because the provision that we propose to strike out repeals the law, and that provision is not objected to.

Mr. MURDOCK. The gentleman says if we adopt this amendment it will cover salaries carried in the bill. What if next year the committee brings in an increase of salary, and another amendment covering these and making them permanent law, where does the individual Member of the House get a remedy?

Mr. MANN. It will be subject to a point of order.

Mr. FITZGERALD. The committee has never attempted to cover into permanent law the suggestion that an increase of compensation may be made. What is being attempted here is to fix permanently the compensation that has been paid to the officials of the Government for a great many years, to which objection has not been made except by one Member of the House.

The CHAIRMAN. The ground on which it is contended that this amendment is in order is that section 6 in the beginning was subject to a point of order, and therefore any amendment that is germane would be in order. The Chair calls the attention of the gentleman from New York to the language of this amendment—that the rate of salary or compensation appropriated by this or any other act for the fiscal year 1915, or any subsequent year, are repealed. Now, does the gentleman from New York believe that section 6 affected any other act except the present bill, and if it did not, would an amendment proposing a repeal of the law of any other act or any other year be in order?

Mr. FITZGERALD. If the point of order is based on that ground, I concede that it is well taken. It has not been suggested, and I did not know that it had been noticed.

Mr. MANN. Mr. Chairman, it is perfectly evident that the language in the bill is subject to a point of order. That seems to have escaped the attention of my beloved friend from Kansas, who probably did not have his attention attracted to the language of the bill. Section 6 is legislation. But what does it do? It proposes to repeal all laws or parts of laws inconsistent with the provisions of this bill.

The statutes fixing permanent salaries are repealed by that provision to the extent that we have fixed the salaries which conflict with salaries appropriated for in this bill in every kind of an act wherever it may be. And no point of order was made on section 6. Thereupon the gentleman from South Carolina offers an amendment.

There can be no possible question about its being in order to amend this section by making these salaries in the bill practically permanent law, so far as this act is concerned. Now, the question is as to whether it can apply to other acts. Here in the bill is a provision for general legislation. It applies to any act of Congress, wherever it may be, fixing a salary that is in any way covered by this bill or in any way inconsistent with this act—a general provision of law. Certainly we have the authority to extend the law if we desire to. This legislation does not affect one act of Congress only; the provision in the bill affects many acts of Congress which have been cited to the Chair during the progress of the consideration of the bill. If the committee were only to propose a repeal of one act of Congress, it would not be in order to offer an amendment to repeal another act of Congress; but where you have a measure that would repeal several acts of Congress, you can add another, under the familiar rule which the Chair will readily call to mind.

If you are dealing with one subject matter in a bill and stop there, it is subject to a point of order to propose another; but if you are dealing with two or more, you can add another of like character. That is what it is proposed to do now. This repealing proposition does not deal with one act of Congress; it deals with all acts of Congress which fix salaries that are not consonant with the provisions of this act.

The CHAIRMAN. Will the gentleman from Illinois permit the Chair to ask him a question?

Mr. MANN. Certainly.

The CHAIRMAN. That is correct; but the proposed amendment deals with an entirely different class of salaries and compensation carried in all acts of Congress, and therefore others than are referred to in this particular bill.

Mr. MANN. Yes; but here are a number of acts of Congress of which the Chair admits we can repeal parts. The question now is, Can we go a little further and repeal another part of it? That is all that is involved. If we can repeal parts of the same kind of 40 statutes, we can repeal additional parts, so far as its being germane is concerned.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. LENROOT. The language of the amendment goes further than repeal and makes the salaries fixed in any prior appropriation bill the statutory salary in the future, so that as the amendment now reads it goes much further than to repeal the acts.

Mr. MANN. That is true; but in repealing the act we can supply an act in place of it. This is what the amendment does, and it is not subject to the objection that the gentleman from Kansas [Mr. MURDOCK] made. The amendment, if agreed to, would provide that the salaries fixed in this act shall be the salaries to be considered by the Chair next winter in considering the next appropriation act, and although a permanent law may exist somewhere fixing the salary of a particular individual at more or less than the amount provided in this act, yet the salary fixed in this act shall be considered the legal salary fixed here. No one can propose to increase it without that proposition being subject to a point of order. The Committee on Appropriations can not increase it. This would not increase the power of the Committee on Appropriations in the slightest degree.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. MURDOCK. Is not that precisely what has happened here? The Committee on Appropriations has appropriated salaries above the permanent law. The gentleman from Illinois [Mr. FOWLER] made points of order, and the Committee on Appropriations now brings in an amendment covering their increase into permanent law. Can not the Committee on Appropriations increase the salaries next year, and then bring in another amendment covering that language?

Mr. MANN. Mr. Chairman, I said a while ago that the gentleman from Kansas [Mr. MURDOCK] had not discovered that this whole thing was subject to a point of order if the point of order had been made.

Mr. MURDOCK. But that proposition does not cover the power of the Committee on Appropriations to put through other amendments?

Mr. MANN. Certainly it does. Here is section 6, which is subject to a point of order. I have made the point of order to this section many times in these appropriation bills for the very purpose of preventing amendments to it. Many times during my career in this House I have made a point of order on the repealing section of the bill. Anybody can make the point of order upon it, and if this amendment which is now proposed should become the law, that section would never again appear in an appropriation bill.

Mr. BRYAN. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. BRYAN. The gentleman says that the repealing clause includes several acts, and that therefore you can add another under the rule. Can we add, for instance, the employers' liability law and repeal that as an amendment?

Mr. MANN. Mr. Chairman, if the gentleman offers an amendment to that effect, I will express my opinion upon it at that time. I have discovered so much trouble always in considering actual questions involved that I do not, as my friend from Washington does, chase will-o'-the-wisps.

Mr. BRYAN. But the gentleman says it does not have to be germane.

Mr. MANN. Oh, I did not say it had not to be germane. I beg the gentleman's pardon. I am arguing that these provisions are germane, and that is the purpose of my argument.

Mr. MONDELL. Mr. Chairman, unless the Chair is ready to rule I would like to be heard for a moment.

The CHAIRMAN. The Chair will hear the gentleman for a moment.

Mr. MONDELL. Mr. Chairman, as a member of the Committee on Appropriations I should like to see an amendment of this kind adopted, but the question before the Chair is very far-reaching and relates to the question of what is in order as an amendment of a proposition, itself not in order, no point of order being made to the proposition. It is exceedingly important in my opinion that the Chair should carefully consider the rule on so important a question, because the Chair realizes that if it be held that an amendment not in order, having been passed, can be amended by any number of amendments not in order, without the point of order being made successfully, we have reached a rather dangerous point in legislation.

The CHAIRMAN. If they are germane.

Mr. MONDELL. Of course, if they are germane. This amendment is germane, but I want to call the attention of the Chair to the statement on page 359 of the Digest, bearing directly upon this particular amendment:

A paragraph which proposes legislation being permitted to remain may be perfected by a germane amendment, but this does not permit an amendment which adds additional legislation.

Now, the amendment pending clearly adds additional legislation. It adds legislation that not only refers to this bill but refers to all other appropriation bills. It adds legislation that not only refers to the salaries this year carried in this bill but salaries carried in bills in the future. Clearly this is new and additional legislation. And such an amendment can not be made, even though it may be germane to an amendment which was itself subject to a point of order.

The CHAIRMAN. The Chair is ready to rule. Section 6 of this bill reads as follows:

That all laws or parts of laws to the extent they are inconsistent with this act are repealed.

The gentleman from South Carolina [Mr. JOHNSON] offers an amendment which proposes to strike out that language and insert the following:

That all laws or parts of laws to the extent they are inconsistent with rates of salaries or compensation appropriated by this or any other act, for the fiscal year 1915 or any subsequent year, are repealed.

The Chair thinks undoubtedly the extending of this language to any other act or any other fiscal year is not germane and that the point of order against the amendment is well taken. The point of order is sustained.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 145, strike out section 6 and insert in lieu thereof the following:

"SEC. 6. That all laws or parts of laws to the extent they are inconsistent with rates of salaries or compensation appropriated by this act are repealed; and the rates of salaries or compensation of officers or employees herein appropriated shall constitute the rate or salary or compensation of such officers or employees, respectively, until otherwise fixed by annual rate of appropriation or other law."

Mr. FOWLER. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. On what ground does the gentleman from Illinois make the point of order?

Mr. FOWLER. Mr. Chairman, the amendment that is offered is in effect a special or separate paragraph. It is not an amendment to any amendment to the bill or any provision of the bill. It is in effect a separate paragraph entirely, by substitution. It does not purport to be an amendment to any portion of this bill whatever. Mr. Chairman, the section that it purports to strike out reads as follows:

That all laws or parts of laws to the extent they are inconsistent with this act are repealed.

Section 6 as originally carried in the bill does not purport to deal with or fix the salaries of officers and employees of the Government. The amendment offered by the gentleman, the chairman of the Committee on Appropriations, purports to deal with the salaries of all officers and employees of the Government carried in this bill, to the extent that it undertakes to fix what the salaries shall hereafter be. If it were an amendment, Mr. Chairman, to section 6 of this act it would not be germane, because it undertakes to deal with a subject matter with which section 6 does not deal. For that reason, Mr. Chairman, although section 6 is subject to a point of order not interposed by anyone, the amendment itself under the rules of the House is subject to a point of order, because it is not germane to the subject matter of section 6.

It may be said that section 6 deals with the repeal of certain laws that are in conflict with this act, which carries provisions for increases of salaries not authorized by permanent law. Undoubtedly section 6 does not undertake to deal directly with salaries and can not be so construed, and the question of salaries would not have been in the mind of any Member on the floor of this House had it not been for points of order raised against excessive increases of salary above permanent law, because there are some provisions carried in this bill that practically are against existing law, and every Member of this House would have construed section 6 to have applied directly to those provisions of the bill not relating to salaries. It is presumed, Mr. Chairman, that this bill appropriates salaries only in harmony with existing law where there is existing law fixing such salares, but I am sorry to say, Mr. Chairman, that is an exceedingly violent presumption.

Mr. DONOVAN. Mr. Chairman, we are entitled to hear that colloquy over at the Speaker's table.

The CHAIRMAN. The gentleman's point of order is well taken [laughter], and the gentleman from Illinois will proceed. [Applause.]

Mr. FOWLER. Now, Mr. Chairman, I do not desire to take up the time of the committee further, but I do desire to emphasize this, that section 6 does not deal with salaries directly at all, and no one could so construe section 6. The amendment is a separate paragraph in itself and deals directly with salaries, and undertakes to fix them for all time to come, unless they should be changed by future appropriation bills, and in that event it makes such appropriation bills permanent law. I think, Mr. Chairman, it is clear that, inasmuch as this amendment undertakes to constitute a separate paragraph and to deal with a question not dealt with by section 6, it is clearly subject to a point of order.

The CHAIRMAN. The Chair would like to hear the gentleman from New York on this point of order.

Mr. FITZGERALD. Mr. Chairman, this amendment is clearly within the rule and does not go beyond the salaries in the current law. In the pending bill section 6 repeals all laws inconsistent——

The CHAIRMAN. The Chair would like to hear the gentleman on this phase of this amendment, which says:

And the rates of salaries or compensation of officers or employees herein provided shall constitute the rate of salary or compensation of such officers or employees, respectively, until otherwise fixed by annual rate of appropriation or other law.

Does not that go further than the provision now contained in section 6?

Mr. FITZGERALD. Section 6 proposes to repeal a number of provisions of different laws. A repeal of the law is equivalent to its amendment, for all parliamentary purposes, and this amendment proposes merely to modify instead of repeal outright. The repeal of the law is a modification of the law.

Mr. ANDERSON. Could I ask the gentleman a question?

Mr. FITZGERALD. What is it?

Mr. ANDERSON. I merely wanted to ask the gentleman what law section 6 repeals?

Mr. FITZGERALD. It repeals every statute which fixes the compensation of an official at a different sum than provided in this act. If the provision were not in this bill, persons carried here at compensation less than statutory compensation could recover for the balance in the Court of Claims. But they can not do it with this provision.

Mr. ANDERSON. Does the gentleman contend that the mere fact that this act fixes a different or other rate of compensation than is now fixed by law, repeals the existing wage?

Mr. FITZGERALD. I can not debate this with the gentleman. I wish to argue for the benefit of the Chair. It is very apparent that section 6 repeals those provisions of various statutes which fix a compensation which is inconsistent with the provisions of this bill. The most notable authority is the ruling of Mr. Speaker Reed, that to a provision in a bill purporting to amend one section of a law an amendment proposing to repeal or to amend another section of the law is not in order. But if the provision in the bill purports to repeal or to amend two or more provisions, then amendments are in order to repeal or to amend other sections.

Mr. FOWLER. Will the gentleman yield right there?

Mr. FITZGERALD. Not at present. I wish to state what I have to say for the benefit of the Chair. The gentleman can make his own argument later. The repeal of a statute which fixes the compensation of an officer changes the law. This amendment modifies the law. It can not be that we can repeal the statute fixing a salary absolutely, and can not, as a substitute for such a suggestion, fix a different salary. Suppose, for instance, there were in this bill a provision to repeal a statute fixing the compensation of the President of the United States, and no point of order was made against that provision, would it not be in order as an amendment to fix some compensation different from the compensation proposed to be repealed?

The CHAIRMAN. Will the gentleman yield there to the Chair?

Mr. FITZGERALD. Certainly.

The CHAIRMAN. Would the amendment to it authorize the committee in the future to fix salaries in this bill?

Mr. FITZGERALD. This amendment does not authorize the committee in the future to fix salaries. It provides that the salaries shall be fixed at this amount.

Mr. MURDOCK. Until——

Mr. FITZGERALD. Yes. Until changed.

Mr. SHERLEY. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield to the gentleman from Kentucky?

Mr. FITZGERALD. The committee does not fix the compensation. Laws fix compensation. The recommendation of the committee that compensation should be different would not at all change or fix the compensation. This amendment provides that the compensation of these officers which is changed in this bill shall be continued at the designated rate until a different rate is fixed.

The CHAIRMAN. Just at that point. The gentleman from Illinois on Tuesday contended very strenuously that that identical provision authorized the Committee on Appropriations to change the existing law by making the salary different from what it had been. Now, is that the——

Mr. FITZGERALD. That is not true, Mr. Chairman. A provision recommended by a committee in a bill does not have any effect of law any more than a proposition to amend which is submitted on the floor of the House.

Here are certain salaries fixed by law. This provision in the bill proposes to repeal those laws. As a substitute for that provision it is proposed that the compensation shall be fixed in accordance with the provisions of the amendment; that is, fixed as indicated in this current bill until changed either by some separate statute or by an enactment in some future appropriation bill. But the Chair must see the difference between fixing it by an enactment and an attempt to change it simply upon the recommendation of the committee or a proposal in the House. It is the law which will control. This does not provide that this compensation shall be at this rate until some committee of the House proposes that it shall be at a different rate. That is not proposed and not intended. But the compensation shall be as fixed in these bills or until the rate is changed in some future law, whether the rate be changed in a statute which is not a general appropriation act or whether it be fixed in some general appropriation act.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. FITZGERALD. I will.

Mr. GARRETT of Tennessee. I realize, or think I realize, the importance of this matter, and I want to ask the gentleman if it is his opinion that if this should pass, and, say, next year, the Committee on Appropriations should bring in as an integral part of its bill an increase over that which is fixed in the present act, would it be subject to the point of order?

Mr. FITZGERALD. Of course. That is the purpose of it.

Mr. SHERLEY. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield to the gentleman from Kentucky?

Mr. SHERLEY. I do not want to take the gentleman from New York [Mr. FITZGERALD] off his feet, but that is the point I wanted to suggest to the Chair, namely, the language "until otherwise fixed by annual rate of appropriation or other law" does not confer upon the Appropriations Committee any power to bring in and make in order in the bill a provision changing the salary from what it may be fixed at in the present act; but it is simply a description to define that the present act shall constitute the law touching these salaries until such change. In other words, that shall be the law until it is changed by law, and it can only be changed by law and can only be brought to the House free from a point of order by a committee having authority to report a change, and then the House must act on it, though of course it may be brought up and, without a point of order being made, be considered. But the language "until otherwise fixed by annual rate of appropriation or other law" in no way enlarges the power of the Committee on Appropriations touching an appropriation matter.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Tennessee?

Mr. FITZGERALD. Yes.

Mr. GARRETT of Tennessee. I think that the clear statement made by the gentleman from New York [Mr. FITZGERALD] and by the gentleman from Kentucky [Mr. SHERLEY] is true; but it will change the practice to this extent, will it not, that the salaries will be fixed on appropriation bills hereafter, rather than otherwise?

Mr. FITZGERALD. That is true, and that is now the law with respect to the Agricultural Department employees, to which no objection was made when it was done in fixing the salaries in the appropriation act for the current year.

Mr. SHERLEY. Mr. Chairman, if the gentleman will permit, it is not necessarily true that they will be made on appropriation bills.

Mr. GARRETT of Tennessee. It will be possible, whereas it is impossible now?

Mr. SHERLEY. It will be no more possible in the future than it is now. The only effect of the amendment is this, that instead of running through all the previous enactments of Congress to discover what is the law touching the salary of any place, you make this act which you are now passing the basis of the law to determine what is the legal salary. Now, to change it in the future the Committee on Appropriations and Congress would have no more power than it now has under the law.

Mr. FITZGERALD. Yes. For instance, the current appropriation bill for the Department of Agriculture provides that—

Hereafter every officer or employee of the Department of Agriculture whose rate of compensation is specified herein shall receive compensation at the rate so specified.

I wish to state to the gentleman from Tennessee [Mr. GARRETT] that I believe that the statement he made is in accord with my own belief, and that is that if, at some other time, the compensation of some official in one of these appropriation bills should be increased or decreased from the sum carried in the current law, thereafter that would be the legal compensation.

Mr. SHERLEY. That is true.

Mr. FITZGERALD. I have not the slightest doubt about it, and I do not wish to mislead anyone as to what this amendment will accomplish or what its purpose is.

Mr. SHERLEY. If the gentleman will yield for a moment, I wish to say I agree to that; but is not this also true, that you would not make in order on a future appropriation bill an appropriation changing existing law any more than you could do it now?

Mr. FITZGERALD. I do not wish such authority, and if I believed the amendment had that effect I should antagonize it, because, while there is continual ground for irritation at the restrictions to legislation upon appropriation bills, yet anyone who has ever reviewed the history of the development of our parliamentary procedure knows that, as a matter of absolute necessity, it was imperative to restrict the right to legislate on the appropriation bills in order to permit Congress to do business. Deadlocks resulted so frequently between the two Houses on account of legislative provisions in the bills granting the necessary money to conduct the Government that this procedure was forced.

I do not believe that it is best or wisest to attempt to modify or change the compensation of officials generally upon the appropriation bills. Doing it piecemeal has resulted in the present inequalities and injustices that are found at this time in the compensation paid to different officials. But we have this situation, Mr. Chairman—we had it on the District bill, and we have had it on this bill: Here are officials performing certain services, receiving for a number of years a certain compensation, without objection on the part of anybody, and without any question as to the propriety of the amounts paid for the services rendered; and simply because in the original statutes creating the positions a rate of compensation was fixed less than the compensation at which it has been carried for years, points of order were interposed, and many items eliminated from the bill. I believe it has been a very costly procedure to the House, both in time and money, without effecting any good result. If we can not get a general statute passed, completely reclassifying the rates of compensation paid to officials of the Government, I believe this is the best and wisest thing to do at the present time.

Mr. LENROOT. Mr. Chairman, the gentleman from Kentucky [Mr. SHERLEY] states that the phrase "until otherwise fixed by annual rate of appropriation or other law" fixes the time in the future to which the salaries in this act shall remain as permanent law, and the gentleman from Kentucky is correct about that. It is affirmative legislation to that extent.

Now, Mr. Chairman, what has that to do with section 6, and how is it germane to section 6, which deals with repealing clauses only? It has nothing whatever to do with it. The original section 6 simply repeals all laws in conflict with this law. This amendment not only does that, but says that this shall be permanent law in the future. Clearly it can not be germane.

In addition to that, the phrase "until otherwise fixed by annual rate of appropriation or other law" would permit the Committee on Appropriations to increase in a future appropriation bill every salary that is fixed in this bill. And why? Supposing in an affirmative statute fixing the salary of an officer of the Government at, we will say, $6,000 a year the language should be that the salary of this officer shall be $6,000 per year until otherwise fixed in an appropriation bill. Who will say that that would not authorize the Committee on Appropriations to change that statute?

Mr. FITZGERALD. It does not say "in an appropriation bill." It says:

Until otherwise fixed by annual rate of appropriation or other law.

Mr. LENROOT. "By annual rate of appropriation."

Mr. FITZGERALD. That does not say "by appropriation bill."

Mr. LENROOT. What does "annual rate of appropriation" mean?

Mr. SHERLEY. The difference is this: There is a distinction between what the committee can do in order, in reporting a bill, and what Congress can do by passing a bill that has been reported. Now, I grant you that if Congress should pass an appropriation bill changing a salary, that change would then become the law in place of this act.

Mr. LENROOT. Exactly.

Mr. SHERLEY. But it does not follow from that that the Committee on Appropriations would be in order in reporting a bill carrying such a change in law, and that is the distinction.

Mr. LENROOT. That must follow from the first premise which the gentleman states; because the very fact which prevents the committee from increasing the appropriation is that if it did merely increase the appropriation, without any other language, it would not change existing law.

Mr. SHERLEY. But will the gentleman think for a moment of the distinction between the effect of an act, and a rule of the House touching the power of a committee. There are many things that committees can not do in reporting bills on this floor; but after the bills get here they may be amended, no point of order being made, or they may be amended elsewhere, so that the law then presents a proposition which could not have been presented in order in the first instance. And yet, having become the law, it is binding until changed, and that is the distinction.

Mr. LENROOT. Mr. Chairman, in reply I will say that if this law permits a salary to be changed in an appropriation bill, it follows that the Appropriation Committee has the right to make that change in the bill when reported to the House.

Mr. SHERLEY. If the gentleman will yield right there, the present law permits a change to be made by law, but that is different from the right in order to propose such change in a bill. There is no law on the statute book, and no law could be written onto a statute book, that would prevent a change of that law by an appropriation bill.

Mr. LENROOT. I understand that perfectly.

Mr. SHERLEY. That is all that is involved here.

The CHAIRMAN. The Chair wishes to suggest to the gentleman something that has worried the Chair a little bit. This section 6 says that all laws and parts of laws inconsistent with this act are hereby repealed. It repeals every organic act fixing a statutory salary, and leaves the salaries here as the salaries fixed. Now, if that is correct, why is it not germane for Congress to fix for the future the manner in which you shall change the organic act, because this becomes the organic act?

Mr. LENROOT. Because in this repealing clause we have no right, under the rule of germaneness, to legislate with reference to anything else other than repeal; and if there is any defect so as to make these salaries permanent law until otherwise fixed, that is a defect in the act itself that can not be cured by an amendment to a repealing clause.

Mr. STEENERSON. Mr. Chairman, I want to make this suggestion: Section 6 is not new legislation; it is declaratory of the common law. It was never subject to a point of order. It is simply surplusage, and would be the law if it had not been in the bill. The amendment is new legislation and is subject to a point of order. Whether you put into the bill that all laws inconsistent shall be repealed or not, they are repealed by the last expression of the legislative will. That is a general principle simply repeated in the bill. The point of order should have been sustained, but, however that may be, we are confronted here with an entirely new proposition. If it goes into the bill, we make permanent law every increase of salary that may find its way into this bill before final action thereon. I am not prepared to do that in advance and without debate. It is the worst form of rider on an appropriation bill that has yet been proposed.

Mr. FOWLER. Mr. Chairman, I desire to say to the Chair——

Mr. CALDER. I demand the regular order.

The CHAIRMAN. The regular order is the point of order. If the gentleman from Illinois wants to be heard, the Chair will hear him.

Mr. FOWLER. Mr. Chairman, I raise the point that the power of the amendment confers on future appropriation committees the right to increase a salary above the salary that is carried in this bill and then make that appropriation permanent law. There is no doubt about it. That is something that has never been done in the past and goes further than any amendment I have ever heard of before. In other words, if this bill carries a salary of $6,000 for a judge of one of the courts and this amendment passes, it will make that salary permanent law. It goes further than that and gives the Appropriation Committee the right to increase the salary, say, to $7,000 in the next appropriation bill, and makes that increase permanent law instead of the permanent law that is then on our statute books.

Mr. MADDEN. Will the gentleman yield?

Mr. FOWLER. Yes.

Mr. MADDEN. My colleague just stated that if the amendment were adopted and this bill becomes a law, it would be permanent law?

Mr. FOWLER. Yes.

Mr. MADDEN. He says it would give power to the Committee on Appropriations to increase a salary?

Mr. FOWLER. Yes.

Mr. MADDEN. It would not give them any power except to recommend an increase of salary. It would not give them the power to increase a salary.

Mr. FOWLER. That is not the point. This amendment gives power to the Committee on Appropriations to make permanent law. If any future appropriation bill should carry an increase in salary it will make that increase permanent law instead of existing permanent law, and that is not the rule. The rule now is that where a salary is fixed by permanent law no appropriation bill can supersede the permanent law unless it is made permanent in itself by appropriate language.

The CHAIRMAN. The Chair is ready to rule. The Chair has heard with some patience the arguments on each side of this question. Undoubtedly it is subject to two interpretations. Section 6 of the present bill repeals virtually all the organic acts fixing salaries carried in this bill. Therefore the passage of the bill with section 6 in its present condition will repeal the organic act and leave current law as the statutory law governing salaries. The proposed amendment provides not only that the present organic act fixing salaries shall be repealed, but adds that the rate of salaries or compensation appropriated by this act shall constitute the salary or compensation of such officers and employees, respectively. That is fixed under the proposed amendment until otherwise fixed by annual rate of appropriation or other law. Now, the only difference between the section 6 as it now exists in the bill and the proposed amendment is the provision by which you may change this existing law. It occurs to the Chair that it is clearly within the rule of germaneness and therefore in order. The Chair therefore overrules the point of order.

Mr. MURDOCK. Mr. Chairman, there are 435 Members of this House, and there are about 10 important appropriation committees. Most of the work of the House is done by these great appropriation committees. The man who is sent here by a constituency and who gets upon one of the appropriation committees has infinitely more activity than the man who is not fortunate enough to obtain a place upon one of them. So there is in this House a distinct line between degrees of activity, the line which divides those who are on the appropriation committees and those who are not. The great majority of the Members are not on these major and important committees. Now, the membership of the House is to-day asked to take a step which further emphasizes the power of these already dominant committees. Since the beginning of the Government the practice has been that the members of an appropriation committee had this limitation upon them—that they must observe the statutory law in appropriating for salaries.

Mr. SHERLEY. Will the gentleman yield?

Mr. MURDOCK. I will not; let me complete my statement. The Committee on Appropriations has not the right, within the rule, to report to the House a salary above that provided in permanent law, and when the Committee on Appropriations does that it violates the rules of the House, for the rules of the House have held inviolable the right of the individual Member to make a point of order against an increase of salary made by the Appropriations Committee over the statutory provision; that is, all the membership which does not serve on appropriation committees has had preserved its right to hold the appropriations within the law and the rule.

Mr. SHERLEY. Now, if the gentleman will yield right there, and I do not mean to embarrass the gentleman, but that very condition that he has just stated is not changed one iota.

Mr. MURDOCK. It is. That is the infamy of this thing. Here is a bill containing 145 pages, carrying some $36,000,000. In that bill there are the salaries of all the Members here, the salaries of the Senators, the salary and allowances to the President and to the courts and to every branch of this great governmental establishment. And what are you proposing to do?

You propose to cover into permanent law here to-day the action of one committee of this House, the Committee on Appropriations. I say to the membership here that there has not been until now a time in my service in this House when this thing could have been done within a period of two hours. If this proposed change should be correct, if it is justifiable, why does not the Committee on Appropriations bring in the proposal as a separate proposition and have it argued out? The Chair has just said that there are two constructions possible on this rule. Who here knows what the construction will be next year? Who knows but that another Committee on Appropriations a little bit later will claim the right under this proposal made to-day to write the salaries into permanent law against any point of order?

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. The truth is that the membership here is surrendering its rights, and it ought to vote this amendment down.

Mr. FITZGERALD. Mr. Chairman, the gentleman from Kansas [Mr. MURDOCK] has become very much excited about a matter that he does not understand. In the first place, it is not true that the Members of this House are divided in their importance by their position upon committees. I think it might well be said that the most important Member of this House—at least the most prominent, if not the most influential in many respects—is a gentleman who does not happen to have membership upon any committee in this House. Instead of serving on committees, he spends his time on the floor. I refer to the gentleman from Illinois [Mr. MANN].

What does this amendment do? The gentleman speaks of this bill as carrying the compensation of the Members of the House. Has the gentleman from Kansas any desire to change it? Is there anything in this amendment that would make it possible for anyone to change it? There is carried in this bill, and there has been for years, the compensation of most of the employees of the Government in the city of Washington. It does not carry any of the employees in the Department of Agriculture, because they are carried in the agricultural bill. It does not carry the employees of the Bureau of Mines, the Geological Survey, the Coast and Geodetic Survey, the Bureau of Fisheries, and a number of other important services. But certain employees, whose compensation was fixed at the organization of the departments, are carried in this bill. From time to time, as the departments have grown, additional employees have been added in the departments in Washington—not by the passage of some separate law, but by the inclusion of the employees upon appropriation bills. Under the rulings that have been made, that is not law of such a character as will authorize the carrying of the provision in the future years if objection be made that it is in violation of the rules. It was not, as the gentleman from Kansas asserted, at the very beginning of the Government that this practice of excluding legislation from appropriation bills was initiated. It was not until 1837 that the first rule was adopted prohibiting legislation on appropriation bills.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. GARRETT of Tennessee. Mr. Chairman, there seems to be some misunderstanding about the effect of the adoption of this amendment. I do not know whether I understand it myself, but I think I do. I want to ask if this is correct: The effect, and the only effect, of the adoption of this amendment, if it shall remain in the law, will be that the salaries carried in this bill, as fixed in the bill when it shall finally pass, will be the permanent salaries. Is that correct?

Mr. FITZGERALD. Not wholly, because I think it does more than that.

Mr. GARRETT of Tennessee. What else does it do?

Mr. FITZGERALD. If at some time in the future, when the legislative bill becomes a law, a salary in this bill is carried at a different sum, that would be the permanent law. For instance, let me illustrate; that is the easiest way: The compensation of the Secretary of the Treasury is carried in the bill at $12,000, in accordance with the statute. If at some time in the future the legislative bill should become a law with a provision appropriating for the compensation of the Secretary of the Treasury a greater or less sum than $12,000, then the amount that would then be carried would constitute the legal salary for the future, after the enactment of that law.

Mr. GARRETT of Tennessee. So long as the present rules of the House remain the same, any increase would be subject to a point of order.

Mr. FITZGERALD. Certainly. What is in the minds of the Members is this, that if this amendment be adopted, when a bill would be reported next year, if the committee reporting the bill desired to increase the compensation of some official and put it at a rate in excess of that carried in the present bill, that the Members could not take that increase out by the interposition of a point of order.

I should not wish such an amendment to be adopted, and I would be opposed to any provision which would take away the right——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURDOCK. Will the gentleman get enough time to yield to me for a moment to enable me to ask him a question?

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that my time may be extended five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MURDOCK. If a salary carried in this bill at $6,000 goes into the bill with this amendment added at the end of the bill, goes over to the Senate, and the Senate increases that salary to $8,000, then that $8,000 salary becomes permanent law for the future, until changed, of course?

Mr. FITZGERALD. If the $8,000 remained in the bill, be enacted into law, that would undoubtedly make that the legal salary.

Mr. COX. Will the gentleman permit me to ask him in that same connection? A concrete case was referred to a moment ago. Suppose a bill of this kind carries $12,000 for the salary of the Secretary of the Treasury, and, now, suppose the salary becomes the law and we pass the amendment that is now pending here. Suppose next year the Committee on Appropriations in reporting the bill increases the salary, say, to $13,000. Now, would any Member on the floor of the House feel he can not make the point of order because it would violate the amendment now pending?

Mr. FITZGERALD. No; the point of order would lie against the proposition, of course, just as it does now. It does not change in any way the rule in that respect. It does not change the rules of the House; it can not change the rules of the House.

Mr. LLOYD. But you could not invoke any previous statute enacted.

Mr. FITZGERALD. No. For instance, if there is carried in this bill——

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. FITZGERALD. I do.

Mr. GARRETT of Texas. If this bill is passed with this amendment in it, does not this bill then itself fix the salary and that is to be the law hereafter with regard to the salary?

Mr. FITZGERALD. Undoubtedly. The gentleman from Kansas objects to that on the ground that this bill is the work of the Committee on Appropriations alone and not the general membership of the House. This bill carries compensation for thousands of employees, 16,000 employees. The number of persons whose compensation was recommended should be increased was less than 200, and of those whose compensation was recommended to be increased, 135 of them were employed in the Library, receiving a compensation of less than $900 a year. The other fifteen thousand and odd salaries are the salaries that have been fixed and carried in this bill and paid to the occupants of the offices for many years. This year the committee has adopted this policy. It is fair to state at this time that it has not recommended the increase of any salaries for which estimates were not submitted by the departments. The committee is sometimes criticized for that policy, but it is the only policy which can be adopted and followed for its own self-protection. At the beginning of a session of Congress, members of the Committee on Appropriations are besieged by heads of departments, heads of bureaus, persons employed in the departments, Members of Congress, and the public generally on behalf of particular individuals whose salaries they contend should be increased. By refusing to recommend any increase in salary unless estimated for by the department, the committee puts itself in this position, that it has notice that some one in authority believes that the compensation should be increased and it takes the opportunity to investigate and to ascertain the merits of the recommendation, and it does not act because of favoritism, caprice, or desire to please some person or another. The most unfortunate thing that could happen to the Committee on Appropriations would be to so modify the rules of the House as to make it possible to offer, in order, amendments increasing compensation of persons carried in this bill, because I do not know any number of men in this House who could serve on the committee with such a rule and survive a single session, because of the pressure that would be put upon them.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Illinois is recognized.

Mr. MANN. Mr. Chairman, we have wasted so much time in this Congress doing things which amount to nothing, on appropriation bills, that we must either make a change in the rules or some change in the law, or make up our minds to stay here all summer or to do no real legislation. It is impossible to continue the business of this House under the existing rules and laws, taking care of the appropriation bills and attending to any legislation. Day after day we have a point of order made upon the salary of some official, which official has been receiving the same salary for years, on the ground that 10, 20, 30, or 40 years ago Congress had provided by statute a different salary for that place. And under the rules of the House the salary and the office go out on the point of order. It is within the power of any single Member of the House now, under the existing rules and laws, to take out of the legislative appropriation bill more than two-thirds of it on points of order. Three great bureaus of the Government, without the existence of which we could scarcely proceed with the Government, have gone out of this bill on points of order, and unless restored by unanimous consent, which I assume will not be done, will go to the Senate without any provision for those places at all.

Now, what is the proposition pending? It is not to take away the right of any Member of the House, not to confer any additional right upon the Committee on Appropriations, not to confer any additional right upon the Committee of the Whole House on the state of the Union when that committee is considering a bill, as we are now, but simply and solely to apply to some few positions carried in the bill the rule which is now applied to more than 95 per cent of them.

What is the rule about a salary? If the law does not fix the salary, the rule is, under the construction for years, that the salary fixed in the current appropriation act shall be considered the legal salary. All this amendment proposes to do is to consider the salary fixed in the current law as the legal salary for every position where the salary is fixed. If it is proposed to increase that, it is still subject to a point of order. If Congress to-day, if this were in existence, or if this committee to-day should, after discussion and no point of order being made, increase the salary, then that would be the legal salary next year, no matter what the salary was last year.

This is a reform. This is a move forward in the way of the House controlling itself and being able to do business, and I am surprised that my reactionary friend from Kansas [Mr. MURDOCK], always behind the procession, is opposed to it. [Laughter.] But I think that is because he does not understand it. My friend from Kansas during the last few months has been endeavoring to study the rules of the House, and I congratulate him upon that fact. During his entire period in the Congress before I do not think he ever pretended to study the rules of the House, and in that respect showed good judgment. But under these rules and under this amendment, it simply restores to the House a right to proceed to business instead of being held up by one man, when everyone knows that the man will accomplish nothing in the end. [Applause.] [Cries of "Vote!" "Vote!"]

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. If I did not regard this amendment as one of the most dangerous that has ever been submitted to the House for consideration, I would not rise at the present time to oppose it. The real effect of this amendment will be to open the door to a wholesale increase in salaries for all the legislative, executive, and judicial offices. If this body were the only body that passed upon salaries, we might not fear this amendment, but when you realize that another body which rules by unanimous consent, and where the rule is "You tickle me and I'll tickle you," is going to pass upon the salaries of this great legislative, executive, and judicial force you can readily conceive that we are going to be met with the proposition time and time again of increases of salary.

I will give you a concrete case, although it may only be a surmise. For years the judicial officers of this Government have been seeking an increase of salary—the judges of the district court and of the circuit court. If this amendment is going into the bill, it is going to remain in the bill not only for this session but for all years to come. The salaries of district judges will be raised to $7,000. Then the bill goes into conference. The Senate conferees stand fixed. I have seen where sessions of Congress were held up because some Senators wanted a navy yard in their respective districts, and the House receded in conference for fear it would extend the session of Congress not to do so.

The salary being changed it is the established law. Without this amendment any Member could in succeeding years make a point of order, and there would not be the inducement to raise the salary in the other body. But when once this is established, then you will have these beseechings that the chairman of the committee has mentioned going on in the other body and insisting that salaries be increased. The one thing that would result would be a wholesale increase of salaries, and instead of the economy that the chairman of the committee is so much concerned about, it will mean wholesale extravagance in the increase of appropriations.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Tennessee?

Mr. STAFFORD. Yes.

Mr. GARRETT of Tennessee. Is not that exactly what happens now?

Mr. STAFFORD. It can not happen, for this reason: Because in a succeeding appropriation bill any Member on the floor of the House can make the point of order that it is in violation of the statutory law, and this House will always have a control over the salary increase each session.

Mr. MANN. They can still make it in this body.

Mr. STAFFORD. After it is once incorporated in an appropriation bill under this amendment it becomes the law.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. COX. Right in that same connection, is not this likely to be what will happen: An increase of salary is put on in the Senate; it is agreed to in conference; and the only way to defeat that increase of salary would be to vote down the conference report, and everybody knows that it is almost impossible to do that.

Mr. STAFFORD. Yes. When it goes on the bill it becomes, so far as that salary is concerned, the substantive law for that office. [Cries of "Vote!" "Vote!"]

Mr. FOWLER and Mr. LENROOT rose.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] is recognized.

Mr. FOWLER. Mr. Chairman, if the gentleman from Wisconsin [Mr. LENROOT] desires to speak, I will be very glad to yield to him.

Mr. LENROOT. Never mind.

Mr. FOWLER. Mr. Chairman, I know that while there is a disposition on the part of the membership of this House to fix the salaries and classify them in such a way that there will be some semblance of equality and regularity—and I favor that proposition myself—yet I do not know of anything which is more humiliating to a Member of this House or to an employee of this Government than to have his salary increased by an appropriation bill above the statutory provision and then to be faced with the proposition of accepting such increase. It debases his manhood. It appeals to his sense of honor. Decency and good judgment require him to refuse it.

Mr. Chairman, if this amendment is adopted it will be the swallowing of all the irregularities in salaries which have accumulated for the last 25 to 50 years. I think, gentlemen, that we ought to approach this question cautiously and thoughtfully. I think we ought to appoint a committee for the purpose of investigating salaries and positions under this Government and classify them, with adequate and fixed salaries for all, thereby closing the door to political graft. Mr. Chairman, I can not conceive of anything which looks to me more rash than the passage of this amendment. It has been considered in this House less than two hours, and yet it affects every department of this Government. Were it proposed by this amendment to increase our own salaries with a debate of only two hours, I know there is not one of us who would vote for such increase. And why? Because we know that our constituents would not tolerate it, or at least we know our action would be repudiated at the polls at the next election by our constituents. Now, we should be just as careful in dealing with increases in the salaries of employees and other officers of this Government as we would be with our own salaries. If this amendment passes, it will make every future appropriation bill permanent law, and will rise up like a ghost in the future to haunt the Democratic Party.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and pending amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that debate on the pending paragraph and all amendments thereto close in five minutes.

Mr. FITZGERALD. Make it 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate on the pending paragraph and amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. LENROOT. Mr. Chairman, I sympathize with the Committee on Appropriations in what they are attempting to remedy by this amendment. I believe they have had great provocation for the action they have taken; but I do insist that this is not the time to take care of the problem that confronts the Committee on Appropriations or the Committee of the Whole House on the state of the Union.

What is the situation? Here at the very last moment there is sprung upon us—I do not use the word in any offensive sense—the proposition to make statutory law of every salary fixed in this bill. What has occurred here during the progress of the consideration of this bill? During the consideration of the first half of it the gentleman from Illinois [Mr. FOWLER] made points of order upon practically every increase of salary. He was severely criticized for that. I confess that I was one who did so, because I thought his action was unwarranted in the premises. But after some discussion and a statement by the chairman of the committee the gentleman from Illinois [Mr. FOWLER] stated to this House that in view of the statement of the chairman of the committee that there would be an equalization of these salaries and a revision of them, he would cease making his points of order. Therefore the situation was that as to the first half of this bill the salaries recommended by the Committee on Appropriations went out of the bill and the statutory salaries remained. As to the last half of the bill the salaries recommended by the Committee on Appropriations remain in the bill, because the gentleman from Illinois [Mr. FOWLER] did not make his points of order.

Mr. FOWLER. In harmony with the agreement.

Mr. LENROOT. In harmony with the agreement, as he states. Now, in voting upon this amendment we must assume that the salaries fixed in this bill will remain the salaries when this bill shall finally become a law, and therefore the salaries as they now remain in the bill are unequal and discriminatory.

Mr. Chairman, there is a way by which this can be reached, and I, as a Member of this House, am willing to join with the Committee on Appropriations in reaching it. I believe it would be very desirable for every Member of this House to be able to go back to the last appropriation bill, or to a certain appropriation bill, and find the statutory salaries of the different officers there, without going through volumes of statutes running back for 30 years; but if you wish to do that, gentlemen of the Committee on Appropriations, why do you not pursue the course which I now suggest? Instead of proposing this when you have concluded the consideration of an appropriation bill, when no Member of the House has had any thought of changing permanent law for all time to come, why do you not, when you bring in an appropriation bill, get a rule from the Committee on Rules—and I as a member of that committee will help you get it—providing that no points of order shall be made against any increase of salary, providing that such an amendment as you now offer shall be in order; and then let this House go through that bill and consider the salary of every officer and every employee named in that bill upon its merits. Then you will have a fair deal, and then you will give an opportunity to the House to consider what the salaries of these men should be, an opportunity which this House has not had in the consideration of this bill. [Applause.]

Mr. SHERLEY. Mr. Chairman, the gentleman who has just spoken seems to assume as a premise for his speech that the "existing law" represents not only the ideal but the actual condition that confronts us touching salaries. Now, the fact is that with the exception of a very few instances, in which the law creating the office is of recent date, the actual salaries that we are paying, and have been paying for years past, bear no relation to the "existing law," using that expression in the technical sense. In other words, you have positions that were created 25 or 50 years ago. The salaries have been increased from time to time and nobody except one or two gentlemen desires to have the old salary become the existing salary. Most of us do not want the existing law to be the actual rate of compensation to these employees, and year after year we vote an amount which is not in accord with "existing law." Now, there are two effects of the amendment offered here, and two only. One is, instead of having as your existing law, so that a point of order lies, laws for which you have to search through the statutes for 20, 30, or 40 years, you will have the law as it will pass this Congress. The other effect is that hereafter changes made in existing law by the appropriation laws shall be the law for the purpose of determining what shall be in order in the future; and the gentleman from Wisconsin [Mr. STAFFORD] well pointed out that the effect of that will be that if the changes are made hereafter, then they will be as though the language had been "hereafter" such and such shall be the salary, which is the way we frequently do.

But there is nothing that denies to this House a proper control over appropriations. The gentleman said that we ought to bring this proposal in only after notice had been given to everybody. What is the fact in connection with this bill. There is no increase of salary proposed in the bill that is not set out in plain terms in the report that accompanied the bill, so that every man might know the fact. If gentlemen do not take the trouble to inform themselves, we are not to blame. Not only is that true, but these changes, the increases that were made, would meet the judgment of practically nine-tenths of the Members here and relate to only a few minor places.

Mr. MURDOCK. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MURDOCK. But the Committee of the Whole has increased amounts not mentioned in the report, and they will become permanent law.

Mr. SHERLEY. I am assuming that this Committee of the Whole will at least respect the opinion of the same Committee of the Whole.

Mr. MURDOCK. It will put the appropriations into permanent law.

Mr. SHERLEY. It is not to be assumed that a man will vote for a certain salary here to-day on the theory that it is only going to be the salary for the next year. I assume that men, when they do things, do them with the belief that they will have permanency and with a knowledge of what they are doing. We propose to take a bill to-day that more nearly accords to what all desire by 500 per cent than the existing law and make it the existing law. In other words, we are bringing it up to date and not enabling some Member to dig into old musty volumes of long ago and hold up Congress while he expresses his views on the matter by making points of order which, even when sustained, have no other value than to devolve upon some other legislative body the duty of restoring the salary.

The CHAIRMAN. All time has expired, and the question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. LENROOT and Mr. MURDOCK) there were 120 ayes and 59 noes.

So the amendment was agreed to.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes, and had instructed him to report the same back with sundry amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BYRNS of Tennessee. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. MURDOCK. Mr. Speaker, I demand a separate vote on the amendment, section 6, page 145.

Mr. BYRNS of Tennessee. Mr. Speaker, I demand a separate vote on the amendment providing for mileage to Senators instead of actual expenses, on page 2. Also on the amendment giving mileage to Members of the House instead of actual expenses, on page 12. I also demand a separate vote on the amendment increasing the clerk hire to Members from $1,500 to $1,800, on page 21. Also a separate vote on the amendment providing for an assay office at Helena, Mont.

Mr. MANN. Mr. Speaker, I demand a separate vote on the Good amendment to the Children's Bureau, on page 138.

Mr. KEATING, by unanimous consent, was given leave to extend his remarks in the RECORD.

Mr. GOOD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOOD. A separate vote has been demanded on the amendment in regard to mileage for Senators, and also on mileage for the Members of the House. Inasmuch as that involves only one question, can not the two amendments be voted on at the same time?

The SPEAKER. They can by unanimous consent.

Mr. GOOD. I ask unanimous consent that when the vote is taken on the question of mileage that it be taken on the two amendments together.

Mr. GARRETT of Tennessee. Mr. Speaker, I object to that in view of the fact that the gentleman from Tennessee will make that request when the amendments are reached.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

There was no demand for a separate vote on any other amendment.

The other amendments were agreed to.

Mr. FITZGERALD. Mr. Speaker, there have been so many separate votes demanded, some of which will undoubtedly result in a roll call, that many Members desire not to take the vote to-night but wait until to-morrow. The easiest way to test the sense of the House is on a vote to adjourn, and I move that the House do now adjourn.

ADJOURNMENT.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p. m.) the House adjourned until to-morrow, Friday, April 17, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and plan and estimate of cost of improvement of Nasel, North, and other streams entering Willapa Harbor, Wash., with a view to snagging the same (H. Doc. No. 901); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of the Petit Jean River, Ark. (H. Doc. No. 900); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CANTRILL, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 15080) to increase the limit of cost of Federal building at Osage City, Kans., reported the same without amendment, accompanied by a report (No. 538), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 15653) to amend section 21 of an act entitled "An act to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of public buildings; to authorize the purchase of sites for public buildings; and for other purposes," approved March 4, 1913, reported the same without amendment, accompanied by a report (No. 539), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. POU, from the Committee on Claims, to which was referred the bill (S. 2226) for the relief of Joel J. Parker, reported the same without amendment, accompanied by a report (No. 540), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 2069) for the reimbursement of Jacob Wirth for two horses lost while hired by the United States Geological Survey, reported the same without amendment, accompanied by a report (No. 541), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 5147) to authorize and direct Col. George W. Goethals, governor of the Canal Zone, and formerly chairman and chief engineer of the Isthmian Canal Commission, to investigate certain claims of the McClintic-Marshall Construction Co., reported the same without amendment, accompanied by a report (No. 542), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 15226) granting a pension to Mollie Emma Hayes, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MURRAY of Oklahoma: A bill (H. R. 15726) for the construction of a road from the town of Stroud, Lincoln County, Okla., to the Sac and Fox Indian Agency; to the Committee on Indian Affairs.

By Mr. MILLER: A bill (H. R. 15727) authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Wisconsin: A bill (H. R. 15728) to amend "An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. RAYBURN: A bill (H. R. 15729) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Kentucky (by request of the Commissioners of the District of Columbia): A bill (H. R. 15730) to authorize the widening of First Street NE., and for other purposes; to the Committee on the District of Columbia.

By Mr. STEPHENS of Texas: A bill (H. R. 15731) authorizing the Secretary of the Interior to dispose of the merchantable timber on the unallotted lands of the Bad River Indian Reservation in Wisconsin, and for other purposes; to the Committee on Indian Affairs.

By Mr. KETTNER: A bill (H. R. 15732) to provide for the participation of the United States in the Panama-California Exposition; to the Committee on Industrial Arts and Expositions.

By Mr. MADDEN: A bill (H. R. 15733) providing for the celebration of the semicentennial anniversary of the act of emancipation, and for other purposes; to the Committee on Industrial Arts and Expositions.

By Mr. SUTHERLAND: A bill (H. R. 15734) to increase the pensions of those who have lost limbs, or have been totally disabled in the same, in the military or naval service of the United States during the War of the Rebellion; to the Committee on Invalid Pensions.

By Mr. MOORE: Resolution (H. Res. 471) requesting the Secretary of State to forward information with respect to the repeal of the free-tolls paragraph of the Panama Canal act of August 24, 1912; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Florida: Resolution (H. Res. 473) directing procedure as to H. R. 13870; to the Committee on Rules.

Also, resolution (H. Res. 474) directing procedure as to H. R. 15683; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 15735) to correct the military record of Sanford F. Timmons; to the Committee on Military Affairs.

By Mr. CULLOP: A bill (H. R. 15736) granting a pension to Arthur Pinkston; to the Committee on Pensions.

Also, a bill (H. R. 15737) granting a pension to Mary E. Riney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15738) granting an increase of pension to Benjamin F. Montague; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15739) granting an increase of pension to George Raley; to the Committee on Invalid Pensions.

By Mr. DANFORTH: A bill (H. R. 15740) for the relief of George Myers; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 15741) granting an increase of pension to John L. Welch; to the Committee on Invalid Pensions.

By Mr. DONOHOE: A bill (H. R. 15742) for the relief of Annie G. Ross; to the Committee on Claims.

By Mr. FIELDS: A bill (H. R. 15743) granting an increase of pension to Joseph Hollingsworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15744) granting an increase of pension to James H. O'Brien; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 15745) granting an increase of pension to Joseph Williams; to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 15746) granting an increase of pension to Kate Howse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15747) granting an increase of pension to Ernest Oberkirk; to the Committee on Pensions.

By Mr. MAHAN: A bill (H. R. 15748) for the relief of Edwin S. Brown; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: A bill (H. R. 15749) granting an increase of pension to Hannah A. Brigham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15750) for the relief of John McKenzie; to the Committee on Military Affairs.

By Mr. SELLS: A bill (H. R. 15751) granting a pension to John Everett; to the Committee on Pensions.

Also, a bill (H. R. 15752) granting an increase of pension to James Tunmire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15753) granting restoration of pension to Nancy Cook; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 15754) for the reimbursement of Louis Woldenburg for horse lost while hired by the United States Geological Survey; to the Committee on Claims.

By Mr. SPARKMAN: A bill (H. R. 15755) for the relief of Frank E. Artaud; to the Committee on Military Affairs.

By Mr. SUTHERLAND: A bill (H. R. 15756) granting an increase of pension to Linden Batten; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 15757) for the relief of the legal heirs of James I. Donegan; to the Committee on War Claims.

By Mr. WHALEY: A bill (H. R. 15758) granting an increase of pension to Elizabeth Hodge; to the Committee on Pensions.

Also, a bill (H. R. 15759) granting an increase of pension to Caroline Vick; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AINEY: Petition of sundry citizens of Wyalusing, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ANSBERRY: Petitions of the men's classes of the Methodist Episcopal and Presbyterian Sunday Schools of Columbus Grove, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of 19 citizens of Mount Vernon, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the German-American Alliance of Mansfield, Ohio, favoring the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of 12 citizens of Wayne County, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of H. Frank Gump, John Herman, J. T. Shuden, R. Riley, George W. Mellott, John T. Hughes, H. B. Richards, E. Eichelberger, M. D. Barndollar, H. H. Sheede, C. C. Mann, J. Bottomfield, B. W. Snider, W. K. Lloyd, George E. King, J. C. Hanks, J. Albert Bowers, Charles M. Ott, C. O. Skellington, R. W. Cook, G. B. May, and George W. Wolff, all of Everett, Pa., for national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of Rev. G. H. Dosch, Rev. J. H. Swisher, Frank K. Weaver, Thomas Forsyth, jr., H. G. Goodnow, Charles Richardson, Isaac Richardson, H. D. Jones, A. H. Tansley, A. G. McQuiller, G. W. Marshall, Reese Diehl, John McMullen, Joseph Greenaby, Joseph Gray, Nathan E. Scott, Austin B. Forsyth, William H. Mondy, H. M. Jones, Roy Scill, George Burkhamer, R. W. Dillen, W. H. George, George Johnson, J. M. George, and Frank Sauffer, all of Portage, Pa., for national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of Lloyd Edward, I. I. Kurtz, Harry Barclay, John H. Smaltz, C. S. Berham, C. R. Gates, C. S. Furry, jr., J. C. Echard, J. O. Carn, W. H. Carper, William L. Shaffer, Clarence Hair, Daniel Smith, John Stern, Edw. G. Casper, Charles Stonerook, Daniel F. Loose, J. C. Ebersole, R. Smallwood, J. H. Cramer, F. J. Knipple, D. S. Carper, Samuel W. Ake, B. F. Lyons, I. M. Querry, D. M. Bare, and H. F. Clouse, all of Roaring Spring, Pa., for national prohibition; to the Committee on the Judiciary.

By Mr. BARCHFELD: Memorial of the Chamber of Commerce of Pittsburgh, Pa., favoring Senate bill 387, relating to bills of lading; to the Committee on Interstate and Foreign Commerce.

Also, petition of the W. A. Clarke Bible Class, of Sheridanville Station, Pittsburgh, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petitions of various employees of the customs service of the port of New York, favoring passage of House bill 7217; to the Committee on Ways and Means.

Also, petitions of 500 citizens of The Bronx, New York City, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of Commander Abraham Lincoln Post, No. 91, of New York City; Veterans of the Spanish-American War, New York State, Manhattan Camp, No. 1; George Mackay, member of Theodore Roosevelt Camp, No. 10, of The Bronx; General Guy V. Henry Camp, No. 38; and John A. Cassidy, of Camp No. 10, United Spanish War Veterans, Department of New York, all in the State of New York, favoring passage of House bill 13044, the widows and orphans' pension bill; to the Committee on Pensions.

By Mr. CARY: Petition of 27 citizens of West Allis and 432 citizens of Milwaukee, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CLARK of Florida: Petitions of 20 citizens of Lawtey, Fla., and many other citizens of Florida, favoring national prohibition; to the Committee on the Judiciary.

By Mr. COOPER: Petition of P. C. Johnson and others of Racine, Wis., relative to Sunday-observance law; to the Committee on the District of Columbia.

Also, petitions of F. C. Richardson and others of Lake Geneva, sundry citizens of Spring Prairie, Racine, 200 members of the Congregational Church of Waukesha, sundry citizens of Whitewater and Lyons, all in the State of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Epworth League, Salem, Wis., favoring uniform censorship of moving pictures; to the Committee on the Judiciary.

By Mr. COVINGTON: Petitions of sundry citizens of Queenstown, Rising Sun, Salisbury, Tighlmans Island, and Snow Hill, all in the State of Maryland, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DANFORTH: Petition of 631 residents of the thirty-ninth New York congressional district, protesting against the enactment of the resolution proposing an amendment to the Constitution to bring about Nation-wide prohibition; to the Committee on the Judiciary.

By Mr. DEITRICK (by request): Petitions of 200 citizens of West Somerville, Mass., and 50 citizens of Melrose, Mass., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of sundry citizens of the eighth congressional district of Massachusetts, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DONOVAN: Petition of the Concordia Society and Mozart Lodge, No. 14, Sons of Herman, of Danbury, Conn., against national prohibition; to the Committee on the Judiciary.

Also, petition of the Bridgeport (Conn.) Master Plumbers' Association, favoring House bill 14288, relative to contracts for public buildings; to the Committee on Public Buildings and Grounds.

By Mr. ESCH: Petitions of various business men of Spring Green, Wis., favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

Also, petition of the Northeastern Sängerbund of America, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. FERGUSSON: Petition of Mr. J. E. Mundell, Dr. J. E. Manney, and 76 other citizens of Tucumcari, N. Mex., praying for national prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Mary E. Blatchford, president, and other officers and members of the Woman's Christian Temperance Union of Farmington, N. Mex., praying for national prohibition; to the Committee on the Judiciary.

By Mr. GARDNER: Petition of Gerard Bement, of Beverly Farms, Mass., against national prohibition; to the Committee on the Judiciary.

Also, petitions of 78 citizens of Newburyport and Ipswich, Mass., protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of Everitt Peabody Post, No. 168, Grand Army of the Republic, of Georgetown, Mass., favoring passage of volunteer officers' retirement bill; to the Committee on Military Affairs.

Also, petition of the annual convention of the Massachusetts State Association of Master Plumbers, favoring House bill 14288; to the Committee on Public Buildings and Grounds.

By Mr. GRAHAM of Pennsylvania: Petitions of sundry citizens of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of the Northeastern Sängerbund of America and sundry citizens of Philadelphia, Pa., protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of the Congressional Union for Woman Suffrage, favoring House joint resolution 1, enfranchising women; to the Committee on the Judiciary.

By Mr. GREENE of Vermont: Petition of Mrs. M. B. Sherburne and 350 other residents of the first congressional district of Vermont, for a national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. HAMILTON of Michigan: Petition of sundry citizens of Hartford, Bloomingdale, and Mendon, Mich., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Allegan, Mich., opposing House bill 7826, to provide for the closing of barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

Also, petitions of sundry citizens of Hastings, Constantine, and St. Josephs, Mich., protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of various members of the Baptist Church, the Methodist Episcopal Church, the Evangelical Church, and sundry citizens of Volmus and Marcellus; the Congregational Church of Baroda; sundry citizens of Bangor, Allegan, and Coats Grove; and Lawrence Grange, Van Buren County, all in the State of Michigan, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KEATING: Petitions of 1,600 citizens of Colorado Springs, Colo., and 350 citizens of Durango, Colo., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Fort Collins, Colo., favoring passage of House bill 12928, relative to Sunday work in post offices; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Fort Collins, Colo., protesting against the passage of the Sunday observance bill; to the Committee on the District of Columbia.

By Mr. KENNEDY of Iowa: Petitions of sundry citizens of Libertyville, Salem, Donnellson, Fort Madison, and Farmington, Iowa, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of the Rock Island Plow Co., of Omaha, Nebr., favoring passage of House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

By Mr. KINDEL: Petitions of sundry citizens of Akron, Berthoud, Denver, Fort Morgan, Loveland, and Wellington, Colo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KINKAID of Nebraska: Petitions of 100 citizens of Chappell, 50 citizens of Dustin, 300 citizens of Inman, all in the State of Nebraska, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEVY: Petition of Piel Bros., of Brooklyn, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of S. G. Rosenbaum, of New York City, favoring appropriation for Federal Children's Bureau; to the Committee on Appropriations.

By Mr. LEWIS of Pennsylvania: Petition of the Brotherhood of Clearfield, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Local Union 341, United Mine Workers of America, of Lenzburg, Ill., favoring investigation of the trouble in mines of Colorado; to the Committee on Rules.

By Mr. McCLELLAN: Petition of 458 citizens of the twenty-seventh New York district, against national prohibition; to the Committee on the Judiciary.

By Mr. McGILLICUDDY: Petition of certain citizens of the State of Maine, protesting against the enactment of House bill 7826, providing for the closing of the barber shops in the District of Columbia on Sunday, or any similar measure; to the Committee on the District of Columbia.

Also, petition of certain citizens of the State of Maine, favoring the passage of House bill 12928, and especially section 6 thereof, which section provides compensatory time for city-delivery employees in first and second class post offices when required to work Sundays; to the Committee on the Post Office and Post Roads.

By Mr. MOON: Petition of 140 citizens of Cowan, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MOORE: Petition of sundry citizens of Philadelphia, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MOSS of Indiana: Petition of 1,061 citizens of Vigo County, Ind., against national prohibition; to the Committee on the Judiciary.

By Mr. O'LEARY: Petition of Piel Bros., of New York, and sundry citizens of the second New York district, against national prohibition; to the Committee on the Judiciary.

By Mr. PAGE of North Carolina: Petitions of sundry citizens of Indian Trail, New Market Township, Raleigh, Marshville, Scotland, and Mount Gilead, all in the State of North Carolina, favoring national prohibition; to the Committee on the Judiciary.

By Mr. PATTEN of New York: Petitions of sundry citizens of New York County, N. Y., and the Northeastern Sängerbund of America, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 737 citizens of the eighteenth New York district, against national prohibition; to the Committee on the Judiciary.

By Mr. RAINEY: Petitions of various Illinois business men, favoring anticoupon legislation; to the Committee on Ways and Means.

By Mr. REED: Petition of 104 citizens of Hampstead, 25 citizens of Manchester, 150 citizens of Somersworth, 20 citizens of Candia, 50 citizens of North Salem, 200 citizens of Salem Depot, 140 citizens of Concord, and 100 citizens of Warren, all in the State of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

By Mr. RIORDAN: Petition of sundry citizens of the State of New York, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 1,017 voters of the eleventh congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. SELLS: Petition of 290 citizens of New Tazewell, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SLOAN: Petitions of 110 citizens of Osceola, Nebr., and 36 citizens of Surprise, Nebr., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Petitions of 50 citizens of Redondo Beach, 180 citizens of Los Angeles, and the Institute of Moral Training in schools of Los Angeles, all in the State of California, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SUTHERLAND: Papers to accompany a bill (H. R. 15756) for a pension for Linden Batten; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: Petition of 2,079 citizens of the thirty-seventh New York district, against national prohibition; to the Committee on the Judiciary.

By Mr. WILSON of New York: Petition of 1,011 citizens of the third congressional district of New York, against national prohibition; to the Committee on the Judiciary.

SENATE.

FRIDAY, *April 17, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou art the All-Great, the All-Loving, too—

So, through the thunder comes a human voice
Saying, "O heart I made, a heart beats here!
Face, my hands fashioned, see it in myself!
Thou hast no power nor mayst conceive of mine,
But love I gave thee, with myself to love,
And thou must love me who have died for thee!"

We would be in Thy hands to be guided and blessed, to be kept and restrained, to be lifted up or cast down according to the Divine will, because we know that Thou art altogether love. So do Thou bless us this day. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

ENROLLED BILL SIGNED.

The VICE PRESIDENT announced his signature to the enrolled bill (S. 1829) for the relief of W. D. McLean, alias Donald McLean, which had heretofore been signed by the Speaker of the House of Representatives.

POSTAL SAVINGS BANKS (S. DOC. NO. 467).

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General, transmitting, in response to a resolution of the 16th instant, certain information relative to the amount of money now on deposit in the postal savings banks of the United States, together with the amount of such deposits on October 1, 1913, and on the first day of each month thereafter to April 1, 1914, inclusive, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, requested the Senate to return to the House the enrolled bill (S. 1689) authorizing the accounting officers of the Treasury to allow in the accounts of the United States marshal for the district of Connecticut amounts paid by him from certain appropriations, which passed the House of Representatives on March 9, 1914.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of sundry citizens of Greenville, Kalamazoo, and Baline Township, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a telegram in the nature of a petition from Mrs. W. A. Lawson, president of the executive board of the Woman's Christian Temperance Union of Wisconsin, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Democratic Club of Ponce, P. R., remonstrating against the enactment of legislation to change the political status of Porto Ricans, which was referred to the Committee on the Pacific Islands and Porto Rico.

He also presented a petition of the Chamber of Commerce of Washington, D. C., praying for the enactment of legislation authorizing the opening up of suitable parts of the newly acquired land in the White Mountains and the Southern Appalachian Mountains for recreation, pleasure, and health, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. HITCHCOCK presented a memorial of Local Branch No. 5, National Association of Letter Carriers, of Omaha, Nebr., remonstrating against any reduction in the rate of postage on first-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Maryland presented petitions of sundry citizens of Baltimore, Md., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Baltimore, Md., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented memorials of sundry citizens of New Haven, Conn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Windsor Locks, Conn., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of James G. Blaine Council, No. 1, Junior Order United American Mechanics, of Stamford, Conn., remonstrating against any change being made in the United States flag, which was referred to the Committee on the Judiciary.

Mr. CHILTON presented a petition of the congregation of the Methodist Episcopal Church of Triadelphia, W. Va., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. SHIVELY presented petitions of sundry citizens of Brownsville, Lyons, Connersville, and Centerville, all in the State of Indiana, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Ambia, of the State board of veterinary examiners, and of the Jackson County Medical Society, all in the State of Indiana, remonstrating against the enactment of legislation to prohibit physicians, dentists, and veterinarians from dispensing and distributing narcotics, which were ordered to lie on the table.

Mr. OLIVER presented a petition of the Library Association of Beaver, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also (for Mr. PENROSE) presented memorials of sundry citizens of Allentown and Northampton County, in the State of Pennsylvania, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. MYERS presented a petition of the Christian Endeavor Society of the First Presbyterian Church of Anaconda, Mont., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. McLEAN presented a memorial of sundry citizens of Bridgeport, Conn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of New Britain, Conn., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

He also presented a memorial of James G. Blaine Council, No. 1, Order United American Mechanics, of Stamford, Conn., remonstrating against any change being made in the United States flag, which was referred to the Committee on the Judiciary.

Mr. OWEN presented petitions of sundry citizens of Edmond, El Reno, Tecumseh, Gracemont, Pocasset, Talala, Thomas, Arapaho, Alva, and Blackwell, all in the State of Oklahoma, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of North McAlester, Okla., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. BURLEIGH presented a memorial of the Chamber of Commerce of Bangor, Me., remonstrating against the expansion of the Parcel Post Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Bingham, Guilford, Strong, Winter Harbor, Dexter, Auburn, Lewiston, Dover, Foxcroft, Beaus Corner, Ashland, Blue Hill, North Pownal, South Penobscot, Orrington, Winterport, Cumberland Center, Weld, North Berwick, Friendship, Nobleboro, and North Fayette, all in the State of Maine, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. LODGE presented memorials of sundry citizens of Boston, Cambridge, Dorchester, Brookline, Haverhill, Chelsea, Everett, and Charlestown, all in the State of Massachusetts, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented a petition of sundry citizens of Seneca, Wis., and a petition of sundry citizens of Wichita, Kans., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (H. R. 13297) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 430) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SAULSBURY:

A bill (S. 5297) for the relief of James H. Palmer; to the Committee on Claims.

A bill (S. 5298) granting an increase of pension to Edmund E. Rogers; to the Committee on Pensions.

By Mr. GORE:

A bill (S. 5299) to require the carriers of passengers for hire to establish an interstate rate which shall not exceed the combination of local rates; to the Committee on Interstate Commerce.

By Mr. ROBINSON:

A bill (S. 5300) to fix the salary of the Commissioner of Indian Affairs at $7,500 per annum; to the Committee on Indian Affairs.

A bill (S. 5301) granting an increase of pension to James M. Harvey; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 5302) granting an increase of pension to William H. Scott (with accompanying papers); to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 5303) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911; to the Committee on Interstate Commerce.

By Mr. BRADY:

A bill (S. 5304) granting a pension to William R. Smith (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 5305) granting an increase of pension to Henry N. Oliver; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 5306) granting an increase of pension to Maria L. Roraback (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 5307) to authorize the Choctaw and Chickasaw Nations to bring suit in the Court of Claims, and for other purposes; to the Committee on Indian Affairs.

By Mr. SHIELDS:

A bill (S. 5308) granting a pension to William R. Phillips; to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 5309) for the relief of Minnie E. Howard; to the Committee on Claims.

A bill (S. 5310) granting a pension to William Weddington (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5311) granting an increase of pension to Benjamin E. Hull (with accompanying papers); to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 5312) granting an increase of pension to Merritt Perham (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MARTINE of New Jersey submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. SMOOT submitted an amendment proposing to appropriate $200 for the protection from high water of the north abutment of the Government bridge at Myton, Utah, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

VESSELS IN COASTWISE AND FOREIGN TRADE.

Mr. SHEPPARD. I submit a concurrent resolution and ask for its immediate consideration.

The concurrent resolution (S. Con. Res. 23) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Interstate Commerce Commission be, and hereby is, authorized and directed to immediately investigate and, as soon as practicable, report to Congress the following information:

First. To what extent, if any, vessels and steamship lines are engaged in transporting freight between Atlantic and Pacific ports wholly by water, or partly by water and partly by rail, and in the coastwise trade of the United States, under joint ownership or common control or in community of interest, directly or indirectly, by stock ownership, trust, holding committee, or otherwise, with railroad companies engaged in transporting freight by rail between the Atlantic and Pacific ports of the United States and in the coastwise trade of the United States, stating separately what vessels and steamship lines are owned and controlled by said railroad companies, if any, and what vessels and steamship lines in said transportation are under a common or joint ownership or control with said railroad companies, or any thereof, and the names of the owners, stockholders, trustees, holding companies, directors, and officers of all steamship lines and railroads engaged in the coastwise and foreign trade of the United States. And to what extent and how, if any, they are consolidated, directed, or operated by and through holding companies, interlocking stocks, interlocking directorates, or interlocking officers.

Second. What are the prevailing rates upon the principal commodities carried by vessels between said Atlantic and Pacific ports of the United States wholly by water or partly by water and partly by rail across the Isthmus of Panama or Tehuantepec, and what are the prevailing rates between said Atlantic and Pacific ports upon such commodities transported wholly by rail, and what are the prevailing rates for transportation of similar commodities wholly by water by vessels not under United States registry for similar distances as the water routes between said Atlantic and Pacific ports of the United States carried under similar conditions.

Third. And what are the prevailing rates upon the principal commodities carried by vessels in the coastwise trade of the United States in comparison with such rates on similar commodities for similar distances carried by vessels in the foreign trade of the United States.

Fourth. And what are the prevailing rates for transportation for similar commodities wholly by water by vessels not under United States registry for similar distances on similar commodities under similar conditions in comparison with the rates on commodities transported in the coastwise trade of the United States.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

Mr. SMOOT. It may be desired that some amendments shall be offered to the resolution. For that purpose I ask that it may go over until to-morrow.

Mr. SHEPPARD. Very well.

The VICE PRESIDENT. The concurrent resolution will go over until to-morrow.

EXECUTIVE SESSION.

The VICE PRESIDENT. The morning business is closed.

Mr. GORE. I move that the Senate proceed to the consideration of House bill 13679, being the Agricultural appropriation bill.

Mr. SMOOT. That can only be done by unanimous consent.

Mr. SHIVELY. Pending that, I move that the Senate proceed to the consideration of executive business.

Mr. McCUMBER. Pending that, Mr. President, I suggest the want of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Page	Smith, Md.
Borah	Hitchcock	Perkins	Smoot
Brady	Hughes	Pittman	Sterling
Brandegee	Kern	Ransdell	Sutherland
Bryan	Lodge	Robinson	Thomas
Burleigh	McCumber	Saulsbury	Thompson
Catron	McLean	Shafroth	Townsend
Chamberlain	Martine, N. J.	Sheppard	Vardaman
Crawford	Nelson	Sherman	Weeks
Cummins	Norris	Shively	West
Gallinger	Overman	Smith, Ga.	Works

Mr. TOWNSEND. I desire to announce the unavoidable absence of the senior Senator from Michigan [Mr. SMITH]. He is paired with the junior Senator from Missouri [Mr. REED] on all votes. I desire this announcement to stand for the day.

Mr. SMOOT. I wish to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY] and also of the junior Senator from Wisconsin [Mr. STEPHENSON].

Mr. SAULSBURY. I was requested to announce the necessary absence of the Senator from South Carolina [Mr. TILL-

MAN] and the Senator from Wisconsin [Mr. STEPHENSON], who are paired for the day.

Mr. TOWNSEND. I desire to announce the absence of the senior Senator from Washington [Mr. JONES] on official business.

Mr. McCUMBER. I wish to make the announcement that my colleague [Mr. GRONNA] is necessarily absent from the Senate. This announcement can stand for the day.

The VICE PRESIDENT. Forty-four Senators have answered to the roll call. There is not a quorum present.

Mr. SMOOT. I ask that the names of the absent Senators be called.

The VICE PRESIDENT. The names of the absent Senators will be called.

The Secretary called the names of the absent Senators and Mr. LA FOLLETTE and Mr. SWANSON responded to their names when called.

Mr. BANKHEAD, Mr. JAMES, and Mr. OLIVER entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present. The Senator from Indiana [Mr. SHIVELY] moves that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 30 minutes spent in executive session the doors were reopened.

ADJOURNMENT TO MONDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

RADIUM-BEARING ORES.

The VICE PRESIDENT. The Chair is of the opinion that the question of the special order is not settled, but there would be only a minute and a half in which to settle it this morning. The Chair will ask whether by unanimous consent it may go over until Monday, and that the Chair may lay the unfinished business before the Senate at this time.

Mr. SMOOT. I ask unanimous consent that the question on Senate bill 4405 may go over until Monday without prejudice.

The VICE PRESIDENT. The Chair hears no objection, and it will go over.

INSPECTION AND GRADING OF GRAIN.

The VICE PRESIDENT. It being very near the hour of 2 o'clock, the Chair lays before the Senate the unfinished business, which is Senate bill 120.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

The VICE PRESIDENT. The Senator from Minnesota [Mr. NELSON] is entitled to the floor.

Mr. NELSON. I should like to have order in the Chamber.

Mr. WALSH. I have been out of the Chamber in attendance upon a meeting of the Committee on Interoceanic Canals. Will the Chair advise me what disposition has been made of Senate bill 4405, or whether any action has been taken upon it?

The VICE PRESIDENT. The Senate went into executive session immediately on the close of the morning business, and the doors were reopened at only 3 minutes of 2. On request of the Senator from Utah [Mr. SMOOT] the question on Senate bill 4405 went over without prejudice until Monday.

Mr. WALSH. I wish to remark that I feel some surprise at that action being taken in my absence.

The VICE PRESIDENT. It was taken, the Chair desires to say, on the suggestion of the Chair. It was manifestly impossible in three minutes to act upon the question of order.

Mr. SMOOT. I will also say to the Senator from Montana that the hour of 1 o'clock has passed, anyhow. We were in executive session at 1 o'clock, and, in my opinion, under the ruling of the Chair, the bill will come up on Monday at 1 o'clock automatically.

The VICE PRESIDENT. The Senate has agreed to adjourn until Monday.

Mr. WALSH. I did not know that. I should like to inquire of the Senator from North Dakota whether he has given any intimation that the Senate shall proceed with the grain-inspection bill?

Mr. McCUMBER. Yes; the bill has been laid before the Senate, and the Senator from Minnesota [Mr. NELSON] has been recognized upon it.

The VICE PRESIDENT. The Senator from Minnesota [Mr. NELSON] has been recognized and is on the floor now.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gore	Nelson	Shively
Brady	Hughes	Norris	Smoot
Brandegee	James	Oliver	Thomas
Bryan	Kern	Page	Thompson
Burleigh	La Follette	Perkins	Vardaman
Catron	Lane	Robinson	Walsh
Chilton	McCumber	Saulsbury	Warren
Fall	McLean	Sheppard	West
Gallinger	Martine, N. J.	Sherman	Works

Mr. WALSH. I desire to announce the absence of my colleague [Mr. MYERS], on account of illness.

The PRESIDING OFFICER (Mr. BRADY in the chair). Thirty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. LEWIS, Mr. PITTMAN, Mr. RANSDELL, Mr. STERLING, and Mr. THORNTON answered to their names when called.

Mr. BORAH, Mr. ASHURST, and Mr. SHAFROTH entered the Chamber and answered to their names.

Mr. FALL. I move that the Senate do now adjourn.

Mr. McCUMBER. We have not yet finished the roll call.

Mr. FALL. I understood that it had been finished.

The PRESIDING OFFICER. Forty-four Senators have answered to their names. There is not a quorum present.

Mr. McCUMBER. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. FALL. I renew my motion that the Senate adjourn.

Mr. McCUMBER. Until one motion is disposed of, even a motion to adjourn I do not conceive to be in order. There is one motion pending.

The PRESIDING OFFICER. The Senator from New Mexico moves that the Senate do now adjourn.

The motion was not agreed to.

The PRESIDING OFFICER. Forty-four Senators have answered to the roll call. There is not a quorum present. The Senator from North Dakota [Mr. McCUMBER] moves that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. SMITH of Georgia, Mr. OVERMAN, Mr. POMERENE, Mr. BRISTOW, Mr. O'GORMAN, Mr. SUTHERLAND, and Mr. JAMES entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. There is a quorum present.

Mr. SHIVELY. I move to vacate the order just made directing the Sergeant at Arms to request the attendance of absent Senators.

The PRESIDING OFFICER. Without objection, the order will be vacated.

COMMITTEE ON INTEROCEANIC CANALS.

Mr. O'GORMAN. Mr. President, I wish to state that for several days past the Committee on Interoceanic Canals has been holding daily sessions, morning and afternoon. These sessions will continue for some days. I ask the permission of the Senate to continue them during the hours when the Senate is sitting.

The PRESIDING OFFICER. The Chair hears no objection, and permission is granted.

INSPECTION AND GRADING OF GRAIN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

The PRESIDING OFFICER. The Senator from Minnesota will proceed.

Mr. NELSON. Mr. President, the other day while I was discussing this matter an intimation was made in respect to the character of the men who have charge of our grain service, an intimation that perhaps they were not farmers, but rather grain men. In this connection, before I proceed further, I wish to call attention to the fact that one of the members of our grain appeal board of Minnesota recently resigned to take a place here under the Interstate Commerce Commission on the valuation board—Mr. Staples. The governor appointed a man in his place, and I have a brief description which I will read to show what kind of men we put on the board of grain appeals in Minnesota.

PRACTICAL FARMER APPOINTED TO BOARD OF GRAIN APPEALS.

[Special to the Journal.]

CROOKSTON, MINN., *April 13.*—The appointment of J. F. Ingersoll as a member of the State board of grain appeals meets the approval of the farmers and shippers of the Red River Valley. Mr. Ingersoll is a progressive farmer. He is president of the Northwestern Minnesota Agricultural Society and of the Polk County Pure Seed Association, and was one of the organizers of the Fairfax-Andover Social Circle, an organization that has put rural life on a higher plane.

It may be a small matter to some, but I refer to it for the purpose of showing the character of men whom we put on our board of grain appeals—the highest authority in those matters.

I called attention the other day to the fact that North Dakota had twice sent commissions to investigate the grain inspection service of Minnesota under legislative provisions. In the first instance it was under an act of the Legislature of North Dakota, passed in 1907, providing for the appointment of such a commission. That commission made a report which was printed, entitled public document No. 37, report of the board of grain commissioners to his excellency, John Burke, governor of North Dakota, printed in 1908. I think the report was made in 1908. I called attention to these reports for the purpose of showing how slight and inconsequential was most of their criticism of our grain inspection service.

I now desire to call attention to what this same commission had to say about their own system in North Dakota. They criticized that more severely than they did our system, and I think they did it most justly. I shall read from that report what they had to say about it. It is very instructive and interesting, because it dovetails with what we were confronted with in Minnesota and what we attempted to cover by appropriate legislation. This is what the board says. I read, commencing at the foot of page 19:

LOCAL WAREHOUSING, GRADING, DOCKAGE, AND WEIGHING OF GRAIN.

While the act under which this board was created and appointed did not contain any direct provision for an investigation of local elevator and grain conditions in this State, we nevertheless felt it our duty that in order to present a report to be at least fairly complete as to any existing unsatisfactory commendations that it would be necessary for us to give some little attention to local conditions—

Meaning conditions in North Dakota—

being limited as we were by a small appropriation and by a time limit of 50 days during the year 1907 we found it impossible to devote as much time as we should have desired in making an investigation of local elevator conditions.

That means the local elevators in North Dakota.

Finding no provision in the law governing our appointment giving us such authority, we presumed upon the good will and official authority of the railroad commissioners of this State whom the law charges with the supervision of local elevators, and who in their capacity as commissioners have access to the books and records of such elevators. This authority on the part of the commissioners was secured through the good offices of your excellency.

That is the governor.

In this manner we were given an opportunity to make careful investigation of the grain business as conducted by the several local elevators at different points in this State—

That means North Dakota—

and while we are not prepared to insist that the business transacted by the several local warehouses at these several stations would be an absolutely fair criterion of the local grain business of the State of North Dakota, still we believe that it is fairly so, and that the result of our investigation in this respect indicates very grave and serious local troubles that should receive careful legislative consideration.

In other words, if Senators could read this report as an entirety they would find the North Dakota commission appointed to investigate conditions in Minnesota criticised their own practices more harshly than they did our own.

In this respect—

The report proceeds—

In this respect we take the liberty to suggest that, while the lawmakers of our State can not go beyond its borders in the matter of regulation, modification, or change of systems of inspection, be they under Federal or State control, they can and have full power to remedy any local troubles that are found to exist and which, in our judgment, seriously impair the prosperity of the grain growers of our State. Local elevators are modern means of receiving and handling grain. Our laws have designated them as public elevators. They are public in this sense, that their business is subject to public supervision and regulation. Our laws define fairly well what their functions and privileges are as well as the privileges of those for whom they transact business.

There appears to be rather well-defined opinion prevailing that the business of an elevator man, as far as the handling and purchase of grain, is one and the same. This, however, is a mistake. Public elevators in North Dakota, as defined by our law, are licensed for the handling, storage, and shipment of grain, not for the purchase of the same. The buying and selling of grain is an entirely different matter and one which at all times should remain open to any person or persons who desire to engage in such business. The fact that the public elevator man is fortunate enough to receive at elevator site on or off a right of way does not in any manner entitle him to a monopoly of the purchase of grain. His business, as defined by the law, is to receive, store, and deliver grain at the option of the owner thereof, for a stipulated compensation for such service.

All of our laws are predicated on this proposition. It is assumed that elevator sites be granted and elevators erected commensurate with the local amount of grain tributary to such stations, and that the amount of grain received by the several houses will reasonably compensate them by exacting the legal charge which is provided for the handling, storage, and insurance of grain. When this is followed by such houses, no just complaint can be made. However, we are constrained to believe that the local elevators of North Dakota—

Now listen to this—

are not moving within that reasonable limit which terminal grades, terminal dockage, terminal prices, and the freight rate between the terminal and local points would suggest.

Our deduction in this report is based upon this proposition which we believe to be fair and reasonable to both the producer and the local elevator man. First, our grain practically all going to the Minnesota and Superior terminals, it is necessary that it be received, graded, and docked locally on a basis of such inspection and dockage. As long as this system prevails, we are bound to conform to that as a reasonable commercial necessity. In the States of Minnesota and Wisconsin this is obligatory on the local elevator man. There they must conform to the terminal grades, and it clearly ought to be made the obligation of of every local elevator man in the State of North Dakota to do likewise, as long as these systems prevail. Moreover, local prices should be fixed and governed by terminal prices, minus freight charges, regular elevator charges, charges for terminal inspection, switching and weighing, and such reasonable charges for a commission to sell the grain upon arrival at the terminals. These facts, all of which can be easily ascertained at all times through the method of price quotations in the public press and through information at the several freight offices, ought to make the margin of difference in price that should exist between terminal and local markets. That such is not the case at this time, or that such was not the case a year ago, we ascertained quite fully in the limited investigation that we made as to local inspection, dockage, weighing, and price conditions.

In other words, the farmers of North Dakota, except the big farmers who ship by the carload, according to this report, had great ground for complaint against local elevators—the country elevators located at the railroad stations to which they hauled their grain and delivered and sold it. The local elevator men of North Dakota failed to conform to the prices at the terminals—that is, they failed to conform to the prices fixed, less the freight and storage charges and other proper charges.

There are also indications—

Now I call your attention to this—

There are also indications of overages in local warehouses—

What is an "overage"? It is the excess of wheat which a local elevator man finds himself with at the end of the season over and above the amount he has given credit for to the farmers for the wheat they have sold him or stored with him. An "overage," if large, if not slight, indicates that the elevator man has cheated the farmers on weights and dockage, for the excess, or average, may come from both sources.

Mr. WEST. Mr. President——

The PRESIDING OFFICER (Mr. BRADY in the chair). Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. Yes.

Mr. WEST. What becomes of that overage?

Mr. NELSON. Why, the local or terminal elevator man pockets it—absorbs it.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. NELSON. Yes.

Mr. McCUMBER. Mr. President, I desire to state to the Senator from Minnesota that most of the elevators in our State are line elevators and the agent enters into a bond with the terminal elevator company to prevent loss, and therefore his weights must always hold out. To protect himself, he resolves, as he does in the case of grain grades, all of the doubts against the farmer and in favor of the elevator man; and those doubts accumulate until, as the Senator from Minnesota suggests, they measure up often to a whole carload. I have understood, though I will not state it absolutely, that in some instances there has been a division of that extra amount between the terminal elevator and the party buying.

Mr. NELSON. There is where the Senator is mistaken. As an attorney, years ago, I had cases for two or three local elevator men who were buying wheat. As the Senator from North Dakota said, the terminal elevator companies compel the local agents to give a bond and to be responsible for weights and grades. If the elevator men chanced to be short on their weight or mistaken in their grades, the terminal companies for whom they were operating would compel them to make up that shortage; but, on the other hand, they had a condition in the bond that no matter how much the elevator man got ahead he could not get a bushel of it—the terminal elevator would keep it all.

Mr. NORRIS. It was a rule which did not work both ways.

Mr. NELSON. No. Such was the rule. Senators must bear in mind that when the grain reaches the terminal elevators at Duluth, Minneapolis, or Chicago it is no longer the grain of the farmer or the producer; that over 90 per cent of the grain when it reaches those points belongs either to the terminal elevator

companies, the independent elevator companies, or the farmers' elevator companies, or it belongs to those who have shipped it by carload lots. Where the farmer is defrauded, and where he is most likely to be defrauded, both in weights and grades, is by the local elevators.

If he does not get protection there, it does not make much difference what happens at the terminal. Now, let me read further from the report of the North Dakota commission regarding conditions in North Dakota:

There are also indications of overages—

I have explained the meaning of overages—

There are also indications of overages in local warehouses, but we are not prepared to state whether the same occurred by reason of overdockage or incorrect weights.

Overages may occur in both ways; the local elevator man may dock the farmer too much, or he may cheat him on weight.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. Certainly.

Mr. WEST. Does the Senator not suppose that the elevator man would probably regard that as lagniappe from the farmer—something thrown in?

Mr. NELSON. He might do so. I read further from the report of the North Dakota commission:

In either event—

Whether it comes from overdockage or incorrect weight—

In either event, this is a loss to the producer. In the matter of local prices paid we discovered what is perhaps—

Now, listen to this—

We discovered what is perhaps the greatest factor through which the local producer sustains loss, namely, underpayment, as compared with the terminal prices.

That is the condition in North Dakota. I have no doubt that the local elevators in North Dakota do as they did years ago to a great extent in Minnesota; in many instances, if I may use so coarse a term, they cheated the farmers in dockage and in weight and also in price. We have better conditions now in Minnesota. I can remember when the local elevators used to buy on a margin of 5 cents a bushel. Now in the section of the country in which I live the rule is this: They take the Minneapolis or Duluth quotation; they deduct from that the freight from the station where the grain is bought to those cities; they deduct 2 cents elevator charges—in some cases 2½ cents—which covers storage both at the local elevator and at the terminal elevator for 15 days, and then they buy on a margin, outside of that, of from 1 cent to a cent and a half, but never to exceed 2 cents. So that now we can always tell when we get the quotations of the Duluth or Minneapolis market whether we are getting the price we ought to have. I can remember, however, in the early days before the business was regulated as it is now, when the local elevator men used to buy on a margin of from 4 to 5 cents, which was an unconscionable profit. I quote further from the report of the North Dakota commission:

It would be difficult from the limited investigation that we made to fix any very definite amount as to what this loss—

That is the loss on overdockage, underweight, and on insufficient prices compared with the prices at the terminal.

I ask Senators to listen to this:

It would be difficult from the limited investigation that we made to fix any very definite amount as to what this loss may amount to on an average, but it would appear to range anywhere from 1 to 10 cents per bushel, according to the presence or absence of local competition, as the case might be. We repeat that it is our opinion that some remedy can and should be here applied by enforcement of existing laws or by the enactment of new laws that have this end in view. While it is manifestly impossible to enact laws giving anyone authority to fix terminal or local prices, it would appear, however, to be of necessity that effective means should be provided for by legislative enactment that would make it impossible for the producer to escape unprofitable market conditions at local markets to which they are contributors.

Correct local dockage and weights, we believe, can be established and enforced by competent and thorough local supervision, and it is not impossible to compel terminal delivery of grain handled through local houses by individual shippers for the purpose of securing correct terminal prices. If this avenue of escape is legally established and opened to the North Dakota grain producer, it will enable him to evade the necessity of selling his grain at local points to local buyers unless the price they offer him is satisfactory.

It appears to this board that such a law would be only fair and right, and would have a tendency to effectively remedy existing local troubles. The very fact that the producer could circumvent and get away from conditions that did not suit him, or which in his judgment were unreasonable and unfair, would of necessity bring about better conditions. We inclose detailed exhibits of our local investigation.

* * * * * * *

All of this suggests that every provision that human ingenuity can invent should be employed to insure such reasonable protection to the North Dakota grain growers as they are reasonably entitled to. Grain raising and the profits resulting therefrom are the present and future basis of prosperity in this State. We are essentially an agricultural or grain-growing people, and anything that in any manner detracts from the profit that rightly belongs to and should go to the man who raises the grain is detracting from the prosperity and reward to which the farmer is entitled. Recognizing this fact, we again emphasize the urgent necessity of better and more stringent local regulation and supervision.

I quote further from the report:

It is not enough that local warehouses should be bonded and licensed for the proper performance of their business as public elevators. It is also necessary that some one with full and proper authority should, from time to time, inquire as to how well they comply with the laws already enacted for their government and regulation and those which hereafter may be enacted. In other words, the laws governing this business should be enforced, and that can only be done by keeping in official contact with the several places of business, in order to ascertain whether or not they are doing right.

As to the method for such local supervision, that is a matter that should occasion careful legislative consideration and inquiry. Perhaps the division of our State into districts might afford a reasonable plan; and then, to carry out this work, it will, of course, require a collection or appropriation of the necessary funds. All of these funds should be acquired by tax or a license from the ones engaged in the grain business, as it would be manifestly unfair to tax such as are not engaged in the grain business for the protection of those who are. At the utmost it would be a small tax, and one that we feel certain would repay it many times over in a short time. Experience in other States has demonstrated the usefulness of careful local supervision, and there is no reason why the same benefits should not manifest themselves in this State. In this connection we suggest another idea, and that is compulsory annual reports from all local elevator men doing business in this State. These reports should show the amount of grain received, how graded, the dockage and disposition of the same; also the terminal weight, grade, and dockage.

This would enable those who are in charge of the department of supervision to ascertain with reasonable accuracy as to how well local elevator men do conform to terminal conditions.

Now I will read the recommendations which the commission makes as to what ought to be done in North Dakota:

RECOMMENDATIONS.

REQUIRED LEGISLATION.

After careful inquiry into the provisions of our State laws which now apply to the regulation of local grain business in this State, our board arrived at the following conclusions in a general way as to the required legislation; part of the suggestions herewith made are covered by existing law and others will require the enactment of a new law:

First. The enactment of a general law covering all the subjects herewith alluded to and then repealing existing laws that cover the same subject, would be the practical way to solve this proposition. In our judgment the proper supervision and regulation of local grain business for the State requires a law that first should embrace official jurisdiction and supervision. The railroad commission of this State should be given full power to regulate and supervise the local, as well as any terminal, grain business established under our laws. They should issue all licenses required by local or terminal elevator men, and they should be given full power to revoke or annul such licenses for cause; also to receive, pass upon, and accept or reject the bonds executed by elevator men under the requirements of the law.

That is exactly the power we have given our railroad commission in Minnesota by the law of 1893, commonly called the country or local elevator law. I referred to it in my remarks the other day. By that law all the country elevators are required to take out State licenses and are placed under the control of the State railroad and warehouse commission. The Minnesota railroad and warehouse commission have complete supervision over the local elevators. They have one man, and sometimes two men, traveling on the road all the time examining the local elevators, inspecting the weights and scales, and ascertaining how the business is conducted. As I said on Wednesday, if there is any dispute between the farmer and the local elevator man as to the grade and dockage of his grain a sample is taken, sent to the chief inspector at St. Paul, and there passed upon. So that, although we were once in the same condition in which the farmers of North Dakota now are, as described in this report, since we passed the country elevator law in 1893 the situation has been entirely changed and a great improvement has followed.

While there have been a few cases of trouble, we have had little criticism of our system, and on the whole it has worked as fairly and justly as could possibly be expected. However, it is a human institution. While we aim to get the very best men to conduct our service and manage our business, occasionally we may get a man who is not adapted to the work; but the main complaints we have had in recent years have not been because of the terminal elevators, but because the country elevator man has been too grasping or too overreaching. I read the next recommendation:

Second. The supervision and regulation of the local and terminal grain business of this State will cause more or less expense. This should be borne by those directly engaged and interested in the grain business.

That is true. In Minnesota we require the terminal and country elevators to take out licenses, and we obtain quite a sum from that source, which goes to pay the expense.

The most practical way to raise the money so required will be from a graduated license fee to be paid by the local elevator men in accordance with the capacity of the elevator which they operate.

That is exactly what has been done in Minnesota.

The money so collected should be gathered into a special fund to be known as the "State grain fund," and out of this should be defrayed wholly, or in part, the expense of local and terminal grain supervision.

Third. By legal enactment there should be established and defined what shall constitute public local and terminal elevators.

We have done that in Minnesota.

Terminal elevators should be established by purchase or lease at terminal cities on the main railroad lines immediately adjoining the Minnesota border, or at Minneapolis, Duluth, and Superior. Under public local elevators—

That is the country elevators—

should be defined all elevators and warehouses in which grain is received, stored, shipped, or handled, which are situated on the right of way of any railroad company, or adjacent thereto to be used in connection with its line of railway at any station or siding other than at such places within the State which may have been designated as terminal markets; also all elevators and warehouses where grain is received, stored, shipped, or handled, situated at any boat landing on any river within the State.

We adopted that plan in Minnesota some time ago. We require the country elevators, the local elevators, which are on the right of way of a railroad or adjacent to it or to a station to take out licenses and submit to public regulation. I called the attention of the Senate to this matter in my remarks on Wednesday last. One elevator company, a Wisconsin company, with headquarters at La Crosse, which was buying wheat in the southern part of Minnesota, disputed the right of the State to require them to take out a license. They raised the issue at a little place in southern Minnesota called Lanesboro, where they had a grain house, and they insisted that in that grain house or elevator they only handled their own grain; that they simply bought it from the farmers and stored it there for their own benefit, and kept it there until they were ready to ship it and sell it to the millers or ship it abroad. They held that because it was their own grain which they put into those elevators they were not subject to public control; that they were beyond the police power of the State and that the State had no right to require them to take out a license.

As I pointed out the other day, that case finally came to the Supreme Court here in Washington, and that court, as well as our own State supreme court, held that that elevator at that railroad station was a public market place where the farmers had to go and have their grain graded and tested and sold, and because it was a public market place it was amenable and subject to public control. This is what they recommend here, exactly what we have done in Minnesota, and what we have done years before:

Fourth. The enactment of a law providing for a legal form of elevator or storage receipt for grain.

That we have, both in our terminal elevators and in our local elevators. Our statute prescribes the form of the receipt in the local elevator and the form of the receipt in the terminal elevator. It prescribes a special form of receipt where a man wants his wheat kept in a separate bin by itself.

This act to provide for a uniform form of receipt to be used by all public local elevators in the State. One of the features of said receipt to be the compulsory delivery of grain stored at the initiatory elevator, or at a terminal elevator, at the option of the holder of the receipt.

We have that in our law. If I haul grain to the local elevator at my place, sell it or store it there ,and get a storage receipt, they are obliged to deliver that grain to me on proper notice. Of course, I must give them notice, either at the elevator where I delivered it or at the terminal at Minneapolis or Duluth, one or the other of the places. The statute specifies within what time they must do it and a penalty is imposed if they fail to do it.

Also the enactment by law of a form of surrender receipt to be issued to the holder of storage receipt upon a surrender of the same to a local elevator man, together with a demand for terminal delivery of the grain covered by such receipt.

Fifth. The enactment of a law providing for the appointment and employment by the railroad commission of this State of a competent scale expert or experts, who shall have power to inspect and report as to the condition of scales used in public local or terminal elevators within the State, the commission to have power to condemn scales found to be untfit for use or out of order and to prohibit the use of any such scale until properly repaired. We believe this to be far better than the method now employed, which requires the sheriff of each county to perform this duty.

That is exactly what we have in Minnesota. We have scale experts who examine the scales of the terminal elevators and who go and examine the scales of the local elevators.

Sixth. The enactment of a law providing for annual reports of all the business transacted by local elevator men and of daily or weekly reports of business transacted by terminal elevator men, such reports to be made to the railroad commission, and by them kept on file for the inspection of all parties interested. Also a provision made in such law for weekly reports of all receipts and shipments made by local warehousemen during the period from August 1 in each year to November 1 of the same year, these reports to show the amount of grain received during the preceding week of all kinds and its grade. Also the amount of dockage applied, also the amount of grain of all grades shipped and destination, giving date of shipment, number and initials of the car. The commission shall during this period employ some person whose duty it shall be to ascertain the terminal grades, dockage, and sale price of such shipments for the purpose of comparison of local grades, dockage, and sale prices. This law also to contain a provision for special reports at any time the commission, in their judgment, deem such special report necessary.

That is exactly what we have in Minnesota. They are required to make a report of the grain received from day to day. They are required to make a report of the amount they receive, the amount that is taken in and inspected out, and the weights and grades of each kind. They have to make a full report, and it is compulsory.

I quote further from the report.

Seventh. The exaction of an adequate bond from all parties engaged in the local or terminal elevator business. Such bond to be given for the faithful performance of their duties and obligations as public elevator men, and to be graduated in amount in accordance with the volume of business to be transacted.

Eighth. A law providing for a system of publicity under which the railroad commission shall acquire and keep on file, or publish, as in their judgment may seem necessary, constant knowledge of grain prices, as paid at the several local and terminal markets.

Ninth. The enactment of a law providing for personal, official supervision of the local and terminal business of this State, either by the members of the railroad commission themselves, or by such agents and experts as they may employ for such purpose. The commission or its agents to have full power to enter upon the premises of any local or terminal elevator and to cause such elevator and the business thereof, and the mode of conducting the same, to be inspected whenever in their judgment such inspection seems proper, and for such purpose all such elevator property, its books, records, accounts, and papers, shall at all times during business hours be subject to such inspection. The necessity for such local supervision and inspection suggests to our board the advisability of dividing the State into two or more districts and putting these districts under the supervision of individual members of the commission, or of agents whom they find it necessary to employ for such purpose in order to exercise more diligent and constant supervision.

Mr. President, I have referred to these matters for the purpose of showing to the Senate, first of all, that the farmers of North Dakota have suffered probably much more from the exactions of their local elevator men, both in the matter of grades, in the matter of dockage, and in the matter of failure to pay a price commensurate with the price at the terminals. The report to which I have called attention suggests what they ought to do to protect themselves. They have not done that to the extent that we have. We, in Minnesota, have done substantially all they suggest here, and from that we have gotten great relief.

Mr. President, you can make inspections, and you can establish grades at terminal points; you can provide a system of inspection there, and yet as long as the country elevators, where the farmers have to go to store and sell their grain, are not regulated the farmers have no protection.

I know how they used to do in old times. If a farmer came up to a little railroad station with his load of wheat, the elevator man would look at it and take some out of the sack and say, "I can only allow you No. 2 for this, and I have got to dock you 2 pounds." The farmer would find fault about it, kick about it, but what could he do? The elevator man was there. He was the umpire. The farmer had to sell his wheat. He needed the money. His only alternative was that if he was a big enough farmer and had enough wheat so that he could fill a car, he could order a car from the railroad company and put it in that and ship it to the terminal to a commission man to sell, and then he would be more apt to get justice; but most of the small farmers can not do that.

The small farmer, who raises from 1,000 to 2,000 or 3,000 bushels of wheat a year, hauls out his wheat as he needs the money. First of all, in the fall of the year he needs to pay his harvest hands—the help he has had during the summer; then he must pay his thrashing bill; then he must pay his twine bill; then he must pay his store and grocery bill, and all these bills; and he hauls out from day to day, as the weather and his fall work permit him, the wheat to the local elevator man and sells it there and gets his money.

If the local elevator man is an honest man, and deals fairly with him, he is all right; but if the local elevator man is a rogue he can cheat him in weight, he can cheat him in grades, he can cheat him in dockage, and he can cheat him in prices. An inspection at terminal points will be of little protection to him, for this reason: The local elevator man buys that wheat, He buys it from A, B, C, and D. He may buy from 25 or 30 men in a day. He puts it into the hopper of his elevator and mixes it; and unless the farmer is thoughtful enough to take out a good sample of his wheat—and they are not always thoughtful enough—the wheat is mixed, sent in with a lot of other wheat, sold in bulk at the terminal, and the farmer is helpless. He can protect himself against false weights by purchasing a scale for use at home on his farm, and weighing his load of wheat before he takes it to the elevator, and if there is a platform scale at the station he can weigh it in the wagon

and thus keep tab on the local elevator man and be able to tell whether the local elevator man has cheated him on weights or not.

I have no doubt but that the farmers of North Dakota were a great deal afflicted by such procedure as I have described; but instead of seeking a legislative remedy an administrative remedy as we have done in Minnesota, some of them—not all of them, because they have a lot of good, intelligent farmers—some of those politicians who aim to make politics out of it and get it into politics have raised a hue and cry against the inspection system of Minnesota. They have raised it, because it so happens that the terminals where the wheat is shipped are located for the most part either at Duluth or at Minneapolis. It can be shipped to Chicago, but very little goes there. Most of the grain goes either to Minneapolis or Duluth, or to Superior, Wis., right across the bay from Duluth. Perhaps two-thirds of our wheat raised in Minnesota goes to Minneapolis, and about a third goes to Duluth. I do not know exactly what proportion of the North Dakota wheat goes to the two places, but I rather think on the whole, especially in the winter, the larger portion goes to Minneapolis, because the Duluth market is not quite so good in winter after the lakes are frozen, and they are in ice from the latter part of November or the early part of December until late in the spring. Navigation stops, and hence the wheat has to be stored in the elevators till navigation opens.

I have called attention to this report because the criticisms made in it are much less severe on the Minnesota system than on their own North Dakota system.

The final recommendation of the North Dakota commission from which I have quoted so extensively, was that the State ought to build and operate its own terminal elevators at Minneapolis, Duluth, and Superior, including so-called grain hospitals, especially on the ground that North Dakota wheat was of a superior quality, and that by having their own terminal elevators they could keep the wheat separate, and it would bring in a better price.

They recommended not only that the State should have ordinary grain terminal elevators, but that the State also should have terminal grain hospitals. I explained to you what a grain hospital is. It is a place where they take damaged and injured grain and put it through a process of scouring and cleaning and make it merchantable.

In this connection I will read again what I called attention to the other day:

> In another place in this report we have described the business of the so-called grain "hospitals," or mixing houses. The improvement of grain by this process has become quite modern and, in our judgment, permanent, and we would suggest that the benefits of thus improving grain ought to be within the reach of farmers and shippers from our State. With this end in view, we would suggest the acquirement or operation of grain hospitals—one to be at Minneapolis and the other at the head of the Lakes—to be operated in connection with our terminal elevators. This would afford an opportunity for our North Dakota farmers or shippers who are unfortunate to come into possession of or raise smutty grain, or whose grain has been damaged by inclement weather, or who have not the facilities for cleaning grain before delivering same at the local market, to ship their grain to these houses for the purpose of improvement, they to become the beneficiaries of the increased market value by reason of such improvement and to be recompensed in a reasonable manner for the offal from such grain.

Mr. WEST. Mr. President, will the Senator permit an interruption?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. Certainly.

Mr. WEST. I wish to ask a question about these grain hospitals, which I know nothing about. Is there a general improvement of the grain there or is it just made so that it will sell better?

Mr. NELSON. There is a general improvement of the grain. In this I refer especially to the smutty grain.

Mr. WEST. Do they absolutely take the smut out of the grain?

Mr. NELSON. Yes; they take all of it out. They have a system of fanning mills in those elevators where they take out all kinds of foul stuff. Smut is a poisonous substance; and if there is much smut in the wheat, and it is ground with it, the flour is not fit to eat.

We have several foreign substances that afflict the wheat raisers. We have smut; we have cockle, which is bad, but it is not so bad as smut—that is, it would not kill a man if he ate cockle, but smut would if he took enough of it. We have smut, we have cockle, we have what we call pigeon grass, we have wild buckwheat, and in later years we have been afflicted to a large extent with what we call wild oats.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Nebraska?

Mr. NELSON. Certainly.

Mr. NORRIS. I have always understood that wild oats came in the early years rather than in the later years.

Mr. NELSON. Oh, no; not this kind of wild oats. I ran my farm for 20 years without a bit of wild oats in it. I never had any of it on my farm during that time. I only got it because I was foolish enough to let the livery stables in my town haul some of their refuse matter on my farm and get straw in exchange. That is how I got it on my farm. Wild oats has come to us only in later years. The same is true of the North Dakota farmers. At an early date they had no wild oats. Nobody appears to know where it came from in the first instance. I have never seen any book or document that described where it came from; but it is a great affliction, and when the wild oats get thick it lodges the grain. It grows up fast and tall, and when it gets plenty and heavy in the wheat it lodges the wheat; and if there is much wild oats in the wheat it does not get a chance to ripen fairly, and then you get a lot of wild oats in your grain when it is thrashed that has to be taken out.

In further answer to my friend the Senator from Georgia I wish to repeat something that I referred to the other day. Shock thrashing, as we call it, prevails to a large extent in North Dakota. It does also to some extent in Minnesota in the Red River Valley, though it is diminishing year by year. Shock thrashing means this: The farmer cuts his grain and puts it in the shock, and he does not stack it. Here in the East, on the little farms, they haul in their grain and stack it in barns. They have these small thrashing machines and they thrash it in barns for the sake of saving their straw. In the Middle West, in the great winter-wheat States of Ohio, Indiana, Michigan, Wisconsin, Illinois, and Iowa, nearly all the farmers there stack their wheat. They let it stand in shock until it gets dry enough, and then they put it into stacks. After the wheat is put in stacks it goes through what we call a sweating process. It oftentimes happens, if your wheat has got bleached in the shock from sun and rain, that if you put it into a stack and let it stand it regains its natural, bright, good color and good quality.

This shock threshing is a risky thing on account of the weather. I want to deal fairly with North Dakota; they are a little farther west than we are. They are on the verge of the arid belt, and they are not quite as exposed to heavy fall rains as we are in Minnesota. There are some falls that they are very fortunate and are able to thresh their grain in shock before there is any rain on it, and the bleaching comes only from the dew and the sun and the wind; but in many cases they have rainy falls; oftentimes they have a good deal of rain, and the wheat in shock gets bleached and damaged. Then the threshing machine comes around. These are great, big machines, with big crews. They are anxious to hurry up with their work. If there happens to be a shower while they are there, of course they have to wait until the grain dries before they can go on; but they are so anxious, oftentimes, that they do not wait long enough. They proceed to thresh oftentimes before the grain is as dry as it ought to be. That kind of grain, threshed in that way, becomes bleached and damp and is liable to heat; it gets off color, and has to go into a wheat hospital before it can be used.

There is another thing that is likely to occur: If you take wheat that has not gone through a sweating process, if you take it when it is the least bit damp, and dump it into a car for shipment it is liable to injure the whole carload. It is liable to become what we sometimes call bin burnt. In case you have grain of that kind it is important that you send it to one of these grain hospitals immediately, where they will fan it, air it, take out all of the impurities, and put it in proper shape. They have a process of washing the wheat, scouring it, and getting all the impurities out of it. After they have put it through such a course much of the wheat gets back—not all of it, but much of it—to a normal condition. If it were not for these grain hospitals——

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. Yes. If it were not for these grain hospitals the damaged grain would in many instances have to be sold and used for feed. I yield to the Senator from Georgia.

Mr. WEST. Mr. President, it is well known that we have a disease called pellagra which has baffled the medical ingenuity of the skilled experts of the age.

Mr. NELSON. Is not that a human disease?

Mr. WEST. Yes, sir; but I want to get to this point. A great many of our skilled medical experts suppose that it comes from grain that has been spoiled, say from corn bread

made from corn that has not had the proper treatment, or from wheat. Nobody knows what is the cause of it; but it is on the increase in the Carolinas and Georgia and Tennessee and Alabama and those Southern States. I have seen cases of it myself, but they suppose it is traceable principally to damaged grain.

Mr. NELSON. Damaged corn, I have heard.

Mr. WEST. Damaged corn; yes, sir.

Mr. NELSON. Not wheat.

Mr. WEST. But they do not know definitely what causes it; and great is the pity, too, because the disease is becoming worse every year, and especially in the Carolinas. I do not know whether there is any connection between that disease and the grain that is shipped in there, say damaged corn, or not, but it is supposed to come from damaged grain. I wish to inquire whether the Senator knows anything in reference to it.

Mr. NELSON. I can give the Senator no information on that point. As the Senator knows, I am only a farmer and a country lawyer by profession.

Mr. SHERMAN. Mr. President——

Mr. NELSON. I have had no education or training in the medical line, and I have only noticed this subject matter incidentally in the newspapers. I have seen in the newspapers some statement to the effect that it comes from corn. Perhaps the Senator from Illinois can give some explanation of it.

Mr. SHERMAN. With the permission of the Senator from Minnesota, I might add, in connection with the statement made by the Senator from Georgia, that it has not been established, unless it has been done very recently, what the cause of pellagra is. Commissions have been searching for its cause. One was appointed by a branch of the public service in which I was engaged for some years, consisting of some of the leading physicians and chemists of the western country, to ascertain the cause of pellagra. If any independent investigation in either State or Federal jurisdiction has found the cause, I do not think it has been made public yet. A great many scientists are now engaged in that research. They have arrived at certain basic conditions under which the disease appears, as I get the report from physicians and others who have made the examination. A great deal of chemical examination has been made in the laboratories; but I do not believe any definite cause has yet been ascertained, either in this country or in Europe. It was charged, in parts of southern Italy, and possibly some parts of Austria, that it came from musty grain shipped from the United States, largely corn.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota further yield to the Senator from Georgia?

Mr. NELSON. I do.

Mr. WEST. Is the Senator aware of the fact that in northern Italy the death rate from pellagra has been largely reduced by improving the diet of articles made from grain?

Mr. SHERMAN. I think the improvement of the diet has led to an abatement of the new cases and the improvement of the old ones under different dietetic conditions; but I remember quite well that in order to experiment we had a crate of 90 Brazilian monkeys brought up from South America and turned them over to the investigators in the laboratory. That was with the idea, with all due deference to the Society for the Prevention of Cruelty to Animals, that we preferred to experiment on them rather than on human beings. They are as nearly similar to human beings in many particulars, so the physicians and chemists informed me, as anything that can be had.

I am only saying this out of deference to the grain trade of the United States. If it should go in the RECORD without this explanation a misapprehension might be created abroad.

We put these alleged remote ancestors of ours under certain dietetic conditions; we fed them musty grain and musty foods of all kinds; the blood and poison or germ or active principle of pellagra was injected or sought to be implanted in the monkeys; we experimented by chemical examination of their blood, their digestive or alimentary tracts, and their general physical condition; and we could develop no case of pellagra in any of the 90 monkeys that came up by such experiments. All of them were very healthy specimens and in sound physical condition. We developed no original case of pellagra among them in the experiments that were conducted.

I think an examination of the testimony taken by various commissions in south Italy will show that probably the cases there had their origin in either insufficient nutrition or a low order of nutrition combined with very bad sanitary conditions and with the cases of middle-aged or old people. Where the sanitary condition as to light, air, diet, and so forth, is such as to show a very low degree of vitality it is possible that in some instances, with those conditions surrounding the patient, food made from musty grain—grain in that condition before it was milled—has led to an aggravation of the disease. Any unhealthful food might do so. It is barely possible that by this time some original cases may have developed under those conditions, but I do not think it has been established, unless it has been very recently, that any kind of musty grain when milled into foodstuff will cause an original case of pellagra. I believe the scientists in the New York laboratory thought they had developed a case. They had taken a monkey just as we had out in the western country to make some analogous investigation, and they thought they had developed a case of original pellagra in a monkey that they had in their charge.

This disease is one which when developed is practically incurable. It is a skin disease. In the first instance a sort of purplish red development forms on the hand or neck or face, and it continues until it partakes a good deal of the form of blood poisoning or leprosy. In subsequent stages it attacks the tissues and joints, as the doctors inform me. It then reaches a fatal stage.

When they got hold of this monkey they concluded that they had solved the question. It was found, however, that the monkey in question was not one in usual health. When the chemists and investigators went back of the source of supply, they found that he had not come from the native jungles of the South American forests at all, but he was a slum monkey that had been gotten out of the East Side some place and had been following life in an alley with a hand organ or something of that kind before the chemists got hold of him. He had been living in about the same condition that human beings had been living before they develop pellagra. So it was the lack of sanitation of the monkey and not the food he got that developed it.

It is pretty generally supposed, and I think some experiments have been had with human beings, that no amount of bin-burnt grain, musty corn, or other grain milled in food product will develop a case of pellagra in a human being under normal healthy conditions. I think it will require, in addition to that, the bad sanitary conditions or the run-down condition depressing the vitality and accompanying it which might produce it.

Mr. WEST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. I do.

Mr. WEST. Does not this disease prevail more in southern than in northern climates?

Mr. SHERMAN. I am disposed to think that original cases develop in warmer climates than, say, from north of the Ohio River, or Cairo, Ill. It first was manifest in certain of the States south and in southern Italy. My recollection is that the first cases were known almost simultaneously in southern Italy and in some of the Southern States of the Union. But original cases have also appeared in the Northern States, and it may be that they are just as liable to occur in Northern States as elsewhere. Original cases have been found in many instances in almshouses, in hospitals for the insane, and other institutions where proper sanitary conditions have not been observed.

Mr. WEST. The Senator from Illinois seems to be quite conversant with the disease. Does he think that it is contagious?

Mr. SHERMAN. No, sir. I have not the least scruples about that from my association with physicians. I am not a physician, I want to explain, but only a country lawyer. However, for some years I was associated almost daily with physicians, with surgeons, with chemists, and here what I am giving is wholly from observation or information that they conveyed to me, and those who have had the most experience with it, who have been in daily contact with it in certain States of the Middle West. I have seen them go around without any fear whatever and take the hands of a pellagra patient and rub them and look at them and deal with such persons constantly, and they told me without exception they had no fear whatever of its contagious qualities. They show it by their handling of the patient.

Mr. NELSON. Now, I will state before I sit down that it will probably take me an hour and a half to finish what I have to say. I think in justice and fairness we who can not go off and play golf like some Senators should have a little rest.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brady	Gallinger	Martine, N. J.	Sherman
Bryan	James	Nelson	Shively
Catron	Kern	Norris	Smoot
Chilton	Lodge	Page	Weeks
Fall	McCumber	Sheppard	West

The PRESIDING OFFICER. Twenty Senators have answered to their names. There is not a quorum present.

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to, and (at 3 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, April 20, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 17, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, to whom we are indebted for all things and unto whom we are responsible for our acts, we thank Thee for all the blessings which Thou hast bestowed upon us, especially for the divine spirit with which Thou hast endowed us, which searcheth the heart, illumines the mind, and strengthens us for every noble endeavor. Make us more susceptible, we beseech Thee, to its holy influence, that we may in largest measure fulfill our destiny upon the earth and be prepared for whatever awaits us in the great beyond. In the name of Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

INTERSTATE TRADE COMMISSION.

Mr. COVINGTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. STEVENS] and the gentleman from Oregon [Mr. LAFFERTY] have three legislative days within which to file minority views on the bill (H. R. 15613) to create an Interstate Trade Commission, to define its powers and duties, and for other purposes, now on the Union Calendar.

The SPEAKER. The gentleman from Maryland asks unanimous consent that the gentleman from New Hampshire [Mr. STEVENS] and the gentleman from Oregon [Mr. LAFFERTY] have three legislative days within which to file minority views on the Interstate Trade Commission bill. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4260. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 4261. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. STERLING as the conferees on the part of the Senate.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On April 14, 1914:

S. 474. An act to authorize the issuance of unqualified patents to public lands in certain cases.

On April 15, 1914:

S. 3843. An act for the relief of Bellevadorah Steele.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4260. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 4261. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

At the request of Mr. LOGUE, by unanimous consent, the Committee on Public Buildings and Grounds was discharged from the further consideration of the House joint resolution 234, directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade, and the same was referred to the Committee on the Library.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

By direction of the Committee on Foreign Affairs, Mr. FLOOD of Virginia reported the bill (H. R. 15762) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915, which was read the first and second time and, with the accompanying report (No. 545), ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois reserves all points of order on the bill.

POST OFFICES.

Mr. BRODBECK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD concerning certain newspaper articles charging that postmasterships are bartered and sold in York and Adams Counties, in my district, in Pennsylvania.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

There was no objection.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER. The unfinished business is to vote on the amendments to the legislative, executive, and judicial appropriation bill (H. R. 15279).

Mr. BYRNS of Tennessee. Mr. Speaker, the amendments on page 2 and on page 12 apply to the mileage of Senators and Representatives. I therefore ask unanimous consent that these two amendments be voted on together.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the amendments with respect to the mileage of Senators and Representatives be voted on together. Is there objection?

There was no objection.

Mr. MURDOCK. Mr. Speaker, as I understand it, the vote will be taken first on the amendment to section 6 of the bill?

Mr. FITZGERALD. Mr. Speaker, the custom has been to take the votes on the amendments in the order in which the amendments appear in the bill, and not to take the amendment that is last in the bill and vote on it first. The first amendment to be reported is that on page 2. The mere fact that a separate vote is demanded on some particular amendment in advance of a demand for a separate vote on some other amendment does not change the procedure.

Mr. MURDOCK. Mr. Speaker, the RECORD, and more particularly the Journal, show that my demand for a separate vote came first.

The SPEAKER. The Chair does not think it amounts to a bawbee which way the votes on these amendments are put.

Mr. MURDOCK. But I do.

The SPEAKER. The Chair will put them in the order in which they come in the bill, as that has been the practice.

Mr. MURDOCK. Mr. Speaker, I do think it makes some difference. There are going to be a number of roll calls here to-day, and I made my demand in the House first. The RECORD so shows, and the Journal carries the fact that my demand was first made, and if the proceedings of the House on a separate vote to-day are to follow the Journal, the vote on the amendment to section 6 ought to come first.

Mr. FITZGERALD rose.

The SPEAKER. The Chair will relieve all gentlemen from any remarks on the subject. The practice—and the Chair does not know how it grew up—has been to vote on the amendments in the order in which they come in the bill, although the Chair repeats that he does not see that it makes a particle of difference how the vote is taken.

Mr. MURDOCK. Mr. Speaker, will the Chair indulge me for a moment?

The SPEAKER. Certainly.

Mr. MURDOCK. The amendment on which I demanded a separate vote covers all of the subsequent matters into permanent law.

The SPEAKER. But it will have the same effect, no matter when the vote is taken.

Mr. MURDOCK. Yes; but its fortune depends somewhat on the time on which it is voted on.

The SPEAKER. The Chair does not think so. The Clerk will report the first two amendments, which are to be voted on at the same time.

The Clerk read as follows:

Page 2, lines 4 to 10, inclusive, strike out the paragraph and insert: "For mileage of Senators, $51,000."

Page 12, line 19, strike out the paragraph beginning on line 19, on page 12, and including line 2, on page 13, and insert:

"For mileage of Representatives and Delegates and expenses of Resident Commissioners, $175,000."

The SPEAKER. The question is on these two amendments together.

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. BYRNS of Tennessee) there were—ayes 65, noes 74.

Mr. GOOD. Mr. Speaker, I ask for tellers.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOWARD Would a motion for the yeas and nays be in order as a substitute for the motion?

The SPEAKER. Of course it would.

Mr. HOWARD. Then, Mr. Speaker, I call for the yeas and nays.

Mr. COX. Mr. Speaker, I make the point of order there is no quorum present.

Mr. COOPER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER. Mr. Speaker, there is a dispute among Members here as to the exact question on which we are about to vote. What is the exact question?

The SPEAKER. The exact question before the House is whether it will have tellers, but the thing to be voted on is the mileage amendment in reference to Senators and Representatives, the two amendments to be taken together.

Mr. COOPER. What is the effect——

Mr. FITZGERALD. An "aye" vote means mileage under the present law; a "no" vote means the provision reported by the committee to pay the actual expenses.

Mr. BARNHART. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BARNHART. I rise to demand the yeas and nays.

The SPEAKER. They have been already demanded.

Mr. COX. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. Evidently a sufficient number, and the yeas and nays are ordered, and the Clerk will call the roll. These two amendments taken together reestablish the old law about mileage.

The question was taken; and there were—yeas 95, nays 242, answered "present" 5, not voting 89, as follows::

YEAS—95.

Aiken	Dupré	Kennedy, Conn.	Patton, Pa.
Ainey	Elder	Kettner	Peters, Me.
Ansberry	Estopinal	Key, Ohio	Platt
Anthony	Evans	Kindel	Plumley
Baltz	Fairchild	Lafferty	Post
Bartholdt	Falconer	La Follette	Ragsdale
Bell, Cal.	Fergusson	Langham	Raker
Bell, Ga.	Ferris	Langley	Roberts, Mass.
Booher	Fields	Lazaro	Roberts, Nev.
Broussard	Fordney	Lee, Ga.	Rouse
Buchanan, Ill.	Garrett, Tenn.	Lee, Pa.	Seldomridge
Bulkley	Graham, Pa.	Lesher	Sinnott
Burnett	Greene, Mass.	Lever	Smith, Idaho
Callaway	Greene, Vt.	McDermott	Stephens, Cal.
Cantrill	Gregg	McGillicuddy	Stevens, Minn.
Church	Hawley	McGuire, Okla.	Taggart
Clark, Fla.	Hayden	Mann	Taylor, Colo.
Claypool	Hayes	Miller	Vare
Cramton	Henry	Mondell	Vaughan
Curry	Howard	Moore	Walters
Danforth	Humphrey, Wash.	Mott	Weaver
Davenport	Johnson, Utah	Murray, Okla.	Whaley
Davis	Johnson, Wash.	Nolan, J. I.	Woods
Deitrick	Kahn	O'Hair	

NAYS—242.

Abercrombie	Anderson	Baker	Barton
Adair	Ashbrook	Barchfeld	Bathrick
Adamson	Aswell	Barkley	Beakes
Alexander	Austin	Barnhart	Beall, Tex.
Allen	Avis	Bartlett	Blackmon
Borland	French	Lewis, Pa.	Shackleford
Bowdle	Gard	Lieb	Sherley
Britten	Gardner	Lindbergh	Sherwood
Brodbeck	Garner	Linthicum	Shreve
Brown, N. Y.	Garrett, Tex.	Lloyd	Sims
Browne, Wis.	George	Lobeck	Sisson
Bruckner	Gerry	Logue	Sloan
Brumbaugh	Gillett	Lonergan	Smith, J. M. C.
Bryan	Gilmore	McClellan	Smith, Md.
Buchanan, Tex.	Gittins	McCoy	Smith, Minn.
Burgess	Godwin, N. C.	McKenzie	Smith, N. Y.
Burke, S. Dak.	Goldfogle	McLaughlin	Smith, Saml. W.
Burke, Wis.	Gorman	MacDonald	Smith, Tex.
Byrns, Tenn.	Goulden	Madden	Stafford
Campbell	Graham, Ill.	Maguire, Nebr.	Stedman
Cantor	Gray	Mahan	Steenerson
Caraway	Griest	Mapes	Stephens, Miss.
Carter	Hamilton, Mich.	Mitchell	Stephens, Nebr.
Clancy	Hamilton, N. Y.	Montague	Stephens, Tex.
Cline	Hamlin	Moon	Stevens, N. H.
Coady	Hammond	Morgan, La.	Stone
Collier	Hardy	Morgan, Okla.	Stringer
Connelly, Kans.	Harrison	Morrison	Sumners
Conry	Hart	Moss, W. Va.	Sutherland
Cooper	Haugen	Murdock	Switzer
Covington	Hay	Neely, W. Va.	Talbott, Md.
Cox	Heflin	Nelson	Talcott, N. Y.
Crosser	Helgesen	O'Brien	Tavenner
Cullop	Helm	Oglesby	Taylor, N. Y.
Decker	Helvering	Oldfield	Temple
Dent	Hensley	O'Leary	Ten Eyck
Dershem	Hill	Padgett	Thacher
Dickinson	Hinds	Page, N. C.	Thompson, Okla.
Dies	Holland	Park	Thomson, Ill.
Difenderfer	Hughes, Ga.	Parker	Towner
Dillon	Hulings	Patten, N. Y.	Townsend
Dixon	Hull	Payne	Treadway
Donovan	Humphreys, Miss.	Peters, Mass.	Tribble
Doolittle	Igoe	Peterson	Tuttle
Doremus	Jacoway	Porter	Underhill
Doughton	Johnson, Ky.	Pou	Underwood
Driscoll	Jones	Prouty	Volstead
Dyer	Keating	Quin	Walker
Eagan	Keister	Rainey	Watkins
Eagle	Kelley, Mich.	Rauch	Watson
Edmonds	Kennedy, Iowa	Rayburn	Webb
Edwards	Kent	Reed	White
Esch	Kiess, Pa.	Reilly, Wis.	Williams
Faison	Kinkaid, Nebr.	Riordan	Willis
Fess	Kinkead, N. J.	Rogers	Wilson, N. Y.
Fitzgerald	Kirkpatrick	Rubey	Wingo
FitzHenry	Kitchin	Rupley	Woodruff
Foster	Konop	Russell	Young, N. Dak.
Fowler	Kreider	Saunders	Young, Tex.
Francis	Lenroot	Scott	
Frear	Lewis, Md.	Sells	

ANSWERED "PRESENT"—5.

Browning	Good	Taylor, Ala.	Taylor, Ark.
Glass			

NOT VOTING—89.

Bailey	Farr	Knowland, J. R.	Reilly, Conn.
Borchers	Finley	Korbly	Rothermel
Brockson	Flood, Va.	L'Engle	Rucker
Brown, W. Va.	Floyd, Ark.	Levy	Sabath
Burke, Pa.	Gallagher	Lindquist	Scully
Butler	Goeke	Loft	Sharp
Byrnes, S. C.	Goodwin, Ark.	McAndrews	Slayden
Calder	Gordon	McKellar	Slemp
Candler, Miss.	Green, Iowa	Maher	Small
Carew	Griffin	Manahan	Sparkman
Carlin	Gudger	Martin	Stanley
Carr	Guernsey	Merritt	Stout
Cary	Hamill	Metz	Thomas
Casey	Hardwick	Morin	Vollmer
Chandler, N. Y.	Hinebaugh	Moss, Ind.	Wallin
Clayton	Hobson	Murray, Mass.	Walsh
Connolly, Iowa	Houston	Neeley, Kans.	Whitacre
Copley	Howell	Norton	Wilson, Fla.
Crisp	Hoxworth	O'Shaunessy	Winslow
Dale	Hughes, W. Va.	Paige, Mass.	Witherspoon
Donohoe	Johnson, S. C.	Palmer	
Dooling	Kelly, Pa.	Phelan	
Dunn	Kennedy, R. I.	Powers	

So the amendments were rejected.

The Clerk announced the following pairs:

On this vote:

Mr. BROWNING (for the amendment) with Mr. SCULLY (against).

Mr. CARY (for the amendment) with Mr. TAYLOR of Arkansas (against).

Commencing April 8, ending April 25:

Mr. MCKELLAR with Mr. NORTON.

Until further notice:

Mr. JOHNSON of South Carolina with Mr. GOOD.

Mr. TAYLOR of Alabama with Mr. HUGHES of West Virginia.

Mr. DALE with Mr. MARTIN.

Mr. GUDGER with Mr. GUERNSEY.

Mr. HARDWICK with Mr. BUTLER.

Mr. GLASS with Mr. SLEMP.

Mr. BYRNES of South Carolina with Mr. FARR.

Mr. HOBSON with Mr. WINSLOW.

Mr. CANDLER of Mississippi with Mr. BURKE of Pennsylvania.

Mr. CARLIN with Mr. DUNN.

Mr. CARR with Mr. GREEN of Iowa.

Mr. CONNOLLY of Iowa with Mr. HINEBAUGH.
Mr. CLAYTON with Mr. HOWELL.
Mr. FINLEY with Mr. KENNEDY of Rhode Island.
Mr. HOUSTON with Mr. J. R. KNOWLAND.
Mr. NEELEY of Kansas with Mr. LINDQUIST.
Mr. PALMER with Mr. CALDER.
Mr. SABATH with Mr. POWERS.
Mr. SMALL with Mr. MERRITT.
Mr. THOMAS with Mr. MORIN.
Mr. WILSON of Florida with Mr. PAIGE of Massachusetts.
For the session:
Mr. METZ with Mr. WALLIN.

Mr. GOOD. Mr. Speaker, I desire to know if the gentleman from South Carolina, Mr. JOHNSON, voted.

The SPEAKER. The gentleman did not.

Mr. GOOD. I am paired with the gentleman, and I desire to change my vote from "aye" to "present."

The name of Mr. GOOD was called, and he answered "Present."

Mr. GLASS. Mr. Speaker, I desire to ask if the gentleman from Virginia, Mr. SLEMP, is recorded as having voted?

The SPEAKER. The gentleman is not recorded.

Mr. GLASS. Then I ask to withdraw my vote of "no" and answer "present."

The name of Mr. GLASS was called, and he answered "Present."

The result of the vote was announced as above recorded.

SPEAKER PRO TEMPORE FOR TO-MORROW.

The SPEAKER. The Chair designates the gentleman from New York [Mr. FITZGERALD] to preside to-morrow, if he is not here himself.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 21, line 1, strike out the figures "$1,500" and insert in lieu thereof "$1,800."

Strike out the figures "$660,000," in line 2, page 21, and insert "$792,000."

The SPEAKER. That is the clerks' salary amendment. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BYRNS of Tennessee. Division, Mr. Speaker.

The House proceeded to divide.

Mr. BYRNS of Tennessee (during the division). Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 162, nays 179, answered "present" 2, not voting 88, as follows:

YEAS—162.

Ainey	Donohoe	Kindel	Pou
Anderson	Donovan	Kinkaid, Nebr.	Prouty
Anthony	Doolittle	Kirkpatrick	Ragsdale
Aswell	Dupré	Lafferty	Raker
Austin	Estopinal	La Follette	Roberts, Mass.
Avis	Evans	Langham	Roberts, Nev.
Barchfeld	Fairchild	Langley	Rouse
Barnhart	Falconer	Lazaro	Rupley
Bartholdt	Fergusson	Lee, Ga.	Scott
Bartlett	Fordney	Lee, Pa.	Seldomridge
Barton	French	Lenroot	Sherwood
Bathrick	Garner	Lesher	Shreve
Beakes	George	Lever	Sinnott
Beall, Tex.	Gilmore	Lewis, Md.	Sloan
Bell, Cal.	Goldfogle	Lindbergh	Smith, Idaho
Blackmon	Graham, Pa.	Lobeck	Smith, Minn.
Britten	Greene, Mass.	Loft	Smith, Saml. W.
Brodbeck	Greene, Vt.	Logue	Steenerson
Broussard	Gudger	Lonergan	Stephens, Cal.
Browning	Hart	McDermott	Stephens, Nebr.
Bryan	Hawley	McGuire, Okla.	Stevens, Minn.
Buchanan, Ill.	Hayden	MacDonald	Sutherland
Buchanan, Tex.	Hayes	Madden	Switzer
Burke, Wis.	Helgesen	Mann	Taggart
Burnett	Hill	Mapes	Temple
Campbell	Howard	Mondell	Thomson, Ill.
Cantor	Hughes, Ga.	Moore	Vare
Cantrill	Hulings	Moss, W. Va.	Volstead
Caraway	Humphrey, Wash.	Mott	Walker
Carter	Humphreys, Miss.	Murdock	Walters
Church	Jacoway	Neely, W. Va.	Weaver
Clancy	Johnson, Utah	Nolan, J. I.	Whaley
Clark, Fla.	Johnson, Wash.	O'Brien	Whitacre
Claypool	Kahn	Oglesby	White
Cooper	Keister	O'Shaunessy	Wilson, N. Y.
Curry	Kelley, Mich.	Patton, Pa.	Wingo
Danforth	Kennedy, Conn.	Peters, Me.	Woodruff
Davenport	Kennedy, R. I.	Platt	Woods
Davis	Kent	Plumley	Young, N. Dak.
Deitrick	Key, Ohio	Porter.	
Dershem	Kiess, Pa.	Post	

NAYS—179.

Abercrombie	Allen	Barkley	Brown, N. Y.
Adair	Ansberry	Bell, Ga.	Browne, Wis.
Adamson	Ashbrook	Booher	Bruckner
Aiken	Baker	Borland	Brumbaugh
Alexander	Baltz	Bowdle	Bulkley
Burgess	Foster	Konop	Saunders
Burke, S. Dak.	Fowler	Kreider	Sells
Byrnes, S. C.	Francis	Lewis, Pa.	Sherley
Byrns, Tenn.	Frear	Lieb	Sims
Callaway	Gallagher	Linthicum	Sisson
Clayton	Gard	Lloyd	Smith, J. M. C.
Cline	Gardner	McClellan	Smith, N. Y.
Coady	Garrett, Tenn.	McCoy	Smith, Tex.
Collier	Garrett, Tex.	McKenzie	Stafford
Connelly, Kans.	Gerry	McLaughlin	Stedman
Conry	Gillett	Maguire, Nebr.	Stephens, Miss.
Covington	Gittins	Mahan	Stephens, Tex.
Cox	Godwin, N. C.	Mitchell	Stevens, N. H.
Cramton	Good	Montague	Stone
Crosser	Gorman	Moon	Sumners
Cullop	Goulden	Morgan, La.	Talbott, Md.
Decker	Graham, Ill.	Morgan, Okla.	Talcott, N. Y.
Dent	Gray	Morrison	Tavenner
Dickinson	Gregg	Murray, Mass.	Taylor, Ark.
Dies	Griest	Murray, Okla.	Taylor, Colo.
Difenderfer	Hamilton, Mich.	Nelson	Taylor, N. Y.
Dillon	Hamlin	O'Hair	Ten Eyck
Dixon	Hammond	Oldfield	Thacher
Doremus	Hardy	Padgett	Thompson, Okla.
Doughton	Harrison	Page, N. C.	Towner
Driscoll	Haugen	Park	Townsend
Dyer	Hay	Patten, N. Y.	Treadway
Eagan	Heflin	Payne	Tribble
Eagle	Helm	Peters, Mass.	Tuttle
Edmonds	Helvering	Peterson	Underhill
Edwards	Henry	Quin	Underwood
Elder	Hensley	Rainey	Vaughan
Esch	Holland	Rauch	Watkins
Faison	Hull	Rayburn	Watson
Ferris	Igoe	Reed	Webb
Fess	Johnson, Ky.	Reilly, Wis.	Williams
Fields	Jones	Riordan	Willis
Fitzgerald	Keating	Rogers	Witherspoon
FitzHenry	Kennedy, Iowa	Rubey	Young, Tex.
Floyd, Ark.	Kinkead, N. J.	Russell	

ANSWERED "PRESENT"—2.

Glass Shackleford

NOT VOTING—88.

Bailey	Flood, Va.	Korbly	Powers
Borchers	Goeke	L'Engle	Reilly, Conn.
Brockson	Goodwin, Ark.	Levy	Rothermel
Brown, W. Va.	Gordon	Lindquist	Rucker
Burke, Pa.	Green, Iowa	McAndrews	Sabath
Butler	Griffin	McGillicuddy	Scully
Calder	Guernsey	McKellar	Sharp
Candler, Miss.	Hamill	Maher	Slayden
Carew	Hamilton, N. Y.	Manahan	Slemp
Carlin	Hardwick	Martin	Small
Carr	Hinds	Merritt	Smith, Md.
Cary	Hinebaugh	Metz	Sparkman
Casey	Hobson	Miller	Stanley
Chandler, N. Y.	Houston	Morin	Stout
Connolly, Iowa	Howell	Moss, Ind.	Stringer
Copley	Hoxworth	Neeley, Kans.	Taylor, Ala.
Crisp	Hughes, W. Va.	Norton	Thomas
Dale	Johnson, S. C.	O'Leary	Vollmer
Dooling	Kelly, Pa.	Paige, Mass.	Wallin
Dunn	Kettner	Palmer	Walsh
Farr	Kitchin	Parker	Wilson, Fla.
Finley	Knowland, J. R.	Phelan	Winslow

The Clerk announced the following additional pairs:

On this vote:

Mr. CALDER (for clerk-hire amendment) with Mr. PALMER (against).

Mr. SCULLY with Mr. FARR.

Mr. SHACKLEFORD with Mr. JOHNSON of South Carolina.

Until further notice:

Mr. GOEKE with Mr. HOWELL.

Mr. GORDON with Mr. COPLEY.

Mr. GOODWIN of Arkansas with Mr. HAMILTON of New York.

Mr. PHELAN with Mr. GUERNSEY.

Mr. ROTHERMEL with Mr. HINDS.

Mr. RUCKER with Mr. MANAHAN.

Mr. SLAYDEN with Mr. MILLER.

Mr. SMITH of Maryland with Mr. CARY.

Mr. FLOOD of Virginia with Mr. PARKER.

So the amendment was rejected.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 66, between lines 7 and 8, insert as a new paragraph the following:

"Assay office at Helena, Mont.: Assayer in charge, $2,000; chief clerk, who shall also perform the duties of cashier, $1,400; assistant assayer, $1,500; in all, $4,900.

"For wages of workmen and other employees, $3,000.

"For incidental and contingent expenses, $2,000."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. EVANS. Division, Mr. Speaker.

The House divided; and there were—ayes 59, noes 89.

Mr. EVANS. Mr. Speaker, I ask for tellers.

Tellers were ordered, and Mr. BYRNS of Tennessee and Mr. EVANS took their places as tellers.

The House again divided; and the tellers reported—ayes 84, noes 94.

So the amendment was rejected.

Mr. EVANS. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Montana [Mr. EVANS] demands the yeas and nays. Those in favor of taking this vote by yeas and nays will rise and stand until they are counted.

Mr. EVANS. Mr. Speaker, I withdraw my request for the yeas and nays.

The SPEAKER. The gentleman from Montana withdraws his request for the yeas and nays. The Clerk will report the next amendment.

The Clerk read as follows:

Page 138, after line 4, insert, as a new paragraph, the following:
"To carry into effect the provisions of the act approved April 9, 1912, providing for the investigation of questions of infant mortality and dangerous occupations, $139,000."

The SPEAKER. This is what is known as the Children's Bureau amendment. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. RAKER. I ask for the yeas and nays, Mr. Speaker.

Mr. MANN. I ask for the yeas and nays.

The SPEAKER. The gentleman from California [Mr. RAKER] and the gentleman from Illinois [Mr. MANN] demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Those in favor of the amendment will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 276, nays 47, answered "present" 2, not voting 106, as follows:

YEAS—276.

Abercrombie	Eagan	Keating	Patton, Pa.
Adair	Edmonds	Keister	Payne
Ainey	Edwards	Kelley, Mich.	Peters, Mass.
Allen	Esch	Kennedy, Conn.	Peters, Me.
Anderson	Evans	Kennedy, Iowa	Peterson
Anthony	Fairchild	Kennedy, R. I.	Platt
Ashbrook	Faison	Kent	Plumley
Aswell	Falconer	Kettner	Porter
Austin	Fergusson	Key, Ohio	Prouty
Avis	Ferris	Kiess, Pa.	Quin
Baker	Fess	Kindel	Rainey
Barchfeld	Fields	Kinkaid, Nebr.	Raker
Barkley	FitzHenry	Kirkpatrick	Rauch
Barnhart	Fordney	Konop	Reed
Bartholdt	Foster	Kreider	Reilly, Wis.
Barton	Fowler	Lafferty	Riordan
Bathrick	Francis	La Follette	Roberts, Mass.
Beakes	Frear	Langham	Roberts, Nev.
Bell, Cal.	French	Langley	Rogers
Blackmon	Gallagher	Lazaro	Rouse
Bowdle	Gard	Lee, Pa.	Rubey
Britten	Gardner	Lenroot	Rupley
Brodbeck	Garrett, Tex.	Lesher	Russell
Broussard	George	Lever	Scott
Brown, N. Y.	Gillett	Lewis, Pa.	Seldomridge
Browne, Wis.	Gilmore	Lieb	Sells
Bruckner	Godwin, N. C.	Lindbergh	Shackleford
Brumbaugh	Goldfogle	Linthicum	Sherley
Bryan	Good	Lloyd	Sherwood
Buchanan, Ill.	Gorman	Lobeck	Shreve
Bulkley	Goulden	Loft	Sims
Burke, S. Dak.	Graham, Ill.	Logue	Sinnott
Burke, Wis.	Graham, Pa.	Lonergan	Sloan
Burnett	Gray	McClellan	Smith, Idaho
Campbell	Greene, Mass.	McCoy	Smith, J. M. C.
Cantor	Greene, Vt.	McDermott	Smith, Minn.
Caraway	Gregg	McGillicuddy	Smith, N. Y.
Carter	Griest	McKenzie	Smith, Saml. W.
Church	Hamilton, Mich.	McLaughlin	Smith, Tex.
Clancy	Hamilton, N. Y.	MacDonald	Stafford
Cline	Hamlin	Madden	Stedman
Collier	Hammond	Maguire, Nebr.	Steenerson
Cooper	Harrison	Mann	Stephens, Cal.
Cox	Hart	Mapes	Stephens, Nebr.
Cramton	Haugen	Mitchell	Stevens, Minn.
Crosser	Hawley	Mondell	Stevens, N. H.
Curry	Hayden	Montague	Stone
Danforth	Hayes	Moore	Stringer
Davenport	Heflin	Morgan, La.	Sumners
Davis	Helgesen	Morgan, Okla.	Sutherland
Decker	Helvering	Moss, W. Va.	Switzer
Deitrick	Hensley	Mott	Taggart
Dent	Hobson	Murdock	Talbott, Md.
Dershem	Holland	Murray, Mass.	Tavenner
Dickinson	Howard	Nelson	Taylor, Ark.
Dillon	Hughes, Ga.	Nolan, J. I.	Taylor, Colo.
Dixon	Hulings	O'Brien	Temple
Donohoe	Humphrey, Wash.	Oglesby	Ten Eyck
Donovan	Humphreys, Miss.	O'Hair	Thacher
Doolittle	Igoe	Oldfield	Thompson, Okla.
Doremus	Jacoway	O'Leary	Thomson, Ill.
Doughton	Johnson, Ky.	O'Shaunessy	Townsend
Dunn	Johnson, Utah	Padgett	Treadway
Dupré	Johnson, Wash.	Parker	Tuttle
Dyer	Kahn	Patten, N. Y.	Underhill
Underwood	Watkins	Williams	Woodruff
Vare	Watson	Willis	Woods
Volstead	Webb	Wilson, N. Y.	Young, N. Dak.
Walters	Whitacre	Wingo	Young, Tex.

NAYS—47.

Adamson	Callaway	Hardy	Rayburn
Aiken	Claypool	Hay	Saunders
Alexander	Connelly, Kans.	Helm	Sisson
Baltz	Dies	Kinkead, N. J.	Stephens, Miss.
Bartlett	Driscoll	Kitchin	Stephens, Tex.
Beall, Tex.	Eagle	Lee, Ga.	Tribble
Bell, Ga.	Elder	Mahan	Vaughan
Booher	Estopinal	Moon	Walker
Borland	Fitzgerald	Morrison	Weaver
Buchanan, Tex.	Garner	Murray, Okla.	Whaley
Byrnes, S. C.	Garrett, Tenn.	Page, N. C.	Witherspoon
Byrns, Tenn.	Gerry	Park	

ANSWERED "PRESENT"—2.

Browning	Conry

NOT VOTING—106.

Ansberry	Dooling	Kelly, Pa.	Ragsdale
Bailey	Farr	Knowland, J. R.	Reilly, Conn.
Borchers	Finley	Korbly	Rothermel
Brockson	Flood, Va.	L'Engle	Rucker
Brown, W. Va.	Floyd, Ark.	Levy	Sabath
Burgess	Gittins	Lewis, Md.	Scully
Burke, Pa.	Glass	Lindquist	Sharp
Butler	Goeke	McAndrews	Slayden
Calder	Goodwin, Ark.	McGuire, Okla.	Slemp
Candler, Miss.	Gordon	McKellar	Small
Cantrill	Green, Iowa	Maher	Smith, Md.
Carew	Griffin	Manahan	Sparkman
Carlin	Gudger	Martin	Stanley
Carr	Guernsey	Merritt	Stout
Cary	Hamill	Metz	Talcott, N. Y.
Casey	Hardwick	Miller	Taylor, Ala.
Chandler, N. Y.	Henry	Morin	Taylor, N. Y.
Clark, Fla.	Hill	Moss, Ind.	Thomas
Clayton	Hinds	Neeley, Kans.	Towner
Coady	Hinebaugh	Neely, W. Va.	Vollmer
Connolly, Iowa	Houston	Norton	Wallin
Copley	Howell	Paige, Mass.	Walsh
Covington	Hoxworth	Palmer	White
Crisp	Hughes, W. Va.	Phelan	Wilson, Fla.
Cullop	Hull	Post	Winslow
Dale	Johnson, S. C.	Pou	
Difenderfer	Jones	Powers	

So the amendment was agreed to.

During the calling of the roll Mr. GARD assumed the chair as Speaker pro tempore.

The Clerk announced the following additional pairs:

On the vote:

Mr. CONRY (for) with Mr. JOHNSON of South Carolina (against).

For the session:

Mr. SCULLY with Mr. BROWNING.

Until further notice:

Mr. HULL with Mr. WINSLOW.

Mr. HENRY with Mr. GREEN of Iowa.

Mr. CLAYTON with Mr. HINDS.

Mr. CLARK of Florida with Mr. TOWNER.

Mr. CANTRILL with Mr. MCGUIRE of Oklahoma.

Mr. DALE with Mr. MARTIN.

Mr. PALMER with Mr. CALDER.

Mr. BAILEY with Mr. FARR.

Mr. BROWNING. Mr. Speaker, I voted "yea." I have a general pair with my colleague, Mr. SCULLY. I wish to withdraw my vote and be recorded as answering "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BROWNING, and he answered "Present."

Mr. TAYLOR of New York. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. TAYLOR of New York. I was out in the lobby.

The SPEAKER. That does not count. That does not bring the gentleman within the rule.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

On page 145, strike out section 6 and insert in lieu thereof the following:

"SEC. 6. That all laws or parts of laws to the extent they are inconsistent with rates of salaries or compensation appropriated by this act are repealed; and the rates of salaries or compensation of officers or employees herein appropriated shall constitute the rate of salary or compensation of such officers or employees, respectively, until otherwise fixed by annual rate of appropriation or other law."

The SPEAKER. Those in favor of this amendment, which is known as the Fitzgerald amendment, will say "aye."

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. MURDOCK. Mr. Speaker, I make the point of no quorum.

Mr. FITZGERALD. Mr. Speaker, we have just called the roll, and there was a quorum present.

Mr. MURDOCK. Mr. Speaker, there is no quorum present.

Mr. FITZGERALD. There has been no intervening business since the roll was called.

Mr. MURDOCK. There has been this business which is now before us.

The SPEAKER. The Chair thinks there is a quorum here. It has not been three minutes since a record vote disclosed the presence of 325 Members.

Mr. MURDOCK. Mr. Speaker, there is no quorum present now.

The SPEAKER. The Chair will count. [After counting.] Two hundred and nine Members, not a quorum.

Mr. FITZGERALD. The House is dividing.

The SPEAKER. The House being in the act of taking a division, there will be an automatic call. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

Mr. CLARK of Florida. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CLARK of Florida. I ask unanimous consent to have the amendment reported.

The SPEAKER. The gentleman from Florida asks to have the amendment again reported. Is there objection?

There was no objection.

The amendment was again read.

The SPEAKER. The question is on agreeing to the amendment. Those in favor will say "aye," those opposed "no," and the Clerk will call the roll.

The question was taken, and there were—yeas 193, nays 137, answered "present" 2, not voting 99, as follows:

YEAS—193.

Abercrombie	Dupré	Kitchin	Ragsdale
Adair	Dyer	Konop	Rainey
Adamson	Eagan	Kreider	Reilly, Wis.
Aiken	Edmonds	La Follette	Riordan
Ainey	Elder	Langley	Roberts, Mass.
Alexander	Fairchild	Lever	Roberts, Nev.
Allen	Faison	Lewis, Md.	Rubey
Ansberry	Fergusson	Lieb	Rupley
Anthony	Fitzgerald	Linthicum	Russell
Ashbrook	Fordney	Lloyd	Saunders
Austin	Francis	Lobeck	Scott
Baker	French	Loft	Seldomridge
Baltz	Gardner	Logue	Shackleford
Barchfeld	Garrett, Tenn.	McClellan	Sherley
Barnhart	Gerry	McCoy	Sherwood
Bartholdt	Gillett	McGillicuddy	Shreve
Beakes	Gilmore	McGuire, Okla.	Sims
Blackmon	Good	McLaughlin	Smith, Idaho
Borland	Goulden	Madden	Smith, J. M. C.
Bowdle	Graham, Ill.	Mahan	Smith, Saml. W.
Bruckner	Greene, Mass.	Mann	Stedman
Brumbaugh	Greene, Vt.	Mapes	Stephens, Nebr.
Buchanan, Tex.	Gregg	Mitchell	Stephens, Tex.
Bulkley	Griest	Mondell	Stevens, Minn.
Burgess	Hamlin	Montague	Stevens, N. H.
Burke, S. Dak.	Hammond	Moon	Switzer
Burke, Wis.	Hardy	Moore	Talbott, Md.
Byrnes, S. C.	Harrison	Morgan, La.	Talcott, N. Y.
Byrns, Tenn.	Hart	Morrison	Taylor, Colo.
Campbell	Hay	Moss, W. Va.	Taylor, N. Y.
Carter	Hayden	Murray, Mass.	Ten Eyck
Church	Hayes	Murray, Okla.	Thacher
Clancy	Hobson	O'Brien	Towner
Coady	Holland	Oglesby	Townsend
Collier	Hull	O'Leary	Treadway
Connelly, Kans.	Humphrey, Wash.	O'Shaunessy	Underhill
Conry	Humphreys, Miss.	Padgett	Underwood
Covington	Igoe	Page, N. C.	Vare
Crosser	Johnson, Utah.	Parker	Volstead
Danforth	Johnson, Wash.	Patten, N. Y.	Watson
Davis	Jones	Patton, Pa.	Weaver
Deitrick	Kahn	Peters, Mass.	Whaley
Dickinson	Keister	Peters, Me.	Whitacre
Dies	Kelley, Mich.	Peterson	White
Dixon	Kennedy, Conn.	Platt	Williams
Donohoe	Kennedy, Iowa	Plumley	Wilson, N. Y.
Doremus	Kennedy, R. I.	Porter	
Doughton	Kinkead, N. J.	Post	
Driscoll	Kirkpatrick	Pou	

NAYS—137.

Anderson	Cline	Foster	Jacoway
Aswell	Cooper	Fowler	Johnson, Ky.
Avis	Cox	Frear	Keating
Barkley	Cramton	Gallagher	Kettner
Bartlett	Cullop	Gard	Kindel
Barton	Curry	Garner	Kinkaid, Nebr.
Beall, Tex.	Davenport	Garrett, Tex.	Lafferty
Bell, Cal.	Decker	Godwin, N. C.	Lazaro
Bell, Ga.	Dent	Gorman	Lee, Ga.
Booher	Dershem	Gray	Lee, Pa.
Britten	Difenderfer	Hamilton, Mich.	Lenroot
Brodbeck	Dillon	Hamilton, N. Y.	Lesher
Broussard	Donovan	Haugen	Lewis, Pa.
Brown, N. Y.	Doolittle	Hawley	Lindbergh
Browne, Wis.	Eagle	Heflin	Lonergan
Bryan	Edwards	Helgesen	McDermott
Buchanan, Ill.	Esch	Helm	McKenzie
Burnett	Evans	Helvering	MacDonald
Callaway	Falconer	Hensley	Maguire, Nebr.
Cantor	Ferris	Hill	Miller
Caraway	Fess	Howard	Morgan, Okla.
Clark, Fla.	Fields	Hughes, Ga.	Mott
Claypool	FitzHenry	Hulings	Murdock
Neely, W. Va.	Sells	Stringer	Watkins
Nelson	Sinnott	Sumners	Webb
Nolan, J. I.	Sisson	Sutherland	Willis
O'Hair	Sloan	Taggart	Wingo
Oldfield	Smith, Minn.	Tavenner	Witherspoon
Park	Smith, N. Y.	Taylor, Ark.	Woodruff
Quin	Smith, Tex.	Temple	Woods
Raker	Stafford	Thomson, Ill.	Young, N. Dak.
Rayburn	Steenerson	Tribble	Young, Tex.
Reed	Stephens, Cal.	Vaughan	
Rogers	Stephens, Miss.	Walker	
Rouse	Stone	Walters	

ANSWERING "PRESENT"—2.

Browning	Glass

NOT VOTING—99.

Bailey	Finley	Kent	Prouty
Bathrick	Flood, Va.	Key, Ohio	Rauch
Borchers	Floyd, Ark.	Kiess, Pa.	Reilly, Conn.
Brockson	George	Knowland, J. R.	Rothermel
Brown, W. Va.	Gittins	Korbly	Rucker
Burke, Pa.	Goeke	Langham	Sabath
Butler	Goldfogle	L'Engle	Scully
Calder	Goodwin, Ark.	Levy	Sharp
Candler, Miss.	Gordon	Lindquist	Slayden
Cantrill	Graham, Pa.	McAndrews	Slemp
Carew	Green, Iowa	McKellar	Small
Carlin	Griffin	Maher	Smith, Md.
Carr	Gudger	Manahan	Sparkman
Cary	Guernsey	Martin	Stanley
Casey	Hamill	Merritt	Stout
Chandler, N. Y.	Hardwick	Metz	Taylor, Ala.
Clayton	Henry	Morin	Thomas
Connolly, Iowa	Hinds	Moss, Ind.	Thompson, Okla.
Copley	Hinebaugh	Neeley, Kans.	Tuttle
Crisp	Houston	Norton	Vollmer
Dale	Howell	Paige, Mass.	Wallin
Dooling	Hoxworth	Palmer	Walsh
Dunn	Hughes, W. Va.	Payne	Wilson, Fla.
Estopinal	Johnson, S. C.	Phelan	Winslow
Farr	Kelly, Pa.	Powers	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. GOLDFOGLE with Mr. LANGHAM.

Mr. GUDGER with Mr. GUERNSEY.

Mr. JOHNSON of South Carolina with Mr. KIESS of Pennsylvania.

Mr. ESTOPINAL with Mr. PAYNE.

Mr. BATHRICK with Mr. WINSLOW.

On this vote:

Mr. TUTTLE (for the amendment) with Mr. PROUTY (against).

The result of the vote was then announced as above recorded.

A quorum being present, the Doorkeeper was directed to open the doors.

Mr. FITZGERALD. Mr. Speaker, the bill as it now stands has no provision for the Life-Saving Service or the office of the Comptroller of the Currency or of the Commissioner of Internal Revenue, and, in addition, there are certain other places which have been eliminated from the bill. I ask unanimous consent to insert amendments that will restore the items that were eliminated.

The SPEAKER. The gentleman from New York asks unanimous consent to consider at this time amendments for the Life-Saving Service, the Comptroller of the Currency, the Commissioner of Internal Revenue, and certain other places that were eliminated from the bill. Is there objection?

Mr. VARE. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from New York whether among the "certain other places" he proposes to provide for the very efficient engineer in the Quartermaster Corps, who has spent 25 years in the service of the Government, who had passed a civil-service examination, against whom there were no charges made, and who was apparently dropped without any consideration whatever?

Mr. FITZGERALD. The position to which the gentleman from Pennsylvania refers was not reported in the bill, and was not reported because the Quartermaster General did not estimate for it. He stated to the committee that the place was not needed. Under these circumstances I could not request that $2,500 be carried for the compensation of an official for whom there is no use in the Government service.

The SPEAKER. Is there objection?

Mr. FOWLER. Mr. Speaker, reserving the right to object, I desire to ask if it is the intention of the chairman of the committee to offer an amendment increasing the salaries in any of these divisions, to which he has alluded, above what was carried in the last appropriation bill?

Mr. FITZGERALD. Not above what is carried in the current law; but they are in excess of the amounts fixed in some instances in the statutes creating the places.

Mr. FOWLER. It will not give them any advantage over salaries of officers carried in the last bill?

Mr. FITZGERALD. It puts them on the same basis. It puts in the bill the salaries of those officials which now exist and the compensation they are now receiving.

The SPEAKER. Is there objection?

Mr. ANDERSON. Reserving the right to object, Mr. Speaker, I would like to inquire whether this amendment will be subject to the same right of debate as if brought up in Committee of the Whole?

Mr. FITZGERALD. I think not; I am asking to have them inserted by unanimous consent.

Mr. ANDERSON. The gentleman is asking unanimous consent to consider them.

Mr. FITZGERALD. There was no objection to them except on the ground that they were in excess of the statutory amount. They will be reinserted in the Senate and agreed to. It would seem that if the House is to send a bill to the other body appropriating for departmental service, it should not send one eliminating three of the most important branches of the service in the departments in Washington.

Mr. MANN. Will the gentleman from New York yield for a question?

Mr. FITZGERALD. Yes.

Mr. MANN. Has the gentleman a list of these amendments?

Mr. FITZGERALD. I have.

Mr. MANN. Why not have it read?

Mr. FITZGERALD. I ask to have the Clerk read it.

The Clerk read as follows:

Amend the bill as agreed upon in Committee of the Whole as follows:

"On page 32, in line 16, instead of '$3,500,' where it first occurs, insert '$5,000,' and instead of '$3,500,' where it last occurs, insert '$4,500.'

"On page 33, in line 3, strike out '$2,500' where it first occurs and insert '$3,000.'

"On page 34, in line 13, strike out '$4,500' and insert '$5,000.'

"On page 35, in line 2, strike out '$3,000' and insert '$4,000.'

"On page 37, in line 3, after the word 'appointments,' insert 'chief of division, $3,000; assistant chief of division, $2,000.'

"In line 20, after the word 'moneys,' insert 'chief of division, $3,000.'

"In line 24, after the word 'currency,' insert 'chief of division, $3,500.'

"On page 39, in line 21, after the word 'architect,' insert 'Supervising Architect, $5,000.'

"On page 40, after the word 'Treasurer,' in line 21, insert 'comptroller, $6,000.'

"On page 43, in line 21, after the word 'auditor,' insert '$5,000.'

"On page 45, in line 6, after the sum '$3,600,' insert 'deputy assistant treasurer, $3,200.'

"Restore to the bill lines 20 to 25, on page 49, together with lines 1 to 5, inclusive, on page 50, providing for the office of Commissioner of Internal Revenue.

"Restore to the bill all of lines 9 to 17, on page 50, providing for the office of the Life-Saving Service.

"On page 51, line 19, after the word 'division,' insert 'chief, $4,000.'

"In line 24, after the word 'mint,' insert 'director, $5,000.'"

Mr. MURDOCK. Reserving the right to object, Mr. Speaker——

The SPEAKER. Before the gentleman reserves the right to object, the Chair wants to state the request. The gentleman's request is for unanimous consent to insert these propositions in the bill.

Mr. MURDOCK. Mr. Speaker, reserving the right to object, I want to ask the gentleman a question. Is there anything touched in these proposed amendments save salaries?

Mr. FITZGERALD. Nothing whatever.

Mr. MURDOCK. On page 51 of the bill why is not the compensation of the Chief of the Secret Service restored to that which was carried in the bill?

Mr. FITZGERALD. Mr. Speaker, the committee reported the compensation for the Chief of the Secret Service Division at $4,250. That was an increase over what he is now receiving. The request is to insert the compensation which he is now receiving, and not the increase, but the actual compensation that he is receiving, of $4,000. The same is true in the case of the Auditor for the War Department. The committee had reported an increase of compensation of $1,000, and a point of order was made against it. The request is to restore the compensation that he is now receiving.

Mr. MURDOCK. Is that true of all of these items?

Mr. FITZGERALD. That is true of all of them. We ask to insert the compensation which these officials are receiving at the present time.

Mr. MURDOCK. And the gentleman is not seeking to restore the salaries first reported by the committee?

Mr. FITZGERALD. No. In the instances where the committee recommended an increase and they were taken out on a point of order I am not attempting to restore the proposed increase, but merely to restore the compensation now being received.

Mr. FESS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. Mr. Speaker, if these amendments are acted upon favorably, the action coming after the vote on the amendment to section 6 making these salaries carried in this bill the permanent law, will that section apply to these amendments, making them permanent law?

The SPEAKER. It will.

Mr. FITZGERALD. There are some 16,000 salaries carried in this bill, and there are only about two dozen of the salaries that were dropped out.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MANN. I thought something was done in connection with the Bureau of Engraving and Printing, carried on page 50 of the bill.

Mr. FITZGERALD. The gentleman from Illinois [Mr. FOWLER] withdrew the point of order on that item.

Mr. FOWLER. I made no point of order on that.

Mr. BRYAN. Mr. Speaker, reserving the right to object, the gentleman is not seeking to reinsert the piece-rate section?

Mr. FITZGERALD. Oh, no. This does not put in the provision authorizing the piece-rate compensation.

Mr. BRYAN. The salary of the auditor, Mr. Kram, to which I made a point of order, is being restored to $5,000?

Mr. FITZGERALD. Yes.

Mr. BRYAN. I do not object to that.

The SPEAKER. Is there objection?

Mr. REED. Mr. Speaker, reserving the right to object, I want to ask the chairman of the committee to explain the paragraph pertaining to the Life-Saving Service.

Mr. FITZGERALD. This paragraph was taken out on a point of order:

Office of Life-Saving Service: General superintendent, $4,000, and $500 additional while the office is held by the present incumbent; assistant general superintendent, $2,500; principal clerk, $2,000; title and contract clerk, $2,000; topographer and hydrographer, $1,800; civil engineer, $1,800; draftsman, $1,500; clerks—3 of class 4, 5 of class 3, 4 of class 2.

Mr. REED. The gentleman need not read anything further. That is the same as was carried in the provisions of the bill of last year?

Mr. FITZGERALD. Yes.

Mr. REED. No change whatever?

Mr. FITZGERALD. No change whatever, but the paragraph was subject to a point of order because of the $500 additional while the present incumbent is in office, so that the entire paragraph went out.

Mr. REED. And unless this amendment prevails there will be no provision for paying those salaries?

Mr. FITZGERALD. No; there will not.

The SPEAKER. Is there objection to the request of the gentleman from New York to insert these propositions in the appropriation bill? [After a pause.] The Chair hears none, and it is so ordered. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. CLARK of Florida. Mr. Speaker, I move to recommit the bill to the Committee on Appropriations with instructions to report the same back at once with amendments striking from the bill all provisions for the traveling expenses of Senators and Representatives in Congress, with a further amendment reducing the salaries of Senators and Representatives in Congress to $6,000 per year, and a further amendment reducing the salaries of clerks to Senators and Representatives to $1,200 per year.

Mr. MANN. Mr. Speaker, on that I reserve the point of order.

The SPEAKER. The Chair will ask the gentleman to restate the last portion of his motion.

Mr. CLARK of Florida. Reducing the salaries of clerks to Representatives to $1,200 a year.

The SPEAKER. Does the gentleman include the clerks to Senators also?

Mr. CLARK of Florida. No; I will leave that out.

The SPEAKER. The Chair will state the motion of the gentleman from Florida. The gentleman from Florida moves to recommit the bill to the Committee on Appropriations with instructions to report back forthwith amendments striking out the mileage allowance to Senators and Representatives, reducing the salaries of Representatives and Senators to $6,000 per year, and reducing the salaries of clerks to Representatives from $1,500 to $1,200 a year.

Mr. MANN. Mr. Speaker, I reserve the point of order.

Mr. HAY. Mr. Speaker, I would like to have that amendment reported from the Clerk's desk.

Mr. MANN. It is not in writing.

Mr. MADDEN. Mr. Speaker, I demand that the amendment be put in writing.

The SPEAKER. Of course it is subject to the point of order if the gentleman does not reduce it to writing.

Mr. CLARK of Florida. I will do so if I am given the time. [Cries of "Regular order!"]

Mr. BARTLETT. Mr. Speaker, I make the point of order that there is no provision in this bill which carries any salaries for clerks to Representatives. There is no such position provided for in the bill, and if the whole proposition is submitted together the point of order to that ought to be sustained.

Mr. MANN. How about the Holman rule?

Mr. BARTLETT. The Holman rule is a good rule and ought to be observed. [Laughter.] My point, Mr. Speaker, is this: That there is no provision in the bill that provides for the salaries of clerks. The provision in the bill is for Members, for clerical hire, and the language is not for the office of clerks or clerks' salary.

The SPEAKER. Well, the Chair takes it for granted the gentleman will state the proper language when he reduces his motion to writing.

Mr. BARTLETT. At present as it is stated it is clearly subject to the point of order.

The SPEAKER. As presented it is out of order; but the gentleman is going to reduce it to writing.

Mr. MANN. Mr. Speaker, would it be in order to ask the gentleman from New York to move to take a recess or an adjournment for a day or two to give the gentleman time——

Mr. FITZGERALD. I asked for the regular order.

Mr. MANN (continuing). To reduce his proposition to writing and for the fellows to get their courage up to vote against it?

Mr. JOHNSON of Washington. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. JOHNSON of Washington. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD on the various subjects embraced in this bill.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, why not have the speech at the present time? By that time the gentleman from Florida will be able to frame his motion to recommit.

Mr. JOHNSON of Washington. Mr. Speaker, I would be glad to talk for a few moments on——

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, why not give the gentleman the privilege of speaking at the present time, when there is nothing else before the House?

The SPEAKER. Because he can not get the chance. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Mr. Speaker, a parliamentary inquiry. Are these requests in order when the House is voting upon a bill?

Mr. MANN. Mr. Speaker, I ask for the regular order.

Mr. FOSTER. Well, Mr. Speaker, I made a parliamentary inquiry.

The SPEAKER. The Chair thinks the House is doing nothing and that kind of a request might be granted.

Mr. MANN. Mr. Speaker, I think the regular order requires the House to proceed to business. We are not obliged to wait for some one to prepare something.

Mr. CLARK of Florida. Mr. Speaker, I have prepared my motion to recommit.

The SPEAKER. The Chair wants to make this statement about this. The rule says:

> Every motion made to the House and entertained by the Speaker shall be reduced to writing on the demand of any Member.

And so forth.

That evidently contemplates giving a Member a reasonable time, not to take an hour or a week. Will the gentleman send his motion up?

Mr. RAGSDALE. Will the gentleman permit an interruption, Mr. Speaker?

The SPEAKER. The gentleman has not the floor.

Mr. RAGSDALE. I thought he had it, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

Mr. FITZGERALD. Mr. Speaker, is the gentleman opposed to the bill?

Mr. CLARK of Florida. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. CLARK of Florida moves to recommit the bill with instructions to report the same back to the House at once with a provision striking from the bill the provision with relation to the mileage or transportation of Representatives, and also an amendment reducing the salaries of Senators and Representatives in Congress——

Mr. CLARK of Florida. Mr. Speaker, wait a minute. It should be "mileage or transportation of Senators, Representatives, and Delegates."

The SPEAKER. The gentleman from Florida asks unanimous consent to modify his amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. I think it should be modified so as to provide for Delegates and Commissioners.

The SPEAKER. That is a matter of argument, and the Chair has nothing on earth to do with it.

Mr. CLARK of Florida. It should be "Senators, Representatives, and Delegates in Congress."

Mr. MADDEN. "And Commissioners."

Mr. CLARK of Florida. "Salaries of Senators, Representatives, and Delegates."

The SPEAKER. The Clerk will report the motion as amended.

The Clerk read as follows:

> Mr. CLARK of Florida moves to recommit the bill with instructions to report the same back to the House at once with a provision striking from the bill the provision with relation to the mileage or transportation of Senators, Representatives, and Delegates in Congress, and also an amendment reducing the salaries of Senators, Representatives, and Delegates to Congress to $6,000 per year.

Mr. FITZGERALD. Mr. Speaker, I move to amend the motion by striking out all after the words "at once," and I move the previous question on the amendment and motion to recommit.

The SPEAKER. The gentleman from New York offers an amendment to the motion to recommit, and moves the previous question on both propositions. The Clerk will report the amendment.

The Clerk read as follows:

> Amend, by striking out all of the motion to recommit after the words "at once."

Mr. FITZGERALD. Mr. Speaker, I ask that the motion be reported then as it will read.

The Clerk read as follows:

> So that it will read:
> "Mr. CLARK of Florida moves to recommit the bill with instructions to report the same back to the House at once."

[Laughter.]

The SPEAKER. On that the gentleman from New York demands the previous question.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. MURDOCK. Division, Mr. Speaker.

The House divided; and there were—ayes 144, noes 49.

So the previous question was ordered.

The SPEAKER. The question now is on the amendment offered by the gentleman from New York.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. CLARK of Florida. Mr. Speaker, a division.

Mr. MANN. Mr. Speaker, I make the point of order there is no quorum present—Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

The yeas and nays were ordered.

The Clerk proceeded with the calling of the roll.

Mr. DONOVAN. Mr. Speaker, is a parliamentary inquiry in order while the roll is being called?

The SPEAKER. Not when the roll is being called.

Mr. DONOVAN. But the roll has not been called.

The SPEAKER. Yes; the first name has been called.

Mr. SAUNDERS. Mr. Speaker, is not this roll call on the previous question and not on the Fitzgerald amendment?

The SPEAKER. Oh, no.

Mr. SAUNDERS. We have not reached the point of voting on the Fitzgerald amendment yet. It is on the question of no quorum.

Mr. GARRETT of Tennessee. The gentleman withdrew the point of no quorum and asked for the yeas and nays.

Mr. DONOVAN. Am I not in order in making a parliamentary inquiry?

The SPEAKER. Not after the roll call starts.

Mr. DONOVAN. This is a question, and I want to know how to vote on it.

The SPEAKER. That is not a parliamentary inquiry.

Mr. DONOVAN. But it will be parliamentary.

The SPEAKER. It is not a parliamentary inquiry.

Mr. DONOVAN. But it will be when I get it out. [Laughter.] I want to find out in voting "yea" if I vote to retain the salary as it now exists or to reduce it? Is not that a parliamentary inquiry, Mr. Speaker?

The SPEAKER. It is not a parliamentary inquiry.

Mr. ASWELL. It is a very important one.

The SPEAKER. Well, each man finds it out for himself. The Clerk will call the roll.

The question was taken; and there were—yeas 209, nays 94, answered "present" 4, not voting 124, as follows:

YEAS—209.

Abercrombie	Dooling	Jones	Plumley
Adamson	Driscoll	Keister	Post
Aiken	Dunn	Kelley, Mich.	Pou
Airey	Eagan	Kennedy, Conn.	Quin
Alexander	Eagle	Kennedy, Iowa	Ragsdale
Allen	Esch	Kennedy, R. I.	Rainey
Anderson	Estopinal	Kiess, Pa.	Rayburn
Austin	Fairchild	Kindel	Reilly, Wis.
Avis	Faison	Kinkead, N. J.	Riordan
Baker	Fergusson	Kirkpatrick	Roberts, Mass.
Baltz	Ferris	Kitchin	Rouse
Barchfeld	Fess	Konop	Rubey
Barnhart	Fitzgerald	Langley	Rucker
Bartholdt	Fordney	Lazaro	Shackleford
Beakes	Foster	Lee, Ga.	Sherley
Beall, Tex.	Francis	Lee, Pa.	Shreve
Blackmon	Frear	Lesher	Sims
Booher	French	Lewis, Md.	Smith, Idaho
Borland	Gallagher	Lieb	Smith, N. Y.
Bowdle	Gard	Linthicum	Smith, Saml. W.
Britten	Gardner	Lloyd	Stedman
Brodbeck	Garner	Logue	Stephens, Miss.
Broussard	Garrett, Tenn.	McClellan	Stephens, Nebr.
Brown, N. Y.	Garrett, Tex.	McCoy	Stephens, Tex.
Browne, Wis.	George	McDermott	Stevens, Minn.
Bulkley	Gerry	McLaughlin	Stone
Burgess	Gillett	Madden	Sumners
Burke, Wis.	Gilmore	Maguire, Nebr.	Taggart
Byrnes, S. C.	Gittins	Mahan	Talbott, Md.
Campbell	Godwin, N. C.	Mapes	Taylor, N. Y.
Caraway	Gorman	Mitchell	Temple
Carter	Graham, Ill.	Mondell	Ten Eyck
Church	Greene, Mass.	Montague	Thacher
Clancy	Greene, Vt.	Moon	Towner
Cline	Gregg	Moore	Townsend
Coady	Hamlin	Morgan, La.	Treadway
Conry	Hammond	Morrison	Tribble
Cooper	Hardy	Mott	Underhill
Covington	Harrison	Murray, Mass.	Underwood
Cramton	Hart	Murray, Okla.	Vare
Crosser	Hay	Neely, W. Va.	Volstead
Cullop	Hayden	Nelson	Walker
Danforth	Heflin	O'Brien	Watkins
Davenport	Helgesen	Oglesby	Watson
Decker	Hensley	O'Leary	Weaver
Deitrick	Hobson	Padgett	Webb
Dent	Holland	Page, N. C.	Williams
Dershem	Hughes, Ga.	Parker	Willis
Dickinson	Hull	Patten, N. Y.	Wilson, N. Y.
Difenderfer	Humphreys, Miss.	Payne	Young, Tex.
Doolittle	Igoe	Peters, Mass.	
Dixon	Jacoway	Peters, Me.	
Donohoe	Johnson, Utah.	Peterson	

NAYS—94.

Anthony	Edmonds	Lindbergh	Sells
Ashbrook	Falconer	Lobeck	Sherwood
Aswell	Fields	Lonergan	Sisson
Barkley	FitzHenry	McGillicuddy	Sloan
Bartlett	Fowler	McKenzie	Smith, J. M. C.
Barton	Gray	MacDonald	Smith, Minn.
Bell, Cal.	Hamilton, Mich.	Mann	Stafford
Bell, Ga.	Haugen	Morgan, Okla.	Steenerson
Bryan	Hawley	Murdock	Stephens, Cal.
Buchanan, Ill.	Hayes	Nolan, J. I.	Stringer
Buchanan, Tex.	Helm	O'Hair	Sutherland
Burke, S. Dak.	Hill	Oldfield	Switzer
Byrns, Tenn.	Howard	O'Shaunessy	Tavenner
Callaway	Hulings	Park	Taylor, Ark.
Clark, Fla.	Humphrey, Wash.	Patton, Pa.	Thomson, Ill.
Claypool	Johnson, Ky.	Platt	Vaughan
Collier	Johnson, Wash.	Raker	Walters
Cox	Kahn	Rauch	Wingo
Curry	Keating	Reed	Witherspoon
Davis	Kettner	Roberts, Nev.	Woodruff
Dies	Kinkaid, Nebr.	Rogers	Woods
Dillon	Kreider	Rupley	Young, N. Dak.
Donovan	Lenroot	Russell	
Doughton	Lewis, Pa.	Seldomridge	

ANSWERED "PRESENT"—4.

Browning	Glass	Good	Moss, W. Va.

NOT VOTING—124.

Adair	Cantor	Doremus	Goulden
Ansberry	Cantrill	Dupré	Graham, Pa.
Bailey	Carew	Dyer	Green, Iowa
Bathrick	Carlin	Edwards	Griest
Borchers	Carr	Elder	Griffin
Brockson	Cary	Evans	Gudger
Brown, W. Va.	Casey	Farr	Guernsey
Bruckner	Chandler, N. Y.	Finley	Hamill
Brumbaugh	Clayton	Flood, Va.	Hamilton, N. Y.
Burke, Pa.	Connelly, Kans.	Floyd, Ark.	Hardwick
Burnett	Connolly, Iowa	Goeke	Helvering
Butler	Copley	Goldfogle	Henry
Calder	Crisp	Goodwin, Ark.	Hinds
Candler, Miss.	Dale	Gordon	Hinebaugh
Houston	Loft	Porter	Stanley
Howell	McAndrews	Powers	Stevens, N. H.
Hoxworth	McGuire, Okla.	Prouty	Stout
Hughes, W. Va.	McKellar	Reilly, Conn.	Talcott, N. Y.
Johnson, S. C.	Maher	Rothermel	Taylor, Ala.
Kelly, Pa.	Manahan	Sabath	Taylor, Colo.
Kent	Martin	Saunders	Thomas
Key, Ohio	Merritt	Scott	Thompson, Okla.
Knowland, J. R.	Metz	Scully	Tuttle
Korbly	Miller	Sharp	Vollmer
Lafferty	Morin	Sinnott	Wallin
La Follette	Moss, Ind.	Slayden	Walsh
Langham	Neeley, Kans.	Slemp	Whaley
L'Engle	Norton	Small	Whitacre
Lever	Paige, Mass.	Smith, Md.	White
Levy	Palmer	Smith, Tex.	Wilson, Fla.
Lindquist	Phelan	Sparkman	Winslow

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. WALSH with Mr. MANAHAN.

Mr. TUTTLE with Mr. PROUTY.

Mr. JOHNSON of South Carolina with Mr. GOOD.

Mr. TAYLOR of Colorado with Mr. SINNOTT.

Mr. ADAIR with Mr. CRAMTON.

Mr. DOREMUS with Mr. SCOTT.

Mr. EDWARDS with Mr. DYER.

Mr. HENRY with Mr. GRAHAM of Pennsylvania.

Mr. LEVER with Mr. GRIEST.

Mr. LEVY with Mr. HAMILTON of New York.

Mr. MCANDREWS with Mr. LAFFERTY.

Mr. REILLY of Connecticut with Mr. LA FOLLETTE.

Mr. SAUNDERS with Mr. MCGUIRE of Oklahoma.

Mr. SMITH of Texas with Mr. MILLER.

Mr. SPARKMAN with Mr. PORTER.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the motion to recommit, made by the gentleman from Florida [Mr. CLARK], as amended by the amendment of the gentleman from New York [Mr. FITZGERALD].

Mr. GREGG. Mr. Speaker, I would like to have it reported again.

The SPEAKER. The Clerk will report the motion as amended.

The Clerk read as follows:

By Mr. CLARK of Florida:

"I move to recommit the bill with instructions to report the same back to the House at once."

Mr. CLARK of Florida. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CLARK of Florida. In order that the motion be reported and that the amendment to the motion be reported. I offered no such motion as that.

The SPEAKER. I know; but the proposition to be voted on is the motion of the gentleman from Florida to recommit with certain instructions, and the House has just voted on the Fitzgerald amendment, which strikes out everything after the last words read by the Clerk. So that leaves the proposition to be voted——

Mr. CLARK of Florida. As amended?

The SPEAKER. As amended.

Mr. CLARK of Florida. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Florida. Does a vote for that amendment mean opposition to any reduction of salary?

The SPEAKER. That is not a parliamentary inquiry. The question is on adopting the motion of the gentleman from Florida [Mr. CLARK] to recommit, as amended by the amendment of the gentleman from New York [Mr. FITZGERALD].

The motion as amended was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. HAMLIN, by unanimous consent, was granted leave of absence for 10 days, on account of important business.

NAVAL APPROPRIATION BILL.

Mr. POU. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House for the consideration of bills on the Private Calendar.

Mr. PADGETT. Mr. Speaker, I wish to submit a parliamentary inquiry.

The SPEAKER. The gentleman will submit it.

Mr. PADGETT. Will it be in order for me to submit a motion to go into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill?

The SPEAKER. Yes; that is a preferential motion.

Mr. PADGETT. Mr. Speaker, pending that motion, I ask unanimous consent that general debate be limited to 14 hours, 6½ hours to be controlled by the gentleman from Missouri [Mr. HENSLEY], a member of the committee, representing himself and the others on the minority report; 3 hours to be controlled by myself; and 3 hours by the gentleman from Massachusetts [Mr. ROBERTS], on the other side of the aisle in behalf of the bill; and 1½ hours to be controlled by the gentleman from California [Mr. STEPHENS], a member of the committee, representing the Progressive Party.

The SPEAKER. The gentleman from Tennessee [Mr. PADGETT], pending the motion to go into Committee of the Whole House on the state of the Union, asks unanimous consent——

Mr. POU. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POU. I would like to inquire if this is not the Friday set apart under the rules for the consideration of bills on the Private Calendar?

The SPEAKER. It undoubtedly is; but——

Mr. POU. Then, Mr. Speaker——

The SPEAKER. Wait a minute. The Chair did not finish. A motion to go into Committee of the Whole House on the state of the Union to discuss an appropriation bill is a preferential motion over that.

Mr. POU. I am aware, Mr. Speaker, that that has been so decided. The point I make is one that I do not think has been made before: Under the rules it says "it shall be in order." Now, the point that I am making is that it is at least for the Chair to decide which motion the Chair will entertain; that, having secured recognition of the Chair, I respectfully submit the motion that I make being equally in order under the rules with the motion of my friend from Tennessee, that my motion should be put first.

The SPEAKER. Oh, no. The preferential motion is put first.

Mr. POU. Then, Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POU. The only way that the House can proceed with the consideration of the Private Calendar would be to vote down the motion of the gentleman from Tennessee?

The SPEAKER. Undoubtedly it would.

Mr. POU. I will say, Mr. Speaker, with the permission of the House, that I do not want to make any fight against this motion, and I will ask unanimous consent that on Tuesday night of next week a session of the House be had at 8 o'clock, to continue until 11 o'clock, for the consideration of business on the Private Calendar.

The SPEAKER. The gentleman from North Carolina [Mr. POU] asks unanimous consent that on next Tuesday the House take a recess from half past 5 until 8 o'clock, and reconvene at 8 o'clock and continue until 11 o'clock, for the consideration of bills on the Private Calendar. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the gentleman springs a motion of that sort at a time when I do not know whether the gentleman has an engagement on that night or not, and I do not know whether I have an engagement on that night or not. I would not want to consent without knowing. But the gentleman's request would not bring any of his bills before the House on that night, anyhow.

Mr. POU. I was going to ask to amend that request by stating "for the consideration of bills reported from the Committee on Claims."

Mr. MANN. But the Speaker put the request before the gentleman amended it. For the present, for the reason I have stated, I shall object. I have no objection to the meeting if Members are posted in advance.

The SPEAKER. The gentleman from Tennessee [Mr. PADGETT], pending a motion to go into the Committee of the Whole House on the state of the Union on the naval appropriation bill, asks unanimous consent that the general debate on the bill be limited to 14 hours; that 6½ hours of that time be controlled by the gentleman from Missouri [Mr. HENSLEY] and 6 hours be controlled by himself and the gentleman from Massachusetts [Mr. ROBERTS] and 1½ hours be controlled by the gentleman from California [Mr. STEPHENS] for the Progressives.

Mr. MANN. Reserving the right to object, Mr. Speaker——

Mr. MURRAY of Massachusetts. Reserving the right to object, Mr. Speaker, I have just asked the chairman of the committee in regard to the distribution of the time, and I am surprised to find that the three hours that he has reserved in his own control is entirely parceled out. In view of the fact that some of us want some time for the discussion of this bill and in view of the fact that I myself feel that, in justice to the people whom I have the honor to represent, I ought to have some time, I shall have to ask for a longer time unless I can get time from the chairman or from the ranking minority Member, my colleague from Massachusetts [Mr. ROBERTS].

Mr. MANN. Reserving the right to object, Mr. Speaker, 3 hours' time for the Republican side of the House, out of 14 hours of general debate, does not seem to me to be a very liberal allowance.

Mr. PADGETT. Fourteen hours of general debate.

Mr. MANN. The gentleman from Tennessee [Mr. PADGETT] proposes 14 hours of general debate, and proposes to give the Republicans 3 hours of that. Of course we are not as numerous now as we shall be in the next Congress [laughter and applause], but we have not entirely disappeared from the face of the earth yet.

Mr. PADGETT. I will say to the gentleman that the time is being divided not so much politically as it is with reference to the alignment upon the bill. There are four gentlemen, members of the committee, who filed a minority report opposing certain provisions in the bill.

Mr. MANN. I believe they are all on that side of the House, are they not?

Mr. PADGETT. Yes, sir; they are all Democrats.

Mr. MANN. That is the same thing.

Mr. PADGETT. I spoke to the gentleman from Massachusetts [Mr. ROBERTS], and also to the gentleman from California [Mr. STEPHENS], and the arrangement that I have submitted was entirely agreeable to them. The gentleman from Massachusetts [Mr. ROBERTS], with myself, stands in support of the bill, and that gives us six hours.

Mr. MANN. I am disposed to do anything that the gentleman from Massachusetts [Mr. ROBERTS] wants, and yet he wants to pass the bill. Some of the gentlemen who want to be heard in general debate come to me on this side of the House and do not go to the gentleman from Massachusetts, because he was not the ranking Republican member of the committee.

Mr. PADGETT. That is true. But he is the ranking one who is present.

Mr. MANN. I say, Members did not know, because he is not the ranking Republican member. The gentleman from Pennsylvania [Mr. BUTLER] is the ranking Republican. We want more time.

Mr. MURRAY of Massachusetts. So do we.

Mr. PADGETT. I will state to the gentleman that some time since I spoke to the gentleman from Pennsylvania [Mr. BUTLER], who is the ranking Republican member on the committee, and the proposition was that we would devote two days to general debate, and that we would divide the time as I have stated, substantially, and it was agreeable to him.

Mr. MANN. That was before anybody had discussed the question, probably.

Mr. PADGETT. In other words, the proposition to which the gentleman from Pennsylvania [Mr. BUTLER] agreed was that I would yield one-half of my time to the gentleman from Missouri [Mr. HENSLEY], and he would yield one-half of his time to the gentleman from Missouri [Mr. HENSLEY], so that those in opposition to the bill would control one-half of the time. He assented to that. Then we agreed to take care of the gentleman from California [Mr. STEPHENS], on behalf of the Progressives, out of our time; but when we come to consider the bill at so late an hour this afternoon, and on account of other arrangements, it was changed to an hour basis, and we made the arrangement as I have suggested.

Mr. POU. Mr. Speaker, will the gentleman yield? If the gentleman would postpone this matter until to-morrow, and give the Committee on Claims an opportunity to have two hours this afternoon, perhaps he might be able to make a satisfactory arrangement. I do not believe there is any reason on the face of the earth why two hours this afternoon should not be devoted to the consideration of bills on the Private Calendar.

Mr. ROBERTS of Massachusetts. Mr. Speaker, I should like to say to the chairman of the committee and to the Members of the House that I feel in a position of some embarrassment, not being the ranking member of the committee, in endeavoring to carry out what I understand was a substantial agreement between the ranking member of the committee and the chairman; and I want to say to the chairman of the committee that since the agreement was first made known to me there has been a very great demand among Republicans for time on this bill. I am quite certain that the gentleman from Pennsylvania [Mr. BUTLER] had no knowledge of the great number of Members

who would desire to speak; and in view of the number of men who have come to me to-day, in addition to those who had signified to the gentleman from Pennsylvania their desire to be heard, I would suggest to the chairman of the committee that it would perhaps be a fairer division if we could have more time for general debate, and more of that added time allowed to the Republicans.

Mr. PADGETT. What suggestion has the gentleman to make relative to time.

Mr. ROBERTS of Massachusetts. I suggest not less than 16 hours.

Mr. MANN. We want at least five hours on this side.

Mr. ROBERTS of Massachusetts. I was going to say at least five hours for the Republicans; and even at that men will have to be denied the full amount of time that they have asked for.

Mr. MANN. Let me make this suggestion to the gentleman, that we ought to pass this naval bill without any trouble by the end of the month. If we pass the naval bill by the end of April, we will have some days that we can devote to trust legislation or anything of that sort, in addition to the private bills, probably, before the sundry civil bill is ready to come into the House. If we pass the sundry civil bill by the end of May, the diplomatic bill does not take very long, and we shall be ready, as far as the House is concerned, to adjourn fairly early in June; and if we do that, and something unusual does not come up, the chances are that Congress will be able to adjourn sometime in July. Now, there is no special hurry, so as to prevent proper debate on this bill.

Mr. PADGETT. There are two other appropriation bills which the gentleman has not mentioned—the pension appropriation bill, now upon the calendar, and the general deficiency bill.

Mr. MANN. The general deficiency bill usually does not take very much time, and the pension appropriation bill does not take much time. There is plenty of time for those. The only two important appropriation bills pending that take time are the naval bill and the sundry civil bill, which latter bill has not yet been reported by the committee.

Mr. ROBERTS of Massachusetts. Mr. Speaker, one other thought occurs to me. As I understood the original agreement, it was for 12 hours of debate. That agreement was made on the theory that we might finish general debate on the bill Tuesday afternoon. On the proposition for 14 hours' debate it is manifestly impossible to conclude this debate on the naval bill next Tuesday. It will have to go into Thursday to get in the full 14 hours. I have the impression that if we extend it to 16 or 17 hours we can finish the general debate Thursday night, and the Republican side of the House, at least, will be satisfied with the allotment of time to us of 5 hours.

Mr. PADGETT. How would this suggestion do, that we agree that the general debate conclude with the adjournment of the House Thursday night?

Mr. MANN. I do not think it would be wise to do that, in view of to-morrow.

Mr. ROBERTS of Massachusetts. To-morrow will be a short day.

Mr. PADGETT. That would give to-morrow and it would give Tuesday, and I will also couple with it a request that we have a night session Tuesday night from 8 o'clock until 11.

Mr. ROBERTS of Massachusetts. I suggest that instead of a night session we come in at 11 o'clock on Tuesday or 11 o'clock on Thursday and get that much added time for general debate.

Mr. MANN. There is no such emergency now about time. We have plenty of time to get through with the appropriation bills and dispose of all the bills on the Private Calendar besides, before the end of June.

The SPEAKER. Has the gentleman any proposition?

Mr. MANN. Oh, let us increase the time.

Mr. PADGETT. Will 18 hours be satisfactory?

Mr. ROBERTS of Massachusetts. Five hours on the Republican side.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that general debate be limited to 18 hours, 5 hours of that time to be controlled by the gentleman from Massachusetts [Mr. ROBERTS], 7 hours by the gentleman from Missouri [Mr. HENSLEY], and the remainder by myself. I will take care of the gentleman from California [Mr. STEPHENS].

Mr. STEPHENS of California. Mr. Speaker, reserving the right to object——

Mr. MURDOCK. Give the gentleman from California an hour and a half.

Mr. STEPHENS of California. The original arrangement was that I should have an hour and a half.

Mr. PADGETT. Yes; and I will carry out that arrangement.

Mr. STEPHENS of California. That is to be a part of the understanding and a part of the unanimous-consent agreement?

Mr. PADGETT. Yes.

Mr. MURRAY of Massachusetts. And the understanding is that I shall be taken care of?

Mr. MANN. To the best of his ability.

Mr. MURRAY of Massachusetts. That I may have 20 or 30 minutes?

Mr. PADGETT. Yes; 20 minutes.

Mr. MURRAY of Massachusetts. And not "to the best of the gentleman's ability."

Mr. PADGETT. I did not say that.

Mr. MANN. I would not have the nerve to ask what the gentleman from Massachusetts is asking.

Mr. RUCKER. Reserving the right to object, Mr. Speaker, the question in my mind is whether this request carries with it an understanding that the debate will be continuous during the sessions until the 18 hours are consumed. If so, I want to object.

Mr. PADGETT. It will not interfere with Mondays or Wednesdays.

Mr. RUCKER. I want to say that on next Tuesday I hope to ask to take up a privileged report.

Mr. MANN. It would not interfere with that.

The SPEAKER. It can not interfere with privileged reports.

Mr. RUCKER. Then I want the House to understand that on next Tuesday, after the reading of the Journal, I expect to take up a privileged report.

Mr. MURDOCK. Is it not fair to let the House know what that privileged report is?

Mr. RUCKER. It is a report on a resolution offered by the gentleman from Illinois [Mr. MANN] with reference to campaign contributions collected by Members of Congress from each other. [Laughter.]

The SPEAKER. The gentleman from Tennessee asks unanimous consent that there be 18 hours of general debate on the naval appropriation bill, 5 hours to be controlled by the gentleman from Massachusetts [Mr. ROBERTS], 7 hours by the gentleman from Missouri [Mr. HENSLEY], and the rest of the time by himself, with the understanding that he shall yield one hour and a half to the gentleman from California [Mr. STEPHENS] and 20 minutes to the gentleman from Massachusetts [Mr. MURRAY]. Is there objection?

Mr. DONOVAN. Mr. Speaker, reserving the right to object, I would like to ask the chairman if the 18 hours, if allowed, is to be used in debate on the measure reported, or are you going to allow those that have the time to address the House to talk upon any subject under the sun?

Mr. PADGETT. I can not answer that question.

The SPEAKER. The Chair will answer the question.

Mr. DONOVAN. One more question.

The SPEAKER. Let the Chair answer this one first. In general debate gentlemen can speak about anything under heavens. [Laughter.]

Mr. DONOVAN. One more question. Do members of the committee have any rights over other Members; that is, are they favored in addressing the House in the allowance of time?

Mr. PADGETT. Yes; members of the committee have precedence in recognition.

Mr. DONOVAN. The fact is, I want to say to the chairman of the Naval Committee that you have members of that committee who never attended any of the sessions, and they can not know anything about this bill. That is true, is it not?

Mr. PADGETT. No; no members of that kind are on my committee.

Mr. DONOVAN. The minutes of your committee show that they have been absent, and yet you are going to favor them with time. How can they have any knowledge of the measure if they never attended any of the meetings? I will say to the chairman of the Naval Committee that he does not know what is going on in his committee room if he makes the statement to this House that he does not know what members of his committee have been absent. The fact is, one of them has not been present at a single meeting, and another one has been present but a few moments. Now, they are to be shown favoritism over Members of this body who are here at every session, while these Members draw their salaries and are practically never present. [Laughter.]

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Tennessee that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill.

The question was taken, and on a division (demanded by Mr. POU) there were 135 ayes and 24 noes.

So the motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the naval bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14034) making appropriations for naval service for the fiscal year ending June 30, 1915, and for other purposes.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Chairman, I will ask that I be notified at the end of 50 minutes. Mr. Chairman, the Committee on Naval Affairs, in submitting the present bill to the House, feel that the committee has submitted to the House for its consideration and its approval a bill which has been thoroughly considered, and which the necessities of the service thoroughly and fully justify.

The estimates, supplemental estimates, and recommendations submitted by the Navy Department for the fiscal year 1914, which was the last current act, amounted to $168,946,179. The estimates submitted and presented to Congress by the present Secretary of the Navy for the fiscal year ending 1915 amount to $144,492,453.53, being a reduction in the estimates of $24,453,725.47. The committee has reported a bill carrying $139,964,333.61, being a reduction from the estimates of $4,528,119.92.

The law of last year carried $140,800,643.53. The present bill is a reduction under the law of last year of $836,309.92.

Last year the bill carried one battleship. The bill as reported and pending before the House provides for two battleships. I wish to call the attention of the House to the statement of the reduction. In the present bill the following increases are made over the appropriation of last year: Pay of Navy, $746,062; contingent Navy, $104,000; Bureau of Navigation, $19,908; Bureau of Yards and Docks, $120,000; Bureau of Supplies and Accounts, $300,000. The following decreases appear in the present bill: Bureau of Ordnance, $695,110; Bureau of Equipment, $395,000; public works, $1,399,945; Bureau of Medicine and Surgery, $70,000; Bureau of Construction and Repair, $305,000; Bureau of Steam Engineering, $92,000; Naval Academy, $87,500; Marine Corps—paymaster, $157,826.96; quartermaster, $54,937. There were total increases in the bill amounting to $1,289,970, and there were total decreases in the bill of $3,257,318.92, making a net decrease of $1,967,348.92, under the provisions for the Naval Establishment. There was an increase in that portion of the bill for the increase of the Navy, new construction, on account of battleships, submarines, and for the ships heretofore authorized, and for ordnance equipment, and so forth, of the new construction of about $1,100,000, so that the total net decrease in this bill under the bill of the past year, as stated a moment ago, is $836,309.92.

There is one item of increase of $104,000 to which I call your attention, which is occasioned on account of the invitation which was extended by the President of the United States, pursuant to the resolution of the Congress, inviting the other nations of the world to send their ships and participate in the naval parade and demonstration incident to the official opening of the Panama Canal. That is provided for in this bill.

The building program as provided for in the bill is for two battleships, eight submarine torpedo boats, and six torpedo-boat destroyers.

The bill also carries a provision relative to the naturalization of enlisted men who have served four years in the Navy and have an honorable discharge. Under the present law it is necessary that a person applying for naturalization must have lived for one year in the State where he makes application. The enlisted men of necessity can not have that one year's residence, and this provision authorizes the naturalization of persons who are, under the law, otherwise qualified for citizenship, without requiring the one year's residence in the State and the two years' previous declaration of intention, the service in the Navy of four years and the honorable discharge being considered equivalent to the two years' declaration and the one year of residence.

There is another provision relative to amending the disposition of beneficiaries in the naval home. Under the present law, as is known, the naval home is maintained by the interest upon the trust fund that is in the Treasury, which arose from the prize money of the Navy. The interest upon this money is devoted, first, to the maintenance of the naval home, and the remainder goes to the general pension fund for distribution under the Secretary of the Interior and the Commissioner of Pensions. There are certain cases where persons in the home die, leaving certain little personal effects. This is to provide for the administration of these effects, and to put the naval home upon the same basis as the Army home for disabled soldiers.

There is also a provision increasing the number of chaplains in the Navy. We have at present 24 chaplains authorized for the Navy. That number was authorized by law in 1842, and it has never been increased since, and there has come up from all over the country a very insistent and persistent demand that there should be an increase in the number of chaplains in the Navy. The representatives of 31 Protestant denominations appeared before the committee, and also the representative of the Catholic Church, all agreeing in this respect, and we have so provided, and the proper needs of the Navy require the increase.

There is also a provision for the authorization of a contract for the construction of a dry dock at Hunters Point, San Francisco, Cal., authorizing the Secretary of the Navy to enter into a contract with the Union Iron Works for the use, not exceeding six years, of a dry dock capable of docking any ship that may pass through the Panama Canal, at an annual rental of $50,000. We will discuss the particular merits of the matter when we reach it under the five-minute rule, as I do not have time to take these matters up in detail now.

There is another provision authorizing the Secretary of the Navy to appoint, upon satisfactory examination, 25 men from the enlisted personnel of the Navy, to the Naval Academy each year. The committee thought that was a meritorious recognition of the enlisted men, and that it would open a door of hope and expectation to them to rise in the naval service.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. McLAUGHLIN. Is that to be made without examination?

Mr. PADGETT. No; I said upon satisfactory examination conducted by the department.

Mr. HOBSON. Is it not competitive?

Mr. PADGETT. Yes. It is open to all of them, and the 25 making the best examination, the best grades, are to be appointed. There is also a provision in the bill authorizing the Secretary of the Navy to make an investigation and report to the next Congress relative to the cost of the establishment of an armor-plate factory and the cost of manufacture by the Government, and to report all of the facts with a view of the next Congress considering the advisability and propriety of establishing a Government armor-plate factory.

These, I believe, are the new provisions in the bill. I wish now in a hurried manner, because in the time I have reserved for myself I will have to pass very hurriedly over the matter, to call attention to some matters in the minority views and to invite the attention and consideration of the committee to them. There is a statement in the report as follows:

The bill carries the sum of $139,964,333.61 for the Naval Establishment, and is less in the amount of appropriation than the sum carried in the bill of March 4, 1913, by $836,309.92. We regard the amount as inexcusably extravagant and a criminal waste of the public funds.

Farther down on the same page the minority views contain the following:

The Navy Department did seek at first to increase at the present session of Congress this criminal waste of the public funds more than $7,000,000; but after the committee had spent months investigating the matter and after the facts had been fully developed and the danger of a failure to secure the authorization of two more battleships had become apparent, then the department reduced its estimates about $8,000,000, and for this reason the bill now carries $836,309.92 less than the last appropriation bill.

Mr. Chairman, the gentlemen who signed those minority views, I am sure, understand the meaning of the English language and the use of words. I want to say that that is a criticism that has no justification whatever, either in respect to the committee or to the Navy Department. It is without foundation in fact and is a statement that has no basis upon which to rest. The statement says that the Navy Department sought to increase this "criminal waste of the public funds" more than $7,000,000. I have already called attention to the fact that the estimates submitted by the present Secretary of the Navy are $24,000,000 less than the estimates submitted one year ago by the preceding Secretary of the Navy.

I have called your attention to the fact that the estimates, all told, only amounted to $144,492,453. The bill is $139,964,333. Where could there have been any withdrawal of $7,000,000? The difference between $139,964,333 and $144,492,453 is only $4,528,119. Where could the Secretary have withdrawn estimates of $7,000,000? The fact is that neither the Secretary of the Navy nor the department withdrew one single cent of the estimates which they submitted. They were submitted to the committee, and the committee passed upon all of them; and the statement that the Secretary of the Navy or the department was playing with these estimates for the purpose of producing a condition to facilitate or encourage the authorization of two battleships has no foundation in fact. From the time that the committee had its first meeting until this moment it was perfectly apparent and plain that the committee was going to report two battleships. There was no necessity for withdrawing estimates, and no attempt to withdraw estimates was made. Now, I want to say that the present Secretary has manifested a personal interest in the management of naval affairs and has perfected economies that characterize his administration and differentiate it commendably from all that have passed heretofore. He has devoted his strict personal attention to the matter to such a degree that he was enabled to submit estimates of $24,000,000 less than the preceding year. I want to call attention, if you please, to some of the economies that he has effected. I have already called your attention to the recommendation of the decreases in this bill amounting to $3,257,318.92, and, you notice, those decreases were on shore, and the increases relate to matters afloat, where they should be; but let me call your attention, if you please, to something further.

On battleship 39, the last battleship authorized, in the purchase of materials the savings on special steel treatment were $378,261; on turbine rotor drums, $102,836; on medium-size plates, $19,000; on angle irons and small iron and steel material, $3,000; on forgings and shaftings, $159,646; making a total saving upon that one ship of $642,743. In the matter of armament for the ship—steel, and so forth, for the construction of the ship—on class A armor, $95,746; on turret armor, $12,600; on class B armor, $3,528; on bolts, $7,500; a total of $117,374, or a total saving of $782,117 on that one ship on those items. But let us proceed further. For projectiles, comparing the purchases of 1912 and the bids accepted and the contract made for the present year, this coming year, one year apart, the contracts are made for a specific amount with the condition that the Navy Department may call for 20 per cent additional if it so desires. Now, then, the total saving on the bid for 1914 on projectiles was $890,625. If the 20 per cent is called for under the contract, the saving on projectiles alone will amount to $1,008,750. If I had time, I could pick out many other items in detail, and go over them with you and call your attention to the fact that there is no foundation whatever for this criticism that is made of the Secretary and of the department. These same gentleman—with the exception of Mr. GRAY—Mr. WITHERSPOON, Mr. HENSLEY, and Mr. BUCHANAN of Illinois, filed a minority report last year, and in that report they praised the department and spoke of it as follows:

Not only has the entire Navy Department in all its bureaus manifested a commendable effort to practice economy, but the Naval Affairs Committee in preparing this bill has, in our judgment, cut down every item, with the exceptions hereinafter pointed out, as low as is consistent with the efficiency of the Navy.

And all through that report they commend and speak of the commendable and remarkable economy of the Navy Department a year ago, and yet I tell you a year ago the department submitted estimates of $168,000,000, which is spoken of as commendable economy, and the present Secretary submitted estimates of $144,000,000—$24,000,000 less—and they call it inexcusable extravagance, a criminal waste of the public funds! We have to pass judgment upon whether or not the criticism has a basis and is justified. I want to call attention, if you please, to another matter. I see I must hurry on. On page 49 they speak of the *Arkansas*, the *Wyoming*, the *New York*, the *Texas*, the *Oklahoma*, and the *Nevada* as having been provided for, and that the *Arkansas* and the *Wyoming* are completed, and the *New York* and *Texas* will be completed, and have no part in the present bill. I want simply to call attention to the fact that this bill carries $139,000 for the *Texas*, notwithstanding the statement in the minority report that it has no part in this bill. Another thing, they charge the department with violating the act of Congress authorizing the construction of the *Pennsylvania*.

I will read:

The act of 1912, which authorized the construction of the *Pennsylvania*, expressly provided that it should have "as heavy armor and as powerful armament as any vessel of its class," and the act which authorized the construction of No. 39 uses the same language with reference to that vessel. But they have both been constructed with a much heavier armor and a much more powerful armament than any vessel of its class.

And they charge that that is an extravagance.

Now, let me call your attention to the facts. The *Pennsylvania* was provided for by the naval act of 1912. The British estimates of 1911 and 1912 provided for four battleships. The *Iron Duke*, which is contemporary with the *Pennsylvania* and antedates No. 39, carries 13½ inches of armor, which is the exact thickness of that on our own ship. The turrets on both ships are 10 inches. Then, when you come to armament, the German battleships of the *Markgraf* class carry ten 14-inch guns, and the British ships carry ten 13.5-inch guns. At the same time the Germans were designing two ships carrying eight 15-inch guns, and Japan had already begun four ships carrying ten 14-inch guns and three more carrying eight 14-inch guns. And yet they charge that the Secretary of the Navy was violating the act of Congress that provided that our ships should have as heavy armor and armament as any ship of their class; and these were being built by the other nations at the very time and the limitation of the bill was the minimum limitation of requirements.

I want to call your attention, if you please, to another statement on top of page 51, which says, speaking of other ships:

Our Navy has the same number as Germany and more than half as many as England.

I want to take occasion just at this time to refer to a comparison of the two countries. They say that the Navy of the United States is greater than the navy of Germany, and they use 15 or 20 or more pages arguing that contention and trying to establish that the Navy of the United States is greater than the navy of Germany. Every naval authority in the world classes the United States third, except these gentlemen in the minority report.

The total tonnage of England is 2,072,711 tons; Germany, 948,338 tons; the United States, 760,002 tons. That is what is built. How it would be if those built and building were counted is as follows:

Great Britain, 2,611,291 tons; Germany, 1,228,208 tons; the United States, 921,244 tons, or more than 300,000 tons less than Germany. But let us compare, if you please, the ships. Germany has built 13 dreadnaughts; the United States has 7. Germany is building 6 dreadnaughts; the United States is building 5.

Mr. HOBSON. Will the gentleman permit an interruption just now?

Mr. PADGETT. I have not the time.

Mr. HOBSON. Put in the battle cruisers.

Mr. PADGETT. I am coming to them right now.

Germany has built four battle cruisers, which are the equivalent of dreadnaughts, and has building three. The United States has none. These battle cruisers are 28,000 and 30,000 ton ships and carry 12, 13, or 14 inch guns, big guns, and are capital ships. So that in the modern ships that constitute the effective fighting force of the Navy Germany has 26 first-class ships of the dreadnaught type and the United States has 12.

But the gentlemen complain that the *Michigan* and the *South Carolina* are not counted, and that they should be. For the sake of argument, count the *South Carolina* and the *Michigan* as dreadnaughts, and the United States would have 14 and Germany has 26. The total number of ships—of battleships and dreadnaughts and battle cruisers—as I have stated, is as follows:

Germany has 46 and the United States has 36 effective ships. But they complain that 3 of our ships have been taken off the list—the *Indiana*, the *Massachusetts*, and the *Oregon*, which are old ships. Count them, if you please, and then we would have a total of 39. But there were 2 ships—the *Brandenburg* and the *Worth*—taken from the Germany Navy list, so that they would have 48 battleships and dreadnaughts to our 39.

Now, I have taken the pains to have here what the naval authorities of the world have to say upon that question. The British Naval Annual puts British first, German second, American third, French fourth, Japanese fifth. Jane, a British naval writer, says British first, German second, American third, Japanese fourth, French fifth. Taschenbuch, the German authority, says British first, German second, American third, French fourth, and Japanese fifth. The French Yearbook puts British first, German second, American third, French fourth, and Japanese fifth. Austria-Hungary places British first, German second, American third, French fourth, Japanese fifth. These are the same classification made by our naval authorities.

And yet 20 or more pages are spent in this minority report in arguing that the United States is ahead of Germany, when all the nations of the world place them just as we place them.

Now, then, I want to call your attention just in this same connection to another statement. On page 59 of the minority report appears this statement:

> On page 404 the Navy Annual gives the penetration of the 13-inch 35-caliber guns at 3,000 yards at 12 inches, and that of the 9.2-inch guns at 5½ inches the same distance.

Now, then, I have gotten the Navy Annual, and I turn to page 404. It gives the penetration at 3,000 yards of a 13-inch gun at 12 inches, but it nowhere mentions on page 404 a 9.2 or a 9.4 inch gun at all, and there is nothing given. But upon page 406 there does appear the penetration at 3,000 yards of hard steel plates of a 9.2-inch gun, 45 calibers, of 14.1 inches, and 9.2-inch gun, 50 calibers, of 15.2 inches instead of 5½ inches, as stated in the minority report.

At page 407 the Coventry Ordnance Works gives the penetration at 5,000 yards of hard-steel plates of a 9.2-inch gun at 12.3 inches, and they give the 11.2 inch, 50-caliber gun, at 18 inches.

And on page 411 are the Bethlehem Steel Works ordnance statistics, and they give the penetration of a 9.2-inch gun at 3,000 yards' range of hard-faced armor at 14.9 inches, and they give it at 8,000 yards at 10.8 inches. So that that statement in the minority report that the penetration of the 9.2-inch gun is 5½ inches does not seem to be sustained by the book that was referred to.

Another statement says that Col. Goethals stated to the committee that no hostile fleet would come wihin 500 miles of Panama if it were protected by submarines and torpedo-boat destroyers. I have here the statement copied from the hearings of Col. Goethals. I read:

> Mr. ROBERTS. If we had a large flotilla of torpedo boats, of both destroyers and submarines, stationed at either end of the canal, how close would the enemy dare to come, knowing that this large flotilla of submarines and torpedo craft was there?
> Col. GOETHALS. They would keep pretty well out.
> Mr. ROBERTS. A good many miles out?
> Col. GOETHALS. Yes, sir.
> Mr. ROBERTS. Fifteen or twenty miles from either end?
> Col. GOETHALS. It would depend upon the distance at which the torpedo craft could operate. It would depend upon their radius of action.
> Mr. HOBSON. I will ask the direct question, Can you defend the canal against land operations with an enemy in control on the seas by torpedo craft?
> Col. GOETHALS. Not by torpedo craft; no, sir.

Now, I wish to call your attention to another statement in this minority report. I have not time to read all of it. It says that the Secretaries of the Navy, when they first go in, recommend more battleships, but as they get familiar with things they recommend fewer and fewer each year, and that Mr. Meyer had stated that the ideal number of battleships was 41.

Let me read what was stated. What are the facts? In 1901 the department recommended 3 battleships; in 1902 it recommended 2 battleships; in 1903, 1 battleship; in 1904, 3 battleships; in 1905, 2 battleships; in 1906, 2 battleships; in 1907, 4 battleships; in 1908, 4 battleships; in 1909, 2 battleships; in 1910, 2 battleships; in 1911, 2 battleships; in 1912, 3 battleships; and in 1913, 2 battleships.

Does that look like getting away from the recommendations that have been made? And they omit the fact that the general board, the technical board of the Navy, that is charged with this duty, has consistently recommended 4 battleships each year. But it says that the Secretary recommended 41 battleships as the ideal number. I have copied some extracts from the Secretary's report. Here is what he says:

> The character of our battleships, armored cruisers, and coast-defense vessels built, building, or authorized would seem, according to present indications, sufficient to provide for any contingency within the limits of probability. This statement, however, must not be misunderstood. It does not at all mean that we should give up building new ships. On the contrary, the necessity for vessels of an improved type to take the place of those now recognized as obsolete, or evidently destined to become such, has become plain and urgent, while any discussion of our future needs and the proper means to meet them must of necessity be largely conjectural. I think it may be safely said that if the situation is not complicated by any unforeseen developments our program of naval construction for the future, in as far as it relates to our fighting fleet alone, should consist of substituting 5 new battleships and 2 armored cruisers for the oldest vessels of those types on our register and 5 more battleships for the 10 coast-defense vessels of the monitor type, and that the substitution should be made at least within the next six years.

Nowhere does the word "ideal" appear.

And I could take up various other reports along the same line in support of the same contention, but my time does not permit.

Great criticism has been made of the fact that the department did not count among our available ships the *Indiana*, the *Oregon*, and the *Massachusetts*. All the nations have adopted a general understanding that if a ship is more than 20 years old from the time of its launching—for the time of its launching determines the character of the ship—if it is more than 20 years old and has not been reconstructed within 5 years, it shall not be counted as in the available fighting force. The *Indiana*, the *Massachusetts*, and the *Oregon* come under that class.

It is intimated that a great fraud is attempted upon the House and upon the country in suppressing something, when, as a fact, it is set out on the face of all of the reports why the three ships are not counted. Again, they overlook the fact that in the German Navy they took out two of their battleships for the very same reason.

The CHAIRMAN. The gentleman has consumed 50 minutes.

Mr. PADGETT. I shall take only a few moments more. Now, gentlemen, under the allotment of time I can not consume more time of the committee. I say to you that if you will examine this report—and there are many other items here to which I could call attention, which I have marked, but which time forbids—that minority report is as full of inaccuracies and errors as it is possible, in my judgment, to compress in that space. It is as full of holes as a sieve. It does not represent the status of our Navy. I would be glad if it were true that our Navy were second, but we need not deceive ourselves. They say that we spend more money than Germany. Yes, we do. I want to call your attention to how we spend it.

We appropriate for the pay of the Navy $44,300,000, to pay the men in the Navy, counting the Marine Corps as a part of the Navy, because it is a part of the Navy, only a different bureau. Germany appropriated $11,400,000, about one-fourth as much. For provisions to feed the Navy the United States appropriated $8,600,000 and Germany appropriated $900,000, or less than one-ninth as much. To clothe and cover the bodies of the men in our Navy the United States appropriates $1,400,000. Germany appropriates $140,000. We appropriate ten times as much to take care of our men in that regard. Yet in this House, everywhere, on all occasions, great professions are made about men and laborers and humanity. Yet, when we come here with the facts showing that the Government of the United States feeds, clothes, and cares for the personnel, the men of its Navy, as human beings, we are criticized by comparison with a nation that conscripts its citizens to serve both in its army and in its navy. [Applause.]

Mr. J. M. C. SMITH. Will the gentleman allow me to ask him a short question?

Mr. PADGETT. If it is very short; yes.

Mr. J. M. C. SMITH. How does the number of men in the United States Navy compare with the number of men in the German Navy?

Mr. HOBSON. They have 10,000 more men than we have.

Mr. PADGETT. The gentleman from Alabama informs me that they have 10,000 more than we have.

Now, for new construction in 1913 England appropriated $78,336,000; Russia appropriated $57,626,000; Germany appropriated $53,568,000; France appropriated $44,365,000; the United States appropriated $35,315,000. In other words, Germany appropriated $18,000,000 more for new construction than the United States appropriated. They are putting their money into the building of powerful vessels, and have 26 to our 12, and are building at a rapid rate. Yet gentlemen, when they make comparisons, take the aggregate appropriation, where we make our increase in taking care of the human side of our Navy.

I ask the considerate, thoughtful attention and consideration of this committee to the provisions in this bill, knowing that the Secretary of the Navy has exercised every care that was possible to cut down the estimates, and that the Naval Committee has done the same thing. [Applause.]

Mr. HENSLEY. Mr. Chairman, I yield 45 minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Chairman, the question of a further increase of armaments is inseparable from the progress of the movement which, if successful, will make all armaments, our own as well as those of the other nations, unnecessary. Therefore a discussion of the naval bill should always include an intelligent consideration of the peace movement.

What are the reasons underlying this great movement which aims to substitute judicial decisions for war? They are the growing abhorrence of war, its incompatibility with the civilization of the age, on the one hand, and the increasing burdens of the military system which are exhausting the nations and gradually bankrupting their governments on the other.

Why is it that the philosophy of brute force upon which that barbarous system is based has been allowed to hold sway so long even in republics where the people are supposed to rule?

The answer to this question, Mr. Chairman, is a long story, and it is my purpose to-day to tell it as best I can.

We say "where there is a will, there is a way," and, indeed, it would be easy to strike out "force" and insert the word "law" in the charters of the world's governments if only the people could or would assert their power. The new system simply requires justice as a corner stone, justice to be ascertained and administered by a world court the same as justice is now administered in all civilized countries through local and national courts. By applying the rule of law to international relations that rule is simply to be extended from the relations between man and man to those between nation and nation. I ask you in all seriousness, Is this not as it should be? Is it not the irresistible logic of evolution?

There is but one answer to these questions. But if it is so easy and so reasonable and a consummation so irresistible, why has it not yet been done? What is law for an individual should be law for a nation. Why has it not yet been made so? For three reasons, the first being the opposition of the interests; the second, human custom; and the third, human nature. But I am happy to say that neither of these obstacles is sufficiently serious to make our great cause hopeless. The greatest progressive movement of modern times will overcome all of them separately and collectively. The trouble heretofore has been that man was not certain about the remedy. He bewailed the horrors of war and moaned under the burdens of militarism without knowing how to free himself from his fetters. Like Don Quixote, he attacked the sails of the windmill without realizing that it was the wind which was moving them. Just now he is flying into a rage over excessive armaments, not knowing that he is mistaking the system for the cause. But the scales are gradually dropping from his eyes, and as soon as he can look a little more deeply into cause and effect, his reasoning power will overcome all opposition, which from purely selfish motives is now obstructing the new order of things, and it will have the effect at the same time of changing his ways of thinking. He will no longer judge every question that may come up from the standpoint of force, but will form the habit of bringing into play the principles of even-handed justice. There is human nature still to be reckoned with. While it is true that human passion can not be controlled by law, yet there is no question but what we can prevent it from being manifested by making its manifestation useless. I shall explain later on what is meant by that.

As a result of thought and study I have long ago come to the conclusion that the movement for international justice, which means peace, is really an earnest and noble effort to protect the human family against itself. No amount of suffering, no arguments, however plausible, have so far been found dynamic enough to restrain the wrath or destroy the cupidity of nations or to stop man from going to war. The appeal to pity has not been strong enough to prevent war. Its sufferings, though great and terrible, have not been sufficient to restrain those whose interests or passions drew them to arms.

"Man," says Walter Walsh, in his splendid book entitled The Moral Damage of War—

> is a brave brute. All his story shows that wounds and death can not turn him. Before our day he has fought ten thousand wars, greedy of wounds, careless of torture, merry in the face of death. The cheeriest, heartfulest animal in the universe is man. He will make a million children orphans, including his own, with an oath upon the fathers who begot them; will break the hearts of ten thousand women, even his own mother's, with a song upon his lip; will spit an old mother's only son, or be spitted, on a bayonet with as little remorse as he would spear a frog; will gouge out the blue eyes of a girl's sweetheart with as little compunction as he would pare his nails. * * * Terrible as are the pictures of war's horrors drawn by pen and pencil, harrowing as are the reports of correspondents and letters of soldiers on the field, there is never any lack of recruits; some drawn by love of country, others by love of fighting, others by inflamed thirst for glory, others by nothing more exalted than a shilling a day. Though men might be expected to pause before the prospect of bodily mutilation, torment, thirst, in conjunction with mental rage, anguish, and despair—the physical hell of shot and steel and trampling hoof mingling with the moral hell of hate and revenge, brute foam, and devil fury; the early rain of blood and fell harvest fields of dead meeting the latter rain of tears and mournful aftermath of widows and orphans; the long agonies of broken limbs and the longer agonies of the broken hearts—yet it is vain to expect to put an end to war by considerations such as these, for experience has shown that they are powerless to restrain the passions which lead to it, that they have no terrors for the blood-hounds which begin to bay in man's heart when fired by lust of battle.

The stubbornness of human nature having so far resisted all appeals on account of the sin, the crime, the damage of war, Norman Angell has tried different tactics, and we have learned a great deal from him. He appeals to the self-interest of man and shows that wars are no longer profitable. Not only are the losses of the victor usually as great as those of the vanquished, but owing to the interdependence of nations he points out that the consequences are as damaging to the one as to the other. He also makes it plain that battleships have no connection with commerce, the best illustration being the foreign trade of Belgium, Norway, and Switzerland, which, though these countries have no navy at all, is relatively larger than that of both England and Germany. And, what is more, the consols of these countries command a higher price in the markets of the world than those of the great nations with powerful fleets. What the effect of these comparatively recent revelations will be remains to be seen, but in this connection we should not overlook the fact that increased direct taxation on account of increased armaments has a tendency to make expenditures for war preparations more and more unpopular. This is true in England, in France, and even in Germany, where, in order to secure the vote of the Socialists for the recent increase of the army, the Government had to consent to lay the needed additional taxes on the shoulders of the well-to-do alone. And it is also true in our own country, for the imposition of the income tax will put thousands to thinking who heretofore have not given the enormous expenses for Army and Navy even a passing thought. In fact, I am quite sure, Mr. Chairman, that if the bulk of our revenues had to be raised by direct taxation the American people would have stopped us long ago from continuing the foolish rivalry in naval construction, or, in other words, from imitating a European insanity.

Besides human nature itself, which I shall discuss later, there is in the pathway of peace an interested opposition to which I desire to pay my respects. During the last few weeks, and especially since the Panama tolls question has become a live issue, that opposition has thrown off its mask and shown its face in all its hideousness. It has also pulled off its velvet gloves and its ugly claws are dripping with the blood of every public man who dares to disagree with it. This opposition seems to be a combination of jingoism and material interest, whose rage knows no bounds, because equal treatment of all nations at the Panama Canal will lay the foundation for lasting peace and good will between the United States and the rest of the world. [Applause.] I acquit all those of my colleagues who voted against tolls according to their honest convictions of any knowledge of this conspiracy, but of its existence there is no doubt, and it is also evident to me that the interested parties really do not care for the right or the wrong of the thing; they are indifferent even as to the Shipping Trust, which was to be so exceptionally favored. What they want to prevent is the deadly blow which will be dealt to the cause of war by a final decision in favor of the equal treatment of all nations, a decision which will vouchsafe to us the respect and good will of the civilized world, and, consequently, will render unnecessary the maintenance of vast armaments in the future. These same interests evidently command the support of powerful allies in the press, for the very same papers which shout themselves hoarse for a bigger and bigger Navy whenever this bill is under consideration happen to be in favor of the United States defying the world in the matter of Panama tolls. The same papers are also for intervention; that is, for war with Mexico. I leave it to the people to determine whether this is merely an accident or rather an evidence of deliberate consistency.

Now, let me point out to you the real enemy of the peace movement. Of course there is the indifference as well as the easy excitability of the masses of the people, but these are merely stock in trade in the hands of the mighty, the war materials trust. I am not surprised that what I am going to say has never been stated on this floor before, because that trust is all powerful, and can make and unmake Congressmen. The reason I have not mentioned the matter myself is that the facts have not been as patent as they are to-day. When we deal with the trust just referred to we are dealing, it seems, with an international conspiracy.

Under date of February 7 a Washington paper published an alleged cablegram from Berlin of nearly a column, with a half dozen headlines, to the effect that—

> There will be grave danger of war between the United States and Japan if the former country maintains its present indifferent, if not antagonistic, attitude toward Japan's demand for a settlement of the questions now pending.

And so forth.

This statement is contained in what purports to be an interview with "a prominent member of the Kaiser's court." I have carefully watched Berlin papers to ascertain whether they would contain any such news of an impending war between Japan and the United States, but there was nothing of the

kind published; and therefore we can safely put this article down as manufactured at the behest of an international conspiracy, which is fomenting trouble in behalf of the war materials trust—trouble with Japan, trouble with Mexico, trouble with England, Germany, or any other country which happens to be handy for such a purpose. We all remember when some weeks ago the papers published cablegrams to the effect that Germany had officially warned Mexico that any injury to German subjects would meet with retaliation. When President Wilson was asked about it, he positively denied that the American Government knew anything of such a report, and added that—

Germany's attitude toward the position of the United States in the Mexican situation had been satisfactory and friendly, and that Germany had occupied a most dignified position throughout.

He did not believe reports, he said, that Germany was disposed to complicate the situation. And there you are. Another international lie, told to hasten intervention and war, nailed down by the President himself.

We all remember the authentic reports which came from Europe some time ago, according to which an ammunition firm in Berlin was found to have employed an agent in Paris, who had smuggled items into the Paris press about the increase of the French army, the purpose being to hasten a similar increase of the German army in the interest of the war materials trust. Let us see what that interest is. The trade of furnishing war materials and keeping up the business of preparation for war costs the world to-day about $3,000,000,000 a year—a sum beyond the human imagination, almost. The whole work of carrying on the ordinary affairs of civilized government—internal improvements, education, the collection of revenues, social order, everything imaginable connected with human government—does not total even half of that sum. In this almost unthinkable and profligate waste of so many billions every year there are fabulous fortunes reaped by those in the trade, and there is no other trust in the world which reaps such profits. Is it any wonder, then, that the men who control the conspiracies of this gigantic trust have been found within the past few months bribing Government officials at London, at Berlin, at Tokyo?

The president of the National Liberal Federation of England, Sir John Brunner, recently published a letter which plainly reveals the international character of the business of supplying armaments to the great powers. He says, among other things:

Messrs. Krupp, the great German makers, have recently been in trouble because they bribed German officials to obtain help in their trade and also for having tried to induce a Frenchman to urge the French Government to increase their armaments to enable France to oppose Germany. It is notorious that they have helped a Russian armament firm with artillery to increase the military power of Russia, and the Russian Government has recently forbidden this particular Russian firm to apply to Messrs. Krupp for money required to increase their factory.

A great English firm manufacturing armaments has a controlling interest in a second Russian firm of armament makers.

Another English firm, the most powerful of them all, has a branch factory at Naples.

The great French armament makers have also a manufacturing interest in Russia, and it is now understood that they are preparing to help with money the Russian firm first mentioned.

This same authority adds:

We have seen of late years how a number of greatly distinguished servants of the State have left our public employ and have become directors of English armament companies. These great English companies, enormously wealthy and influential, are quite impartial in their readiness to supply armaments to any country in the world which is able to pay for them.

From facts personally known to me I might add that the same is true in this country. And all this great international organization commanding the support of influential men and newspapers is constantly engaged in persuading the great powers, as well as the smaller ones, to arm against each other, and the people of these countries believe themselves to be patriots when they accept these invitations, and they profess their readiness to make sacrifice after sacrifice in order to prepare against war. We might well exclaim with Sir John, "Lord, what fools these mortals be!" I believe the matter to be too serious to be thus dismissed. In my judgment the facts of this plot against the peace of the world should be officially ascertained, and I could think of no more fruitful subject for the third Hague conference to look into than the organization of the war materials trust. Thus we might learn where the jingoes and their press organs receive their inspiration. I believe every good and honest man to be for peace, and that those who shout for war usually have an ax to grind. Wars in this enlightened age, while not impossible, are certainly no longer necessary except to repel attack or invasion, for the simple reason that there is no controversy imaginable between two nations which can not be arbitrated [applause]; in fact, every nation on earth has arleady laid down this same principle in its domestic affairs and the disputes between individuals. For these reasons, Mr. Chairman, are we not justified in looking with suspicion upon those who flippantly talk war on every possible occasion? But, speaking of the profits of the war materials trust, you can figure out yourselves how enormous they must have been in our country during the last 15 years.

When I came to Congress in 1893 the appropriation for the Navy was, in round figures, $23,000,000. In 1898, the year of the Spanish War, it amounted to only $33,000,000. Then it increased in leaps and bounds, until it reached the enormous total of $140,000,000, and this has been the amount regularly appropriated during the last four and five years. Hence the trust since the Spanish-American War has increased its business by about a hundred millions a year. It has been openly charged that the trust had fomented the agitation which drove us into that war, and evidently it has paid mighty well to do it. No wonder that its animus should be directed against the friends of peace and all organizations, including the Carnegie endowment, which are engaged in spreading the gospel of peace. These people are a menace to the profits of the trust and threaten to spoil its business. Hence what they call the peace trust had to be investigated. Thinking only in dollars, the instigators of that investigation evidently calculated that as it takes money to make men bad, it must also require money to make men good. It was ascertained that postage was paid for mailing peace literature, for lectures, and so forth. I do not know how much, but, Mr. Chairman, whatever the amount, I regret it was not a hundred times more, for the highest interests of the people, their happiness and welfare, demand that this peace literature should be read at every fireside in the land. The growing understanding of the question, the dawning of the truth upon the minds of the people, will result in the opposition, selfish and other, to the cause of peace vanishing like mist in the sun. [Applause.]

The great goal of all friends of peace is world organization on the basis of law and justice. Our present peace, backed only by armaments, is too fickle a thing to vouchsafe the security, tranquillity, and happiness of the people. It may be endangered any moment by the whims of the rulers, the passions of the people, and by the existence of the very armaments which are foolishly believed to protect it. To be secure it must be removed from those disturbing factors and anchored upon the rock of law. It is for these reasons that the perfection of the legal machinery to take the place of force in the settlement of international disputes is more important than even an immediate reduction of armaments. For when the nations will agree to take their quarrels to court and have them decided according to recognized principles of international law, from that moment on armaments will become useless except for the enforcement of the court's decrees, and for that purpose a small police force only will be necessary, to be jointly contributed by the several nations. Not that I regard a cessation of naval construction as immaterial; on the contrary, such a decision by Congress at this time would have a far-reaching salutary effect and confirm American leadership of the great procession of the nations, already set in motion, from the bloody field of battle to the temple of international justice.

In this connection it will also be well to remember the opinion of President Taft, expressed shortly before he relinquished his high office, to the effect that with the completion of the Panama Canal it would no longer be necessary to increase our Navy. However, what I wish to impress upon your minds is the one great truth that enduring peace, the peace founded on justice and binding international agreements, the peace which can not be disturbed by any one nation without a break of its contract with the other nations, will not become a reality until the world court at The Hague has been made a fixed institution and recognized as a judicial tribunal by all Governments alike. Therefore what the people of all countries should do at this moment is to prevail on their Governments carrying out the unanimous resolution of the second Hague conference in favor of the establishment of a real court of arbitral justice in place of the arbitration tribunal now existing and which had been the achievement of the first conference. This is, of course, looking beyond the mere question of battleships. In the creation of such a court, I firmly believe, will be found the only antidote against an outburst of human passion, or as Walsh puts it, against "the bloodhounds baying in man's heart when fired by lust of battle." When it has become a matter of common knowledge that, whatever the provocation, there will be no fighting, that all controversies which diplomacy fails to compose will be settled judicially, it is but reasonable to expect that the fighting blood will soon cease to boil, and the populace of both

contending nations will in the end as readily submit to the dictum of an international tribunal as the American people submit to a decision of the Supreme Court of the United States. The tractability of the masses, owing to their better realization of the harrowing effects, the criminality, the waste of war, is well illustrated in the present Mexican situation. The mere knowledge that the President would not countenance intervention has had the effect of keeping the people quiet and patient and caused them to acquiesce in the policy of the Government. And we must also take into account the diminishing causes of future war. There will be no more religious wars, and wars of conquest are improbable even in Europe. Ask Italy. A war to defend the national honor is out of the question, because no nation will ever assail it, and every Government is supposed to deal honorably with the other Governments in this time and day. So the only possible cause of friction left would be trade advantage, and who would dare to lead the flower of a nation to slaughter *for mere* commercial gain? If ever there was a time when a ruler, at the risk of his own head, attempted such a thing, that day is past and gone forever.

And now, Mr. Chairman, I have mentioned the main obstacles in the pathway of peace, and I hope you will agree with me that they are not insurmountable. I fully realize that as long as force is the recognized basis of government just so long will governing bodies be compelled to make that force as great and resistless as they can. But there is a limit to their capability, a limit fixed by the resources of the people and their capacity to pay taxes. In many countries that limit has already been reached, and it will not be long before the Governments will be in despair and the people in the throes of revolution. Therefore who will stand up and deny that to prevent such a calamity is the most imperative question, the most vital issue now confronting the nations of the world? We are no longer in doubt as to means to prevent it, as were the people in the Dark Ages. We know that, by agreement, justice can be substituted for force as a basis of government, that justice which will obviate the necessity of defending by force of arms what we possess and which will guarantee to all nations their independence, their sovereignty at home, and their rights and possessions. A great beginning has been made. A high court of nations is an established fact. Though largely ignored by the press and unappreciated by the people, it nevertheless exists as a sacred shrine in lasting honor of the generation which created and rescued it from the teeth of triumphant militarism. It needs perfection and honest recognition by the powers. It is the task and the duty of the present generation to secure both. An important step in that direction is the proposition which America has laid before the nations. It reads, "Let us investigate before we fight," and is a bridge leading from militarism to law, from the battle field to The Hague. If we can prevail upon the nations to adopt this plan and to live up to it honestly and without purpose of evasion, it would mean the end of war even before The Hague is reached; but we will, nevertheless, rejoice in the existence of that tribunal as a high court of last resort, a final arbiter of the affairs of mankind, and a bulwark of the world's peace.

Mr. Chairman, the world's hope is not a lie. To despair of the attainment of a condition of peace founded on justice rather than dreadnaughts is to despair of the progress of civilization. The day is dawning—not the day wished for by those who make war a profession, but the glorious day which will know war no more. [Applause.]

Mr. HENSLEY. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, it has been really painful to sit in this House and witness the distress upon the faces of gentlemen on the Republican side as they would one after another rise in their place and, being no longer able to restrain their wrath and indignation, thunder criticisms and invectives against President Wilson and his administration. As some offer one criticism and some another, I think it will be necessary to analyze the present situation somewhat in order to ascertain just what their grievance really is.

We know they are dissatisfied with the new freedom now being inaugurated by this administration; we know they have no sympathy with the present movement to restore personal, political, commercial, and industrial liberty in this country.

Mr. Chairman, that once proud and powerful political organization which carried us so far away from these inestimable blessings is now, happily for the people, divided, discordant, and decadent. Demoralized, helpless, and impotent, its scattered remnants, ashamed and afraid to propose a return to its former discredited and discarded policies, occupy their time with dire predictions and calamity howlings and with diverting attention from its disgraceful record.

Under these circumstances, it is pertinent to engage in a little retrospection, to inquire what things the Republican Party stood for and to what conditions its policies led.

Let us set its record clearly before the country in order that no one may forget and be misled, for I believe that as long as that record of misrule remains unforgotten there is not the slightest possibility of a rehabilitation of that party.

The Republican Party owes its origin solely to the issue of negro slavery. It had but one mission, the freedom of the negro slave. That accomplished there was no further excuse for its existence, and it was confronted with the alternative of finding some other means of perpetuating its control of the Government or of going out of power.

The bedrock upon which Jefferson had founded the Democratic Party was "equal rights to all and special privileges to none." This at the close of the war was still the fundamental law of Democracy, the chart and compass which guided and controlled its principles and shaped its policies. The Democratic Party occupied the entire field of true popular government, and such occupancy had been too long, open, and notorious to admit of question. Therefore it was necessary for the Republican Party to find and occupy another field, and this it did.

It sought the aid of special interests. It allied itself with private business. It bartered and sold special privilege for financial and political support. And by intimidation, coercion, and corruption in elections, by secret dealings and dark-lantern methods and by deception it did succeed in continuing itself in power, until its excesses became so notorious and offensive that a large majority of its own members deserted and turned against it, with the result that at the last election it carried but two States, and they were the smallest of the entire Union.

THE TARIFF.

The special interest with which the Republican Party first allied itself was that of the protective-tariff beneficiaries. This hungry horde had taken advantage of the necessities of war to raise the tariff rates. Necessity for larger revenue to meet the expenses of war had won where the plea for the protection of infant industries had failed. But when the war was over and a reduction of the revenues became necessary other taxes were dispensed with and the war tariff schedules continued. The tariff beneficiaries and the Republican Party had struck a bargain. Protection to American industry was now boldly proclaimed as a cardinal policy of the party. The beneficiaries of that policy were to furnish campaign funds and political support, and in return they were themselves to have the privilege of writing the schedules and of fixing them as high as they pleased. This bargain was renewed election after election, and as the greed of the tariff barons increased and the needs of the campaign chest enlarged the rates of duty were correspondingly raised until a veritable Chinese wall was erected around our borders. All competition from abroad was absolutely excluded, and under the shelter thus afforded the protection beneficiaries easily formed themselves into monopolies and eliminated all competition at home.

THE MONEY POWER.

The same considerations that led the Republican Party to ally itself with the protection beneficiaries also caused that party to place itself in subserviency to the financial interests of the country. It inaugurated and has continuously maintained and defended a financial system under which it has been possible, by means of corporate devices and otherwise, for the control of the money and credit of the country to be concentrated in the hands of a few private persons, under which it has been possible for a few men to absolutely control the very lifeblood of the commerce and industry of the Nation.

THE SPECIAL INTERESTS LINKED TOGETHER.

These two special interests very early and very naturally became affiliated with each other. In personnel they became largely the same. They worked together. The special privileges which they enjoyed and the great wealth they controlled enabled them to bring into being and put at their command the greatest number of monopolies, and some of the most powerful monopolies, the world has ever seen. These monopolies have stalked with giant tread the industrial and commercial fields of America and dominated every market place, controlled almost every avenue of trade, and exercised the power of life and death over nearly every business enterprise.

It is conservatively estimated that under the Republican protective tariff there was taken from the people annually the

stupendous sum of nearly two and three-quarter billions of dollars, of which only about one-ninth, or a little over three hundred millions, went into the Public Treasury. The balance, amounting to two and one-half billion dollars annually, went into the pockets of the favored and protected industries.

The greed of the money power has been equally as insatiable. By the manipulation and control of money and credit and by "high financial legerdemain" the toiling millions of this country have been robbed of untold wealth.

This iniquitous system of greed and graft so long fostered and maintained by the Republican Party was as a great sponge gradually absorbing the substance of the people and concentrating the property of the country into a few hands.

And in order that the saturnalia of graft should continue it was necessary that the Republican Party should be kept in power, and to this end a goodly part of these ill-gotten gains poured regularly into the Republican campaign treasuries; as far as possible the press of the country was subsidized and corrupted; powerful lobbies were constantly kept at the Capital; and the elections shamefully debauched and corrupted.

STANDPATISM.

Now, let me call attention to another important fact, and that is that in order to maintain this wicked reciprocal arrangement between crooked business and crooked politics all the other policies of the Republican Party were so shaped as to promote the interest of the partnership. No legislation was permitted which would offend the interests or obstruct or hinder their predatory operations.

For instance, the Republican Party stood against an income tax. It piled the burden of taxation high upon the backs of the poor, but absolutely refused to require the rich to bear their just share of taxation.

They persistently refused to pass legislation needed and demanded by the workingmen of the country, because the interests were opposed thereto.

They set themselves against the election of United States Senators by direct vote of the people because the interests believed they could dictate the selection of Senators under the old method and better control them when so selected.

Then, as a final protection to this plunderbund, they set up a throne in this House and placed thereon a czar and clothed him with the power to deny the chosen Representatives of the people of this country the right even to propose measures of relief.

OPPOSED PUBLICITY.

Mr. Chairman, I call attention to another fact, and that is it was essential to the success of such a policy that its operations should be carried on in secret. The people had to be kept in ignorance of its methods. The Republican Party knew that its dealings with special interests behind closed doors, its secret barter and sale of special privilege, and its insidious corruption and debauchery of elections would no more bear the light of day or stand the test of public opinion than the damp vapors and vermin of the darkest dungeon would stand the light and heat of a midday summer's sun. Therefore it stood against every measure that would require publicity of governmental affairs or of campaign contributions and expenditures, and it let no law pass looking in that direction until compelled by an irresistible public sentiment to do so.

THE DEMOCRATIC ATTACK.

Mr. Chairman, against this citadel of special privilege, graft, and corruption, so fortified and defended by the cohorts of Republicanism and special interest, the militant hosts of Democracy have made many an assault. And many a time have we been hurled back in defeat. But, undaunted and undismayed, we have each time rallied our forces and, appealing to the conscience of our countrymen, renewed the attack. One after another of their wicked contrivances we have exposed to the light of day. We turned in upon them the searchlight of truth until mutiny burst forth in their own camps, and then the old Republican Party began to totter to its fall.

At Chicago it had to make a fight even against its own men to preserve its alliance with the special interests. It won the fight, but there immediately followed so many desertions from its standard that it went down in overwhelming defeat in the following election.

RULE OF THE PEOPLE.

Thus ended the rule of the special interests and began the rule of the people. The Democratic Party came into power under obligation to no special interest. The agents and representatives of predatory wealth had been scourged from the Baltimore convention and their offers to the campaign fund had been spurned. The nomination and election of Woodrow Wilson and a Democratic Congress were accomplished by a free and untainted vote.

We are absolutely free to serve the people, and are doing so. Already much has been accomplished.

The method of electing United States Senators has been changed. They are now being elected by direct vote of the people and are responsive to the people's will.

Cannonism in this House has been overthrown, the Speaker has been stripped of the autocratic power the Republicans conferred upon him, and the constitutional rights and privileges of the people's representatives restored to them. Thus the two Houses of Congress have been unshackled, and they are both now free to serve the people.

THE LOBBY DRIVEN OUT.

Moreover, to further clear the way for a return to the service of the people, we have driven the lobby from this Capitol. We found these base political brokers here and immediately turned the light upon them. We exposed them and their foul practices, and they fled before the scorn and condemnation of the people they had so long outraged.

PARTNERSHIP WITH TARIFF BENEFICIARIES DISSOLVED.

Now, with these obstacles out of the way, what followed? We took charge of the Ways and Means Committee and of the Committee on Finance and drove the tariff barons and their hired agents and attorneys from the committee rooms. We served notice upon them that they could no longer dictate the tariff schedules in their own private interest; that they could no longer use the taxing power of the Government to fill their own pockets. And for the first time in more than 50 years a tariff law was written entirely by the chosen representatives of the people, uninfluenced by any lobby or special interest. We have returned to that primary principle of Democracy which holds that the taxing power of the Government can be rightfully exercised only to raise revenue to meet the needs of the Public Treasury; that to exercise it for private benefit is nothing more nor less than downright robbery.

We have revised the tariff downward. We have largely relieved industry of its burdens. We have either removed it entirely or greatly reduced it on the necessaries of life and left it highest upon luxuries. Thus the burdens of the tariff have been made as light as possible, and no legitimate industry has been hurt.

INCOME TAX.

Another important thing we have done: We have required the wealth of the country to bear its just share of taxation. We have levied a tax upon surplus incomes, and from this source we expect to obtain nearly $100,000,000 annually in revenue, which I have no doubt will in time enable us to still further reduce the tariff taxes, which, to my mind, is the most unjust system of taxation ever devised.

PARTNERSHIP WITH THE MONEY TRUST DISSOLVED.

Mr. Chairman, we have also dissolved the partnership with the Money Trust. As soon as President Wilson was inaugurated and his Cabinet installed the work of cutting all the underground connections between the United States Treasury and Wall Street was begun. The representatives of big finance who had been given desks in the Treasury Department were "bounced" instanter.

The Republican policy of keeping the United States Treasury in subserviency to the Wall Street banks was completely reversed. These banks were in the habit of bringing about money stringencies and even financial panics at pleasure. The Republican way of dealing with such situations was to pour the Government's millions into the Wall Street banks and leave it to them to take care of the business needs of the country. We all know the result of such a policy. It did no good. We recall that in the panic of 1907 Mr. Roosevelt poured millions into the Wall Street banks, and the banks in turn loaned it to the Wall Street gamblers instead of putting it into the legitimate channels of trade, and the panic continued until the business of the country was completely paralyzed.

Soon after the Democrats came into power last year these same Wall Street bankers conceived the idea of bringing on a great money stringency in order to discredit the Democratic Party and forestall legislation they did not want, but they were sadly disappointed. Instead of playing into their hands as his Republican predecessors had done, Secretary McAdoo defied them and announced that he would take care of the situation himself by furnishing the money needed direct to the legitimate business of the country. This completely thwarted the con-

spiracy, broke the backbone of the money power, and rescued the Treasury from the dominance of private interests.

Then, in order to make the victory complete and permanent, Congress has passed a law establishing a new financial system, put it under the control of the Government, and placed it absolutely beyond the power of the Money Trust to longer control the money and credit of the country.

My judgment is you will never see another financial panic in the United States.

ABOUT TO MOVE AGAINST THE TRUSTS.

But, Mr. Chairman, important, far-reaching, and beneficent as are the great measures I have mentioned, I may say that the reform which has been undertaken by the Democratic Party for the people has really just begun. Other great measures are in course of preparation, and I hope they will be crystallized into law before the end of the present session is reached. We have declared that private monopoly is intolerable and indefensible, and we *will* pass laws to make good this declaration.

The tariff and currency laws, to which I have already alluded, will go far to discourage and prevent trusts and monopolies, but further remedies are needed and we will soon supply them. We expect to make it impossible for a private monopoly to exist in this country. In the future men must live by their industry and their wits, and not by the brutal exercise of the powers of monopoly. And those who violate the law will be required to answer in the criminal courts, and if found guilty pay the penalty just as any other criminal.

LET US REMAIN STEADFAST.

Mr. Chairman, if those who have stood for the people in this great fight shall only remain steadfast, the good work which has been brought thus far will be carried to completion. Every special interest will be driven from this Capitol and the rule of the people completely restored.

But if any of our friends feel that the fight is over, that the enemy has given up and retired from the contest, let them be not deceived. I warn them that "eternal vigilance is the price of liberty," and it was never more so than at this juncture.

The interests which have, through special privilege, so long fattened upon the substance of the masses have no thought of surrender. The sting of their defeat serves only to intensify their greed and fire their resentment. They are now shifting their ground and are beginning a more aggressive fight than they have yet made. Their aim is to get their feet back into the public trough. But, of course, they do not dare to meet the issue openly and squarely. Where is one bold enough to suggest a return to the Payne-Aldrich tariff law—that crowning infamy of all protection legislation? And where is one who would suggest a repeal of the income-tax law or propose a return to private control of the money and credit of the country? I do not believe such a one can be found, yet these things are precisely what they want done, and they are the things the Republican Party stood for when in power.

Mr. Chairman, the reform of the tariff, the levy of an income tax, and the establishment of a currency system in the interest of the people are policies the plunderbund know they can not successfully attack. So, as I have already said, they have shifted their position and are now assailing us upon other grounds. They are trying to discredit this administration by assailing its foreign policies. The cry of the jingo is heard throughout the land. They believe that if they can by any means impair the leadership of President Wilson or discredit him in any way they may be able to restore the Republican Party to power and get back into the green pastures of special privilege from which they have been driven. Therefore they are assailing him with a vindictiveness never before equaled in this country. They falsely charge him with subservience to foreign domination and with a compromise of the national honor. They know this to be untrue, yet they hope to make enough people believe it to carry the next congressional election. But they can not. The plot is too transparent. I believe the great mass of the people of this country are awake to the true situation. They know that those who, from day to day, are assailing the President really care not so much about the national honor as they do about restoring the plunderbund to its former prestige and power.

THE LOBBY STILL BUSY.

Mr. Chairman, there is another phase of the situation to which I feel I ought to call attention, and that is that every Member of this House who has been the most loyal to the President and the most ardent for the new freedom is marked for political slaughter. The lobbyists, having been driven from the Capital, have begun to turn their attention to the coming elections. They will be found trying to bring about the defeat of every Congressman unfriendly to the rule of the special interests where they have the slightest hope of success.

Already many opposing candidates are in the field, raising every issue before the people except the true one. And we may be sure that wherever the defeat of a loyal administration man is accomplished, whether by the election of one calling himself a Democrat or by a Republican, a mighty shout of joy will go up from the plunderbund and it will be heralded throughout the country as a repudiation of Wilson and his policies.

Mr. Chairman, I have faith not only in the patriotism but in the intelligence of the people.

Those who ask for the retirement of loyal administration Members of this House just as the fight against special interest and special privilege has fairly begun will be required by the people to reveal the real motives which prompt them to do so.

I do not believe there will be any turning back. The reign of predatory wealth under Republican rule was so hateful to the American people they would no more go back to it than they would return to a dangerous pestilence from which they had fled. In my opinion, they are going to press forward. They are going to demand that every vestige of special privilege be uprooted and destroyed and that equal opportunity for all be restored, to the end that even the humblest in the land may enjoy the full fruits of his own labor and that none may impose burdens upon him which he ought not to bear. [Applause.]

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. ASHBROOK having taken the chair as Speaker pro tempore, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14034, the naval appropriation bill, and had come to no resolution thereon.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Saturday, April 18, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, submitting items of estimates which failed to receive consideration in connection with the urgent deficiency bill reported in the Senate March 17, 1914, and resubmitting the same with notes and other explanations for consideration in connection with the sundry civil appropriation bill now pending before the Committee on Appropriations of the House (H. Doc. No. 904); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, submitting estimates covering the amounts authorized for the preparation of preliminary plans, designs, and estimates for the Patent Office and national archives buildings, Washington, D. C. (H. Doc. No. 903); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of War, submitting an amendment to item in Book of Estimates, page 548, 1915, under the caption, "Reimbursement to certain civilian employees of the Engineer Department at Large, United States Army (H. Doc. No. 902); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the bill (H. R. 13922) to approve of the celebration of the one hundredth anniversary of the signing of the treaty of Ghent between the United States of America and Great Britain and Ireland, and of the century of peace and amity between the United States and other nations, reported the same with amendment, accompanied by a report (No. 543), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CANTRILL, from the Committee on Public Buildings and Grounds, to which was referred the joint resolution (H. J. Res. 205) to enable the Secretary of the Interior to legally fix and determine the ownership of and title to the fire-alarm system and appliances, apparatus, and connections heretofore placed and installed in the Government buildings of the Government Hospital for the Insane, and to determine such other questions as are provided for in the following resolution, reported the same without amendment, accompanied by a report (No. 544), which said joint resolution and report was referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 10495) granting a pension to John L. Taylor, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAGSDALE: A bill (H. R. 15760) to permit vessels wherever built registered as vessels of the United States to engage in coastwise trade; to the Committee on the Merchant Marine and Fisheries.

By Mr. BRUMBAUGH: A bill (H. R. 15761) to provide for the detail of Army officers to the educational institutions of the United States; to the Committee on Military Affairs.

By Mr. FLOOD of Virginia (from the Committee on Foreign Affairs): A bill (H. R. 15762) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915; to the Committee of the Whole House on the state of the Union.

By Mr. WICKERSHAM: A bill (H. R. 15763) to establish a commission form of government in the administration of national affairs in Alaska, and for other purposes; to the Committee on the Territories.

By Mr. PETERS of Massachusetts: A bill (H. R. 15764) establishing compensation of certain customs officials; to the Committee on Ways and Means.

Also, a bill (H. R. 15765) for the allowance of certain claims for indemnity for spoliations by the French prior to July 31, 1801, as reported by the Court of Claims; to the Committee on Claims.

By Mr. McGILLICUDDY: A bill (H. R. 15766) increasing the pension of widows, minor children under the age of 16 years, and helpless minors from $12 to $18 per month; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 15767) to provide for the appointment of an additional judge in the fifth judicial circuit of the United States; to the Committee on the Judiciary.

By Mr. SLOAN: A bill (H. R. 15768) providing for the site and public building for post-office purposes at David City, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15769) providing for the site and public building for post-office purposes at Seward, Nebr.; to the Committee on Public Buildings and Grounds.

By Mr. ADAMSON: Resolution (H. Res. 475) that the bill (H. R. 15613) to create an interstate trade commission, to define its powers and duties, and for other purposes, shall be held and recognized to be privileged; to the Committee on Rules.

By Mr. FRANCIS: Resolution (H. Res. 476) authorizing the Committee on Revision of the Laws of the House of Representatives to employ a competent person to assist said committee in codifying and revising the statutes of the United States under the direction and supervision of the said committee, and designating the duties of such person so employed; to the Committee on Accounts.

By Mr. BARNHART: Resolution (H. Res. 477) authorizing the printing of Supplement No. 10 to the Public Health Report as a House document; to the Committee on Printing.

By Mr. CLARK of Florida: Resolution (H. Res. 478) directing procedure as to H. R. 15653; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 15770) for the relief of George W. Drake; to the Committee on Military Affairs.

By Mr. ALLEN: A bill (H. R. 15771) granting a pension to Magdalena Seyferle; to the Committee on Invalid Pensions.

By Mr. BAKER: A bill (H. R. 15772) for the relief of Orville F. Davis; to the Committee on Military Affairs.

By Mr. BORLAND: A bill (H. R. 15773) granting an increase of pension to Cora J. McKee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15774) granting an increase of pension to Catharine A. Wood; to the Committee on Invalid Pensions.

By Mr. BOWDLE: A bill (H. R. 15775) granting an increase of pension to Henry Bowman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15776) granting an increase of pension to Lucien Harbaugh; to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 15777) granting a pension to Louisa Reed; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 15778) granting a pension to Mrs. Wiley L. Daulby; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 15779) to pay Clara S. Ryans, widow of Louis Ryans, the sum of $700 for property destroyed by the Union Army in August, 1861; to the Committee on War Claims.

By Mr. DIFENDERFER: A bill (H. R. 15780) granting a pension to John Morgan; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 15781) granting an increase of pension to John W. Hamler; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 15782) granting an increase of pension to Barton J. Card; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 15783) granting an increase of pension to Mae W. McClure; to the Committee on Invalid Pensions.

By Mr. HART: A bill (H. R. 15784) granting an increase of pension to Philip Cook; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 15785) granting an increase of pension to Barnett T. Dillahay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15786) granting an increase of pension to Ruth Hill; to the Committee on Pensions.

By Mr. KEATING: A bill (H. R. 15787) granting an increase of pension to Elijah Marsh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15788) granting an increase of pension to Jane Sheek; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15789) granting an increase of pension to Eunice Vipond; to the Committee on Invalid Pensions.

By Mr. KONOP: A bill (H. R. 15790) to remove the charge of desertion standing against Josiah P. Sanders; to the Committee on Military Affairs.

By Mr. KREIDER: A bill (H. R. 15791) granting an increase of pension to William Gotshall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15792) granting an increase of pension to Martin P. Schaffner; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 15793) granting an increase of pension to John N. Hall; to the Committee on Invalid Pensions.

By Mr. LIEB: A bill (H. R. 15794) granting an increase of pension to Samuel Wesley; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 15795) for the relief of John E. James; to the Committee on Military Affairs.

By Mr. SHERWOOD: A bill (H. R. 15796) granting an increase of pension to Rhoda O. Raynor; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 15797) granting an increase of pension to John Arnold; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Woman's Missionary Council of the Methodist Episcopal Church South, favoring passage of the Smith-Hughes bill relative to Federal censorship of motion pictures; to the Committee on Interstate and Foreign Commerce.

Also (by request), petition of the Ponce (P. R.) Democratic Club, relative to conditions existing in Porto Rico; to the Committee on the Territories.

Also (by request), petitions of sundry citizens of Louisiana, Mo., and Wisconsin Woman's Christian Temperance Union, favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petition of the Washington Chamber of Commerce, favoring opening of national forests for recreation for the public; to the Committee on the Public Lands.

Also (by request), petition of sundry citizens of Michigan, against practice of polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of the Walter Hunt Co., of Dallas, Tex., protesting against amending Senate bill 2269, relative to the cranberry barrel; to the Committee on Coinage, Weights, and Measures.

By Mr. AINEY: Petition of the Woman's Christian Temperance Unions of Gibson, West Auburn, and Silvara, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ALEXANDER: Petition of 400 citizens of Hamilton, 52 citizens of Jamesport, 149 citizens of Polo, 75 citizens of Mirabile, 120 citizens of Amity, 680 citizens of King City, and the Woman's Christian Temperance Union of Bethany, all in the State of Missouri, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ALLEN: Petition of 112 citizens of Cincinnati, Ohio, against national prohibition; to the Committee on the Judiciary.

By Mr. ANSBERRY: Petition of sundry citizens of Cleveland, Ohio, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Liberty Center, Ohio, against Sabbath observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Liberty Center, Ohio, favoring House bill 12928, relative to Sunday work for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Henry and Fulton Counties, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of 69 citizens of New Philadelphia, Ohio, asking for the release of Mother Jones from the Colorado military prison; to the Committee on the Judiciary.

Also, petition of 26 citizens of Mansfield, Ohio, against nation-wide prohibition; to the Committee on the Judiciary.

Also, petition of 43 citizens of Johnstown, Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of Rev. Frank Garden, F. M. Hencher, W. L. Davis, John V. Harris, S. M. Griffith, Robert B. Hutchison, R. J. Robinson, D. H. Wheatley, P. G. Benner, H. E. Gillinger, R. J. Hutchison, Benjamin E. Bosler, J. M. Taber, John Gillinger, McClure Rowland, E. W. Maguire, J. R. Driscoll, David Malcolm, J. L. Gressitt, H. C. Morgan, Charles J. Eppley, John T. Beatty, G. E. Buchanan, George Kneicum, W. T. Bosler, and H. E. Winger, all of Johnstown, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of T. W. McGuire, E. E. Reed, Ed A. Ramsey, L. S. Ramsey, G. W. Stuby, C. L. Dixon, James Blackburn, D. H. Fisher, W. L. Hamilton, D. F. Weaver, George B. Patt, J. F. Reed, H. C. Patt, J. B. Young, William McCray, W. E. Holmes S. R. Houp, Alice A. Houp, E. E. Weaver, James Donelson, W. C. Houp, H. L. Ramsey, D. A. Ramsey, A. C. Donelson, John Patt, Harrison Reed, and J. C. Houp, all of Saxton, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of John D. Wicks, John Roberts, John H. Brewer, H. D. Strong, Norman Joll, John Tulowetzki, William Young, W. B. Troy, Bert Box, Alex Duncan, James Beckley, W. T. Burkett, S. G. Noble, Daniel Ressler, James Simmons F. J. Bailey, John Waters, Joseph Ford, John Mugridge, J. P. Harris, C. A. Fitzgerald, A. M. Kunkle, J. E. Dingle, Guy P. Masters, Robert Peterson, E. Chapple, George Robinson, L. S. Kishbaugh, John Jarvi, R. T. Pratt, P. W. Burkett, R. M. Smith, James Bray, William R. Dunmere, A. S. Hibbs, and E. T. Gall, all of South Fork, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BAKER: Petition of 25 citizens of Jacksonville, 140 citizens of Millville, 150 citizens of Atlantic City, 400 citizens of Moorestown, 65 citizens of Bustleton, and citizens of Cumberland County, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARTHOLDT: Petition of the St. Louis Medical Society, protesting against the transfer of the Surgeon General's library to the Library of Congress; to the Committee on Military Affairs.

Also, petition of J. T. Dueringer, George Bromberger, William Funke, H. Mueller, M. W. Breazeale, Charles Ellens, and William Ruck, all of St. Louis, Mo., favoring House bill 12056, to regulate hours of labor in continuous working plants in the United States; to the Committee on Labor.

Also, petitions of Rice & Hutchins, St. Louis Shoe Co., Brown Shoe Co., Conrades Manufacturing Co., Rice-Stix Dry Goods Co., George F. Dittmann Boot & Shoe Co., and Woodward & Tiernan Printing Co., all of St. Louis, Mo., in favor of House bill 14328, relative to transmission of false statements through the mail; to the Committee on the Post Office and Post Roads.

Also, petitions of the Badischer Unterstützungs Verein, the South Side Lumber Co., the Wurst Coal & Hauling Co., B. J. Taussig, Frank Preiss, W. E. Newman, W. L. Malkemeus, and Richard Mederaske, all of St. Louis, Mo., protesting against the prohibition amendment now pending; to the Committee on the Judiciary.

Also, petition of E. A. Sennewald, the Koeber-Breuner Music Co., the Wesco Supply Co., and the J. S. Merrill Drug Co., all of St. Louis, Mo., favoring House bill 13305, to prevent discrimination in prices; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Laclede Gas Light Co., North Breese Coal & Mining Co., Corrugated Bar Co., John Wahl Commission Co., Von Der Au & Clus Manufacturing Co., Kaltwasser Carpet Co., Henry Waldermeyer Teaming Co., and a number of citizens, all of St. Louis, Mo., protesting against the prohibition amendment now pending; to the Committee on the Judiciary.

Also, petition of Northeastern Saengerbund of America, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Bureau of Animal Industry Benevolent Association of St. Joseph, Mo., favoring passage of House bill 9292; to the Committee on Agriculture.

Also, petition of the Prufrick-Litton Furniture Co., of St. Louis, Mo., protesting against the passage of the anticoupon bill; to the Committee on Ways and Means.

Also, petition of the Consumers League of St. Louis, Mo., favoring the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. BOOHER: Petitions of 275 citizens of St. Joseph, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BOWDLE: Petition of 300 citizens of Madisonville, 50 citizens of Harrison, and 50 citizens of Cincinnati, all in the State of Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Marquis Lafayette Branch of the American Continental League, of Cincinnati, Ohio, against "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

By Mr. BROWN of New York: Petition of 650 citizens of the first New York congressional district, against national prohibition; to the Committee on the Judiciary.

Also, petitions of 68 citizens of West Hampton Beach, 475 citizens of Northport, 195 citizens of Babylon, 465 citizens of Sag Harbor, 20 citizens of Mount Sinai, 208 citizens of Eastport, 30 citizens of Wainscott, 6 citizens of Quogue, 260 citizens of Bridge Hampton, and 30 citizens of Southold, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petition of the National Retail Liquor Dealers' Association of America and sundry citizens of Bronx County, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of Dr. H. F. Nimphius, of New York, favoring House bill 4541, relative to betterment of veterinary surgeons in the United States Army; to the Committee on Military Affairs.

Also, petition of the Bronx (N. Y.) Association of Master Plumbers, favoring House bill 14288, relative to contracts for erection of public buildings; to the Committee on Public Buildings and Grounds.

Also, petition of various business men of New York, relative to the standard-barrel bill; to the Committee on Coinage, Weights, and Measures.

Also, petition of John R. Haynes, of Los Angeles, Cal., favoring La Follette seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of G. H. Hassell, of New York, favoring Stevens bill (H. R. 13305); to the Committee on Interstate and Foreign Commerce.

Also, petition of the Manganese Steel Rail Co., of New York, favoring establishment of a bureau for legislative reference and bill drafting; to the Committee on the Library.

Also, petition of S. G. Rosenbaum, of New York, favoring appropriation for Federal Children's Bureau; to the Committee on Labor.

Also, petition of the Merritt & Chapman Derrick & Wrecking Co., of New York, favoring House bill 7617, giving the Department of Commerce authority to provide warning signals for vessels working on wrecks; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Scandinavian Independent Progressive League of Greater New York, favoring House bill 11648; to the Committee on the Library.

By Mr. BURKE of Wisconsin (by request): Resolutions adopted by the Poynette Presbyterian Church and the Woman's Christian Temperance Union of Poynette; the New Century Club of Whitewater; the Welsh Christian Endeavor Society, of Randolph; and the Alpha Club, of Whitewater, all in the State of Wisconsin, asking for the adoption of an amendment to the United States Constitution for national prohibition; to the Committee on the Judiciary.

Also, petitions of 4,900 citizens of the second congressional district of Wisconsin, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Fall River, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CARR: Petition of 69 citizens of Connellsville, Fayette County, Pa., protesting against the Hobson, Sheppard, and Works resolutions providing for nation-wide prohibition of the manufacture, sale, etc.; to the Committee on the Judiciary.

Also, petition of 141 citizens of Fayette County, Pa., protesting against the Hobson, Sheppard, and Works resolutions providing for nation-wide prohibition of the manufacture, sale, etc.; to the Committee on the Judiciary.

Also, petition of 84 citizens of Connellsville, Fayette County, Pa., protesting against the Hobson, Sheppard, and Works resolutions; to the Committee on the Judiciary.

By Mr. CARY: Petition of the Washington Central Labor Union, favoring passage of House bill 15191, relative to ownership of street railways in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of the Northeastern Saengerbund of America, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. CLARK of Florida: Petitions of 11 citizens of St. Cloud, 70 citizens of Jacksonville, and 50 citizens of Lawtey, all in the State of Florida, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Florida, favoring passage of House bill 12740, the machinists' wage bill; to the Committee on Labor.

By Mr. CLARK of Missouri: Petitions of 90 citizens of Cedar City, Mo., and 50 citizens of New London, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. COOPER: Petition of 5,236 citizens of the first congressional district of Wisconsin, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Clinton, Union Grove, Lake Geneva, Springfield, and Delevan, all in the State of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DALE: Petition of the International Reform Bureau, favoring Federal censorship of motion pictures; to the Committee on Education.

By Mr. DANFORTH: Petition of sundry citizens of Kendall, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Rochester (N. Y.) Temperance Federation, favoring submission of the prohibition amendment to a vote of the States; to the Committee on the Judiciary.

By Mr. DAVIS: Petition of the Hotel and Restaurant Keepers' Association, of St. Paul, Minn., against national prohibition; to the Committee on the Judiciary.

By Mr. DONOVAN: Petition of sundry citizens of Connecticut, against national prohibition; to the Committee on the Judiciary.

Also, petition of James G. Blaine Council, No. 1, Junior Order United American Mechanics, of Stamford, Conn., against changing United States flag; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of sundry citizens of Havensville, Kans., favoring House bill 2865, providing an increase of pension for widows of Civil War veterans; to the Committee on Invalid Pensions.

Also, petition of sundry citizens of Kansas, favoring establishment of a bureau of farm loans in the United States Treasury Department (H. R. 11755); to the Committee on Banking and Currency.

By Mr. DOUGHTON: Petitions of sundry citizens of Rowan and Alexander, N. C., favoring national prohibition; to the Committee on the Judiciary.

By Mr. FLOOD of Virginia: Petition of the United Brethren Church, Swoope, Va., favoring national prohibition; to the Committee on the Judiciary.

By Mr. FOSTER: Petition of 130 citizens of Mount Carmel, 347 citizens of Olney, and 500 citizens of Mount Vernon, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Marion, Fayette, Effingham, and Clinton Counties, Ill., favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. GILMORE: Petition of 65 citizens of Bridgewater, Conn., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Northeastern Saengerbund of America, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GOOD: Petition of 80 citizens of Traer, 90 citizens of Mount Vernon, and 100 citizens of Central City, all in the State of Iowa, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Illinois: Petition of 100 citizens of Sharpsburg, 100 citizens of Taylorsville, 148 citizens of Hillsboro, officers of the Methodist Episcopal Church representing 58 citizens of Harvel, 500 citizens of Springfield, and a mass meeting representing 1,000 citizens of Springfield, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petitions of sundry citizens of Philadelphia, Pa., protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Philadelphia and Fayette County, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Allentown, Pa., favoring bill granting the States the right to vote on prohibition; to the Committee on the Judiciary.

By Mr. GRIEST: Resolutions adopted by the Reformed Church of Willow Street; the Lancaster Avenue Methodist Episcopal Church, of Lancaster; the Cookman Methodist Episcopal Church, of Columbia; the Men's Bible Class of Presbyterian Church of Columbia; the Church of God of Columbia; the Grace United Evangelical Church of Columbia; the Methodist Episcopal Church of New Holland; the Chestnut Level Presbyterian Church, of Chestnut Level; the Elizabethtown Woman's Christian Temperance Union, of Elizabethtown; the Woman's Missionary Society of United Evangelical Church of Manheim; and the Lancaster Woman's Christian Temperance Union, of Lancaster, all in the State of Pennsylvania, favoring the adoption of national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of W. J. Strickler, of Columbia, Pa., and of sundry citizens of Lancaster, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAMMOND: Petition of sundry citizens of Mankato, Minn., favoring the passage of bill to amend the postal and civil-service laws (H. R. 12928); to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Mankato, Minn., protesting against the passage of the Sunday observance bill (H. R. 7826); to the Committee on the District of Columbia.

By Mr. HART: Petition of the Methodist Episcopal Church of Alpine; citizens of Warren, Sussex, Morris, and Bergen Counties; and classes of Bergen, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Bergen County, N. J., against national prohibition; to the Committee on the Judiciary.

By Mr. HAWLEY: Petition of sundry citizens of Oregon, against national prohibition; to the Committee on the Judiciary.

By Mr. HINEBAUGH: Petition of sundry citizens of De Kalb, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Rockford (Ill.) Germania Society, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. JACOWAY: Petition of 161 citizens of Charleston and 500 citizens of Altus, both in the State of Arkansas, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KAHN: Petition of 260 residents of the city of San Francisco, Cal., protesting against the enactment of House joint resolution 168, Senate joint resolutions 88 and 50, and all similar prohibition measures; to the Committee on the Judiciary.

By Mr. KEATING: Petitions of sundry voters of the first congressional district of Colorado, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Iowa: Petition of sundry citizens of the first congressional district of Iowa, against national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of Rev. E. B. Smith, of East Providence, R. I., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the National Wholesale Grocers' Association of the United States, favoring House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

Also, petition of Providence (R. I.) Typographical Union, No. 33, favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of 30 citizens of Greenville, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KINKEAD of New Jersey: Petitions of 673 citizens of Newark, N. J., and 20 citizens of South Orange, N. J., favoring national prohibition; to the Committee on the Judiciary.

By Mr. J. R. KNOWLAND: Resolutions passed by various organizations of Alameda County, Cal., favoring the passage of the seamen's bill (S. 136); to the Committee on the Merchant Marine and Fisheries.

Also, petition of the California State Federation of Labor, favoring House bill 14549, relative to mining in Alaska; to the Committee on Mines and Mining.

Also, petition of the Labor Council of San Francisco, Cal., against landing in the United States of alien seamen; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the California State Federation of Labor, relative to certain land grants in Oregon; to the Committee on the Public Lands.

By Mr. LENROOT: Petitions of 3,388 citizens of the eleventh congressional district of Wisconsin, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LESHER: Petition of the First Seventh-day Adventist Church of Northumberland, the Seventh-day Adventist Church of Berwick, 108 citizens of Watsontown, and 76 citizens of Orangeville, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEVY: Petitions of Mary A. Luckhardt and Marian Mason Bell, of New York City, favoring appropriation for Federal Child Bureau; to the Committee on Appropriations.

Also, petition of 1,067 citizens of the fourteenth New York congressional district, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Victor Valley Mutual Water & Power Distributing Association, of Los Angeles, Cal., relative to Government establishing efficient irrigation system in California; to the Committee on Rivers and Harbors.

Also, petition of the Affiliated Trades of the New York Navy Yard, favoring provision for building one battleship in Government navy yard; to the Committee on Naval Affairs.

By Mr. LLOYD: Petition of sundry citizens of the first congressional district of Missouri, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Knox County, Mo., favoring House bill 12923, relative to rural credits legislation; to the Committee on Banking and Currency.

Also, petition of sundry citizens of the first congressional district of Missouri, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of the Junior Order of American Mechanics, of Stamford, Conn., protesting against any change in the American flag; to the Committee on the Judiciary.

By Mr. McGILLICUDDY: Petitions of the Pleasant Street Baptist Church, of Mechanic Falls; the Woman's Christian Temperance Union of Friendship; the Congregational Brotherhood of Auburn; the Hammond Street Methodist Episcopal Church of Lewiston; the Christian Endeavor Society of Jay; the Methodist Episcopal Church of Mechanic Falls; the Main Street Free Baptist Church of Lewiston; the Pine Street Free Baptist Church of Lewiston; the Orff's Corner Methodist Episcopal Church, of North Waldoboro; the Mexico Congregational Church of Mexico; the Baptist Church of Mechanic Falls; the Methodist Episcopal Church of Camden; citizens of Mechanic Falls, West Danville, Leeds, Lewiston, Auburn, and Sabattus, all in the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. McKENZIE: Petition of 400 citizens of Amboy, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAGUIRE of Nebraska: Petition of 3,370 citizens of the first congressional district of Nebraska, against national prohibition; to the Committee on the Judiciary.

By Mr. MAPES: Protests of the Germania Aid Society, the United American Aid Society, the St. Hyacinth Aid Society, the Dania Aid Society, the Holland-American Aid Society, the St. Casimir Aid Society, the Northwestern Benefit Society, and the Grand Rapids Schwaben Verein, all of Grand Rapids, Mich., protesting against resolutions proposing national prohibition; to the Committee on the Judiciary.

Also, petition of 186 citizens of Grand Rapids, Mich., against national prohibition; to the Committee on the Judiciary.

By Mr. MOON: Papers to accompany a bill (H. R. 14610) for relief of E. B. Earl; to the Committee on Pensions.

By Mr. MOSS of Indiana: Petition of 919 citizens of Vigo County, Ind., against national prohibition; to the Committee on the Judiciary.

By Mr. NEELY of West Virginia: Petitions of the Calvary Methodist Episcopal Church, of Moundsville; the Pleasant Retreat Sunday School, of Bamont; the Presbyterian Church of Warwood; the First Methodist Episcopal Church of Clarksburg; Orion Grange, No. 47, of Weston; the First Baptist Church of Clarksburg; the Baptist Young People, of Clarksburg; Progress Rebecca Lodge, No. 134, of Wallace; the First Presbyterian Christian Endeavor Society, of Fairmont; the Methodist Episcopal Church South of Fairmont; the First Presbyterian Church of Fairmont; the Thompson Methodist Episcopal Church, of Wheeling; the Horner Union Sunday School, of Horner; the McWhorter Union, of Lost Creek; the Methodist Episcopal Sunday School, of Salem; the Baptist Sunday School, of Salem; the Collier Christian Church, of Collier; the Epworth League, of Pricetown; the Methodist Episcopal Church, of Triadelphia; J. G. Jackson and others, Jane Lew, Mrs. G. Bleakley and others, of Salem; J. C. Cox and others, of Cameron; W. M. Morris and others, of Mount Clare; W. E. Robinson and others, of Salem; W. B. Hicks and others, of Wheeling; L. P. Halstead and others, of Fairmont; Clarence Post and others, of Bridgeport; H. P. Fuller and others, of Clarksburg; and C. E. Hennen and others, of Moundsville, all in the State of West Virginia, for passage of House joint resolution 168, proposing an amendment to the Constitution of the United States for nation-wide prohibition of the beverage traffic in intoxicating liquors; to the Committee on the Judiciary.

Also, petitions of Local Union No. 9, American Flint Glass Workers' Union, of Wheeling; Bartenders' Union No. 105, of Clarksburg; the German-American Central Union of West Virginia; the Window Glass Workers of Fairmont; J. E. Conaway, of Fairmont; German Nagele, of Wheeling; Local Union No. 73, National Brotherhood of Potters, and Local Union No. 90, National Brotherhood of Potters, of Clarksburg; William Gallagher and others, of Paden City; L. Neumayer and others, of Follansbee; Joseph Vaughan and others, of Fairmont, and Anton Albert and others, of Wheeling, all in the State of West Virginia, protesting against House joint resolution No. 168 and Senate joint resolutions 88 and 50, relative to national prohibition; to the Committee on the Judiciary.

Also, petition of Rev. L. Stead and other citizens of Jarvisville, W. Va., favoring national prohibition; to the Committee on the Judiciary.

By Mr. O'LEARY: Petition of sundry citizens of Brooklyn and Maspeth, N. Y., and Queens County, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of 144 citizens of the second congressional district of New York, against national prohibition; to the Committee on the Judiciary.

Also, petition of 1,420 citizens of the second congressional district of the State of New York, against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry voters of the second congressional district of the State of New York, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the citizens' committee on the loan-shark question, District of Columbia, favoring House bill 14663, relative to loan sharks; to the Committee on the District of Columbia.

By Mr. RAKER: Petition of the Northeastern Saengerbund of America; Pat Garate, of Hornitos, Cal.; and sundry citizens of Petaluma, Cal., against national prohibition; to the Committee on the Judiciary.

Also, petition of the California "Dry" Federation, of Los Angeles, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, resolutions by the Shipowners' Association of San Francisco, Cal., favoring Government appropriation for the Crescent City Harbor, Cal.; to the Committee on Rivers and Harbors.

Also, letter from J. N. Paul, of Los Angeles, Cal., favoring House bill 12292, the Federal child-labor bill; to the Committee on Labor.

Also, petition from sundry citizens of Oak, Cal., protesting against the passage of House bill 9674, known as the Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. REILLY of Connecticut: Petition of the Northeastern Saengerbund of America, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry voters of the third congressional district of Connecticut, protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of Tunnis Grange, No. 13, Patrons of Husbandry, of Bloomfield, Conn., favoring passage of House bill 11898, farmers' credit law; to the Committee on Banking and Currency.

By Mr. ROBERTS of Nevada: Petition of D. W. McKenzie, of Yerlington, Nev., and sundry citizens of Aurora, Nev., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Reno, Nev., against Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of Tonopah Miners' Union, No. 121, Western Federation of Miners; Cigar Makers' Union No. 307, of Reno; and Reno Central Trades and Labor Council, of Washoe County, all in the State of Nevada, against national prohibition; to the Committee on the Judiciary.

By Mr. RUSSELL: Petition of 165 voters of Campbell, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SCULLY: Petitions of sundry citizens of Monmouth and Ocean Counties, 269 citizens of Perth Amboy, 46 citizens of Belmar, 53 citizens of Keyport, 16 citizens of Bradley Beach, 101 citizens of Atlantic Highlands, 42 citizens of Allenwood, 50 citizens of Woodbridge, and the seventh and eighth grades of the Cream Ridge public schools, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Gustav Mendel, of South Plainfield, N. J., against national prohibition; to the Committee on the Judiciary.

Also, petition of the International Photo-Engravers' Union, favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of the Board of Trade of Newark, N. J., relative to selection of Federal reserve banks; to the Committee on Banking and Currency.

By Mr. SLAYDEN: Petition of the Seventh-day Adventist Church of San Antonio, Tex., and the Methodist Church of San Saba, Tex., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Blanco and Burnet Counties, Tex., against national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Maryland: Petition of 130 citizens of Middletown, 125 citizens of Millersville, 100 citizens of Elkridge, 35 citizens of Mitchellville, 55 citizens of Hyattsville, 117 citizens of Brooklyn, 200 citizens of Tuxedo, 125 citizens of Takoma Park, and the Woman's Christian Temperance Union of Hyattsville, all in the State of Maryland, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Minnesota: Petitions signed by 802 citizens of Minneapolis, Minn., protesting against adoption of proposed constitutional amendment providing for nation-wide prohibition of manufacture, sale, and importation of alcoholic beverages; to the Committee on the Judiciary.

By Mr. STAFFORD: Petitions of 22,726 citizens of the fifth congressional district of Wisconsin, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of Mississippi: Petition of 400 citizens of Blue Mountain, Miss., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SUTHERLAND: Papers to accompany a bill (H. R. 15106) for the relief of W. H. Mallow; to the Committee on Invalid Pensions.

By Mr. TEN EYCK: Memorial of Stereotypers' Union No. 1, of New York City, N. Y., signed by David A. Walsh, corresponding secretary, in regard to the Bartlett-Bacon bill exempting certain organizations from prosecutions under the provisions of the antitrust law; to the Committee on the Judiciary.

By Mr. THACHER: Petition of sundry citizens of New Bedford, Mass., relative to a national prohibition constitutional amendment; to the Committee on the Judiciary.

By Mr. TOWNER: Petition of 12 citizens of Creston, Iowa, favoring the enactment of House bill 12928, to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of 16 citizens of Creston, Iowa, protesting against the enactment of House bill 7826, being the proposed Sunday-observance law; to the Committee on the District of Columbia.

By Mr. UNDERHILL: Petition of sundry citizens of Ithaca, Newfield, and Slaterville Springs, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WALTERS: Petition of sundry citizens of Johnstown, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WICKERSHAM: Petition of sundry citizens of Valdez, Alaska, favoring an appropriation for an Alaskan exhibit at the Panama Exposition; to the Committee on the Territories.

Also, petition of sundry citizens of Deadwood, Alaska, favoring congressional investigation of the Michigan copper strike; to the Committee on Rules.

By Mr. WILLIAMS: Petition of 2,400 citizens of Evanston, 103 citizens of Orangeville, and 200 citizens of Oregon, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of Fred H. Bailey and 28 other citizens of Findlay, Ohio, protesting against the adoption of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

By Mr. WILSON of New York: Petitions of various voters of the third congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Northeastern Saengerbund of America, protesting against national prohibition; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 18, 1914.*

Mr. FITZGERALD assumed the chair as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, in whom all our longings, hopes, and aspirations are centered, we wait upon Thy wisdom, power, and goodness to shape our ends, correct our mistakes, strengthen us in our weakness, and bring us into harmony with the eternal principles of right and truth and justice. Take away from us all that we condemn in others and quicken those qualities of soul which we admire in others that we may be what we ought to be, what we long to be, what we hope to be. And glory and honor and praise be Thine in Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF A MEMBER.

Mr. PETERS of Massachusetts. Mr. Speaker, I present the Member elect from the twelfth district of Massachusetts, Mr. JAMES A. GALLIVAN.

The SPEAKER pro tempore. The gentleman from Massachusetts presents Mr. JAMES A. GALLIVAN, the Member elect from the twelfth district of the State of Massachusetts, whose credentials are here, have been examined, and found to be in proper form.

Mr. GALLIVAN took the oath of office.

FOLDING OF SPEECHES.

Mr. LLOYD. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 461 (H. Rept. 549).

Resolved, That there shall be paid out of the contingent fund of the House, to be expended under the direction of the Doorkeeper upon vouchers to be approved by the Committee on Accounts, a sum not exceeding $2,000, for the purpose of folding speeches, at a rate not exceeding $1 per thousand.

With the following committee amendment:

Line 4, amend by striking out "$2,000" and inserting "$3,000."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on agreeing to the resolution as amended.

The resolution was agreed to.

ADDITIONAL POLICEMEN, HOUSE OFFICE BUILDING.

Mr. LLOYD. Mr. Speaker, I also present the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 440 (H. Rept. 550).

Resolved, That the Sergeant at Arms be, and he is hereby, authorized to appoint three policemen for the House Office Building at an annual salary of $1,050 each, to be paid out of the contingent fund of the House until otherwise provided by law.

Mr. LLOYD. Mr. Speaker, this resolution provides three additional policemen for the House Office Building. At the present time the force is not as large as it ought to be, and since the addition of the 40 rooms in the additional story it becomes necessary to have additional police force. The entrance to the court has not had an officer heretofore, and it is necessary for the protection of the building and the rooms that somebody be stationed at that door. The reason for this is that recently there has been complaint that something has been stolen from different rooms in the building. People can get in at that doorway. There is no one to guard it, and it is thought necessary to have some one at that door.

Mr. MANN. Which door is that?

Mr. LLOYD. That is the entrance to the court. It is on Second Street.

Mr. MANN. On the south side?

Mr. LLOYD. Yes.

Mr. MANN. Do any of these policemen stay on the upper floors, as a matter of fact?

Mr. LLOYD. I do not know where they will stay. I could not answer that question.

Mr. MANN. The gentleman said they were needed because of the rooms on the fifth floor. Will any of them ever be on the fifth floor?

Mr. LLOYD. Yes; they have to patrol every floor, and they do patrol every floor.

Mr. MANN. Patrol the floors?

Mr. LLOYD. Yes.

Mr. MANN. I at one time had an office in the House Office Building. I do not now. The gentleman may be able to give me information about it, but I never knew of one patrolling the floors over there.

Mr. LLOYD. Mr. Speaker, I am not sure that they do much patrolling, but they are there for that purpose. Every room in that building is under the control of these men, and it is their duty to protect the rooms, and it is necessary to have an additional force over that which we now have.

Mr. MANN. This is to restore three policemen who were taken away at the beginning of the reform in respect to the employees of the House, is it not?

Mr. LLOYD. This will restore two policemen on account of the additional space required to be patrolled, and it also will provide an officer for that entrance to the court. We never have had an officer there.

Mr. MANN. Whether these new rooms will add anything to the duties of the policemen over there, I have no doubt that very likely we will need additional men, although recently the House insisted that a lot of the police force ought to be cut down in conference, and this House did cut down the House police force. We learn as we go; besides we need the jobs.

Mr. MURDOCK. Will the gentleman yield?

Mr. LLOYD. Yes.

Mr. MURDOCK. How much of a complement of men are over there to take care of that building?

Mr. LLOYD. Eleven.

Mr. MURDOCK. That is the police force?

Mr. LLOYD. Yes, sir.

Mr. MURDOCK. Have not you in addition to that watchmen?

Mr. LLOYD. No.

Mr. MURDOCK. And then you have elevator men and charwomen?

Mr. LLOYD. Yes.

Mr. MURDOCK. And then janitors. Taking in all the number, how many are employed in the upkeep of that building?

Mr. LLOYD. I do not know. Most of the employees in the House Office Building are under the Secretary of the Interior and controlled by an officer under the Secretary of the Interior——

Mr. MANN. The Superintendent of the Capitol.

Mr. LLOYD. The Superintendent of the Capitol has immediate control of the House Office Building, and he controls the employees, charwomen, and every employee who is over there that has anything like police duty, except what we call the House police force.

Mr. COX. Mr. Speaker, I would like to ask the gentleman. My recollection is, that beginning with the Sixty-second Congress, the Capitol police force was cut practically in half. Then, if I remember correctly, in the current legislative bill the conferees between the Houses increased the number of men on the Capitol police force about 16, or something like that. Now, I would like to know whether those 16 men, if that be the correct number, as agreed upon by the conferees between both Houses, were put to work, and, if they were, are these 3 policemen in addition to the extra police force provided for in the legislative bill?

Mr. LLOYD. The police force over there has nothing to do with the Capitol police force. It is called the House Office police.

Mr. COX. Are they not under the House Sergeant at Arms?

Mr. LLOYD. Yes; they are under the control of the House Sergeant at Arms.

Mr. COX. Do not they draw the same salary as the Capitol police force?

Mr. LLOYD. Yes.

Mr. COX. Are not they part of the general police system of the Capitol?

Mr. LLOYD. They are not transferable. It has been so construed; they are not transferable at all, neither in the House Office Building nor over in the Senate.

Mr. COX. Can the gentleman answer the first part of my inquiry, whether that extra number of police force was put to work, as provided for by the conferees between the two Houses in their report?

Mr. LLOYD. I think the gentleman makes a mistake when he expresses himself that the police force at any time was cut down. Under the provisions of the bill to which the gentleman refers we cut the Capitol police that have control of the Capitol and grounds just half, which was two years ago.

Mr. COX. I am trying to get information——

Mr. LLOYD. This does not increase——

Mr. COX (continuing). In that conference report the force, as I recall, was increased something like 16.

Mr. LLOYD. The gentleman is mistaken about that; it was not increased.

Mr. FOSTER. If the gentleman will permit, what I think the gentleman from Indiana is trying to get at is the police force of the Capitol was cut down to 34.

Mr. LLOYD. Yes.

Mr. FOSTER. Then it was restored, I think, about half the number which was cut down. I think the gentleman is right about that.

Mr. COX. That is what I am trying to get at.

Mr. MANN. Will the gentleman yield?

Mr. COX. Yes.

Mr. MANN. There is an increase in the legislative bill which was passed yesterday of 15 in the police force over what was carried in the current law.

Mr. COX. What is the recollection of the gentleman from Missouri?

Mr. LLOYD. I can answer the question. The original number of the police was 69, and they were cut down to 35. The number of policemen about the Capitol Building and Grounds are 35 at the present time.

Mr. COX. What I am trying to get at is whether this extra increase was provided for and whether or not that extra number had actually been put to work and are at work now?

Mr. MANN. What extra number?

Mr. LLOYD. The gentleman is mistaken about the extra number.

Mr. BARNHART. Will the gentleman yield?

Mr. LLOYD. Yes.

Mr. BARNHART. Does my colleague from Indiana know of any man having been put on the police force who never did work at his job?

Mr. COX. I do not know.

Mr. BARNHART. I thought my colleague knew about that.

Mr. COX. I do not know anything about it.

The CHAIRMAN. The question is on the motion of the gentleman from Missouri.

Mr. MANN. As I understand this increase, it is to be an addition to the 15 increased in the legislative bill.

Mr. LLOYD. This has nothing to do with the legislative bill.

Mr. MANN. No; I understand. This is to employ three to be paid out of the contingent fund.

Mr. LLOYD. Yes, sir.

Mr. MANN. And the legislative bill carries an increase of 15 over the number now authorized?

Mr. LLOYD. But those policemen are not to be used, of course, until the 1st of July, and they may not be agreed upon.

Mr. MANN. But these three will continue after the 1st of July, as well as the increase of 15.

Mr. LLOYD. But there is no increase.

Mr. MANN. I expect you will get the proper number after a while, if you keep on increasing them gradually.

Mr. LLOYD. There is no increase in the legislative bill for the House Office force.

Mr. MANN. How does the gentleman know? Here is an increase of 1 special officer and 14 privates in the police force in the legislative bill.

Mr. LLOYD. That applies to the Capitol Building and Grounds and not to the House Office Building or the Senate Office Building.

Mr. MANN. But these are Capitol police.

Mr. LLOYD. But there is a distinction between the Capitol police and the police of the House Office Building.

Mr. MANN. I think they are all under the same organization.

Mr. LLOYD. They are spoken of separately, they are classed separately, and the assignment is made separately, and not transferable at all.

Mr. MANN. They are all assigned by the captain and carried in the same item in the bill.

Mr. LLOYD. I beg the gentleman's pardon. The policemen at the House Office Building are not under control of the captain here.

Mr. MANN. They are under the control of the lieutenant there, and the lieutenant is under the control of the captain.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

KATHARINE KIRBY.

Mr. LLOYD. Mr. Speaker, I also present the following resolution from the Committee on Accounts.

The CHAIRMAN. The gentleman from Missouri offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 464 (H. Rept. 554).

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, the sum of $1,200 to Katharine Kirby for services rendered as stenographer and typewriter and for preparation of reports and action of the Committee on Expenditures in the Department of Commerce and Labor in connection with the Alaska fur-seal investigation.

Mr. LLOYD. Mr. Speaker, this resolution is an unusual one. This authorizes the payment to an individual that was employed by the Committee on Expenditures in the Department of Commerce and provides pay for the woman who was employed for the period she was employed. Under the law and under the resolutions of this House the Committee on Expenditures in the Department of Commerce has a clerk, and it has no additional force except one clerk during the session, or a session clerk. That committee did some investigation and they found it necessary to employ additional help. They employed as a stenographer, typewriter, and special assistant an individual who had previously been employed by the District Committee in an investigation which the District Committee made, and when she got through with that service the chairman of the Committee on Expenditures in the Department of Commerce employed the lady to assist in that service. Under the law and rules of this House, as I understand them, there was no authority for that employment, but the employment was made, whether it was legal or illegal. The lady rendered the service, and every member of that committee, Democrat and Republican, insists that the woman did splendid service and performed her part in good faith. And this provides the pay for the service which she actually rendered.

Mr. MADDEN. Mr. Speaker——

The SPEAKER pro tempore. Will the gentleman from Missouri yield to the gentleman from Illinois?

Mr. LLOYD. I will.

Mr. MADDEN. Mr. Speaker, I want to get recognition in my own right.

Mr. LLOYD. I yield to the gentleman from Illinois.

Mr. MADDEN. Mr. Speaker, I served on the Committee on Expenditures in the Department of Commerce and Labor during the last Congress. That committee by resolution was authorized to investigate the seal-fisheries question. That committee made the investigation which was authorized. It reported the completion of its labor, and the reports were filed during the last Congress. The Committee on Expenditures in the Department of Commerce now and in this Congress has assumed the right to go on and investigate the question, which was closed, without any authority whatever from the House. The Committee on Expenditures in the Department of Commerce has a clerk to-day, paid out of the contingent fund of the House, as all other clerks are paid. That clerk has never appeared, so far as I know, in the committee room, and has performed no duties whatever. Whether the money that he is supposed to draw was ever paid to him or not, I am unable to say, but I am able to say that he is not here and has not been here. The woman in whose favor this recommendation is made has really performed the work for which the payment is intended to be made. It is perfectly proper that she should be paid, for she has performed excellent service. What other work she does there I do not know. Whether she acts as secretary to the chairman of the committee or not, I am not prepared to say, but I am prepared to say that the whole subject of the employment of the additional clerk hired in this committee is a violation of the law and against the instructions given by the House under the resolution authorizing the investigation. There is a man named Elliot over there who makes his headquarters in the committee room. He filed complaint about the manner in which the seal-fisheries business was being conducted by the department during the last administration, and he, the complainant, has headquarters in the rooms of this committee, making his own investigations of his complaint, writing the reports of the committee, or the chairman of the committee, and doing everything except the things that they are authorized to do.

Now, I submit to the House that there ought not to be any such latitude given to any committee of the House. And I suggest that the Committee on Accounts, charged with the responsibility of auditing the bills contracted by these committees—and not particularly this committee, about whose work I know something—ought to investigate thoroughly before any bills ever are audited, except this particular bill.

Mr. LLOYD. Mr. Speaker, may I say in this connection——

The SPEAKER pro tempore. Does the gentleman from Illinois yield to the gentleman from Missouri?

Mr. MADDEN. Yes.

Mr. LLOYD. May I say in this connection that the Committee on Accounts has refused any audits on any of those bills?

Mr. MADDEN. All right, then. I am glad to know that, but I think it is only proper and decent and fair to the House itself to understand that the work in which this committee is supposed to be engaged is not only not authorized by any action of the House, but that the work which the committee was authorized to do was cleaned up and closed in the last Congress; and by what authority or for what purpose the committee presumed to go on and investigate further and contract obligations against the Government in a matter over which it had absolutely no jurisdiction is something I am unable to say, and I file my protest against that kind of practice.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Missouri yield to the gentleman from Illinois?

Mr. LLOYD. Yes; I yield.

Mr. FOSTER. When was this service rendered?

Mr. LLOYD. Since the 1st of August last year and up to the present time.

Mr. FOSTER. So that it comes in this Congress and not in the last?

Mr. LLOYD. Yes, sir.

Mr. FOSTER. And it was done without any authority from the House?

Mr. MADDEN. Yes; absolutely.

Mr. FOSTER. Or without an attempt to secure an appropriation for additional help?

Mr. LLOYD. Do not understand me as saying that they had any authority from the House. I said a moment ago, in making the statement for the Committee on Accounts, that, according to my view of the situation, the Committee on Expenditures in the Department of Commerce had no authority from the House, but I understand the committee insists that they had authority to make the employment.

Mr. FOSTER. Let me see if I understand the situation correctly. The Committee on Expenditures in the Department of Commerce and Labor in the last Congress was authorized by special resolution in that Congress to make a special investigation, and was given a clerk during that time to make the investigation?

Mr. LLOYD. Correct.

Mr. FOSTER. They were ordered to make the investigation. Is that true?

Mr. LLOYD. Yes. They made that investigation.

Mr. FOSTER. Was not that done in the Sixty-second Congress by special resolution of this House, directing the committee to make certain investigations?

Mr. LLOYD. This work has been done in the Sixty-third Congress.

Mr. FOSTER. Yes; I am coming to that. Now, they went ahead—certain committees of the House went ahead—and made certain investigations. I think the Committee on Expenditures in the Treasury Department made one—the committee of which the gentleman from Indiana [Mr. Cox] was chairman at that time. Now, the Committee on Expenditures in the Department of Commerce undertakes to make certain investigations and employ certain help without authority from the House?

Mr. LLOYD. Yes, sir; that is correct.

Mr. FOSTER. Without even introducing a resolution asking that any help be given?

Mr. LLOYD. Yes, sir.

Mr. FOSTER. During that time that this help was employed, from last August up to the 1st of December, the Committee on Expenditures in the Department of Commerce had no clerk?

Mr. LLOYD. That is correct.

Mr. FOSTER. But since the 1st of December, when Congress met in regular session, that committee did have a clerk allowed at $6 a day?

Mr. LLOYD. No; at $125 per month.

Mr. FOSTER. Yes; at $125 per month. Now, this amount of $1,200 is in addition to what is allowed regularly for the clerk?

Mr. LLOYD. Yes, sir. It would not be necessary to come here with a recommendation for this compensation if the case were not in that situation.

Mr. FOSTER. It seems to me, if the gentleman will yield just a moment more, it is a little unusual to incur an expenditure of $1,200 and then come to the House and expect it to be paid. It is a fact that sometimes these committees that are allowed a session clerk have an extraordinary amount of work during a certain period in a Congress, and probably an additional amount of help ought to be given.

Mr. LLOYD. That is true in this case. They did have the extra work.

Mr. FOSTER. Just a moment. It seems to me that what the chairmen of committees ought to do when additional help is required would be to come to this House and ask for it. I do not believe that this House would refuse to give to any committee that is doing work that is for the benefit of Congress whatever help is necessary. I have never known it to be refused. I do not believe the House would have refused it in this case if a proper showing had been made. I do not believe that we ought to pay a bill that has been authorized by a committee unless it was on account of an emergency that could not be avoided and when authority could not be given. We ought not to pay a bill that has been contracted by a committee without authority.

Mr. LLOYD. In this particular case the committee and the chairman of the committee believed that they had the right to make the employment. They made the employment in accordance with what they thought was their right. The person employed had previously been employed by a special committee authorized to make a certain investigation, to wit, the District of Columbia Committee. She rendered service to the District Committee, and after she got through that service she was employed by the Committee on Expenditures in the Department of Commerce. She believed that the committee had a right to employ her, and she did not question that right. The committee believed that it had the right to employ her. Now, when she presented her claims to the Committee on Accounts, the committee refused to audit them, because the employment had not been authorized by the House of Representatives.

Mr. FOSTER. Did not the Committee on the District of Columbia, which was making certain investigations here, have authority from Congress and an appropriation with which to do that work and to pay for it?

Mr. LLOYD. Yes, sir.

Mr. FOSTER. I realize that this woman who has done this work, and done it faithfully and efficiently, ought to have her money. Otherwise it would be a hardship on her.

Mr. MADDEN. She ought to have it.

Mr. FOSTER. She ought to have her money.

Mr. LLOYD. I think every person connected with the matter at all will tell you that this woman ought to have her money, and I believe that every person who has looked into this matter will tell you that this ought to be a very forceful illustration of the fact that no committee of this House should be allowed hereafter to make any expenditures not authorized by resolution of the House or by law. [Applause.]

Mr. FOSTER. That is correct.

Mr. SISSON. Mr. Speaker, will the gentleman yield for a moment?

Mr. LLOYD. Yes, sir.

Mr. SISSON. Does not the gentleman think the best way to handle that matter, so that the committees in the future will not repeat this practice, is not to excuse it in this instance and to make a real example of it?

Mr. LLOYD. I think it would be a serious hardship to take this poor girl, who has been without her money all this time, and make her suffer as the result of the failure of somebody else to do his duty. She acted in good faith.

Mr. SISSON. But I will say to the gentleman that there is a principle involved, and not a person. Suppose the person involved was a man or a boy?

Mr. LLOYD. We are just as anxious as the gentleman not to allow this to become a precedent in the future.

Mr. MANN. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Missouri yield to the gentleman from Illinois?

Mr. LLOYD. With pleasure.

Mr. MANN. From what period of time has this employment been made?

Mr. LLOYD. From August last to the present time—eight months.

Mr. MANN. What is the basis of the employment?

Mr. LLOYD. One hundred and fifty dollars a month, the same as she received from the Committee on the District of Columbia.

Mr. MANN. Has the employee been getting money from anybody during these eight months?

Mr. LLOYD. Not so far as we know.

Mr. MANN. Is she not put on notice?

Mr. LLOYD. She is on notice now.

Mr. MANN. If a person comes and works in a place where the custom is to pay the employees once a month, is she not on notice when the monthly payment is not forthcoming?

Mr. LLOYD. She has had the promise from time to time that she would receive her money.

Mr. MANN. Is it not a fact that she has been paid something every month?

Mr. LLOYD. No; I think not.

Mr. McGUIRE of Oklahoma. Mr. Speaker, I think I am in possession of some information about that.

Mr. LLOYD. I yield to the gentleman from Oklahoma.

Mr. McGUIRE of Oklahoma. I had the impression all the time, and I think that at least some other member of the committee——

Mr. LLOYD. The gentleman is a member of the committee?

Mr. McGUIRE of Oklahoma. I am a member of the committee. I had the impression all the time that the young woman was the appointed clerk of the committee. There had been a question raised as to whether the committee was acting within the scope of its authority, and that is a debatable question now, in my judgment. But until recently I thought the young woman was the clerk of the committee and the only clerk of the committee. It develops, however, that another party had been designated as clerk, a man whom I have never seen in the committee room. Then, when the question of the paying of the young woman was brought up, it developed that she was employed by the chairman, with the specific understanding that Congress would appropriate money to pay the expenses of the committee, and the young woman has been working there doing the work of a private secretary as well as the work of the clerk of the committee, and you might say the work of a messenger, for more than eight months, with the understanding

that Congress would appropriate for this investigation and that the investigation was entirely legitimate in every detail. She is absolutely blameless in the matter. If any mistake has been made it has not been her mistake. She had every reason to believe that the committee knew what it was doing, and I am not altogether certain that it did not.

Mr. SISSON. Will the gentleman yield?

Mr. McGUIRE of Oklahoma. Yes.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. LLOYD] has the floor. Does he yield to the gentleman from Mississippi?

Mr. LLOYD. I yielded to the gentleman from Oklahoma to answer a question.

The SPEAKER pro tempore. How much time?

Mr. LLOYD. He was simply answering the questions of the gentleman from Illinois [Mr. MANN]. How much time does the gentleman want?

Mr. McGUIRE of Oklahoma. Five minutes.

Mr. LLOYD. I yield to the gentleman from Oklahoma five minutes.

Mr. SISSON. If the committee made the mistake, ought not the committee itself then to pay this woman? Suppose I employ some one to do some work and am not authorized to do it. Ought I not to pay for my mistake? Ought not the chairman of that committee to pay her?

Mr. McGUIRE of Oklahoma. The gentleman is asking a question that it might be a little embarrassing for me to undertake to answer. In any event the gentleman will concede one proposition, and that is that the young woman is in no sense to blame.

Mr. SISSON. I do not say that she is; and if she is not to blame then the committee is to blame, and the individual member of the committee who employed her ought to pay her out of his own pocket. Will the gentleman set a precedent here, that any committee may go ahead and employ people?

Mr. McGUIRE of Oklahoma. Oh, no.

Mr. SISSON. Or that they may do it in the departments?

Mr. McGUIRE of Oklahoma. This is an exceptional case. I will say this to the gentleman: I have made some investigation, and it is my judgment, and if the gentleman will make an investigation I think he will find that my conclusions are correct. In my judgment unless this House pays this committee clerk—this young woman—she will never get an additional dollar. That is my judgment after investigation.

Mr. MADDEN. Does anybody know where the clerk of the committee is?

Mr. McGUIRE of Oklahoma. I have made some investigation with respect to that matter. Some one has been named as clerk. I can not now recall his name, but I have never seen him about the place and do not know anything about it. I simply know this: The testimony before the committee is that the chairman told this acting clerk of the committee that when Congress appropriated for this investigation she would get her money, and she has been acting along that line and on that theory.

Mr. LLOYD. I think it is due to the House to say that, as far as the Committee on Accounts has any information, the man who was appointed clerk to the committee has never been in attendance on the committee, with the possible exception of one or two days, and that this woman has performed the work of clerk. She has done practically all the work that has been done, and has done it in a very capable way.

Mr. STAFFORD. I am informed that the man appointed clerk is named Baker. Is he the same man who came before the lobby investigating committee to testify in regard to disclosures as to the use of this room down here in the basement by Mr. Mulhall? As I recall, and perhaps my colleague from Indiana [Mr. CLINE] will confirm it, the gentleman from Illinois [Mr. MCDERMOTT] summoned as one of his witnesses a man by the name of Baker.

Mr. McGUIRE of Oklahoma. Joe Baker.

Mr. STAFFORD. He was at one time a secretary for Mr. MCDERMOTT. He came and testified for a day. It was stated that he was engaged in other work. He did not testify that he was the clerk to this Committee on Expenditures.

Mr. LLOYD. He was not at that time.

Mr. STAFFORD. This committee had occupied the room that Mulhall was allowed to occupy down here, and I think we should have further information about this matter.

Mr. LLOYD. At the time of the Mulhall investigation this man Baker was not the clerk of the committee. According to the record he became the clerk of the committee after the authorization of the clerk, which was in December last.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. STAFFORD. Will the gentleman yield for a question?

Mr. LLOYD. I yield the gentleman three minutes more.

Mr. STAFFORD. Has this man Baker drawn the salary of the clerk of the committee?

Mr. McGUIRE of Oklahoma. My understanding is—and I think it is based on sufficient testimony—that he has drawn the money that goes to the clerk of the committee.

Mr. STAFFORD. And he performed no service.

Mr. McGUIRE of Oklahoma. The House might just as well have the facts. He has not been there. He has not done any work. He has not been a private secretary. The work done has been done by this young woman. I thought she was the clerk of the committee, but I have made an investigation and find she was not, but had done the work, and unless you allow this bill she will never get a cent, and she has a widowed mother to support.

Mr. BRUMBAUGH. This man Baker, then, has received the money?

Mr. McGUIRE of Oklahoma. Yes.

Mr. BRUMBAUGH. What excuse has this committee to offer for paying him?

Mr. McGUIRE of Oklahoma. I want to say, so far as excuses are concerned, that I have no apology to offer, because I have not done any of it. I am not one of the majority of the committee. I think what has been done has been done by the chairman of the committee. There are some things with respect to this that I feel like criticizing, but that does not affect the services of this young woman, who has done all the work—as much work as any clerk in Congress.

Mr. CLINE. Who has been getting the clerk hire, or the secretary's hire, in that committee? Has this young lady, who has been doing the work of a secretary, been getting it?

Mr. McGUIRE of Oklahoma. No; she has been working on this theory, on this promise or understanding, that this committee was making a special investigation—and Congress always appropriates for special investigations—and when the appropriation was made for the investigation she would get her money.

Mr. CLINE. I understood the gentleman to say that she had done the work of the secretary.

Mr. McGUIRE of Oklahoma. Yes.

Mr. CLINE. Did she get the money?

Mr. McGUIRE of Oklahoma. No; she did not get it.

Mr. CLINE. What became of the money?

Mr. McGUIRE of Oklahoma. I do not know.

Mr. WATKINS. Mr. Speaker, in the hurry there seems to have arisen a confusion about the matter, and this confusion and misunderstanding is not based on the facts or the law in the case. The law is so clear and the facts bear out the action of the committee in such a strong light that after a short explanation there can be no doubt not only about the correctness and appropriateness of the payment of this claim now before the House but also in reference to the investigation itself.

There is a party fight on hand with reference to the investigation, but there is no party fight in reference to the allowance of this claim. We have had for several months quite a disagreement between the majority and minority members of the committee on the investigation of expenditures in the Department of Commerce, of which committee Mr. ROTHERMEL is chairman. The majority and minority members have not agreed at all upon the investigation. But the investigation has resulted in shedding considerable light upon the conduct of officials in the former administration, and when it comes to that question the majority members of the committee are prepared to support their majority report, which shows that those who have been depredating in the fur-seal industry, killing seals in Alaska, are now indebted to the Government, according to prices they were to pay for sealskins, $5,000,000, which have not been paid, and according to the value of the skins, $23,000,000.

Mr. MADDEN. Will the gentleman yield?

Mr. WATKINS. Certainly.

Mr. MADDEN. The gentleman refers to the report made by the committee in the last Congress?

Mr. WATKINS. No; the report in this Congress. Now, Mr. Speaker, that is the cause of the controversy we have before the House. There is no doubt at all that this lady is entitled to $1,200, at the rate of $150 a month, where she has been working for eight long months. During the heat of last summer and the fall, when we could not get a quorum in the House of Representatives, she was there every day, and oftentimes at night, doing this work.

Mr. GOOD. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. GOOD. I understand the chairman of the committee, like all other Members of Congress, has $1,500 for clerk hire.

Mr. WATKINS. No. Not then, as chairman of the committee.

Mr. GOOD. I am talking about him as a Member of Congress.

Mr. WATKINS. Oh, certainly.

Mr. GOOD. This young lady is the only person that has been in the office doing clerical work during the past eight months. Is not that true?

Mr. WATKINS. I can not say.

Mr. GOOD. Has the gentleman seen any other clerks there?

Mr. WATKINS. I have; yes.

Mr. GOOD. You have seen this young lady there?

Mr. WATKINS. No; I am not talking about the young lady. I have seen others there on frequent occasions. The office is divided into two apartments, and one is where the private work of the secretary is being done and the other where the work of the committee is being done. I was in the part where the committee work was being done, and I saw the lady doing the work, making compilations, taking dictation, going on necessary errands to the departments to get information, and so forth.

Mr. GOOD. I understand from other members of the committee that this young lady is the only person doing clerical work of the chairman of that committee. It seems to me if that is the case that what we are asked to do is to pay double compensation to one Member of Congress for his clerk hire and for his secretary. If that is not the case, I would like to have it explained why.

Mr. WATKINS. The gentleman asked if I had seen any other clerks there who were apparently doing the work of the chairman. I have seen clerks there, but whether they were doing the work of the secretary I am not prepared to say. I know that the gentleman from Pennsylvania [Mr. ROTHERMEL], chairman of the committee, who happens, unfortunately, to be absent at home to-day, claims that he has a secretary, who is employed at $125 a month, doing the work, but I am not prepared to state that of my own knowledge.

Mr. BARNHART. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. BARNHART. In addition to a secretary and a stenographer, does the committee have a clerk?

Mr. WATKINS. It has a committee clerk now, but not last fall.

Mr. BARNHART. The gentleman says that it has a committee clerk?

Mr. WATKINS. It has at this time.

The SPEAKER pro tempore. The time of the gentleman from Louisiana has expired.

Mr. WATKINS. I ask for five minutes more.

Mr. LLOYD. I will yield to the gentleman five minutes.

Mr. WATKINS. I want to finish answering the last question before I read the law. The fact is that this committee has what is known as a session clerk and not an annual clerk. This lady came there the 1st of August, when the commitee had no clerk.

Now, this is the authority under which this allowance is asked. I read from Hinds' Precedents, volume 4, page 831, section 4316, which says:

> The several committees on expenditures in the departments of the Government, being charged by the rules with the duty of making investigations, have assumed the right to do so without further specific direction of the House.

It goes on to enumerate the instances in which investigations have proceeded in that line.

Under that authority the chairman of the committee called the committee together, and it authorized this investigation to be made. Witnesses were brought here from various parts of the United States, and almost daily for months that investigation has been going on. This young lady, who is highly accomplished, thoroughly educated, commenced to do the work and has been faithful in the discharge of the duties, performed them to the perfect satisfaction of the committee, so much so that the committee unanimously, both majority and minority members, voted for this allowance.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. WATKINS. Just one moment. Not only has the Committee on Expenditures in the Department of Commerce unanimously passed a resolution to this effect, but also the Committee on Accounts has now reported back favorably this resolution, which shows that two of the committees of this House have concurred in the opinion that this is a just allowance. I yield now to the gentleman from Kansas.

Mr. MURDOCK. Did I understand the gentleman to say that a majority of this committee had reported out a finding that $5,000,000 are due the Government through fraud in sealing?

Mr. WATKINS. Yes; here it is; and we believe we have the facts to back it up. But that ought not to enter into this. The reason I mention that is to show that there is a partisan feeling injected into this discussion when there should not be.

Mr. PAYNE. Mr. Speaker, will the gentleman yield?

Mr. WATKINS. Yes.

Mr. PAYNE. Is the report the gentleman speaks of founded on the testimony of this man Elliott?

Mr. WATKINS. Dr. Elliott? No. In broad language and to be explicit, I would say no. But in answer to the gentleman from New York, I will state that while the report is not based on the testimony of Dr. Elliott it is based largely on the investigation which he made and the collation which he made from the statements of various witnesses who have testified heretofore before this same investigating committee; and he in his statement showed the evidence, the statements, and the acknowledgments of these parties made at various times.

Mr. PAYNE. Mr. Elliott did?

Mr. WATKINS. Yes; he made the collation. He made the examination of the records and got them together, as well as making a trip to Alaska.

Mr. PAYNE. I hope the committee has not invested any money on any such statement as that. I would like to know whether the chairman knows whether Dr. Elliott has been receiving any money from the Treasury of the United States?

Mr. LLOYD. No; he has not—not through the Committee on Accounts.

Mr. McGUIRE of Oklahoma. I can answer that question. He has not.

Mr. WATKINS. We have proceeded in the regular, orderly, proper way in the conduct of this examination, as well as reporting this matter to the House. This law says that we must first make the investigation and then report to the House and ask for an appropriation to be made to pay for the investigation already made. This we have done.

Mr. MANN. Mr. Speaker, the citation quoted by the gentleman from Louisiana [Mr. WATKINS] has nothing to do with the case. It does not purport to give the committee authority to hire or employ a clerk. The Committee on Expenditures has the authority to make the investigation. I think this committee had authority to make the investigation which it did make, but this Congress has been in continuous session now for a year. It was in session in August. If the Committee on Expenditures in the Department of Commerce—and, by the way, it is the Department of Commerce and not the Department of Commerce and Labor, as appears in the resolution.

Mr. McGUIRE of Oklahoma. It used to be.

Mr. MANN. I know, but it is not now, although the Committee on Accounts apparently did not discover that. The Committee on Accounts could have brought in a resolution in August. The Committee on Expenditures in the Department of Commerce, if it desired to have a clerk at that time, could have asked the House for permission. It paid no attention to the House. The rule is:

> The Chair shall appoint the clerk or clerks or other employees of his committee, subject to its approval, who shall be paid at the public expense, the House having first provided therefor.

The committee knew, or the chairman knew, the committee had nothing to do with it. The chairman knew that he had no authority to employ this clerk. The chairman, like all other Members of the House, has a clerk allowance of $1,500 a year. Since the first of the session the committee, in addition, has had an allowance of $125 a month. I think it is $125 a month, is it not? The claim is now made that we ought to pay this girl $150 a month because she has been acting as clerk of the committee.

This committee has one room, no more. It has had no other clerk in the room, either private clerk or committee clerk, than this one lady. I am informed that the lady has been paid for a portion of the time she served over there at a less rate than $125 a month.

Mr. McGUIRE of Oklahoma. Mr. Speaker, if the gentleman will permit, I can inform the gentleman just what the lady was paid and the arrangement under which it was paid.

Mr. MANN. The gentleman can not do that in my time. I have not the time. It is enough for me to know that she has been paid something. She knew what she was doing. The chairman knew what he was doing. Now, at the end of eight months, when no clerk has been there representing the Member, when no other clerk has been there representing the committee, by what right is it proposed to demand the payment to

this lady of clerk hire which has been paid to some one else as a committee clerk and paid to the Member in behalf of a private clerk? Everybody knew they had not the authority. It seems to me, Mr. Speaker, that if we are ever going to control the employment of clerks by committees we might just as well commence now.

Mr. PAYNE. Mr. Speaker, I would like to ask the gentleman from Illinois a question. I think he is getting after the wrong persons. It appears that this man who has been the nominal clerk of the committee has been receiving the pay that the clerk ought to have, and from what appears he is getting it yet. Is there not some way that we can stop that payment going to that man? I am informed by a member of the committee that this appointment was made by the chairman without its being brought before the committee for their approval. In other words, I suppose it is a void appointment. I understand it must be brought to the committee and approved by the committee before the appointment becomes a real appointment.

Mr. MANN. Well, I do not think so myself.

Mr. PAYNE. In regular committees that has always been the custom.

Mr. MANN. We do know this: That the committee, while the House was in session, in deliberate violation of the law, proposes now that we pay a clerk employed then by the chairman, who has no pretense of the right of employment of a clerk until the House has authorized it.

Mr. LLOYD. I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, here is the proposition involved in this case as I learn from members of the committee. This young lady was employed by the chairman of the committee, who informed her when she was employed that she would be the clerk of the committee and would be paid this present salary of $150 a month if she would serve for the committee, and that the Congress would make an appropriation for her. The chairman of the committee has paid her, as I am informed, on two different occasions the sum of $50; in other words, she has received altogether $100. She has served since she supposed she was appointed as clerk of the committee. The committee during all this time understood she was the regularly appointed clerk of the committee. They never knew that a man who has never been there and never served had been secretly appointed by the chairman of the committee and that such person had been drawing the money all the time, and they did not know that this girl had never received any of it except the sums stated until a short time ago. The committee certainly can not be blamed, and above all else this girl can not be blamed. She thought she would receive the pay that had been promised her. She thought Congress would appropriate the money she was entitled to. She was doing all the work of the committee. She did it faithfully and well, they all say. It is true by refusing this payment you can punish the committee. It is true you can punish the chairman of that committee by taking away the pay of this girl, but do we want to do that? The principal punishment you will inflict will be upon this girl, who has done no wrong. Would it not be vastly better for us to deal justly with this girl and pay her for the work she has done and then investigate the conduct of these men with regard to this transaction?

Mr. SUMNERS. Will the gentleman yield?

Mr. TOWNER. Gladly.

Mr. SUMNERS. Under the state of facts the gentleman has enumerated, does not the gentleman think this girl's claim is a personal claim against the chairman of the committee, because he selected her and let the salary go to somebody else and he is responsible, and she could so recover in any court of law?

Mr. TOWNER. I will suggest to the gentleman that upon equitable grounds we are liable, because all this time the United States of America has been accepting her services and has profited by them, and hence ought to pay for them.

Mr. BURKE of South Dakota. Will the gentleman yield——

Mr. TOWNER. I yield to the gentleman.

Mr. BURKE of South Dakota. I would like to ask the gentleman whether or not any of these committees on expenditures were authorized to employ a clerk between the month of August last and the beginning of the present session of Congress?

Mr. TOWNER. I am not informed as to that.

Mr. BURKE of South Dakota. I will ask the chairman of the Committee on Accounts.

Mr. LLOYD. Mr. Speaker, I think not.

Mr. BURKE of South Dakota. Then this young woman's service from August to December was without any authority whatever, and if she was the private secretary or the clerk to the chairman of the committee, who received $1,500 a year, the same as every other Member does, and he has not paid her, and we make an appropriation to pay her from August until December, will we not have to do it for the chairman of every other committee on expenditures of this House and pay them from August to December?

Mr. TOWNER. Let me say to the gentleman that this girl never was employed as a private secretary. She was employed as clerk of the committee, and when she received the payments that have been made, two of them of $50 each, she supposed the money she was receiving was part of the compensation which the chairman had agreed to pay her as clerk of this committee.

Mr. BURKE of South Dakota. As a matter of fact, the service which she was rendering from August to December was that of clerk to the chairman of the committee as a Member of the House.

Mr. TOWNER. Oh, I think not at all. This is true, and we might as well admit it. This money has been drawn by the chairman, both for his private secretary and for clerk to the committee, and has been paid to himself or paid to somebody else for service that was never rendered. But that does not change the fact that this girl was employed as clerk of the committee, served as clerk of the committee, and she has not been paid. Of course any of these objections are sufficient if gentlemen desire to use them as a reason for voting against this claim, but it seems to me that any man ought to see that it is a just and meritorious claim, and that this House should deal equitably and justly with this girl and then investigate these matters that seem to demand investigation.

Mr. BURKE of South Dakota. Let me put a further inquiry to the gentleman, if he will permit——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURKE of South Dakota. Let me ask the gentleman in charge of the bill a question. Does this resolution provide for paying this girl $150 a month?

Mr. LLOYD. Yes, sir.

Mr. BURKE of South Dakota. The clerks authorized to the other committees on expenditures get $125 per month after December last or from the beginning of this session. Is that not correct?

Mr. LLOYD. It is. Mr. Speaker, there are a few things about this matter that I am very anxious every individual should get in mind. In the first place the claimant here is a poor girl, who has dependent upon her a widowed mother and an afflicted sister. She needs every dollar of the money that is due her to meet the expenses of the family and to perform the duties that devolve upon her in taking care of these dependents. In addition to that this girl was employed, as she thought, legally. She had been employed by a similar committee, and that committee had paid her, and she believed she had the right to be employed by this committee in the same way. So that, so far as she was concerned, the employment was in good faith. The chairman of the committee now, as I understand it, and a part of the committee still insists that they had a perfect right to make this employment, and I beg you to do the fair thing toward this girl. I have no personal concern in it whatever; but she has rendered the service, she is entitled to her pay, and I am sure that every Member of this House will see to it that she does get her pay.

Mr. BATHRICK. Will the gentleman yield?

Mr. LLOYD. Yes.

Mr. BATHRICK. If she has been performing services for the gentleman from Pennsylvania [Mr. ROTHERMEL] in his private capacity as a Representative, has she not recourse against him to collect that money?

Mr. LLOYD. But she has not been rendering service to him in a private capacity.

Mr. BATHRICK. It was so stated.

Mr. LLOYD. The work she has performed was performed for the committee as an employee of the committee.

Mr. RAKER. Will the gentleman yield?

Mr. LLOYD. Yes.

Mr. RAKER. I understand from the statements so far that this young lady was at no fault whatever.

Mr. LLOYD. None whatever.

Mr. RAKER. But she relied on the committee that she would get her pay for this work?

Mr. LLOYD. The members of the committee connected with it agree that this woman is entitled to her pay.

Mr. RAKER. Would it not look quite peculiar, the committee agreeing that this young lady should have her money, that because she did not know the law and did not demand her pay in advance she should be cheated out of it.

Mr. ROBERTS of Massachusetts. Will the gentleman yield for a question?

Mr. LLOYD. Yes.

Mr. ROBERTS of Massachusetts. Is it a fact that this committee has been allowed $125 a month for a committee clerk?

Mr. LLOYD. Yes, sir.

Mr. ROBERTS of Massachusetts. And that the $125 a month has been paid to some person other than this girl?

Mr. LLOYD. I understand it has been paid to somebody other than the girl. It has not been paid to the girl.

Mr. ROBERTS of Massachusetts. And it is a fact that the girl was employed as clerk of the committee?

Mr. LLOYD. No; as a clerk for the committee, not the clerk of the committee.

Mr. ROBERTS of Massachusetts. A clerk?

Mr. LLOYD. Yes.

Mr. ROBERTS of Massachusetts. Now, I would like to ask the gentleman, as he is at the head of the committee that supervises the expenditures of this House, if this House does as he desires, and grants substantial justice to this young lady, is he and the majority Members of this House going to allow this matter to rest without further investigation of the conduct of the chairman of that committee——

Mr. LLOYD. I can not answer that question.

Mr. ROBERTS of Massachusetts (continuing). In allowing a man who has never been here to continue to draw money for doing no service whatever?

Mr. LLOYD. All I say in response to that is that I have no apology to make for the chairman of this committee. All I am asking now is that this girl who rendered the service for the committee shall receive the money to which she is entitled.

Mr. ROBERTS of Massachusetts. I want to say to the gentleman, if he will permit just a moment, that I am in hearty sympathy with him in seeing that this young lady is paid, but I do not feel like resting with the matter there. I think it should be pursued further. I think it is a matter affecting the majority side of this House, and some Member on that side ought to pursue it.

Mr. LLOYD. Mr. Speaker, I move the previous question on the resolution.

Mr. MANN. The gentleman does not want this committee to be named the "Committee on Expenditures in the Department of Commerce and Labor"?

Mr. LLOYD. Mr. Speaker, I move to strike out the two words "and Labor." Before moving the previous question, I move to amend by striking out the words "and Labor" where they appear in the resolution.

The SPEAKER pro tempore. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 6, strike out the words "and Labor."

Mr. LLOYD. Mr. Chairman, I move the previous question on the resolution and amendment.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on agreeing to the resolution as amended.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. FOSTER. Division, Mr. Speaker.

The House divided; and there were—ayes 61, noes 29.

Mr. SISSON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. SISSON] makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty-eight Members are present, not a quorum. The Doorkeeper will close the doors; the Sergeant at Arms will bring in absentees. As many as are in favor of the resolution will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 186, nays 68, answered "present" 10, not voting 168, as follows:

YEAS—186.

Adair	Blackmon	Cooper	Evans
Aiken	Booher	Curry	Faison
Alexander	Borland	Davenport	Farr
Allen	Bowdle	Davis	Fergusson
Ansberry	Brockson	Decker	Ferris
Ashbrook	Buchanan, Ill.	Deitrick	Fess
Austin	Burke, Wis.	Dershem	Fields
Baker	Burnett	Dickinson	FitzHenry
Baltz	Byrnes, S. C.	Dixon	Floyd, Ark.
Barkley	Byrns, Tenn.	Doolittle	Fordney
Barnhart	Church	Doremus	Francis
Bartholdt	Clark, Fla.	Doughton	French
Beakes	Collier	Eagan	Gallagher
Beall, Tex.	Connelly, Kans.	Edwards	Gallivan
Bell, Ga.	Conry	Estopinal	Gardner
Garrett, Tex.	Keister	Neely, W. Va.	Stephens, Nebr.
George	Kelley, Mich.	O'Hair	Stephens, Tex.
Gerry	Kennedy, Conn.	Oldfield	Stevens, N. H.
Gittins	Kennedy, Iowa	Padgett	Stone
Godwin, N. C.	Kinkead, N. J.	Park	Switzer
Graham, Ill.	Kirkpatrick	Patton, Pa.	Taggart
Gray	Kitchin	Payne	Talbott, Md.
Gregg	Lafferty	Platt	Tavenner
Hamilton, Mich.	La Follette	Post	Taylor, Ark.
Hamilton, N. Y.	Langham	Pou	Taylor, N. Y.
Hammond	Lee, Ga.	Ragsdale	Temple
Hardy	Lee, Pa.	Raker	Ten Eyck
Harrison	Lenroot	Rauch	Thompson, Okla.
Haugen	Lewis, Pa.	Reed	Thomson, Ill.
Hay	Lloyd	Reilly, Wis.	Towner
Heflin	Lobeck	Riordan	Townsend
Helgesen	Lonergan	Roberts, Mass.	Tuttle
Helvering	McAndrews	Roberts, Nev.	Underhill
Henry	McCoy	Rouse	Vaughan
Hensley	McGillicuddy	Rubey	Vollmer
Hill	McGuire, Okla.	Rucker	Volstead
Hinds	McLaughlin	Russell	Walker
Hobson	MacDonald	Sabath	Watkins
Holland	Maguire, Nebr.	Saunders	Watson
Hughes, Ga.	Mitchell	Scott	Weaver
Hulings	Mondell	Shackleford	Webb
Humphrey, Wash.	Montague	Sherwood	Whaley
Humphreys, Miss.	Moon	Shreve	Williams
Igoe	Morgan, La.	Smith, Saml. W.	Woodruff
Jacoway	Morgan, Okla.	Stedman	Young, N. Dak.
Johnson, Ky.	Murdock	Stephens, Cal.	
Johnson, Utah	Murray, Mass.	Stephens, Miss.	

NAYS—68.

Abercrombie	Cramton	Gillett	Quin
Anderson	Cullop	Good	Rayburn
Anthony	Danforth	Greene, Mass.	Rogers
Aswell	Dent	Greene, Vt.	Sherley
Avis	Dies	Hawley	Sisson
Barton	Dillon	Helm	Smith, J. M. C.
Bathrick	Donovan	Hinebaugh	Smith, Minn.
Bell, Cal.	Dyer	Kahn	Smith, Tex.
Browne, Wis.	Eagle	Lazaro	Stafford
Buchanan, Tex.	Elder	Lindbergh	Steenerson
Burke, S. Dak.	Esch	McKenzie	Sumners
Callaway	Falconer	Madden	Talcott, N. Y.
Caraway	Fitzgerald	Mapes	Walters
Claypool	Foster	Morrison	Willis
Clayton	Fowler	Mott	Wingo
Cline	Frear	Nolan, J. I.	Witherspoon
Cox	Garner	Page, N. C.	Young, Tex.

ANSWERED "PRESENT"—10.

Bartlett	Covington	Lieb	Taylor, Ala.
Britten	Gard	Mann	
Brumbaugh	Key, Ohio	Sloan	

NOT VOTING—168.

Adamson	Fairchild	Konop	Phelan
Ainey	Finley	Korbly	Plumley
Bailey	Flood, Va.	Kreider	Porter
Barchfeld	Garrett, Tenn.	Langley	Powers
Borchers	Gilmore	L'Engle	Prouty
Brodbeck	Glass	Lesher	Rainey
Broussard	Goeke	Lever	Reilly, Conn.
Brown, N. Y.	Goldfogle	Levy	Rothermel
Brown, W. Va.	Goodwin, Ark.	Lewis, Md.	Rupley
Browning	Gordon	Lindquist	Scully
Bruckner	Gorman	Linthicum	Seldomridge
Bryan	Goulden	Loft	Sells
Bulkley	Graham, Pa.	Logue	Sharp
Burgess	Green, Iowa	McClellan	Sims
Burke, Pa.	Griest	McDermott	Sinnott
Butler	Griffin	McKellar	Slayden
Calder	Gudger	Mahan	Slemp
Campbell	Guernsey	Maher	Small
Candler, Miss.	Hamill	Manahan	Smith, Idaho
Cantor	Hamlin	Martin	Smith, Md.
Cantrill	Hardwick	Merritt	Smith, N. Y.
Carew	Hart	Metz	Sparkman
Carlin	Hayden	Miller	Stanley
Carr	Hayes	Moore	Stevens, Minn.
Carter	Houston	Morin	Stout
Cary	Howard	Moss, Ind.	Stringer
Casey	Howell	Moss, W. Va.	Sutherland
Chandler, N. Y.	Hoxworth	Murray, Okla.	Taylor, Colo.
Clancy	Hughes, W. Va.	Neeley, Kans.	Thacher
Coady	Hull	Nelson	Thomas
Connolly, Iowa	Johnson, S. C.	Norton	Treadway
Copley	Johnson, Wash.	O'Brien	Tribble
Crisp	Jones	Oglesby	Underwood
Crosser	Keating	O'Leary	Vare
Dale	Kelly, Pa.	O'Shaunessy	Wallin
Difenderfer	Kennedy, R. I.	Paige, Mass.	Walsh
Donohoe	Kent	Palmer	Whitacre
Dooling	Kettner	Parker	White
Driscoll	Kiess, Pa.	Patten, N. Y.	Wilson, Fla.
Dunn	Kindel	Peters, Mass.	Wilson, N. Y.
Dupré	Kinkaid, Nebr.	Peters, Me.	Winslow
Edmonds	Knowland, J. R.	Peterson	Woods

So the resolution was agreed to.

The Clerk announced the following pairs:

For the vote:

Mr. GARRETT of Tennessee with Mr. SLOAN.

For the session:

Mr. METZ with Mr. WALLIN.

Mr. SCULLY with Mr. BROWNING.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. UNDERWOOD with Mr. MANN.

Until further notice:

Mr. WILSON of Florida with Mr. PAIGE of Massachusetts.

Mr. CANDLER of Mississippi with Mr. BURKE of Pennsylvania.
Mr. CANTRILL with Mr. MOORE.
Mr. HOUSTON with Mr. J. R. KNOWLAND.
Mr. BARTLETT with Mr. BUTLER.
Mr. THOMAS with Mr. MORIN.
Mr. PALMER with Mr. CALDER.
Mr. SIMS with Mr. MERRITT.
Mr. MURRAY of Oklahoma with Mr. WOODS.
Mr. WALSH with Mr. VARE.
Mr. TAYLOR of Colorado with Mr. SMITH of Idaho.
Mr. BAILEY with Mr. AINEY.
Mr. BRODBECK with Mr. BARCHFELD.
Mr. BULKLEY with Mr. CAMPBELL.
Mr. BURGESS with Mr. DUNN.
Mr. CANTOR with Mr. CARY.
Mr. CARLIN with Mr. COPLEY.
Mr. CARR with Mr. EDMONDS.
Mr. CARTER with Mr. GRAHAM of Pennsylvania.
Mr. COADY with Mr. GREEN of Iowa.
Mr. DIFENDERFER with Mr. GRIEST.
Mr. DONOHOE with Mr. HAYES.
Mr. DUPRÉ with Mr. HOWELL.
Mr. FINLEY with Mr. JOHNSON of Washington.
Mr. FLOOD of Virginia with Mr. KENNEDY of Rhode Island.
Mr. GOEKE with Mr. KELLY of Pennsylvania.
Mr. GOLDFOGLE with Mr. KIESS of Pennsylvania.
Mr. GORDON with Mr. KINKAID of Nebraska.
Mr. HAMLIN with Mr. KREIDER.
Mr. HOWARD with Mr. LANGLEY.
Mr. HULL with Mr. MILLER.
Mr. KONOP with Mr. LINDQUIST.
Mr. LEVER with Mr. MANAHAN.
Mr. LINTHICUM with Mr. NELSON.
Mr. NEELEY of Kansas with Mr. PARKER.
Mr. O'SHAUNESSY with Mr. PETERS of Maine.
Mr. PATTEN of New York with Mr. PLUMLEY.
Mr. RAINEY with Mr. PORTER.
Mr. REILLY of Connecticut with Mr. PROUTY.
Mr. ROTHERMEL with Mr. RUPLEY.
Mr. SLAYDEN with Mr. SELLS.
Mr. SMALL with Mr. TREADWAY.
Mr. SMITH of Maryland with Mr. POWERS.
Mr. SPARKMAN with Mr. SINNOTT.
Mr. TAYLOR of Alabama with Mr. HUGHES of West Virginia.
Mr. DALE with Mr. MARTIN.
Mr. GUDGER with Mr. GUERNSEY.
Mr. GLASS with Mr. SLEMP.
Mr. HARDWICK with Mr. WINSLOW.
Mr. COVINGTON with Mr. FAIRCHILD.
Mr. JOHNSON of South Carolina with Mr. Moss of West Virginia.

Ending April 25:

Mr. MCKELLAR with Mr. NORTON.

Mr. MANN. Mr. Speaker, I have a pair with the gentleman from Alabama, Mr. UNDERWOOD. I think he did not vote. I voted "nay." I will withdraw my vote and ask to be recorded as "present."

The SPEAKER pro tempore. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. MANN, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present. The Doorkeeper will unlock the doors.

On motion of Mr. LLOYD, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

EXTENSION OF REMARKS.

Mr. LIEB. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks of yesterday on the bill H. R. 15279, the legislative, executive, and judicial appropriation bill.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. LIEB] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14034, the naval appropriation bill.

Mr. MANN. Mr. Speaker, pending that motion will the gentleman permit me a word of inquiry?

Mr. PADGETT. Certainly.

Mr. MANN. In view of certain conditions of affairs and events that are likely to happen to-day, when is it the intention of the gentleman to move that the committee rise?

Mr. PADGETT. At 4 o'clock this afternoon.

Mr. MANN. Very well.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. PADGETT] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14034, the naval appropriation bill. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. JOHNSON] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14034, the naval appropriation bill, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14034, the naval appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 14034) making appropriations for the naval service for the fiscal year ending June 30, 1915, and for other purposes.

Mr. PADGETT. Mr. Chairman, I will ask the gentleman from Missouri [Mr. HENSLEY] if he desires to use some of his time?

Mr. HENSLEY. Mr. Chairman, I yield 1 hour and 30 minutes to the gentleman from Mississippi [Mr. WITHERSPOON]. [Applause.]

Mr. WITHERSPOON. Mr. Chairman, this appropriation bill proposes to appropriate $139,000,000 for the support of the Navy. Seventeen members of the Naval Affairs Committee reported this bill, and four of us have refused to vote for it on the ground that it is a useless, inexcusable, and criminal waste of the public funds. That is our position on this bill.

The first part of the bill to which I desire to call your attention is the part which appropriates $19,000,000 to pay for the work for the next fiscal year on vessels heretofore authorized. That sum is nearly $3,000,000 less than it was last year on the corresponding item. We claim that it should have been a great deal less; that it should have been perhaps $7,000,000 less instead of between $2,000,000 and $3,000,000 less. And we base that contention on the fact that during the next fiscal year covered by this bill there will be only four battleships upon which work will be done. During the present fiscal year there were six.

The difference between the number of battleships for the next fiscal year and the present one is that up to two years ago Congress had been authorizing two battleships a year. It takes about three years to build one, and when two are authorized every year it results in having about six under construction at the same time. But during the last two years we have only authorized one battleship each year, and that will result in the fact that during the next fiscal year there will be only four of them to complete. Therefore there should have been a much greater reduction in this item than there actually is.

The reason why the reduction is so small is because the Navy Department has violated the acts of Congress authorizing the last two ships. The language of those acts conferring authority on the Navy Department to construct battleships, among other words of limitation and description, provides in each case that they might build a battleship carrying as heavy armor and as powerful armament as any vessel of its class. Now, when we come to consider what that means, we find that in our own Nation the largest vessel of its class at the time it was authorized was a vessel of 26,000 tons. Both of these ships have a tonnage of 31,400 tons. In other words, they exceed the tonnage of the largest vessel of their class by 5,400 tons, and they exceed the tonnage of the largest vessel of their class in any navy of the world, because the largest vessel of its class in our Navy was so much greater than the largest ship in the English or German or any other navy of the world.

The chairman of the committee, in trying yesterday to excuse this violation of law, pointed out some vessels that Germany is building as being equal to these in armor, but the acts did not authorize the Navy Department to build a ship with as heavy armament as any ship that might be built, but it said "as any vessel," and a vessel is something that is already built.

That failure to comply with the words in the act of Congress impressed us with the necessity that hereafter the act should be so drawn as to make it impossible for the Navy Department to defeat the legislative will by building ships not authorized. The very object of Congress in refusing in the last two sessions to authorize two battleships, and in authorizing only one battleship each year, was to reduce these enormous expenses. That

was the object of it; but they have defeated that object in a large measure by building two ships so much larger than they were authorized to build that the expense of building them is almost as great as if we had authorized two of the class that we had been authorizing.

The second part of this bill to which I want to call attention is the part that appropriates $17,000,000 for the first year's work of construction on 2 battleships, 6 destroyers, and 8 submarines. That is nearly $5,000,000 more than the corresponding item in the last appropriation bill, and of course this large increase in that item grows out of the fact that in the last appropriation bill we only authorized one battleship, while this bill proposes to authorize two. That increases this item from something over $12,000,000 to something over $17,000,000.

And that brings up the question whether our Navy ought to be increased. Have we not a sufficient number of ships? Does the good of our country require that we should increase the number? That is the question to which I wish mostly to address my remarks and to invite your attention.

It does look to me as though a Navy that has, I believe, 383 ships in it, including 39 battleships, 15 armored cruisers, 10 monitors, about 50 submarines, I believe, 60 destroyers, and a great many other ships—a Navy which, if it was strung out on the ocean in line, would be about 95 miles long—ought to satisfy any ordinary mortal, however highly developed his extravagance may be. [Applause.]

Now, I want to submit to this House some few reasons in the beginning why we need no larger Navy than we have, and why, in my judgment, the Navy would be amply adequate if it was half or a third as large as it is now. What do we want with a Navy? Do we want it to protect us in wars waged against us by foreign countries or do we want a Navy for conquest?

If anybody wants a navy for conquest, if there is anybody left in this civilized age who is so barbarous and brutal that he wants to prepare to conquer other countries, I have not a minute of my time to waste in arguing with such a man as that. [Applause.] But assuming that we are civilized people, and that means that we want to make no preparations except to defend our rights and our honor, I want to submit to you several reasons why we need no more ships. One reason is that in my judgment there is no people on earth that desires to go to war with us. Do you want to go to war with anybody else? Have you any desire to see the blood of your fellow man shed? Have you any desire to see the property in any other country on earth destroyed by your guns? Who will get up and confess that he is that kind of a barbarian? And if he is not willing to confess that he is, how can he say that the people in any other country are?

In the second place, there is no country on earth whose interest would make them go to war with us, even if you could credit them with a barbarous desire to do so. Our trade relations have become so enormous, the world is so dependent upon the products of our farms and factories, that it can not get along without us, and those very bonds of self-interest are a strong guaranty that our rights are not in danger by war from any country on earth.

A third reason is our isolation. No nation on earth could war against us at a distance not less than 3,000 miles, and it is almost impossible for any nation situated as they are to provide themselves with the necessary coal, oil, ammunition, and supplies with which to wage war with us at that distance. And that is another guaranty that we have. Conceding though that all these reasons may fail, outside of the Navy we have these guaranties.

Every nation on earth would consider whenever it comes to contemplate war with us that when its ships got to our shores it would find the most powerful shore defenses; they would know that the mouth of every river, every bay and inlet were filled with hidden mines which they would have to pass. They would find a great number of torpedo destroyers that they would have to overcome. And, above all, that they would find—no they would not find because they could not be seen—but they would know that a large number of submarines would be roaming around under the water, and that the first warning they would have of the presence of those terrible engines of war would be when the bottom of their ships was blown out and they began to sink. Now, that I want to impress upon you.

We had a very intelligent statement made about this situation to the Naval Affairs Committee by Col. Goethals in the last Congress. He was telling us about the defenses at Panama, and he described it in the most intelligent way. I heard him make the statement that if Panama was defended by a reasonable number of submarines and destroyers that there was no nation on earth that would dare to come within 500 miles of us. That statement does not appear in the hearings. The chairman of the committee said yesterday afternoon that that was not true, but I am here to tell you that it is true, for I heard Col. Goethals say it. I was astounded, and I thought at the time why do we need to spend $15,000,000 for a battleship when we have a fleet of submarines and no fleet on earth would dare to come within 500 miles of us.

Admiral Dewey made this statement about it. He said that if the Spaniards had had two submarines at Manila Bay when he took it he never could have held it. He said that with two submarines at Galveston, Tex., all the navies of the world could not blockade that port. Why? Because of the moral effect of submarines. There is nothing like it; he said it would wear men out. A brave man can stand up and fight as many as will come to him, but if he knows that there are a few assassins lying concealed that are going to shoot him in the back and he does not know where they are, his nerve will be gone. That is the effect Admiral Dewey said the submarines had and would have on any fleet that might approach our shores.

While Admiral Vreeland was testifying some member of the committee asked him this question. He said, "Admiral, what would you do if you were commanding a fleet and approaching a shore where you knew there were some submarines?" He hesitated for a second, like he was thinking what he would do, and then he said, "I would keep moving."

If you will read the naval literature of the day by men who have studied this question, you will find that the best thinkers among them say that the day of the battleship is about at an end. The submarine makes it useless; that at present the domain of the battleship's action is out in midocean; and if Huerta had a couple of them at Tampico, our Atlantic Fleet would stop several weeks at Guantanamo before it got there.

Now, for these reasons, if we had no Navy at all we would not suffer. No nation on earth but that would hesitate long before they would attack us if we did not have a battleship on the ocean.

Let us see what the proposition is. The proposition is that we build two battleships a year for the next four years, making eight more battleships. That increase in the Navy is about five times as fast as we have increased it for the last 24 years. In 24 years we have built 33 battleships, which is an average of a battleship and one-third per annum. Now, after we have gotten 39 we propose to increase it about five times as fast as we did increase it when we had an insignificant Navy. The Secretary of the Navy tells us that the battleships they are building now are equal to three of those that we used to build when we built one battleship and a third a year. So two of them now would be equal to six of the kind we used to build. Do you know anything else on earth that human beings care to use and need which they acquire faster and more rapidly after they have gotten all they can use than they did when they were getting what they really needed?

Suppose you buy a fine house to make a home, and when you get through with it your money is all gone and you begin to hedge around to buy furniture, and it takes two or three years to get furniture enough to fill every room; but finally you get it all through. You get every room filled with the finest and most handsome furniture you can find. Now that you have it, are you going to buy furniture six times as fast as you did when you were in need of it? That is the kind of nonsense and stupidity that characterizes the policy of our Government. [Applause.]

But the Secretary of the Navy recommends it, and usually his recommendation has just gone through without asking any questions, except one time he was asked a question and he refused to answer it. But this time we did not assume that the Secretary of the Navy's recommendation should go through, and we have investigated and developed the facts. We have gotten the reason and the facts, and I want to submit them to you. Now, he gives various reasons. He says, in the first place, that the general board wanted to build four battleships a year, and he decided to recommend only two, and that his reason for recommending only two is that it is a small and moderate increase inspired by the spirit of economy.

Now, for the last 24 years we have been spending about $9,000,000 a year on battleships. That is all that it has cost us. The Secretary of the Navy now asks you to adopt a program which he says himself will cost $30,000,000 a year; or, in other words, more than three times as much as we have been spending for the last 24 years, and says that that is a manifestation of his economy. In the last 24 years we have spent $220,000,000 on battleships. Now, this program of the Secretary of the Navy means that during the four years of his administration we shall spend $120,000,000, or $10,000,000 more than half as much as the Republicans spent in the last 24 years.

If that is economy, then the conduct of the Republican Party for the last 24 years must have been mean and stingy. [Laughter and applause.] But the Secretary says that our old ships are becoming obsolete and worthless; that they can not fight; that they reach not their maturity but their old, decrepid age, when they are 20 years old, and that it is necessary to build these two battleships a year in order to replace these ships that are becoming obsolete and to maintain the present efficiency of the Navy. That is another one of his reasons. Let us see. Let us concede that that is true, and that we ought to replace every one. We have six dreadnaughts, two of them just about completed and the other four under construction. He says that each one of these now would replace three of our old ships. If that be so, we have enough ships already being constructed right now to replace 18 of our battleships. We have but 25, and the present dreadnaughts that we are building will replace 18 of them, leaving only 7 to be replaced, and they are just 6 and 7 and 8 years old. That would be the case without building any more, but suppose you carry out the Secretary's recommendation to build 8 more battleships or dreadnaughts in the next 4 years. You add those 8 to the 6 that we now have under construction and it will make 14. Those 14 dreadnaughts would replace 42 battleships, according to the Secretary's statement. In other words, they would replace every battleship we have and 17 that we have not. [Laughter.] That is the reductio ad absurdum, to which the Secretary's logic will inevitably lead you. Can you follow the recommendation of a Secretary that bases them on such logic as that? I can not do it and will not do it.

Another reason—and the principal reason, and the one to which I propose to devote myself—is the statement repeatedly made not only in the hearings but made in all the great organs of graft, waste, and extravagance, and even in the little country newspapers all over the United States, that our Navy is so far inferior to the navy of Germany that we must increase it. They used to work the Japan racket on Congress, but I do not hear much of that now. The fact is that our Navy is so far superior to any other navy in the world, leaving out England and Germany, that nobody who has any idea at all about it will compare ours with any other except that of Germany and England. We have, I believe, 10 more battleships than France, 20 more than Japan, 24 more than Russia, and 22 more than Italy, and in that way there is no comparison between our Navy and that of any other country except Germany and England. So that Germany is the last straw that the grafters can catch hold of. [Applause.] And they tell us that our Navy is inferior to Germany's navy, and I am right here to tell you that that is a slander on the American Navy. The American Navy has never been inferior to any other navy from the time John Paul Jones first unfurled the Stars and Stripes to the ocean breeze. [Applause.] And it stands to-day, preeminent, the queen of the seas; and no one except one whose national pride is dead, whose patriotism has grown weak, and who knows nothing about it can believe that our Navy is inferior to Germany's. [Applause.]

Mr. HOBSON. Mr. Chairman, will the gentleman yield?

Mr. WITHERSPOON. I can not yield.

Mr. HOBSON. After the gentleman uses the word "grafters" he can not yield?

Mr. WITHERSPOON. Mr. Chairman, I have notified the gentleman from Alabama that I decline to yield to him.

The CHAIRMAN. The gentleman will be permitted to proceed uninterrupted. [Applause.]

Mr. WITHERSPOON. Mr. Chairman, I want to compare these navies. In our Navy we have 39 battleships, we have 15 armored cruisers, we have 10 monitors, making 64 armored ships in all. Germany has 20 battleships, 13 dreadnaughts, and the same—well, the same number of battleships, 39; and then she has 16 cruisers, making 55 armored ships that Germany has. In other words, we have 9 more armored ships than Germany. Do not understand me to say that that proves that our Navy is superior to Germany's navy. It does not prove anything of the kind. The truth of the business is that we have more ships than we could possibly use, and Germany has more than she can possibly use, and therefore the excess in numbers amounts to nothing. Just like, if two men were going to fight a duel, and one had 10 pistols and the other 50, one would be just as well armed as the other. [Laughter and applause.]

The fellow who had 10 pistols could not use more than two at the utmost, and the other fellow could not use any more than that, so the balance of the pistols would be like this great superfluity of battleships. It would just be evidence of somebody's folly, and that is all it is. Why, if you were to send our 64 armored ships out to sea, they would make a line 16 miles long; and if you were to send Germany's 55 armored ships out to sea, they would make a line 12 miles long, and the rear ships in our line would be 28 miles from the rear ships in the German line after they got right up together, but when they reached battleship range, 7 miles apart, it would make about, I believe, 34 or 35 miles between our rear ships and the German rear ships, and the truth is that a large part of the ships in both navies would never hear the booming of the cannon or see the enemy's ships sink. [Laughter and applause.] So I do not admit that any difference in the number amounts to a row of pins, and I did not make that comparison in numbers to produce that impression, but I just made that comparison out of the benevolence of my heart for certain gentlemen who imagine that the strength of our Navy depends on how many ships you can count on your fingers.

Let us take the guns of the two navies and compare them. We have on our battleship fleet 492 guns, on our dreadnaught fleet 144 guns, on our armored cruisers 264, and on our monitors 26, making a total of 926 guns on the armored vessels of our Navy. Germany has 380 guns on her battleship fleet, 202 on her dreadnaughts, and 255 on her armored cruisers, making a total of 837, showing that we have in number of guns 89 more guns on our armored vessels than there are on the armored vessels of the German Navy.

Mr. SHERWOOD. How does the capacity of our 12-inch guns compare with the German Navy?

Mr. WITHERSPOON. Mr. Chairman, the gentleman from Ohio is trying to get over to something I am coming to later. I am going to dwell on that before long. My friend knows perhaps more about war than any of the balance of us, and when he asks me that question he shows by the question that he knows what constitutes superiority. [Applause.]

Now, in order for Germany to have as many ships as we have she will have to build 9 more armored ships. In order for her to have as many guns as we have if she places on the ships the same number of guns that are now stylish, she will have to build 11 more than she has authorized before she will have as many guns in her navy as we have. Now, I want to call attention in the next place to the size of the guns and the weight of the shells, and I am going to show you by a mathematical demonstration before I get through the reason why our Navy is superior to the German Navy. Now, of the first 10 battleships built by Germany, each one is armed with four big guns, as they are called. They are 9.4 inches in diameter, and our first 8 vessels are armed with four 13-inch guns, making the size of our guns corresponding to the German guns 3.6 inches larger in diameter than theirs. Those 9.4-inch guns of the Germans carry a shell weighing 419 pounds, while our 13-inch guns carry a shell weighing 1,130 pounds, or, in other words, our shells weigh 711 pounds more than the German shell. Now, that is as to the large guns on the first 8 or 10 ships. Then the Germans have 14 of their next ships using guns 11 inches in diameter, and we have 17 armed with guns 12 inches in diameter.

In other words, the diameter of our guns which I am going to compare with the German's is an inch larger than the German's. Our 12-inch gun carries a shell weighing 870 pounds, while the German 11-inch gun, corresponding to it, carries a shell weighing 661 pounds. In other words, our shell weighs 209 pounds more than the German shell. Now, that is a comparison as to the big guns. Now, on the first eight ships that we built and the next size guns that we armed them with are 8-inch guns, and the corresponding guns on the German ships are guns 5.9 inches in diameter. In other words, our 8-inch gun exceeds the German 5.9-inch gun by 2.1 inches in diameter, and our 8-inch shell weighs 260 pounds and the shell of the corresponding German gun weighs 101 pounds, or 159 pounds more than the German shell weighs. Now we come to the other small guns. After the first 10 battleships built by the Germans were armed, the next 10 were the 6.7-inch gun, while we were arming ours with the 7-inch guns and 6-inch guns. The difference in the diameter there is very small—three-tenths of an inch. Our shell weighs 165 pounds and the German shell weighs 154 pounds, making it weigh 11 pounds more than the German shell. Coming to the dreadnaughts, the Germans have a good many of their dreadnaughts armed with 12-inch guns and we have eight of ours armed with 12-inch guns, and our 12-inch guns carry a shell weighing just 10 pounds more than the German 12-inch gun does. Comparing the balance of the German dreadnaughts with ours, we have six dreadnaughts armed with 14-inch guns. They are 14-inch guns, 2 inches larger in diameter than the corresponding German 12-inch guns, and the shell of our 14-inch gun weighs 1,400 pounds, which is 540 pounds more than the 12-inch shell carried by the German 12-inch gun. That leaves for comparison only one other gun.

The last two German dreadnaughts are armed with 15-inch guns, which are larger than any we have in our Navy, but there

are only 16 of them, while we have 64 carrying 14-inch shells. Now, those 15-inch shells weigh 1,767 pounds, which is 366 pounds more than our 14-inch shell weighs, and that is the only shell in the entire German Navy that is not largely less in weight than the corresponding shell in the American Navy.

Now, I want to submit to you this proposition, that the weight of the shell and the size of the gun are the two elements that constitute the destructive power of a navy, because the bigger the gun is the more powder you can put into it, and the bigger the shell is the more destructive force it has. That is not a question of opinion; that is a question that is capable of mathematical demonstration; and on that proposition I want to call your attention to a formula by which the destructive force of a gun is determined mathematically. Now, when you want to determine the destructive force of a gun or its striking energy at any distance we have a formula by which you can tell exactly what it will do at a certain distance. If you want to find out what would be the striking energy of any gun at 9,000 yards or 12,000 yards, or any other distance, you would have to take the formula that I am going to call your attention to in order to determine, and this is the formula: $E=\frac{W V^2}{2g}$. "E" represents energy. Energy means the striking force or power of a shell, and you want to find out what that will be. Now, that is equal to W into V^2, divided by 2g. "W" is the weight of the shell. "W" is one of the factors in the dividend of your fraction, and, of course, the larger W is the greater will be the value of your fraction. Now, suppose you want to find out what would be the striking energy of a German 9.4-inch shell, which weighs 419 pounds. You put 419 in place of "W," and then substitute the proper quantities for all the other letters there and you would get the striking energy of that shell.

Do you not know that if you were to put the American 13-inch shell, weighing 1,130 pounds, or weighing 711 pounds more than the German shell, the value of the fraction in the formula would be much greater than if you were to substitute for "W" in the formula the weight of the corresponding German shell weighing only 419 pounds, and that the destructive force of the American shell would be much greater, and that the same result would follow if you were to substitute for "W" in the formula the weight of all the other American shells than if you should substitute the weights of the corresponding German shells, which I have shown are much less in weight.

Mr. SHERWOOD. Do you mean when you speak of energy the penetrating power of the shell or the destructive power of the explosive?

Mr. WITHERSPOON. It is the penetrating power. It is generally measured in foot tons. For instance, you take our 13-inch gun and it has a muzzle energy of 40,388 foot tons, which, I understand, means that if that energy could be so harnessed and arranged that it would lift an object right at the muzzle of the gun it would lift 40,388 tons a foot high. That is the way it is measured. As to the bursting charge in the shell, that is a different proposition; that I will get to after a while; but it is very important, and it is just as important almost as the energy given by the charge in the gun that shoots it.

And while I am on that I will explain it. The bigger your shell is the greater the bursting charge you can put in, and the greater its destructive force for that reason. And just to illustrate to you what that means—what is the importance of the bursting charge in the shell—they had an experiment here where they shot a 40-caliber 12-inch gun at two targets, which were upright pieces of steel, one of them 8 inches thick and the other, right behind it, 10 inches thick. The shell struck the first target, 8 inches thick, penetrated it, and went clean through it, and between the first target and the second target the shell exploded, and the explosion was so violent that it thrust the solid part of the shell, or the point, against the other target, 10 inches of steel thick, and it went entirely through it. That shows what the bursting charge will do.

Mr. SHERWOOD. Does not the penetrating power of shells depend upon their velocity and have to do with this question of whether a small shell would not have more velocity than a larger one?

Mr. WITHERSPOON. I will get on to the subject of velocity later. The fact, as I will show you hereafter, that the total weight of all the shells from a broadside of all the American armored vessels weighs 72,000 pounds more than the weight of the shells of a broadside from the entire German armored vessels proves that this factor "W," in determining the striking energy, would be far greater in the American Navy than in the German Navy, assuming all the time the silly proposition that you could ever get these two navies in any such position where they could shoot all those guns. "V^2" is the velocity. The striking energy, therefore, depends upon the weight of the shell and its velocity, and, of course, the velocity depends upon the amount of powder you put behind it, and the bigger the gun is the more powder you can put in and the more velocity you can get. That is what mathematicians say in response to these fellows who are saying the German Navy is superior to ours.

Not only that, but the weight of the shell is an important factor in determining the velocity. The velocity, of course, is the product of the powder, but the velocity that the shell will have at any distance is largely affected by the weight of the shell. Now, if you want to determine the velocity, you would use this formula. Say you wanted to determine the velocity at the end of 9,000 yards, and let "S" represent the 9,000 yards. Then you would have this formula: $S=\frac{W}{id^2}(Sv_2-Sv_1)$, and so forth. The other letters are not important, but you see the "W" is a factor in the formula for determining the velocity itself, and that the greater the weight of the shell the greater the velocity will be, all other things being equal, at any given distance.

Mr. MURRAY of Oklahoma. I would like to ask the gentleman this question——

Mr. WITHERSPOON. Yes, sir.

Mr. MURRAY of Oklahoma. In that formula there do you mean weight multiplied by the square of the velocity, or plus?

Mr. WITHERSPOON. I mean multiplied. They stand right together, and that means multiplication, does it not?

Mr. MURRAY of Oklahoma. Well, hardly.

Mr. WITHERSPOON. You use a different algebra out in Oklahoma than we do down in Mississippi.

Mr. MURRAY of Oklahoma. We use a good many algebras, and they are standard textbooks. I was asking for information simply. You have no figure there to indicate whether that is plus or multiplied, or what. You have your division all right.

Mr. WITHERSPOON. I was never trained to do that. You put a lot of letters together and that means multiply.

Mr. CARTER. They mean multiply in all algebras.

Mr. MURRAY of Oklahoma. But the gentleman's language did not indicate. He said "and." That means plus.

Mr. WITHERSPOON. I want to impress upon you this proposition, that, of course, in determining the destructive force of guns one factor, the weight of the shell, would remain permanent. The shell would weigh the same when it leaves the muzzle of the gun as when it strikes the target. That is permanent; it does not change. The velocity is changing every second. It is getting slower and slower. The proposition I want to submit to you is that a large shell loses its velocity much slower than a small shell. I do not know the reason for that, but I believe it is on account of the proportion between the weight of the shell and the resistance of the atmosphere, or something like that. It is on the same principle that if you were to drop a feather, which is lighter than the air, it would float about. The air would influence it a great deal more than it would lead if you dropped a piece of lead. And that same principle would be carried out in the very largest shell, which would make the resistance of the atmosphere much smaller upon the large shell than on the small one. But, however that may be, the fact is that the large shell does not lose its striking energy and power nearly as rapidly as a small one, and it is also a fact that where you attempt to get a large striking velocity by an overcharge of powder, that kind of a gun loses its striking energy much faster than one with a reasonable charge and a larger shell.

Now, I have a lot of figures here from the ballistic tables, and I want to call your attention to them. We will first take guns of the same size and carrying the same size shell and show you the difference between a gun with a great deal of powder in it and immense velocity and one with a lower charge of powder and less velocity. Now, compare, for instance, our 12-inch gun, 50 caliber, with our 12-inch gun, 35 caliber. The first carries 340 pounds of powder and develops a muzzle velocity of 2,950 foot-seconds.

The other carries only 160 pounds of powder and develops a muzzle velocity of only 2,100 foot-seconds, or 850 less than the other gun.

Now, at the muzzle the high-powered gun will penetrate steel to the depth of 25.7 inches, while the other will penetrate only 14.2. In other words, the high-powered gun at the muzzle exceeds the other in penetration 11½ inches. But when you get 9,000 yards away the high-powered gun will penetrate only 11 inches and the low-powered gun 7.2. In other words, the difference there is only 3.8 inches. At 9,000 yards the difference between the two guns has been reduced from 11½ inches to

3.8 inches; the high-powered gun has lost in 9,000 yards 14.7 inches of its penetration, while the other has lost only 7 inches, or less than half; or one has lost at the rate of an inch and six-tenths of an inch for every thousand yards and the other only seven-ninths of an inch.

You will find the same thing in comparing our 10-inch 40-caliber guns with the 30-caliber guns. The one carries 207 pounds of powder, the other 90. The big load of powder develops 2,700 muzzle velocity of foot-seconds and the other only 2,000, making a difference of 700. Now, at the muzzle the high-powered gun will penetrate steel to a depth of 19.4 inches, while the other will penetrate only 10.7, a difference of 8.7 inches between the two guns. But at 9,000 yards the high-powered gun penetrates only 6.9 inches and the other only 5, a difference there of 1.9 inches. In other words, the destructive power of those guns has been reduced from a difference of 8.7 inches at the muzzle to 1.9, which shows you how rapidly a gun loses its destructive force where it depends for its destructive force not on the weight of the shell but on the amount of powder in the gun.

Now, comparing our two 8-inch guns in the same way, the 45-caliber 8-inch gun carries 98 pounds of powder, and the 35-caliber gun 43 pounds. One has a muzzle velocity of 2,750 and the other 2,100. One has a penetration at the muzzle of 12 inches and the other 8.6, a difference of 3.4 inches. But at 9,000 yards the high-powered gun will penetrate 4.4 inches and the other only 3.6, a difference of eight-tenths of an inch. In other words, that difference has decreased from 3.4 inches at the muzzle to eight-tenths of an inch at 9,000 yards away. That is the value of destructive force when produced solely by the powder that is in the gun.

Now I want to give you two guns with different sized shells, in order to show you how much more rapidly the gun with the smaller shell loses its striking energy than the one with the larger shell. Take, for instance, our 12-inch 50-caliber gun. That has a charge of 340 pounds and a muzzle velocity of 2,950, and has a shell weighing 870 pounds. Compare with that the 13-inch 35-caliber gun, which they claim is the gun with which the weakest ships in our Navy are equipped—and they are the ones that we want to count—with a muzzle velocity of only 2,000, 950 less than the other. At the muzzle the 12-inch gun will penetrate 25.7 inches and the other only 15, a difference of 10.7 inches. At 3,000 yards the 12-inch gun will penetrate 17½ inches and the other only 12 inches, a difference of 5½ inches. At 6,000 yards, 13.9 for the 12-inch gun and 9.7 for the other, making 4.2 difference. At 9,000 yards the 12-inch gun, with a small shell, will penetrate 11 inches and the other 8.1 inches, making a difference of 2.9. In other words, the difference between the two guns at the muzzle is 10.7 inches penetration. At 9,000 yards it is only 2.9 inches difference, and if the table had given it on to long battle range, at this rate the 13-inch gun would have been more destructive than the other. This shows that at 9,000 yards the 12-inch 50-caliber gun loses 14.7 inches of penetration, while the other only loses 6.9, or less than half. Or, in other words, it shows that the gun with the smaller shell loses 1.6 inches of its penetration every 1,000 yards, while the other loses only seven-tenths of an inch every 1,000 yards.

Mr. REED. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from New Hampshire?

Mr. WITHERSPOON. Yes; I will yield.

Mr. REED. Without in any way questioning the veracity of the gentleman's figures, will the gentleman kindly tell me from what compilation of figures they were taken?

Mr. WITHERSPOON. Those last figures were taken from what is called the Elements of United States Naval Guns. That is prepared, I understand, by the Office of Naval Intelligence, in our Navy Department. I have the tables here.

Mr. REED. They are the Government figures, not the Du Pont Powder Co.'s figures?

Mr. WITHERSPOON. Oh, no. I do not take the figures of any trust. I am giving you solid figures when I speak.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. WITHERSPOON. Yes.

Mr. CARTER. The gentleman speaks of "caliber." What does he mean by "caliber"?

Mr. WITHERSPOON. That word "caliber" is used in a way to confuse. I understand, ordinarily, the caliber of the gun to be the diameter of its bore. That is the way we use it in common parlance. But the length of guns in the Navy is always stated in calibers. For instance, you speak of the 12-inch 50-caliber gun. That means that the diameter of the bore is 12 inches and that the length of it is fifty times that caliber, or the diameter, which in that case would make it 50 feet long. That is what I understand "caliber" to mean.

Having shown the principle that a large shell will not lose its striking force nearly as rapidly as a smaller shell, and having shown you that all through our Navy, from the beginning to the end, our shells are a great deal larger than those of Germany, I claim that that proves ours are superior.

But I do not ask you to take my reasoning. I ask you to take the actual results that I am going to give you, taken from one of the highest authorities, and that is Jayne's Fighting Ships of the World. I take it from that authority, not because I know that he is better than any other, but because he is the only authority I can find who gives a table showing the destructive force of both the German and the American guns. I found others giving the figures as to the German guns, and some giving the figures as to ours, but this is the only authority I could find that gives the two side by side, and I took that to mean that they had been calculated by that author according to the same formula and therefore it would be a fair comparison. Let us take them up and compare them.

Starting out with our 13-inch guns and comparing them with the corresponding German guns of 9.4 inches, at 3,000 yards the penetration of our gun is 12 inches and of the German gun 10 inches. At 6,000 yards the penetration of our gun is 9.75 inches and of the German gun is 7 inches, a difference in our favor of 2¾ inches. At 9,000 yards the penetration of ours is 8 inches and of the Germans' 3½, a difference in our favor of 4½ inches, showing that at that distance the destructive force of our gun is twice as great as that of the corresponding German gun.

I call your attention to the fact that in 3,000 yards the difference between the two guns is only 2 inches, but at 9,000 yards it is 4½ inches. The difference is more than twice as great at 9,000 yards as it is at 3,000 yards, demonstrating what I have argued, that where you have a larger shell in your gun it will lose its destructive force less rapidly and be more superior to the other gun the greater the battle range is.

Mr. SHERWOOD. It is more effective.

Mr. WITHERSPOON. Yes.

Mr. HARDY. More penetrating?

Mr. WITHERSPOON. Yes; it will destroy a ship, and put its guns out of action and kill more men and do more devilment generally.

Now, comparing next our 12-inch guns with the corresponding 11-inch gun of the Germans, which I have already described, showing you that our shell weighs 209 pounds more than their shell, we have this result: At 3,000 yards the penetration of our gun is 13.3 inches; of the German gun it is 14 inches. In other words, at that distance the German gun has a penetration of seven-tenths of an inch superior to ours. That undoubtedly is caused by putting more powder in the gun. The amount of powder in the gun when this table was figured was 180 pounds, which is a very small charge, I understand; a reduced charge. But that is evidently the result of the relative proportion of charges of powder, that at 3,000 yards this German gun is seven-tenths of an inch superior to ours. At 6,000 yards the penetration of our gun is 10.5 inches, of the German gun only 10 inches. There you see our gun has gained on it, and it is five-tenths of an inch superior to the German. It has gained 1.2 inches in penetration in 3,000 yards. Again, at 9,000 yards the penetration of our gun is 8.3 inches and of the German gun only 6 inches, giving us a superiority of 2.3 inches at the range of 9,000 yards.

As the German gun starts at 3,000 yards with seven-tenths of an inch greater penetration than ours, it would make a difference of 3 inches in the superiority of our gun at a distance of 9,000 yards, which seems to me to demonstrate the essential superiority of a navy that is built upon the plan of large shells, instead of one like the German Navy, that is built upon the plan of small guns and small shells with a great deal of powder behind them to make up for the deficiency in the size of the gun and the weight of the shells.

Take next our 8-inch gun and compare it with the corresponding German gun of 5.9 inches. At 3,000 yards our gun has a penetration of 8.6 inches and the German gun 3.5 inches. Ours has 5.1 inches greater penetration than the German gun at 3,000 yards; at 6,000 yards the penetration of our gun is 6.1 inches, and the table does not give the German gun any at all. It is not put down, and I suppose that the German shell fell in the water before it went 6,000 yards, and that is the reason they did not put it down. [Laughter.]

Now, comparing our 7-inch gun with their 6.7-inch gun, the penetration of ours at 3,000 yards is 6.4 inches and of theirs is 5 inches, making a difference of 1.4 inches in our favor. At 9,000 yards this author gives the penetration of our gun at 3 inches and does not give any for the German gun. I do not

know whether it had any or not. They may have been ashamed to put it down it was so little.

Taking some of the guns on the dreadnaughts, we have our 12-inch 45-caliber guns. That gun has a penetration of 15.5 inches. The Germans have four of their dreadnaughts armed with 11-inch guns, and at 3,000 yards they have a penetration of 16 inches, or half an inch more than ours. At 6,000 yards the penetration of our gun is 12.3 inches and of theirs 13 inches, making a difference in their favor of seven-tenths of an inch. At 9,000 yards the penetration of our gun is 9.8 inches and of theirs 8.5 inches, giving the superiority of our gun at battle range of 1.3 inches over theirs. That is on four German dreadnaughts, where the superiority of our gun is that much greater than theirs.

The other guns on both fleets are 12-inch guns, and are practically the same, except the 64 14-inch guns, which are much more powerful than any of the others, but which are new guns, the penetration of which was not put down in this table. But Admiral Twining told the committee that these 14-inch guns had a destructive power 50 per cent greater than that of the 12-inch guns. That is his statement before the Naval Affairs Committee. And he not only said that they had 50 per cent greater destructive power, but that a gun of that kind would shoot with 30 per cent more accuracy than the smaller gun, because he said on account of the flatness of the trajectory and the weight of the shell it would be less influenced by forces working upon it and would shoot with 30 per cent more accuracy. If his statement be true as to the difference between the 14-inch and the 12-inch American guns, then it is true all through the comparison of the American and German Navies that our guns, on account of the greater weight of their shells, will shoot with 30 per cent more accuracy than the German's, which is the same thing as saying that it makes our Navy a third greater than theirs on that account. [Applause.]

Mr. BARTHOLDT. Will the gentleman pardon me?

Mr. WITHERSPOON. I yield with great pleasure.

Mr. BARTHOLDT. From the gentleman's standpoint is there any need at all of a comparison between the American and the German Navy?

Mr. WITHERSPOON. There is absolutely no need among that class of people who resemble the gentleman from Missouri and myself, but there is some need, I think, for others who take a different view of it and who have been led into believing that our Navy is inferior to the German Navy.

Mr. BARTHOLDT. What I meant was that Germany is in an entirely different situation than we are. Germany is surrounded by enemies and we are practically isolated.

Mr. WITHERSPOON. Yes.

Mr. HENSLEY. Will the gentleman from Mississippi quote Admiral Vreeland on that proposition of the strength of the navy of Germany and England that would be sent against the United States in case of war?

Mr. WITHERSPOON. I intended to quote that after I had compared the navies to show which one was the greater. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has two minutes remaining.

Mr. HENSLEY. Mr. Chairman, I yield the gentleman 20 minutes more.

Mr. RAGSDALE. Will the gentleman from Mississippi yield for a question?

Mr. WITHERSPOON. I beg the gentleman's pardon, but I will not be able to get through with my speech in the time that I have. The way to tell which navy is superior to the other is to compare one navy with the other, and that is what I have partially done. The way these men that have made you believe that the German Navy is superior to ours is never to compare the American Navy with the German Navy. They could not do it. The way they do it is to pick out a part of the American Navy and compare that to the whole of the German Navy. You never have seen in any magazine or newspaper in this country a single comparison of the American and German Navies, and you will never see it from that crowd. They know better than to try it.

Now I want to show you how they do. You take the Navy Yearbook and you will find that in order to compare a part of our Navy with the entire German Navy the two navies are divided up into three classes—first, battleships; second, dreadnaughts; third, cruisers. Then they give, on page 832, a list of the German battleships, German dreadnaughts, and the German cruisers, and on the other page, 833, they give a list of ours. There they stand side by side. The way they have done that is that they leave out 17 of our armored ships. They leave out 3 of our battleships, they leave out 4 of our armored cruisers, and they leave out all 10 of the monitors—17 armored ships do not appear in the comparison at all.

Then they will take from the dreadnaught class some of our dreadnaughts and put them up as common battleships, so as to make our dreadnaught class look as little as possible, and then come in here and argue about the number of "capital ships." You heard the chairman of the committee tell about 26 capital ships that the Germans have. Well, they are "capital ships." They cost more than any other ships that can be made, especially those battle cruisers, and they afford more profits to "capital" than any other ships that are constructed. [Laughter and applause.] There was never anything more properly named than the "capital ships." [Laughter and applause.]

Another thing about it. Did you ever notice how timid capital is and how it will run away from any danger? Capital never fights, it always wants to run, and a characteristic of these battle cruisers is that they have enormous speed, and there is nothing on the ocean that can catch one. [Laughter and applause.] Of course, they are "capital ships." But there is not any one of them that can whip the *Oregon*—little, old, thin-armored ships that they are; they are not made to fight; they are made to run.

Now, this question of comparison by taking a part of our ships and comparing them with all of the German ships is what they are doing. Why, you could prove that England has the smallest navy in the world by that kind of logic. Let me take England's navy and pick out such parts as I want and then compare it with all the other navies, and I will prove to you by that kind of logic that England has the smallest navy on earth. [Laughter.]

It reminds me of what I saw at a fair that we had in my town last fall, where they had on exhibition what was claimed to be the largest horse in the world. He was a magnificent specimen of horseflesh. I never saw anything like him before, and they also had a little insignificant looking donkey. The logic of these naval spendthrifts has suggested to me how I could prove that the donkey was much bigger than the horse. All I would have to do would be to take the ears of the horse and the ears of the donkey and compare them and make the donkey the larger. [Laughter and applause.]

Now, I want to look into this process. In the first place, in the list they leave out the *Indiana*, the *Oregon*, and the *Massachusetts* battleships. They say that they ought not to be counted or considered at all in comparison with the German Navy. They tell us that these old ships are of no account. The Secretary of the Navy looked at me and said, "The *Oregon* can't fight; you wouldn't call that a fighting ship." That is what he told me I wouldn't do. He didn't know me then. [Laughter.]

Now, the chairman of the committee undertook to prove the worthlessness of the *Oregon* by asking the Secretary of the Navy this question: He pulled out the ballistic table, handed it to the Secretary of the Navy, and said, "Now, Mr. Secretary, you see the penetration of our 50-caliber gun at 9,000 yards is 16.4 inches, is it not?" The Secretary looked at it and said, "Yes." "Now, look at the penetration of the 13-inch gun and you see at the same distance it has a penetration of only 8.1 inches." The Secretary said, "Yes." The chairman said, "That shows, does it not, Mr. Secretary, that the *Oregon's* guns are not half as powerful as the modern gun?" Of course, the Secretary said, "Yes." That is all there was to that. I was astounded. I did not know what it meant. I do not know all about this Navy. That mystified me. I went to the office and wrote the Secretary of the Navy, asking him to send me the table from which he gave that testimony. I looked at it and found it was like he stated; but I found this, too. I found opposite this calculation for 13-inch guns these words: "For 2-caliber radius." Then I found up above for the calculation of the other gun, "7-caliber radius." That was all Hebrew to me, but I got a couple of naval experts. I have one or two myself; they are not all on the other side. [Laughter.] I asked what that meant and they explained it. I found that that made all the difference in the world. The attention of the Secretary of the Navy was not called to that nor was it called to the fact that in the 13-inch gun there was 185 pounds of powder, while in the other gun there was 340 pounds, although the 13-inch gun has a powder chamber several hundred cubic inches greater than the 12-inch gun. Of course, you can put half a load of powder in a gun and make it inferior to any other kind of a gun. So I got the experts to take that and figure it out, using the same formula of the same caliber radius for both guns, and I want to show you what it is.

First figure them both according to the old 2-caliber radius, as given in the British Navy Annual. I find that this is the difference between the two guns. The 12-inch gun at the muzzle

has a penetration of 25 inches and the other 15 inches. At 3,000 yards it has a penetration of 17 inches and the other 12; at 6,000 yards one has 13 and the other 9. Now, we will take it at 9,000 yards. That was what the Secretary testified to, where it was figured according to another formula, where the 12-inch gun had a penetration of 16.4, or over twice as much as the other, and here is what this authority gives it when the table is all figured by the same formula for both guns: The penetration of the 12-inch gun is 11 inches and the other is 8.1 inches, making a difference of only 2.9 inches between the two guns at 9,000 yards, instead of one being twice as great, and even then the 13-inch gun had just about half a load of powder.

Mr. SIMS. Each of those calculations represent the *Oregon?*

Mr. WITHERSPOON. The 13-inch guns. The first eight ships were constructed with 13-inch guns, and they are trying to consign those ships to the scrap pile in order to furnish a pretext for wasting the people's money, and one of the things they are trying to do is to prove that the guns are worthless.

Mr. SIMS. The gentleman did not mention the *Oregon*, although I thought that was what he had in mind.

Mr. WITHERSPOON. That is the fact. I want now to give you what the Naval Pocket Book says about the *Oregon*, or the 13-inch guns on the *Oregon*. On page 431 it gives the muzzle velocity at 2,300 foot-seconds and the muzzle energy at 40,388. That 2,300-foot muzzle velocity is 300 foot-seconds greater than the one given out in this table, where it had such a small reduced load of powder. Put enough powder in the gun to develop a velocity of 2,300 feet a second, and I want to show you what character of gun it is. I have had it figured out by two experts. Taking the gun with the small load of powder and a muzzle velocity of 2,000 foot-seconds, and figuring it for a 7-caliber radius instead of a 2-caliber radius—and if I had time I would like to explain to you what that means—that gun has at the muzzle the power to penetrate Krupp steel, which is the hardest steel made, to the depth of 14.96 inches; at 6,000 yards, 12 inches; at 9,000 yards, 10.72 inches; and at 12,000 yards, 9.6 inches. That is the destructive force of the guns on these old warships at 12,000 yards, which is as far as you can see on the ocean, and I know that is the fact. It will penetrate the hardest steel there is to the depth of 9.6 inches, even with a reduced load of powder.

Mr. SIMS. And yet they say they are obsolete?

Mr. WITHERSPOON. Oh, yes; they are obsolete. Put a little more powder in it and develop a muzzle velocity of 2,300 feet a second, and then you have this, that the penetration at the muzzle would be 17.74 inches; at 6,000 yards, 14.4 inches; at 9,000 yards, 12.86 inches; and at 12,000 yards, 11.76 inches, or nearly 12 inches, and all of the battleships and cruisers in the world do not exceed in thickest armor more than 11 inches. I do not mean that there is not one here and there, but the great mass of the battleships have not armor plate on them where the most of the guns on these ships that the naval spendthrifts want to throw away will not penetrate as far as the human eye can see.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. WITHERSPOON. Yes.

Mr. HUMPHREYS of Mississippi. Is there any reason why they could not put these new guns they claim are better than the old ones on the old ships?

Mr. WITHERSPOON. None in the world. I was going to discuss that if I had the time. The very fact that they do not do that shows, to my mind, that they are not working to increase the efficiency of the Navy. They are working to squander the public funds. [Applause.] We have in our Navy 78 35-caliber guns; 32 of them are 13-inch guns, 6 are 12-inch guns, and then comes 40 8-inch guns, and these could be replaced with 45-caliber guns and probably increase the efficiency of the Navy by 25 per cent; and I am ready to vote for that to-day or any other day. But the difference between that and this bill is that if you were to put the best guns on all of those old ships we have a gun factory that can make those guns and there would be no profit in it to the trust. [Applause.] That is the difference between that and the building of battleships.

There is a great deal about these old ships I wanted to say, but my time is so short that I will cut it all out. But I want to say this: Just say that those ships are worthless. Admit that. Admit it for the sake of argument. Germany has 20 battleships that are compared with our battleships. I tell you that the *Oregon* and the *Indiana* and the *Massachusetts*, the three ships they will not count, are more powerful than any ships in the German predreadnaught Navy [applause], and if our three are not to be counted because they are worthless, then Germany has not a battleship that she ought to count.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. HENSLEY. Mr. Chairman, I yield 10 minutes more to the gentleman.

Mr. WITHERSPOON. Now, if you will give me your attention, I want to compare the *Oregon* with all of the 20 German battleships; and, first, I compare them by the weight of metal in a broadside. The weight of all the metal in the guns of the *Oregon* from a broadside would be 6,600 pounds of steel. It has four 13-inch shells weighing 1,130 pounds, making 4,520 pounds, and eight 8-inch shells weighing 260 pounds, making 2,080 pounds, giving a total of 6,600 pounds that a broadside from the *Oregon* weighs. Now, you take the first five German ships, and they each have four 9.4-inch guns, with shells weighing 419 pounds, or 1,676 pounds, and fourteen 5.9-inch guns, with a shell weighing 101 pounds, making 1,414 pounds, in all making 3,090 pounds. Comparing this with the *Oregon* as to weight of metal in a broadside, it is 6,600 from the *Oregon* and the German battleships only have 3,090 pounds, less than one-half, or a difference of 3,510 pounds of steel in favor of the *Oregon*, so far as the broadside is concerned. Now, taking the second five German vessels, which are just like the others, except instead of having fourteen 5.9-inch guns they have 18; a broadside from each one of those second five German vessels weighs 3,494 pounds, which is a little more than one-half of the weight of the broadside from the *Oregon*, or, in other words, a broadside from the *Oregon* exceeds that from any one of those five ships by 3,106 pounds. Now, with the last 10 German ships, which are superior to the others, the weight of a broadside from each one of them is 4,800 pounds, which is just 1,800 pounds less than a broadside from the *Oregon*. [Applause.] Now, take next the muzzle energy. The muzzle energy of the *Oregon* is 40,388 foot tons—I am speaking of the 13-inch guns on the *Oregon*—and the muzzle energy is 40,388 foot tons.

The muzzle energy from the big guns of the first 5 German battleships is 16,855 foot tons, or just about 8,000 less than half what it is on the *Oregon*. Now, you take the next 5 German battleships and the muzzle energy from them is 22,215 foot tons, or just a little over one-half the muzzle energy of the big guns on the *Oregon*. Now, take the last 10 German ships and the muzzle energy of the big guns is 35,270 foot tons, which is 5,000 foot tons less than the muzzle energy of the big guns of the *Oregon*. So when you come to the muzzle energy there is not a battleship on the German side that is any more equal to the *Oregon* than when you consider the weight of the broadside from the vessels. Now, in the next place, take the armor. The *Oregon*, the *Indiana*, and the *Massachusetts* have the thickest armor, are the best protected vessels I have ever seen any description of in the world. [Applause.] I am not going to detain you with a detailed description, but I will just take out three of the most important points on a vessel. On the *Oregon* the belt is protected by 18 inches of harveyized steel. The bulkhead and the main gun position is protected by 17 inches of harveyized steel, and I have never seen a description of any other ship that had as much armor on it as that. Now I want to compare that with the German ships, and in order to do that I have got to reduce the harveyized steel to the German Krupp steel, which is the kind that the German vessels have on them. You take the penetration of a shell in harveyized steel and then eight-tenths of that will give you the amount of the depth that shell will penetrate Krupp steel, so reducing that 18 inches and 17 inches to Krupp steel we would have the belt of the *Oregon* protected by Krupp steel 14.4 inches thick, while the belt of the first five German battleships is protected by steel 12 inches thick, or 2.4 inches thinner than the belt of the *Oregon*. Now, comparing the *Oregon* in that respect with the other 15 battleships their belt is protected by Krupp steel 9 inches thick, which is just 5.4 inches thinner than the belt on the *Oregon*.

Now, coming to the bulkhead of the *Oregon*, that would be protected by Krupp steel 13.6 inches thick. On the first 5 German battleships they have their bulkhead protected by Krupp steel 8 inches thick, which is 5.6 inches less than the *Oregon* has her bulkhead protected by. Then the second 5 German ships are protected for their bulkhead by 6-inch steel, which is 7.6 inches thinner than the *Oregon* has on her; and the other 10 German battleships, if they have any protection on the bulkhead at all, the British Navy Annual does not give it. Now, that is the way they stand here. Now take the other position, the main gun position. I find the comparison is not so much in our favor. The *Oregon* is protected by 13.6 inches. The first 10 German battleships are protected by 10 inches, which is a difference of 3.6 in favor of the *Oregon;* and the last 10 German battleships are protected by—that is, the main gun position—11 inches, which is 2.6 less than that on the *Oregon*. That is the way this *Oregon* compares with the German 20 battleships in that par-

ticular. Now, coming down to the final point, and that is the destructive force of the guns. At 9,000 yards the big guns of the *Oregon* will penetrate Krupp steel to a depth of 10.72 inches.

At the same distance the 9.4-inch guns on the first 5 German battleships have a penetration of 3½ inches, or less than one-third the penetration of the guns on the *Oregon*. Now, comparing them with the second 5 German battleships at 9,000 yards, they have a penetration of 4 inches, which is 6.72 inches less than the penetration of the big guns on the *Oregon*, and comparing it with the guns on the last 10 German battleships—that is, their 11-inch guns—they have at the distance of 9,000 yards a penetration of 6 inches, which is 4.72 inches less than the penetration of the big guns on the *Oregon*. So in point of weight of the metal in a broadside, in point of the muzzle energy, in point of protection by their armor, in point of the destructive forces of the gun, there is not a battleship in the German line that is near equal to the *Oregon*. [Applause.] The truth of the business is if the *Oregon* was in a battle with any 6 German battleships it would destroy every one of them before they would get close enough for their guns to penetrate its armor. [Prolonged applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. FITZGERALD having resumed the chair as Speaker pro tempore, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14034, the naval appropriation bill, and had come to no resolution thereon.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock p. m.) the House adjourned until 12 o'clock noon, Sunday, April 19, 1914.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BURKE of South Dakota, from the Committee on Indian Affairs, to which was referred the bill (S. 4632) for the relief of settlers on the Fort Berthold Indian Reservation, in the State of North Dakota, and the Cheyenne River and Standing Rock Indian Reservations, in the States of South Dakota and North Dakota, reported the same with amendment, accompanied by a report (No. 546), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. OLDFIELD, from the Committee on Patents, to which was referred the bill (H. R. 15220) to amend sections 4888 and 4889 of the Revised Statutes, relating to patents, reported the same without amendment, accompanied by a report (No. 552), which said bill and report were referred to the House Calendar.

Mr. BURKE of Wisconsin, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 15605) to amend an act entitled "An act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States," approved June 7, 1897, reported the same with amendment, accompanied by a report (No. 553), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the bill (S. 4167) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of other wars than the Civil War, and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 547), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 4353) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 548), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3258) granting a pension to Charles A. Lyon; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11789) granting a pension to Anna Lefevre; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15479) granting an increase of pension to Charles F. Wilson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 15798) authorizing the Secretary of War to donate one cannon, with its carriage and cannon balls, to the city of Horton, Kans.; to the Committee on Military Affairs.

By Mr. FERGUSSON: A bill (H. R. 15799) to provide for stock-raising homesteads, and for other purposes; to the Committee on the Public Lands.

By Mr. STEENERSON: A bill (H. R. 15800) to authorize the sale of timber on Red Lake Reservation, in the State of Minnesota; to the Committee on Indian Affairs.

By Mr. BAKER: A bill (H. R. 15801) to increase the limit of cost for post-office site and building at Burlington, N. J.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15802) to increase the limit of cost of post-office site and building at Millville, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: A bill (H. R. 15803) to amend an act entitled "An act to authorize the sale of certain lands belonging to the Indians on the Siletz Indian Reservation, in the State of Oregon," approved May 13, 1910; to the Committee on Indian Affairs.

By Mr. L'ENGLE: A bill (H. R. 15804) to amend provision of sundry civil act approved March 4, 1911, for new breakwater, etc., at marine hospital, Key West, Fla.; to the Committee on Appropriations.

By Mr. ADAMSON: A bill (H. R. 15805) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 23, 1910; to the Committee on Interstate and Foreign Commerce.

By Mr. TALBOTT of Maryland: Resolution (H. Res. 479) authorizing the Clerk of the House to pay, out of the contingent fund of the House, to Sarah E. Coates, widow of Robert Coates, certain sums of money; to the Committee on Accounts.

Also, resolution (H. Res. 480) amending House resolution No. 145, Fifty-ninth Congress, first session; to the Committee on Accounts.

By Mr. STEENERSON: Resolution (H. Res. 481) directing that the report of the drainage survey of the diminished Red Lake Reservation, with illustrations, be printed as a public document; to the Committee on Printing.

By Mr. KENT: Joint resolution (H. J. Res. 250) authorizing the Secretary of the Interior to make an approximate classification of the unreserved unappropriated public lands of the United States; to the Committee on the Public Lands.

By Mr. ROGERS: Memorial of the General Court of the Commonwealth of Massachusetts, relative to the restriction of immigration; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 15806) granting a pension to James R. Storms; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 15807) granting an increase of pension to Henry Thompson; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 15808) granting an increase of pension to Charles Harris; to the Committee on Invalid Pensions.

By Mr. BRITTEN: A bill (H. R. 15809) granting a pension to Edward Louden; to the Committee on Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 15810) for the relief of Ezra Dominy; to the Committee on War Claims.

By Mr. BYRNS of Tennessee: A bill (H. R. 15811) for the relief of D. W. Cuffman, administrator of the estate of Josephus Cuffman, deceased; to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 15812) for the relief of Josiah Wilcox; to the Committee on Military Affairs.

By Mr. CARTER: A bill (H. R. 15813) for the relief of James M. Ray; to the Committee on Military Affairs.

Also, a bill (H. R. 15814) granting an honorable discharge to John T. Turner; to the Committee on Military Affairs.

By Mr. EDMONDS: A bill (H. R. 15815) granting a pension to Gustavus A. Kauffman; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 15816) granting an increase of pension to Squire Grose; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 15817) granting an increase of pension to James T. Sefton; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 15818) granting an increase of pension to Smith C. Ferguson; to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 15819) granting an increase of pension to Gilbert P. Brant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15820) granting an increase of pension to James H. Mason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15821) granting an increase of pension to George T. Murray; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Connecticut: A bill (H. R. 15822) granting a pension to Ellen Crane; to the Committee on Pensions.

Also, a bill (H. R. 15823) granting an increase of pension to William B. Dudley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15824) granting an increase of pension to Mary C. Riggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15825) granting an increase of pension to Peter Zarr; to the Committee on Pensions.

By Mr. KENT: A bill (H. R. 15826) for the relief of Carrie A. Notley; to the Committee on Claims.

By Mr. MURRAY of Oklahoma: A bill (H. R. 15827) for the relief of A. W. Holland; to the Committee on Claims.

By Mr. O'SHAUNESSY: A bill (H. R. 15828) granting a pension to John G. Homan; to the Committee on Pensions.

Also, a bill (H. R. 15829) for the relief of Berger M. Boreson; to the Committee on Claims.

By Mr. RAKER: A bill (H. R. 15830) for the relief of James M. Wiley; to the Committee on Military Affairs.

By Mr. ROGERS: A bill (H. R. 15831) granting a pension to Flora H. Whitney; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 15832) granting an increase of pension to George W. Roush; to the Committee on Invalid Pensions.

By Mr. TEN EYCK: A bill (H. R. 15833) for the relief of Henry C. Romaine; to the Committee on Military Affairs.

By Mr. UNDERHILL: A bill (H. R. 15834) granting a pension to Mary H. De Waine; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 15835) granting an increase of pension to John A. Wanless; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15836) granting an increase of pension to George W. Bransford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15837) granting an increase of pension to Peter R. Matthew; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of sundry citizens of the States of Michigan, Indiana, Texas, and Minnesota, protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. ANDERSON: Petition of sundry citizens of Winona, Minn., against national prohibition; to the Committee on the Judiciary.

Also, petition of the German Methodist Episcopal Church, of Owatonna, Minn., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Duluth Typographical Union, No. 136, favoring passage of the Bartlett-Bacon bill (H. R. 1873); to the Committee on the Judiciary.

By Mr. ANSBERRY: Petition of the Hickory Grove Sunday School, Church of the Brethren, protesting against passage of House bill 11312; to the Committee on Military Affairs.

By Mr. ANTHONY: Petition of 4,392 citizens of Topeka, Kans., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of the Presbyterian Church of Wooster, the Methodist Episcopal Sunday School of Wooster, and the United Brethren Church of Coshocton, all in the State of Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

Also, petitions of the Women's Christian Temperance Unions of Coshocton, Dalton, Fredericksburg, Reedsburg, Ritman, Pataskala, and Wooster, all in the State of Ohio, in favor of nation-wide prohibition; to the Committee on the Judiciary.

By Mr. BALTZ: Petition of 211 citizens of Sorento, 100 citizens of Edwardsville, 13 citizens of Nashville, and 30 citizens of Belleville, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BATHRICK: Petition of 648 citizens of Conneaut, 50 citizens of Rouse, 3 citizens of Kent, 200 citizens of Niles, 250 citizens of Warren, and 65 citizens of East Lordstown, all in the State of Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. G. H. Peckham, of Hiram, Portage County, Ohio, favoring franchise for women; to the Committee on the Judiciary.

By Mr. BELL of California: Memorial of the California Dry Federation, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BROWN of Wisconsin: Petitions of 2,354 citizens of the eighth congressional district of Wisconsin, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BROWNING: Petition of sundry citizens of Penns Grove, 101 citizens of Haddon Heights, 42 citizens of Williamstown, 7 citizens of Salem, 47 citizens of Davetown, 40 citizens of Glassboro, and the Methodist Episcopal Church of Clarksboro, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BURKE of South Dakota: Petitions of sundry citizens of South Dakota, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of W. English, of Dewey County, S. Dak., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. COOPER: Petition of 300 citizens of Dela, 58 citizens of Lake Geneva, 46 citizens of Springfield, all in the State of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

By Mr. COVINGTON: Petitions of 25 citizens of Crumpton, 43 citizens of Preston, 125 citizens of Stevensville, and 21 citizens of Carmichael, all in the State of Maryland, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DALE: Petition of sundry citizens of New York, against national prohibition; to the Committee on the Judiciary.

Also, resolutions of the Western Governors' Conference, relative to control by the United States of water powers of a State; to the Committee on the Public Lands.

Also, petition of Smith & Holden, of New York, relative to Senate bill 2269, to establish a uniform standard barrel for all fruits, etc.; to the Committee on Coinage, Weights, and Measures.

Also, petition of the Medical Society of the County of Kings, N. Y., against transferring library of the Surgeon General's office to the Library of Congress; to the Committee on Military Affairs.

By Mr. DANFORTH: Petitions of 40 citizens of Clarendon, 72 citizens of Albion, 189 citizens of Elba, 60 citizens of Wyoming, 856 citizens of Perry, 600 citizens of Attica, and 125 citizens of Morton, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of David S. Wilder, of Attica, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the board of directors of the Philadelphia Bourse, urging that bills for the regulation of business be deferred to next session of Congress; to the Committee on the Judiciary.

Also, petition of the Socialist Party of the District of Columbia and the Congressional Union for Woman Suffrage, of Washington, D. C., favoring House joint resolution 1, for franchise for women; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of 49 members of the Reformed Presbyterian Church of Eskridge, Kans., protesting against the practice of polygamy; to the Committee on the Judiciary.

By Mr. EDMONDS: Petition of Rev. Dr. Russell H. Cornwell, of Temple College, Philadelphia; Rev. W. H. Bask and Rev. F. T. H. Finn, of Washington Memorial Chapel, of Valley Forge; and 45 business concerns and professional newspaper men of Philadelphia, all in the State of Pennsylvania, favoring Union volunteer officers of the Civil War retired-list bill; to the Committee on Military Affairs.

By Mr. ESCH: Petition of the Medical Society of Milwaukee County, Wis., protesting against the Nelson amendment to House bill 6282, the antinarcotic bill; to the Committee on Ways and Means.

Also, petition of the Philadelphia (Pa.) Bourse, favoring deferring all bills for the regulation of business to the next session of Congress; to the Committee on Interstate and Foreign Commerce.

By Mr. FARR: Petition of Local Unions Nos. 1428 and 526, of Scranton; Local Unions Nos. 1013 and 1133, of Taylor; and Local Union No. 1229, of Priceburg, all of the United Mine Workers of America, in the State of Pennsylvania, protesting against treatment of miners of Colorado and Mother Jones; to the Committee on the Judiciary.

By Mr. FLOYD of Arkansas: Petitions of sundry citizens of the State of Arkansas, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of the State of Arkansas, protesting against passage of the Sunday-observance bill; to the Committee on the District of Columbia.

Also, petition of the First National Bank of Berryville, Ark., favoring an amendment to the income-tax law; to the Committee on Banking and Currency.

Also, papers to accompany a bill (H. R. 15816) granting an increase of pension to Squire Grove; to the Committee on Pensions.

By Mr. GALLIVAN: Petitions of sundry citizens of the twelfth congressional district of Massachusetts, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of the Woman's Christian Temperance Union of Taylorville, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HULINGS: Petition of 704 citizens of Warren County, Pa., and 51 citizens of Mercer County, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KAHN: Petition of the Ex-Union Volunteer Officers' Association, against changing the United States flag; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of sundry citizens of Providence; the Blackstone Valley Woman's Christian Temperance Union, of Woonsocket; and the Rhode Island Woman's Christian Temperance Union, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Beebe & Runyan Furniture Co., of Omaha, Nebr., favoring passage of House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

By Mr. KONOP: Petitions of sundry citizens of Appleton, Wis., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the State Medical Society of Wisconsin, protesting against Nelson amendment to House bill 6282, the antinarcotic bill; to the Committee on Ways and Means.

Also, petitions of 23 citizens of Crandon, Wis., and 200 citizens of Sister Bay, Wis., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 6,754 voters in the ninth congressional district of Wisconsin, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LEVY: Petition of Smith & Holden, of New York City, protesting against amendment to Senate bill 2269, relative to the cranberry barrel; to the Committee on Coinage, Weights, and Measures.

By Mr. LONERGAN: Petition of the International Reform Bureau (Inc.), Washington, D. C., favoring the Smith-Hughes bill for Federal censorship of moving pictures; to the Committee on Education.

By Mr. McANDREWS: Petition of 7,203 citizens of the sixth district of Illinois, against national prohibition; to the Committee on the Judiciary.

By Mr. MANN: Petition of sundry citizens of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

Also, petition of the employees of the Bureau of Animal Industry located at National Stock Yards, Ill., favoring the Lobeck bill (H. R. 9292) relative to salaries of employees in Bureau of Animal Industry; to the Committee on Agriculture.

By Mr. MARTIN: Petition of the executive committee of the South Dakota Press Association, favoring Adair bill, giving newspapers right to accept transportation in exchange for advertising; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens of Chamberlain, S. Dak., favoring House bill 12928, relative to compensatory time for Sunday work in Post Office Department; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Chamberlain, S. Dak., against Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. MURRAY of Oklahoma: Petitions of sundry citizens of Gracemont, Paoli, and Edmonds, Okla., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Oklahoma Retail Jewelers' Association, favoring passage of House bill 2972, relative to fraud in gold-filled watchcases; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSON: Petitions of 270 citizens of Richland Center, 120 citizens of Stoughton, 105 citizens of Brooklyn, 866 citizens of Platteville, 15 citizens of Verona, 44 citizens of Dodgeville, 300 citizens of Cassville, 19 citizens of Bloomington, 35 citizens of Mazomaine, 62 citizens of Montford, 68 families of Madison, 916 citizens of Stoughton, 40 citizens of Monroe, 75 citizens of Belleville, 103 citizens of Arena, 250 citizens of Dodgeville, 50 citizens of Rewey, 37 citizens of Lancaster, 40 citizens of Soldiers Grove, 110 citizens of Mineral Point, and 100 citizens of Oregon, all in the State of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Platteville; sundry citizens of Platteville, Rewey, and Woodman; and 6 Protestant churches of Dodgeville, all in the State of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

By Mr. O'BRIEN: Petition of the Kaufmann & Strauss Co., of New York, and 1,748 citizens of the ninth congressional district of New York, against national prohibition; to the Committee on the Judiciary.

Also, petition of F. W. Raufer, of Brooklyn, N. Y., favoring House bill 12471; to the Committee on Naval Affairs.

Also, petition of Smith & Holden, of New York, relative to Senate bill 2269, to establish a uniform barrel for all fruits, etc.; to the Committee on Coinage, Weights, and Measures.

By Mr. O'LEARY: Petitions of Gustav Holzhauer, of Middle Village, N. Y., and Francis J. Heil, of Ramblerville, Long Island, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petition of the Philadelphia Bourse, favoring the postponement to the next session of Congress of all bills for the regulation of business; to the Committee on the Judiciary.

Also, petitions of 52 citizens of Jamestown; 300 citizens of Pawtucket; the Hope Congregational Church, of Providence; the Rhode Island Baptist State Convention, Providence; and sundry citizens of Providence, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Rhode Island, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Providence (R. I.) Typographical Union, favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

By Mr. REED: Petitions of 800 citizens of Concord, 21 citizens of Brentwood Corner, 100 citizens of Penacock, 50 citizens of Seabrook, 36 citizens of Wolfeboro Falls, 150 citizens of Laconia, 120 citizens of Franklin, 130 citizens of Somersworth,

200 citizens of Rochester, 60 citizens of Gilford, 50 citizens of Manchester, 31 citizens of Fremont, and 20 citizens of Glencliff, all in the State of New Hampshire, favoring national prohibition; to the Committee on the Judiciary.

By Mr. REILLY of Wisconsin: Petition of 6,930 citizens of the sixth congressional district of Wisconsin, against national prohibition; to the Committee on the Judiciary.

By Mr. SCULLY: Petitions of 160 citizens of Stelton, 40 citizens of Tuckerton, 40 citizens of New Brunswick, 93 citizens of Asbury Park, 110 citizens of Point Pleasant, 38 citizens of Bayhead, and sundry citizens of Monmouth and Ocean Counties, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SLOAN: Petition of John Stohl, of Stromsburg, Nebr., protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of Mrs. S. W. Avery, Mrs. S. M. Cole, Mrs. J. O. De Land, and Mrs. Mary M. Robbins, of Fairmont; Mrs. A. Grace Hamer, of Scottsbluff; J. M. Chapman, W. A. Greenslit, Frank B. Ludden, H. A. Tobey, Mrs. H. A. Tobey, Elizabeth Coleman, Mrs. Ellen Klinger, and J. C. Coleman, of Surprise; and Mrs. R. I. Cross, of Geneva, all in the State of Nebraska, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STAFFORD: Petition of 23,638 citizens of the fourth congressional district of Wisconsin, against national prohibition; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of E. T. Hughes, secretary of Duluth Typographical Union, No. 136, and others, urging favorable consideration and passage of the bills H. R. 1873 and S. 927, the Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Pennington County, Minn., favoring passage of House bill 12928, retaining section 6, to amend the postal and civil-service laws; to the Committee on the Post Office and Post Roads.

Also, petitions of 40 citizens of Angus, Minn., and 25 citizens of Euclid, Minn., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of J. N. Huddleson and others, of Pennington County, Minn., against House bill 7826, to provide for closing barber shops in the District of Columbia; to the Committee on the District of Columbia.

By Mr. TEN EYCK (by request): Resolutions adopted by the South Presbyterian Church, of Albany, N. Y., representing 255 members, and by the Baraca Class, representing 18 young men, relating to national prohibition; to the Committee on the Judiciary.

Also (by request), resolutions adopted by the St. Luke's Methodist Episcopal Church, of Albany, N. Y., representing 375 members, relating to national prohibition; to the Committee on the Judiciary.

Also (by request), resolutions adopted by the First Reformed Sunday School of Albany, N. Y., representing 169 members, relating to national prohibition; to the Committee on the Judiciary.

Also (by request), resolutions from the official board of Trinity Methodist Episcopal Church, of Albany, N. Y., representing 780 members, relating to national prohibition; to the Committee on the Judiciary.

By Mr. VOLLMER: Petition of Albert Hermann, W. W. Schlichting, Louis Eggert, A. B. Parkhurst, and 78 other citizens of Iowa, against national prohibition; to the Committee on the Judiciary.

By Mr. WALLIN: Petitions of various churches in the thirtieth New York congressional district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of Harry Spilka, of Alger, Ohio, protesting against the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of David Hosler and 42 other citizens of Findlay, Ohio, protesting against the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

By Mr. WINGO: Petitions of sundry citizens of Sebastian County, Ark., and officers of Local 55 of Bartenders of Arkansas, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. WOODRUFF: Petition of various voters of Alpena, Arenac, Ogemaw, and Bay Counties, all in the State of Michigan, protesting against national prohibition; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

SUNDAY, *April 19, 1914.*

The House met at 12 o'clock noon.

The Clerk read the following communication:

APRIL 18, 1914.

Hon. SOUTH TRIMBLE,
Clerk of the House.

I hereby designate Mr. DOREMUS, of Michigan, to preside on Sunday, April 19, at the ceremonies in honor of the late Senator CHANDLER, of Michigan.

CHAMP CLARK, *Speaker.*

Mr. DOREMUS assumed the chair as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we meet here on this peaceful Sabbath day under the dome of our great Capitol in memory of one of Michigan's illustrious sons, whose statue has been presented to the Nation. Long may his memory live, and longer yet his deeds inspire those who shall come after us to patriotism and loyalty to the principles of life, liberty, and the pursuit of happiness for all men, of all climes, of all times, that the flag of our Union may be upheld in peace or in war now and forever in the spirit of righteousness, truth, and justice, and Thine be the praise, in His name. Amen.

The SPEAKER pro tempore. The Clerk will read the Journal of the proceedings of yesterday.

Mr. HAMILTON of Michigan. Mr. Speaker, I ask unanimous consent that the reading of the Journal be dispensed with.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. HAMILTON] asks unanimous consent that the reading of the Journal be dispensed with. Without objection, it is so ordered.

There was no objection.

STATUE OF ZACHARIAH CHANDLER.

The SPEAKER pro tempore. The Clerk will read the special order for to-day.

The Clerk read as follows:

House resolution 436.

Resolved, That exercises appropriate for the reception and acceptance from the State of Michigan of the statue of Zachariah Chandler, erected in Statuary Hall, in the Capitol, be made the special order for Sunday, April 19, 1914.

Mr. SAMUEL W. SMITH. Mr. Speaker, I move the adoption of the following resolution.

The SPEAKER pro tempore. The gentleman from Michigan moves the adoption of the resolution which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 36.

Resolved by the House of Representatives (the Senate concurring), That the thanks of Congress be presented to the governor, and through him to the people of Michigan, for the statue of ZACHARIAH CHANDLER, whose name is so honorably identified with the history of that State, and of the United States.

Resolved, That this work of art is accepted in the name of the Nation and assigned a place in the old Hall of the House of Representatives, already set aside by act of Congress for statues of eminent citizens, and that a copy of this resolution, signed by the President of the Senate and the Speaker of the House of Representatives, be transmitted to the governor of the State of Michigan.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The question was taken, and the resolution was unanimously agreed to.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Michigan [Mr. HAMILTON].

Mr. HAMILTON of Michigan. Mr. Speaker, these statues commemorate in stone and bronze the qualities that have made men great in the flesh.

What were the qualities of Zachariah Chandler that single him out from the long roll of Michigan's distinguished dead?

It is not because he was a United States Senator and a successful business man that his statue is here.

Statues are not erected to public office nor to business success. Nobody stops to inquire how much of an estate Cæsar or Shakespeare left.

A public place is only an opportunity. In it a small man looks smaller, just as a small statue on a big pedestal looks smaller by contrast.

Chandler died a rich Senator; but if that summed up Chandler, no statue would be erected to him.

If you pick out a man in an assembly of distinguished men and ask who he is, you are given a name, and the name tells you who he is, because the name carries with it a reputation—that is, the name stands for something.

The name Zach Chandler stands for honesty, sincerity, resolution, courage, convictions, and fighting patriotism.

And it stands for something more than these qualities; it stands for the thing we call personality.

There are eminent men in public life who keep their emotions in cold storage and arrive at conclusions by a process of cold reasoning accelerated by expediency.

Chandler's intellect was fired by the intensity of his convictions.

Chandler was sincere. It is hard to beat an accomplished, unscrupulous, versatile, and experienced hypocrite; but Chandler had in him a fierce, uncompromising intolerance for shams that made hypocrisy shrivel up.

I have a theory that if a man carries around with him the internal consciousness of being a sham, he will eventually cave in.

Chandler was sound to the core and stood the test of every emergency and of every responsibility.

Chandler was not a genius. He was a common man in an uncommon degree.

Congress goes on forever, and now and then grinds out some reputations, few of which survive; but Chandler stands out against the background of years as one of a group of men of a critical time uncompromisingly devoted to the Union and to freedom.

THE PURITAN STRAIN.

Zachariah Chandler was born at Bedford, N. H., December 10, 1813, of a line of Puritan ancestors.

Maurice Low, in his book, The American People, says:

> The Bible was the Constitution of the Puritan. * * * Whether he worked or played, whether he sat in meeting house or in the general court, whether he tilled his fields, or snatched up his musket at the sound of an Indian alarm, wherever he went or whatever he did, he took his creed with him, for it was the criterion of right living, the benison of Divine grace.

Of the founders of New England Lowell says:

> Faith in God, faith in man, faith in work—this is the short formula in which we may sum up the teachings of the founders of New England, a creed simple enough for this life and the next.

From these people, into the fiber of whose being was woven the Puritan strain—from these people of sinewy frames, iron wills, keen eyes, steady hands and bold hearts; from these people, nurtured by a rough and stubborn soil, fronted by "a stern and rock-bound coast," came Zachariah Chandler, afterwards known as the great war Senator of Michigan.

He worked on a farm summers and went to district school winters.

He had two winters of academic instruction, taught school one term, worked in the store of Kendrick & Foster, of Nashua, N. H., in 1833, and in the fall of that year moved to Detroit and went into the dry goods business.

He was then 20 years old, tall, gaunt, awkward and wiry, of plain manners, plain speech, and great energy.

He worked hard, slept in the store, and lived on $300 a year.

His business expanded from a local retail trade to a State-wide wholesale trade and as his business widened he commenced and continued the custom of visiting his customers throughout the State once a year.

In this way he gained an intimate knowledge of the resources of the State and a wide acquaintance with the people, which contributed to his success in business and in politics.

MICHIGAN TERRITORY.

Men are affected by their environment—by the stage on which they play their parts.

The year Chandler came to Detroit it was announced that a stage line would be established by which travelers could go from Detroit to Chicago in five days. We run through now in about six hours.

Michigan Territory, as defined by Congress in 1834, comprehended what is now Michigan, Wisconsin, Iowa, Minnesota, the east half of South Dakota, and the east two-thirds of North Dakota.

By the census of 1830 the civilized population of this vast domain was less than 33,000.

Then there were only 23 miles of railroad in the United States, and there was not a gas-light, electric-light, telegraph, telephone, or corporate combination in the world.

The Niles Register reported in 1834 that the arrivals in Detroit had reached 960 in one day and that "the streets were full of wagons, loading and departing for the West."

Statues are milestones, which tell us how far and in what direction we have traveled.

The formative period of our political history runs approximately from the Articles of Confederation down to 1820. The rise and fall of the Whig Party covers the years from 1820 to 1856, and the period of Civil War and reconstruction runs from 1856 to 1876.

COMPROMISE AND THE END OF COMPROMISE.

Events do not spring up accidentally. History has its premises and its conclusions.

The Missouri compromise of 1820 forever prohibited slavery north of 36 degrees and 30 minutes north latitude in all the Louisiana Territory.

In 1844 Texas became a State, and in all the discussion of Clay's omnibus bill of 1850 there was no suggestion that its compromises were intended to supersede or in any way to change the Missouri compromise line.

The treaty of Guadalupe Hidalgo, February 2, 1848, gave us Texas, California, and New Mexico, which then included Arizona, and the Rio Grande became part of our southwestern boundary.

In 1849 no policy had been agreed upon concerning slavery in our Territories, and a smoldering excitement possessed the public mind.

The Free Soil spirit was growing stronger in the North, pro-slavery aggressiveness was growing stronger in the South, and the controversy had been inflamed by the finding of gold in California in 1848.

It was under these conditions that Mr. Clay offered his three compromise measures.

The first was the so-called "omnibus bill," which provided for the admission of California as a State, the organization of Utah and New Mexico as Territories without any restriction as to slavery, the adjustment of the Texas boundary line, and the payment of $10,000,000 to Texas for her claims on a part of New Mexico; the second was a fugitive-slave law; and the third prohibited the slave trade in the District of Columbia.

After these compromises, notwithstanding the irritation of the fugitive-slave law, and notwithstanding the appearance of "Uncle Tom's Cabin," a quiet settled upon the people like a lull before a storm.

In his message of December 5, 1853, Franklin Pierce congratulated the country on the "restored sense of repose in the public mind," and within a month Stephen A. Douglas, chairman of the Senate Committee on the Territories, with the approval of the President, reported a bill to organize the Territory of Nebraska, which was recommitted and reappeared as a bill to organize two Territories—Kansas and Nebraska.

It provided that all laws of the United States should be extended to the proposed Territories, except the compromise section of "the act preparatory to the admission of Missouri;" which, being inconsistent with the principles of the Clay compromise measures, was declared inoperative and void.

It declared that "the true intent and meaning of the bill" was not to legislate slavery into or exclude it from any State or Territory, but to leave the people free to form and regulate their own domestic institutions in their own way, subject to the Constitution of the United States; and finally it provided that the fugitive-slave law should extend to the Territories.

This bill removed what Sumner called "the landmarks of freedom."

In the white heat of intense feeling the people began to divide on the issue of slavery, and the fight for the soil of Kansas and Nebraska hurried the Nation on to civil war.

THE REPUBLICAN PARTY AND CHANDLER.

The Kansas-Nebraska bill became a law May 31, 1854, and 36 days afterwards the Republican Party came into being "under the Oaks" at Jackson, Mich., as the incarnation of an aroused national conscience.

Chandler was among the leading spirits of that meeting.

He had been elected mayor of Detroit in 1851, and had been nominated and defeated for governor of Michigan in 1852. Like Saul, the son of Kish, the spirit of prophecy had come upon him, and he had turned from his own business to the business of his country.

In the campaign of 1854 Democratic newspapers called him in derision "the traveling agent of the new Abolition Party."

The days from fifty-four to fifty-six were radical, robust, resolute days in Michigan, and Chandler was everywhere in the midst of the fight.

The term of Lewis Cass as Senator from Michigan expired March 4, 1857, and Chandler was elected to succeed him.

The Senate met in special session March 4. Senators took the oath of office in groups of four, and Chandler was sworn in with Jefferson Davis.

Twenty-two years afterwards, while the wounds of war were not yet healed, while yet the fierce antagonisms of warring sections were not yet cooled, aroused by fulsome eulogies of Davis in the Senate, Chandler recalled that first oath of office and in one of the most impressive speeches of his lifetime, charged that "with treason in his heart and perjury on his lips" Jefferson Davis "took the oath to sustain the Government that he meant to overthrow."

Chandler entered the Senate with an intense hatred of slavery and without an ounce of compromise in him.

He entered the Senate at a time when the followers of John C. Calhoun saw that the only alternative was extermination of slavery or secession.

His first prepared address was on the Le Compton constitution.

In 1857 the Dred Scott decision further fed the antislavery flame, and a year later the whole country was listening with intense interest for news from the prairies of Illinois, where the Lincoln-Douglas debates were day after day reducing the issues involved in a conflict of ideas within "a house divided against itself" to clearly defined terms beyond the power of peaceful arbitration.

THE QUESTION.

Chandler led the fight for Lincoln in Michigan in 1860, and Michigan gave Lincoln a majority of more than 23,000 over Douglas.

Forty-eight hours after Lincoln was elected President the Legislature of South Carolina called a State convention which voted South Carolina out of the Union, and the newspapers of South Carolina began to publish news from the rest of the country under the head of "Foreign intelligence."

As our Republic had widened westward under the Constitution as it was before the arbitrament of war had been framed into constitutional amendments, it had become more and more apparent that no arbitrary line of latitude could permanently define the frontier between right and wrong within an undivided nation.

No doctrine of the rights of States, no Missouri compromise, no Clay compromise, no Dred Scott decision could quiet in the minds of men the eternal, daily question of human rights.

The spirit that inspired that question was in the air. It sat down at every council board. It entered into and took possession of men, and took unto itself such names as Phillips, Lovejoy, Garrison, and John Brown. It would not down.

It teased men till they invented sophisms to refute it. It set families at variance. It set pulpits at variance. It lighted the camp fires of armies, whose contentions shook the continent.

It mowed men down with "the level hail of death."

It added to the vocabulary of war such names as Donelson, Shiloh, Gettysburg, and the Wilderness.

Long before it had sought out a lonely frontier cabin and presided at the birth of Abraham Lincoln. It made him its instrument; and five days after Appomattox his spirit, liberated by the hand of an assassin from its thrall of tremendous responsibility, took its flight in the golden dawn of a new day, and his fame passed into immortality.

WAR AND THE LAST CHAPTER.

Chandler was a member of the Committee on the Conduct of the War and was one of Lincoln's friends and advisers when he was "carrying the Constitution through the wilderness of fear" without precedent or parallel to govern or direct him.

When the whirlwinds of passion were turned loose and the clouds that lowered over the Republic were red with the flames of war he never thought of compromise.

Compromise had no place in his temperament. He never admitted the possibility of defeat. He denounced every suggestion of peace except the peace of an undivided Nation swept clean of slavery.

He visited the sick and the wounded in the hospitals, and no soldier in trouble ever applied to him in vain.

Chandler was at the meridian of his mental powers when Lincoln died and the war ended. He lived 14 years after that in the constant service of his country.

He helped to pass the reconstruction acts. He voted "guilty" on the impeachment of Johnson.

He believed in protection to American labor and American industry and voted for the Morrill tariff of 1861.

He believed in the dignity of labor and defended it.

He stood for sound money and national honesty and considered the public debt a sacred obligation.

He voted to redeem our paper money and pay our bonds in gold.

He voted for the resumption of specie payments against a powerful public sentiment for inflation, saying, "We need one thing besides more money, and that is better money."

He was defeated in 1875, succeeded by Christiancy, and appointed Secretary of the Interior.

The Interior Department had fallen into disrepute as sheltering fraud, corruption, and incompetency. Chandler brought to bear the resources of a trained business experience and cleaned it out.

Nature keeps books and makes her marks on human faces. Chandler's face was a face of resolution.

He was a leader of men. He was without cant and without hypocrisy. He had no patience with the cheap and sterile kind of politics which is willing to ignore the truth to gain political advantage.

He went straight to the point without equivocation.

His vocabulary knew no refinement of casuistry.

As an orator he was plain, direct, blunt, powerful.

He was not the kind of statesman, too common now, to whom noise and headlines mean distinction.

He was big in every way. He had his faults, but the prowlers and the scavengers, the searchers of the garbage heaps of history for soiled and tainted scraps with which to discredit the dead, have never dragged to light an unwholesome thing about Chandler.

He died at Chicago the night of October 31, 1879, in the midst of a hot campaign.

He came to the Senate of a Nation with slavery embedded in its Constitution and he left it a Nation of free workers.

He came to the Senate of a Nation divided by sectional interests; he left it a united Nation.

He came to the Senate of a Nation which doubted the strength of its own Constitution; he left it with a Constitution established as the fundamental law of an indestructible Union symbolized by one flag, whose stripes are red with the blood of patriots shed that its stars might shine together. [Applause.]

The SPEAKER pro tempore. The Chair will recognize the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker, in 1864 the old hall of the House of Representatives was opened for the reception of the statues of two citizens of each State "illustrious for their historic renown or for distinguished civic or military services." Since then 43 great Americans have been selected for remembrance, and every time I go through Statuary Hall and look at the heroic figures of Lewis Cass and Zachariah Chandler I am more proud than ever that I am a citizen of Michigan. Among the millions of her people, living and dead, these two tremendous characters stand preeminent.

Cass was enough older than Chandler so that he was governor of the Territory of Michigan the year Chandler was born in New Hampshire. Cass went to Michigan in the days of the Indians, whose flint arrow heads the farmers around Detroit still pick from the furrows in the fall and spring plowing. His masterful dealings with those woodland warriors, in connection with Gov. Clark, of the Missouri Territory, ended the record of Indian supremacy.

Like Chandler after him, Cass was long a Senator of the United States; like him also a Cabinet officer; and in 1844 came within six votes of receiving a majority of the Democratic national convention for the presidential nomination, which finally went to James K. Polk. Cass was succeeded in the United States Senate by the most illustrious figure in the political history of Michigan, whose statue we proudly accept to-day and to whose career we may now give a brief glance.

The record of this day's proceedings will fully set forth the many steps of Chandler's progress and the incidents of his life, beginning on a New England farm, where comfort rewarded cheerful toil; where there were no slavish repinings against the cold snow of winter or the hardness of the soil, but a winning battle with ax and plow that wrested from the rocky New Hampshire hills a plenty of warmth and food and shelter and money in the bank.

And then the sturdy boy, with a thousand dollars in his pocket, went West to the Territory that was so soon to knock successfully for the opening door of statehood.

When young Chandler landed in Detroit, in 1833, the fur trader had scarcely departed. On the long river-front street the white palings of the picket fences still stood in front of the half doors of the old French habitants. The general store which was opened by the pink-cheeked young giant was a trade innovation. And so he started on his prosperous way, first as retailer, then as a wholesaler with a State-wide list of customers, and every customer a friend. In hard times he gave longer credits than any rival would or could, and afterwards

boasted that he never lost a dollar by it. As he said near the end of his life, in a public speech:

I think I know the people of Michigan as well as any man in it, and I know they are honest people.

His steady commercial success was the more remarkable, because in the early part of his career the State of Michigan, then the home of the "wildcat" bank, passed through a cyclone of financial disaster which left its mark on nearly every man who had anything to lose. In the Greenback craze of 1876 and 1878 Chandler recalled with telling effect in some of the most effective political speeches ever delivered in the State the memory of those times.

Detroit was one of the principal termini of the "underground railroad" for the landing of escaping slaves into Canada, and Chandler's New England sympathies made him an active supporter of that cause. The Republican Party was born in 1854 under the oaks at Jackson, and Chandler was there. For the next 25 years, until his death, no name on the bright pages of our party's great history shed more continuous luster than that of Zachariah Chandler.

On March 4, 1857, Mr. Chandler took his seat in the Senate, where, with an intermission of four years—during part of which he was Grant's Secretary of the Interior and chairman of the Republican national committee—he remained until the day of his death.

Those who heard Chandler's public speaking will never forget it. He had a tall, commanding figure, a resonant voice. Abraham Lincoln himself could not surpass him in clearness of expression, and he had a power of statement that was remarkable. In his first speech in the Senate he said:

The old women of the north who have been in the habit of crying out "the Union is in danger" have passed off the stage. They are dead. Their places will never be supplied; but in their stead we have a race of men who are devoted to this Union and devoted to it as Jefferson and the fathers made it and bequeathed it to us. Every aggression has been submitted to by the race who have gone off the stage. They are ready to compromise any principle, anything. The men of the present day are a different race. They will compromise nothing. They are Union-loving men; they love all portions of the Union; they will sacrifice anything but principle to save it. They will, however, make no sacrifice of principle. Never; never! No more compromises will ever be submitted to to save the Union. If it is worth saving, it will be saved. The only way that we shall save it and make it permanent as the everlasting hills will be by restoring it to the original foundations upon which the fathers placed it. I trust in God civil war will never come; but if it should come, upon their heads, and theirs alone, will rest the responsibility for every drop of blood that may flow.

The idea foreshadowed in this brief extract was the guiding thought in Mr. Chandler's mind through all the years that followed. Cato was no more fixed in his idea that Carthage must be destroyed than Chandler was rock-bedded in the determination that the Union must be preserved. In 1862 in a Senate speech he denounced Gen. McClellan for inefficiency, and it was probably this speech which resulted in Grant's transfer. Chandler made the motion that created the Senate Committee on the Conduct of the War. He was long the chairman of the Committee on Commerce, and the St. Clair Flats Canal, the first great improvement of the navigation of the Great Lakes, is as truly a monument to him for his help to the water transportation of this country as are the jetties of the Mississippi a monument to Eads.

But it was his overwhelming love of country, his unbounded Americanism, that made him great and that has finally placed him on yonder pedestal to stand there as long as this Government endures. There was a wideness to his patriotism like the wideness of the sea. His pride in the State of Michigan was pride in it as a part of the United States of America. He was a bitter partisan, as bitter in his defiance of the foes of national unity as a frontiersman defending his family against an Indian attack. The last speech he ever made in the Senate was so characteristic that, as a part of these proceedings and as a reminder of the spirit of those times, I quote it entire. It was on a bill relating to Mexican War pensions. There is as much war history in it as in any equal number of words ever uttered. He said:

Mr. President, 22 years ago to-morrow, in the old Hall of the Senate, now occupied by the Supreme Court of the United States, I, in company with Mr. Jefferson Davis, stood up and swore before Almighty God that I would support the Constitution of the United States. Mr. Jefferson Davis came from the Cabinet of Franklin Pierce into the Senate of the United States and took the oath with me to be faithful to this Government. During four years I sat in this body with Mr. Jefferson Davis and saw the preparations going on from day to day for the overthrow of this Government. With treason in his heart and perjury upon his lips he took the oath to sustain the Government that he meant to overthrow.

Sir, there was method in that madness. He, in cooperation with other men from his section and in the Cabinet of Mr. Buchanan, made careful preparation for the event that was to follow. Your armies were scattered all over this broad land, where they could not be used in an emergency; your fleets were scattered wherever the winds blew and water was found to float them, where they could not be used to put down rebellion; your Treasury was depleted until your bonds, bearing 6 per cent, principal and interest payable in coin, were sold for 88 cents on the dollar for current expenses, and no buyers. Preparations were carefully made. Your arms were sold under an apparently innocent clause in an Army bill providing that the Secretary of War might, at his discretion, sell such arms as he deemed it for the interest of the Government to sell.

Sir, 18 years ago last month I sat in these Halls and listened to Jefferson Davis delivering his farewell address, informing us what our constitutional duties to this Government were, and then he left and entered into the rebellion to overthrow the Government that he had sworn to support. I remained here, sir, during the whole of that terrible rebellion. I saw our brave soldiers by thousands and hundreds of thousands, aye, I might say, millions, pass through to the theater of war, and I saw their shattered ranks return; I saw steamboat after steamboat and railroad train after railroad train arrive with the maimed and the wounded; I was with my friend from Rhode Island, Mr. Burnside, when he commanded the Army of the Potomac, and saw piles of legs and arms that made humanity shudder; I saw the widow and the orphan in their homes, and heard the weeping and wailing of those who had lost their dearest and their best. Mr. President, I little thought at that time that I should live to hear in the Senate of the United States eulogies upon Jefferson Davis, living—a living rebel eulogized on the floor of the Senate of the United States. Sir, I am amazed to hear it; and I can tell the gentlemen on the other side that they little know the spirit of the North when they come here at this day and with bravado on their lips utter eulogies upon a man whom every man, woman, and child in the North believes to have been a double-dyed traitor to his Government.

In the fall of 1879 there was a State campaign in Ohio, in which Senator Chandler took an active part. He made a speech at Sandusky on Thursday before the election, and then took a flying trip to Chicago, where on Saturday night, October 31, he delivered an address in closing the local campaign there—an address which contained one passage that was prophetic, though he could not know that it was his dying declaration. In full vigor and with a ringing voice he said:

It has become the custom of late to restrict the lines of citizenship, and in the Senate and Congress of the United States it is denied that there is such a thing as national citizenship. To-night I address you, fellow citizens of Chicago, in a broad sense, as fellow citizens of the United States of America. * * * We have a matter under consideration to-night vastly more important than all the financial questions that can be presented to you, and that is, Are you or are you not a Nation? We had supposed for generations that we were a Nation. In 1857 treason raised its head upon the floors of Congress. They said, "Do this or we will destroy your Government. Fail to do that and we will destroy your Government." One of them repeated this threat to old Ben Wade, and he straightened himself up and said, "Don't delay it on my account."

When Abraham Lincoln took the oath of office there was nothing to protect the national life. Yet with all these discouragements staring us in the face, the Republican Party undertook to save your Government. We revived your credit; we created navies, raised armies, fought battles, carried the war to a successful issue, and, finally, when the rebellion surrendered at Appomattox, they surrendered to a Government. They admitted that they had submitted their heresy to the arbitrament of arms, and they surrendered to the Government of the United States of America. * * *

They had forfeited all their property; we gave it back to them. We found them naked, and we clothed them. They were without the rights of citizenship, and we restored to them those rights. We took them to our arms as brethren, believing that they had repented of their sins. * * *

The Republican Party is the only party that ever existed that has not one solitary unfulfilled pledge left. I defy its worst enemies to name a single pledge it ever gave to the people who created it which is not to-day a fulfilled and established fact. If we should die to-day or to-morrow, our children's children to the twentieth generation would boast that their ancestors belonged to the old Republican Party that saved the Nation and wiped slavery from its escutcheon. * * *

Take the smallest ship that floats, mark her "U. S. A.," raise to her peak the Stars and Stripes, the flag of this glorious Union, and start her around the world, and there is not a fort or ship of war of any nation on God's footstool that would not receive her with a national salute. We took your Government when despised and raised it to this high position among the nations of the earth. And yet we are told that we ought to die. I tell you that the mission of the Republican Party is not ended; furthermore, that it has just begun; and, furthermore, that it will never end until you and I, Mr. Chairman, can start from the Canadian border and travel to the Gulf of Mexico, making black Republican speeches wherever we please and vote a black Republican ticket wherever we gain a residence, and do it with exactly the same safety that a rebel can travel throughout the North, stopping wherever he has a mind to, and running for judge in any city.

An ex-Confederate officer was a candidate for a city judgeship at the election to be held in Chicago on the following Tuesday, and the newspaper report of the speech states that this local reference was received with such applause and laughter that it was three or four minutes before Mr. Chandler could proceed. He spoke for more than an hour, and then went to his hotel. The next morning he was dead.

Mr. Speaker, Michigan Republicans idolize the memory of Zachariah Chandler. They love to think that he and men like him founded the Republican Party. They glory in his dying words: If we die to-day or to-morrow, our children's children to the twentieth generation will boast that their ancestors belonged to the party that saved the Nation and wiped slavery from its escutcheon.

And let those whom it may concern give heed to his other words: Take the smallest ship that floats, mark her "U. S. A.," raise to her peak the Stars and Stripes, and let not a nation on God's footstool dare refuse to receive her with a national salute.

Chandler stood for the protection of Americans, not only at home but on the farthest shore of the most savage country where government is the least. He believed the United States should always and everywhere be the bravest, the foremost, and the best. In the Senate with him were Blaine and Conkling and Edmunds, and a galaxy of names that will shine forever like the blazing stars of a Michigan winter night; and he was in the very foremost rank. His star will never set.

The history of my State is replete with illustrious names. Where in the traditions of any forest race was there ever a more admirable barbarian than Pontiac, whose home was long on the beautiful island opposite Detroit? Where in the history of armed conflict is there a more gallant name than that of Custer? Where in the annals of the law have there been more just or learned judges than Cooley and Campbell and Christiancy? Any one of these, or a score of others, might have graced yonder Hall, and any son of Michigan would have pointed to the statue with pride. But this selection has been wisely made. We love the memory of Chandler, a citizen of the whole United States, and we intrust his enduring marble to a nation's perpetual care. [Applause.]

The SPEAKER pro tempore. The Chair will recognize the gentleman from Michigan [Mr. J. M. C. SMITH].

Mr. J. M. C. SMITH. Mr. Speaker—

> The stars shall fade away, the sun himself
> Grow dim with age, and nature sink in years;
> But thou shall flourish in immortal youth,
> Unhurt amid the mass of elements,
> The wreck of matter and the crush of worlds.
> (Addison in Cato; Irish.)

I am in complete accord with the spirit and sentiment that prompted the good people of the State of Michigan to have constructed a life-sized marble statue of Zachariah Chandler and give it a permanent resting place in the Capitol of the Nation. The States do well to thus give public recognition to the worth and services of their great men; and there can be no more fitting monument to honor the memory of our illustrious deceased citizen, Zachariah Chandler, than the marble statue so dedicated and placed in the Capitol of his country.

Mr. Speaker, I fully realize that no words of mine can add to the fame or name of Chandler. His life work and character far exceeds any eulogy which I can hope to pronounce on this distinguished and eminent former citizen of the State of Michigan, whose memory we this day commemorate. He was illustrious in life, and his deeds are so interwoven with the progress and material welfare of our State and Nation that to recall the one is but to relate the other. He lived at a time when the foundation of our Republic was shaken by internal strife and war; but he also lived to see the shrine of freedom restored and the bond of unity established between the States which never shall be broken while brother shall greet brother. In the work of preserving and restoring the Union he stood in the front rank and never faltered, fully believing that—

> He who fights for his country fights for all things and all things living bless him.

No man was better known in Michigan than Mr. Chandler in his lifetime. He was prominent in public and private life. He was an upright, honorable citizen and a constructive statesman. He lived at a time when our country needed strong men. He was of commanding presence, strong, firm, and resolute. He was, above all, extremely patriotic, and his whole soul was blended with the upbuilding and prosperity of his country. He chose Michigan for his home and was a central figure in its material development. Were he living to-day, he would be much pleased with its great progress.

In exalting the deeds of our departed friends we often overlook the transactions that go to make up the details of their everyday life and give prominence only to those which connect themselves with greater events.

Zachariah Chandler was born in the city of Bedford, N. H., December 10, 1813. His ancestry was of that list of New England's earliest and best citizens which aided so much in preparing the way for the form of government which we enjoy to-day. His father's family lived on a part of a grant of land made by the General Court of Massachusetts to the soldiers who served in the Narragansett War. In early life he worked upon his father's farm. His education was completed in the little red brick schoolhouse in Bedford and neighboring academies of Pembroke and Derry. In 1833, at the age of 20 years, with that great foresight and great judgment exercised by him in after life, he became a resident of Detroit, Mich., where he lived until the time of his sudden demise in the city of Chicago on the evening of November 1, 1879, at the age of 66 years.

When he first came to Michigan it was a Territory of 250,000 inhabitants; now it has a population of more than 3,000,000. Detroit at the time of his arrival had a population of 2,500; now it is a city of 600,000. At that time Michigan was a wilderness, but had played a prominent part in the early life of the Nation. It was the home of the earliest settlers of the great Northwest who suffered from innumerable raids and conflicts. It was the scene of conflict between great European nations. Historians tell us that in 1781 the Spanish standard was hoisted at Fort St. Joseph near the present site of Niles, and the flags of France and England alternated and were followed by ours. The sturdy pioneers passing through the Great Lakes, stretching like vast seas along the State border, found the forest swarming with wild life and the waters teeming with fish of choicest kind. The land was clothed with magnificent verdure. Indian trails and beaten paths interlaced the forest, and large tracts of open space were covered with flowers of variegated hue. The timid deer, the sluggish bruin, and plumed fowl found ready and safe retreat among the tall bushes and flowers. The wild pigeon filled the air like clouds above the trees. With the coming of the white settlers the Indians abandoned their hunting grounds, but not without much resistance and encounters which filled the early history of our State with constant conflict. Slowly at first, and little by little, the savage customs of the red man yielded to the onward progress of ennobling civilization, until to-day Michigan, the adopted home of Chandler, has taken an advanced position among the great States of our Republic and is surpassed by none, with its boundary of peaceful and safe harbors, rapid streams, fine soil, great agriculture, delicious fruit, healthful climate, varied industries, and diverse products.

Abounding in timber, iron, copper, coal, lime and quarries, salt, gypsum, and marl; only second in its sugar industry; known the world over for its fine type of rich and ornamental furniture; excelling in fruit, potatoes, and beans; luxuriant in wheat, corn, hay, barley, rye, oats, flax; and unexcelled by any State in diversified farming. Live stock is a potent industry. Michigan to-day builds nearly one-half of the automobiles and vehicles of the country, and manufactures woolen cloth, silk, and paper extensively. Its health-giving resorts are being patronized by the people of the continent. The fame of its great university and agricultural college is world-wide, and its many colleges and institutions of learning are accessible to all. Nature has well fitted it for commerce and trade, and its vast water powers and network of railways give cheap transportation for the distribution of its mineral, agricultural, and manufactured products.

Michigan is proud of its great benevolent, charitable, and public institutions, its fine churches, its splendid hospitals, sanitariums, and industrial schools, and homes for all classes of aged or infirm. A dignified, prosperous, and progressive people are placing Michigan in the front ranks of the great galaxy of States.

Here are magnificent opportunities to all. Manufacturing industries are mingled with prolific farming, both abound with opportunity and reward. And could he whose memory we reverse momentarily return he would find us to-day all coworkers, relying the one upon the other, but without class or distinction to an extent never before known, the successors and the beneficiaries of his life work and endeavor.

On the night of his death he had spoken at a large political gathering. Before retiring he was met by the beckoning angel of death and the world was closed to his visage forever. And it was stated:

> Death passed into the chamber of the sleeper,
> The dark and silent room,
> And as he entered darker grew and deeper
> The silence and the gloom.

His sudden death was lamented by State and Nation. He spent many years in public life. He had been mayor of Detroit. In 1852 he was defeated on the Whig ticket for governor of his State. He was a stanch Republican, and in 1854 stumped the State and was active in the formation of the Republican Party. He served 22 years in the Senate of the United States, and was recognized everywhere as a man of great power and influence. It is stated that he was much disliked by his enemies, but adored by his friends. He was a strong partisan and party man. He belonged to those—

> Men who their duties know,
> But know their rights, and, knowing, dare maintain.

He had the confidence of Lincoln, and vigorously supported him in the conduct of the war. He took a leading part in the reconstruction of the States. He was defeated for the Senate by Judge Christiency in 1875. He was appointed Secretary of the Interior by President Grant, and served with distinction during the two terms of his incumbency. As a political leader and a forceful and convincing speaker he was in the front rank, especially among the people of his State where he was always in great demand.

It is not complete justice to say of Chandler that he acquired distinction only in public life. He was a successful business man and blended himself freely with the commercial life of his city. His activities in public life were associated with the dry-goods trade. It was related of him that he was retiring and devoted to his business, and when he began for himself he lived on $300 a year and slept in his store. He was a member of the Presbyterian Church, and elsewhere scarcely spent an hour of his time except to facilitate his trade. He won friends by his personal kindness and strict integrity in business. His prosperity and success in private enterprises gave him opportunities for which he was well qualified to enter upon a public career. In the Senate and before the people he always stood firmly for the integrity and honor of his country and for the rights of the humblest citizen. His honesty in public and private life was never assailed. He always kept his word and fulfilled his pledges. As Secretary of the Interior he introduced many commendable reforms and showed great executive ability.

And so we prize and praise the memory of this distinguished citizen. He performed well his part to give to his State a high place of honor and glory in the Republic. As a tribute to his splendid service to his State and Nation, a statue of marble attesting at once the great skill and perfect workmanship of the artist has been erected to his memory, so that for all time we can look upon him as he was; for in the execution of his work the sculptor blended the soul and countenance of his subject, and it is said that only breath is wanting to hear him speak.

In the Hall of Fame with other honored and illustrious dead of our great Republic, side by side with Lewis Cass, whom he succeeded, and surrounded by Hannibal Hamlin, Charles Sumner, Benjamin Franklin, and others who were his compatriots and colleagues in the Senate, his likeness stands in the Hall of Fame in the Capitol of his country, so beloved by him, and where he spent the best years of his sterling manhood. There in lifelike form he stands to speak silently of the glories of our grand Republic, and to encourage that patriotism and loyalty which he always so fully vindicated and which we may emulate. He died with the love of country on his lips, offering a prayer for its future welfare. Like him, may all who follow be faithful mariners and safe pilots of our country through every storm, watchfully, devotedly, and prayerfully.

"Thou, too, sail on, O ship of state!
Sail on, O Union, strong and great!
Humanity with all its fears,
With all the hopes of future years,
Is hanging breathless on thy fate!
We know what Master laid thy keel,
What workmen wrought thy ribs of steel,
Who made each mast, and sail, and rope,
What anvils rang, what hammers beat,
In what a forge and what a heat
Were shaped the anchors of thy hope!
Fear not each sudden sound and shock,
'Tis of the wave and not the rock;
'Tis but the flapping of the sail,
And not a rent made by the gale!
In spite of rock and tempest roar,
In spite of false lights on the shore,
Sail on, nor fear to breast the sea!
Our hearts, our hopes, are all with thee,
Our hearts, our hopes, our prayers, our tears,
Our faith triumphant o'er our fears,
Are all with thee—are all with thee!"

[Applause.]

The SPEAKER pro tempore (Mr. BURKE of South Dakota). The Chair recognizes the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, the name of Chandler lives not because of his great political sagacity or his wonderful executive ability or his strong and vigorous mental powers, although he was gifted with all of these. His name is still a living force a generation after his death by reason of his unswerving loyalty to his convictions of right and truth and to his country's cause. Personal sacrifice or danger or fear of defeat never served to withhold him from the performance of his fullest public duty.

The State of Michigan has performed a great public service when she has placed here in the Capital of this Nation, where the citizens from every section may come to look upon his visage, the statue of Zachariah Chandler. In this day when a real democracy is constantly becoming more and more a reality, and when the responsibility upon the individual citizen is every day becoming more and more direct, it is well that here, before the citizens of our Nation, should be placed this statue of one who was chiefly distinguished by his courage in his convictions and by his loyalty to his country and its institutions.

Progress is not a matter which takes care of itself. In the remarks to-day of my distinguished colleagues there has been frequent and eloquent reference to the wonderful progress of this country in the recent century. But let me remind you progress, industrially, politically, ethically, and in all lines, has only been possible because there have been at frequent stages in the journey of time men who have been willing to sacrifice self, who have been willing to face the greatest of problems with unflinching courage, without regard to what it might mean to self. The path of progress has always been lighted by beacon lights where self was burned by the individual as a sacrifice that the many might benefit. In all our political history there has never been a man who has manifested in greater degree that willingness, who has been more characterized by such courage of conviction and loyalty to truth than was Zachariah Chandler. [Applause.]

Modern development of methods of transportation and distribution of property, persons, and thought consequent upon the development of that great dynamic trinity—steam, electricity, gasoline—counts preeminent among its weapons the railroad, the telegraph, the telephone, the printing press, and a myriad of other triumphs of industrial progress. These have all tended to make possible a genuine government by the people. Even in a nation of 100,000,000 souls, scattered over areas greater in extent than even the dreams of the Alexanders and Napoleons of old, we are now working out this problem of a direct government of the people by the people.

In the earlier days of this Nation, with its slow methods of intercommunication, the representatives of the people exercised the rights of rulers. To-day the individual citizen can be, and on the average is, better informed as to current political problems and public crises than was the governor of an outlying State in other days. Hence has followed much of our recent political development, placing the power more fully in the hands of the individual voter, making it possible for him to exercise his will more directly and more positively than before. In these days of the Australian ballot, of the direct nomination of candidates, of the initiative, of the referendum, and of the recall, the final authority of government rests in the hands of the individual voter.

This fact is a grave responsibility as well as an opportunity. The final triumphant justification of this splendid experiment in popular government must depend upon the manner in which the individual citizen discharges this grave responsibility.

The average citizen will not be dishonest, unpatriotic, or intentionally lacking in the performance of his public duty; but if he fails to give study to the public questions which come before him for determination, and, further, if he fails to vote his own judgment upon such questions with a view to the general good rather than his personal benefit; and further, if he fails, whatever may be his station of life, to defend and promote that which he believes to be right through fear of personal danger or cost, then will the wail of the reactionary be justified and the demonstrated failure of popular government be accomplished. If, on the other hand, the brave spirit of Chandler actuates the average citizen and he forms his judgment with impartiality, defends it with courage, clings to it without regard to personal consequences, promotes it to the utmost of his ability, and fears not the outcome, then this splendid experiment will be glorified by the complete demonstration of the righteousness of the dreams of the founders of our Republic—that true liberty and self-government and true progress must go hand in hand.

Mr. MACDONALD. Mr. Speaker, in the half light of history the character and works of public men are often seen dimly and obscurely; and the great men of all times stand out only by reason of having impressed themselves upon their contemporaries by strong, dominant characteristics that served strikingly to differentiate them from their fellows, and to leave a mark thereby that tradition carries down to succeeding generations.

In Zachariah Chandler Michigan contributed to the Nation a figure of towering strength. At a time in the history of the Nation when issues were at stake that truly tried men's souls he was found not only unvaryingly to have the courage of his convictions, but the power and strength to dominate his

fellows by the very force and passion by which these convictions imbued him. He never stopped to consider what public opinion might be in shaping his course, nor was he ever deterred by any fear of consequences upon his personal fortunes. Webster says that when aroused he put forth his opinion and convictions "like the outbreaking of a fountain from the earth or the bursting forth of volcanic fires with spontaneous original native force."

I think that there is no higher tribute can be paid on this occasion, when we are about to commemorate the placing of his figure in the Nation's Hall of Fame, than to say that it keeps in remembrance one who was a man. [Applause.]

Mr. SAMUEL W. SMITH. Mr. Speaker, we are assembled here to-day to perform the final act, representing the legislature and the people of the State of Michigan, of transferring to the care of the Nation, to be permanently placed in the National Hall of Fame, this effigy in marble of one of its most eminent public men, the Hon. Zachariah Chandler.

In this place, alongside of its companion statue, that of Gen. Lewis Cass, the first donation from our Commonwealth to be presented to the Nation, but the first only in point of time and service, we ardently hope to thus preserve the names and fame of the two distinguished men who so long honored the State whose commission they bore. As long as this grand Capitol stands their memory will endure.

The name of Lewis Cass has been a familiar one to me from my early childhood. My father was a great admirer and staunch supporter of Gen. Cass. A large portrait of the General adorned the front of the old clock in the home of my parents for many years.

It is a fact worthy of notice that for 60 years the political opinions of Michigan as a Territory and State were represented and largely formed by two men of New Hampshire birth.

From 1819 to 1854 Gen. Cass was the accepted political leader of Michigan, and only once in all that long period of 35 years did her people fail to follow him. That was in 1840, when the old pioneers and the soldiers of 1812—generally the friends of Cass—refused his leadership and voted for the older pioneer and the more illustrious chieftain, William Henry Harrison. From 1854 till Mr. Chandler's death the dominant opinion of Michigan was with him; and her people followed him, trusted him, believed in him. During that quarter of a century the population of the State more than trebled in number, but the strength of Chandler with the newcomers seemed as great as with the older population with whom he had begun the struggle of life in the Territory of Michigan. The old men stood firmly by him in the faith and confidence of an ancient friendship, and the young men followed with an enthusiasm which grew into affection, and with an affection which ripened into reverence.

Zachariah Chandler was a remarkable man, a great leader of men, and possessed of a strong character, both in his private and public life. He was a great American. He was far more than an ordinary, everyday politician. His public services covered a period a little short of 23 years, but they were rendered in an era of the greatest stress in the life of the Republic.

He entered the Senate on March 4, 1857, and with the exception of a few weeks in private life in 1875, he remained continuously in the service of his State and the Nation until his death on November 1, 1879. Soon after his retirement from the Senate he became Secretary of the Interior in President Grant's second administration, and it is a matter of history that the multifarious affairs of that great department were never more efficiently or honestly administered than during the incumbency of Secretary Chandler. Thoroughly honest himself, he was the relentless foe of all jobbers and corruptionists, and he stood like a lion in the path of all schemers in their attempts to swindle the Government.

Zachariah Chandler was born at Bedford, N. H., December 10, 1813, and died at Chicago, Ill., November 1, 1879, 40 days short of 66 years of age. He was of mixed English and Scotch-Irish ancestry, received an academic education, and early in life engaged in mercantile pursuits. When 20 years of age he removed to Michigan, settling in Detroit, where for a year or two he clerked in a store. Tradition has it that when Chandler, still a minor, decided to join the current of western immigration his father offered him $1,000 or a collegiate education. He chose the money and settled in Detroit, becoming a merchant with his brother-in-law, Franklin Moore, under the firm name of Moore & Chandler. This business was prosperous from the beginning, and by the middle forties Mr. Chandler was at the head of the largest wholesale dry goods establishment in the State.

Merchants in the young and rapidly growing cities and villages within a wide area became his regular customers, instead of going farther east for their supplies, and his liberal and courteous treatment of these dealers made them fast friends when, later on, he entered State and National politics.

In the late forties he served the city of Detroit as an alderman, and in 1851 was elected mayor as a Whig. He had an early and active share in the organization of the Republican Party, and was present at the mass convention "Under the Oaks" at Jackson in the summer of 1854, when the new party had its birth. He was the Whig candidate for governor of Michigan in 1852, but was defeated.

In the spring of 1854 the United States and the Earl of Elgin, then Governor General of Canada, acting for Great Britain, negotiated a reciprocity treaty between the United States and Canada. This treaty included nearly all natural products, and the list of articles to be admitted free were identical for both countries. The arrangement went into effect July 1, 1854, and continued until December 31, 1866, when it was abrogated by the United States. During its entire existence Mr. Chandler was intensely and consistently hostile to this treaty, claiming that Great Britain and her Canadian possessions had gotten altogether the best of the bargain, and he rarely let pass an opportunity to bitterly assail and denounce it.

Never in the broad sense of the term an orator, he was an earnest and forceful speaker, and his homely phraseology and apt illustrations often brought conviction to the minds of many of his hearers who were ordinarily opposed to his economic views. Long before his first election to the Senate he had acquired quite an international reputation for his intense Americanism, and was generally recognized as the chief of the "twisters of the British lion's tail."

The year 1857 was a bad one for the United States. Commercial and industrial depression was widespread. The "hard times" began to appear soon after the close of the presidential campaign of the previous fall. In that hotly contested political struggle the newly organized Republican Party made its first appeal to the American electorate and henceforth became a vital political quantity.

Mr. Chandler gave liberally of his time and means in support of the principles of the infant party. He stumped Michigan and other neighboring States, and his services were in constant demand as a campaign speaker. The battle ended in the election of the Democratic ticket, headed by James Buchanan.

During the hard winter of 1856–7, sound currency was exceedingly scarce in Michigan. There was plenty of the red-dog and wild-cat variety in evidence, but only those who could not help themselves ever took it or circulated it. By this time Mr. Chandler's big dry-goods establishment was on such a firm basis that it was but slightly affected by the almost universal depression. He freely supplied his country customers with all the goods they required on long-time credits, and thus scores of rural merchants were saved from impending and certain bankruptcy. Years afterwards Mr. Chandler declared that he had not lost a dollar by this accommodation, but he had made fast friends and supporters of many when, a little later, he aspired to political honors.

In the National election of 1856 the young Republican Party swept Michigan and elected large majorities in both houses of the State legislature. When the time came for choosing a Senator in succession to Gen. Cass, whose term was about to expire, but who subsequently became Secretary of State in President Buchanan's Cabinet, a majority of the Republican members supported the candidacy of Mr. Isaac P. Christiancy, a successful and prominent lawyer of Monroe. A large and active minority, however, doggedly opposed Mr. Christiancy, and this minority succeeded in effecting a combination with the Democrats by which a sufficient number of votes of the latter were secured to make Mr. Chandler's election a certainty. Mr. Chandler's business friends, many of whom were country merchants affiliated with both political parties, had taken this means of proving their loyalty and gratitude, and thus was brought about the first election of Zachariah Chandler to the Senate of the United States, in which position he remained for 18 years, until he was defeated by a combination not unlike the one by which he had first succeeded in favor of Mr. Christiancy, his early opponent, and who the same year—1857—was nominated and elected a member of the State Supreme Court, that great tribunal with its three famous "C's"—Campbell, Christiancy, and Cooley—whose fame and ability as jurists were and still are of world-wide recognition.

Senator Chandler took his seat in the Senate March 4, 1857, with the advent of the Buchanan administration. From that moment his was a commanding personality, both physically

and intellectually, in all national affairs. He now belonged to the entire Nation. His first assignments were to the Committee on the District of Columbia and the Committee on Commerce. Early in his first term he succeeded to the chairmanship of the latter powerful and influential committee, so important to the interests of Michigan, with its vast expanse of navigable water front, the largest in mileage of any State in the Union. This commanding post was retained by Mr. Chandler until his senatorial career was broken in 1875. The pages of the Congressional Globe and its successor, the CONGRESSIONAL RECORD, bear testimony to the valuable work accomplished by the Committee on Commerce during the years of Senator Chandler's leadership.

Senator Chandler was hardly warm in his seat when he began an active onslaught on his pet aversion, the Canadian reciprocity treaty. He hammered away on this line in season and out of season for nearly 10 years, when, as has been already mentioned, the treaty was abrogated. He was never popular with the press of Great Britain or Canada.

When early in 1861 eleven of the Southern States seceded, and the Civil War was near at hand, Mr. Chandler became a vigorous supporter of the cause of the Union, which position he maintained throughout the four years of sanguinary strife. There was no uncertainty about his attitude. At all times he had the courage of his convictions. And his speeches reveal the intensity of his innermost thoughts and feelings.

In February, 1861, Senator Chandler wrote his famous "blood letter" to Gov. Austin Blair, who was afterwards known as the "War Governor of Michigan." In that letter the Senator declared "Without a little bloodletting this Union will not, in my estimation, be worth a rush." In some way this letter was made public and for a time it caused a great sensation. The writer was savagely assailed by a considerable section of the press of the country and by not a few of the politicians of his own party. The Senator stood firm, however, and let his adversaries harp and howl until they were tired. His only known utterance on the subject is:

> In that letter I wrote my honest belief at the time, and I have no further explanation or apology to make.

It is now a matter of history that before the four years of most sanguinary warfare of modern times were ended "a little bloodletting" actually occurred—but the Union was saved.

Throughout the war the Senator's services on the Committee on the Conduct of the War were invaluable. Probably no other member of that committee gave so much of his time and energy to the great work performed by it, and this labor was not ended until long after the close of hostilities.

Soon after Gen. Grant became commander of all the Federal Armies a deep attachment grew up between the great soldier and the great Senator, notwithstanding the fact that they had a somewhat serious personal difficulty, which was more amusing than otherwise to nonparticipants, while the Senator was mayor of Detroit and Grant a young lieutenant of the Regular Army, stationed at Fort Wayne, near Detroit. This attachment remained unbroken until the Senator's death, which preceded the General's by nearly seven years.

As a party man Senator Chandler was a stalwart, and he vigorously supported all the war measures of his party, including the impeachment of Andrew Johnson and the reconstruction acts which followed.

Senator Chandler was elected for a second term in 1863 and to a third in 1869, with practically no opposition in his party and with very little from the Democrats.

He had now held the Senatorship longer than any of his distinguished predecessors. Toward the middle of his term, however, murmurs of discontent began to be heard against Mr. Chandler's long tenure of office, and the dissatisfaction found ready and willing disseminators among that section of the press and people who opposed the election of Gen. Grant to a second term in the Presidency in 1872. "Chandlerism" became a term of reproach just as other "isms," with the names of other prominent party leaders prefixed, have become more or less unpopular in these latter days.

The most violent opposition to the Senator's desire for a fourth term came from a small, but noisy, faction in the party who in 1872 had broken away from their bearings and styled themselves "Liberal Republicans." In the national field the movement was a dismal failure; but, aided by a few able papers, whose editors and owners had conceived a violent antipathy to Senator Chandler, the sentiment against "Chandlerism" was making headway.

In 1874, for the first time since the Civil War, the Democratic Party elected a good working majority in the House of Representatives, and this change in public sentiment also resulted in a considerable increase in the representation of that party in the Michigan Legislature.

The campaign against "Chandlerism" was soon on in a most virulent form. Just what was meant by "Chandlerism" was never very clearly defined. In the popular mind at the time it meant "loyalty of the Senator to his friends and their loyalty to him." But he had held one of the greatest offices in the gift of the people for a long time—for 18 years—in which were included four years of the greatest war in modern history, during which the Republic had to fight desperately to maintain its existence—and there were a number of eager and patriotic gentlemen, from their own viewpoint, eager and anxious to supplant him.

No charges of personal or political corruption had ever been successfully laid at his door. All his public acts were well known and open and aboveboard. Both his friends and his enemies always knew exactly how he stood on the vital issues of the day. He had never trimmed a sail to catch the passing breeze, and he cared very little for personal popularity or the applause of the multitude.

When the time came for the nomination of a Senator at the session of 1875, a small number of Republican members refused to enter the caucus.

Mr. Chandler, however, was regularly nominated. Much maneuvering and scheming followed this action, and many combinations were suggested and some of them given a trial. The combination that eventually succeeded was the offer of the recalcitrant Republicans to put forward Judge Christiancy of the supreme bench, the same man who was defeated by Senator Chandler 18 years before, as their candidate and for whom they solicited the solid Democratic vote. After a few days of dickering the compact was agreed to, and Judge Christiancy was elected Senator by a bare majority vote. "Old Zack," as he was then popularly called, after long, arduous, and faithful service, was thus retired to private life. But the retirement was only for a little while.

When the news of Chandler's defeat was received at a well-known Democratic resort near the city hall in Detroit there was great jubilation, as might be expected, over the "victory." When the enthusiasm and the felicitations were at their height, one old Democrat, who had taken an active and conspicuous part in Chandler's first election, put a damper on the proceedings by a little impromptu speech. "Of course," said he, "it is all right that we, as good party men, should rejoice over Chandler's defeat. But there is another way to look at the matter. What does Michigan gain by the change? We have simply traded the chairmanship of the great Senate Committee on Commerce, with our large water front and numerous ports, and large and rapidly growing marine interests, for, possibly, the tail end of the Judiciary Committee. To my mind, this 'victory' seems more like a State calamity." Having thus relieved his mind, the old Democrat stalked gloomily out of the room, and the felicitations were at an end.

Mr. Chandler was idle only a few weeks. President Grant invited him to join his Cabinet as Secretary of the Interior, and he accepted.

The next year the memorable Hayes-Tilden campaign of 1876 came on, and Mr. Chandler was chosen chairman of the Republican national committee, with his namesake and distant relative, William E. Chandler, of New Hampshire, as secretary.

It would be out of place here, besides being entirely unnecessary, to enter into the details of that now historic political struggle. One incident of the battle must suffice. The morning after election, when the result of the balloting as regards a number of States was very much in doubt, the country was electrified by a dispatch from Republican headquarters in New York, and which was published in the daily papers all over the country, which read: "Hayes has 185 votes and is elected." This was signed "Chandler." For a good while the authorship of this laconic dispatch was credited to "Old Zack," who neither affirmed nor denied at the time. Later investigation, however, seems to fix the responsibility on the secretary of the committee, William E. Chandler, who subsequently became Secretary of the Navy in President Arthur's Cabinet, besides serving two terms as Senator from his native State, and who is still living in Washington.

Judge Christiancy during his brief service never seemed entirely at home in the Senate. The judicial habit had become so strong with him that he acted as if he felt out of place. Besides, he had numerous troubles of a domestic nature which caused him great uneasiness. When, therefore, after a little less than two years' service, President Hayes offered him the post of minister to Peru, he gladly accepted, and resigned the senatorship. As was predicted, he had drawn the tail end of the Judiciary Committee and some other minor assignments. The Legislature of Michigan—the one elected in the great cam-

paign of 1876—promptly elected Mr. Chandler to fill the vacancy, and "Old Zack" was again in the saddle.

But he was not destined to enjoy his new honors long. The same senatorial term of six years, for which he was first defeated and afterwards triumphantly elected, was also fated to see the end of his earthly career.

During the short session of 1879 he filled his old seat in the Senate and appeared to be in fine form. He delivered a few speeches and made friends with many of the men who had entered the Senate during his absence.

In the last months of his life Senator Chandler ardently believed that he would be the Republican candidate for the Presidency in 1880.

Only a few weeks before his death he discussed the conditions then prevailing in his party with an old friend, and gave his reasons for the belief that he would prove an acceptable dark-horse candidate, one on whom the warring factions could unite. The friend agreed that his reasoning and conclusions were sound.

Late in October, 1879, he visited Chicago to attend to some business and delivered his last memorable speech, prior to the meeting of Congress in December. He had completed his business and expected to return to his home in Detroit next day. On the morning of November 1 he was found dead in his bed in a hotel, having died sometime during the night from heart failure, brought on by an attack of acute indigestion, from which affliction he suffered at times.

His body lay in state in the city hall in Detroit and thousands of his neighbors and his friends joined the long line to take a last look at his honest and rugged face.

I did not enjoy the personal acquaintance of Mr. Chandler, but I liked him, believed in him and the principles for which he stood, and never lost an opportunity to hear him speak. When the sudden and unexpected news of his death came I, with thousands of others, was shocked and made sad, for the Nation had lost a great man, and the Republican Party one of its strongest and foremost leaders.

Such, in brief, is a most inadequate sketch of the career of Zachariah Chandler, whom we are assembled here to-day to commemorate, and whose statue we now consign to the keeping of the Government which he loved so well, and which we earnestly pray may endure for all time. [Applause.]

EXTENSION OF REMARKS.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that all gentlemen who have spoken, or those who may wish to speak, on this subject may have the privilege of extending their remarks in the RECORD.

THE SPEAKER pro tempore. The gentleman from Michigan [Mr. FORDNEY] asks unanimous consent that all those who have spoken, or who may wish to speak, on this subject may have permission to extend their remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. SAMUEL W. SMITH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 40 minutes p. m.) the House adjourned until Monday, April 20, 1914, at 12 o'clock noon.

SENATE.

MONDAY, *April 20, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, grant unto us this day an especial measure of Thy blessing. We can not shut our eyes to the stern facts of life that call for more than human wisdom and demand the guidance and blessing of the Almighty. To interpret into terms of life and force the teachings of our Divine Lord is indeed a holy office. Thou dost put into the hands of Thy servants vast treasures of Christian civilization. We pray that Thou wilt give grace and wisdom in the discharge of these duties. Unborn generations depend upon the issues that arise from day to day in the conduct of a great nation. O Lord, our God, do Thou lend Thy aid and Thy blessing, that without mistake, with firmness in the right as Thou dost give us to see the right, and with charity, which is the fulfilling of the law, Thy servants may discharge the sacred duties of their office. Grant us peace with honor and brotherhood with universal justice. For Christ's sake. Amen.

The Journal of the proceedings of Friday last was read and approved.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a schedule of papers and documents on the files of the Interior Department which are not needed nor useful in the transaction of the current business of the department and have no permanent value or historical interest. The communication will be referred to the Joint Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Vermont [Mr. PAGE] and the Senator from Oregon [Mr. LANE] the committee on the part of the Senate. The Secretary will notify the House of Representatives of the appointment thereof.

FORTIFICATIONS APPROPRIATION BILL—CONFERENCE REPORT (S. DOC. NO. 468).

Mr. BRYAN. I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes. I will not move to take up the report at this time, inasmuch as the Senator from Utah [Mr. SMOOT] desires that it may go over until to-morrow.

Mr. SMOOT. I should like to have the conference report printed so that we can take it up to-morrow morning.

The report was ordered to lie on the table and to be printed, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12235) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, and 5.

That the House recede from its disagreement to the amendments of the Senate numbered 6, 7, 8, 9, 10, 11, 12, and 13; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,200,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,000"; and the Senate agree to the same.

N. P. BRYAN,
GEORGE C. PERKINS,
Managers on the part of the Senate.
SWAGAR SHERLEY,
GEORGE WHITE,
WILLIAM M. CALDER,
Managers on the part of the House.

ARMY APPROPRIATIONS—CONFERENCE REPORT (S. DOC. NO. 469).

Mr. CHAMBERLAIN. I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13453) making appropriations for the support of the Army for the fiscal year ending June 30, 1915. It is a partial report and I request that the reading of it may be dispensed with, and that it may be printed for the use of the Senate.

The VICE PRESIDENT. Is there objection to agreeing to the conference report as far as the conferees have agreed?

Mr. SUTHERLAND. I think we ought to know what are the points of agreement. I think the report should be read, or a statement should be made by the chairman of the committee.

Mr. OVERMAN. I will say that it is very unusual to agree to a conference report where there is only a partial agreement, but the conferees should consider all the questions in disagreement between the two Houses and make a full report on the whole matter.

Mr. GALLINGER. I think the Senator from North Carolina is wrong in that contention. It is the usual custom to agree to the portion of a report that has been agreed to by the conferees of the two Houses unless an objection is raised. I think the motion of the Senator from Oregon is quite in order, and

we should agree to the report and then appoint a further conference to take up the controverted questions.

Mr. OVERMAN. I have known occasions of this kind where the conferees have not agreed, and the conferees kept the whole thing open so that they might take into consideration all the matters that were in disagreement as well as those in agreement. I think it would be better for the conferees to let the whole report go back.

Mr. CHAMBERLAIN. I hope the Senator from North Carolina will not object.

Mr. OVERMAN. I do not object. I merely made the suggestion to the chairman.

Mr. SUTHERLAND. There is not a member of the Senate who understands anything about the report except the conferees. I asked a moment ago that the conference report either be read or that the chairman of the committee should make a statement.

Mr. WARREN. May I ask the chairman of the committee if the conference report is a long document?

Mr. CHAMBERLAIN. The report is quite long. I will say in this connection that the only items in disagreement are the larger ones which involve the question of policy between the conferees on the part of the House and the conferees on the part of the Senate, and it is quite important that the Senate should agree to the report as presented.

Mr. WARREN. It seems to me that a conference report on a bill of this kind is of enough importance to spend the time necessary to have it read. The Senate, I think, would be better satisfied if that course were followed.

Mr. CHAMBERLAIN. I have no objection to having the report read. I only wanted to save the time of the Senate.

The VICE PRESIDENT. The Secretary will read the conference report.

The Secretary proceeded to read the conference report, which is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13453) making appropriations for the support of the Army for the fiscal year ending June 30, 1915, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 5, 13, 14, 20, 28, 29, 30, 31, 64, 65, 66, 90, 103, 105, 107, 108, 143, 144, 145, 153, 154, 155, 157, 158, 162, 163, and 165.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 19, 21, 22, 23, 25, 26, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 88, 89, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101, 102, 104, 106, 110, 111, 112, 114, 115, 116, 117, 118, 119, 120, 122, 125, 126, 128, 129, 130, 132, 133, 135, 136, 138, 139, 140, 141, 142, 146, 147, 148, 150, 151, 152, 156, and 160, and agree to same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$11,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following:

"Washington-Alaska military cable and telegraph system: For defraying the cost of such extensions and betterments of the Washington-Alaska military cable and telegraph system as may be approved by the Secretary of War, to be available until the close of the fiscal year 1915, from the receipts of the Washington-Alaska military cable and telegraph system which have been covered into the Treasury of the United States, the extent of such extensions and betterments and the cost thereof to be reported to Congress by the Secretary of War, $50,000."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: Omit the language stricken out by said amendment; in line 9 of said amendment omit the word "hereafter"; and on page 6, line 24, of the bill strike out the word "hereafter"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$950,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "Additional pay while on foreign service, $9,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the words "20 per centum" and insert in lieu thereof "$200 each per annum", and in line 13 of the same amendment, after the word "may" and the comma, insert the words "in case of vacancy and"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following:

"*Provided*, That hereafter whenever the number of officers holding permanent appointments in any staff corps or staff department of the Army, except the Quartermaster Corps, shall have been reduced below four and a vacancy shall occur in an office above the grade of colonel in said corps or department, any officer of the Army with rank above that of major who shall have served creditably for not less than four years by detail in said corps or department under the provisions of section 26 of the act of Congress approved February 2, 1901, shall, in addition to officers otherwise eligible, be eligible for appointment to fill said vacancy: *Provided further*, That hereafter whenever the President shall deem it inadvisable to reappoint, at the end of a four-year term, any officer who, under the provisions of section 26 of the act approved February 2, 1901, or acts amendatory thereof, has been appointed for such a term, in any staff corps or staff department, to an office with rank above that of colonel, but whose commission in the lower grade held by him in said staff corps or staff department at the time of his appointment under said act to an office of higher grade has been vacated, the President may, by and with the advice and consent of the Senate, appoint said officer to be an officer of the grade that he would have held, and to occupy the relative position that he would have occupied, in said staff corps or staff department if he had not been appointed to said office with rank above that of colonel; and if under the operation of this proviso the number of officers of any particular grade in any staff corps or staff department shall at any time exceed the number authorized by law other than this act, no vacancy occurring in said grade shall be filled until after the total number of officers therein shall have been reduced below the number so authorized: *And provided further*, That after September 1, 1914, in time of peace, whenever any officer holding a permanent commission in the line of the Army, with rank of colonel, lieutenant colonel, or major, shall not have been actually present for duty for at least two years of the last preceding six years with a command composed of not less than two troops, batteries, or companies of that branch of the Army in which he shall hold said commission, such officer shall not be detached nor permitted to remain detached from such command for duty of any kind except as hereinafter specifically provided; and all pay and allowances shall be forfeited by any superior for any period during which, by his order or his permission, or by reason of his failure or neglect to issue or cause to be issued the proper order or instructions at the proper time, any officer shall be detached or permitted to remain detached in violation of any of the terms of this act; but nothing in this act shall be held to apply in the case of any officer for such period as shall be actually necessary for him, after having been relieved from detached service, to join the organization or command to which he shall belong in that branch in which he shall hold a permanent commission; nor shall anything in this act be held to apply to the detachment or detail of officers for duty in connection with the construction of the Panama Canal until after such canal shall have been formally opened, or in connection with the Alaska Road Commission or the Alaska Railroad or the Bureau of Insular Affairs; and nothing in this act shall prevent the redetail of officers above the grade of major to fill vacancies in the various staff corps and departments as provided for by section 26 of the act of Congress approved February 2, 1901: *Provided further*, That whenever the service record of any field officer is to be ascertained for the purposes of this act, all duty actually performed by him during the last preceding six years, in a grade below that of major, in connection with any statutory organization of that branch of the Army in which he shall hold a permanent commission, or as a staff officer of any coast defense or Coast Artillery district, shall be credited to him as actual presence for duty with a command composed as herein-

before prescribed: *And provided further*, That temporary duty of any kind hereafter performed with United States troops in the field for a period or periods the aggregate of which shall not exceed 60 days in any one calendar year, and duty hereafter performed in command of United States Army mine planter by an officer assigned to a company from which this detachment is drawn, and duty hereafter performed in command of a machine-gun platoon or a machine-gun unit, by any officer who, before assignment to such duty, shall have been regularly assigned to, and shall have entered upon duty with, an organization or a command the detachment of certain officers from which is prohibited by the act of Congress approved August 24, 1912, or by this act, shall, for the purposes of said acts, hereafter be counted as actual presence for duty with such organization or command."

And the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For expenses of courts-martial, courts of inquiry, military commissions, and compensation of reporters and witnesses attending the same, and expenses of taking depositions and securing other evidence for use before the same, $40,000."

And the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$175,000"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: Strike out the amended paragraphs; and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment and add the following: "or horse races; but nothing in this proviso shall be held to apply to the officers, enlisted men, and horses of any troop, battery, or company which shall, by order or permission of the Secretary of War, and within the limits of the United States, attend any horse show or any State, county, or municipal fair, celebration, or exhibition"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In lieu of the matter proposed in said amendment insert the following: "That not exceeding the sum of $6,000 of this appropriation may be expended, in the discretion of the Secretary of War, for the construction of a rostrum in the national cemetery in the Presidio of San Francisco, Cal.: *Provided further*, That not exceeding the sum of $60,000 of this appropriation may be expended, in the discretion of the Secretary of War, for the construction of a library building for the Army Service Schools at Fort Leavenworth: *And provided further*"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$485,000"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "*Provided*, That the accounting officers of the Treasury are authorized and directed to allow and credit in the accounts of First Lieut. Robert L. Weeks, United States Army, the sum of $1,340, disallowed against him on the books of the Treasury in accordance with a ruling of the Comptroller of the Treasury dated March 14, 1913; and that hereafter any officer of the Army and member of said board of road commissioners who is living with his family while serving as a member of said board within the limits of the Territory of Alaska, and not stationed at a military post, shall be entitled to receive a per diem commutation fixed by the board in lieu of 'actual living expenses,' as now provided by law; and this provision shall embrace the time during which any member of said board shall have failed in the past to receive any allowance for expense of living by reason of the decision of the Comptroller of the Treasury above referred to, to the effect that said allowance could not be made to an officer living with his family"; and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: Omit the words inserted by said amendment and, on page 43, line 4, of the bill, strike out the words "and materials therefor"; and the Senate agree to the same.

Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "$450,000: *Provided*, That existing written agreements involving the purchase of patented articles, patents for which have not expired, may be carried out"; and the Senate agree to the same.

On the amendments of the Senate numbered 24, 113, 121, 123, 137, 161, and 164 the committee of conference have been unable to agree.

G. W. CHAMBERLAIN,
LUKE LEA,
F. A. DU PONT,
Managers on the part of the Senate.
JAMES HAY,
S. H. DENT, Jr.,
JULIUS KAHN,
Managers on the part of the House.

Mr. SUTHERLAND. It is quite evident that from a mere reading of the report no understanding can be had of it, and I ask that it may be printed and go over until to-morrow.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the report will be printed and go over until to-morrow.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a concurrent resolution providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 20th day of April, 1914, at 3 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make them, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution presenting the thanks of Congress to the governor, and through him to the people, of Michigan, for the statue of Zachariah Chandler, etc., in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H. R. 15279) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of sundry citizens of Columbus and Madison, in the State of Indiana; of sundry citizens of Elk Rapids, Detroit, Bad Axe, and St. Johns, in the State of Michigan; of sundry citizens of Chicago, Ill.; of sundry citizens of Bonham, Tex.; of sundry citizens of Crookston, Minn.; and of sundry citizens of Troy, N. Y., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

Mr. LODGE. I present resolutions adopted by the General Court of the Commonwealth of Massachusetts, which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1914.

Resolutions relative to the restriction of immigration.

Resolved, That the General Court of the Commonwealth of Massachusetts protests against the provision in the Burnett-Dillingham bill, so called, now pending in Congress, that imposes a test of the ability of an immigrant to read. The general court believes that any educational test would be misleading and oppressive and would tend to make the admission of the immigrant a matter not so much of his real worth and capacity as of the opportunities for education which he had happened to enjoy or from which he had been debarred by circumstances.

Resolved, That copies of these resolutions be sent by the Secretary of the Commonwealth to the Members of Congress from this Commonwealth and to the presiding officer of each branch of Congress.

In senate, adopted March 19, 1914.
In house of representatives, adopted in concurrence April 6, 1914.
A true copy.
Attest:

FRANK J. DONAHUE,
Secretary of the Commonwealth.

Mr. LODGE. In this connection I ask to have printed in the RECORD three brief letters and a telegram.

There being no objection, the letters and telegram were ordered to be printed in the RECORD, as follows:

BROTHERHOOD OF RAILROAD TRAINMEN,
CITY POINT LODGE, NO. 507,
South Boston, Mass., April 13, 1914.

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

SENATOR: On behalf of an organization having a considerable membership that desires the illiteracy test enacted into law precisely as it passed the House February 4 last by a two-thirds vote, I beg to urge you to vote in favor of keeping the test in the bill as it is and unamended, and that you give the bill your aggressive support and powerful influence so that it may become a law this session.

Our national legislative representative has appeared before the House Committee on Immigration and so fully explained our position and the position of our members that I will not intrude further on your good time to argue or explain the matter. As members of the organization we want this done for the good of the working people of this country, whether native or foreign born, and we assure you it will be appreciated. Hoping to hear from you with reference to it, I am,

Very respectfully, yours,

[SEAL.] CHAS. B. BERGER,
Secretary Lodge No. 507.

—

WORCESTER, MASS., *April 16, 1914.*

Senator H. CABOT LODGE,
Washington, D. C.

SENATOR: On behalf of an organization having a considerable membership that desires the illiteracy test enacted into law precisely as it passed the House February 4 last by a two-thirds vote, I beg to urge you to vote in favor of keeping the test in the bill just as it is and unamended, and that you give the bill your aggressive support and powerful influence, so that it may become a law this session.

Our national legislative representative has appeared before the House Committee on Immigration and so fully explained our position and the position of our members that I will not intrude further on your good time to argue or explain the matter. As members of the organization, we want this done for the good of the working people of this country, whether native or foreign born, and we assure you it will be appreciated. Hoping to hear from you with reference to it, I am,

Very respectfully, yours,

[SEAL.] THEODORE B. WARDWELL,
Secretary-Treasurer Worcester Division, No. 64,
Brotherhood of Locomotive Engineers,
11½ Hammond Street, Worcester, Mass.

—

BROTHERHOOD OF RAILROAD TRAINMEN,
PIONEER LODGE, NO. 238,
West Springfield, Mass., April 16, 1914.

Mr. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

SENATOR: On behalf of an organization having a considerable membership that desires the illiteracy test enacted into law precisely as it passed the House February 4 last by a two-thirds vote, I beg to urge you to vote in favor of keeping the test in the bill just as it is and unamended, and that you give the bill your aggressive support and powerful influence, so that it may become a law this session.

Our national legislative representative has appeared before the House Committee on Immigration and so fully explained our position and the position of our members that I will not intrude further on your good time to argue or explain the matter. As members of the organization we want this done for the good of the working people of this country, whether native or foreign born, and we assure you it will be appreciated. Hoping to hear from you with reference to it, I am,

Very respectfully, yours,

J. A. FLYNN, *Secretary.*

—

NORTH BROOKFIELD, MASS., *April 15, 1914.*

Hon. HENRY CABOT LODGE,
Washington, D. C.:

On behalf of an organization having a considerable membership that desires the illiteracy test enacted into law precisely as it passed the House February 4 last by a two-thirds vote, I beg to urge you to vote in favor of keeping the test in the bill just as it is and unamended, and that you give the bill your aggressive support and powerful influence, so that it may become a law this session.

Our national legislative representative has appeared before the House Committee on Immigration and fully explained our position and the position of our members. As members of the organization we want this done for the good of the working people of this country, whether native or foreign born, and we assure you that it will be appreciated.

W. L. MCMENIMEN,
Chairman Brotherhood Railroad Trainmen Legislative Board for Massachusetts, New Braintree, Mass.

Mr. WILLIAMS presented a petition of sundry citizens of Amory, Miss., praying for the enactment of legislation to provide a compensatory time privilege to post-office employees, etc., which was referred to the Committee on Post Offices and Post Roads.

Mr. GALLINGER presented a petition of the New Hampshire Annual Conference of the Methodist Episcopal Church, of Plymouth, N. H., and a petition of the Federated Churches of Meredith, N. H., praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Portsmouth, N. H., praying that a liberal appropriation be made for the maintenance of the Children's Bureau, which was referred to the Committee on Appropriations.

Mr. BRISTOW presented petitions of sundry citizens of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Reformed Presbyterian Church of Eskridge, Kans., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Herndon and Nekoma, in the State of Kansas, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Herndon and Nekoma, in the State of Kansas, praying for the enactment of legislation to provide compensatory time for Sunday service performed by employees in the Post Office Department, which were referred to the Committee on Post Offices and Post Roads.

Mr. SHIVELY presented petitions of sundry medical societies of Sullivan, Perry, and Monroe Counties, in the State of Indiana, praying for the passage of the so-called antinarcotic bill, which were ordered to lie on the table.

He also presented a petition of the Pharmaceutical Association of Valparaiso University, Valparaiso, Ind., praying for the enactment of legislation to prohibit the discrimination in prices and to provide for publicity of prices to dealers and the public, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Local Union No. 118, United Garment Workers of America, of Indianapolis, Ind., praying for the enactment of legislation to regulate interstate commerce in convict-made goods, which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry churches and citizens in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. THOMAS presented memorials of sundry citizens of the State of Colorado, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. SHEPPARD presented a petition of the congregation of the First Methodist Church of Dallas, Tex., praying for the establishment of a national bureau of censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Houston, Tex., praying for the enactment of legislation to provide compensatory time for Sunday service of employees in the Post Office Department, which was referred to the Committee on Post Offices and Post Roads.

He also presented sundry memorials of citizens of Texas, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Texas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Texas, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. THOMPSON presented a petition of sundry citizens of Galena, Kans., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. POMERENE presented memorials of sundry citizens of Piqua, Ohio, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRADY. I have received a communication from the governor of the State of Colorado in reference to a resolution adopted by the conference of western governors, which was in session in Denver April 7 to 11. I should like to have it read.

There being no objection, the communication was read, as follows:

STATE OF COLORADO, EXECUTIVE OFFICE,
Denver, April 14, 1914.

Hon. JAMES H. BRADY,
United States Senate, Washington, D. C.

MY DEAR SENATOR: It has been reported to me that the resolution pertaining to the water powers of the West, unanimously adopted by the western governors' conference in session in Denver April 7 to 11, was omitted from the eastern press reports. Inasmuch as this was one of the most important of the resolutions adopted by the conference and one in which great interest was taken, I give you below a copy of the same for your information:

"Whereas Congress has declared 'the water of all lakes, rivers, and other sources of water supply upon the public lands and not navigable shall remain and be held free for the appropriation and use of the public, for irrigation, mining, and manufacturing purposes,' we insist the Federal Government has no lawful authority to exercise control over the water of a State through ownership of public lands.

"We maintain the waters of a State belong to the people of the State, and that the States should be left free to develop water-power possibilities and should receive fully the revenues and other benefits derived from such development."

Yours, very truly,

E. M. AMMONS,
Secretary Western Governors' Conference.

Mr. BRADY. Mr. President, I have a very short article from a late issue of the Daily Consular and Trade Reports, entitled "Sawdust Briquets in British Columbia."

The Department of Agriculture is at the present time making an intelligent investigation and study as to the best manner of saving the by-products of our forests.

The Division of Forestry is also doing some splendid work along these lines, and I believe that the information contained in this article by Consul General R. E. Mansfield, of Vancouver, will be beneficial to the readers of the RECORD, and also information which the Senators should have.

I ask that the article be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

SAWDUST BRIQUETS IN BRITISH COLUMBIA.

[Consul General R. E. Mansfield, Vancouver.]

The disposition and profitable utilization of the by-products or refuse from sawmills is a question that is receiving the serious consideration of individuals and companies operating the mills on the Pacific coast. The production of lumber and shingles constitutes one of the principal industries of British Columbia, but on account of the extensive tracts of timberland and the increasing demand for lumber and shingles it has not yet reached the magnitude to which it promises to attain.

The increasing number of large sawmills, the growing importance of the lumber interests, and the thousands of tons of by-products or refuse in the way of sawdust, splinters, bark, slabs, and small cuttings that are constantly accumulating at the mills make the utilization of this waste material a matter of importance to the lumber and shingle manufacturers.

DEMAND FOR CHEAP FUEL IN CONVENIENT FORM.

The demand for a cheap fuel in convenient form, one that will produce less ash and cinder than coal, has encouraged experiments in the utilization of the by-product of the mills, especially of sawdust in compressed form. Most of the mills now use the sawdust from their plants in the furnaces for the production of steam power, and in some instances for generating electricity.

The conversion of the refuse into fuel possessing greater heat-producing power than the sawdust in its original form promises to develop a profitable industry. It will also lessen the cost of operating the mills by disposing of the by-product that now constitutes an item of considerable expense. The average loss is about 20 per cent of the cut in the manufacture of lumber, and in the Armstrong-Kerr process sufficient residue is obtained from the cutting of 1,000 feet of lumber to make 1 ton of briquets.

The approximate cut of the 220 sawmills, large and small, in British Columbia is 1,350,000,000 feet of lumber annually. The estimated waste from the cut of 1,000 feet of lumber is 350 pounds of sawdust, making a total annual residue from the mills in the Province of 236,250 tons. If this waste material were converted into briquets at a market value of $6 per ton, the total value would be $1,417,500.

To meet the demand for the utilization of this waste material two companies are conducting experiments in the manufacture of briquets. One has a plant in Victoria that is now turning out a considerable quantity of the new fuel, and the other is constructing a briquet factory in Vancouver for one of the largest lumber companies.

PROCESS OF MANUFACTURE—COSTS.

The process employed in the plant at Victoria is described as follows: The bark, slabs, shavings, sawdust, and other portions of the wood refuse from the sawmills is first passed through a "hog," or edging machine, in which it is cut into pieces not more than three-fourths inch long. The material is then passed into a shredder, where it is reduced to fine particles from the thickness of a match up to a quarter of an inch. From the shredder it passes into a dry kiln, where it is thoroughly dried, as green particles of wood will not adhere and remain in form, no matter how great the pressure may be. From the drier it goes to the heavy compress machine, where it is pressed into briquets or rolls 3 inches in diameter, held together with a 7-ply tarred jute string, the only bond used in the briquets.

The cost of production, including depreciation, interest on capital, insurance, etc., is estimated at $3 per ton. The selling price will be governed by the price of coal, as the new fuel will be a competitor of coal for domestic uses. The manufacturers claim that the briquets as a grate fuel and for cooking purposes, especially for baking, are superior to either wood or coal, as it is more combustible than the latter and leaves less ash and residue than either.

From scientific tests made by experts the fuel is said to contain 8,614 British thermal units to the pound, and the ash amounts to 2½ per cent. The company claims that from experiments made recently no ash or residue resulted from the burning of their product either in a grate, stove, or furnace. It is also claimed that it requires less air to insure good combustion than other fuels, especially coal, and that it does not disintegrate in the process of burning. The plant at Victoria is equipped with three machines with a daily capacity of 7 tons each. The fuel can be manufactured and delivered within a mile of the factory at a cost of $3 per ton, which is much less than the cheapest grades of Pacific coast coal.

COMPOSITION OF THE BRIQUETS.

The briquets manufactured by one company are made from sawdust and other by-products of the mills, to which is added tar, pitch, petroleum refuse, or similar substances of an adhesive nature, in sufficient quantities to bind or hold together the principal ingredient. The filler is coal, yellow clay, or other substances, the quantity or proportion depending upon the quality of sawdust used. The cheapest quality of soft-coal dust or slack, including a considerable percentage of dirt and ash, may be used to advantage. The composition of the briquets is as follows: Wood refuse, 65 per cent; coal, 25 per cent; pitch, tar, or oil, 10 per cent. The weight is one-third less than that of an equal bulk of coal.

The sawdust produced in the cutting of lumber on the Pacific coast is not really dust but flakes. Cut from softwood with saws especially made for the timber the residue is soft, spongy, and resilient, and in the raw state is difficult to compress, whereas the sawdust obtainable at the mills in the Eastern States, eastern Canada, and in Europe is from heavier wood, is granular in form, and is more easily compressed, requires less preparation and a smaller proportion of binding material, and is consequently less expensive to manufacture.

To convert the refuse of the British Columbia mills into briquets it is necessary first to pass it through a shredder, and then through a pulverizer to reduce it to a consistency from which it can be pressed into proper form.

BRIQUETTING MACHINERY.

The machinery required in the manufacture of briquets depends on the material utilized and the preliminary preparation necessary, such as pulverizing, drying, etc. The machines used in one process, designed and built especially for the purpose, are capable of a wide range of adjustment, with a maximum pressure of 10,000 pounds to the square inch. The cost of a compressing machine with an average capacity of 11,000 briquets per hour is from $12,000 to $14,000. The preparatory machinery consists of special forms of grinders, pulverizers, amalgamators, and mixers. The raw material is measured and weighed automatically and carried to the various parts of the plant by elevators and conveyors automatically operated.

Mr. CATRON presented petitions of sundry citizens of New Mexico, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. STERLING presented memorials of sundry citizens of Huron, S. Dak., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. NELSON presented memorials of sundry citizens of Minnesota, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Minnesota, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Virginia and Duluth, in the State of Minnesota, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Stillwater and St. Paul, in the State of Minnesota, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to amend the postal and civil-service laws, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Typographical Union No. 136, of Duluth, Minn., praying for the enactment of legislation making lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, to limit the issuing of injunctions in certain cases, and for other purposes, which were referred to the Committee on the Judiciary.

Mr. MARTINE of New Jersey. Mr. President, I have a petition from the capital of my State to present to the Senate.

I desire first to preface it with the statement that I am opposed to the bill to repeal the so-called Panama Canal tolls, and should it be my privilege to be present when the vote comes, I shall so declare myself in vote.

With no spirit of gloating or exultation, I have in my hand a petition that is most numerously signed from the capital of my State, in the city of Trenton, protesting against the passage of that bill and requesting, among other things, that I read the same in the Senate. I shall desist from that, inasmuch as it says some flattering things regarding myself. I will send it to the Secretary to be read.

I want to say that I am with the President. I believe him to be a patriot and a statesman, but on this question of the Panama Canal tolls my conscience and my judgment lead me to vote "nay." I do this in no sense or desire to be spectacular, but because the dictates of my judgment say no.

I believe that the welfare of the country demands the toll exemption. I believe that the great preponderance of public sentiment in the United States protests against the repeal. I want to be with the President, but I will only vote with the President, or any other man, on this or any other theme, when conscience and heart bid me. I do not believe, and I have too much faith in the President of the United States to believe, that he desires me or any other man to be with him without heart and without conscience.

I request that the petition may be read. I have about a hundred postal cards in the same line and more are coming each day.

There being no objection, the petition was read, as follows:

CITIZENS' COMMITTEE,
AGAINST REPEAL OF PANAMA CANAL TOLLS,
Trenton, N. J., April 16, 1914.

Hon. JAMES E. MARTINE,
United States Senator from New Jersey,
Washington, D. C.

DEAR SIR: At a largely attended citizens' meeting composed of all classes and political affiliations of influential Trenton citizens held in

the Young Men's Christian Association Auditorium, Wednesday evening, April 15, and addressed by Hon. Frederick W. Donnelly, mayor of the city; Hon. Barton B. Hutchinson, State senator from Mercer County; and Bainbridge Colby, esq., of New York, the following resolutions were unanimously adopted; and in accordance with the resolutions, we are forwarding them to you, with the request that you read them in the Senate as the expression of the citizens of the capital city of the State of New Jersey.

Another inclosure is a list of the vice presidents of the meeting.

Very truly, yours,

SAML. HAVERSTICK,
Chairman of Meeting.

Whereas the free tolls to American coastwise shipping was made a law nearly two years ago, after fullest consideration, by a Democratic House and Republican Senate and President, advised by those best versed in international law, and no new evidence of dominating character has since been made public to justify any reconsideration; and

Whereas the people of the United States were pledged a continuance of this law in the platform of the party now in power; and

Whereas to repeal this law by the present Congress and administration is a reflection on our national honor and on the intelligence or integrity of our former Congress and President, and to do it now, under an implied threat of foreign hostility, is extremely humiliating to the American people and un-American; and

Whereas free highways and waterways is a well-established American principle; and

Whereas to repeal this law is an unjust discrimination against American shippers, manufacturers, and consumers of dire consequence to the future of Trenton and other American cities; and

Whereas to repeal this law places a construction on the Hay-Pauncefote treaty with England surrendering our rights to use the Panama Canal in case of war and making all nations joint political owners of the canal with the United States, thereby violating the Monroe doctrine; and

Whereas to repeal the law at this time is perpetual, as we surrender our rights to all nations; and

Whereas a subsequent treaty with Panama made by the same man who consummated the Hay-Pauncefote treaty with England, and a pending treaty with Colombia which is urged by our administration, established beyond doubt our rights to pass our coastwise vessels through the canal toll free; and

Whereas the legislative branch of our Government is guaranteed in our Constitution supremacy in its own sphere and freedom from domination by the executive branch: Be it therefore

Resolved, That we, the citizens of Trenton, assembled in mass meeting, deplore the action of our Executive in attempting to coerce the legislative branch of our Government; and

Resolved, That we commend the action of our Senator JAMES E. MARTINE in opposing this repeal, and urgently call upon our Senator WILLIAM HUGHES to cooperate with Senator MARTINE and other Members of the Senate who, in the interests of the people, are opposing the repeal; and be it further

Resolved, That we respectfully request our Senator JAMES E. MARTINE to read these resolutions in the Senate as the expression of the citizens of the capital city of the State of New Jersey; and

Resolved, That our committee is hereby instructed to forward copies of these resolutions to our Senators, JAMES E. MARTINE and WILLIAM HUGHES, and supply copies to the press.

List of vice presidents: Walton M. Watson, James C. Tattersall, Hon. George W. Macpherson, Dr. N. D. Oliphant, Gen. James F. Rusling, Charles A. May, Charles B. Upjohn, Arthur H. Wood, Very Rev. Thadeus Hogan, Hery Wirtschafter, Duncan A. Mackenzie, Dr. H. G. Norton, Hon. Edward C. Stokes, Willis R. Doyle, Charles R. Austin, A. G. Dale, Hon. Huston Dixon, A. K. Leuckel, William H. Lafferty, Lester R. Weller, Edmund C. Hill, Dr. A. W. Belting, J. Wiggins Thorn, A. V. Robinson, Capt. John Schoenthaler, Dr. Robert H. C. Phillips, Richard R. Rogers, Casper Niedermeier, Joseph T. Cotton, Henry C. Moore, George W. Thomas, James H. Mulheron, William J. Walsh, Walter P. Wilson, James Tallon, Dr. Clarence J. Slack, Horace E. Fine, Rev. W. W. Case, Dr. William A. Clark, E. F. Wilgus, John R. Phillips, David Valz, Alfred F. Lutze, Hon. E. C. Hutchinson, Dr. Charles H. Mitchell, Everett Townsend, John W. Manning, A. Crozer Reeves, Dr. George R. Moore, Newton A. K. Bugbee, George W. King, Charles L. Hancock, Edward F. Connoly, Thomas H. Thropp, Dr. Harry R. North, Clifford H. Oakley, George F. Eberhard, D. M. Lovett, George M. Lynch, Dr. Frank G. Scammel, Harry A. Hill, J. Harry Thompson, Willard H. Young, William B. Maddock, James W. Rusling, Leo Salamander, Dr. E. S. Hawk, Frederick C. Anthiel, John Hillman, H. Edward Walsh.

Mr. SHAFROTH. Mr. President, I present resolutions adopted at the third annual conference of western governors, held in Denver, Colo., on April 9, 10, and 11, 1914, relating to the policy which they believe the United States Government should pursue in regard to public lands. The resolutions have been unanimously agreed to, and I ask that they may be read.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I ask the Senator from Colorado if these are not similar to the resolution which was read this morning? I refer to the resolution presented by the Senator from Idaho [Mr. BRADY].

Mr. SHAFROTH. I did not hear the resolution read this morning. The resolution read at the request of the Senator from Idaho was the Ammons resolution, which was omitted from the eastern press reports.

The VICE PRESIDENT. Is there objection to the reading of the resolutions? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

WHAT THE WEST WANTS.

Resolutions adopted unanimously by the third annual conference of western governors, held in Denver, Colo., April 7, 8, 9, 10, 11, 1914.

We, the members of the western governors' conference, in convention assembled at Denver, Colo., April 7, 8, 9, 10, and 11, 1914, do hereby adopt the followings resolutions:

CONSERVATION.

We believe in conservation—in sane conservation. We believe that the all-wise Creator placed the vast resources of this Nation here for the use and benefit of all the people—generations past, present, and future—and while we believe due consideration and protection should be given to the rights of those who come hereafter, we insist that the people of this day and age should be given every reasonable opportunity to develop our wonderful resources and put them to a beneficial use.

STATE CONTROL.

That it is the duty of each and every State to adopt such laws as will make for true conservation of our resources, prevent monopoly, and render the greatest good to the greatest number, and that as rapidly as the States prepare themselves to carry out such a policy of conservation the Federal Government should withdraw its supervision and turn the work over to the States.

SETTLEMENT OF OUR LANDS.

Believing that those who control the soil control the Nation, and that the most blessed nations are those where the ownership of lands is in many hands, we insist that in the management and sale of our public lands both the Federal Government and the State should maintain such a policy as will make for the rapid settlement of all vacant agricultural lands.

DESERT-LAND ACT.

Resolved, That this convention recommend to Congress amendments of the following nature to the desert-land act:

(1) That the entryman's proof of citizenship in the State wherein he makes a desert-land filing be changed from the time of filing to the time of proving up.

(2) That the requirements of reclamation be enlarged to embrace the alternative proof of cultivation by the actual growing of crops by dry-farm methods on double the acreage required if by irrigation.

HOMESTEAD ENTRY.

We approve the plan now before Congress to permit homestead entries by persons over 18 years of age.

WATER POWER.

Whereas Congress has declared "the water of all lakes, rivers, and other sources of water supply upon the public lands and not navigable shall remain and be held free for the appropriation and use of the public for irrigation, mining, and manufacturing purposes," we insist the Federal Government has no lawful authority to exercise control over the water of a State through ownership of public lands.

We maintain the waters of a State belong to the people of a State, and that the States should be left free to develop water-power possibilities and should receive fully the revenues and other benefits derived from such development.

PRECIOUS METALS.

We reiterate our expression contained in article 10 of the 1913 resolutions, referring to the reopening of mineral land, and in addition would urge that the revenues derived from the sale of such lands should be used for the reclamation of the arid lands of the West.

GRAZING LANDS.

We believe grazing lands should be disposed of through an "enlarged-homestead" act, giving the settler sufficient ground to enable him on a live-stock basis to support a family.

SUMMER HOMESTEAD LAW.

We favor the passage of a summer homestead or preemption law, permitting land not valuable for timber, minerals, or agriculture, but suitable for summer homes, to be acquired in not to exceed 40-acre tracts for summer homes. The entryman should not be required to be a resident of the State in which the land is situated, and suitable improvements of the value of $300 and three years' summer residence should be necessary to secure patent.

GOOD ROADS.

We reiterate that 5 per cent of the public lands in the several States should be granted to the said States to aid in construction of permanent roads.

DELAYS—RED TAPE.

We believe one of the greatest blessings the officials at Washington could bestow upon the West would be the elimination of all red tape and the taking of prompt action upon all matters pending before the departments and in which the Western States are interested, and we are pleased to note that efforts are already being made in that direction.

INTERIOR DEPARTMENT.

We are pleased at the thoughtfulness of the Secretary of the Interior in sending so many of his representatives to the irrigation conference now in session in this city. We express our appreciation of his intention to adopt a more liberal policy toward the settlement and development of the West, and assure him of our hearty cooperation in this direction.

DONATION OF LANDS.

We recommend that 10 per cent of all vacant and unappropriated public lands in each of the arid States be donated to such States and each of them as shall so request, said lands to be sold by such States as other State lands are disposed of, and the proceeds of such sales to form a reservoir fund to be used under the direction of the State for irrigation reclamation purposes.

RECLAMATION PROJECTS.

We urgently recommend that the United States reclamation projects now under process of construction be completed at the earliest practicable moment and turned over to the settlers thereunder as soon as can be.

CAREY ACT PROJECTS.

We urgently recommend that the United States Reclamation Service immediately investigate any and all Carey land, irrigation district, or like projects commenced or under construction in the arid States, and render such projects all financial and other assistance possible, to the end that they may be immediately completed and the settlers thereunder protected and assisted, and the persons holding bonds issued against said projects be compensated as far as practicable.

We urge the press of the Western States to investigate and actively support these principles.

RESOLUTIONS REAFFIRMED.

We reaffirm the action taken by the governors' conference in Salt Lake City, Utah, in 1913, as follows:

"We, the governors of public-land States, in conference assembled, believing that upon the administration of the laws governing the dis-

posal of the public lands in a very large measure depends the future prosperity of our States, do hereby agree to the following statement of what we believe should be the policy of the National Government in the administration of the public lands:

"1. That the newer States having been admitted in express terms on an equal footing in all respects whatever with the original States, no realization of that condition can be attained until the State jurisdiction shall extend to all their territory, the taxing power to all their lands, and their political power and influence be thereby secured.

"2. That as rapidly as the States become prepared to take over the work of conservation, the Federal Government withdraw its bureau from the field and turn the work over to the States.

"3. That permanent withdrawal of any lands within our States from entry and sale we believe to be contrary to the spirit and letter of the ordinance of 1787, the policy of which was followed for over a century, and we urge that such lands be returned to entry and opened to sale as speedily as possible.

"4. Dilatory action on the part of executive departments of the Government in passing title to purchasers of public lands is unfair to the States, as it permits purchasers to occupy the lands indefinitely, without the States having power to tax them.

"5. We believe that the best development of these States depends upon the disposal of the public lands to citizens as rapidly as the laws can be complied with.

"6. Bona fide homestead entry within the forest-reserve boundaries should be permitted in the same manner as on unreserved lands, subject only to protest where lands selected are heavily timbered with trees of commercial value, or known to contain valuable mineral deposits.

"7. That the Government grant to the public-land States 5 per cent of the public land remaining in such, to be administered by the States as the school lands are now administered, for the purpose of building national public highways.

"8. That liberal land grants be made for the purpose of establishing and maintaining forestry schools in the public-land States.

"9. That rights of way for all lawful purposes be granted without unwarranted hindrance or delay.

"10. That all mineral lands now withheld from entry or classified at prohibitive prices be reopened to entry at nominal prices, under strict provisions against monopolization.

"11. That we express our appreciation of the splendid work done by the departments at Washington in cooperation with the several States in experimentation and instruction. This assistance has been most valuable in the education of our children and the development of our States, and we commend the same principle to the administration at Washington as being the most feasible plan for the present advancement of true conservation.

"12. We believe that the National Government should provide for expert experimental work in the solution of the mining problems of the mineral States, in the same manner that the Agricultural Department now assists the farmers in solving the agricultural problems.

"13. We believe that the speedy settlement of those public lands constitutes the true and best interests of the Republic. The wealth and strength of the country are its land-owning population.

"14. The best and most economical development of this western territory was accomplished under those methods in vogue when the States of the Middle West were occupied and settled. In our opinion, these methods have never been improved upon, and we advocate a return to those first principles of vested ownership with joint interest and with widely scattered individual responsibility."

Mr. GALLINGER. A telegram has just been handed me, which I ask to have read from the desk.

There being no objection, the telegram was read, as follows:

LACONIA, N. H., *April 20, 1914.*

JACOB H. GALLINGER,
United States Senate, Washington, D. C.:

Block attempts of financial interests through jingo press to force intervention.

LACONIA SOCIALIST PARTY.

Mr. TILLMAN. Mr. President, in the nature of a petition and pursuing the policy of publicity which I have followed heretofore in regard to this matter, I send to the desk and desire to have read a letter from Mr. Fairfax Harrison, president of the Southern Railway Co., and my reply to it. They relate, as will be seen, to Mr. B. L. Dulaney's letter, which appeared in the RECORD on April 8. As I want to be entirely fair to all parties concerned, I deem it nothing but just that Mr. Harrison's letter should be given as wide publicity as Mr. Dulaney's has received.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

SOUTHERN RAILWAY CO.,
OFFICE OF THE PRESIDENT,
1300 Pennsylvania Avenue, Washington, D. C., April 16, 1914.

The Hon. BENJAMIN R. TILLMAN,
United States Senate, Washington, D. C.

DEAR SIR: My attention has been called to a letter written to you by Mr. B. L. Dulaney, under date of March 25, 1914, and published in the CONGRESSIONAL RECORD of April 8, 1914.

This letter contains serious charges against the management of this company. They have been made on the floor of the Senate and have become a part of its record.

If they are true, the management of this company ought to be exposed.

If they are false, their author ought to be exposed.

I ask, on behalf of the Southern Railway Co., an opportunity to refute them and, to that end, that a speedy and thorough investigation be ordered and the results given as wide publicity as the charges.

Faithfully, yours,

FAIRFAX HARRISON, *President.*

APRIL 20, 1914.

Mr. FAIRFAX HARRISON,
President Southern Railway Co.,
1300 Pennsylvania Avenue, Washington, D. C.

MY DEAR SIR: Yours of April 16 received. If the Naval Committee is ordered to investigate the charges made by Mr. B. L. Dulaney, as I hope will be done, your company shall have the fullest opportunity to expose Mr. Dulaney's falsehoods, if he has told any.

I will be delighted if you can refute the charges, because they are so serious, damaging, and far-reaching in their consequences to the whole South.

The matter will be brought to the attention of the Committee on Naval Affairs April 23, when Mr. Dulaney is expected to appear and make his statement orally. If you desire it, you may have a representative of the Southern Railway Co. at that meeting of the committee, not to cross-examine Mr. Dulaney but simply to hear him.

If an investigation is ordered by the Senate, a time will be appointed later for a thorough sifting of all the evidence presented in order that a report by the committee may be made to the Senate itself.

Very sincerely, yours,

B. R. TILLMAN,
United States Senator.

Mr. BRANDEGEE presented a petition of sundry citizens of New Britain, Conn., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Connecticut, remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of South Manchester, Conn., praying for an appropriation for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on Foreign Relations.

Mr. SHERMAN presented petitions of sundry citizens of Illinois, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of Balder Lodge, No. 12, Independent Order of Vikings, of De Kalb, Ill., praying for an appropriation for the erection of a monument to the memory of Capt. John Ericsson, which was referred to the Committee on the Library.

He also presented a memorial of the Chicago Medical Society, of Illinois, remonstrating against an amendment to the so-called antinarcotic bill, which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 16, of Chicago, Ill., praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, to limit the issuing of injunctions in certain cases, and for other purposes, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry labor organizations of Illinois, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented memorials of sundry labor organizations of Illinois, remonstrating against the conditions existing in the mining districts of Colorado, which were referred to the Committee on Education and Labor.

Mr. SMITH of Michigan presented memorials of 5,734 citizens of Michigan, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Marquette, Mich., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the Order of Railroad Trainmen, of Detroit, Mich, praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a memorial of the Copper Country Commercial Club, of Houghton, and of the Commercial Club of Menominee, in the State of Michigan, remonstrating against the assignment of the upper peninsula of Michigan to the Minneapolis reserve district, which was referred to the Committee on Banking and Currency.

He also presented a memorial of sundry citizens of Petoskey, Mich., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Petoskey, Mich., praying for the enactment of legislation to provide compensatory time for Sunday services rendered by employees in the Post Office Department, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Michigan Joint Penology Commission, remonstrating against the enactment of legislation to provide for the regulation of interstate commerce in convict-made goods, which was referred to the Committee on Manufactures.

Mr. DILLINGHAM presented petitions of sundry citizens of Vermont, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Jamaica, Vt., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. WEEKS presented a memorial of the General Court of the Commonwealth of Massachusetts, remonstrating against certain provisions of the pending immigration bill, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Boston, Mass., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented memorials of sundry citizens of Maine, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. CLAPP presented sundry memorials of citizens of Minnesota, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Minnesota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. KERN presented petitions of sundry citizens of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. CHAMBERLAIN presented petitions of sundry citizens of Oregon, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. NORRIS presented a petition of the congregation of the General Baptist Church of Elsmere, Nebr., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Nebraska, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. PERKINS presented petitions of sundry citizens of California, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Oxnard, Cal., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of California, praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of the Shipowners' Association of the Pacific Coast, of San Francisco, Cal., praying that an appropriation be made for the construction of a harbor at Crescent City, Cal., which was referred to the Committee on Commerce.

Mr. POINDEXTER presented a memorial of Local Union, No. 227, United Mine Workers of America, of Ronald, Wash., and a memorial of Local Union, No. 934, United Mine Workers of America, of Carbonado, Wash., remonstrating against the treatment accorded miners in the mining districts of Colorado, which were referred to the Committee on Education and Labor.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of Babcock Camp, No. 20, United Spanish War Veterans, of Flint, Mich., praying for the enactment of legislation granting pensions to certain soldiers and sailors and dependent widows and minor children of certain soldiers and sailors of the Spanish-American War, which was referred to the Committee on Pensions.

He also presented petitions of Local Union, No. 2808, and of Local Union, No. 2064, United Mine Workers of America, of Bay City, Mich., praying for an investigation into the conditions existing in the mining districts of Colorado, which were referred to the Committee on Education and Labor.

He also presented a memorial of Local Lodge, No. 63, Brotherhood of Railway Conductors, of Muskegon, Mich., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Commercial Club of Menominee, Mich., remonstrating against the assignment of the upper peninsula of Michigan in the Minneapolis Federal reserve district, which was referred to the Committee on Banking and Currency.

He also presented a petition of Upper Hay Lake Grange, No. 1552, Patrons of Husbandry, of Sault Ste. Marie, Mich., praying for the adoption of a system of rural credits, which was referred to the Committee on Banking and Currency.

Mr. BRADLEY presented petitions of Local Division No. 225, International Brotherhood of Locomotive Engineers, of Paducah; of Local Division No. 397, International Order Railway Conductors, of Covington; of Local Division No. 410, International Order of Locomotive Engineers, of Dixon; of Local Division No. 290, Order of Railway Conductors, of Wingo; and of Local Division No. 579, Order of Railway Conductors, of Lebanon Junction, all in the State of Kentucky, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (S. 2466) for the relief of Elsie McDowell Bunting, reported it with an amendment and submitted a report (No. 431) thereon.

Mr. THOMAS, from the Committee on Public Lands, to which was referred the bill (S. 1930) granting to the Atchison, Topeka & Santa Fe Railway Co. a right of way through the Fort Wingate Military Reservation, N. Mex., and for other purposes, reported it without amendment and submitted a report (No. 432) thereon.

Mr. WORKS, from the Committee on Public Lands, to which was referred the bill (S. 638) for the relief of William Liskey, reported it without amendment and submitted a report (No. 434) thereon.

Mr. WALSH, from the Committee on the Judiciary, to which was referred the bill (S. 5042) legalizing certain conveyances heretofore made by the Central Pacific Railroad Co. and others within the State of Nevada, reported it with amendments and submitted a report (No. 435) thereon.

Mr. LANE, from the Committee on Indian Affairs, to which was referred the bill (S. 5255) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States, reported it with amendments and submitted a report (No. 436) thereon.

GREAT NORTHERN RAILWAY CO.

Mr. PITTMAN. From the Committee on Public Lands I report back favorably, with an amendment in the nature of a substitute, the bill (S. 3897) authorizing the Great Northern Railway Co. to revise its line of railway adjacent to the Glacier National Park, in the State of Montana, and granting to the said railway company the right of way for its revised line in the said national park, and I submit a report (No. 433) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. CLARK of Wyoming. Let the bill be read for information.

Mr. WALSH. I object.

The VICE PRESIDENT. Objection is made, and the bill goes to the calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 5313) to regulate the taking or catching of sponges in the waters of the Gulf of Mexico and the Straits of Florida outside of State jurisdiction; the landing, delivering, curing, selling, or possession of the same; providing means of enforcement of the same, and for other purposes; to the Committee on Fisheries.

A bill (S. 5314) for the relief of Edward J. Fisher; and

A bill (S. 5315) for the relief of Charles F. Ross; to the Committee on Claims.

By Mr. ASHURST:

A bill (S. 5316) authorizing the survey and sale of certain lands in Coconino County, Ariz., to the occupants thereof; to the Committee on Public Lands.

By Mr. BRISTOW:

A bill (S. 5317) granting an increase of pension to Robert S. Parker (with accompanying papers); to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 5318) for the relief of the heirs of Mary A. Ragsdale, deceased, to the Committee on Claims.

By Mr. STERLING:

A bill (S. 5319) conferring jurisdiction upon the Court of Claims to hear and determine suits brought by or on behalf of

the Yankton Sioux Tribe of Indians, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 5320) granting an increase of pension to William H. H. Beadle (with accompanying papers);

A bill (S. 5321) granting an increase of pension to James D. Bennett (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5322) to provide for the national defense; to the Committee on Appropriations.

By Mr. CUMMINS:

A bill (S. 5323) to amend the act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and to further regulate commerce among the States and with foreign countries; to the Committee on Interstate Commerce.

By Mr. SMOOT:

A bill (S. 5324) to authorize the Secretary of the Interior to issue patents for certain lands to the town of Myton, Utah; to the Committee on Public Lands.

By Mr. NELSON:

A bill (S. 5325) authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin; to the Committee on Commerce.

By Mr. ROBINSON:

A bill (S. 5326) granting an increase of pension to William J. Murray (with accompanying paper); to the Committee on Pensions.

By Mr. POMERENE:

A bill (S. 5327) granting an increase of pension to Adaline Norton; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 5328) granting an increase of pension to Samuel Morningstar;

A bill (S. 5329) granting an increase of pension to Milford M. Britton;

A bill (S. 5330) granting an increase of pension to Charles W. Riggs;

A bill (S. 5331) granting an increase of pension to Arthur Householder (with accompanying papers);

A bill (S. 5332) granting an increase of pension to Emory A. Hilkert (with accompanying papers);

A bill (S. 5333) granting an increase of pension to Moses Bahney; and

A bill (S. 5334) granting an increase of pension to Robert Layman (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A joint resolution (S. J. Res. 140) authorizing the Secretary of the Interior to make an approximate classification of the unreserved unappropriated public lands of the United States; to the Committee on Public Lands.

By Mr. POMERENE:

A joint resolution (S. J. Res. 141) to authorize the Secretary of the Treasury to have cleaned the exterior of the Federal building at Cincinnati, Ohio, under contract let upon competitive bidding, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FLETCHER submitted an amendment proposing to appropriate $100,000 for beginning the improvements in the harbor of Key West, Fla., in order to provide a suitable naval station for use of torpedo boats, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. STERLING submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. SMITH of South Carolina submitted an amendment proposing to increase the salary of one executive assistant in seed distribution in the Bureau of Plant Industry, Agricultural Department, from $2,500 to $2,750 per annum, intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and be printed.

Mr. RANSDELL submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

VOCATIONAL EDUCATION COMMISSION.

Mr. SMITH of Georgia. I introduce the joint resolution which I send to the desk.

The joint resolution (S. J. Res. 142) authorizing the Vocational Education Commission to employ such stenographic and clerical assistants as may be necessary, etc., was read twice by its title.

Mr. SMITH of Georgia. Mr. President, a joint resolution has passed both Houses of Congress creating the commission and an appropriation of $15,000 has been made for their use. The Comptroller of the Treasury holds, however, that the use of the appropriation does not extend to the clerical force under the formal wording of the joint resolution; and this joint resolution which I introduce is simply to amend the previous joint resolution. I ask that the joint resolution be referred to the Committee on Education and Labor.

The VICE PRESIDENT. In the absence of objection, that action will be taken.

THE COMMITTEE ON BANKING AND CURRENCY.

Mr. HITCHCOCK submitted the following resolution (S. Res. 341), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That for the compiling of data showing the results of insurance of bank deposits in Oklahoma, Texas, Kansas, Nebraska, and South Dakota, also the compiling of the statutes on the subject in said States and the judicial construction of said statutes in the courts of last resort, the Committee on Banking and Currency is authorized to employ expert assistance, the cost not to exceed $50, to be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman.

THE PANAMA CANAL TOLLS.

Mr. GALLINGER. I submit a resolution, and ask that it be read and lie over under the rule.

The resolution (S. Res. 342) was read, as follows:

Whereas all nations largely engaged in commerce now pay either indirectly or specifically the tolls of their principal national lines of steamships passing through the Suez Canal, and are preparing to make the same provisions for payment out of the national treasuries of tolls for their vessels which may seek to pass through the Panama Canal; and

Whereas the Congress of the United States, acting on the urgent recommendation of the President, is now legislating with a view to provide that tolls shall be paid in full by all American ships which may be engaged in both the coastwise and foreign trade at Panama, so that American ships will probably be the only ships which will be required to pay tolls for the use of this great waterway, built by the United States Government at a cost of nearly $400,000,000 of the money of the American people: Therefore be it

Resolved, That in the event of the free-tolls provision of the Panama Canal act being repealed, in order to establish equality between American and foreign ships in the matter of the payment of tolls, no vessel of foreign register, whose owner or owners receive a subsidy or bounty of any kind whatsoever in connection with tolls for the use of the Panama Canal, shall be permitted to enter or pass through said canal.

Mr. GALLINGER. I ask that the resolution lie over under the rule, as I desire to address myself briefly to it at some subsequent time.

The VICE PRESIDENT. The resolution will lie over under the rule and be printed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SHIVELY submitted the the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10138) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 41, 42, 43, 44, 46, 48, 49, 50, 51, 52, 53.

That the Senate recede from its amendments numbered 3, 7, 11, 35, 40, 45, 47, and agree to the same.

BENJAMIN F. SHIVELY,
N. P. BRYAN,
Managers on the part of the Senate.

JOE J. RUSSELL,
J. A. M. ADAIR,
J. N. LANGHAM,
Managers on the part of the House.

The report was agreed to.

SELAH G. BLAKEMAN AND TIMOTHY E. HAWLEY.

The VICE PRESIDENT laid before the Senate the request of the House of Representatives for the return of the enrolled bill (S. 1689) authorizing the accounting officers of the Treasury to allow in the accounts of the United States marshal for the district of Connecticut amounts paid by him from certain appropriations, and, without objection, the request was ordered to be complied with.

JOINT MEETING OF THE TWO HOUSES—PRESIDENT'S ADDRESS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives, which was read (H. Con. Res. 37):

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 20th day of April, 1914, at 3 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make them.

Mr. KERN. I ask that the Senate concur in the resolution of the House of Representatives.

The concurrent resolution was considered by unanimous consent and agreed to.

STATUE OF ZACHARIAH CHANDLER.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives, which was read (H. Con. Res. 36):

Resolved by the House of Representatives (the Senate concurring), That the thanks of Congress be presented to the governor, and through him to the people, of Michigan for the statue of Zachariah Chandler, whose name is so honorably identified with the history of that State and of the United States.

Resolved, That this work of art is accepted in the name of the Nation and assigned a place in the old Hall of the House of Representatives, already set aside by act of Congress for statues of eminent citizens, and that a copy of this resolution, signed by the President of the Senate and Speaker of the House of Representatives, be transmitted to the governor of the State of Michigan.

Mr. GALLINGER. Mr. President, in reference to the resolution, I feel quite sure the senior Senator from Michigan suggested that he would like to have it lie over for the present.

Mr. TOWNSEND. I should like to have the resolution lie over.

The VICE PRESIDENT. The Chair will state that the senior Senator from Michigan [Mr. SMITH] stated to the Chair that it was his desire that the resolution be concurred in; but, of course, it makes no difference to the Chair.

Mr. TOWNSEND. I ask that the resolution may go over, because I desire to submit some remarks on it, and I am not prepared to do so this morning. I therefore ask that it may lie on the table.

The VICE PRESIDENT. The concurrent resolution will lie on the table.

HOUSE BILL REFERRED.

H. R. 15279. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1915, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

VESSELS IN COASTWISE AND FOREIGN TRADE.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read.

The concurrent resolution (S. Con. Res. 23), submitted by Mr. SHEPPARD on the 17th instant, was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Interstate Commerce Commission be, and hereby is, authorized and directed to immediately investigate and, as soon as practicable, report to Congress the following information:

First. To what extent, if any, vessels and steamship lines are engaged in transporting freight between Atlantic and Pacific ports wholly by water, or partly by water and partly by rail, and in the coastwise trade of the United States, under joint ownership or common control or in community of interest, directly or indirectly, by stock ownership, trust, holding committee, or otherwise, with railroad companies engaged in transporting freight by rail between the Atlantic and Pacific ports of the United States and in the coastwise trade of the United States, stating separately what vessels and steamship lines are owned and controlled by said railroad companies, if any, and what vessels and steamship lines in said transportation are under a common or joint ownership or control with said railroad companies, or any thereof, and the names of the owners, stockholders, trustees, holding companies, directors, and officers of all steamship lines and railroads engaged in the coastwise and foreign trade of the United States. And to what extent and how, if any, they are consolidated, directed, or operated by and through holding companies, interlocking stocks, interlocking directorates, or interlocking officers.

Second. What are the prevailing rates upon the principal commodities carried by vessels between said Atlantic and Pacific ports of the United States wholly by water or partly by water and partly by rail across the Isthmus of Panama or Tehuantepec, and what are the prevailing rates between said Atlantic and Pacific ports upon such commodities transported wholly by rail, and what are the prevailing rates for transportation of similar commodities wholly by water by vessels not under United States registry for similar distances as the water routes between said Atlantic and Pacific ports of the United States carried under similar conditions.

Third. And what are the prevailing rates upon the principal commodities carried by vessels in the coastwise trade of the United States in comparison with such rates on similar commodities for similar distances carried by vessels in the foreign trade of the United States.

Fourth. And what are the prevailing rates for transportation for similar commodities wholly by water by vessels not under United States registry for similar distances on similar commodities under similar conditions in comparison with the rates on commodities transported in the coastwise trade of the United States.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Texas, who submitted the resolution, if an identical resolution has not been introduced in the House, and whether or not it has been passed by that body?

Mr. SHEPPARD. It has been favorably reported in the House.

Mr. SMOOT. Has not the resolution already passed the House?

Mr. SHEPPARD. I am not sure as to that. I will say to the Senator from Utah that I do not think it has been reached in the House on account of the vast amount of legislation pending over there. I introduced the resolution in this body thinking that in this way action could be gotten on it sooner.

Mr. SMOOT. I wish to say to the Senator that I have no objection whatever to the passage of the resolution, but I was told this morning that the resolution had passed the House.

Mr. SHEPPARD. I do not think it has.

Mr. SMOOT. But if the Senator is quite sure it has not, then of course I have no objection to it.

Mr. BRANDEGEE. Mr. President, I did not hear the resolution distinctly in all its parts. Does it direct the Interstate Commerce Commission to make this investigation?

Mr. SHEPPARD. The resolution directs an investigation and a report to Congress.

Mr. BRANDEGEE. I do not know, of course, what the intention of the Senator from Texas may be in regard to the treatment of this resolution; but inasmuch as it came over from a previous day under the rule, I assume that he intends to ask unanimous consent for its present consideration.

A copy of the resolution has just been handed to me. It contains more than two pages of printed matter. I have not had time to read it. I consider it of considerable importance, and possibly it would involve quite a time and considerable investigation. I am quite confident that certain matters which I see alluded to here have already been investigated by committees of Congress of one House at least, and I would not desire now to direct the Interstate Commerce Commission to make this investigation.

I suggest to the Senator that he either let the resolution go over or have it referred to the Committee on Interstate Commerce, which I think ought to consider it before the Senate acts upon it.

Mr. SHEPPARD. It will be entirely satisfactory to me to have the resolution referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. Without objection, the resolution will be referred to the Committee on Interstate Commerce.

THE CALENDAR.

The VICE PRESIDENT. Morning business is closed. The calendar under Rule VIII is in order.

Mr. HITCHCOCK. I ask unanimous consent that we may proceed with the calendar at the point where the Senate left off at its last session.

The VICE PRESIDENT. Is there any objection?

Mr. POINDEXTER. I object.

The VICE PRESIDENT. Objection is made.

BILLS, ETC., PASSED OVER.

The first business on the calendar was the bill (S. 1240) to establish the legislative reference bureau of the Library of Congress.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 655) authorizing the Secretary of the Interior to survey the lands of the abandoned Fort Assiniboine Military Reservation and open the same to settlement was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 41) authorizing the Secretary of the Interior to sell or lease certain public lands to the Republic Coal Co., a corporation, was announced as next in order.

The VICE PRESIDENT. The question is on the passage of the joint resolution.

Mr. FALL. Let the joint resolution go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 2242) making it unlawful for any Member of Congress to serve on or solicit funds for any political committee, club, or organization was announced as next in order.

Mr. THOMAS. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3112) to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex., was announced as next in order.

Mr. THOMAS. In view of the necessary absence of the chairman of the Committee on Public Lands [Mr. MYERS], who is interested in that bill, I ask that it may go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2651) providing for the purchase and disposal of certain lands containing kaolin, kaolinite, fuller's earth, and other minerals within portions of Indian reservations heretofore opened to settlement and entry, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 156) limiting expenditures for telegrams sent or received by Senators was announced as next in order.

Mr. CLARK of Wyoming. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

Mr. WILLIAMS. That resolution is the unfinished business, is it not?

The VICE PRESIDENT. No; it is not the unfinished business.

The resolution (S. Res. 84) providing that any Senator upon his own request may be recorded and counted as present in order to constitute a quorum was announced as next in order.

Mr. CLARK of Wyoming. Let the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The resolution (S. Res. 218) proposing an amendment to the standing rules of the Senate was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The joint resolution (S. J. Res. 26) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 3023) relating to the duties of registers of United States land offices and the publication in newspapers of official land-office notices was announced as next in order.

Mr. SMOOT. The Senator from Ohio is not present, and on that account I ask that the bill may go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 94) to authorize the Secretary of Commerce to investigate the condition of trade in China, for the purpose of determining the desirability of establishing there a permanent exposition of the products of the United States of America, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 2425) to authorize the Roanoke River Development Co. to construct and maintain a dam across the Roanoke River in Mecklenburg County, in the State of Virginia, approximately 20 miles below the town of Clarksville, in said State, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3971) to provide for a permanent exhibit of the resources of the States of the Union in or near Washington, D. C., was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 10) proposing an amendment to the Constitution of the United States fixing the time for the convening of Congress and commencement of the terms of the President, Vice President, Senators, and Representatives was announced as next in order.

Mr. SUTHERLAND. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 1986) to remove the charge of desertion from the military record of Henry Fuller was announced as next in order.

Mr. SMOOT. Mr. President, I ask that this bill and the two following ones may be passed over. The senior Senator from Michigan [Mr. SMITH] is not present.

The VICE PRESIDENT. Senate bill 1986, Senate bill 3594, and Senate bill 1990 will be passed over at the request of the Senator from Utah.

The resolution (S. Res. 254) to create a special committee of five Senators to assist the Interstate Commerce Commission in investigating certain facts regarding the methods and practices of the Louisville & Nashville Railroad, and for other purposes, was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 392) to create in the War Department and Navy Department, respectively, a roll designated as "the Civil War Volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 121) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade, was announced as next in order.

Mr. BRYAN. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes, was announced as next in order.

Mr. GALLINGER. Let that bill go over.

Mr. WILLIAMS. Mr. President, I desire to call the attention of the Senator making the objection to the fact that the Senate had this bill under consideration a few days ago, and it was discussed at some considerable length, and we had hoped to be able to take it up to-day and get rid of it. We had formerly made an agreement to consider the Senate committee amendments and the other amendments and dispose of the bill at that time, but it was cut off by the expiration of the morning hour.

Mr. GALLINGER. I will say to the Senator from Mississippi that I did not make the objection because of opposition to the bill itself; but I presume that the special order will be laid down again at 1 o'clock, and I hardly think we can complete this bill in that time under the five-minute rule. I will cooperate with the Senator to get early action upon it.

Mr. WILLIAMS. Does the special order come into operation at 1 o'clock?

Mr. GALLINGER. I assumed that to be so.

Mr. WILLIAMS. Is that the fact?

The VICE PRESIDENT. It is.

Mr. WILLIAMS. Then it is useless to enter upon the consideration of this bill at this time, because there is only one minute left in which to do so.

The bill (H. R. 6827) to amend an act entitled "An act to change the name of the Public Health and Marine-Hospital Service to the Public Health Service, to increase the pay of officers of said service, and for other purposes," approved August 14, 1912, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4552) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

Mr. BRYAN and Mr. WILLIAMS. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

VOLUNTEER FORCES OF THE UNITED STATES.

The bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war was announced as next in order.

Mr. CHAMBERLAIN. Mr. President, I hope the Senate will take up this bill for consideration.

Mr. WILLIAMS. The special order comes on at 1 o'clock.

Mr. CHAMBERLAIN. Then I move that the bill be considered at this time.

The VICE PRESIDENT. The motion can not be made before 1 o'clock.

Mr. REED. Let the bill go over, Mr. President.

Mr. CHAMBERLAIN. Mr. President, I hope the Senator will not object to the consideration of the bill. I may say to the Senate that the War Department is very anxious to have the bill considered; and if there ever comes a time when we

will probably need it, I think it is right now. It is a bill that has received the earnest attention of the House; it has passed the House; it has received the consideration of the Senate Committee on Military Affairs, and it has already been read. It ought not to take very long to dispose of it.

RADIUM-BEARING ORES.

The VICE PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the special order of business, which is Senate bill 4405. It will be stated by title.

The SECRETARY. A bill (S. 4405) to provide for and encourage the prospecting, mining, and treatment of radium-bearing ores in lands belonging to the United States, for the purpose of securing an adequate supply of radium for Government and other hospitals in the United States, and for other purposes.

The VICE PRESIDENT. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. ROBINSON obtained the floor.

Mr. CHAMBERLAIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Oregon?

Mr. ROBINSON. I do.

Mr. CHAMBERLAIN. I desire to make a motion that the Senate proceed to the consideration of House bill 7138.

Mr. ROBINSON. Will the Senator from Oregon withhold the motion until I can make a brief statement touching the point of order?

Mr. CHAMBERLAIN. Very well.

Mr. ROBINSON. Mr. President, the view has been expressed by some of the skilled parliamentarians in this body, including the Senator from Massachusetts [Mr. LODGE] and the two Senators from Utah, that the decision of the Vice President overruling the point of order and holding that the special order was not displaced by reason of the failure to dispose of the same upon the first day when it was set is not supported by precedent and will embarrass the Senate in the future transaction of its business. I had expected that some one else more familiar with the rules and practices prevailing in the Senate would discuss the point of order from the standpoint contrary to that occupied by these very able and learned Senators.

Considering the subject for the purpose of determining my own vote on the appeal from the decision of the Chair, I have reached the conclusion that the ruling of the Vice President is right, and should therefore be sustained, and will briefly submit some of the considerations which have prompted this conclusion.

THE PRECEDENTS SUSTAIN THE CHAIR.

It must be borne in mind that while no precedents have been cited to the contrary, the Vice President has called attention to the decision of the President pro tempore, Mr. Frye, of February 23, 1901, in point. The ruling of the Vice President gives some dignity to special orders, and will in no wise prevent the Senate from displacing the special order by an affirmative majority vote. The contrary view penalizes special orders unless, as rarely happens, they are disposed of during the first day.

The suggestion that this ruling, if sustained, will, in effect, enable the Senate to mortgage its time in advance, and thus exclude the consideration of other business, is not of controlling force when it is recalled that the object of a special order is to make certain the consideration of a certain measure at a fixed time and that the Senate can, by a majority vote, proceed to the consideration of any other subject and thus relieve itself of the obligation to finally dispose of the special order whenever in the opinion of the Senate it is desirable to do so. It is clear that since, upon motion adopted by a majority vote, the Senate can displace a special order with other business, the ruling will not have the effect of seriously interfering with the business of the Senate, as has been suggested by some Senators.

Those who have argued against sustaining the Chair have declared that the sole object of a special order is to give it "a day in court." In the use of this illustration they are unfortunate. The term "day in court" does not mean the right of a litigant to begin the trial of his case, but almost always implies the right to proceed to the hearing and determination of the cause. How can a measure be said to have had its "day in court" if the discussion of it has merely been commenced and the measure has not been disposed of? Before it can fairly be said to have had its "day in court," it must be passed upon by the Senate or that body must have expressed its desire not to finally determine it by voting to take up some other measure.

So, if the effect of making a bill a special order is to give that bill its "day in court," the ruling of the Chair should be sustained, because that is exactly what the Vice President has done. He has held that when the Senate, by a two-thirds vote, agrees to take up a measure at a certain time, it shall proceed under the rules to finally determine the measure, unless before a vote upon it has been taken the Senate decides to take up something else.

Any other view of the matter would make procedure by special order in the Senate ineffective. It would give no more rights to a bill which two-thirds of the Senate vote to take up at a fixed time than to another which may be taken up by a majority vote.

If the contention of the Senator from Utah [Mr. SUTHERLAND] is correct, that Rule VIII precludes the consideration of special orders during the morning hour so long as the calendar under Rule VIII remains disposed of, it must follow that this special order has no rights or privileges within the morning hour, either upon the initial day or upon any subsequent day, when it had been consigned, in accord with Rule X, to that mysterious bourne designated as the "Calendar of Special Orders."

If it is agreed that the early clause in Rule VIII, which reads "unless upon motion the Senate shall at any time otherwise order," protects the special order upon the one particular day that is named in the motion creating it, why do not those same words apply to, follow, and protect that special order in all of its rights upon the following day?

The two Senators from Utah argue that after the special order has been taken up, whether disposed of or not, whether or not it has been displaced by the unfinished business, the fact that it has been laid before the Senate at all is sufficient to comport with the peculiar privilege and dignity attaching to its character as a special order, made by a two-thirds vote of the Senate, that it then goes off somewhere—to a mysterious and indefinable realm designated as the "Calendar of Special Orders." According to the arguments of these Senators, it has had its "day in court," and if it ever comes up again, it must be under Rule IX, upon a specific motion for that purpose.

Mr. SMOOT. Mr. President——

Mr. ROBINSON. I prefer to proceed to the conclusion of my statement, and then I will yield to the Senator from Utah.

In other words, if a Senator is indiscreet enough to ask that a bill be made a special order for a particular day and hour, and two-thirds of the Senators are willing to grant his request, the bill is straightway placed in special and peculiar jeopardy. It is marked for a legislative burial ground, conspicuously designated as the Calendar of Special Orders, under Rule IX.

Every Senator realizes that Calendar IX is a Senator's last hope. It is rarely, if ever, reached in the regular order of business. How many Senators here can recall when the calendar under Rule IX was reached in a regular way? It takes a motion to lift a bill from this tomb, and the fact that the bill has once been buried there puts a Senator upon guard. He becomes suspicious and slow to assent to the resurrection.

And so we have the special receiving vault, labeled the "Calendar of Special Orders."

To state the matter in another way: A bill that has once been given special consideration by the Senate by a two-thirds vote—that is, a "special order"—can by the easiest of parliamentary legerdemain be relegated to a much inferior position than it originally occupied—to a place where it is virtually blacklisted.

So long as it was upon Calendar VIII it could be reached in the course of regular procedure; if not reached one day, it might be taken up the next; if once reached and not disposed of, it might have a second chance. These privileges it enjoyed without special let or hindrance. It could also be taken from Calendar VIII without any stigma attaching to it, without a sign above its title that it belonged to the class of "has beens."

If a special order of the Senate has no preferred standing in this body, why did the Committee on Rules ever frame Rule X, to which a bill must go if once made a special order and not disposed of on the first day? The "Calendar of Special Orders," as construed by the Senators from Utah, the senior Senator from Massachusetts, and others, becomes a mysterious place in parliamentary economy comparable to that "twilight zone" so affectionately referred to in debate by the distinguished Senator from Minnesota [Mr. CLAPP] as the mysterious borderland of the millenium from which no real Progressive ever returns. May it not be said that this "Calendar of Special Orders" was wisely provided to give special rights to all such bills as two-thirds of the Senate shall decide are of sufficient importance to have special consideration?

I am inclined to follow the ruling of the Vice President, supported by his able opinion based upon the decision of ex-President pro tempore Mr. Frye, who said that inasmuch as it requires a two-thirds vote of the Senate to make a special order, a bill having received this recognition becomes clothed

with unusual rights; that whenever there is no unfinished business subsequent to the special order made, that special order is to be laid before the Senate as unfinished business. The able and astute Vice President has been governed by the time-honored precedents of this body, and his ruling will give reasonable effect to all the rules established for the regulation of procedure here. No harm can come to the Senate by sustaining his decision. It may make the Senate more cautious as to what measures it will make special orders. It may make us more reluctant to encroach upon the morning hour and to "mortgage" the time of the Senate. As the Vice President has suggested, the Senate will still have the power, by a majority vote upon motion to proceed to the consideration of some other subject, to displace special orders.

So long as we have permitted the morning hour to be mortgaged and preempted by the mere notices of Senators, sometimes given weeks in advance of their intention, upon the conclusion of the morning business, to speak upon subjects not really before this body, thus deferring for days and even weeks consideration of the calendar under Rule VIII, the objection that the ruling of the Vice President which in effect says that when a bill is made a special order it does not lose its dignity as such by the mere expiration of the day when its consideration is begun constitutes an unreasonable mortgaging of the time of the Senate sounds absurd to the mind not trained to the arts or devoted to the practices of parliamentary sleight of hand.

Mr. SMOOT. Mr. President, I desire to say that the Senator from Arkansas, so far as my own position is concerned in this matter and I believe as I presented it to the Senate, is only partially correct. I have never contended that a special order did not give any privilege to a bill, for I particularly called attention to the fact that if a bill is made a special order for an hour upon a particular day at the hour of the day for which that special order had been fixed the bill must be presented to the Senate. The privilege that bill has is this: The bill must be presented to the Senate, and then if the bill is not disposed of on that particular day and the Senate adjourns before the conclusion of the measure, with that bill pending before the body, automatically it becomes the unfinished business on the morrow unless——

Mr. GALLINGER. Provided there is no other unfinished business.

Mr. SMOOT. I was going to say exactly what the Senator from New Hampshire has suggested, providing there is no unfinished business upon the calendar at that time.

In this particular case, Mr. President, when the Senator from Montana asked that this bill be made a special order, I myself called his attention to the fact that there was unfinished business upon the calendar and told him at the time that the unfinished business would come up at 2 oclock and had precedence over a special order. The Senator from Montana admitted it, and the hour was changed from 2 o'clock, as first requested, to 1 o'clock, at my suggestion.

Mr. WALSH. I wish to ask the Senator from Utah, if the request, as I originally preferred it, that it be made a special order for 2 o'clock had been acceded to, would not the bill have stood for disposition immediately after the unfinished business?

Mr. SMOOT. Not unless on the particular day on which the special order had been made the unfinished business had been disposed of, and then the special order taken up for consideration. Otherwise, it would have had no privilege. That has been the past practice of the Senate.

I did not take the time the other day to point to precedents, but I have here at least 20 showing that that has been the case. I contented myself by simply calling attention to the bill in charge of the Senator from Iowa [Mr. KENYON] in relation to the liquor question.

Mr. President, I am still of the opinion that the rules as they are to-day were made for the very purpose that a special order should not have a privileged position except under the circumstances to which I have referred this morning. I believe that anyone who has studied the question and the rule before the change in 1884 can come to no other conclusion, because the rule that governed special orders in 1854, which was referred to by the Vice President, could not have been more specific than it is. It is Rule XXXI, and the fourth paragraph specifically states that—

> Special orders shall not lose their position on account of intervening adjournment, nor shall they lose their relative position on the calendar, except by a vote of the Senate, until finally disposed of.

Why was that rule abolished if the ruling of the Chair is to stand now? Why did the Senate change it? I defy any Senator to write language more plainly than that and express a position more clearly than the words of the old rule.

Mr. President, the rule of 1854 was changed because of the fact that the Senate decided to make the unfinished business the privileged question, and it automatically comes up at 2 o'clock every day until it is disposed of. Before that time, Mr. President, that was not the case.

The VICE PRESIDENT. May the Chair ask where the rule is that makes the unfinished business come up at 2 o'clock? The Chair can not lay his hand on it just now.

Mr. SUTHERLAND. If I may be permitted to make a suggestion, I do not think there is any specific rule on the subject, but under usual parliamentary law, when a piece of business has been entered upon and not finished on a particular day, it comes up at the meeting the subsequent day. Now, that ordinary rule of parliamentary law has been interfered with and modified by Rule VIII, which provides that—

> At the conclusion of the morning business for each day * * * the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and continue such consideration until 2 o'clock.

And then the rule further provides that that "shall take precedence of the unfinished business and other special orders."

The VICE PRESIDENT. That was not the inquiry of the Chair. The inquiry of the Chair was where is the rule.

Mr. SUTHERLAND. That is the only rule there is on the subject, as I understand, Mr. President.

Mr. SMOOT. The effect of the practice——

The VICE PRESIDENT. The Chair is not asking about the practice; the Chair is asking where the rule is.

Mr. SMOOT. Rule VIII specifically provides that until 2 o'clock certain business shall have precedence, but after 2 o'clock it does not; and the only thing——

The VICE PRESIDENT. The Chair understands that. The Chair was asking where the rule is about the unfinished business coming up at 2 o'clock.

Mr. SMOOT. Well, Mr. President, that has been the rule and in accordance with the precedents of the body ever since I have been here, and for years previously.

The VICE PRESIDENT. Exactly.

Mr. SMOOT. I do not remember precisely what Jefferson's Manual says upon this point, but I think that it also specifically upholds my contention on this point.

Mr. WALSH. I dare say this matter has now been sufficiently discussed, and I move to lay the appeal from the decision of the Chair on the table.

The VICE PRESIDENT. That motion has been lost, the Chair understands, although the Chair was not here at the time.

Mr. SMOOT. It has been lost, Mr. President.

Mr. WALSH. A parliamentary inquiry, Mr. President. After the matter has been debated and discussed, is not the motion then in order? My understanding is that the purpose of the motion is to shut off debate. Of course, after it has been debated the question is before the body in a different parliamentary status.

Mr. SUTHERLAND. Mr. President, may I suggest to the Senator from Montana that we shall reach a vote upon this matter in a very few moments, I think, if he will be patient about it? I do not think there is any disposition to debate it at any further length.

Mr. WALSH. The Senator from Montana has been obliged to exhibit considerable patience, but he will be glad to withhold the motion if the Senator from Utah desires to say anything further.

The VICE PRESIDENT. The Chair will say to the Senator from Montana that the Chair is of the impression that only one motion to table could be in order, and the motion to table was not carried the other day, as the RECORD discloses. The Chair thinks that the question on which the Senate is now to vote is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. SUTHERLAND. Mr. President, I desire to say merely a word. I wish, first of all, to complete what I began to say in response to the inquiry of the Chair. The inquiry of the Chair was, Where was the rule which made the unfinished business come up at 2 o'clock each day? As I understand, it is a rule of general parliamentary law that when business has not been completed upon one day it comes up the next day for completion as the unfinished business. That general rule of parliamentary law has been modified to the extent only that under Rule VIII of the Senate the unfinished business is postponed until 2 o'clock by the express provisions of that rule. So, taking the general parliamentary rule in connection with Rule VIII, the unfinished business comes up automatically every day at 2 o'clock.

Mr. President, the Senator from Arkansas [Mr. ROBINSON] has argued at some length in support of the ruling of the Chair, and has undertaken to show that when the Senate by a two-

thirds vote has made a bill a special order for a particular day, that gives it some unusual status. It does, Mr. President; it gives it a status which no other bill has, namely, the right to come up on the particular day that has been fixed, at the hour fixed, and to be considered, if there is no unfinished business, during the remainder of that day.

Mr. WEST. Mr. President——

Mr. SUTHERLAND. Just a moment. But if it is not disposed of, the rule expressly provides, not that it shall be continued from day to day at the same time—which would have been a very simple thing to provide if the Senate had so desired—but that it shall take its place on the Calendar of Special Orders. Then we must go to the rules to ascertain what is to be done with the Calendar of Special Orders, and when we do so we find there is absolutely no provision anywhere in the rules as to when that Calendar of Special Orders shall be called.

Mr. OVERMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SUTHERLAND. I yield to the Senator.

Mr. OVERMAN. I think the Senator will find in Rule X the provision with relation to the unfinished business.

Mr. WEST. I desire to ask the Senator from Utah a question. It requires, as I understand from the rules, a two-thirds vote in order to make a bill a special order?

Mr. SUTHERLAND. Yes, sir.

Mr. WEST. But the Senate can displace that at any time by a majority vote?

Mr. SUTHERLAND. Yes.

Mr. WEST. And if it is the will of the Senate to displace a special order, why do we mortgage the time of the Senate when we can at any time displace such a measure?

Mr. SUTHERLAND. I do not know that I can say anything further in response to the question of the Senator from Georgia than I have already said, that before the Senate will consent to even set aside a particular hour of one particular day for the consideration of a measure there must be a two-thirds vote; it is considered sufficiently out of the ordinary even to give up a single day to the consideration of a bill in advance to require that that shall be done.

Mr. President, if the Senator from Arkansas had argued that the special order came up at the conclusion of the morning hour, provided there was no unfinished business in the way, there might have been some foundation for his argument; but when he insists that it comes up automatically every day at 1 o'clock, he is utterly without any support whatever in the rules. There is simply the provision that such a bill shall go to the Calendar of Special Orders, and then there is no provision in the rules at all as to when it shall come up. Certainly, if it had been intended by the Senate that it should come up automatically at a certain hour every day, it would have been provided in precise terms.

Mr. GALLINGER. As it was in the old rule.

Mr. SUTHERLAND. As the old rule of 1856 provided in precise terms that such a bill should come up at that time.

The VICE PRESIDENT. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The ayes seems to have it.

Mr. SUTHERLAND and Mr. SMOOT called for the yeas and nays; and they were ordered.

The Secretary proceeded to call the roll, and Mr. ASHURST responded to his name.

Mr. LEWIS. I make the point of no quorum, Mr. President.

The VICE PRESIDENT. The point can not be made at this time, the roll call having begun.

The Secretary resumed the calling of the roll.

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. CLARKE], who is absent. I transfer that pair to the Senator from Ohio [Mr. BURTON] and vote "nay."

Mr. WEEKS (when his name was called). I inquire if the junior Senator from Kentucky [Mr. JAMES] has voted?

The VICE PRESIDENT. The Chair is informed that the Senator from Kentucky has not voted.

Mr. WEEKS. I have a general pair with that Senator, and therefore withhold my vote.

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the Senator from Louisiana [Mr. THORNTON] and vote "yea."

The roll call was concluded.

Mr. TILLMAN (after having voted in the affirmative). I voted inadvertently when my name was called, and I desire now to withdraw my vote. I have a general pair with the Senator from Wisconsin [Mr. STEPHENSON], who is absent.

Mr. KERN. I transfer my pair with the Senator from Kentucky [Mr. BRADLEY] to the Senator from Nevada [Mr. NEWLANDS] and vote "yea."

Mr. CLARK of Wyoming. I have a general pair with the senior Senator from Missouri [Mr. STONE], who is absent because of illness. I transfer that pair to the junior Senator from South Dakota [Mr. STERLING] and vote "nay."

Mr. ROOT. I have a general pair with the Senator from Colorado [Mr. THOMAS]. I do not see him in the Chamber. I will transfer that pair to the Senator from Minnesota [Mr. NELSON] and vote "nay."

Mr. WEEKS. As I have already stated, I have a general pair with the junior Senator from Kentucky [Mr. JAMES]. I transfer that pair to the junior Senator from Iowa [Mr. KENYON] and vote. I vote "nay."

Mr. LODGE. I ask if the Senator from Georgia [Mr. SMITH] has voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. LODGE. I have a general pair with that Senator, which I transfer to the Senator from Nebraska [Mr. NORRIS] and vote "nay."

Mr. McLEAN. I have a pair with the senior Senator from Montana [Mr. MYERS] and therefore withhold my vote.

Mr. CATRON. I wish to announce that my colleague [Mr. FALL] is paired with the Senator from Arizona [Mr. SMITH].

Mr. TOWNSEND. I desire to announce that the senior Senator from Michigan [Mr. SMITH], who is absent, is paired with the junior Senator from Missouri [Mr. REED].

Mr. WALSH. I desire to announce the absence of my colleague [Mr. MYERS] on account of illness.

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY] and his general pair with the junior Senator from Indiana [Mr. KERN].

I also desire to announce the unavoidable absence of the junior Senator from Wisconsin [Mr. STEPHENSON] and his general pair with the Senator from South Carolina [Mr. TILLMAN].

Mr. SIMMONS (after having voted in the affirmative). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP]. I inquire if he has voted.

The VICE PRESIDENT. The Chair is informed that he has not voted.

Mr. SIMMONS. I transfer my pair with the Senator from Minnesota to the Senator from Colorado [Mr. SHAFROTH] and will allow my vote to stand.

Mr. BANKHEAD. I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the junior Senator from Louisiana [Mr. RANSDELL] and vote "yea."

The result was announced—yeas 34, nays 25, as follows:

YEAS—34.

Ashurst	Hughes	Owen	Smith, Md.
Bankhead	Kern	Perkins	Smith, S. C.
Borah	Lane	Pittman	Swanson
Chamberlain	Lea, Tenn.	Pomerene	Thompson
Chilton	Lee, Md.	Robinson	Walsh
Fletcher	Lewis	Sheppard	West
Gore	Martin, Va.	Shields	Williams
Hitchcock	Martine, N. J.	Shively	
Hollis	O'Gorman	Simmons	

NAYS—25.

Brandegee	Cummins	Oliver	Townsend
Bristow	Dillingham	Overman	Vardaman
Bryan	Gallinger	Page	Warren
Burleigh	Jones	Poindexter	Weeks
Catron	Lippitt	Root	
Clark, Wyo.	Lodge	Smoot	
Crawford	McCumber	Sutherland	

NOT VOTING—36.

Bradley	Goff	Newlands	Smith, Ga.
Brady	Gronna	Norris	Smith, Mich.
Burton	James	Penrose	Stephenson
Clapp	Johnson	Ransdell	Sterling
Clarke, Ark.	Kenyon	Reed	Stone
Colt	La Follette	Saulsbury	Thomas
Culberson	McLean	Shafroth	Thornton
du Pont	Myers	Sherman	Tillman
Fall	Nelson	Smith, Ariz.	Works

So the decision of the Chair was sustained.

VOLUNTEER FORCES OF THE UNITED STATES.

Mr. CHAMBERLAIN. I renew my motion that the Senate proceed to the consideration of the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon to proceed to the consideration of House bill 7138.

Mr. WALSH. Mr. President, before the vote is taken on that motion I should like to know what reason there is for displacing Senate bill 4405 at this time. I desire to say to

the Senator from Oregon that if the bill which he desires to present for the consideration of the Senate bears any special reference to the condition in which we find ourselves placed this morning with reference to Mexico, I might not be disposed to antagonize the substitution.

Mr. CHAMBERLAIN. I am informed that it does, Mr. President. The purpose of the bill is to place the volunteer forces of the United States in such condition that they may be used if necessary. The War Department has been very anxious that I should bring up the bill. I do not want to interfere with any bill which the Senator has in charge if I can secure the consent of the Senate to consider House bill 7138 at a convenient season. There is no particular hurry about it if it can be acted upon within the course of the next few days.

Mr. WALSH. Does the Senator understand that his motion displaces the bill that is now before the Senate? I do not desire to embarrass the consideration of the measure.

Mr. SUTHERLAND. I make the point of order that this motion is not debatable.

The VICE PRESIDENT. The point of order is well taken. The question is, Shall the Senate proceed to the consideration——

Mr. WILLIAMS. Mr. President, before the question is put I desire to ask unanimous consent that the special order may go over without prejudice. If this motion prevails, then it is displaced by the action of the Senate; but if it goes over by unanimous consent without prejudice it continues to enjoy such advantages as it now has.

Mr. WALSH. I feel that the Senator from Oregon ought to concede at least that much in view of my desire to accommodate him.

Mr. CHAMBERLAIN. I will say to the Senator that I am perfectly willing to do so.

Mr. GALLINGER. Mr. President, I repeat the suggestion that the motion is not debatable.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon that the Senate proceed to the consideration of House bill 7138.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war, which had been reported from the Committee on Military Affairs with amendments.

Mr. CHAMBERLAIN. Mr. President, the bill has been read, and I simply ask that it be read now for committee amendments.

The VICE PRESIDENT. In the absence of objection, the bill will be read for action on the amendments of the committee.

Mr. GALLINGER. Mr. President, before the bill is read for amendment I will ask the Senator from Oregon to state very briefly the purpose and purport of the bill. It need not take more than a minute.

Mr. CHAMBERLAIN. Mr. President, the War Department, in a letter which is attached to the bill, has stated its purpose very much more succinctly and more clearly than it would be possible for me to do in any statement I might make. I therefore ask that the department's statement may be read from the desk.

The PRESIDING OFFICER (Mr. WEST in the chair). Without objection, it will be read.

The Secretary proceeded to read the letter. During the reading,

Mr. GALLINGER. Mr. President, as a result of glancing over the report, which I had not previously read, I assume that this bill is simply to organize into a compact body in time of war the volunteer forces known as the militia of the States. I will ask the Senator if that is correct?

Mr. CHAMBERLAIN. No; I will say to the Senator from New Hampshire that the bill has not anything to do with the Organized Militia. They are called into requisition first in case of an emergency, and this is to provide an additional force.

Mr. GALLINGER. An independent volunteer force?

Mr. CHAMBERLAIN. Yes.

Mr. WARREN. Only in time of actual or threatened war.

Mr. GALLINGER. I highly approve of the bill, as I understand it; and I ask unanimous consent that the balance of the letter from the War Department, which is very illuminating, may be printed in the RECORD without reading.

Mr. CHAMBERLAIN. I may say to the Senator that the bill had the cordial approval of Mr. ROOT when he was Secretary of War; it had the approval of Mr. Dickinson when he was Secretary of War; it had the approval of Mr. Stimson when he was Secretary of War; and it has the approval of the present Secretary of War.

Mr. GALLINGER. I observe that fact.

Mr. WILLIAMS. If the Senator will pardon me, is it not also true that this is substantially the same bill which was agreed upon by the Senate Committee on Military Affairs of the last Congress?

Mr. CHAMBERLAIN. It is. I may say, too, that the bill has had the careful consideration of Mr. HAY and the other members of the House committee.

Mr. GALLINGER. Understanding it as I now do, I ask unanimous consent that the balance of the letter of the War Department may be printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter referred to is, in full, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, August 7, 1913.

Memorandum for the Chief of Staff.

Subject: S. 542 and H. R. 7138, Sixty-third Congress, first session, to provide for the raising of volunteer forces in time of war.

1. Herewith are copies of bills to provide for raising volunteer forces in time of actual or threatened war. The two bills are meant to accomplish the same object and are substantially the same. They have the same number of sections and the subject matter dealt with in each section is the same. There are several minor differences which will be discussed in detail later. The following discussion is submitted with reference to the proposed law:

NECESSITY FOR AN ADEQUATE LAW FOR THE RAISING OF VOLUNTEERS.

2. In the five principal wars in which the United States has been engaged since its existence as a separate State the records show that of the total number of men enrolled 7.5 per cent were furnished by the Regular Army, 69.7 per cent were volunteers, and 22.8 per cent were militia, rangers, and emergency men.

3. The report of the Board on the Organization of the Land Forces of the United States shows that at the outbreak of war with a first-class power we should be capable of mobilizing at once an effective force of 502,000 mobile and Coast Artillery troops as a minimum for the first line, and that to augment this force and replace losses plans should be in existence for raising immediately an additional force of 300,000 men; total, 802,000 men.

4. The number of men of the Regular Army available for duty in the United States after the outlying possessions shall have been garrisoned will be about 51,000 men, including 13,000 Coast Artillery. The strength of the Organized Militia is 112,700 (Report of Chief of Division of Militia Affairs, 1912), of which 7,200 belong to the Hospital Corps. Total peace strength of fighting troops, including both Regulars and Organized Militia, 161,000 men. If both the Regular and Militia organizations be brought to the maximum strength allowed by law, the total will be about 350,000 men. To make up the 502,000 for the first line 152,000 volunteers will be required, and to replace their losses 90,000 additional will be required; total volunteers to be organized for the first line, 242,000 men. Even though we may assume that all the Organized Militia will be called into the service and kept at war strength, the probability is that in the future as in the past from 50 to 75 per cent of our soldiers will come from the volunteers.

5. Mr. ROOT, when Secretary of War, emphasized the great importance of legislation for providing an adequate system for the raising, training, and officering volunteer forces. It is patent that an adequate law for this purpose should be on the statute books.

6. The only law in existence authorizing the raising of volunteer forces was that passed April 22, 1898. This law was passed three days before the declaration of war with Spain, and is defective in several ways, some of its deficiencies being due to the haste and confusion which prevailed at the time of its passage, and others to the fact that a good many of its provisions have become obsolete.

7. Secretary Taft in his report for 1906 called attention to the defects of the law of 1898 and showed the necessity for a revision of the laws governing the raising of volunteer forces.

President Roosevelt sent a special message to Congress in December, 1908, on the subject, in which he says:

"Everyone familiar with the existing law is aware that it is faulty and wholly inadequate to a speedy and proper organization of a volunteer force, and that in part it has become obsolete through recent legislation affecting the Organized Militia."

8. Secretary of War Dickinson in his report for 1910 says:

"The present law for raising a volunteer army in time of actual and threatened war was placed on the statute books piecemeal and hurriedly, partly on the eve of the Spanish War and partly after hostilities had actually commenced. As might naturally be expected of legislation passed in such circumstances, the plan which it provides for raising a volunteer army is faulty and inadequate to a speedy and proper organization of a volunteer force. Within a year after its passage it was considered advisable to enact a new law to provide for raising the volunteers used in the Philippine insurrection. This statute, however, was only a temporary measure, and after the volunteers raised under it were mustered out of service the older law became again operative, but has in part become obsolete through subsequent legislation affecting the Organized Militia. A comprehensive measure for the organization of a volunteer army, to be raised only after Congress has made a declaration of war, would be of inestimable value if the country is ever again confronted with a foreign war. * * * Some new legislative enactment of this kind is an essential part of our national military system and will enable the General Staff and the War College to discharge one of the most important duties for which Congress created them, and which they are now prevented from doing because of the absence of such law."

9. In a letter to the chairman of the Senate Committee on Military Affairs, under date of June 6, 1911, Mr. Stimson, then Secretary of War, said:

"The act of April 22, 1898, did not recognize the difference between militia and Volunteers, but since the Spanish-American War the militia is recognized as an entirely separate organization from the Volunteers. In that act there is a definite recognition of three different classes of troops, viz, the Regular Army, the militia, and the Volunteers; and it is provided that the Organized Militia shall be called into the service of the United States before the Volunteers are organized. The volunteer bill now proposed is intended to provide an organization for these

volunteer troops. * * * It provides for a complete organization of any force of Volunteers that may hereafter be called out, whether that force be a single regiment or an army of a million men. The bill harmonizes entirely with the militia organization under the Dick law and with the existing law governing the Regular Army, and it is elastic and flexible in that the organization of the volunteer forces is prescribed to conform to that of the Regular Army, and any future changes in the Regular Army will automatically carry corresponding changes in the volunteer forces. This is now prescribed for the militia."

10. In his annual report for 1911 Secretary Stimson says:

"I earnestly recommend the passage of the volunteer bill. * * * There is no new policy or principle involved in the proposed volunteer bill, which is based on the experience in all previous wars."

In his report for 1912 the Secretary of War says:

"I again earnestly recommend the passage of the volunteer bill, providing the necessary legislation under which, in time of war, a force of National Volunteers can be created without delay. * * * It is the height of national shortsightedness not to have upon our books an adequate law which will govern and provide for the raising of such a *volunteer force* in time of war. * * * There is now pending in Congress a bill which makes such a provision and which, I believe, is admirably adapted to meet the exigencies which would be presented in case of war. Its passage has been urged again and again by this department. It would not entail a dollar's expense upon the Government at this time or in the future until war comes. I earnestly urge its passage."

DEFECTS OF THE LAW OF 1898.

11. The following are the defects of the existing law for the raising of Volunteers:

(a) It is provided in section 4 that the term of enlistment shall be for two years unless sooner terminated.

The proposed law will correct this defect.

(b) The existing law provides that all officers and men of the Volunteers shall be discharged from the service of the United States when the purposes for which they were called into service shall have been accomplished or on the conclusion of hostilities. But the law does not fix definitely who is to decide when their services are no longer required nor the date on which their muster out is to begin.

This defect will be corrected by the proposed law, which provides that the Volunteers shall be mustered out as soon as practicable after the President shall have issued his proclamation announcing the termination of the war or the passing of the emergency or imminence of war.

(c) The provision under section 5, which relates to the Indian Territory, is obsolete.

(d) Section 6 provides that each regiment of Volunteers shall have *one surgeon and two* assistant surgeons.

The proposed law provides the same personnel of the Medical Corps for each organization of Volunteers as will be provided for similar organizations of the Regular Army.

(e) Section 6 provides also that regimental and company officers shall be appointed by the governors of the States and Territories.

This defect will be corrected by the provision in section 5 of the proposed law, which authorizes the President to appoint all the officers of the Volunteer forces.

(f) Section 8 is defective in that it requires the records of Volunteer organizations to be deposited with the Record and Pension Office.

This will be corrected by the provisions of section 9 of the proposed law.

(g) The provision is section 10 in regard to the numbers, grades, and titles of staff officers for units larger than regiments is defective, principally because the composition of these units have changed since the law was passed.

The proposed law will correct this defect. Section 5 provides that the number and grade of such officers shall not exceed the number and grade of like officers provided for a like force of the Regular Army.

(h) The provision in section 13 limiting the number of officers of the Regular Army to one for each regiment of Volunteers is defective. Experience has shown that much better results are obtained by having a greater number.

This defect will be corrected by the provisions in section 7 of the proposed law, which limits the number of regular officers to one to each separate battalion of Volunteers and to four to each regiment of Volunteers.

ADVANTAGES OF THE PROPOSED LAW.

12. In addition to correcting the defects of the existing law as written, the proposed law is more complete, and corrects the deficiencies of omission in the old by provisions as follows:

(a) In section 3 it is provided that the power to organize shall include the power to provide the officers and enlisted men of all grades and classes, including trained nurses, male and female, that may be necessary in the various arms, corps, and departments.

This provision is broad and elastic and allows the organization of units of all branches, corps, and departments to proceed simultaneously.

(b) The last provision in section 3 permits volunteers of any particular arm to be organized as soon as the Organized Militia of that particular arm has been called into the service.

This corrects that defect of the existing militia law which requires all the Organized Militia of all arms to be called into the service before any volunteers can be organized.

(c) The provision in section 4 requiring organizations of Volunteer units to be the same as corresponding units of the Regular Army will make future changes in the proposed law to meet changes in organizations of the Regular Army unnecessary.

The last provision in section 4 in regard to the organization of the coast defenses, machine-gun detachments, establishments of the Medical Department, remount depots, military trains, secret-service agencies, military prisons, lines of communications, supply depots, and other adjuncts that may be necessary for the prosecution of the war is broad and elastic and permits the organization of all the adjuncts or such of them as the exigencies may warrant at any time when war is imminent or after it has been declared.

(d) There is question as to the wisdom of the last provision of section 5. This provision did not appear in the original bill (S. 2518). It was stated by Senator DU PONT that this provision was inserted because it was thought wiser to leave the number and rank of general officers and their personal aids to be determined by the circumstances of the case when the emergency should arise and which could be arranged by presidential recommendation, subject to the judgment of Congress.

(e) Section 6 provides for the appointment by the President of the staff officers that will be necessary for the various Staff Corps and departments.

The act of 1898 did not provide any staff officers except for troops in the field. Within three months after the passage of the act there were eight different acts authorizing increases in the Staff Corps and departments by volunteer appointments. The act of March 2, 1899, specified a number of staff officers equal to 1 for each 175 enlisted men. The proposed law provides not to exceed the ratio of 1 staff officer for each 200 enlisted men.

(f) Section 7 provides for the appointment by the President of all officers for the volunteer forces, and wisely requires that preference in their selection be given to those who have had military training and instruction in the Regular Army, National Guard, Volunteer forces, or military schools.

(g) Section 8 makes provision for the filling of temporary vacancies in the Regular Army that may be caused by the appointment of regular officers to volunteer commissions.

This provision will prevent the depletion of officers in the Regular Army and provides for the filling of all temporary vacancies, whether caused by appointments to volunteer commissions or details to the Staff Corps and departments.

(h) Section 10 provides for the recruitment of all organizations of the land forces.

This is one of the most important provisions of the proposed law. Provision is made for the additional officers necessary for the efficient recruitment of all arms, corps, and departments; depots for the enlistment and training of recruits are to be established: transfers of disabled officers and men may be made to these depots from organizations in the field in exchange for able-bodied officers and men from the depots. In this way the organizations in the field may be kept full of able-bodied fighting troops, while at the same time the services of partly disabled men may not be lost entirely to the Government. In other words, the proposed law permits the establishment of the depot battalion system for all regiments of Regulars and Volunteers. The last provision in section 10 authorizes the enlistment and training of recruits for National Guard organizations in the service of the United States at the depots established for the training of recruits for the Regular Army and Volunteers.

(i) Section 11 provides for the employment of retired officers and enlisted men for recruiting duty.

This provision prevents the loss to the Government of the services of men who may be capable of performing efficiently the duties at recruiting stations and depots, but who are not fit for service in the field.

(j) The last provision in section 12 provides for the detail of one medical inspector who is experienced in sanitation to each army, field army, and division, and for the base and lines of communications.

(k) Section 14 provides a fair and just method of eliminating the vicious and unfit officers.

(l) Other advantages of the proposed law may be stated as follows:

(1) It will enable plans to be formulated and put in workable shape, so that Volunteers can be speedily organized at the outbreak of war.

(2) It should prevent the payment of bounties.

(3) It will do away with short-term service with all its evils.

(4) By procuring the necessary number of men at the beginning of a war for a long period drafting should not be necessary.

(5) The law should contribute toward the saving of men and money during the war and a decrease in the pension list thereafter.

(6) No appropriation of money is involved in the proposed law.

HISTORY OF THE PROPOSED LEGISLATION.

13. In the Fifty-ninth Congress the War Department recommended legislation for providing volunteer forces in time of war, and prepared a bill which was introduced into both Houses on the same day, February 18, 1907.

In the Sixtieth and Sixty-first Congresses similar bills were introduced into both Houses. Later, in the Sixty-first Congress, a bill (S. 4003) was introduced which contained modifications of the previous bills. All these bills were read and referred to committees, but no further action taken, not because there was opposition, but because the pressure of other business prevented their consideration.

14. At the request of the War Department, in the Sixty-second Congress, Senate bill 312 was introduced, which was identical with Senate bill 4003 of the previous Congress. This bill contained a number of provisions which did not meet with the approval of the Senate committee, and, after conference with representatives of the War Department, another bill (S. 2518) was prepared and introduced May 25, 1911. After hearings on S. 2518 as originally prepared, there were so many amendments that the bill was practically recast in the form in which it now appears. By unanimous vote of the committee this bill was ordered to be favorably reported to the Senate. It was introduced again the Senate in the Sixty-third Congress, first session, April 9, 1913. It is now S. 542. H. R. 7138, which is practically the same as S. 542, was introduced into the House July 28, 1913.

* * * * * * *

RECOMMENDATION.

That steps be taken to bring about the passage of the House bill as corrected, except that for section 4 there be substituted section 4 of the Senate bill.

JNO. E. MCMAHON,
Lieutenant Colonel, General Staff,
Acting Chief of War College Division.

H. LIGGETT,
Brigadier General, United States Army.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). The bill will be read for action on the amendments of the committee.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Military Affairs was, in section 1, page 1, line 4, after the word "militia," to insert "while in the service of the United States," so as to make the section read:

That the land forces of the United States shall consist of the Regular Army, the organized land militia while in the service of the United States, and such volunteer forces as Congress may authorize.

The amendment was agreed to.

The next amendment was, in section 2, page 1, line 11, after the word "*Provided*," to strike out "That all enlistments in the volunteer forces shall be for a period terminating with the war or, if war shall not occur, with the passing of the imminence of war," and insert "That the term of enlistment in the volunteer

forces shall be the same as that for the Regular Army, exclusive of reserve periods," so as to make the section read:

SEC. 2. That the volunteer forces shall be raised, organized, and maintained, as in this act provided, only during the existence of war or while war is imminent, and only after Congress shall have authorized the President to raise such a force: *Provided*, That the term of enlistment in the volunteer forces shall be the same as that for the Regular Army, exclusive of reserve periods, and all officers and enlisted men composing such volunteer forces shall be mustered out of the service of the United States as soon as practicable after the President shall have issued a proclamation announcing the termination of the war or the passing of the imminence thereof.

The amendment was agreed to.

The next amendment was, in section 3, page 2, line 22, after the words "*Provided further*," to insert "That when three-fourths of the prescribed minimum enlisted strength of any company, troop, or battery, or when three-fourths of the prescribed minimum enlisted strength of each company, troop, or battery, comprised in a battalion, regiment, brigade, or division of any State, Territory, or the District of Columbia, organized as prescribed by law and War Department regulations, shall volunteer for service in the Volunteer Army as such company, troop, battery, battalion, regiment, brigade, or division, such organization shall have the right to be received into the volunteer forces in advance of the raising of other organizations of the same arm or class, and the officers in service with such organizations may then be appointed by the President, by and with the advice and consent of the Senate, as officers of corresponding grades in the Volunteer Army and be assigned to the same grades in the said organizations," so as to make the section read:

SEC. 3. That when volunteer forces are to be raised the President shall issue his proclamation, stating the number of men desired for each arm, corps, and department, within such limits as may be fixed by law, and he shall prescribe such rules and regulations, not inconsistent with the terms of this act, as may be necessary for the purpose of examining, organizing, and receiving into the service the men called for: *Provided*, That the power to organize volunteer forces shall include the power to provide, within such limits as are or may be prescribed by law, the officers and enlisted men of all grades and classes, and the trained nurses, male and female, that may be necessary in the various arms, corps, and departments: *Provided further*, That when three-fourths of the prescribed minimum enlisted strength of any company, troop, or battery, or when three-fourths of the prescribed minimum enlisted strength of each company, troop, or battery, comprised in a battalion, regiment, brigade, or division of any State, Territory, or the District of Columbia, organized as prescribed by law and War Department regulations, shall volunteer for service in the Volunteer Army as such company, troop, battery, battalion, regiment, brigade, or division, such organization shall have the right to be received into the volunteer forces in advance of the raising of other organizations of the same arm or class, and the officers in service with such organizations may then be appointed by the President, by and with the advice and consent of the Senate, as officers of corresponding grades in the Volunteer Army and be assigned to the same grades in the said organizations: *Provided further*, That all enlisted men received into the service in the volunteer forces shall, as far as practicable, be taken from the several States and Territories and the District of Columbia in proportion to the respective populations thereof: *Provided further*, That when the raising of a volunteer force shall have been authorized by Congress, and after the organized land militia of any arm or class shall have been called into the military service of the United States, volunteers of that particular arm or class may be raised and accepted into said service in accordance with the terms of this act regardless of the extent to which other arms or classes of said militia shall have been called into said service.

The amendment was agreed to.

The next amendment was, in section 4, page 4, line 9, after the word "respect," to strike out "to promotion or," so as to make the section read:

SEC. 4. That the volunteer forces shall be subject to the laws, orders, and regulations governing the Regular Army in so far as such laws, orders, and regulations are applicable to officers or enlisted men whose permanent retention in the military service, either on the active list or on the retired list, is not contemplated by existing law; and no distinction shall be made between the Regular Army, the Organized Militia while in the military service of the United States, and the Volunteer forces in respect to the conferring upon officers or enlisted men of brevet rank medals of honor, certificates of merit, or other rewards for distinguished service, nor in respect to the eligibility of any officer of said Army, militia, or volunteer forces for service upon any court-martial, court of inquiry, or military commission: *Provided*, That the organization of all units of the line and of the signal troops of the volunteer forces shall be the same as that prescribed by law and regulations for the corresponding units of the Regular Army: *Provided further*, That when military conditions so require the President may organize the land forces of the United States into brigades and divisions and such higher units as he may deem necessary, and the composition of units higher than the regiment shall be as he may prescribe: *Provided further*, That to each regiment of Infantry, Cavalry, and Artillery, and to each battalion of Engineers and Signal Corps troops organized under this act, there shall be attached the same personnel of the Medical Department as are attached to like organizations of the Regular Army: *Provided further*, That the organization of the coast defenses, of machine-gun detachments, establishments of the Medical Department, remount depots, military trains, secret-service agencies, military prisons, lines of communication, including their supply depots, and of other adjuncts that may be necessary in the prosecution of war, and the organization of which is not otherwise provided for by law, shall be as the President may from time to time direct.

The amendment was agreed to.

The next amendment was, in section 6, page 6, line 14, after the words "Provided further," to strike out "That the number of volunteer staff officers appointed in any grade in the various staff corps and departments shall not exceed in any staff corps or department the proportionate strength of regular officers of the corresponding grade as established by law for the corresponding staff corps or department of the Regular Army," and insert "That the whole number of volunteer staff officers appointed in any grade for all staff corps and departments shall not exceed the proportionate strength of regular officers of the corresponding grade as established by law for all staff corps and departments of the Regular Army," so as to make the section read:

SEC. 6. That to provide the staff officers that will be necessary in the various staff corps and departments in time of war or while war is imminent, and that are not otherwise provided for in this act, the President is authorized to appoint, by and with the advice and consent of the Senate, such number of volunteer staff officers of grades authorized by law for the Regular Army as he may find necessary for such corps and departments: *Provided*, That the total number of such staff officers so appointed, including all such officers of the Organized Militia called into the military service of the United States, shall not exceed the ratio of 1 officer to 200 enlisted men for all militia and volunteer forces called into the military service of the United States: *Provided further*, That the whole number of volunteer staff officers appointed in any grade for all staff corps and departments shall not exceed the proportionate strength of regular officers of the corresponding grade as established by law for all staff corps and departments of the Regular Army: *Provided further*, That the President may appoint, by and with the advice and consent of the Senate, volunteer chaplains at the rate of 1 for each regiment of Volunteer Infantry, Cavalry, and Field Artillery, and 1 for every 12 companies of Volunteer Coast Artillery raised, with rank corresponding to that established by law for chaplains in the Regular Army.

The amendment was agreed to.

The next amendment was, in section 8, page 9, line 3, after the word "law," to insert:

Provided, That in the staff corps and departments subject to the provisions of sections 26 and 27 of the act of Congress approved February 2, 1901, and acts amendatory thereof, temporary vacancies that can not be filled by temporary promotions, as hereinbefore prescribed, shall be filled by temporary details made in the manner prescribed in said sections 26 and 27 and acts amendatory thereof, and the resulting temporary vacancies in the branches of the Army from which the details are so made shall be filled as hereinbefore in this section prescribed.

So as to make the section read:

SEC. 8. That the temporary vacancies created in any grade not above that of colonel among the commissioned personnel of any arm, staff corps, or department of the Regular Army, through appointments of officers thereof to higher volunteer rank, shall be filled by temporary promotions, according to seniority in rank of officers holding commissions in the next lower grade in said arm, staff corps, or department; and all temporary vacancies created in any grade by temporary promotions shall in like manner be filled from, and thus create temporary vacancies in, the next lower grade; and the vacancies that remain thereafter in said arm, staff corps, or department, that can not be filled by temporary promotions, as prescribed in this section, may be filled by the temporary appointment of officers of such number and grade or grades as shall maintain said arm, corps, or department at the full commissioned strength authorized by law: *Provided*, That in the staff corps and departments subject to the provisions of sections 26 and 27 of the act of Congress approved February 2, 1901, and acts amendatory thereof, temporary vacancies that can not be filled by temporary promotions, as hereinbefore prescribed, shall be filled by temporary details made in the manner prescribed in said sections 26 and 27 and acts amendatory thereof, and the resulting temporary vacancies in the branches of the Army from which the details are so made shall be filled as hereinbefore in this section prescribed: *Provided*, That officers temporarily promoted or appointed under the terms of this section shall be so promoted or appointed by the President, by and with the advice and consent of the Senate, for terms that shall not extend beyond the termination of the war or, if war shall not occur, beyond the passing of the imminence thereof, as defined by the President's proclamation, and upon the expiration of said terms said officers shall be discharged from the positions held by them under their temporary promotions or appointments: *Provided further*, That officers temporarily promoted under the provisions of this section shall not vacate their permanent commissions, nor shall they be prejudiced in their lineal or relative standing in the Regular Army under permanent commissions, by reason of their services under temporary commissions authorized by this section.

The amendment was agreed to.

The next amendment was, on page 13, after line 11, to insert a new section, as follows:

SEC. 14. That the commander of a division or higher military unit is authorized to appoint, from time to time, military boards of not less than three nor more than five officers of the volunteer forces to examine into the capacity, qualifications, conduct, and efficiency of any commissioned officer of said forces within his command: *Provided*, That each member of the board shall be superior in rank to the officer whose qualifications are to be inquired into: *Provided further*, That if the report of such board is adverse to the continuance of any officer, and if the report be approved by the President, such officer shall be discharged from service in the volunteer forces, at the discretion of the President, with one month's pay and allowances.

The amendment was agreed to.

The next amendment was, on page 14, line 1, after the word "Sec.," to strike out "14" and insert "15."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. McCUMBER. Mr. President, as there are only about three minutes remaining before 2 o'clock, when the unfinished business will come up, and I presume no other matter could be considered in that time, I ask unanimous consent that the unfinished business may be now laid before the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Hitchcock	Norris	Simmons
Brandegee	Hollis	Oliver	Smith, Mich.
Bristow	Hughes	Page	Smith, S. C.
Catron	James	Perkins	Smoot
Chamberlain	Johnson	Poindexter	Sterling
Chilton	Kern	Pomerene	Tillman
Clapp	Lea, Tenn.	Reed	Townsend
Clark, Wyo.	Lee, Md.	Robinson	Walsh
Colt	Lewis	Saulsbury	Warren
Cummins	Lippitt	Shafroth	West
Dillingham	McCumber	Sheppard	Williams
du Pont	Martine, N. J.	Sherman	Works
Gallinger	Nelson	Shields	

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum of the Senate is present. The Senator from Minnesota will proceed.

Mr. REED. Will the Senator from Minnesota yield to me merely to enter a motion?

Mr. NELSON. I yield for that purpose.

Mr. REED. I shall not ask to have it considered, but by making the motion I merely wish to save the right, in order that I may be permitted to examine the bill which passed a few moments ago when I happened to be out of the Chamber. I may find the bill entirely satisfactory to me, but there is a clause in it upon which I want to secure some further light. I happened to be out a moment ago attending, in company with some other gentlemen, the architect of this building in making an examination with reference to some work that has been assigned to a subcommittee.

I move to reconsider the vote by which House bill 7138 was passed. I ask that the motion may lie on the table, to be called up hereafter.

The PRESIDING OFFICER. The Senator from Missouri enters a motion to reconsider the vote by which House bill 7138 was passed. The motion to reconsider will be entered.

Mr. REED. I presume the motion will carry with it what I am about to request, that the bill be withheld and not sent to the other House.

The PRESIDING OFFICER. That will be the effect of the motion so entered.

INSPECTION AND GRADING OF GRAIN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

Mr. NELSON. Mr. President, I desire to call the attention of the Senate to the following portions of the report of the North Dakota commission which I heretofore omitted:

> After having made a thorough and exhaustive investigation of the present method of handling grain at the terminals of both Minneapolis and Duluth we have reached the following conclusion:
>
> That the only proper and profitable way for the people of our State to handle their grain is by establishing State warehouses at Minneapolis and Duluth or Superior and possibly at points within our State. Our reasons for this conclusion is that our wheat being acknowledged the best in the United States is much sought after by millers everywhere, and if it was handled by our own terminal houses under our own State inspection, thoroughly cleaned, and conditioned—

That means put through a grain hospital—

> thoroughly cleaned and conditioned and, when shipped out either in car or boat accompanied by our North Dakota certificate of inspection, it would not lose its identity and would command a premium anywhere from 5 to 8 cents per bushel more than we are now getting for it.

Now, I want to call your attention to the fact that the farmers do not clean their wheat and do not condition it before they ship it. They sell their wheat, and have done so for years, to the local country elevators, and they ship it to the terminal elevators just as it comes from the thrashing machine, with all the foul seeds that are in it, with all the dirt, and oftentimes damp and bleached. If the grain is bleached or damaged from having stood in the stack too long where they indulge in shock thrashing, of course the grain coming in that condition will not grade as high as it would by the other system, by having it cleaned, scoured, and the seed taken out of it.

Now, this is what the commissioners further say:

> and if it was handled by our own terminal houses under our own State inspection, thoroughly cleaned and conditioned and, when shipped out either in car or boat, accompanied by our North Dakota certificate of inspection, it would not lose its identity, and would command a premium anywhere from 5 to 8 cents per bushel more than we are now getting for it.

Now, there are two things they insist upon here. One is that the State build its own warehouses at the terminal points. In the next place, they recommend what has never been done heretofore anywhere, and that is, that the wheat before it is sold be cleaned and "conditioned," as they call it. The term "condition" is a technical term that they have in the grain trade. It means improving the grain, putting it in a shape where it is marketable. To carry out this scheme the farmer would have to ship his wheat to a terminal elevator for treatment and cure, before sale, otherwise he could not get any benefit from the scheme. If he sold his wheat at the local elevator, it would be the purchaser—the middleman—who would get the benefit of the renovating process.

I quote further:

> We have been advised by eastern millers that they would be glad to pay the above premium for our North Dakota wheat if they could get it in its purity. By the establishment of State warehouses or terminals our people could save to themselves not only this premium, amounting to about $3,400,000, but also the dockage, which has a value of about $1,350,000—

I do not know how they get their figures—

> on wheat and flax each year. Also commissions and other charges amounting to about $750,000 per year. There is another item of loss that should be taken into consideration; that is, the loss on weights, which is of frequent occurrence and hard to estimate, but no doubt is quite large. Under the present methods—

I call your attention to this—

> in a great many cases our wheat loses a grade and in some instances two grades at the Minnesota terminals by reason of the dockage it contains. By having our own terminals to condition—

That means their warehouses—

> this wheat we could save these grades.

In other words, if North Dakota would have its terminal warehouses there, that would clean and fan and condition and scour and dry and improve the wheat in that way, they could get more for it and get a higher grade. There is no doubt of that. But the trouble is the farmers sell their grain at the local elevators before the renovating process takes place at the terminals.

This, you understand—

The report further adds—

> does not take into consideration the loss our farmers sustain at the local end of the business.

That is at home.

> For the past five years our State has shipped on an average of 60,000,000 bushels of wheat and 13,000,000 bushels of flax, which at 2½ cents per bushel profit to the local elevators—

That is what they charge—

> would amount to $1,825,000 each year. And in addition to this must be taken into account the short weights, overdockage, and under grading done by many local elevators, of which our farmers so grievously complain. There is no doubt that the farmers sustain a very heavy loss from these causes. We believe more than $1,000,000 each year.

The farmers of North Dakota, like our farmers in Minnesota in the olden times, before we put our country elevators under strict State regulation, no doubt suffer from these local elevator men. The North Dakota farmers have, in my opinion, suffered the most from their local elevators.

We remedied that trouble in Minnesota by establishing a rigid State inspection law and putting country elevators under State control. In the next place, in Minnesota, a large number of farmers' elevators have sprung up all over the State. The farmers form themselves into associations a good deal as they have done in the creamery business, and the result is that farmers' elevators are established and run at many of the railroad stations.

I wish to read a little further from this report:

> This loss to our grain growers would build or buy fully equipped 1,000 local elevators, and provide a terminal house with a storage capacity of 5,000,000 bushels each at Minneapolis and Duluth or Superior. Among—

Now, listen to this:

> Among the many other good reasons why this system would be of great benefit to our grain growers is that if for any cause at any time throughout the year the price was low, and the grower did not wish to sell his grain and needed money to take care of his current expenses, he could ship his grain to our State terminal and store it at the actual cost of the storage, and receive our State storage certificate, which he could use as security for loans at a very reasonable rate of interest. As there is no better security offered than warehouse receipts, especially when they are issued by the State, money can be had at times as low as 3 per cent and as high as 90 per cent of the value.

Now, I call your attention to the peculiarity of this report. First, the relief they suggest is building terminal elevators for the purpose of keeping the North Dakota wheat by itself. In the next place, they favor it because they could then clean and condition their wheat, as they call it, by having their own terminals put it in good shape for marketing. Of course, if they clean their wheat thoroughly and condition it properly, they can always find a good market among the millers.

But in connection with this is the idea to loan money on these warehouse receipts. The warehouse receipts issued by the terminal elevators in Minnesota are good. They are transferred like a promissory note, payable to order, and anyone who desires money can borrow it on those receipts at reasonable rates. They are regarded as first-class security. Whether the North Dakota farmers could ever borrow money on their wheat receipts for as low a rate of interest as 3 per cent I do not know. It may be possible, but not very likely.

The foregoing are the chief recommendations of the North Dakota commissioners who sat with our board of grain appeals under the legislative acts quoted.

The commissioners further say:

> Drawing our conclusions from our observations, experience, and labor since receiving the appointments of State grain commissioners, we believe our State legislators will make no mistake if they provide for a continuance of the office of State grain commissioners—

That is what they were called—

> until such time as the State shall have its own terminals. We believe the duty of the commission in connection with its duties on the appeal board would be to maintain a bureau of information and investigation where the shippers of our State could report and have investigated all cases of irregularities in the matter of grades, weights, dockage, etc. We would recommend that one of the commissioners be located at Minneapolis, the other at Duluth.

It is evident that the commissioners were anxious to continue in office.

I will not read any more from the report. I will only say that none of these recommendations were adopted. The North Dakota people did not provide for terminal elevators, and I believe they did not because they had no constitutional right to do it; they could not appropriate any money for that purpose. They did not provide for building terminal elevators at Minneapolis or Duluth, and they did not provide for the continuance of these two men in office for another year. If anyone will read this report in its entirety, he will come to the conclusion that these men found little of importance to criticize in our own system.

There is one thing which has struck me here. If anyone will examine the laws and regulations for maintaining our grain-inspection system in Minnesota he must come to the conclusion that it is as good a code of law and as good a code of regulations as could possibly be made on this subject. If there is any vice in the system it comes through the imperfection of poor humanity. It comes from the fact that the people who execute the law are either not competent or not honest. So far as that imputation is concerned, I want to say to the Senator from North Dakota that the members of the Minnesota grain-inspection service are as honest and upright and competent as are any of the officials or officeholders of North Dakota or of the Federal Government. If there is any branch of our public service in Minnesota that we pride ourselves upon it is the grain-inspection service, because it is the only service in which we have a permanency in the holding of the office. Men who become members of that force stay on it if they prove themselves competent. If they are incompetent they are discharged. We have never made it a party question. I have in my time occasionally recommended to the Railroad and Warehouse Commission men for appointment in the grain-inspection service and I have never recommended anyone but farmers or the sons of farmers. I have never known the warehouse commission to appoint new, fresh men to anything higher than what we call a helper. They do not make him an inspector; they do not even make him a weigher till he has shown his fitness and ability.

Now, what is a helper? A helper is a man who assists the sampler or the weigher. We have in the service what we call samplers, who go and open the cars and take the number of the seals and take out samples. These helpers go and assist them in that work; they help them to open the cars; they help them to take samples; and they get acquainted with the service. If they prove themselves efficient they are by and by promoted and made assistant deputy inspectors or assistant weighers.

In other words, our grain-inspection service is divided into two head classes. One we call the grain-inspection department and the other is the weighing department. I have heard little complaint about any dishonesty among the officials of the grain service. The complaints in years past have been chiefly against the local elevators—the men who run elevators or grain houses at the railway stations. These were the men the farmers dealt with directly, and if they were dishonest and unfair the farmers always suffered, for there is where the farmer sold or stored his grain. If he was hard up and wanted the cash immediately, when he got to the elevator he would sell it and take the cash. If he did not need the cash immediately and had an idea that wheat would go up in price, that there would be a rise, he would take a storage ticket. The ticket would describe the number of bushels, the grade, and the dockage, and the storage charge.

Now, our law regulates the storage charges. These elevators can not charge exorbitant prices. The first 15 days after the grain goes in the elevator the charge is the highest; after that it is lower; and if a man wants what they call winter storage—storage from in the fall to spring—for his grain, the total storage is only 4 cents a bushel. We have the same rule as to storage in terminal elevators; in fact, we have guarded the matter at all points possible by legislation.

Outside of the line elevators, which belong to terminal elevators, all the grain that is shipped either directly by the farmer himself, or by independent elevators, or by farmers' elevators, is shipped to commission merchants for sale by them.

Years ago some of these commission merchants advertised conspicuously and extensively in the agricultural papers as equity exchanges, farmers' commission houses, and by various other names, to attract the farmers, but in some instances our farmers got badly bitten by those commission houses. In some instances they cheated them in two ways: They would do it in a small way, in a homeopathic way, by falsely reporting the sales; they would sell wheat at a certain price at a given time; then they would report that sale to the customers, and not give the exact figures of the sale. In other words, they would report the sale for a little less in price, sometimes lower in grade, and sometimes more in dockage than the facts of the case warranted. Then, there were instances where those commission merchants failed, where they went into bankruptcy, and the farmers who had intrusted their grain to them lost it all.

I refer to these commission men for this reason: The Legislature of Minnesota passed a law requiring these commission merchants to take out a license and to give bonds—bonds in proportion to their business. Such bond could never be less than $5,000, and it might be as much more as the character of the business demanded. The great importance of regulating these commission houses by a license system and a bonding system is this: That the proceeds of the sales will be safe; moreover, the independent elevators and the farmers' elevators have not always the money with which to pay for the wheat; they rely on the commission men to advance them the money. I know in my part of the State—and I live in one of the best agricultural portions of Minnesota—the independent country elevators and the farmers' elevators go into business without much, if any, capital. Sometimes the farmers raise a little money to start with, but as a rule they form a connection with a commission house at Duluth or Minneapolis, and that commission house advances them the money with which they buy the wheat, and that places them at the mercy of the commission house. So you can see, Mr. President, how important it is to regulate these commission men.

Although our grain-inspection system in Minnesota—and I say it without intending to reflect on any other system—is one of the best regulated and best planned in the entire country, yet I recognize the fact that, owing to human imperfections, here and there we may find a man who may not be faithful to his trust; but does anybody here or elsewhere imagine that the Federal Government, under the civil-service law, can get a better, a more efficient, and a more honest lot of officials than we have succeeded in getting under our system in Minnesota, which we have been upward of 28 or 29 years in establishing? I do not think that men become angels all at once and more perfect because they wear the garb of Uncle Sam's service. I think our State officials, as a rule, are apt to be as honest and reliable as are those who wear Uncle Sam's colors.

I want now to call the attention of Senators to another fact. An idea seems to prevail that it is an easy thing to establish grades for wheat; that it is like establishing grades for corn, merely making two or three classes, such as white corn, yellow corn, and mixed corn. But when you come to wheat, taking into account the diversity of our soil, of our climate, and all the other conditions, you will find, as I will point out to you, that we shall require at least a dozen different classes of grades in this country. I want to call attention on this point to a part of the hearings on one of these bills. I think it was not this bill,

but on a prior bill having the same purpose. They are the hearings before the subcommittee on Agriculture and Forestry of the United States Senate, second session, Sixty-second Congress. I want to read from the testimony of Mr. E. H. Culver, of Toledo, Ohio, president of the Association of Inspectors, a most interesting statement. I refer to it because it relates to the matter of standardizing grades. Our people are not opposed to standardizing grades; that is, to letting the Federal Government establish the standards, but leaving the States to carry on the inspection service and comply with the standards; but when I read this testimony to Senators, they will see how difficult it will be for the Agriculture Department here to establish standards, owing to the diversified character of our wheat crop. You can not make a grade that will be continuous from year to year, but you must make a grade each year to fit the crop of that year, and grades that will fit the various sections of the country. Here is Mr. Culver's statement:

Mr. CULVER. The real movement to standardize grades originated in the chief inspectors' organization 15 years ago, at the Beach Hotel, Chicago. Mr. Hubert Price was the gentleman who made the first suggestion at Chicago—the chief inspector of the State of Illinois. We followed along down and built standard samples in Chicago, in St. Louis, in Kansas City, and at different places, but the grain at that time was so diversified in character that it was almost impossible to standardize the grades of grain of the country. For instance, we had in Michigan what is known as the Lancaster semihard, soft wheat. We had in the States of Illinois and Missouri amber wheat. We had in Indiana, Ohio, Kentucky, Tennessee, and Pennsylvania what is known as the Mediterranean wheat. We had in Kansas City—and which had been introduced a few years prior to that—what is known as the Turkey hard wheat.

Turkey red. I think they call it. Now, listen to this:

We went into this deal to straighten up and see if we could not make two hard wheats and two soft wheats the standard grades of the country, and it took us six years to compile the information, which brought us up to 1902 in Peoria. We showed the first samples at the Peoria meeting of the Grain Dealers' National Association. Mr. Foehring, then president of the Chief Inspectors National Association, as chairman of the grades committee, had the inspectors of 37 different markets compile their standard samples and bring to that meeting. At that meeting Prof. Holden, a college from Minnesota, and a college from Champaign reviewed those samples and standards. In the winter of 1902 we met at Philadelphia and drew up rules to govern the grade of grain and submitted them to the Grain Dealers' National Association and the different exchanges for their adoption. The wheat was so diversified that it was utterly impossible at that time to bring about the result that we tried to obtain. The consequence was that we went along down then until the first congress of grades was held in New York under Capt. John Foehring. The second grade congress was in Chicago the next year, and the congress of grades the following year. Then the Grain Dealers' National Association turned this matter over to the Chief Inspectors National Association and said, "Gentlemen, bring in your report."

That was in 1906 at the St. Louis meeting. The chief inspectors at our meeting adopted a rule, which 18 markets accepted within less than a week, for grading the grain under the uniform phraseology of the Chief Inspectors' National Association and the Grain Dealers' National Association.

We found, after carefully experimenting, that our grades were not right. The moisture tester came in about that time, which was supplied by the Agricultural Department, and we made what is called a six years' test of the average moisture and dirt in grain and corn and we found that we were not liberal enough so we changed those grades, raising the moisture to 19 per cent at Indianapolis and 10 per cent on bin-burnt grains—such as you people in Kentucky object to now—and we have found that after the six years' average has been reported that we have got down, in the Chief Inspectors' National Association, to a solid foundation upon which we can work—and by the way, I would like for comparison to file here the uniform rules of the Grain Dealers' National Association in order to show the progress and study that the association is giving the matter in trying to bring about uniformity so that there would be no difference in the grades of wheat in this country and there would be no complaint from the shippers and they can understand them. They are so simple that a child can understand them.

Senator GRONNA. Why is not wheat from Minnesota and the Dakotas included?

Mr. CULVER. The wheat in Minnesota and the Dakotas is included under grades, Senator GRONNA, but not as yet on the percentage basis. Your wild oats up there in certain years seem to thrive more luxuriantly than they do in any other years, and it is a question of the seeds of the wild oats entirely to get that down to a fair percentage so as to treat all alike.

Senator GRONNA. I understand that the gentleman objected to questions until he had finished his statement.

Mr. CULVER. No, sir; that is all right. I can answer at any time. Our association of chief inspectors has experimented along the line of corn, wheat, and oats for the last 14, 15, or 16 years.

Mr. President, I shall not be able to finish my remarks before the time fixed for the execution of the order of the Senate to proceed to the Hall of the House of Representatives to hear the address of the President of the United States, and so I yield the floor to the Senator from Indiana [Mr. KERN].

Mr. KERN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Chamberlain	Cummins	Goff
Brady	Chilton	Dillingham	Gore
Brandegee	Clapp	du Pont	Hitchcock
Bryan	Clark, Wyo.	Fall	Hollis
Burleigh	Colt	Fletcher	Hughes
Catron	Crawford	Gallinger	James
Johnson	Nelson	Saulsbury	Thomas
Jones	Norris	Shafroth	Thompson
Kenyon	O'Gorman	Sheppard	Thornton
Kern	Oliver	Sherman	Tillman
La Follette	Overman	Shields	Townsend
Lane	Owen	Simmons	Vardaman
Lea, Tenn.	Page	Smith, Ga.	Warren
Lee, Md.	Perkins	Smith, Md.	Weeks
Lippitt	Pittman	Smith, Mich.	West
Lodge	Pomerene	Smith, S. C.	Williams
McCumber	Ransdell	Smoot	Works
McLean	Reed	Sterling	
Martin, Va.	Robinson	Sutherland	
Martine, N. J.	Root	Swanson	

The VICE PRESIDENT. Seventy-seven Senators have answered to the roll call. There is a quorum present.

ADDRESS OF THE PRESIDENT—AFFAIRS IN MEXICO.

The VICE PRESIDENT (at 3 o'clock p. m.). The hour having arrived at which the Senate agreed by resolution to proceed to the Hall of the House of Representatives to hear the communication of the President of the United States, the Sergeant at Arms will execute the order of the Senate.

Thereupon the Senate, preceded by the Vice President, its Sergeant at Arms, and its Secretary, proceeded to the Hall of the House of Representatives.

The address of the President of the United States delivered this day to both Houses of Congress is as follows:

ADDRESS OF THE PRESIDENT (H. DOC. NO. 910).

Gentlemen of the Congress, it is my duty to call your attention to a situation which has arisen in our dealings with Gen. Victoriano Huerta at Mexico City which calls for action, and to ask your advice and cooperation in acting upon it. On the 9th of April a paymaster of the U. S. S. *Dolphin* landed at the Iturbide Bridge landing at Tampico with a whaleboat and boat's crew to take off certain supplies needed by his ship, and while engaged in loading the boat was arrested by an officer and squad of men of the army of Gen. Huerta. Neither the paymaster nor anyone of the boat's crew was armed. Two of the men were in the boat when the arrest took place, and were obliged to leave it and submit to be taken into custody, notwithstanding the fact that the boat carried, both at her bow and at her stern, the flag of the United States. The officer who made the arrest was proceeding up one of the streets of the town with his prisoners when met by an officer of higher authority, who ordered him to return to the landing and await orders; and within an hour and a half from the time of the arrest orders were received from the commander of the Huertista forces at Tampico for the release of the paymaster and his men. The release was followed by apologies from the commander and later by an expression of regret by Gen. Huerta himself. Gen. Huerta urged that martial law obtained at the time at Tampico; that orders had been issued that no one should be allowed to land at the Iturbide Bridge; and that our sailors had no right to land there. Our naval commanders at the port had not been notified of any such prohibition; and, even if they had been, the only justifiable course open to the local authorities would have been to request the paymaster and his crew to withdraw and to lodge a protest with the commanding officer of the fleet. Admiral Mayo regarded the arrest as so serious an affront that he was not satisfied with the apologies offered, but demanded that the flag of the United States be saluted with special ceremony by the military commander of the port.

The incident can not be regarded as a trivial one, especially as two of the men arrested were taken from the boat itself—that is to say, from the territory of the United States—but had it stood by itself it might have been attributed to the ignorance or arrogance of a single officer. Unfortunately, it was not an isolated case. A series of incidents have recently occurred which can not but create the impression that the representatives of Gen. Huerta were willing to go out of their way to show disregard for the dignity and rights of this Government and felt perfectly safe in doing what they pleased, making free to show in many ways their irritation and contempt. A few days after the incident at Tampico an orderly from the U. S. S. *Minnesota* was arrested at Vera Cruz while ashore in uniform to obtain the ship's mail and was for a time thrown into jail. An official dispatch from this Government to its embassy at Mexico City was withheld by the authorities of the telegraphic service until peremptorily demanded by our chargé d'affaires in person. So far as I can learn, such wrongs and annoyances have been suffered to occur only against representatives of the United States. I have heard of no complaints from other Governments of similar treatment. Subsequent explanations and formal apologies did not and could not alter the popular impression, which it is possible it had been the object of the Huertista authorities to create, that the Government of the United States was being singled out, and might be singled out

with impunity, for slights and affronts in retaliation for its refusal to recognize the pretensions of Gen. Huerta to be regarded as the constitutional provisional President of the Republic of Mexico.

The manifest danger of such a situation was that such offenses might grow from bad to worse until something happened of so gross and intolerable a sort as to lead directly and inevitably to armed conflict. It was necessary that the apologies of Gen. Huerta and his representatives should go much further; that they should be such as to attract the attention of the whole population to their significance and such as to impress upon Gen. Huerta himself the necessity of seeing to it that no further occasion for explanations and professed regrets should arise. I therefore felt it my duty to sustain Admiral Mayo in the whole of his demand and to insist that the flag of the United States should be saluted in such a way as to indicate a new spirit and attitude on the part of the Huertistas. [Applause.]

Such a salute Gen. Huerta has refused, and I have come to ask your approval and support in the course I now purpose to pursue.

This Government can, I earnestly hope, in no circumstances be forced into war with the people of Mexico. Mexico is torn by civil strife. If we are to accept the tests of its own constitution, it has no government. Gen. Huerta has set his power up in the City of Mexico, such as it is, without right and by methods for which there can be no justification. Only part of the country is under his control. If armed conflict should unhappily come as a result of his attitude of personal resentment toward this Government, we should be fighting only Gen. Huerta and those who adhere to him and give him their support, and our object would be only to restore to the people of the distracted Republic the opportunity to set up again their own laws and their own Government. [Applause.]

But I earnestly hope that war is not now in question. I believe that I speak for the American people when I say that we do not desire to control in any degree the affairs of our sister Republic. [Applause.] Our feeling for the people of Mexico is one of deep and genuine friendship, and everything that we have so far done or refrained from doing has proceeded from our desire to help them, not to hinder or embarrass them. We would not wish even to exercise the good offices of friendship without their welcome and consent. The people of Mexico are entitled to settle their own domestic affairs in their own way, and we sincerely desire to respect their right. The present situation need have none of the grave implications of interference if we deal with it promptly, firmly, and wisely.

No doubt I could do what is necessary in the circumstances to enforce respect for our Government without recourse to the Congress and yet not exceed my constitutional powers as President, but I do not wish to act in a matter possibly of so grave consequence except in close conference and cooperation with both the Senate and House. I therefore come to ask your approval that I should use the armed forces of the United States in such ways and to such an extent as may be necessary to obtain from Gen. Huerta and his adherents the fullest recognition of the rights and dignity of the United States [applause], even amidst the distressing conditions now unhappily obtaining in Mexico.

There can in what we do be no thought of aggression or of selfish aggrandizement. We seek to maintain the dignity and authority of the United States only because we wish always to keep our great influence unimpaired for the uses of liberty, both in the United States and wherever else it may be employed for the benefit of mankind. [Loud and prolonged applause.]

EXECUTIVE SESSION.

The Senate returned to its Chamber at 3 o'clock and 20 minutes p. m., and the Vice President resumed the chair.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 2 hours and 38 minutes spent in executive session the doors were reopened.

RECESS.

Mr. KERN. Mr. President, I move that the Senate take a recess until 9 o'clock to-night.

Mr. McCUMBER. Mr. President, while the matter may not be debatable, I wish the Senator from Indiana would give us some assurance as to whether the recess is for the purpose of receiving a resolution which will probably come over from the House and then referring it to the committee, or whether it is the purpose to go on and do legislative work upon that or any other subject after 9 o'clock.

Mr. KERN. My impression is—and I give it only as an impression—that there will be little business done to-night beyond referring to the committee the resolution that comes from the House. Developments might occur between now and then that would change the situation, but I do not know of anything probable at this time.

The PRESIDING OFFICER (Mr. GOFF in the chair). The question is on the motion of the Senator from Indiana——

Mr. LIPPITT. Just a moment, Mr. President; I did not hear what the Senator said.

Mr. CUMMINS. Mr. President, I ask for order and that Senators be required to take their seats.

The PRESIDING OFFICER. The Senate will be in order.

Mr. KERN. I said that so far as I was advised at this moment no business would be transacted beyond receiving the resolution that comes from the House and referring it to the committee. I further said that between now and 9 o'clock there might be developments of which I know nothing which would change that program, but I do not imagine they will occur.

Mr. LIPPITT. Do I understand the Senator to say that there will be no business transacted to-night, or what does he mean?

Mr. KERN. I stated as plainly as I could that my best judgment is that no business will be transacted beyond receiving the resolution that will come from the House and referring it to the Committee on Foreign Relations; but——

Mr. LIPPITT. What about 9 o'clock? I am asking only for information.

Mr. KERN. The motion is to take a recess until 9 o'clock to-night.

Mr. LIPPITT. Then do I understand that the Senator hopes to have the resolution discussed this evening?

Mr. KERN. I do not. I do not expect such a course, but I shall not make any pledge of that kind.

Mr. WILLIAMS. Mr. President, I wish to say that I not only hope but expect action upon the House resolution to-night. For one, I shall be very much disappointed unless the Senate does take action upon it to-night. The House will vote upon the House resolution at half past 8, and it will be over here by 9; and if we take a recess until 9 o'clock the committee can be sitting and considering the resolution while the Senate is in session for a short while.

Mr. SIMMONS. Mr. President, I wish to ask the Senator from Mississippi a question. If the committee should be able to report the resolution within a reasonable time to-night, after it comes over from the House, does he not think we ought to insist upon a vote to-night upon the resolution?

Mr. WILLIAMS. I am of the opinion that we ought to take a vote to-night. This is a thing which—

> If it were done when 'tis done, then 'twere well
> It were done quickly.

Mr. LEWIS. But not rashly.

Mr. WILLIAMS. I hope and expect we shall vote to-night.

Mr. GALLINGER. Provided it is done right.

Mr. LIPPITT. I do not know exactly what the Senator means by taking a vote to-night. Certainly the resolution will be subject to discussion. I am quite sure there will be a pretty long discussion upon it.

Mr. WILLIAMS. I am not.

Mr. JAMES. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The question is on the motion of the Senator from Indiana that the Senate take a recess until 9 o'clock to-night.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m.) the Senate took a recess until 9 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 9 o'clock p. m., on the expiration of the recess.

Mr. JAMES. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fall	McCumber	Sherman
Bankhead	Fletcher	Martin, Va.	Shively
Brady	Gallinger	Martine, N. J.	Simmons
Brandegee	Hollis	Nelson	Smith, Mich.
Bristow	Hughes	O'Gorman	Smith, S. C.
Bryan	James	Oliver	Sterling
Burleigh	Jones	Owen	Swanson
Catron	Kenyon	Page	Thompson
Chilton	Kern	Pittman	Thornton
Clapp	Lane	Pomerene	Townsend
Clark, Wyo.	Lea, Tenn.	Reed	Vardaman
Colt	Lee, Md.	Robinson	Walsh
Crawford	Lewis	Root	Warren
Cummins	Lippitt	Saulsbury	Williams
Dillingham	Lodge	Sheppard	

Mr. SHEPPARD. I desire to announce the necessary absence of my colleague, the senior Senator from Texas [Mr. CULBERSON]. He has a general pair with the Senator from Delaware [Mr. DU PONT].

Mr. REED. My colleague [Mr. STONE] is detained from the Senate by illness.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present.

RECESS.

Mr. SHIVELY (at 9 o'clock and 8 minutes p. m.). I move that the Senate take a recess until 9.45 p. m.

The motion was agreed to; and on the expiration of the recess (at 9 o'clock and 45 minutes p. m.) the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 251) justifying the employment by the President of armed forces of the United States in enforcing certain demands made upon Victoriano Huerta, in which it requested the concurrence of the Senate.

CALLING OF THE ROLL.

Mr. JAMES. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Newlands	Simmons
Bankhead	Hollis	O'Gorman	Smith, Ga.
Brady	Hughes	Oliver	Smith, Mich.
Brandegee	James	Overman	Smith, S. C.
Bristow	Jones	Owen	Sterling
Bryan	Kenyon	Page	Swanson
Burleigh	Kern	Pittman	Thomas
Catron	La Follette	Pomerene	Thompson
Chilton	Lane	Reed	Thornton
Clapp	Lea, Tenn.	Robinson	Townsend
Clark, Wyo.	Lee, Md.	Root	Vardaman
Colt	Lodge	Saulsbury	Walsh
Crawford	McCumber	Shafroth	Weeks
Cummins	Martin, Va.	Sheppard	West
Dillingham	Martine, N. J.	Sherman	Williams
Fletcher	Nelson	Shively	

Mr. REED. My colleague [Mr. STONE] is detained from the Senate by illness.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. There is a quorum present.

AFFAIRS IN MEXICO.

The VICE PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives.

Mr. GALLINGER. Let it be read.

The VICE PRESIDENT. The joint resolution will be read at length.

The joint resolution (H. J. Res. 251), justifying the employment by the President of armed forces of the United States in enforcing certain demands made upon Victoriano Huerta, was read the first time at length, as follows:

Resolved by the Senate, etc., That the President of the United States is justified in the employment of armed forces of the United States to enforce the demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

Mr. SHIVELY. I ask unanimous consent for the immediate consideration of the joint resolution.

Mr. LODGE. Mr. President, I think a joint resolution of this importance, of the gravest importance which can attach to any resolution before the Congress, ought to take the regular course and be referred to the Committee on Foreign Relations.

Mr. SHIVELY. I, of course, know that the Senator can insist on the regular course and that an objection will occasion the reference of the joint resolution to the committee; but in the presence of the situation, which I submit is somewhat emergent, I ask the Senator to allow us to take up the joint resolution at once and dispose of it.

Mr. LODGE. Mr. President, I do not feel that we ought to consent to this departure from the regular course of procedure. I make the objection with no intent of delay, either in committee or here; but the joint resolution requires, I think, the most serious consideration that can be given to it. A single objection to the second reading on the same day would send it over for a day. Of course I am willing to let it be read twice and referred at once.

Mr. SHIVELY. If the Senator will permit me, we might take a recess, and have the matter referred to the committee and reported out to-night.

Mr. LODGE. The matter of taking a recess is a question for the Senate to decide. If it is referred to the committee, the action of the Senate as to taking a recess will be decided by the Senate of course.

Mr. SHIVELY. Certainly. I merely made the suggestion. I regret that the Senator can not see his way clear to withhold his objection.

Mr. LODGE. That is something which must be decided by the Senate. I do not feel authorized to say what course shall be taken. I think the joint resolution should be referred to the committee.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution.

Mr. LODGE. I object.

The VICE PRESIDENT. If there be no objection, the joint resolution will be considered, read the second time, and referred to the Committee on Foreign Relations. It is so ordered. What is the further pleasure of the Senate?

Mr. LIPPITT. Mr. President, I understood that the Senator from Massachusetts objected to the second reading of the joint resolution.

Mr. LODGE. No, Mr. President; I said, if it was to be referred to the committee, I should make no objection to its being read the first and second times and referred in the usual course.

The VICE PRESIDENT. That action has been taken.

Mr. FLETCHER. Mr. President, I desire to inquire of the Senator from Massachusetts whether he would object to the consideration of the joint resolution to-day in case the committee could report on it to-day. The same rule that permits an objection to its present consideration permits an objection to its consideration if reported upon this day. I ask the Senator from Massachusetts whether he would insist upon that objection.

Mr. LODGE. I do not think I quite understood the Senator's question.

Mr. FLETCHER. The same rule which permits an objection to the consideration of the joint resolution without a reference permits an objection to its consideration on the day it is reported. I was inquiring of the Senator from Massachusetts whether he would insist upon his objection in case the committee could report to-day.

Mr. LODGE. That would depend somewhat upon the character of the joint resolution.

Mr. FLETCHER. The joint resolution has been read, and its character is pretty well known.

Mr. LODGE. I mean the joint resolution as reported by the committee. I certainly should not undertake to answer that question now. We will cross that bridge when we come to it.

Mr. FLETCHER. Assuming that the joint resolution reported by the committee is the same as that read, I ask the Senator——

Mr. LODGE. Mr. President, I am not ready to make that assumption yet.

Mr. FALL. Mr. President, I move that the Senate take a recess for 15 minutes. I hope the committee can report in that time.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was rejected.

Mr. SHIVELY. I move that the Senate adjourn until 12.10 o'clock a. m. to-morrow.

The motion was agreed to; and (at 10 o'clock p. m.) the Senate adjourned until to-morrow, Tuesday, April 21, 1914, at 12.10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 20, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, God Almighty, Father of all souls, source of all wisdom, power, justice, mercy, a question of great moment confronts us; a crisis which may affect thousands of people must be met. Impart unto those who are in authority, the President, his advisers, and the Congress of the United States, wisdom, courage, fortitude, that they may meet it in accordance with the highest conceptions of right and truth and justice, that the civilization of the world may be advanced, and the things that make for peace and righteousness be emphasized. May the clash of arms and the terrible effects which must follow in its wake be averted and the interests of all be conserved, to the glory and honor of Thy Holy Name. In the spirit of the Lord Christ. Amen.

The Journal of the proceedings of Saturday, April 18, 1914, and of Sunday, April 19, 1914, was read and approved.

JOINT MEETING OF THE TWO HOUSES.

Mr. UNDERWOOD. Mr. Speaker, the President of the United States has advised me that he desires to communicate with the Congress this afternoon. I therefore send to the Clerk's desk this resolution, and move its immediate adoption.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House concurrent resolution 37.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday the 20th day of April, 1914, at 3 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make them.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. The Chair will announce that it will be necessary to vacate the first three rows of seats all around in order to furnish seats for the Senate.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote whereby the resolutions was passed was laid on the table.

CALENDAR FOR UNANIMOUS CONSENT—SECOND HOMESTEAD AND DESERT-LAND ENTRIES.

The SPEAKER. This is Unanimous Consent Calendar day, and the unfinished business is the bill (H. R. 1657) to authorize the allowance of second homestead and desert entries, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 1657) to authorize the allowance of second homestead and desert entries.

[Mr. TAYLOR of Colorado addressed the House. See Appendix.]

Mr. TAYLOR of Colorado. I move, Mr. Speaker, the adoption of the committee amendment offered by the Committee on the Public Lands.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

"That any person otherwise duly qualified to make entry of public lands under the homestead or desert-land laws, who has heretofore made or may hereafter make entry under said laws, and who, through no fault of his own, may have lost, forfeited, or abandoned the same, or who may hereafter lose, forfeit, or abandon the same, shall be entitled to the benefits of the homestead or desert-land laws as though such former entry had never been made: *Provided*, That such applicant shall show to the satisfaction of the Secretary of the Interior that the prior entry or entries were made in good faith, were lost, forfeited, or abandoned because of matters beyond his control, and that he has not speculated in his right nor committed a fraud or attempted fraud in connection with such prior entry or entries, and that he has not relinquished his former entry or entries for a valuable consideration in excess of his filing fees."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. TAYLOR of Colorado. Now I move an amendment to change the title, if that is necessary.

The SPEAKER. That comes later. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. TAYLOR of Colorado. I move that the title be amended in accordance with the committee amendment so as to read: "A bill providing for second homestead and desert-land entries."

The SPEAKER. Without objection, the title will be amended to conform to the text.

There was no objection.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Colorado [Mr. TAYLOR] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. RAKER. I rise to ask unanimous consent that I may extend my remarks in the RECORD upon this bill that was just passed.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD on the bill just passed. Is there objection?

There was no objection.

Mr. KINKAID of Nebraska rose.

The SPEAKER. For what purpose does the gentleman from Nebraska rise?

Mr. KINKAID of Nebraska. To ask unanimous consent to extend my remarks in the RECORD on the bill just passed.

The SPEAKER. The gentleman from Nebraska [Mr. KINKAID] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the first bill on the Calendar for Unanimous Consent.

AMENDMENT OF SECTION 100 OF THE JUDICIAL CODE.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 5849) to amend section 100 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Mr. MADDEN. Mr. Speaker, I object to the consideration of this bill.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] objects.

Mr. FRANCIS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. MADDEN. Mr. Speaker, I have no objection to the bill being passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. FRANCIS]?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

ANNUITIES TO THE MEDAWAKANTON AND WAHPAKOOTA (SANTEE) SIOUX INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11246) for the restoration of annuities to the Medawakanton and Wahpakoota (Santee) Sioux Indians, declared forfeited by the act of February 16, 1863.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That jurisdiction be, and hereby is, conferred upon the Court of Claims to hear, determine, and render final judgment for any balance that may be found due the Medawakanton and Wahpakoota Bands of Sioux Indians, otherwise known as Santee Sioux Indians, with right of appeal as in other cases for any annuities that may be ascertained to be due to the said bands of Indians under and by virtue of the treaties between said bands and the United States, dated September 29, 1837 (7 Stat. L., p. 538), and August 5, 1851 (10 Stat. L., p. 954), as if the act of forfeiture of the annuities of said bands approved February 16, 1863, had not been passed: *Provided*, That the court in rendering judgment shall ascertain and include therein the amount of accrued annuities under the treaty of September 29, 1837, up to the date of rendition of judgment, and shall determine and include the present value of the same, not including interest, and the capital sum of said annuity, which shall be in lieu of said perpetual annuity granted in said treaty; and to ascertain and set off against any amount found due under said treaties all moneys paid to said Indians or expended for their benefit by the Government of the United States since the treaties were abrogated by the act of 1863: *Provided*, That the treaty of 1868 shall not be a bar to recovery, but all equities and benefits received thereunder by the Santee Sioux Indians may, in the discretion of the court, be taken into consideration in the determination of the amount of recovery. Upon the rendition of such judgment and in conformity therewith the Secretary of the Interior is hereby directed to ascertain and determine which of said Indians now living took part in said outbreak, and to prepare a roll of the persons entitled to share in said judgment by placing thereon the names of all living members of said bands residing in the United States at the time of the passage of this act, excluding therefrom only the names of those found to have personally participated in the outbreak; and he is directed to distribute the proceeds of such judgment, except as hereinafter provided, per capita, to the persons borne on the said roll.

Proceedings shall be commenced by petition verified by one of the attorneys who have been heretofore employed by said bands of Indians to prosecute their claims under this act under a contract which has been approved by the Commissioner of Indian Affairs and the Secretary of the Interior as provided by law, upon information and belief as to the existence of the facts stated in said petition, and no other verification shall be necessary. Upon final determination of the cause the Court of Claims shall decree such fees as the court shall find to be reasonable upon a quantam meruit for services performed or to be performed, to be paid to the attorney or attorneys so employed by the said band of Indians and their associates, and the same shall be paid out of the balance found to be due said bands of Indians when an appropriation therefor shall have been made by Congress: *Provided*, That in no case shall the fees decreed by the court amount in the aggregate to more than 5 per cent of the amount of the judgment recovered, and in no event shall the aggregate amount exceed $25,000: *Provided further*, That the court shall by its decree distribute such fees equitably between the attorneys who have been employed by said bands of Indians in said cause.

The SPEAKER. This bill is on the Union Calendar.

Mr. STEPHENS of Texas. I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

Mr. MANN. Reserving the right to object——

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object——

The SPEAKER. The gentleman from Illinois [Mr. MANN] has reserved the right to object.

Mr. MANN. Does the gentleman from Nebraska [Mr. STEPHENS] intend to offer any amendments to this bill?

Mr. STEPHENS of Nebraska. Yes; I will say that there are several amendments that I propose to offer to this bill. In line 15, page 2, I shall move to strike out the words "for their benefit" and insert the words "on their account."

In lines 20 and 21, on the same page, I shall move to strike out the words "in the discretion of the court."

And on page 3, line 20, I shall move to insert the letter "s" after the word "band."

Mr. MANN. In that second amendment, should not the gentleman move to strike out the words "may in the discretion of the court" and insert "shall"?

Mr. STEPHENS of Nebraska. Insert "shall" instead of "may"?

Mr. MANN. Yes.

Mr. STEPHENS of Nebraska. That is satisfactory. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, can the gentleman from Nebraska [Mr. STEPHENS] inform the House as to the total amount that would be submitted to the Court of Cliams for consideration under this bill?

Mr. STEPHENS of Nebraska. The total amount of the obligation of the Government to these Indians under the treaties of 1837 and 1851 was something like $3,500,000. The Government has paid on this account possibly $1,500,000, which it paid before it abrogated the treaties in 1862. I am only approximating the amounts. Then, in addition thereto, there are other offsets that are to be made, and it is a question whether these Indians will receive anything or not, but they feel that their case ought to go to the court and their rights be adjudicated.

Mr. STAFFORD. As I understand, under the treaty of 1851 these Indians were to receive 50 installments of $61,450 each, of which they received 12 installments up to the time when this treaty was repealed by the treaty of 1868.

Mr. STEPHENS of Nebraska. Of 1862.

Mr. MILLER. By the act of Congress of 1863.

Mr. STAFFORD. They were also to receive, under the treaty of 1837, the sum of $15,000——

Mr. STEPHENS of Nebraska. They were to receive $15,000 a year.

Mr. STAFFORD. A year, in perpetuity, of which they have only received 27 installments.

Mr. STEPHENS of Nebraska. Yes.

Mr. STAFFORD. As I understand it, this whole matter revolves about the question whether, under this act of 1862, these prior treaties were negatived. I notice the statement in the report that the department has always considered that that act superseded those treaties. I read from the report as follows:

> The Department of the Interior has, however, always contended that these Indians have forfeited their rights to the restoration of these annuities by becoming parties to the treaty of April 29, 1868—

I mentioned 1868, and the gentleman from Minnesota and the gentleman from Nebraska attempted to correct me. I find I am right—

> and further contends that if they did not surrender and forfeit their claims or rights by the terms of such agreement that then they should be charged up with all payments in money or clothing, provisions, etc., made under that treaty.

Now, does the gentleman think that an old, cold-storage claim, which has lain dormant for years and years until two or three years ago, and which involves millions of dollars, should be brought up for consideration on the Unanimous Consent Calendar?

Mr. STEPHENS of Nebraska. I will say to the gentleman from Wisconsin that this identical bill passed this House two years ago, and those who are familiar with it understand that under that treaty of 1868 the Indians were not, in fact, consulted at all. A few of this tribe were taken out to Fort Sheridan, and they signed that treaty of 1868 without authority of the tribal council at all; and even though the tribe had been consulted, the treaty of 1868 was for another and specific purpose—that of policing the frontier along the Union Pacific Railroad. And, furthermore, the treaty of 1868 could not abrogate treaties that were not in existence. In 1863 the treaties with these Indians for the payment of these annuities were abrogated, so that there were no treaties in existence at the time of the treaty of 1868.

This bill simply contemplates restoring the rights of these Indians under their former treaties and permitting them to send their claim to the Court of Claims, so that that court can say whether these Indians have been treated fairly or not.

Mr. STAFFORD. The gentleman from Nebraska [Mr. STEPHENS] has been quite solicitous during the past week to secure an audience with me to explain his side of this bill. I have gone over the bill very thoroughly, and also the report. Through no fault of his, the gentleman was not able to get that audience, and I wish he would ask unanimous consent to pass this bill over without prejudice for two weeks. Otherwise I might feel constrained to object at the present time. I assure him that I will collaborate with him and consult with him about the matter before this bill comes up next time.

Mr. MILLER. Mr. Chairman, I ask the gentleman from Wisconsin if he will kindly not press that request. Let me briefly state why. The session of Congress is not going to last forever, though it may last some time. This bill has been passed over without prejudice several times in response to a similar request. The proponents of the bill are perfectly willing that all information about the bill shall be given. I think if the gentleman will withhold his point of order, we can in five minutes state to him all the facts that are important concerning this bill.

Mr. STAFFORD. I think the bill will take at least half an hour, and perhaps longer. There are amendments recommended by the department which the committee have not seen fit to incorporate.

Mr. MILLER. In one minute I can convince the gentleman that we ought not to incorporate them.

Mr. STAFFORD. And there are other amendments which have not been included by the gentleman from Nebraska. I hope the gentleman will see his way clear to ask to have this put over without prejudice.

Mr. STEPHENS of Nebraska. Mr. Speaker, I ask that this bill be passed without prejudice.

The SPEAKER. The gentleman from Nebraska asks that the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next bill.

TO AMEND SECTION 19, RIVER AND HARBOR BILL, 1889.

The Clerk read as follows:

A bill (H. R. 14331) to amend section 19 of an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved March 3, 1899.

Mr. WATKINS. Mr. Speaker, to avoid the necessity of reading the bill I ask unanimous consent that this be passed over without prejudice.

The SPEAKER. The gentleman from Louisiana asks that this bill be passed without prejudice. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10138) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution No. 37.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 20th day of April, 1914, at 8 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make them.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the enrolled bill (S. 1689) authorizing the accounting officers of the Treasury to allow in the accounts of the United States marshal for the district of Connecticut amounts paid by him from certain appropriations.

RELIEF OF CERTAIN SETTLERS IN LOUISIANA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5890) for the relief of settlers within the limits of the grant to the New Orleans, Baton Rouge & Vicksburg Railroad Co.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the amendment which strikes out all after the enacting clause be read in lieu of the original bill.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the amendment be read in lieu of the original bill.

Mr. MANN. I have no objection to that, if the original bill be printed in the RECORD.

Mr. FERRIS. I ask, Mr. Speaker, unanimous consent that the original bill be printed in the RECORD and only the amendment read.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the original bill be printed in the RECORD and that the amendment be read in lieu of the original bill. Is there objection?

There was no objection.

The original bill is as follows:

Be it enacted, etc., That in the administration of the public-land laws of the United States the Secretary of the Interior and all subordinate officers of the Department of the Interior and all courts of the United States shall give full force and effect to the terms and provisions of section 2 of the act approved February 8, 1887, entitled "An act to declare a forfeiture of lands granted to the New Orleans, Baton Rouge & Vicksburg Railroad Co., to confirm title to certain lands, and for other purposes," and whenever it shall be made to appear to the satisfaction of the Secretary of the Interior that any lands lying within the limits of the grant made to said New Orleans, Baton Rouge & Vicksburg Railroad Co. were occupied by actual settlers at the date of the definite location of the line of said railroad opposite such lands, and that such lands remained in the occupancy of such settlers, their heirs or assigns, from such date of definite location until the 8th day of February, 1887, then it shall be held and decided that such lands did not pass to said railroad company or to any successor in interest under its original grant made by act approved March 3, 1871, or under any amendment thereof, because such lands were never subject to said grant; and such lands shall be thereupon deemed to be public lands of the United States, open to acquisition and to disposition under all appropriate public-land laws of the United States, any general statutes or acts of limitation notwithstanding.

SEC. 2. That it having been expressly provided by section 2 of said act of February 8, 1887, that lands such as are above described should be held and deemed excepted from the operation of said grant, if it shall be found by the Secretary of the Interior that any such lands were so occupied at and between the date of definite location of said line and the 8th day of February, 1887, then it shall be further held and considered that any patent or patents or approvals of lists of selections made by said company or its successors in interest and intended to have the general effect of a patent, which may have been issued or approved, including such lands, were absolutely void as to such lands; and it shall be further held and considered that no title to such lands passed to said railroad company, its successors in interest, or their assignees or grantees under or by virtue of such patents or approvals, and no plea or allegation by any assignee or grantee of said railroad company or its successors in interest that such assignee or grantee is an innocent purchaser of such land for value shall be held good or be sustained, either by the Secretary of the Interior or by any court, unless made by a grantee holding in good faith, by conveyance made under such patent by said railroad company and actually residing upon the land in question at date of approval of this act, and in such case shall be sustained only as to the technical legal subdivisions upon which are situated the residence and improvements of such person.

SEC. 3. That in order that titles to the lands lying within the limits of said grant may be finally settled, all persons claiming any lands lying within the limits of said grant and asserting title thereto adversely to said railroad company or its successors in interest, assignees, or grantees shall within two years from this enactment, file with the United States land office for the district within which said lands lie a notice of his claim to such land, together with an application to make entry thereof under the provisions of the public-land laws of the United States, and shall state under oath, corroborated by the oath of at least one other person, the facts upon which he relies to show that the lands in question were excepted from said grant. All papers so filed shall be forthwith transmitted by such local land office to the Commissioner of the General Land Office, who shall pass upon the sufficiency thereof; and upon a sufficient showing being made, the Commissioner of the General Land Office shall direct that a hearing be ordered by such local land office to determine the facts of the case, to which hearing the New Orleans Pacific Railroad Co., as successor in interest to said New Orleans, Baton Rouge & Vicksburg Railroad Co., shall be made a party, and any person claiming under said railroad companies shall be permitted to intervene at such hearing upon disclosing under oath the nature of his interest or claim in the lands involved.

SEC. 4. That if it shall be proven in any proceeding hereunder that any such lands were in fact occupied by any settler at and between the date of definite location of the said railroad and February 8, 1887, it shall be presumed, in the absence of proof to the contrary, that such settler was qualified to make entry of such lands under the public-land laws of the United States in quantity not in excess of that permitted by the homestead laws; but if it shall be shown and found that such settler was not in fact so qualified, then it shall be held that such occupancy was insufficient to except such lands from the operation of said grant.

SEC. 5. That in event it shall be finally decided and held by the Commissioner of the General Land Office or by the Secretary of the Interior that any such lands were in law and in fact reserved and excepted from the operation of said grant, then a notation of such decision shall be made upon the public-land records in the General Land Office and in the United States land office for the district wherein such lands lie, and shall be deemed to be and to constitute notice of such decision to all persons.

SEC. 6. That the Secretary of the Interior may prescribe all proper and necessary regulations for the administration of this act, including the prescribing of the manner of giving reasonable notice of any hearing which may be ordered hereunder, either by publication of notice or otherwise.

SEC. 7. That this act shall be deemed and considered a local act, applicable solely to the lands hereinabove described, lying within the State of Louisiana. The decision of the Secretary of the Interior as to the fact of occupancy at and between the date of definite location of the line of said railroad and February 8, 1887, shall be final and conclusive.

SEC. 8. That all claims to any of the lands hereinabove described, adverse to said railroad company or its successors in interest, which shall not be asserted within the period of two years from this enactment, shall be deemed and considered forever barred, and no claim or proceeding adverse to said railroad company or its successors in interest shall be thereafter accepted or entertained by the Land Department of the United States: *Provided, however*, That the provisions of this act limiting the time for presentation of claims adverse to said railroad grant shall not apply to claims to lands involved in that certain suit commenced in the Circuit Court of the United States for the Western District of Louisiana on or about February 27, 1901, entitled "The United States of America, complainant, *v.* The New Orleans Pacific Railway Co., et al., defendants," being equity cause No. 16 in said court; but claims to lands included in said suit, now pending, may be asserted in accordance with the terms of this act at any time within two years after the termination of said suit: *Provided further, however*, That the pendency of said suit shall not preclude the assertion of claims to any lands included in said suit, and this enactment shall not work a dismissal or discontinuance of said suit.

The Clerk read the committee amendment, as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior be, and hereby is, authorized and directed to immediately take up and resume the adjustment and adjudication of all rights and privileges relinquished, granted, conveyed, and confirmed to the New Orleans Pacific Railway Co., as the assignee of the New Orleans, Baton Rouge & Vicksburg Railroad Co., by the act of Congress approved February 8, 1887, and entitled 'An act to declare a forfeiture of lands granted to the New Orleans, Baton Rouge & Vicksburg Railroad Co., to confirm title to certain lands, and for other purposes, subject to all the provisions and conditions therein contained for the protection of actual settlers, their heirs and assigns.

"SEC. 2. That on the application of persons to make entry in accordance with the provisions of the act aforesaid, the rights only of those who were actual settlers at the date of definite location, their heirs, or other persons to whom they may have assigned their possessory rights, prior to December 1, 1913, shall be given consideration as against the outstanding patent or patents to the New Orleans Pacific Railway Co.

"SEC. 3. That in determining rights asserted by or on behalf of actual settlers, their heirs or assigns, proof showing actual settlement at the date of definite location, and the existence of such settlement and occupancy at the present time, shall be deemed prima facie evidence of the continuity of the settlement claim.

"SEC. 4. That all claims adverse to the New Orleans Pacific Railway Co., or its successors in interest, which are not asserted as herein provided within the period of two years from the passage and approval of this act shall be deemed and considered forever barred."

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Oklahoma if the committee considered the advisability of adopting draft 2 instead of draft 1, as proposed by the department?

Mr. FERRIS. They did, and considered that this draft was the more preferable one.

Mr. MONDELL. Did the committee consider its effect in reference to this matter? The bill before the House does not require the proof of continuous occupancy that was required by the original act. It requires only that there shall be proof of occupancy at the time of filing the map of definite location and at this time. Does that modification of the proof on which the settler founds his claim so modify the original legislation that it might serve as a basis for a claim on behalf of the railroad company for lieu land or compensation?

Mr. FERRIS. I think not at all.

Mr. MONDELL. Or for recompense for what they may have lost by modification of the law?

Mr. FERRIS. I think not. Their rights come solely under section 2 of the grant of 1887, which specifically provided for any land occupied by settlers at the time of the land grant, that those lands should be reserved and saved to the settlers. I think that all that should be done is to say that they were there in good faith at that time is sufficient, but the committee goes further and says that they shall be there now or that their descendants shall be there now.

Mr. MONDELL. The gentleman is confident that the change of proof required will not have the effect of giving the railroad company any valid claim for compensation for what they may lose?

Mr. FERRIS. I feel a certainty of that, and so much so that I will say that the Gould heirs settled with 38 settlers and paid them what they claimed to be due, which shows that the settlers have a good claim. The others should do as the Gould heirs did.

Mr. TOWNER. Mr. Speaker, I would like to ask the gentleman from Oklahoma if he will not ask unanimous consent to let the bill go over. It has been called to my attention very lately, and I have not had an opportunity to examine it.

Mr. FERRIS. I understand full well that the gentleman from Iowa has the right to object. I know he would not object unless he left bound to do it. But I want to plead with him not to object now, from the fact that these people have already waited 30 years. The bill was passed over two weeks ago in deference to the wishes of the gentleman from Michigan [Mr. FORDNEY], and the gentleman from Iowa knows that this legislation can not be delayed much more with a prospect of getting through with the great drive in the House for business. Here

are 450 homestead and home seekers who have waited 30 years trying to get a title.

Mr. TOWNER. If that be true, the bill has merit in it. But here is a bill that has been entirely substituted by a new bill recommended by the committee, and I have not had time to examine it.

Mr. FERRIS. The department drew every line of the substitute bill after extensive hearings before the committee. It was the department's final view of it, and it is also the committee's final view as to what should be done.

Mr. TOWNER. That may be true, but I have not had the opportunity to examine it.

Mr. FERRIS. The gentleman will have an opportunity to offer an amendment, and I hope he will not ask that the bill go over.

Mr. TOWNER. I shall object unless the gentleman asks unanimous consent that the bill may go over.

Mr. MANN. Mr. Speaker, pending that, will the gentleman from Oklahoma permit me to ask him a question?

Mr. FERRIS. Certainly.

Mr. MANN. In this departmental bill what is the meaning of the words "settlement and occupancy at the present time"? What is the present time?

Mr. FERRIS. It says that they must be there December 1, 1913.

Mr. MANN. Where is that?

Mr. FERRIS. On line 25, page 7.

Mr. MANN. It seems to me that if the bill goes over, the gentleman ought to ascertain from the department what the present time is. It evidently does not mean now.

Mr. FERRIS. I assume that the language might be construed to mean at the time of the passage of the bill, but we are not sticklers for this bill if it can be perfected in that way.

Mr. MANN. I hope the gentleman will try and ascertain what the present time means.

Mr. FERRIS. I think the preferable way would be to fix a specific date, or say "on and after the passage of the act." Now, one word to the gentleman from Iowa [Mr. TOWNER]. I very much hope that the gentleman from Iowa will not insist on this bill going over. These settlers occupied the land in good faith in 1887, when a three and a quarter million acre land grant was made to the railroad company, with the specific provision that the land occupied by bona fide settlers should not be patented to the railroad. They came up here and by the aid of their plats the Interior Department and the Commissioner of the General Land Office not having sufficient field force to find out how the land was occupied, erroneously executed the patents not only for the lands included in the grant but also on the lands on which settlers lived. This worked a tremendous hardship on the settlers, and for 30 years they have suffered while waiting for their rights to be heard, to be adjudicated, and straightened out.

Mr. TOWNER. I understand that settlers who received title from the railroad company are also interested in this matter.

Mr. FERRIS. The purchasers from the railroad company have at all times had notice of the law, which specifically excluded from the grant the lands on which these settlers lived.

Mr. TOWNER. Mr. Speaker, I will say to the gentleman from Oklahoma that I received word only yesterday in regard to this matter. I can not in justice let the bill go through this morning without examination, and unless the gentleman asks that it be passed over without prejudice I shall object.

Mr. FERRIS. Mr. Speaker, I submit the gentleman takes a good deal of responsibility in this matter just because somebody writes him a letter. I ask unanimous consent that it go over with prejudice for that reason, as the gentleman insists that he shall object unless it is passed over without prejudice. With that in mind, Mr. Speaker, I make that request.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

IMMIGRATION STATION AT BALTIMORE, MD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11625) to increase the appropriation for the erection of an immigration station at Baltimore, Md.

The Clerk reported the bill by title.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Maryland asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

LIGHTHOUSE ON QUINAIELT INDIAN RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12463) to authorize the withdrawal of lands on the Quinaielt Reservation, in the State of Washington, for lighthouse purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to set aside not exceeding 206.75 acres of land at or near Cape Elizabeth, on the Quinaielt Indian Reservation, in the State of Washington, for lighthouse purposes: *Provided*, That the Secretary of Commerce shall pay the Indians therefor, from the appropriation for the general expenses of the Lighthouse Service for the fiscal year in which this reservation is made, such price for the lands set aside hereunder as may be agreed upon by the Secretary of the Interior and the Secretary of Commerce: *Provided further*, That the funds thus derived shall be deposited in the Treasury of the United States to the credit of the Indians of the Quinaielt Reservation, and shall be subject to expenditure for their benefit in such manner as the Secretary of the Interior may deem for their best interests.

SEC. 2. That there is hereby reserved for the use and benefit of the Indians of the Quinaielt Reservation in common all oil, gas, coal, or other minerals in the lands set aside hereunder for lighthouse purposes, and the right to prospect for and mine these commodities under such rules and regulations as may be agreed upon by the Secretary of the Interior and the Secretary of Commerce.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BRYAN. Mr. Speaker, reserving the right to object, I would like to interrogate the gentleman in charge of the bill.

The SPEAKER. Who is in charge of this bill?

Mr. MANN. I think the gentleman from Texas [Mr. STEPHENS].

Mr. HAYDEN. Mr. Speaker, perhaps I can answer the gentleman's question.

Mr. BRYAN. Mr. Speaker, this bill provides for taking some 270 acres for lighthouse purposes, and then provides that certain parties can have the oil and gas, etc. Is it possible under this for these Indians to assign their right to these minerals?

Mr. HAYDEN. No; the minerals would be handled under the general law which covers the leasing of oil or gas deposits on Indian reservations under regulations prescribed by the Secretary of the Interior.

Mr. BRYAN. Is there any real reason for that number of acres, nearly 300, to install a lighthouse?

Mr. HAYDEN. The Department of Commerce, having jurisdiction over lighthouses, said it needed the entire area. It is a spit of land that sticks out into the water, and the department thought it ought to have jurisdiction over the entire area.

Mr. MANN. Mr. Speaker, if the gentleman from Washington will permit, as I understand it, there is a high point on this land?

Mr. HAYDEN. Yes.

Mr. MANN. About 2 miles from the water?

Mr. HAYDEN. Yes.

Mr. MANN. And it is desired to put the lighthouse on the high point, but there are trees between that point and the water, and the department asked to have sufficient land so that it can cut down the trees which would otherwise obstruct the light.

Mr. HAYDEN. Mr. Speaker, the Department of Commerce is very insistent that this entire area be placed under its jurisdiction for lighthouse purposes, but on account of the land being valuable for oil or gas, it was not thought by the committee that the Indians ought to be deprived of any revenue that might be derived from that source in the future, and that is why the reservation is made.

Mr. MANN. Mr. Speaker, if the gentleman from Washington will permit, it is very often desirable to have this right in preference to constructing at a much greater cost a very high lighthouse. If they can remove the trees between the lighthouse and the water, they can construct a lighthouse at comparatively little cost, whereas if they have to construct a lighthouse 75 feet high, for instance, although this is on a high point, it would be very expensive.

Mr. BRYAN. Let me ask just this further question: If this bill be enacted into law, will the status of these mineral rights be any different in this land from what it will be on the other lands of the Indian reservation?

Mr. HAYDEN. No difference at all; the status will be exactly the same.

Mr. BRYAN. Very well; I do not object. I understand the lighthouse is greatly needed by navigation in that section. I hope the bill will pass.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Arizona asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. JOHNSON of Washington. The passage of this bill is an important step toward the advancement of the Lighthouse Service on the north Pacific coast. The Elizabeth Light Reservation is ideal for the purpose, the ground reserved is of ample size, and the reservation of the mineral rights fully protect the Quinaielt Indians.

I hope that the Lighthouse Board will find the money to put this light in at an early date. A lighthouse at this point would no doubt have saved the *Ferndale* and 27 men and the *Ernest Reyer* and 2 men. Both of these vessels thought that they were off the mouth of the Columbia, having missed the north current, which sets very strongly from Grays Harbor north.

But, Mr. Speaker, this land, which is desired for lighthouse purposes, has been, at a prior date, allotted to the Indians in good faith. I believe, however, that the Indians will be willing to accept other allotments in lieu of this land which the Government now desires for lighthouse purposes. It is a fact, which no one will dispute, that the Washington coast is not properly lighted.

ALLOTMENTS ON MORONGO INDIAN RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10505) authorizing the Secretary of the Interior to cause allotments to be made to Indians belonging and having tribal rights on the Morongo Indian Reservation.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to cause allotments to be made to the Indians belonging and having tribal rights on the Morongo Indian Reservation, in the State of California, in areas as provided in section 17 of the act of June 25, 1910 (36 Stat. L., p. 859), rather than as provided by section 4 of the act of January 12, 1891 (26 Stat. L., p. 713).

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, as I understand it—and I ask the question for information—the department is now authorized to allot this Indian land by families or to the heads of families?

Mr. HAYDEN. Yes.

Mr. MANN. And it is now desired to allot the land to individuals?

Mr. HAYDEN. Yes.

Mr. MANN. If it is allotted to individuals and there is a baby, I take it that the baby will receive the allotment of land that its father will receive?

Mr. HAYDEN. Yes; each man, woman, and child.

Mr. MANN. Does the gentleman think that will conduce to the actual use of irrigated land?

Mr. HAYDEN. Well, the baby belongs to some family, and the larger families will get larger areas. That is the plan adopted.

Mr. MANN. Who will make use of the baby's land?

Mr. HAYDEN. The father or the mother.

Mr. MANN. By what authority?

Mr. HAYDEN. As his guardian.

Mr. MANN. Then, it will have to be rented.

Mr. HAYDEN. They get it that way under general allotment now.

Mr. MANN. Is it not better simply to allot the land to the head of the family, and would it not be much more likely to be cultivated if allotted to the head of the family instead of to members of the family, including the wife and all the children?

Mr. HAYDEN. Well, the experience of the Indian Office is just to the contrary. They find that to let each individual have an allotment of his own works out better in practice. The testimony before the committee in regard to this particular Indian reservation is that if allotments were made to heads of families, and then there was trouble in the family, he may divorce his wife under the Indian custom or abandon the children, leaving them without a home. These lands ought to be allotted under the general law as it now exists.

Mr. MANN. I do not know that there is very much difference between Indians and many white people in that regard, but I take it when an ordinary person is farming 160 acres of land, and if he has to divide it and give each child a portion of it, there would not be much done on that farm.

Mr. HAYDEN. The father can manage the farm for his children, just as he now does.

Mr. MANN. Well, that depends upon whether the father can manage the farm or not. If he handles it, he must rent it and account for it. He is not going to take possession of the baby's farm and farm it for his own benefit.

Mr. HAYDEN. That is the way they are practically handled in the Indian Service at the present time.

Mr. MILLER. There is also another feature of this particular case that ought to be realized and have some consideration. This property does not belong to heads of families. It never did and never ought to, but it belongs to the band of Indians. They got it from their fathers, and their fathers got it from their fathers, and when it is divided it should be divided among the members of the band, and nobody can get around that.

Mr. MANN. And nobody can get an account of it.

Mr. MILLER. You can; you can get them fairly and squarely.

Mr. MANN. If this land had been allotted 10 years ago a child under 10 years of age would not receive anything.

Mr. MILLER. And if it were allotted 100 years ago none now living would receive anything. Now, there is one thing more. I have a little additional statement I would like to put in the RECORD, in order to have it before the House if anyone objects.

Mr. MURDOCK. Will the gentleman take up the matter of alienation?

Mr. MILLER. I have this one other statement: In this particular band there are several widows who have been kicked out by the heads of families, and unless the allotment is made as requested by the Indian Office they will get nothing. There are also several dependent children, because they have been abandoned by heads of families, and unless the relief is granted as asked for in this bill you will give to the heads of families the land and you will make destitute widows to a large number and destitute orphans to a larger number, and, as I said at the beginning, this property belonged not to the heads of families, but to all the members of the tribe alike.

Mr. FALCONER. I will ask the gentleman from Arizona if it is not a fact under the laws governing the sale of lands of noncompetent Indians that it is to the advantage of the minor members of Indian families to have the lands given directly to the children instead of to the head of the family? For instance, a noncompetent Indian may have his land sold. If the head of the family acquired all land allotments for all the members of his family, it might all be sold if he were judged noncompetent and the children would have nothing left, and the department now very wisely takes the position that the children ought to have an allotment rather than to have it go to the head of the family, so as to conserve and secure the use and value of the property to the children when they grow up.

I agree with the provisions of the bill.

Mr. CARTER. That is one of the reasons, if the gentleman will permit, why this change is made. Whenever in the past a division of an Indian estate, either land or money, has been made it has been the custom to make same equally to each member of the tribe, until 1892, when the Government began the allotment of lands in severalty to heads of families, making a distinction between heads of families and others.

But in 1910, if I remember correctly, an act was passed providing for the allotment of land to Indians in severalty—man, woman, and child alike. That was done after the other system had been tried, and I think this was thought to be more advantageous to the people. It certainly seems more equitable, as has just been explained by the gentleman from Minnesota [Mr. MILLER].

Mr. STAFFORD. Will the gentleman yield?

Mr. CARTER. I will.

Mr. STAFFORD. I notice in reading the report that these Indians on four different occasions have voted against the allotment of this land. I recognize that the gentleman is an authority on Indian affairs, as we all do, and I would like to inquire of him who are entitled to vote when such a question comes up in tribal matters?

Mr. CARTER. Usually those of voting age, the same as under the white man's system of voting.

Mr. STAFFORD. Do you think, when the tribe on four separate occasions have voted positively against the procedure recommended in this bill, that we should go against the recommendations of those Indians? Does not the gentleman think the

Indians know better what is best for them than we who are so far removed from their affairs?

Mr. CARTER. Well, the reply to that would be that the very people we are trying to assist in this bill did not get an opportunity to take part in those elections.

Mr. STAFFORD. Did not the electors who did express themselves on four different occasions have the welfare of their children at heart? Does the gentleman mean to say that the heads of the families have not the welfare of the minors at heart because they happen to be Indians?

Mr. CARTER. They did not seem to have in this instance.

Mr. MILLER. I think the gentleman will also observe this significant fact, if he looks up the actual voters: He will find voters were confined practically to heads of families, and they are the ones who would be voting away their own property rights.

Mr. STAFFORD. The gentleman says this voting privilege extends to those who are in the majority. In that case, there were 63 heads of families and 50 single persons over 21 years of age whom, I assume, would be entitled to vote—a majority of those living on the reservation, even including the 111 children who are minors, I assume.

Mr. MILLER. That is the specific feature the agent of the department has pointed out to us for years, that it was not possible for them to get a favorable vote among these people, because those who had the voting power were the ones who wanted to be the hogs and get all the land.

Mr. CARTER. I think we ought to pay great heed to what the Indians say about these things; but if we are going to permit the Indians to settle these matters themselves, then what is the use of our Indian Bureau?

Mr. STAFFORD. We should not go directly contrary to the expressed determination of the Indians on four separate occasions when this matter was up. The gentleman, I assume, is in favor of the official mandates, so far as the Indians are concerned.

Mr. CARTER. That would depend entirely upon whether the Government of the United States thought it was best for the Indians to go contrary to the way in which they had voted, because certainly the guardian has the right to do what he thinks is best for his ward, and if he always did what his ward thought best there would be little use for the guardian.

Mr. STAFFORD. The gentleman thinks it would be far better to allow it to be allotted in the family unit rather than segregate it into little units, which in this case would only amount to 5 acres. It would be better to allow it on the family unit, and allow the family to be kept intact rather than to divide it up into these piecemeal patches?

Mr. CARTER. The gentleman is touching on a proposition which has been thoroughly gone into by the department and the Indian Bureau has repeatedly placed itself on record in favor of making the individual the unit instead of the family a unit.

Mr. MILLER. May I add one thing? In this case, where irrigable land is to be divided, if it is divided among the heads of families alone, each is going to get a whole lot more than he can ever use. And I hope the gentleman from Wisconsin [Mr. STAFFORD] and the gentleman from Illinois [Mr. MANN] will listen to that. The heads of families will be getting vastly more than they can use of irrigable land. Divided up among the people, each will get what he can handle.

Mr. MURDOCK. Mr. Speaker, reserving the right to object, I would like to ask where the Morongo Indian Reservation is located?

Mr. CARTER. It is located in southern California.

Mr. MURDOCK. How large is it?

Mr. HAYDEN. It contains 26,553 acres.

Mr. MURDOCK. How many Indians are there?

Mr. HAYDEN. Two hundred and sixty.

Mr. MURDOCK. How are they divided as regards adults?

Mr. HAYDEN. There are 63 heads of families, 50 single persons over 21 years of age, 36 married women, and 111 children.

Mr. MURDOCK. And this bill will enable the allotment to be made to individuals, including the future babies, and not the heads of families?

Mr. HAYDEN. Allotments will be made to every man, woman, and child on the reservation at the date of the allotment.

Mr. MURDOCK. And at some previous time the tribe has taken a vote upon the proposition of allotment, in which only adult males voted. Is that correct?

Mr. HAYDEN. Yes.

Mr. MURDOCK. And the proposition on four different occasions was voted down? And subsequent to these elections Indian men have abandoned wives and children?

Mr. HAYDEN. Yes, sir.

Mr. MURDOCK. Now, if the old proposition would stand and the allotment should be made to the heads of families, it would leave these abandoned women and babies without land. Is that correct?

Mr. HAYDEN. Without a bit of land in the world. It would all be taken by the men who are the heads of families.

Mr. MURDOCK. It seems to me beyond controversy that the allotment ought to be made to individuals. Can these lands be alienated by the Indians under any circumstances?

Mr. HAYDEN. Not at the present time. This is an Executive order reservation. If the lands are allotted to the Indians, 25-year trust patents will be issued to each man, woman, and child for the land allotted to them, and after that it may be possible for them to sell their lands, as they do in Oklahoma.

Mr. MURDOCK. But neither in the case of the adult male nor the woman nor the baby will it be possible for these Indians to alienate the land?

Mr. CARTER. Not for 25 years.

Mr. HAYDEN. This bill is to apply the general law to this particular reservation.

Mr. MANN. Why can they not alienate the land if it is allotted to them?

Mr. HAYDEN. Because they are still the wards of the Government. They get a patent, but not in fee.

Mr. MANN. I do not know what patent they get. If they are allotted Indians, are they not entitled to a patent?

Mr. HAYDEN. There must be a 25-year trust patent.

Mr. MANN. If one of them dies, can not the property be sold?

Mr. CARTER. Yes.

Mr. HAYDEN. I do not think so.

Mr. MANN. Oh, well, I do not think the gentleman is informed on that. This property was authorized to be allotted by the law of 1891—23 years ago. Is it under cultivation?

Mr. HAYDEN. Yes.

Mr. MANN. They went ahead and made individual allotments among themselves to the extent of cultivating particular pieces of ground?

Mr. HAYDEN. Yes.

Mr. MANN. Are there any orchards on it?

Mr. HAYDEN. I do not know about the orchards.

Mr. MANN. Well, they put improvements on the land. A man, supposing he would have the piece allotted to him, went ahead and improved it. Now, who gets it? The gentleman from Minnesota [Mr. MILLER] says he does not lose it. Who gets it?

Mr. MILLER. In making this allotment recognition will be given to the improvements made on the land.

Mr. MANN. They are improving it as heads of families under the act of 1891, supposing they would have a larger allotment. You propose now to give only 5 irrigable acres to one individual.

Mr. MILLER. They have not been improving any large or considerable areas. I do not suppose any one of them has improved 5 acres. The department has stated to the committee that they would, in making these allotments, have regard to the improvements that have been made.

Mr. MANN. From the information I have, I understand some of them have improved more than 5 acres.

Mr. HAYDEN. This is a matter of administration. We asked the department if any injustice would be done, and were told that they would allot to members of the family the same land that has heretofore been allotted to the head of the family.

Mr. MANN. The father has no right to use the land of the child, belonging to the child, without making compensation for it. He must account for it, and he must support the child, besides.

Mr. HAYDEN. That is a practical matter that is now properly cared for on all Indian reservations.

Mr. MURDOCK. If the land is allotted to a child who afterwards dies, can that land be sold? I wish the gentleman would clear me up on that question.

Mr. CARTER. Under the recent Burke Act it can be done.

Mr. MURDOCK. Can any of the rest of this land be sold? Is that the only case in which land can be alienated?

Mr. CARTER. That is all.

Mr. BURKE of South Dakota. Mr. Speaker, if the gentleman will permit, under the law, if an Indian is allotted land, if he makes an application for a fee patent and is able to satisfy the Secretary of the Interior that he is competent and capable of taking care of his own affairs, a fee patent will be issued to him, and then he can do anything he likes with the land.

Mr. MURDOCK. Before the expiration of the 25 years?

Mr. BURKE of South Dakota. Yes; at any time.

Mr. MURDOCK. Then, all of these Indians can alienate the land, if they prove themselves to be competent?

Mr. CARTER. They must not only prove themselves to be competent, but they must also satisfy the Secretary of the Interior that the proper use is to be made of the proceeds of the land sales. He has the say as to whether they shall sell their lands or not, without reference to the question of competency. His decision is final. He does not have to allow the restricted Indian to sell his land at all, unless he so desires.

Mr. MURDOCK. Then, there is no 25-year restriction on this?

Mr. CARTER. This takes the status of all the restricted land of Indians.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects, and the bill will be stricken from the calendar. The Clerk will report the next one.

SURPLUS TIMBER LANDS OF SPOKANE INDIAN RESERVATION, WASH.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10845) to authorize the Secretary of the Interior to expend the proceeds arising from the sale and disposition of surplus agricultural lands and timber on surplus timber lands of the Spokane Indian Reservation, Wash.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized in his discretion to pay to or expend for the benefit of the Indians entitled thereto, in such manner and for such purposes as he may prescribe, any moneys which have been or may be hereafter deposited in the Treasury of the United States to the credit of the Indians of the Spokane Reservation, Wash., arising from the sale and disposition of surplus agricultural lands and timber on surplus timber lands not required for reimbursement to the United States for expenses incurred in connection with the allotment, classification, sale, and disposition of the lands of said reservation.

SEC. 2. That all acts or parts of acts in conflict herewith are hereby repealed.

The SPEAKER. Is there objection?

Mr. STAFFORD. I reserve the right to object, Mr. Speaker.

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] reserves the right to object.

Mr. STAFFORD. I would like to inquire of some one having the bill in charge whether this bill restricts the department to the distribution of the present surplus fund, or does it extend to all the funds that will accrue from the sale of the standing timber, which is estimated to be worth something like $1,065,000?

Mr. MURRAY of Oklahoma. I understand it applies to all the timberland proceeds now on deposit.

Mr. STAFFORD. I am making my inquiry as to whether it extends to the funds that will accrue from the sale of the timberlands which, according to the report, are valued at $1,065,000.

Mr. MURRAY of Oklahoma. The bill originally would have so provided, but the committee offered an amendment providing that only such moneys as are "now on deposit" should be covered by the bill.

Mr. STAFFORD. I suppose that "now on deposit" will mean at the time this bill passes and will have no effect on the future so far as the proceeds from the sale of timberlands are concerned. I have read the report, and I believe there is good reason why some special legislation of this kind should be passed so as to help these Indians with food and utensils and other furnishings for their benefit.

Mr. MURRAY of Oklahoma. One of the strongest reasons for the enactment of this bill is this: The Indians have, as will be noticed from the report, 240 head of cows and only 6 bulls, and they are old ones. They have other stock and they need to replenish their breeding stock.

Mr. STAFFORD. And that is to be replenished from this $20,000 or more on deposit?

Mr. MURRAY of Oklahoma. Yes.

Mr. STAFFORD. I have no objection to the passage of the bill.

Mr MANN. Mr. Speaker, of course, the original bill covered the money now on deposit and to be deposited hereafter?

Mr. MURRAY of Oklahoma. Yes.

Mr. MANN. Except money required—

for reimbursement to the United States for expenses incurred in connection with the allotment, classification, sale, and disposition of the lands of said reservation.

Is there any reason for that language being continued in the bill if it is confined to money now on deposit?

Mr. MURRAY of Oklahoma. I can only say this is a departmental bill, and I presume their attorneys thought that was necessary.

Mr. MANN. That would be necessary if it applied to money to be paid in hereafter; but if you confine it to the money on deposit at the time of the passage of this bill and leave that provision in it, nobody will know what it means and no money can be paid out.

Mr. MURRAY of Oklahoma. I understand, however, that there is just a small amount due the department for sales that have already been made, and that covers the money now in the Treasury; and if that is true it would be necessary to provide for reimbursing the Government to pay that amount. In other words, if the Government had been paid fully——

Mr. MANN. Has this land been allotted, classified, sold, and disposed of?

Mr. MURRAY of Oklahoma. The most of it.

Mr. MANN. Under this provision the Government will have to retain out of the money now on deposit all that it estimates will be required hereafter up to the final disposition of the lands, although that expense might properly be met by receipts from the disposition of land hereafter. I do not care anything about it, but I am simply calling attention to it.

Mr. CARTER. If the gentleman from Oklahoma will permit me, the timberlands of the Spokane Indians have not yet been disposed of.

Mr. MURRAY of Oklahoma. That is true.

Mr. CARTER. But they have their allotments practically completed.

Mr. MANN. The point I was asking about was this: The original bill contemplated covering the money that is to be paid in hereafter.

Mr. CARTER. Yes.

Mr. MANN. And to require that out of that shall be reimbursed the expenses; but if the bill be amended so as to make it apply only to money now on deposit, then the department must reserve from that money enough to reimburse the Government for all of its expenses hereafter in connection with the sale of the timberlands, which looks like a ridiculous proposition.

Mr. MURRAY of Oklahoma. That may apply to the money now on hand. I do not understand the gentleman to contend that the expenses would refer to any future money.

Mr. MANN. Why, certainly. It says:

Not required for reimbursement.

Mr. MURRAY of Oklahoma. Then it is unnecessary language.

Mr. CARTER. I suggest to the gentleman from Illinois that in line 3, page 2, if you will insert the word "hereafter" between the words "expenses" and "incurred" it will cover his objection.

Mr. MANN. I have no objection. I just called attention to the situation that might result.

Mr. MURRAY of Oklahoma. Where does the gentleman suggest that amendment?

Mr. CARTER. In line 3, on page 2, after the word "expenses," insert the word "heretofore."

Mr. MURRAY of Oklahoma. That is correct.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MURRAY of Oklahoma. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read the bill.

The Clerk read the following committee amendment:

Page 1, lines 6 and 7, strike out the words "which have been or may be hereafter deposited" and insert the words "now on deposit."

Mr. MANN. Mr. Speaker, I suggest to the gentleman that instead of the words "now on deposit" he insert the words "on deposit at the time of the passage of this act."

Mr. MURRAY of Oklahoma. That is satisfactory.

The SPEAKER. Does the gentleman offer that as an amendment to the committee amendment?

Mr. MANN. In place of the words "now on deposit."

The SPEAKER. As an amendment to the committee amendment?

Mr. MANN. Yes. I ask unanimous consent that the committee amendment be so modified as to insert the words "on deposit at the time of the passage of this act" instead of the words "now on deposit."

Mr. MURRAY of Oklahoma. That is satisfactory to us.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the words "now on deposit" and insert the words "on deposit at the time of the passage of this act."

The amendment to the amendment was agreed to.

The committee amendment as amended was agreed to.

Mr. MURRAY of Oklahoma. There is another committee amendment.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, lines 6 and 7, strike out the words—

"SEC. 2. That all acts or parts of acts in conflict herewith are hereby repealed."

The amendment was agreed to.

Mr. MURRAY of Oklahoma. Mr. Speaker, in line 3, on page 2, after the word "expenses," I move to insert the word "heretofore."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, after the word "expenses," insert the word "heretofore."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. MURRAY of Oklahoma, a motion to reconsider the last vote was laid on the table.

SALE OF TIMBER ON UNALLOTTED LANDS OF INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10834) to amend an act entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes," approved June 25, 1910 (36 Stats. L., p. 855).

The Clerk read the bill, as follows:

Be it enacted, etc., That section 7 of the act entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes," approved on the 25th day of June, 1910 (36 Stat. L., 857), be and the same is hereby, amended to read as follows:

"SEC. 7. That the mature living and dead and down timber on unallotted lands of any Indian reservation may be sold, under regulations to be prescribed by the Secretary of the Interior; and the proceeds from such sales shall be used for the benefit of the Indians of the reservation in such manner as he may direct: *Provided*, That this section shall not apply to the Menominee Indian Reservation, Wis."

The following committee amendment was read:

Amend the bill by striking out all after the word "be," in line 4, page 2, down to and including the word "direct," in line 6, and inserting in lieu thereof the following: "deposited in the Treasury of the United States to the credit of the Indians owning the timber."

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman a question. This bill applies to all Indian reservations in the United States except that of the Menominee Indians?

Mr. CARTER. The original bill excluded the Five Civilized Tribes and also the Osage Indians.

Mr. MANN. But it applies generally?

Mr. STEENERSON. Will the gentleman from Oklahoma allow me to explain to the gentleman from Illinois? Section 7 of the existing law as rewritten in this bill is the same as this bill with this difference. In the original section Minnesota and Wisconsin were excepted, and in the present bill Minnesota is not excepted and only the Menominee Reservation in Wisconsin is excepted. The law that already governs every reservation in the United States, except Minnesota and Wisconsin, authorizes the sale of all timber on unallotted lands, both dead and green. The effect of this bill is to give the Secretary of the Interior authority to sell all the timber on Indian reservations in Minnesota, and also in Wisconsin outside of the Menominee.

Now, I would like to explain a little further. I have an amendment which I want to offer which is in the nature of a limitation on the authority as to what timber shall be cut on the Red Lake Reservation in Minnesota.

Mr. MANN. The gentleman from Minnesota will recall that some years ago there was authority given to sell dead and down timber on these reservations; that under that authority it was claimed that a great deal of the very best green timber was sold, and there was considerable scandal in regard to it. Is this a proposition to permit the same thing to be done over again?

Mr. STEENERSON. Oh, no; there is no resemblance to that whatever.

Mr. MANN. Why not? Apparently that is exactly what this is.

Mr. STEENERSON. No. If the gentleman will excuse me, I would like to explain, if I have not already succeeded, what this bill does. This bill, as you see, simply includes Minnesota and Wisconsin in the general law. The general law already gives the Secretary of the Interior the right to sell timber as he may see fit, both dead and down and green timber, all timber. That is the authority that the Secretary has now except in Minnesota and Wisconsin. The Secretary of the Interior has sent this bill to the Committee on Indian Affairs and requested that he also be given authority to sell this timber in Minnesota and in Wisconsin, reserving the Menominees. The matter that the gentleman from Illinois refers to is an old question that arose when they permitted dead and down timber alone to be sold as distinguished from green timber, but the law that we are now considering authorizes the cutting of all timber regardless of whether it is dead and down or green. That is what this contemplates, that the Secretary of the Interior may sell all timber on the reservations that are unallotted. The amendment I have prepared relates to the Red Lake Reservation, and simply fixes the minimum price at which timber under the law shall be sold, and makes certain other rules in the way of safeguards. The authority in the present law is broad, and authorizes the sale of timber without any qualification or limitation as to price or kind.

The necessity, as explained by the Secretary of the Interior in his communication and as I know personally myself in regard to the Minnesota reservations, lies in the fact that there is a large amount of timber that has been burned. Over 7,000,000 feet is burned and is decaying, and they can not sell it for the reason that it is impossible to remove it without cutting green timber. Therefore the Secretary of the Interior asks permission to cut green timber also. This timber is matured and a great deal of it has blown down, but it can not be utilized.

Mr. MANN. Will the gentleman yield further for a question?

Mr. STEENERSON. Certainly.

Mr. MANN. The timber that the gentleman refers to on the Red Lake Reservation, is it single trees killed by fire or areas of trees which have been killed by fire?

Mr. STEENERSON. In some places there are small areas of 2 or 3 acres. In some places the trees have been blown down so that they lie crisscross.

Mr. MANN. This refers to fire-killed timber. It is very unusual and unique for only single trees scattered around in a forest to be killed by fire amid great quantities of green trees.

Mr. STEENERSON. Not at all. It depends largely upon whether the trees are pretty near dead or not.

Mr. MILLER. If the gentleman will pardon me, I want to say that on the Red Lake Reservation, as on other timber countries in the Northwest, we have had extensive fires, and as a result large quantities of timber in the Red Lake Reservation were somewhat injured, and anyone familiar with the lumber business knows that timber scorched by fire will deteriorate rapidly. It is not dead-and-down timber, but timber that has been scorched and burnt, and unless authority is given to the Secretary immediately great loss will be sustained.

Mr. MANN. I have a great deal of respect for the knowledge of my friend from Minnesota both as to forests and forest fires, but I would like to see some of that kind of timber.

Mr. MILLER. If the gentleman will go with me, I will show him a great deal of it.

Mr. MANN. I accept the invitation.

Mr. MILLER. The gentleman will learn more about forests and forest fires than he ever knew before.

Mr. BURKE of South Dakota. Mr. Speaker, I desire to ask the gentleman from Minnesota what the law is now that authorizes the sale of timber in the Red Lake Reservation in Minnesota.

Mr. STEENERSON. There is no law whatever authorizing the sale of timber on the Red Lake Reservation except the law for dead and down timber; but to sell the dead and down timber is practically impossible. They offered 7,000,000 feet and could not get any offer, for it is impossible to get it out without cutting green timber. The scandal which the gentleman from Illinois refers to no one wants repeated. They are very careful. They do not want to bid on the burnt or down timber, unless they can get it out without cutting green timber, and that can not be done. So far as general information is concerned, I will say that I went up to the Red Lake Reservation a little over a year ago at the request of the Indians. In company with the forester of the Interior Department, Mr. Kinney, we traveled through this timber and looked through it, so I speak from personal knowledge, and know that if this authority is not granted a great loss will occur to the Indians by the loss of this timber which ought to be logged, and ought to have been logged last year. I am not speaking from hearsay, but from

actual knowledge. I have seen the trees that have been fire killed. I have seen them blown down, in some cases several acres in one section, and still the trees could be utilized if, going in there, you could cut roads and cut the green timber that is adjacent. As I have stated, every Indian reservation in the United States that has unallotted land can be cut under this section 7 of the law referred to except Minnesota and Wisconsin. The Secretary of the Interior has sent in this bill as an administration bill and has requested the Committee on Indian Affairs to report, because of urgent necessity in saving this timber.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield for a question?

Mr. STEENERSON. I have agreed to support it, but I have prepared amendments that I propose to offer to this bill giving minimum prices and placing certain qualifications and limitations upon the authority granted in the bill, which I hope will receive favorable consideration, if the bill is considered at this time. I yield to the gentleman from Washington.

Mr. JOHNSON of Washington. Mr. Speaker, in speaking of mature living and dead and down timber in the State of Washington there is an Indian reservation with 5,000,000,000 feet of timber unallotted, and 600 allotments waiting decision, and 500 other allotments awaiting the O. K. of some allotting agency.

Mr. STEENERSON. What has that to do with this bill?

Mr. JOHNSON of Washington. A great deal.

Mr. MONDELL. This does not change the law in regard to the reservation of which the gentleman from Washington speaks.

Mr. STEENERSON. The law reads as follows:

SEC. 7. That the mature living and dead and down timber on unallotted lands of any Indian reservation may be sold under regulations to be prescribed by the Secretary of the Interior, and the proceeds from such sales shall be used for the benefit of the Indians of the reservation in such manner as he may direct: *Provided*, That this section shall not apply to the States of Minnesota and Wisconsin.

The only effect of the bill pending is to remove Minnesota from the exception, including Minnesota with the rest of the States. So the law as it now exists applies to the gentleman's State already. His State is not affected by the pending bill.

Mr. JOHNSON of Washington. Yes; but they do not sell any of the timber.

Mr. STEENERSON. I can not help that. This does not change the law in regard to the gentleman's State.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. MONDELL. I desire to interrogate the other gentleman from Minnesota [Mr. MILLER].

Mr. STEENERSON. I yield for that purpose.

Mr. MONDELL. Mr. Speaker, I notice that the committee has proposed an amendment relative to the disposition of the funds arising from these sales, and I should like to have the gentleman's opinion as to the effect of that amendment. It appears that as the bill was introduced, and under the present law the funds arising from these sales are to be used for the benefit of the Indians of the various reservations in such manner as the Secretary of the Interior may direct. In other words, I imagine he could use these receipts at any time for any proper purpose.

Mr. MILLER. He could.

Mr. MONDELL. The committee proposes to amend so that hereafter these funds shall be deposited in the Treasury to the credit of the Indians owning the timber. The effect of that would be, I assume, to place these funds in the Treasury, so that they could not be used except by provision made by Congress.

Mr. MILLER. Absolutely.

Mr. MONDELL. It will give Congress control of all of these sums?

Mr. MILLER. It will.

Mr. MONDELL. Does the gentleman think that is wise and necessary?

Mr. MILLER. The gentleman does, and the committee of which he is a member does. If you should take and convert into money all of the property belonging to the Indians of the United States and put that into the hands of the Secretary of the Interior, to expend as he might see fit, that would be according to how 100 or 5,000 agents might see fit; that would produce a situation which the gentleman from Wyoming would not at all commend.

Mr. MONDELL. I am inclined to agree with the gentleman, and I congratulate the committee of which he is an honored member on having come to this wise conclusion since it reported the bill of which this is an amendment, because the former legislation did put all of these great funds in the hands of the Secretary.

Mr. MILLER. That is entirely true.

Mr. MONDELL. To be used as he saw fit. I am glad that the committee to-day is wiser than the committee was two years ago.

Mr. MILLER. We are acquiring wisdom day by day.

Mr. MONDELL. That is hopeful.

Mr. MILLER. It was on my motion that that amendment was inserted. I will give the gentleman one additional reason, and that is that in Minnesota, which is now to be incorporated, under a treaty which we have with the Indians, the proceeds of timber have to go into a common fund.

Mr. MURDOCK. Mr. Chairman, will the gentleman from Minnesota yield?

Mr. STEENERSON. Certainly.

Mr. MURDOCK. Why was the Menominee Reservation excepted?

Mr. STEENERSON. Because of special legislation that covers that, which makes this unnecessary.

Mr. MURDOCK. What is that special legislation?

Mr. STEENERSON. Well, there is quite an elaborate system of logging by the Indians, and it would be too elaborate for me to explain at this time.

Mr. MURDOCK. Is the White Earth Reservation in Minnesota embraced in the provisions of the bill or excluded?

Mr. STEENERSON. No; only Red Lake is included. There is no unallotted land in the White Earth Reservation, and therefore it is not included.

Mr. SMITH of Minnesota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMITH of Minnesota. What stage have we reached now?

The SPEAKER. We have not reached anything. We have not gotten unanimous consent to consider the bill.

Mr. MANN. Mr. Speaker, reserving the right to object, I think we ought to know the amendments which the gentleman from Minnesota [Mr. STEENERSON] intends to present.

Mr. SMITH of Minnesota. Mr. Speaker, reserving the right to object——

Mr. MANN. Mr. Speaker, reserving the right to object, I would like the gentleman from Minnesota to state the amendments he proposes to offer.

Mr. STEENERSON. The amendment I desire to offer is——

Mr. MANN. State what the amendments are.

Mr. STEENERSON. I will read it:

Provided further, That the Secretary of the Interior is hereby authorized to sell the merchantable timber on the Red Lake Reservation, in the State of Minnesota, subject to the following limitations: The term "merchantable timber" within the meaning of this proviso shall include white, Norway, and jack pine, spruce, tamarack, cedar, elm, oak, birch, poplar, and basswood, but shall not include maple and ash.

The reason for that is there is quite a large tract of sugar maples that the Indians do not want disturbed. They want it for a sugar bush, as they have used it there for generations, and they wish to use it for their own benefit.

On that part of said reservation comprising the peninsula between upper and lower Red Lake, lying west of the present east line of said reservation and north of Battle River, only the dead and down and not exceeding 25 per cent of the standing timber shall be sold, and each tree to be cut shall first be marked by a forest officer. On the balance of the reservation all the merchantable timber may be sold, except that on tracts where white and Norway pine and spruce may be growing not less than 10 per cent thereof shall be left for reforestation. All lumbering hereunder shall be according to approved forestry methods and such rules and regulations not inconsistent herewith as the Secretary of the Interior may prescribe. Not more than 30,000,000 feet board measure in the aggregate shall be sold in any one year.

All saw timber shall be scaled on the bank by the Scribner decimal C-rule, and full scale shall be allowed for all timber that will saw out No. 3 lumber or better.

The following are the minimum stumpage prices at which any of the timber on said reservation may be sold: White pine, $10 per thousand feet; Norway pine, $8 per thousand feet; spruce, $5 per thousand feet; cordwood, 50 cents per cord; pulp wood, $1 per cord; poles 20 to 25 feet in length, 10 cents each; poles 25 to 30 feet in length, 15 cents each; poles 30 to 50 feet in length, 2 cents per running foot; fence posts 3 inches at top, 1 cent each; fence post 4 inches at top, 2 cents each; and fence posts above 4 inches at the top, 3 cents each; ties of all kinds, 5 cents each for No. 2 and 8 cents each for No. 1; piling, 3 cents per running foot. All ties, posts, and piling sold shall be counted and graded, and pulp wood and bolt wood shall be measured up to the standard cord.

Mr. MURDOCK. Has the gentleman any idea what the attitude of the committee is toward this amendment?

Mr. STEENERSON. Yes; I have consulted with them. I introduced a bill to this effect lately, and those members of the committee whom I have consulted seem to be perfectly agreeable. As you will see, it is simply a limitation.

Mr. MURDOCK. I did not hear that expression from any member of the committee.

Mr. STEENERSON. I think Mr. STEPHENS and Mr. MILLER are familiar with it.

Mr. MILLER. I did not understand the remark of the gentleman.

Mr. MURDOCK. I wanted to know how the committee felt toward that amendment.

Mr. MILLER. Well, I had not seen the amendment until it was called to my attention a little while ago. There are some features of it that are highly commendable. I am compelled, however, to offer a suggestion that I think the rates specified are a little bit high. Now, under Republican times which we had up until last year you could have sold timber in Minnesota for $10, $12, and $16 per 1,000—white pine—but under the present condition of things I do not believe you could sell it for $6.

Mr. MURDOCK. It would accrue to the benefit of the Indians to have had it sold at those prices.

Mr. STEENERSON. I will say in my conversations with the Indians a year ago they said they wanted higher minimum prices than that, and that is a compromise. I have a stenographic report of the hearings as to what their ideas of prices were; and if the minimum prices can not be obtained, why, the timber will not be sold.

Mr. FERRIS. Mr. Speaker, the gentleman from Minnesota has read a page or more of typewritten matter and proposes to offer it as an amendment. It has not been considered by the committee, and I think the gentleman ought to ask that this bill be passed over until the committee can consider the amendment.

Mr. STEENERSON. The gentleman readily understands the bill as it was originally sent up by the department gives the Secretary of the Interior blanket authority to sell as he pleases—for any price he may see fit. My amendment is a limitation.

Mr. FERRIS. I do not like to object, but I think the gentleman ought to ask the House to let the matter be passed over until we are enabled to investigate it.

Mr. STEENERSON. As I say, in this pending bill there is authority for the Secretary of the Interior to sell timber as he may see fit. Now, my amendment makes a limitation upon that. He has less authority after the amendment is passed than under the original bill, and it seems to me if the committee is willing to grant the whole authority they would be willing to grant it with this limitation.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that this bill be passed without prejudice.

Mr. STEPHENS of Texas. I think that would be better legislation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the next bill.

SALES OF LAND, KLAMATH RIVER INDIAN RESERVATION.

The business on the Calendar for Unanimous Consent was the bill (H. R. 10848) to amend an act entitled "An act to provide for the disposition and sale of lands known as the Klamath River Indian Reservation," approved June 17, 1892 (27 Stat. L., pp. 52, 53).

The Clerk read as follows:

Be it enacted, etc., That the last proviso of the act entitled "An act to provide for the disposition and sale of lands known as the Klamath River Indian Reservation," approved June 17, 1892, reading: "*Provided further*, That the proceeds arising from the sale of said lands shall constitute a fund to be used under the direction of the Secretary of the Interior for the maintenance and education of the Indians now residing on said lands and their children," be, and the same is hereby, amended to read:

"*Provided further*, That the proceeds arising from the sale of said lands shall constitute a fund to be used under the direction of the Secretary of the Interior for the maintenance and education of the Indians and their children now residing on said lands, and for the construction of roads, trails, and other improvements, and for other purposes, for their benefit.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the gentleman will have to offer a very good explanation to this bill.

Mr. CARTER. Mr. Speaker, I was not present when this bill was reported. In looking over the bill the only thing it purports to do is to permit a part of this money—he can now only use it for schools—to be used for roads and trails and other matters for their benefit. I yield to the gentleman from Minnesota [Mr. MILLER], who was present.

Mr. MANN. The statement of the department is:

If this law is amended as proposed, it will enable this department to undertake the building of a trail connecting the allotments and enable the Indians to properly reach the public schools which are available, and at the same time bring them into better and closer contact with the outer world, thereby opening a way for them to market their surplus products. The expenses incident to surveying the proposed trail will be borne by the counties of Del Norte and Humboldt.

And so forth. I do not know whether it is to the interest of the Indians to bring them in closer contact with the outer world or not. I suppose the counties want the trails built.

Mr. MILLER. I think the gentleman is wholly misinformed if he is of the opinion that this request comes from the counties. It comes from no such source. It comes from the Indians, expressed through their agent to the Indian Office, and by the Indian Office transmitted to the House Committee on Indian Affairs. Now, the facts, briefly, are these: These Indians are practically isolated by reason of the topography of the country there. They have no way to get to a market any of the products which they raise, no matter what they are. They are shut off and isolated. They have this fund. There is no immediate need of it for any purpose. There are schools in that vinicity available for these children; and every man in America who is familiar with the Indian question of education knows that the only way really and fittingly to educate Indian youths is to educate them along with whites in white schools, a condition which can be carried on at this place.

The expense of carrying on an Indian day school or boarding school at that place is very considerable. If they can avail themselves of the privilege of attending white schools, the cost will be infinitely less. It is the best proposition for the Indian—a proposition that means for their moral uplift, their betterment, and progress, and means also that they will have some chance to market something which they can sell. It is as true at that place as it is at any other that a man who has a piece of land on which to make a living never can make a living on it unless he can find a market for what he has to sell. And if this road, short as it is, can be consfructed in accordance with the designs of the Indian Office they will be able to get out in the world and sell the things they are trying to raise.

Mr. FERRIS. I want to ask the gentleman if he is not a little afraid that if we take the Indians' money and build a road with it, it will cause trouble on other Indian reservations?

Mr. MILLER. I do not think so. Wherever the Indians' money has been expended in the last two or three years in building roads in an Indian country it has brought back value to the Indians.

Mr. FERRIS. How much will it cost to build the road?

Mr. MILLER. Not nearly as much as the gentleman thinks.

Mr. MANN. Why does the gentleman say "road"? This does not contemplate the building of a road. This is a trail.

Mr. MILLER. It may be termed "trail" in the report, but, as a matter of fact, it is an Indian road.

Mr. MANN. Let us see if the department says so. It says:

When bridges are necessary, they will be built of sufficient size and strength for wagon use, and the trail could be later widened for similar use.

Now, does that contemplate the construction of a wagon road?

Mr. MILLER. Maybe not the first minute the trail is constructed, but it does as time goes along and the necessity for it increases.

Mr. MANN. I have read what the department intends to do with this.

Mr. FERRIS. The department drew up this bill.

Mr. RAKER. I would like to say to the gentleman in this connection that I have the statute before me which provides for this, and the only addition to the statute is these words on the last two lines of the bill, namely:

For the construction of roads, trails, and other improvements.

Now, I want to call attention to the fact that on each side of the Klamath River a mile has been reserved for the Indian reservation. Down that river they can float with their boats, but can not come back with any produce because of the swiftness of the river. In going down and up the river they have to swim it two or three times with their mules; they have cattle and chickens and hogs, they can not even get them out to market except by heavy expense in driving them over the mountainous country. We are trying to assist those Indians. This will give them an opportunity to get in and out, take their horses in and out that they are raising, take their cattle in and out that they are raising, their hogs, poultry, and grain and produce, so that they may to some extent get the benefit of this money from the sale of their industry.

If the Members of the House only knew the topography of this country they could see that it was useless to give a man a right to the land when he can not go in and out, and therefore can get no benefit from the land.

Mr. MADDEN. I understood the gentleman from California to say that the current in the river was so swift that boats could not come down but could go up.

Mr. RAKER. It is just the reverse. It is hard for them to bring stuff up in their little canoes. They can not bring their burros back, or their cattle back, or their products. The department has been very anxious for several years to have this improvement made. The county of Trinity, adjoining this reservation, and the county of Humboldt are spending large sums of money on a road to go to the main reservation, so that when these people come down the river or go up the river they can come on the public road on the eastern side of the Sacramento Valley, or go west toward the ocean, in order that they may dispose of their stuff.

Mr. MADDEN. Is not this a kind of expenditure that could be considered in a river and harbor bill?

Mr. RAKER. It has never been so considered at the present time, for this reason: It is practically the only river in California that flows from the mountains, where they are doing hydraulic mining upon that river. The hydraulic mining is an important industry at the head of this river, and there is a large plant at the head of the river, and the United States Government has not stopped the hydraulic mining.

Mr. MADDEN. So that everything that comes from the hydraulic mining goes into the bed of this river?

Mr. RAKER. Yes; goes into the bed of this river, and so far it is doing no hurt.

Mr. MADDEN. There is plenty of water yet to float boats?

Mr. RAKER. Oh, yes; and also to float many tons of the finest salmon that ever came from the ocean.

Mr. MILLER. Mr. Speaker, in that connection I would like to read one part of the department letter which the gentleman from Illinois [Mr. MADDEN] omitted to read, and that is this:

The Indians are heartily in favor of this project.

And they are. It is their own money, and they ought to have something to say in regard to its expenditure.

Mr. MADDEN. Do the trails go up the mountain or down the mountain? [Laughter.]

Mr. MILLER. Oh, that is a detail that does not seem to me to be material. The important question is whether it gets there.

Mr. MADDEN. That question might determine whether or not you could make a workable wagon trail.

Mr. MILLER. The evidence is that a wagon trail could very easily be constructed.

Mr. MADDEN. Does the gentleman know what the height of the mountain is?

Mr. MILLER. I could not say as to that.

Mr. STAFFORD. Has the gentleman any information as to the amount that would be required to build this road?

Mr. MILLER. That is a pertinent question, but I do not now recall the amount. My recollection is, however, that it was stated that something like $10,000 could be used to good advantage in the construction of this road.

Mr. STAFFORD. There is a surplus fund of $25,000 to the credit of these Indians. In the bill before us there is no limitation on the amount that may be expended for the construction of this road. I will ask the gentleman from California [Mr. RAKER] and the gentleman from Minnesota [Mr. MILLER] whether they do not believe there ought to be a limitation on the amount to be expended for this road?

Mr. RAKER. We took it up last year and also this year with the department. We asked only for an amount that will make the trail accessible. My recollection is that the amount needed is not over $6,000 for the trail. If the committee will recollect, this is all on an Indian reservation and is intended for the benefit of the Indians.

Mr. STAFFORD. Does not the gentleman think there should be some limitation on the amount that could be expended on this road?

Mr. RAKER. I do not believe there should be.

Mr. STAFFORD. Would $6,000 be satisfactory to the gentleman?

Mr. RAKER. I am confident the department would expend only such an amount as would be necessary after the Bureau of Roads has found out the most practicable and cheapest trail.

Mr. STAFFORD. If the gentleman will notice, the power that is given to the Secretary is not discretionary, but is mandatory, to use whatever funds may belong to these Indian tribes for the construction of these roads and trails. I believe that in order to safeguard the interests of these Indians there should be some limitation on the amount and that it should be left to the discretion of the Secretary of the Interior to expend this amount for that purpose.

Mr. RAKER. Very well. Just one question right there. Suppose the Secretary expends for the education of these Indians $10,000 and for their maintenance $5,000. There would be only $6,000 left to expend on the road.

Mr. STAFFORD. But supposing the Secretary of the Interior takes this law as the mandate of Congress to build these roads and suppose the roads cost $26,000. Then there would not be any money whatever left for the maintenance and education of the Indians. We should safeguard the interests of the Indians.

Mr. RAKER. I see no objection to leaving it in the discretion of the Secretary of the Interior to expend such an amount as he may see fit, and I will vote for it.

Mr. STAFFORD. I would like to ask the gentleman from Minnesota [Mr. MILLER] whether he has any definite information as to the amount that would be required for building these roads?

Mr. MILLER. As I indicated before, I do not have it in mind that our committee was advised of the exact amount, except in a general way; it was stated that not exceeding $10,000 would be needed for this purpose. I do not imagine that at the outset the expenditure would be that much for the construction of the original trail. It might be that the road would have to be put in better condition for the accommodation of vehicles and wagons, and it might cost upward of $10,000 in that event.

Mr. STAFFORD. Is there not a law which gives authority to the officials of the county to lay out county roads?

Mr. MILLER. I think not.

Mr. STAFFORD. In a report on a bill to be considered to-day and reported from the committee of which the gentleman from Minnesota [Mr. MILLER] is an honored member, there was some reference made to the fact that the officials had power to lay out roads.

Mr. FERRIS. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. FERRIS. Let me inquire of the gentleman from Minnesota if he would be willing to accept at the end of the bill this language: "*Provided*, That not exceeding $5,000 shall be expended for purposes other than education." That gives them one-fifth of all the money that they have to be expended on roads, and they ought to save four-fifths of it for educational and other purposes.

Mr. MILLER. I will say to the gentleman that they do not need four-fifths of it for educational and other purposes. They have no need for educational funds if these white schools are made available to them.

Mr. FERRIS. You do not want to spend it all for roads?

Mr. MILLER. No; I would not want to have it all spent for roads. In the bill suggested by the department there was the language, "for other purposes." The committee was not willing to allow that, so that that was stricken out, confining the discretion of the Secretary in the expenditure of this fund to one of two things—either the construction of roads or the construction of bridges.

Mr. FERRIS. Does not the gentleman think if they get $5,000, or one-fifth of their entire capital, that would be considered very good for one year?

Mr. MILLER. Suppose it would take more than $5,000?

Mr. FERRIS. Some one here ought to know what is actually needed, and so long as we do not know here we can not get at it until we get it to the other end of the Capitol.

Mr. MILLER. We do know this, and that is all that we need to know, in my judgment—that this fund is available and is not needed for any other purpose. The trail is needed; the department recommends it, and the Indians want it, and it is not too much to give the Secretary of the Interior the authority to use so much of the funds as may be needed for this purpose.

Mr. FERRIS. What kind of Indians are these, may I ask the gentleman from Minnesota?

Mr. MILLER. They are practically full bloods.

Mr. FERRIS. They do not know what they want.

Mr. MILLER. I do not agree with the gentleman on that. Some of the ablest and best Indians I have ever met are full-blood Indians.

Mr. CARTER. If the gentleman from Oklahoma will yield to me——

The SPEAKER pro tempore (Mr. GARNER). Does the gentleman from Oklahoma yield to his colleague?

Mr. FERRIS. If I have the floor. I did not know I had the floor.

Mr. CARTER. Mr. Speaker, there are Indians and Indians. While these Klamath Indians are mostly full bloods, they are not the ignorant Indians the gentleman thinks. He will certainly admit that some of the full-blood Indians whom he himself has met were among the very ablest Indians he has ever seen.

Mr. FERRIS. In what direction?

Mr. CARTER. I call the gentleman's particular attention to some of the full bloods of the Five Civilized Tribes and to the Rev. Sherman Coolidge, a full-blood Indian, one of the ablest I ever met. The Klamath Indians and all the mission Indians have given less trouble to the United States than any other tribes of Indians in the United States, except perhaps the Navajos and a few other Arizona Indians. They have been less expense to the Federal Government. They have been able to get along with very little supervision by the United States Government. They have maintained themselves without very much assistance from our Government. They have held on to this residue of their former possessions and are a somewhat self-supporting people.

Mr. FERRIS. The time has come when the word "Indian" means nothing any longer. In Oklahoma we have Indians who are leading citizens—the cashiers of banks, lawyers, doctors, merchants, and chiefs—and in Oklahoma we have other tribes of Indians who know very little about business and who have, in fact, no business ability whatever. I do not know what the facts are in this case. If these are full-blood Indians, the chances are that they have little business ability if, in fact, any at all, and it does not make any difference whether they say they want a road or not. They should not be permitted to expend their last cent on roads and be left penniless for other necessaries.

Indians that are competent ought to be given their money; Indians that are without any business experience ought to have their affairs carefully supervised.

Mr. CARTER. I will say to the gentleman that many of them have business ability. They have taken care of themselves since the white men came among them.

Mr. FERRIS. The gentleman knows about Indians, and so do I. Did the gentleman go out and visit them?

Mr. CARTER. I saw some Klamath Indians. All that I saw were full bloods, and every one of them that I saw spoke English and was educated.

Mr. FERRIS. Then I shall not object, but it is not sufficient to assume full-blood Indians have sufficient business ability to know how to expend the last remnant of their funds.

Mr. RAKER. In answer to the gentleman's suggestion I want to say that 99 per cent of these Indians are full-blood Indians. They are of the Klamath race. Many of them vote. Many of them own horses and cattle and are building up their homes. They are a high-class lot of people, and, as Indians go, they are ordinarily trying to be sober when the white men let them alone. I want to say that they know what they want. They want to get in and out, to and from their homes. They want to build up their homes. They want to have the same opportunity as the white man to send their children to school.

Mr. MANN. Then why do they not get busy and build this road themselves? Are they too lazy?

Mr. RAKER. No.

Mr. MANN. Why do they not get to work?

Mr. RAKER. They can not get the money.

Mr. MANN. It does not require money. What it requires is muscle.

Mr. CARTER. They are just like the white men. They want to get the money to hire somebody else.

Mr. MANN. They ought to use their muscle and build the road themselves.

Mr. MILLER. But the building of a trail in that part of the country requires dynamite. Where dynamite is required, it takes money to buy dynamite; shovels are required, and it takes money to buy shovels. It takes plows, and it requires money to buy plows. It takes scrapers, and it requires money to buy scrapers. Who has their money? The United States Government has it. They want these improvements. Who says they ought to have them? The Indian Service, composed of white people. Some gentleman may put his judgment up against that of the Indians and of the Indian Service and say no, but I say yes.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object, Mr. Speaker. I put my judgment against theirs.

The SPEAKER pro tempore. The gentleman from Illinois objects. The bill will be stricken from the calendar, and the Clerk will report the next bill.

RECEIVER OF PUBLIC MONEYS, SPRINGFIELD, MO.

The next business on the Calendar for Unanimous Consent was the bill (S. 3403) to abolish the office of receiver of public moneys at Springfield, Mo., and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the office of receiver of public moneys at Springfield, Mo., shall, from and after the 31st day of December, 1913, be abolished and cease to exist; and that all the powers, duties, obligations, and penalties at that time lawfully imposed upon such receiver, and upon the register of the land office at Springfield, Mo., shall, from and after that date, be exercised by and imposed upon such register; and such register shall, in addition to the duties thus imposed, have charge of and attend to the sale of public lands within the State of Missouri, as provided by law and official regulation, and shall be accountable under his official bond for the proceeds of such sales, and for all fees, commissions, and other moneys received by him under any provision of law or official regulation: *Provided*, That all the fees and commissions now allowed by law to both such register and such receiver shall, after December 31, 1913, be paid to and accounted for by such register in the same manner and in like amounts in which they are now required to be paid to and accounted for by such receiver, but the salary, fees, and commissions of such register shall not exceed $3,000 per annum.

SEC. 2. That the secretary of the Interior may appoint or designate a clerk for the land office at Springfield, Mo., who shall receive such salary, payable from the appropriation for contingent expenses of land offices, as the Commissioner of the General Land Office may authorize, and such clerk shall perform such duties as may be directed by the register, or by official regulation, and he shall, during the absence of such register or in case of a vacancy in the office of such register, exercise all the powers, perform all the duties, and be subject to all the obligations and penalties imposed upon such register by law or official regulation, but such clerk shall, before entering upon the duties of his office, execute to the United State a bond in such penal sum as the said Secretary may prescribe, with approved security, for the faithful performance of his official duties; and such clerk shall be accountable under his official bond for such proceeds arising from the sale of public lands within his district, and for such fees, commissions, and other moneys as may come into his hands under any law or official regulation or direction.

SEC. 3. That all official and public books, papers, plats, records, and property of every description found and remaining in the said land office on the 31st day of December, 1913, shall be delivered to the register of the said office, who shall become the custodian of the same, under the direction of the Commissioner of the General Land Office.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Reserving the right to object, I should like to ask the gentleman to state what will be the effect of this?

Mr. FERRIS. If I may be permitted, I will explain in a word what this is for and what it does. In a word, it abolishes the office of receiver of public moneys at Springfield, Mo., and leaves the remaining duties of the receiver and of the register of the land office to be performed by the register and the one clerk that the office now has.

There are in the State of Missouri 713 acres only of unentered land. There are in that State 4,474 acres of entered land which has not yet been proven up. They took in last year about $8,000 in fees. There is, however, some relinquishment business left to be done there, and this is the only land office in the State, so it is necessary for a time at least to keep this land office there. This bill works an annual economy of $500, gets rid of one useless officer, and the others ought to go within the next year or two.

Mr. MANN. Did the committee recommend the striking out of section 2 because that is already provided for by law?

Mr. FERRIS. Yes; it is already provided for by law.

Mr. MANN. Have they a clerk there?

Mr. FERRIS. Yes; they have a clerk. The committee recommended the retention of the clerk.

Mr. MANN. The register is entitled to keep one clerk?

Mr. FERRIS. Yes.

Mr. LENROOT. The section stricken out made the clerk a deputy register in the absence of the register. The committee objected to that.

Mr. MANN. Why should not the clerk be authorized to do the business in the absence of the register?

Mr. FERRIS. I suppose the register must step out a few moments in the day and the clerk transacts the business in his absence.

Mr. MANN. I understand; but section 2 proposed to authorize the clerk to act as register in the absence of the register.

Mr. FERRIS. Yes.

Mr. MANN. The committee strikes that out. Now, what authority will the clerk have without that provision in the bill to sign papers in the absence of the register?

Mr. FERRIS. Well, that question was considered in committee at some length, and the committee thought that it was not wise to raise a clerk of the land office who only gets $1,100 a year to the dignity of a receiver or register. As the gentleman knows, the receiver may have to sit and try contest suits and admit entries and administer the law that involves substantial and sometimes exceedingly valuable rights.

Mr. MANN. Yes; but this clerk receives $1,140. How much does the register's salary amount to?

Mr. FERRIS. It may amount to $3,000.

Mr. MANN. Yes; it may amount to that, but what does it amount to?

Mr. FERRIS. Approximately that, if you abolish the receiver.

Mr. MANN. The register is now receiving, or did receive last year, $1,289.96. Of course that is some more than $1,140,

and yet I am not sure that it makes any great difference in the comparative merits of the two men; one may sign papers and the other may not.

Mr. FERRIS. The answer to that is that the receiver has a possible chance of getting $3,000 a year. They are appointed with the eye single to having some judicial ability, while the clerk is only appointed for his qualifications for clerical work.

Mr. MANN. I take it that the real reason for abolishing the office is to transfer the duties to another man, so that he may get twice as much compensation as he is geting now. The Government does not save anything, does it?

Mr. FERRIS. Five hundred dollars.

Mr. MANN. How?

Mr. FERRIS. The law provides that the register shall receive $500 and the receiver $500 out of the Treasury, and in addition they may receive the fees up to $3,000.

Mr. MANN. How does it happen that you did not provide that the register should receive the $500 heretofore paid the receiver?

Mr. FERRIS. Because we wanted to save the money.

Mr. MANN. That is the first evidence I have seen in this House in three years of economy on the Democratic side of the House. I congratulate the gentleman.

Mr. FERRIS. I am glad the gentleman appreciates it. The gentleman should have long ago recognized the economies and virtues of the Public Lands Committee.

Mr. MURDOCK. The gentleman must also remember that this is in Missouri.

Mr. MILLER. I would like to ask the gentleman, under existing law does it not require that when the available area of the public domain in a State falls below a certain prescribed amount, below 100,000 acres, that automatically the land office is discontinued?

Mr. FERRIS. I have not the statute before me, but I think there is a provision that authorizes the Commissioner of the General Land Office to drop the office when it falls below a certain amount, but I do not understand that it is mandatory.

Mr. MILLER. I understand that it is mandatory.

Mr. FERRIS. It may be; but this is the only land office in Missouri. They seem to need it a little longer to clean up the odds and ends there.

Mr. MONDELL. Mr. Speaker, I notice that the Senate bill provides for a clerk to assist the register. The gentleman realizes that if the bill became a law in the form the Senate passed it the Government, instead of saving money, would be out anywhere from $500 to $1,500.

Mr. FERRIS. The House committee did not accept that provision in the bill and struck it out, and if the committee has its way it will remain out The purpose was to get rid of one officer and save $500. That is not very much, but it is that much.

Mr. MONDELL. The Commissioner of the General Land Office can give the register a clerk if he desires, even with the bill in its present form.

Mr. FERRIS. Only the one that he has now. I can not conceive of the General Land Office sending a clerk there that is not needed at all.

Mr. MONDELL. There is no law against it; but what the Senate bill did was to legislate a clerk into this office.

Mr. FERRIS. That is true, and the committee struck it out.

Mr. MONDELL. Under this bill the Government will save $500?

Mr. FERRIS. It will save it if the bill becomes a law in its present form.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection? [After a pause:] The Chair hears none.

The following committee amendments were read:

In line 4, page 1, of the bill insert, after the word "shall," the words "10 days"; also, in lines 4 and 5 of page 1, strike out the words "31st day of December, 1913," and insert in lieu thereof the words "passage and approval of this act"; strike out all of section 2 down to and including the words "or direction," on line 25, and insert the remainder of the section as a proviso at the end of section 1, after striking out, in lines 2 and 3 of the bill, the words "after December 31, 1913," and inserting in lieu thereof the words "10 days after the passage and approval of this act"; also strike out, on line 8, page 3, the figure "3," indicating the number of the section, and insert in lieu thereof the figure "2"; also, on lines 10 and 11, page 3, strike out the words "on the 31st day of December, 1913," and insert in lieu thereof "10 days from and after the approval of this act."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FERRIS a motion to reconsider the vote whereby the bill was passed was laid on the table.

GRANT OF LAND TO PROTESTANT EPISCOPAL CHURCH, POPLAR, MONT.

The next business on the Calendar for Unanimous Consent was the bill (S. 656) granting to the trustees of the diocese of Montana of the Protestant Episcopal Church, for the benefit of "Christ Church On-the-Hill," at Poplar, Mont., lots 5, 6, and 7, in block 30, town site of Poplar, State of Montana.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to convey by patent lots 5, 6, and 7, in block 30, town site of Poplar, State of Montana, to the trustees of the diocese of Montana of the Protestant Episcopal Church, upon payment by them of the appraised value thereof, to be held by them, their successors and assigns, forever, for the use and benefit of "Christ Church On-the-Hill," at Poplar, Mont., said property to be used by said church for religious purposes in the town and State aforesaid.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, does not the gentleman from Oklahoma believe it desirable to insert in the bill a provision like that in the Caddo County commissioners' bill that we considered a short time ago, providing that if the land shall not be used it shall revert to the United States?

Mr. FERRIS. No; I think not. Church property is quite sure to be used at all times. It is not so ambulatory as land for fairgrounds, such as we had in Oklahoma. Then there is an additional reason: These people pay the appraised price for the land, and they ought to have the title to it.

Mr. STAFFORD. I appreciate the difference.

The SPEAKER. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

COUNTRY PARKS WITHIN RECLAMATION PROJECTS.

The next business on the Calendar for Unanimous Consent was the bill (S. 657) to authorize the reservation of public lands for country parks and community centers within reclamation projects in the State of Montana, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to withdraw from other disposition and reserve for country parks, public playgrounds, and community centers for the use of the residents upon the lands such tracts as he may deem advisable, not exceeding 20 acres in any one township in each reclamation project or the several units of such reclamation projects undertaken under the act of June 17, 1902, known as the reclamation act.

SEC. 2. That subject to the provisions hereinafter contained every such tract of land so set apart shall be supplied with water from the Government irrigation system, the cost thereof to be charged to the remaining lands of the project as a part of the construction charge of such project, and shall be maintained and used in perpetuity by the people upon said reclaimed lands for a pleasure park, public playground, and community center.

SEC. 3. That for the purpose of carrying out and effecting the objects of this act the Secretary of the Interior is authorized to enter into a contract with the organization formed by the owners of the lands irrigated within said project or project unit pursuant to section 6 of the act of June 17, 1902, stipulating and providing that the organization will maintain and use such of the lands so reserved for the purposes prescribed in this act as such organization may desire, and that upon failure to so maintain and use such lands, or in the event that same shall be permitted to be used or occupied for other purposes than those stipulated in this act, the control of the lands shall revert to the United States, and same shall be thereafter disposed of in accordance with the public-land laws applicable thereto.

SEC. 4. That any of such lands not contracted for in accordance with the provisions of section 3 of this act within 10 years from the time water is available for the same, or sooner, if the Secretary of the Interior may deem it desirable, shall be disposed of in accordance with the public-land laws applicable thereto, and the proceeds from the sale of a water right for the same shall be turned over to the organization representing the owners of the lands within such project.

With the following committee amendments:

Strike out, in lines 2 and 3 of the title, the words "in the State of Montana."

Strike out, in line 4, page 1, the words "in the State of Montana."

In line 3, page 2, after the word "that," insert a comma and the following words, "subjected to the provisions hereinafter contained."

On page 3 strike out all of the words after the word "the," in line 7, down to and including the word "project," in line 9, and insert in lieu thereof the following: "disposition of lands reverting to the United States under the provisions of this act, and from sales of water rights, shall be covered into the reclamation fund and placed to the credit of the project wherein the lands are situated."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FOSTER. I reserve the right to object.

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman, in the first place, if we are going to pass a bill of this kind, why we should not confine it to the State of Montana, as provided in the bill as passed by the Senate. It is an experiment.

Mr. FERRIS. Mr. Speaker, as the gentleman knows, in 1902 we passed the reclamation law, and made it applicable to practically all of the Western States. If we should make this park proposition applicable to Montana, why not make it applicable to all of the other States named in the reclamation act? We of the Public Lands Committee could see no reason why that should not be done, and we amended it in that particular.

Mr. MANN. It is an experiment. Here it is proposed to withdraw a part of the land, which may be a very good thing; yet in another bill on the calendar—not from the gentleman's committee, from another committee—it is practically provided that we shall not get any money back for a long time and no interest. We have practically given away to that territory seventy-five to one hundred million dollars, and I do not think there is any intention to ever pay it back. There is no intention to ever pay any interest back, I know. The Public Lands Committee is now trying to give away the land.

Mr. FERRIS. Mr. Speaker, I think the gentleman states that a little too broadly. The Public Lands Committee has merely reported a bill which authorizes the withdrawal of 20 acres from every irrigation project as a park or community center, where these people may get together for their picnics, their social gatherings, and so forth. It is not a bad thing. It really ought to be done.

Mr. MANN. These settlers on the irrigation project have a bill in the House now which will be soon passed, I take it, prepared by some very warm friends of theirs, proposing to extend the time of payment for the principal for 20 years and to pay no interest whatever. In addition to that, the gentleman now proposes to give them the land. The Government is the loser.

Mr. FERRIS. I confess that the first takers of the money, who had the money on this reclamation proposition, have, of course, had much the best of it, and probably always will have the best of it. My State has contributed six million and more dollars and has not had a cent for irrigation, so therefore we do not find a very good taste in our mouths in respect to these payments being extended indefinitely; so that it may not be considered to be a revolving fund, and cease to be used by the successors of these first takers; but this reaches another question altogether. It should not be debated now. It is, however, very important.

Mr. MANN. The gentleman knows that the revolving fund is practically dead when this other bill passes.

Mr. FERRIS. I am afraid that is so.

Mr. MANN. I hope the gentleman will give close attention to that other bill. I would like to see some one in the House who was looking after the interests of the Government when it comes to irrigation projects.

Mr. FERRIS. Mr. Speaker, I will say that I am as deeply interested in that as is the gentleman, but I presume the same hard-luck stories of the settlers that tugs at my heart will tug at the gentleman's heart and at the hearts of the rest of the Members of Congress and that we will pass the bill for them, although I very much doubt the propriety of it.

Mr. MANN. Mr. Speaker, I will ask the gentleman another question. At the bottom of section 3 it is provided:

And that upon failure to so maintain and use such lands, or in the event that same shall be permitted to be used or occupied for other purposes than those stipulated in this act, the control of the lands shall revert to the United States, and same shall be thereafter disposed of in accordance with the public-land laws applicable thereto.

Might not this land become very valuable in the course of time? Might it not be abandoned, and if disposed of in accordance with the public-land laws might not some one seize it?

Mr. FERRIS. Mr. Speaker, I think the answer to that is that under existing law we have ample power vested in the President, which means the department, to withdraw any and all lands at any time, subject to irrigation, and for a dozen other purposes. Therefore I think the authority given the Secretary of the Interior is ample to withdraw and dispose of these 20-acre tracts in the various projects according to rules and regulations which will not allow some selfish person to enter it and take it all.

Mr. MANN. Under this provision the Secretary would have no authority to withdraw this.

Mr. FERRIS. Oh, yes—

The control of the lands shall revert to the United States and same shall be thereafter disposed of in accordance with the public-land laws applicable thereto.

Are not the withdrawal acts a part of that?

Mr. MANN. That is not disposing of the land. That is withholding it.

Mr. FERRIS. That is a part of the public-land laws, is it not?

Mr. MANN. Yes; but it will not be disposing of the land.

Mr. FERRIS. Mr. Speaker, I confess freely that if the gentleman thinks it has that effect, so far as I am concerned, it ought to be amended, because I do not believe we ought to set apart a 20-acre tract and allow it to be made valuable by improvements of other settlers and then allow some person to come in and get the benefit of the value that his neighbors created. I think it ought to be disposed of, if at all, under rules and regulations which would make it possible to get the real value out of the 20 acres in the event it will ever revert.

Mr. MANN. Why not strike that provision out?

Mr. RAKER. Mr. Speaker, I want to call the gentleman's attention to the bill the gentleman from Oklahoma reported at the beginning of this session, which takes care of and provides for all land that has ever been once reserved. The Secretary of the Interior, under the general bill passed at the beginning of this session, outside of the homestead laws and the preemption laws and the desert-land laws, is authorized to put it up at public auction for bids as he sees fit.

Mr. MANN. Why not strike this provision out of the bill?

Mr. FERRIS. Mr. Speaker, I have no objection, if it is necessary. The gentleman from Montana is correct. This Congress did early in the session pass a law which provided that the Secretary of the Interior might in each case inaugurate rules and regulations applicable to the case, so there is no necessity to retain that language and it can be stricken out.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, if this passes and one of these tracts reverts, under the law and under the provisions of this act it will be open to homestead settlement and the water rights pertaining to it will be disposed of at the same price as other water rights on the project are disposed of. Now, if the gentleman from Oklahoma does not think that is a good provision, then he must modify the bill. You can not effect that by the modification which has been suggested. Let me make this suggestion to the gentleman: This is only a 20-acre tract on each project, or only a 20-acre tract in each township. There are something over 23,000 acres to a township, so it is 20 acres out of 23,000, or 1 acre to a thousand. The probability is that none of the tracts will ever be relinquished after the community has taken possession of it; but if it should, why should not it be disposed of just as the other tracts were disposed of?

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to consider this bill in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to consider the bill in the House as in Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendments.

The Clerk read as follows:

Page 1, line 4, strike out after the word "withdrawal" the words "in the State of Montana."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Page 2, after the word "that," in line 1, insert "subject to the provisions hereinafter contained."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Page 3, after the word "the," in line 5, all of the section down to and including the word "project," in line 7, and insert "disposition of lands reverting to the United States under the provisions of this act and from sales of water rights shall be covered into the reclamation fund and placed to the credit of the project wherein the lands are situate."

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out, on page 2, all after the word "States," in line 21.

Mr. FERRIS. There is no objection to that.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all of section 3 after the word "States," in line 21.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the reservation of public lands for county parks and community centers within reclamation centers, and for other purposes."

RECESS.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the House stand in recess until 5 minutes to 3 o'clock.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the House stand in recess until 5 minutes to 3 o'clock. Is there objection? [After a pause.] The Chair hears none, and the House stands in recess until 5 minutes to 3 o'clock.

JOINT MEETING OF SENATE AND HOUSE.

At the expiration of the recess the House resumed its session and was called to order by the Speaker.

At 2 o'clock and 55 minutes p. m. the Doorkeeper announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The Vice President took the chair at the right of the Speaker and the Members of the Senate took the seats reserved for them.

The SPEAKER. On behalf of the House the Speaker appoints the gentleman from Alabama [Mr. UNDERWOOD], the gentleman from New York [Mr. FITZGERALD], the gentleman from Virginia [Mr. FLOOD], the gentleman from Illinois [Mr. MANN], the gentleman from Wisconsin [Mr. COOPER], and the gentleman from Pennsylvania [Mr. TEMPLE] a committee to wait on the President in the Speaker's room and escort him into the House.

The VICE PRESIDENT. On behalf of the Senate the Vice President appoints the Senator from Indiana [Mr. KERN], the Senator from New Hampshire [Mr. GALLINGER], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Indiana [Mr. SHIVELY], the Senator from New York [Mr. ROOT], and the Senator from Virginia [Mr. MARTIN].

At 3 o'clock p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk, amid applause on the floor and in the galleries.

The SPEAKER. Gentlemen of the Sixty-third Congress, I present to you the President of the United States. [Applause.]

ADDRESS OF THE PRESIDENT (H. DOC. NO. 910).

The PRESIDENT. Gentlemen of the Congress, it is my duty to call your attention to a situation which has arisen in our dealings with Gen. Victoriano Huerta at Mexico City which calls for action, and to ask your advice and cooperation in acting upon it. On the 9th of April a paymaster of the U. S. S. *Dolphin* landed at the Iturbide Bridge landing at Tampico with a whaleboat and boat's crew to take off certain supplies needed by his ship, and while engaged in loading the boat was arrested by an officer and squad of men of the army of Gen. Huerta. Neither the paymaster nor anyone of the boat's crew was armed. Two of the men were in the boat when the arrest took place, and were obliged to leave it and submit to be taken into custody, notwithstanding the fact that the boat carried, both at her bow and at her stern, the flag of the United States. The officer who made the arrest was proceeding up one of the streets of the town with his prisoners when met by an officer of higher authority, who ordered him to return to the landing and await orders; and within an hour and a half from the time of the arrest orders were received from the commander of the Huertista forces at Tampico for the release of the paymaster and his men. The release was followed by apologies from the commander and later by an expression of regret by Gen. Huerta himself. Gen. Huerta urged that martial law obtained at the time at Tampico; that orders had been issued that no one should be allowed to land at the Iturbide Bridge; and that our sailors had no right to land there. Our naval commanders at the port had not been notified of any such prohibition; and, even if they had been, the only justifiable course open to the local authorities would have been to request the paymaster and his crew to withdraw and to lodge a protest with the commanding officer of the fleet. Admiral Mayo regarded the arrest as so serious an affront that he was not satisfied with the apologies offered, but demanded that the flag of the United States be saluted with special ceremony by the military commander of the port.

The incident can not be regarded as a trivial one, especially as two of the men arrested were taken from the boat itself—that is to say, from the territory of the United States—but had it stood by itself it might have been attributed to the ignorance or arrogance of a single officer. Unfortunately, it was not an isolated case. A series of incidents have recently occurred which can not but create the impression that the representatives of Gen. Huerta were willing to go out of their way to show disregard for the dignity and rights of this Government and felt perfectly safe in doing what they pleased, making free to show in many ways their irritation and contempt. A few days after the incident at Tampico an orderly from the U. S. S. *Minnesota* was arrested at Vera Cruz while ashore in uniform to obtain the ship's mail and was for a time thrown into jail. An official dispatch from this Government to its embassy at Mexico City was withheld by the authorities of the telegraphic service until peremptorily demanded by our chargé d'affaires in person. So far as I can learn, such wrongs and annoyances have been suffered to occur only against representatives of the United States. I have heard of no complaints from other Governments of similar treatment. Subsequent explanations and formal apologies did not and could not alter the popular impression, which it is possible it had been the object of the Huertista authorities to create, that the Government of the United States was being singled out, and might be singled out with impunity, for slights and affronts in retaliation for its refusal to recognize the pretensions of Gen. Huerta to be regarded as the constitutional provisional President of the Republic of Mexico.

The manifest danger of such a situation was that such offenses might grow from bad to worse, until something happened of so gross and intolerable a sort as to lead directly and inevitably to armed conflict. It was necessary that the apologies of Gen. Huerta and his representatives should go much further; that they should be such as to attract the attention of the whole population to their significance and such as to impress upon Gen. Huerta himself the necessity of seeing to it that no further occasion for explanations and professed regrets should arise. I therefore felt it my duty to sustain Admiral Mayo in the whole of his demand and to insist that the flag of the United States should be saluted in such a way as to indicate a new spirit and attitude on the part of the Huertistas. [Applause.]

Such a salute Gen. Huerta has refused, and I have come to ask your approval and support in the course I now purpose to pursue.

This Government can, I earnestly hope, in no circumstances be forced into war with the people of Mexico. Mexico is torn by civil strife. If we are to accept the tests of its own constitution, it has no government. Gen. Huerta has set his power up in the City of Mexico, such as it is, without right and by methods for which there can be no justification. Only part of the country is under his control. If armed conflict should unhappily come as a result of his attitude of personal resentment toward this Government, we should be fighting only Gen. Huerta and those who adhere to him and give him their support, and our object would be only to restore to the people of the distracted Republic the opportunity to set up again their own laws and their own Government. [Applause.]

But I earnestly hope that war is not now in question. I believe that I speak for the American people when I say that we do not desire to control in any degree the affairs of our sister Republic. [Applause.] Our feeling for the people of Mexico is one of deep and genuine friendship, and everything that we have so far done or refrained from doing has proceeded from our desire to help them, not to hinder or embarrass them. We would not wish even to exercise the good offices of friendship without their welcome and consent. The people of Mexico are entitled to settle their own domestic affairs in their own way, and we sincerely desire to respect their right. The present situation need have none of the grave implications of interference if we deal with it promptly, firmly, and wisely.

No doubt I could do what is necessary in the circumstances to enforce respect for our Government without recourse to the Congress and yet not exceed my constitutional powers as President, but I do not wish to act in a matter possibly of so grave consequence except in close conference and cooperation with both the Senate and House. I therefore come to ask your approval that I should use the armed forces of the United States in such ways and to such an extent as may be necessary to obtain from Gen. Huerta and his adherents the fullest recognition of the rights and dignity of the United States [applause], even amidst the distressing conditions now unhappily obtaining in Mexico.

There can in what we do be no thought of aggression or of selfish aggrandizement. We seek to maintain the dignity and authority of the United States only because we wish always to keep our great influence unimpaired for the uses of liberty, both in the United States and wherever else it may be employed for the benefit of mankind. [Loud and prolonged applause.]

At 3 o'clock and 12 minutes p. m. the President retired from the Hall of the House.

Thereupon the Vice President and Members of the Senate returned to their Chamber.

The SPEAKER. The message of the President just delivered to the House will be printed and referred to the Committee on Foreign Affairs.

LEAVE OF ABSENCE TO HOMESTEAD SETTLERS.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill S. 2316, an act authorizing leave of absence to homestead settlers upon unsurveyed land.

The Clerk read the bill, as follows:

Be it enacted, etc., That any qualified person who has heretofore or shall hereafter in good faith make settlement upon and improve unsurveyed lands of the United States with intention, upon survey, of entering same under the homestead laws shall be entitled to a continuous leave of absence from the land settled upon by him for a period not exceeding five months in each year after establishment of residence: *Provided*, That he shall have plainly marked the exterior boundaries of the lands claimed and have filed in the local land office notice of the approximate location of the lands settled upon and claimed, of the period of intended absence, and that he shall upon the termination of the absence and his return to the land file notice thereof in the local land office.

Also the following committee amendments were read:

Page 1, line 5, after the word "unsurveyed," insert the words "unreserved unappropriated public."

Page 1, line 10, after the word "marked," insert the words "on the ground."

ACTION ON PRESIDENT'S MESSAGE.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that I may have two minutes in which to make a statement.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent for two minutes in which to make a statement. Is there objection?

Mr. MANN. I reserve the right on this bill; that is all.

The SPEAKER. The gentleman from Illinois [Mr. MANN] reserves the right on this bill. The gentleman from Alabama [Mr. UNDERWOOD] is recognized.

Mr. UNDERWOOD. Mr. Speaker, I merely wish to state to the House that the President informs me that it is of the utmost importance that action should be taken to-day in reference to his message just delivered. I wish to ask each Member of the House to remain here until the resolution can be passed through the House at a later hour this afternoon. [Applause.]

LEAVE OF ABSENCE TO HOMESTEAD SETTLERS.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

Amend, page 1, by inserting, after the word "unsurveyed," in line 5, the words "unreserved unappropriated public."

The SPEAKER. The Chair neglected to inquire of the House if there is objection to the present consideration of this bill.

Mr. MURDOCK. I reserve the right to object, Mr. Speaker.

Mr. MANN. I reserved the right to object.

The SPEAKER. Is there objection?

Mr. MANN. I reserve the right to object. I would like to hear the gentleman from Oklahoma.

Mr. FERRIS. Mr. Speaker, the law now provides that any entryman seeking a home on public land may initiate the right on unsurveyed land with equal force that he can upon surveyed lands. As the law now stands there is no provision whereby an entryman on unsurveyed land may have the usual leave of absence accorded settlers by law on surveyed lands. This bill merely gives to the settler on unsurveyed land the same right that a settler has on land that has been surveyed. The department drew the bill. It is a good bill. The settlers need it. It will help them retain their homes. It will do common justice. It is only treating these settlers as other settlers are treated. I do much hope no objection will be made. The department recommends its passage, and says there can be no earthly reason why the settler on unsurveyed land should not have the same right as a settler on surveyed land. The bill does that and nothing more.

Mr. MONDELL. Reserving the right to object, Mr. Speaker, I want to suggest to the gentleman from Oklahoma that I see no objection to the bill, providing you do not enlarge the opportunities for homestead settlement by the law; and I would suggest that if the bill is considered it ought to be amended, after the word "States," on the first page, line 6, by inserting the words "subject to homestead settlement."

Mr. FERRIS. Does not the gentleman think that the language in line 5, where we specifically say, "unreserved unappropriated public lands," would exclude all forest reserves and all reservations of the United States of any sort?

Mr. MONDELL. It would not exclude mineral lands that have not been reserved. There are many mineral lands that have not been reserved. The language "subject to homestead settlement" is language quite frequently used in the land laws, and it has the same application with regard to unsurveyed lands as the words "subject to homestead entry" would have if the land were surveyed.

Mr. MANN. Mr. Speaker, I would like to ask the gentleman a question. The committee has proposed to amend by inserting in line 5 the words "unreserved unappropriated public." Suppose that amendment were not inserted in the bill at all. What would the effect of the bill be?

Mr. FERRIS. The committee is of opinion that that had to be put in so that it would not apply to any particular reservation, whether forest or otherwise.

Mr. MANN. Would it apply if that language were not included?

Mr. FERRIS. We were afraid it would. For that reason we put in that language.

Mr. MANN. In that case the department that prepared the bill was not very careful, I take it.

Mr. FERRIS. Oh, I take it that the department is like the rest of us, human, and sometimes errs, as we all do.

Mr. MANN. Yes; but we are talking about this case now.

Mr. FERRIS. Yes.

Mr. MANN. A bill is sent here, after having been prepared by the department—a bill which we are asked to pass—that would have authorized anyone to locate anywhere on any forest reservation in the United States that had not been surveyed and acquire a good title to it. That is a pretty bill for the department to prepare. I do not know how many other foolish things there may be in the bill, but I am afraid they have not all been corrected yet by our distinguished Committee on Public Lands. When the department can prepare a bill like that, they had better hire somebody who knows something about the land laws.

Mr. FERRIS. The gentleman is a little drastic on the department, I think. The department makes mistakes, and so do we, and we are very glad to have the aid of the gentleman from Illinois in straightening us out. My experience is that present departments, as well as preceding departments, have always been honest, always patriotic, and always striving to do their full duty. I think they are doing their full duty, and I doubt if it is wise to be too drastic on account of an omission, if it is an omission, by well-meaning persons.

Mr. MANN. I do not profess to be very well posted on the public-land laws.

Mr. SELDOMRIDGE. Mr. Speaker, will the gentleman yield?

Mr. MANN. Certainly.

Mr. SELDOMRIDGE. Does the gentleman include in his indictment of inefficiency the United States Senate in his remarks on this bill?

Mr. MANN. Oh, I have frequently remarked that the Senate will pass anything. [Laughter.] These bills pass the Senate without any consideration at all. They do not even receive any consideration over there in committee. Some clerk calls up the members of the committee by telephone and asks leave to have a man say that the bill may be reported; and without knowing anything about it they authorize a report, and call it up and pass it without anybody in the Senate knowing anything about it, simply because some particular department prepared it; and we are asked to pass it here.

Mr. BRYAN. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. BRYAN. Why should not the Senate pass a bill that has the approval of the White House?

Mr. MANN. I do not think this has the approval of the White House.

Mr. MONDELL. Do I understand the gentleman from Oklahoma [Mr. FERRIS] has no objection to the amendment I suggested?

Mr. FERRIS. No. If the committee had any thought that it would be construed to permit the homesteading of public lands not subject to homestead settlement we would be willing to accept the gentleman's amendment. But we put in the words, "unreserved unappropriated public land," in line 5, in order to cure that defect. We thought that would do it. We are not vain and always willing to improve our bills. We are all of one mind; we are only debating words.

Mr. MONDELL. That might include all the mineral land in the country that did not happen for the time being to be reserved.

Mr. FERRIS. The mineral lands are not subject to entry. Most of them are withdrawn anyway, I think. Mr. Speaker, is there objection to the consideration of Senate bill 2316? We have not passed that stage yet.

The SPEAKER. Is there objection?

Mr. MANN. I object, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects. The bill is stricken from the calendar. The Clerk will report the next one.

PUBLIC ROADS ON CERTAIN INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9899) to authorize the laying out and opening of public roads on the Winnebago, Omaha, and Santee Sioux Indian Reservations in Nebraska.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the legal road authorities, charged with the duty of laying out and opening public roads and highways under the laws of the State of Nebraska, having jurisdiction over any territory embraced within the Winnebago Indian Reservation, the Omaha Indian Reservation, and the Santee Sioux Indian Reservation, in the State of Nebraska, are hereby authorized and empowered to lay out and open public roads within any of the said Indian reservations in conformity to and in accordance with the laws of the State of Nebraska relating to the laying out and opening of public roads, and that any public road when so laid out and opened shall be deemed a legal road.

With committee amendments, as follows:

Amend the bill by inserting after the word "Reservation," in line 7, page 1, the words "the Ponca Indian Reservation."

Page 2, line 4, after the word "road," strike out the period, insert a colon, and add the following proviso:

"*Provided*, That such road authorities shall, in addition to notifying the landowners as provided in the State laws, likewise serve notice upon the superintendent in charge of the restricted Indian lands upon which it is proposed to lay out a public road, and shall also furnish him with a map drawn on tracing linen, showing the definite location and width of such proposed road."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MANN. Reserving the right to object, I should like to ask the gentleman if he would be willing to have added to the committee amendment at the end of it the words: "And no such road shall be laid out until after it has received the approval of such superintendent."

Mr. STEPHENS of Nebraska. I think that would practically destroy the effect of the bill. The present laws provide that the Secretary of the Interior shall approve the opening of the roads, and the rule of the Interior Department is that no roads may be opened unless all the landowners approve; and there being sometimes as many as 8 or 10 heirs to a single piece of land, it makes it impossible for the people there to get roads established, and the superintendent might be induced to disapprove of the opening of a road, and therefore destroy the object of this bill. It is too much authority to put into the hands of one man.

Mr. MANN. If the superintendent is opposed to the opening of the road, why should the road be opened? The superintendent is representing the Government.

Mr. STEPHENS of Nebraska. The situation is this: About one-third of the lands on these reservations are owned by white people, and those are the only lands on the reservation that are taxable. It is impossible now to have roads even on section lines. Now, if these roads are opened under the provisions of this bill, they will be opened under the laws of the State of Nebraska, which will protect the rights of these Indians. They will be opened only after the board of supervisors has inspected the route of the road and approved of it and appointed a board to appraise the damages and pay for the land belonging to the Indians that is taken for the road purposes. The roads cost the Indians nothing and are paid for the people who have land that is taxable.

Mr. MANN. The superintendent can take all that into consideration; but he is representing the Government, which is endeavoring to protect the Indians. Why should he not determine whether the road ought to be laid out or not?

Mr. STEPHENS of Nebraska. He would not be any more competent to do that than the board of supervisors that represents the people who own the land.

Mr. MANN. They do not represent the Indians, and he does.

Mr. STEPHENS of Nebraska. Yes; they do represent the Indians. These Indians are citizens of the United States, but they do not pay taxes on their lands. The board of supervisors represent them exactly the same as it would any other taxpayers. There is not a thing in this bill that could possibly injure the Indian. His rights are safeguarded in every particular under the law. They can not take 1 acre of his land without compensation.

Mr. MANN. I can not see where his rights are safeguarded at all.

Mr. STEPHENS of Nebraska. It is impossible for them to take a single acre of his land without it being appraised and paid for by the county.

Mr. MANN. That does not always follow.

Mr. STEPHENS of Nebraska. And the law provides that the roads shall be laid out along section lines.

Mr. MANN. It does not always follow that the Indians will be paid for their lands. The appraisers might practically take their property away from them. If they need the road, why should not the superintendent O. K. the need of the road?

Mr. STEPHENS of Nebraska. I think it would be all right, provided he did O. K. it; but if he did not approve it——

Mr. MANN. If he did not approve it, there must be some reason for his not approving it. I am not willing to have passed by unanimous consent a bill which the gentleman says will take the land of the Indians for a road when the man in charge of the Indians thinks it ought not to be constructed.

Mr. STEPHENS of Nebraska. I will say to the gentleman that no one's land can be taken without the approval of the county board of supervisors, and they in turn appoint a board of appraisers to appraise the land, and the Indian is paid its full value.

Now, the question is whether all the people there are to be forever discommoded without roads, simply because some superintendent, who is usually a very impractical man, may oppose the road.

Mr. MONDELL. Will the gentleman from Nebraska yield to me?

Mr. STEPHENS of Nebraska. Yes.

Mr. MONDELL. These are allotted lands, are they?

Mr. STEPHENS of Nebraska. They are allotted lands.

Mr. MONDELL. They are held under trust patents?

Mr. STEPHENS of Nebraska. They are held under trust patents.

Mr. MONDELL. Therefore, even though an Indian might desire the road, and even though the superintendent or agent might be agreeable to the opening of the road, is there any way, without legislation, whereby a county road could be dedicated and provided for?

Mr. STEPHENS of Nebraska. There is absolutely no way practicable in which that can be done. Now, the fact is we have been operating under the rules of the Secretary of the Interior, and under those rules we have not been able to lay out but a few roads across the Indian reservation in that whole county.

Mr. MONDELL. You are not able to dedicate any of this land for road purposes, even though the individual Indian owning the land might desire to do it, because he is holding his land under a trust patent. Is not that the situation?

Mr. STEPHENS of Nebraska. That is absolutely the situation.

Mr. MONDELL. In other words, you must have legislation in order to enable the Indians to dispose of the land that may be required for roads.

Mr. STEPHENS of Nebraska. That is exactly true.

Mr. MONDELL. This Indian reservation lies right in a highly developed, rich farming section?

Mr. STEPHENS of Nebraska. That is true.

Mr. MONDELL. And these roads are necessary for the Indians as well as for the white people?

Mr. STEPHENS of Nebraska. Absolutely.

Mr. MONDELL. And this legislation is to enable the Indian to dispose of his land?

Mr. STEPHENS of Nebraska. For road purposes.

Mr. MONDELL. Or for the county to condemn it, as they would condemn the land of a white man?

Mr. STEPHENS of Nebraska. Exactly. He is placed exactly on the footing of a white man, and there can not possibly be any injury to the Indian. Furthermore, the Indians want this bill passed. They have indorsed it heartily, and have requested me to secure its passage so that they may get roads for their lands. At the present time any Indian who has a mind to do it can shut up a road, and the people can not get to their homes. There are very few roads across this Indian reservation that are legal roads.

Mr. MANN. Did the Indians approve this bill before or after it was amended by the committee?

Mr. STEPHENS of Nebraska. I did not quite catch the gentleman's question.

Mr. MANN. Did the Indians favor the original bill, or the amended bill?

Mr. STEPHENS of Nebraska. The Indians did not see the amendments at all. I have no objections to the amendments. Of course I will accept the gentleman's amendment if he insists upon it, but I really think it would be a great detriment and injury to these people.

Mr. MANN. I do not see how it can be any detriment to these people.

Mr. STEPHENS of Nebraska. As a rule, the superintendents are not practical men and do not understand these problems very well, and you can not get a practical decision on that account.

Mr. MANN. I have heard statements made many times that the Indian superintendents were not practical men, but I am surprised to hear it from the gentleman from Nebraska, because usually those statements come from some one whom the Indian agent would not allow to rob his wards. I do not think that is the case of the gentleman from Nebraska.

Mr. STEPHENS of Nebraska. I am glad that the gentleman does not think so, because that is not the case.

Mr. MANN. But I think the superintendent representing the Indians ought to have a veto power on laying out a road through the reservation.

Mr. STEPHENS of Nebraska. If the gentleman insists on that, I will ask him to offer the amendment.

Mr. MANN. Is not that satisfactory to the gentleman?

Mr. STEPHENS of Nebraska. I will have to accept it, but it is not satisfactory.

Mr. MANN. I do not want to be put in that attitude.

Mr. STEPHENS of Nebraska. I will accept it.

Mr. MANN. The gentleman had better let it go over. I do not want to compel any Member to accept an amendment.

Mr. STEPHENS of Nebraska. I think it will weaken the bill, but I will accept it because I would like to see the bill pass now. I feel that it would greatly injure the practical working of the law if the superintendent is always meddling in it.

Mr. MANN. This provides that they shall file with the superintendent a copy or map. Now, I do not see how it hurts the bill by having him approve it.

Mr. STEPHENS of Nebraska. The board of supervisors and the commissioners who appraise the land ought to be sufficient guaranty that the rights of the Indians will be protected.

Mr. MANN. I do not have much confidence in the white settlers protecting the rights of the Indians.

The SPEAKER. Is there objection?

Mr. MANN. I object.

FEDERAL BUILDING AT HARRISBURG, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14242) to increase the limit of cost for the erection and completion of the United States Federal building at Harrisburg, Pa.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provision in section 2 of the public building act of June 25, 1910, for the enlargement, extension, remodeling, or improvement of the post office and courthouse at Harrisburg, Pa., be, and the same is hereby, so amended as to increase by $75,000 the limit of cost fixed by this act for said work; and the Secretary of the Treasury is authorized to enter into contracts for the completion of said enlargement, extension, remodeling, and improvement of said building within said limit of cost as hereby extended.

The SPEAKER. Is there objection?

Mr. CLAYTON. I object.

Mr. CLARK of Florida. I hope the gentleman will not object.

Mr. CLAYTON. I will reserve the objection.

Mr. KREIDER. Mr. Speaker, I will be brief and as plain as I can. The Federal building at Harrisburg is entirely inadequate in which to transact the present Government activities. In 1910 there was authorized an extension to the building, and $125,000 was appropriated. It was then intended that the building should be enlarged by the addition of a wing, consisting of three floors, to the building. This building houses not only the post office but also the weather bureau of the Agriculture Department, the Federal court, the deputy internal-revenue collector, and in it are located chief inspectors' offices of two divisions of the Railway Mail Service.

When the Supervising Architect's Department drew the plans for the building and bids were called for, it was found that the funds available were not sufficient, and two stories were cut off. The contract was let. It is for the purpose of supplying sufficient funds to make the building complete; that is, to add these two stories, as they ought to be and as it was first intended they should be, that this additional money is now being asked for.

The Committee on Public Buildings and Grounds has adopted a rule that at this session of Congress only emergency cases shall be considered. This addition is now in course of construction, and the plans provide for an addition only one story high. It is in process of erection, and it will certainly cost the Government anywhere from $15,000 to $25,000 more by allowing it to be built under the present contract and afterwards in another contract provide for the space absolutely necessary, which must be provided. We should now build it as it was originally intended that it should be built and provide now while the building is in course of construction for the necessary space required and erect an addition that will be a credit to the building, to the city of Harrisburg as well as the Government of the United States.

Mr. CLARK of Florida. Mr. Speaker, I want to make a statement that may clear up some misunderstanding. The committee does not undertake at this session to report any omnibus bill. We are simply considering these matters that are matters of emergency—cases like this, where the building is in course of construction, and where more money is needed to finish it. Cases of that character are the only ones we are considering.

When gentlemen come before the committee with a case of that character and submit all the facts and the department requests it, the committee is reporting that class of bills and no others. We expect at some time to have a general bill, but we are not reporting ordinary bills at this time.

Mr. CLAYTON. Mr. Speaker, I do not think it has been true since the present chairman of the Committee on Public Buildings and Grounds has occupied the position, but I think it was true in some former cases that Senate bills passed the Senate and then came over here and passed here, whereas those of us who could not be the recipients of such favoritism had to wait until the omnibus public building bill could be passed. Now, the present chairman of the committee, I understand, says that no such bills have been passed and no such favoritism has been shown as that since he has been chairman.

Mr. CLARK of Florida. Not at all.

Mr. CLAYTON. And that the present bill is an emergency measure to carry on the construction of a building now in process of construction.

Mr. CLARK of Florida. Yes; an enlargement of the building.

Mr. CLAYTON. And that it would be an interruption of the work and expensive to the Government if this measure did not pass at this time.

Mr. CLARK of Florida. It certainly will.

Mr. CLAYTON. Under that statement, Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SHOSHONE INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14869) authorizing the Shoshone Tribe of Indians residing on the Wind River Reservation in Wyoming to submit claims to the Court of Claims.

The Clerk read the bill, as follows:

Be it enacted, etc., That all claims of whatsoever nature, both legal and equitable, which the Shoshone Tribe of Indians residing on the Wind River Reservation in Wyoming may have or claim to have against the United States under the treaty between the United States and said Shoshone Tribe, ratified February 26, 1869, or under any other laws or treaties, may be submitted to the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for determination of the rights of said Shoshone Tribe in and to said reservation and the proceeds and profits therefrom, and for determination of the amounts, if any, of the funds of said Shoshone Tribe which have been wrongfully paid by the United States to the Arapahoe Tribe of Indians residing on said reservation, and for determination of the amounts, if any, due to said Shoshone Tribe from the United States for their being deprived of the use and occupancy of said reservation; and for determination of the amounts, if any, due to said Shoshone Tribe from the United States for portions of said reservation, if any, which have been appropriated by the United States for said Arapahoe Tribe or individual members thereof; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine all legal and equitable claims, if any, of said Shoshone Tribe against the United States arising out of said treaty, and also any legal or equitable defense, set-off, or counterclaim which the United States may have against said Shoshone Tribe, and to enter judgment, and in determining the amount of judgment to be entered herein the court shall deduct from any sums found due said Shoshone Indians any and all gratuities paid said Shoshone Indians, or individual members thereof, subsequent to 1877. The Court of Claims shall advance said cause upon the docket for hearing, and shall have authority to determine and adjudge the rights, both legal and equitable, of said Shoshone Tribe arising out of said treaty, and all rights and equities of the United States in the premises, notwithstanding lapse of time or statutes of limitation, and the final judgment and satisfaction thereof shall be a full settlement of all claims of said Shoshone Tribe against the United States. Such cause shall be commenced within one year after the passage of this act, and in such cause the said Shoshone Tribe shall be party plaintiff and the United States shall be party defendant; and the petition setting forth the cause of said Shoshone Tribe shall be verified by the attorneys employed by said Shoshone Tribe to prosecute their claims under this act under contract approved by the Secretary of the Interior and the Commissioner of Indian Affairs, as

provided by law, upon information and belief as to the facts alleged therein, and no other verification to said petition shall be necessary. The Attorney General of the United States is hereby directed to appear in said cause in behalf of the United States. Upon the final determination of said cause the Court of Claims shall decree such fees as the court shall find reasonable to be paid to the attorneys employed by said Shoshone Tribe, and the same shall be paid out of any sum or sums found due to said Shoshone Tribe, or out of any sum or sums which may be placed to the credit of said Shoshone Tribe as a result of said cause: *Provided*, That in no case shall the fees decreed by said court be in excess of the amount stipulated in the approved contract nor amount to more than 10 per cent of the amount and value of the judgment recovered in said cause: *Provided further*, That all sums of money which may be found to be due and recovered for the Shoshone Tribe of Indians under the provisions of this act, less attorneys' fees, shall be deposited to the credit of said Indians in the Treasury of the United States, which sum shall thereafter draw interest at 3 per cent per annum.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, can the gentleman give the House any idea as to the amount that may possibly be recovered by the tribe of Shoshone Indians in case the Arapahoes had no right to settle on their lands back in 1868?

Mr. HAYDEN. Mr. Speaker, in my judgment, I do not believe that the possible amount of recovery under this bill could be more than $250,000. I have made some very careful figures in regard to the matter as to the expenditures made by the United States on behalf of these Indians. I will say frankly, however, that there are other members of the committee who do not agree with me in regard to that, and who think it might possibly run more than a half million dollars.

Mr. STAFFORD. As I understand the bill, it authorizes the Court of Claims to take jurisdiction to determine the amount that might possibly be owing the Shoshone Indians by reason of the Arapahoes having been given the right back in 1868 to settle on their lands.

Mr. HAYDEN. Yes; for the violation of that treaty.

Mr. STAFFORD. The department has in times past claimed that the Shoshones, under the treaty, tacitly approved of the location of the Arapahoes on this tract of land, and that they are barred from making any claim for the use and occupation of the land.

Mr. HAYDEN. That was at one time the contention of the department, but it is no longer the opinion of the department.

Mr. STAFFORD. How recently is it that some attorney or some other person representing the Shoshones conceived the idea that this matter which was so long dead should be resurrected and revived and placed in litigation in the Court of Claims?

Mr. HAYDEN. I can not speak beyond my own service here. This matter has been up in this Congress and in the last Congress.

Mr. STAFFORD. And prior to the last Congress?

Mr. HAYDEN. I could not tell.

Mr. STAFFORD. Can the gentleman who introduced the bill give the information as to why this matter has been revived after so many years of sleeping?

Mr. LOBECK. Mr. Speaker, in 1886 the Shoshones made their first real objection, and bills have been introduced in previous Congresses—in the House and in the Senate—by the gentleman from Wyoming [Mr. MONDELL] and by the Senator from Minnesota. These Arapahoes came on this property, moved there by the military force, in 1877. The gentleman, I presume, understands the history of this bill.

Mr. STAFFORD. I have read the report carefully.

Mr. LOBECK. I have a map here which I shall be very glad to show to the gentleman.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Certainly.

Mr. MONDELL. From the report made on the bill the gentleman from Wisconsin will find on page 4 that the Shoshones objected to the placing of the Arapahoes on this reservation at the time they were placed on the reservation.

Mr. STAFFORD. I do not find any such memorandum in the report.

Mr. MONDELL. I think the gentleman will find that stated. These Indians were placed on this reservation in the winter of 1877–78.

Mr. STAFFORD. Will the gentleman kindly direct my attention to the phraseology wherein I can find any express objection on the part of the Shoshones to the Arapahoes being placed on this reservation?

Mr. MONDELL. I read from page 4:

In his report of February 21, 1878, James I. Patten, United States Indian agent, Shoshone and Bannock Agency, Wyo., said, in referring to the proposed removal of the Arapahoes to the reservation, that there was a large majority of the tribe, including Washakie, the chief, and nearly all of the leading men, who strongly objected to their coming and to dividing the reservation with any other tribe.

Mr. STAFFORD. I read that, but it does not state that there might not have been tacit approval on the part of the Shoshones.

Mr. MONDELL. Washakie was the chief of the Shoshones, and he protested on behalf of the tribe at the time the Arapahoes were placed on the reservation.

Mr. STAFFORD. Reading right on from where the gentleman left off I will direct his attention to the following language:

That the Shoshones did agree and were at that time willing to make peace with the Arapahoes, but wanted them placed on a reservation apart, giving as their reason that the reservation at that time was none too large for the use of the Shoshones.

Mr. MONDELL. Yes. That is, they had no objection to making peace with this tribe. The gentleman will recall that the Shoshones, from time immemorial, have been friends of the white man. No Shoshone has ever fought our Government or our people. On the other hand, the Arapahoes in former times were constantly at war with the Government and with the settlers on the frontier. These two tribes are very dissimilar in characteristics, and they were known enemies. There were many of the Shoshones who objected to having the Arapahoes brought anywhere near their neighborhood. The chief, Washakie, a very fine old man, and a splendid example of the Indian chief, said that they had no special grievance against the Arapahoes which they might not forget, but they did not want them placed on the reservation. I suppose the placing of the Arapahoes in some other part of the State would not have been objectionable.

Mr. STAFFORD. But they were placed on the reservation and they made no objection——

Mr. LOBECK. Oh, yes; they did.

Mr. STAFFORD. For years and years.

Mr. MONDELL. Oh, the gentleman is mistaken.

Mr. STAFFORD. That is the statement in the report of one of the Indian commissioners.

Mr. MONDELL. Oh, no. I have just read the protest against their being placed there.

Mr. STAFFORD. The Commissioner of Indian Affairs later stated they tacitly approved of it.

Mr. MONDELL. I will state to the gentleman that I have lived in Wyoming since 1887. I have been familiar with the situation on that reservation since 1887. During that period there has never been a time that the Shoshones have not objected to dividing their reservation with the Arapahoes. The two tribes have gotten along fairly well of late years, but there has been a constant objection on the part of the Shoshones to dividing their reservation with the Arapahoes.

Mr. MILLER. May I be permitted to say also on that point, when the Arapahoes were brought there they were brought in the fall of 1877 and the Shoshones were distinctly told that it was not contemplated that the Arapahoes should be kept there longer than until the next spring, and specifically it was asked that they permit them to stay there during the winter, during which time the United States would provide a reservation elsewhere and a home, and therefore on that account they did not seriously object to their going there.

Mr. STAFFORD. I desire to call the gentleman's attention to this language:

The department has considered that the Arapahoes had equal rights with the Shoshones to the lands on the reservation, assuming that the Shoshones had impliedly consented to the Arapahoes being located on the reservation in accordance with article 2 of the treaty of July 3, 1868, supra, by acquiescing in the arrangement.

What is the treaty? The treaty gave the right to the United States to locate other tribes of Indians on the reservation with the approval of the Shoshones. Now, if the Shoshones have by tacit agreement approved the location of the Arapahoes, they have lost their rights.

Mr. MILLER. But they did not approve of it either by a majority or a minority.

Mr. STAFFORD. At the time this matter was in question?

Mr. MILLER. Absolutely, they did not approve it.

Mr. CARTER. Exactly what we wanted to go to the Court of Claims for.

Mr. MANN. Of course, the Commissioner of Indian Affairs in 1877 said:

In accordance with their earnest request, made to the President during the recent visit of the delegation to this city, permission was given the Northern Arapahoes to join the Shoshones on the Wind River Reserve in Wyoming. In a formal council held last month by Agent Irwin with the Shoshones their consent to the arrangement desired by the Arapahoes was obtained, and the removal of the latter is now in progress.

Of course, it is easy to say that the Commissioner of Indian Affairs in making the report was talking through his hat. It

may be true; I do not know; but here is the formal report of the Commissioner of Indian Affairs at the time this matter was alive, in which he stated that they were bringing the Arapahoes into the Shoshone Reservation after a formal council with the Shoshones and with their consent.

Mr. MILLER. Does the gentleman find any record of any written consent of that kind?

Mr. MANN. I do not know; I have not found any, because I have not gone to the record.

Mr. MILLER. I will simply add the consent to which reference is made is the consent that the Arapahoes stay there for a few months until another place could be found for them.

Mr. MONDELL. If the gentleman will refer to the report of Agent Patten, he will see that the Shoshones objected to the Arapahoes being placed there.

Mr. MANN. Yes; I see that after the Arapahoes were placed in the Shoshone Reservation that Agent Patten reports that they ought not to have been put there. I think there is a good deal of force when the statement of that side of the case appears to be that, so far as we know, there is no record evidence of the truth or correctness of a statement of the Commissioner of Indian Affairs for 1877. But I would like to ask some one who knows, How much is this property worth which is now involved or which we are engaging to pay the Indians?

Mr. LOBECK. The entire property at the present time is about 600,000 acres, of which about 100,000 acres have been allotted, and the Arapahoes are allotted three-fourths of that amount. Taking that portion of the land which is suitable for irrigation purposes, the balance of the land is mountainous and is used for pasture, and the Arapahoes and the Shoshones use it together.

Mr. MANN. Do I understand that the Arapahoes have been allotted 450,000 acres of land?

Mr. LOBECK. There have been about 100,000 acres of land allotted, of which the Arapahoes have received three-fourths.

Mr. MANN. That is, 75,000 acres that is irrigable land?

Mr. LOBECK. Yes; that is all irrigable land.

Mr. MANN. What is that irrigable land worth?

Mr. LOBECK. It is difficult to state what it is worth.

Mr. MANN. Well, what has it been estimated to be worth? You are going to the Court of Claims about it.

Mr. LOBECK. It is worth in the neighborhood of $5 or $6 an acre.

Mr. MANN. I suppose it is worth a good deal more than that.

Mr. MONDELL. Mr. Speaker, any irrigable land on that reservation is worth more than the sum the gentleman stated, but any recovery under these proceedings should be based on the present value of this land.

Mr. CARTER. The bill limits the recovery to the value at the time of the taking.

Mr. LOBECK. Probably if the gentleman will listen for about two minutes to the story of how these Arapahoes got on this land I can show him on this map.

Mr. MANN. I have listened to this several times before, but I am prepared to do so again.

Mr. LOBECK. Originally the Shoshones had this big tract of land, occupying a portion of it in Colorado and Wyoming. When the Union Pacific was being built through their original country the Government moved them to a small reservation of about 600,000 acres by the treaty of 1868.

In 1877 the Arapahoes had been in war with the United States and were prisoners of war at Fort Robinson, Nebr. The military were to move them either to Oklahoma on the south or into Wyoming, if to Wyoming the idea being to move them at the junction of the Sweet Water River and the North Platte River. Under direction of Col. McKenzie they were moved over to the present Shoshone Reservation and were to be kept there under an agreement with the Shoshones for one winter, because they had agency stores and places to take care of them, and did not have them at the junction of the Sweet Water with the North Platte Rivers. They have never been taken away from there. The treaty made in 1868 provided that no Indians could be moved onto that land unless by the written consent and the signatures of the majority of the Shoshones. Agent Irwin was sent out there from New York in the fall of 1877 to make peace with Chief Washakie in order to allow them to stay there. He made that trip from New York and return to Cheyenne in 13 days, and taking the time that it took in those days to travel from New York to Cheyenne and to Fort Washakie and back, I do not see how he could do it. But he reported that he made peace. In a later letter, February 1, 1878, it was said the Arapahoes should not live there for all time. These Indians have lived there for a long time. There is a confluence of small rivers which makes the Big Horn River, and the Arapahoes were located on the eastern part of the reservation. That is mostly irrigable land. The upper portion here is mountainous land, and the Arapahoes and the Shoshones have had joint usage of it.

Mr. STAFFORD. Will the gentleman yield?

Mr. LOBECK. Yes.

Mr. STAFFORD. Can the gentleman inform the House as to how much land the Arapahoes have actually occupied to which they permitted the Shoshones to have a claim for compensation?

Mr. LOBECK. They have allotted something over 75,000 acres, and then they have jointly used with the Shoshones the mountain and pasture land, or on the upper portions of the reservations toward the mountains.

Now, the idea is to bring this matter to the Court of Claims for an adjustment, because moneys have been allowed to the Arapahoes that belong to the Shoshones. A small portion of land was sold surrounding Big Horn hot springs—up here [pointing to the map]—and a small tract at Lander, Wyo. And whatever gratuities have been given to the Shoshones since that time—1877—shall be deducted. What we ask is to have this matter brought before the Court of Claims to decide whether the Shoshones have a right to a claim or not.

Mr. STAFFORD. Will the gentleman yield further?

Mr. LOBECK. Yes.

Mr. STAFFORD. Can the gentleman inform the House as to the provision for attorneys' fees? I notice there is quite a liberal provision made here for that. It is 10 per cent of the amount recovered. If it is $500,000, the attorney's fee would be $50,000. Can the gentleman inform the House as to whether that 10 per cent would be regarded as exorbitant, and also as to whether the Shoshone Indians have taken any formal action for employing attorneys and prosecuting these claims?

Mr. LOBECK. They have only done so in so far as the Shoshones have signed an agreement with a Nebraska firm to present their case. The court is to decide the amount, but it is not to exceed 10 per cent. The legal firm paying all expenses of litigation, which was not thought to be exorbitant, and the department agreed to that. This bill has the approval of the department.

Mr. WILLIS. Will the gentleman yield?

Mr. LOBECK. I will.

Mr. WILLIS. Can the gentleman give any estimate as to what that amount will be? I have not examined the report. What will the 10 per cent amount to?

Mr. LOBECK. The gentleman from Arizona [Mr. HAYDEN] stated a while ago that he thought possibly the Shoshones might have a $250,000 claim. I do not think it is going to be exorbitant, and if it should be a very large amount I do not think the court would allow it. It can not be more than 10 per cent.

Mr. WILLIS. And it can be less than 10 per cent?

Mr. LOBECK. Yes.

Mr. WILLIS. And under your estimate it can not be less than $25,000?

Mr. STAFFORD. The gentleman in explaining the bill said that this amount might be $500,000.

Mr. LOBECK. There is no telling what it might be.

Mr. STEPHENS of Texas. It would be 10 per cent of the amount recovered by these attorneys. I will say that the law permits, and has always provided, that the tribes of Indians could employ an attorney if the terms of the contract for payment were approved by the Secretary of the Interior, and you will see that this provides for that very thing on page 3.

Mr. STAFFORD. In that provision you provide not only for paying the attorneys out of any funds that may be recovered in said case, but you also provide for all sums of money which may be found to be due and recovered for the Shoshone Tribe of Indians.

Mr. STEPHENS of Texas. That applies only to the judgment recovered.

Mr. STAFFORD. I will read:

> Upon the final determination of said cause the Court of Claims shall decree such fees as the court shall find reasonable to be paid to the attorneys employed by the said Shoshone Tribe, and the same shall be paid out of any sum or sums found due to said Shoshone Tribe, or out of any sum or sums which may be placed to the credit of said Shoshone Tribe as the result of said cause.

Mr. LOBECK. Read further.

Mr. STEPHENS of Texas. The amount recovered actually by the judgment, and they are not paid any amount that may be in the tribal fund.

Mr. LOBECK. Read the next paragraph.

Mr. STAFFORD. I submit to the chairman of the committee whether he does not think that we should protect the interests of the Government in view of this very questionable

case, and that there should be some limit as to the amount that the Government may be required to pay for the use of this land, or whether we should leave it to the discretion of the Court of Claims without limitation to find any reasonable value for this land that has been used these many years, all arising, perhaps, from the activity of some claim agent who perceived there was some basis for litigation and who gets active and desires the Shoshones to get some reparation from the Government?

Mr. STEPHENS of Texas. It must be 25 per cent of the amount recovered from the court of appeals.

Mr. STAFFORD. The gentleman is mistaken. It is 10 per cent.

Mr. STEPHENS of Texas. Ten per cent, I mean, and not to exceed that amount, under the contract heretofore made with the Indians and approved by the Secretary of the Interior. That contract is binding, and whether or not we put it into the bill these men could recover. It is a contract between the Indians and the Government on one side and the attorneys on the other side, and this gives them not to exceed 10 per cent. That was for the purpose of protecting the Indians and for the purpose of protecting the Government. The judgment could give them only 5 per cent, if it is a large amount; and possibly they will do that, and they will take into consideration the amount, and the amount of service performed. As a matter of fact, these attorneys have to come a long way for these matters and pay their own expenses.

Mr. STAFFORD. Does the gentleman, as a conservator of the Government, believe that we should submit to the Court of Claims, without any reservation whatever, the determination of the value of the use of that land in all these years in this questionable transaction?

Mr. STEPHENS of Texas. I will answer that question by asking one. Is not that the way matters of that kind are settled in courts of chancery and in courts of equity?

Mr. STAFFORD. It is a question whether the Shoshones have any valid claim whatsoever, and now you are directing the Court of Claims to find the value of this stale claim, which may amount to half a million dollars or a million dollars. I say we should try to protect the interests of the Government and place some limitation on the amount that may be recovered.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes; I yield.

Mr. MANN. I would like to ask the gentleman from Texas [Mr. STEPHENS] a question. I see there are no amendments to this bill as reported. Did the committee consider this bill?

Mr. STEPHENS of Texas. The committee considered it and reported it favorably.

Mr. MANN. Did it provide any amendments to it?

Mr. LOBECK. It was an original bill, and the committee made some amendments to that, and this is a new bill to take the place of the bill as amended. It was considered by a subcommittee thoroughly.

Mr. MANN. Can anyone give me any information as to the amount involved here?

Mr. LOBECK. That depends on what is meant by the "amount involved."

Mr. MANN. I have asked that question repeatedly and have not received an answer. I am not willing to pass, by unanimous consent, a claims bill like this without consideration, when nobody knows how much is involved, whether it is $500,000 or $5,000,000 or $15,000,000.

The SPEAKER pro tempore (Mr. SAUNDERS). Is there objection?

Mr. MANN. I reserve the right to object. Somebody has asked for the regular order.

Mr. CARTER. Mr. Speaker, from the statements of the gentleman from Nebraska [Mr. LOBECK] and of the gentleman from Arizona [Mr. HAYDEN], I understood that there were about 400,000 or 500,000 acres of land in controversy. The aggregate amount involved would, of course, depend upon the value of this land, and on that, as the gentleman knows, one man might place a very high valuation and another man might place a very low one, so that I do not see how we could determine, even in an approximate manner, what value the court might give to it. At any rate, I would not like to hazard a guess on this important matter, which the courts might eventually pass upon.

Mr. MANN. Oh, I think there should be some information as to the value. We certainly have nobody to tell what is the value of the use and occupancy for 50 years or so, or whether the land now is worth $5, or $10, or $50, or $100 an acre. It seems to me we ought not to pass the bill, because, so far as I can see, the Indians have no legal rights here. If you were confining the Indians to their legal rights, the amount involved would not make any difference. But you do not confine them to their legal rights, and then you say you do not know how much it is worth.

Mr. LOBECK. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. LOBECK. You took their farms. The Government put those Arapahoe Indians there and took their homes away from them. Now, you say they have no claims here and no legal rights. Is the gentleman from Illinois just in making such a statement? You have taken their lands without their consent and placed them there, and now you say they have no rights.

Mr. MANN. Well, of course, that is what they always say when the Indians are trying to rob the Government. But since I have been here I have never known a case where the Government beat the Indians, and I know a great many cases where the Government did pay a lot of old claims of Indians where I thought there was no justice or equity in them. I think we ought to know before we pass a claim of this sort something of what is involved in it.

Mr. MONDELL. Mr. Speaker, will the gentleman yield to me?

Mr. MANN. Certainly; I will yield to anybody. [Laughter.]

Mr. MONDELL. The gentleman realizes that it is utterly impossible in a case of this kind to determine in advance just what the amount of the judgment might be.

Mr. WILLIS. The gentleman from Nebraska [Mr. LOBECK] did say what it might be. He said it might be $250,000.

Mr. MONDELL. It might not be anything, and then again it might be a very considerable sum. I do not know how anyone could say what it will be.

This is the situation: There are about 825 or 830 Arapahoes who have been given, or will be given, land in severalty on this reservation which the Shoshones claim. Under this bill if the court held that the Shoshones were entitled to those lands, they would be entitled to recover for the lands which the Arapahoes occupy and receive, because, of course, those lands will not be taken away from them. They will recover whatever the Arapahoes have received as their proportion of the sum received from the sale of the ceded portion of the reservation.

Now, no one can tell in advance how much that will be. If the claim of the Shoshones is valid that the Government had no right to give the Arapahoes a part of this reservation, then it is a question of giving them an opportunity to prove how much is due them from the Government. The gentleman would hardly say in giving a man an opportunity for his day in court, "I will not do it unless I know how much he may be able to recover."

Mr. WILLIS. I had definite information. The gentleman from Nebraska [Mr. LOBECK] said it would be $250,000. What more do you want? The gentleman ought to be satisfied.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Minnesota [Mr. MILLER] a question? Do I understand that this bill is in the form in which it was reported by the Committee on Indian Affairs?

Mr. MILLER. That is rather an embarrassing question. It is my recollection that we made two amendments to the bill, as it passed the committee, which do not seem to be in this bill.

Mr. STEPHENS of Texas. A new bill was reintroduced with all the amendments embodied in it. This bill is in the form in which it passed the committee.

Mr. MILLER. The committee are strongly of the opinion that a bill in substantially this form ought to pass.

Mr. STAFFORD. I think the chairman of the committee ought to ask unanimous consent that this bill be passed over for two weeks, to see if we can not obtain some limitation as to the amount that can be recovered for the use of the land, and also some limitation on the amount of attorneys' fees.

Mr. WILLIS. There has been a good deal of question about attorneys' fees. I want to suggest that in line 2, page 4, you insert an amendment that shall read:

Provided that in no case shall the fees decreed by said court exceed $25,000, nor be in excess of the amount stipulated—

And so forth. That would limit the fees. It seems to me there ought to be some such amendment; because from the statements made here, the attorneys' fees might amount to $100,000.

Mr. MILLER. They would not be as much as that.

Mr. STAFFORD. In view of the suggestions here, will not the chairman of the committee or the author of the bill ask unanimous consent that it be passed over for two weeks.

Mr. LOBECK. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

CADDO COUNTY AGRICULTURAL AND MECHANICAL FAIR ASSOCIATION, OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9829) granting the Caddo County Agricultural and Mechanical Fair Association of Oklahoma the right to purchase a tract of unused remnant ceded lands for fairground and park purposes.

The Clerk began the reading of the bill.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the amendment be read in lieu of the original bill. The entire bill has been stricken out and a substitute reported.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that the substitute be read in lieu of the original bill. Is there objection?

There was no objection.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior is authorized to sell to the Board of County Commissioners of Caddo County, Okla., at the price of $1.25 per acre, a parcel of land, or any part thereof, being that portion of the southwest quarter of section 14, in township 7, north of range 10, west of the Indian meridian, Oklahoma, lying south of the Chicago, Rock Island & Pacific Railroad, containing 111.40 acres more or less: *Provided*, That said association shall, within 90 days from approval hereof, apply to purchase under this act, and that the sale shall be upon the express conditions that if the land be not used for park or fairground purposes within one year from date of conveyance to said association, or shall at any time thereafter cease to be so used, the title thereto shall revert to the United States upon the fact of such nonuse being ascertained and declared by the Secretary of the Interior.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, I understand that this land, which this bill seeks to vest in the county commissioners of Caddo County, adjoins the county seat?

Mr. FERRIS. That is true. At one end it does.

Mr. STAFFORD. It has been reserved from settlement by the department?

Mr. FERRIS. It never has been subject to entry in any form. The land was ceded to the Government of the United States in 1900 at $1 an acre.

Mr. STAFFORD. I assume that the price carried in this bill, $1.25 an acre, is much below the market value of the land.

Mr. FERRIS. That is true, but the land reverts if at any time it is not used for these public purposes. It has never been used for any purpose, and this bill proposes to give the Government 25 cents an acre more than it paid for it.

Mr. STAFFORD. To whom will it revert?

Mr. FERRIS. To the Government of the United States. All that is necessary is for the Government of the United States to declare the nonuse.

Mr. STAFFORD. That is, in case it is not used hereafter for the purposes intended, it will revert.

Mr. FERRIS. That is true.

Mr. STAFFORD. Has the gentleman any fear that it will ever revert after it is given to these commissioners for this purpose?

Mr. FERRIS. The gentleman knows that fair-ground propositions sometimes play out and do not make a go of it. In that event it might come back, and if that should happen the Secretary of the Interior would take it back.

Mr. STAFFORD. What is the market value of this land?

Mr. FERRIS. I should say from $25 or $30 to $40 an acre, perhaps. The land has never been used for any purpose.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The committee amendment in the nature of a substitute was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

Mr. FERRIS. There is an amendment to the title.

By unanimous consent, the title was amended to read: "A bill authorizing the Secretary of the Interior to sell certain unused remnant lands to the Board of County Commissioners of Caddo County, Okla., for fairground and park purposes."

On motion of Mr. FERRIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

RECEIVER OF PUBLIC MONEYS, SPRINGFIELD, MO.

Mr. FERRIS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FERRIS. A few minutes ago the House passed the bill (S. 3403) to abolish the office of receiver of public moneys at Springfield, Mo., and for other purposes. Since then it has been found that a proviso which should have been printed as a part of section 2 was printed as a part of section 1. I ask the Speaker what is the proper parliamentary course to pursue to correct the error?

The SPEAKER. The right request to make is to vacate all the proceedings back to the amendment stage of the bill.

Mr. FERRIS. I ask unanimous consent to vacate the proceedings by which the bill was ordered to a third reading and passed.

The SPEAKER. Back to the amendment stage. The gentleman from Oklahoma asks unanimous consent to vacate the proceedings by which Senate bill 3403 was passed back to the amendment stage. Is there objection?

There was no objection.

Mr. FERRIS. Now, Mr. Speaker, I ask unanimous consent that the proviso attached to section 1 as it is printed in the House bill remain as an amendment adopted by the House.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 7, after the word "regulation," insert the following: "*Provided*, That all the fees and commissions now allowed by law to both such register and such receiver shall, 10 days after the passage and approval of this act, be paid to and accounted for by such register in the same manner and in like amounts in which they are now required to be paid to and accounted for by such receiver, but the salary, fees, and commissions of such register shall not exceed $3,000 per annum."

The SPEAKER. What is the gentleman's request?

Mr. FERRIS. My request is that the amendment be considered and passed precisely as it was in the bill. The printing clerk printed the proviso to section 1, whereas it should have been to section 2. The enrolling clerk says that they can not engross it because it does not show that the amendment has been passed.

The SPEAKER. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

POSTAGE ON SEEDS, CUTTINGS, AND BULBS.

The next business on the Calendar for Unanimous Consent was the bill S. 4980, an act to amend an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes," approved March 9, 1914.

The Clerk read the bill, as follows:

Be it enacted, etc., That seeds, cuttings, bulbs, roots, scions, and plants shall hereafter be embraced in and carried as fourth-class matter and for the same rates of postage: *Provided*, That all packages thereof containing 8 ounces or less shall be charged for at the rate of 1 cent for 2 ounces or fraction thereof: *Provided further*, That the Postmaster General may, in his discretion, by order, fix the time within which all parcels of the fourth class shall be delivered.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, when this bill was before the committee the chairman of the committee was unavoidably absent, and there were some Members who did not believe there should be any discrimination in sending seeds through the mail, between that and other merchandise. Since the bill has been reported it has occurred to me that this question of singling out seeds for special rates is subject to severe criticism, and I have had in mind for a long time the disparity that exists in the present parcel-post rates on merchandise. For instance, the law charges 1 cent an ounce up to 4 ounces. If a package weighs more than 4 ounces and up to 1 pound it is charged the 1-pound rate. I wish to inquire of the chairman of the committee whether he does not think it advisable that there should be some zone system of charges applying to packages less than 1 pound in weight? The present zone charges apply to a pound and over, and there are the weights between 4 ounces and 16 ounces which bear the same rate as for packages weighing a pound. If we should pass this bill there might be considerable difficulty in ever having a uniform parcel-post rate extended to all packets under the 1-pound limit.

Mr. MOON. Mr. Speaker, in reply to my friend from Wisconsin I will say that under section 428 of the postal laws and regulations seeds, scions, bulbs, and matters of that sort were carried through the mails heretofore at 1 cent for 2 ounces. When the postal act of 1912 was passed there was an express provision in that act that it should not apply to seeds, bulbs, and so on, as provided for in this section. In other words, seeds, bulbs, and products of the farm of that character were excepted from the operation of the parcel-post law. While it applied to all products of the factory and farm, it did not by that special provision apply to seeds, bulbs, and so forth. In the recent postal law there was an amendment placed on the bill by the Senate, in which the House concurred, that placed this character of farm products under the provisions of the parcel-post law. The effect of that was to give seeds, bulbs, and scions a double rate. In other words, we had not bettered, but made worse, the conditions.

Mr. STAFFORD. But there can be no question whatever as to the parcel-post rates on packages weighing 1 pound and over

that it was a distinct advantage to seedsman because the rate was lower than the former rate of 8 cents a pound.

Mr. MOON. The gentleman will realize that matter of this sort is carried generally in parcels weighing from 1 to 4 ounces. Above 4 ounces you have doubled the rate by the section on the subject in the last bill. Now, when that is done you have doubled the cost of postage. This act is to have the effect of restoring the old law as to packages under 8 ounces. That is, it is 1 cent for every 2 ounces up to 8 ounces, and above that it takes the parcel-post pound rate. I think there ought to be no objection to this measure.

Mr. STAFFORD. The gentleman does not answer my query whether he does not believe there was a wide difference between the rates of 4 ounces and 16 ounces by the parcel-post rates. I have no objection to placing a low rate on the smaller packages for seeds and other parcels of merchandise under 1 pound.

But here under the parcel-post arrangement you have a 4-cent rate for 4 ounces, and above 4 ounces you jump to the pound rate. Should not that same rate be applicable to smaller-weighted packages?

Mr. MOON. Mr. Speaker, possibly that is true. This bill, however, on the part of the Senate provides only for a rate up to 8 ounces, and I will say to the gentleman that practically all the seeds carried through the mail are under that rate. When you commit to the operation of the parcel-post law this section in respect to seeds and bulbs, which have heretofore been excluded from it, and fix the rates, you place it in a condition where the Postmaster General, in the exercise of the discretion conferred on him by the law, may adjust both the rate and the zone. I think there will be no trouble about it.

Mr. PAYNE. Mr. Speaker, will the gentleman yield?

Mr. MOON. Yes.

Mr. PAYNE. Mr. Speaker, under the rate applied by the Postmaster General, after the Parcel Post System had been adopted, and after Congress had refused to put seeds and bulbs, and so forth, under the parcel-post rate in the parcel-post bill, these packages of seed, sold generally for from 2 to 3 and 4 and 5 cents each, were admitted under the second-class rate at a very low rate of postage, and a very large trade was worked up and existed under that regulation. Seedmen have taken their orders this year for 90 per cent of the seeds and bulbs that go out, relying on the lower rate of postage. When Congress, without notice to them, adopted this amendment of the Senate to the Post Office appropriation bill, these men found themselves in this position: If they fulfill their contracts on these small weights, they have to pay double, and in some cases four times, the postage they would have paid under the former rate, and if they do not get relief by this bill they lose a very great deal of money. The course of business will be interrupted. Of course everybody realizes how important it is that these seeds and bulbs be sent out to the farmers throughout the country at a low rate of postage. I think for this season especially it is important that this low rate be adopted, and then the Post Office Committee, when it comes to study the question in regard to the future, can amend it and the gentleman's idea about pound-postage rates, and so forth, can be adopted; but just now it is important that the low rate be established on these low weights of seeds and packages of that kind, 90 per cent the whole trade of which is in these lower-weight packages.

Mr. STAFFORD. Mr. Speaker, until the gentleman stated that the spring seed had not been sent out, and that 90 per cent was withheld, I was under the impression that the spring distribution had taken place.

Mr. ALLEN. No; it has not.

Mr. STAFFORD. And being under that impression, I was inclined to ask unanimous consent to have this bill go over for two weeks, but in view of the fact that the seed houses are withholding 90 per cent of the spring seeding, I would not wish to levy that great burden upon them.

Mr. PAYNE. That is the case in my district, where there is a number of these large seed shippers.

Mr. STAFFORD. I still believe there is great discrepancy between the 4-ounce rate and the pound rate. Under the circumstances, with the exception that that committee will correct this discrepancy, I will not interpose any objection.

The SPEAKER. Is there objection?

Mr. KINDEL. Mr. Speaker, reserving the right to object, is it not a fact that the rate is fixed on 8 ounces instead of 4?

Mr. STAFFORD. As to what?

Mr. KINDEL. As to bulbs and seeds.

Mr. STAFFORD. Under the existing law, before the Senate in a hurry, which is not surprising, passed an amendment to next year's Post Office appropriation act, seeds and bulbs enjoyed the rate of third-class matter, namely, 1 cent for every 2 ounces. Under that amendment we extended the parcel-post rate to seeds, bulbs, and cuttings, and the like, and that would compel the seeds in small packages up to 4 ounces to pay the rate of 1 cent an ounce, and for 8-ounce packages the old rate would not be applicable at all. As the gentleman knows, under the parcel-post rate the limit is 4 ounces at 1 cent an ounce for mail distributed throughout the country.

Mr. KINDEL. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. MOON. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MOON, a motion to reconsider the vote by which the bill was passed was laid on the table.

REPEAL OF SECTION 3480 OF THE REVISED STATUTES.

The next business on the Calendar for Unanimous Consent was the bill (S. 751) to repeal section 3480 of the Revised Statutes of the United States.

The Clerk read as follows:

Be it enacted, etc., That section 3480 of the Revised Statutes of the United States be, and the same is hereby, repealed so far as it affects payments for services in the Army of the United States prior to April 13, 1861.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object. The bill on its face does not indicate what this section is. I think we ought to have some explanation of the bill. I notice the gentleman who has reported the bill by my side, and I would like to have him make some explanation of it.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, this bill was reported from the House Committee on the Judiciary and contains a provision for the repeal of section 3480 of the code. That section is one that was passed in the heated period immediately following our Civil War and provided as follows:

SEC. 3480. It shall be unlawful for any officer to pay any account, claim, or demand against the United States which accrued or existed prior to the 13th day of April, 1861, in favor of any person who promoted, encouraged, or in any manner sustained the late rebellion, or in favor of any person who during such rebellion was not known to be opposed thereto and distinctly in favor of its suppression; and no pardon heretofore granted, or hereafter to be granted, shall authorize the payment of such account, claim, or demand until this section is modified or repealed. But this section shall not be construed to prohibit the payment of claims founded upon contracts made by any of the departments, where such claims were assigned or contracted to be assigned prior to the 1st day of April, 1861, to the creditors of such contractors, loyal citizens of loyal States, in payment of debts incurred prior to the 1st day of March, 1861.

There have been three changes made in this law modifying its effect. A bill was introduced in the House by Judge Clayton, the chairman of our committee, covering the same ground that is contained in the present bill. For the sake of a more speedy action, however, the committee determined to take up the Senate bill which had passed and act upon that, laying aside the one that had been introduced by Judge Clayton, and that is the bill that is now before this House. It intends to remove a disability from those officers, graduates of West Point, who during the Civil War took part in one way or another with the Confederacy. I may say to the House that the bill covers the names of the most distinguished men on the southern side in that controversy, names like Lee and Wheeler and Jackson, and the claims that would be affected are those of such men or their descendants. This was a punitive statute growing out of the feeling that then existed, a feeling which I, perhaps, as a northern man may be permitted to say happily no longer exists in our country. [Applause.]

When men like Lee and Wheeler were pleased to don the uniform of the United States soldiery and take their places under the Stars and Stripes, and go forth and bear their share in the struggle in the Spanish War, surely it does not appear to be an act of good grace for us to continue this punitive measure upon our statute books which affects the descendants at least of those very great men. [Applause.] And it is for that reason, moved and actuated in the committee and on this floor to-day by a sentiment and a feeling of patriotism, that we ask this House unanimously to adopt this section, so far as it affects, as the act expresses it, "payment for services in the Army of the United States prior to April 13, 1861." I have a list of those who are affected, or would be affected, by this, and it comprises the best men that figured in the Civil

War from the South. The act itself makes no appropriation, it makes no payment, it simply removes this disability which was inflicted at a time when the feeling of the country very properly prompted such expression, but which to-day, in the light of fact that these men and their descendants have taken part in the service of the Government, wearing her uniform, fighting under her flag, ought not to remain as a punitive statute upon the laws of the United States. [Applause.]

The SPEAKER. Is there objection?

Mr. MADDEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

MEXICO.

Mr. FLOOD of Virginia. Mr. Speaker [applause], I am instructed by the Committee on Foreign Affairs to ask unanimous consent for the present consideration of the House joint resolution No. 251, a joint resolution justifying the employment by the President of the armed forces of the United States in enforcing certain demands made upon Victoriano Huerta.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent for the consideration of the House joint resolution, which the Clerk will report.

Mr. FLOOD of Virginia. Mr. Speaker, I ask that the report, which I send with the resolution, be read also.

The SPEAKER. The gentleman from Virginia asks unanimous consent to have the report read also. Is there objection?

Mr. MANN. What was the request?

The SPEAKER. To have the report read along with the resolution.

Mr. MANN. Consideration has not yet been granted?

The SPEAKER. Oh, no. We have not consent to consider it yet.

Mr. MANN. I think we had better read the resolution first.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects, temporarily at least, to the reading of the report.

Mr. MANN. Yes.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House joint resolution (No. 251) justifying the employment by the President of the armed forces of the United States in enforcing certain demands made upon Victoriano Huerta.

Resolved, etc., That the President of the United States is justified in the employment of armed forces of the United States to enforce the demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

The SPEAKER. Is there objection to the reading of the report?

Mr. MANN. Mr. Speaker, I do not see any occasion for reading the report until we see whether the resolution is to be considered or not. Therefore, I object.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. MANN. Reserving the right to object, what is the proposition as to debate desired?

Mr. UNDERWOOD. Why, Mr. Speaker, I will say to the gentleman from Illinois that, of course, it is desired on this side of the House to put this resolution through as speedily as possible, so that it may pass both bodies to-night and become a law, if possible. A reasonable length of debate, of course, ought to be had, and I have no doubt the gentleman from Virginia [Mr. FLOOD] will agree to a reasonable length of debate. But I would like to ask the gentleman from Illinois [Mr. MANN] if he would allow, reserving his objection, the report to be read, so that it may be considered at this point?

Mr. MANN. I think not. I take it the resolution will be considered and the report can be read the first thing then. I do not know what the purpose is of having the report read. I had understood that the Committee on Rules was prepared to report a rule.

Mr. UNDERWOOD. They are.

Mr. MANN. Is there any understanding as to the limit of debate if the rule is reported, may I ask?

Mr. UNDERWOOD. There will be no limit of debate under the rule except that limitation which the gentleman from Virginia [Mr. FLOOD] will have after the bill comes before the House, to move the previous question when the House is ready.

Mr. MANN. May I ask the gentleman what is the expectation in reference to the length of debate?

Mr. FLOOD of Virginia. I thought that half an hour would be sufficient for the resolution, and, if anyone desired to oppose it, half an hour would be sufficient against it. In other words, half an hour on a side.

Mr. MANN. Well, we talked a while ago on this side, before the minority members went into the Committee on Rules, that we ought to have 20 minutes' debate on the rule and two hours on the resolution, at least, on this side.

Mr. FLOOD of Virginia. That is 4 hours and 40 minutes.

Mr. UNDERWOOD. Does the gentleman mean two hours on a side?

Mr. MANN. I meant two hours on this side. I do not know how much time the gentlemen may want. I am frank to say that.

Mr. UNDERWOOD. I will say to the gentleman from Illinois that, of course, we would not attempt to put this resolution through to-night if it was not for the very serious condition on the border. With the message of the President of the United States having been delivered, our troops may be fired on at any moment.

Mr. MANN. I am not at all alarmed at that. I do not think that will happen, but the President of the United States said to us that he would like our advice. Certainly before we commit the Government to war we ought at least have time enough to draw our breath. [Applause.]

Mr. UNDERWOOD. I will remind the gentleman from Illinois that we are facing a condition to-day where the legislative branch of the Government is always expected and required to sustain the Chief Executive of the Nation. [Applause.]

I would not insist on the immediate consideration of this resolution and its going through to-night if it were not for the fact that the President of the United States himself has stated that it is of the utmost importance to the Nation that it should be passed.

Mr. MANN. Well, if the President comes to us to ask our advice, that is one thing; if he comes to us to tell us what we have got to do, that is quite another thing. I am always willing, if possible, to sustain the President in our foreign relations, and yet I place my duty to my country above my allegiance to the President. [Applause on the Republican side.]

Mr. UNDERWOOD. I will suggest to the gentleman from Illinois that if it would be agreeable to take this resolution up without a rule, by unanimous consent, of course recognizing the fact that we are ready to report, then would he be willing to consent to take an hour and a half on that side and an hour on this side for debate on the question?

Mr. MURDOCK. Will the gentleman yield? Will the gentleman take care of me?

Mr. MANN. We will take care of you.

Mr. MURDOCK. Well, I am for the resolution. [Applause.]

Mr. FLOOD of Virginia. I will yield to the gentleman from Kansas [Mr. MURDOCK].

Mr. MANN. Mr. Speaker, as far as I am concerned I am willing to take an hour and a half on this side and give the gentleman an hour on that side.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent for the present consideration of the joint resolution.

Mr. TEMPLE. Mr. Speaker, reserving the right to object, I would like to know what arrangement has been made as to time.

The SPEAKER. Is there objection?

Mr. GARDNER. Mr. Speaker, reserving the right to object, I would like to know what opportunity there will be for amending the resolution—what opportunity there will be for an amendment to the resolution during that two hours and a half?

Mr. FLOOD of Virginia. There will be opportunity for amendments.

Mr. MANN. Of course, Mr. Speaker, there is nothing in the request that interferes with the right of amendment.

The SPEAKER. It is like any other resolution. You have a perfect right to amend it.

Mr. UNDERWOOD. The gentlemen will have an hour and a half, and they can offer amendments in that time.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. FLOOD]?

Mr. SISSON. Reserving the right to object, Mr. Speaker, what is the reason for giving one hour and a half on that side and only an hour on this side? [Laughter.]

Mr. UNDERWOOD. I will say to the gentleman from Mississippi that we are facing an emergency. The purpose is to satisfy the minority. We, of course, are trying to conserve time. It would probably take more time to bring in a rule and have a roll call than to concede the half hour additional time to the gentlemen on this side.

A MEMBER. Bring in a rule!

The SPEAKER. Is there objection?

Mr. SISSON. Reserving the right to object, Mr. Speaker, no Republican, no Progressive, would for one moment, if there is a just cause for war, let his party affiliation stand between him and the performance of his duty by his country and by his flag.

[Applause.] And there is no reason why, in a division of this time, it should be divided between partisans in this House, because this is not a partisan question. There is no reason why, if you are going to have a division of time, there should not be an equal division between the two respective sides, especially in view of the fact that there are so many more Members on this side of the House who may want to address themselves to the resolution on account of the numbers and majority than there are on that side of the House.

Mr. UNDERWOOD. I will say to the gentleman that I hope this will not be a partisan question. I feel it is the duty of every man who occupies a seat on this side of the House to sustain the President of the United States. [Applause.]. As to whether gentlemen on that side of the House desire to make it a partisan question, it is for them to determine, and not for us. I hope the gentleman from Mississippi will not interfere with this arrangement.

The SPEAKER. Is there objection?

Mr. SISSON. Mr. Speaker, reserving the right to object, I still do not see any reason why this concession should be made on that account.

Mr. UNDERWOOD. It is to save time.

Mr. SISSON. But some gentlemen on this side of the House may want to address themselves to this resolution—some gentleman who may not agree with the gentleman from Alabama in the position which he takes. I do not know exactly what position the gentleman from Alabama may take, but this is a matter of grave importance, and it seems to me that whether men agree with me about it or not, under the Constitution the right to declare war is in Congress. I read the resolution a moment ago, and it seems to me that the resolution itself is a declaration of war. And if it is a declaration of war, then the question of whether or not we are justified in going to war is a matter that Congress ought to have the right to discuss. [Applause.] I object, Mr. Speaker.

Mr. HENRY rose.

The SPEAKER. The gentleman from Mississippi [Mr. SISSON] objects, and the gentleman from Texas [Mr. HENRY] is recognized. [Applause.]

Mr. FLOOD of Virginia. Mr. Speaker, I yield to the gentleman from Texas [Mr. HENRY].

Mr. HENRY. Mr. Speaker, I submit a privileged resolution from the Committee on Rules. [Applause.]

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 484 (H. Rept. 559).

Resolved, That immediately upon the adoption of this resolution the House shall proceed to the consideration of House joint resolution No. 251, reported from the Committee on Foreign Affairs, upon the President's message with respect to the conditions in Mexico.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Has this resolution been reported from the Committee on Foreign Affairs?

Mr. HENRY. I assume that it has—the resolution from the Committee on Foreign Affairs. I assume that it has been reported to the House.

Mr. FLOOD of Virginia. It is the resolution I have just reported.

Mr. MANN. Oh, no. The gentleman offered a resolution and asked unanimous consent for its consideration.

Mr. FITZGERALD. It is in the basket.

Mr. FLOOD of Virginia. The resolution has been reported from the Committee on Foreign Affairs.

Mr. HENRY. Mr. Speaker, I would like to ask the gentleman from Kansas [Mr. CAMPBELL] as to how much time his side will desire to consume in the discussion of the rule?

Mr. CAMPBELL. Mr. Speaker, if an agreement can be reached whereby there shall be a fair amount of discussion allowed on the resolution itself, I think we can agree——

Mr. HENRY. On which resolution?

Mr. CAMPBELL. On the resolution offered by the Committee on Foreign Affairs.

Mr. UNDERWOOD. If the gentleman will allow me——

Mr. CAMPBELL. I think 20 minutes to a side on the rule will be sufficient.

Mr. UNDERWOOD. I will say to the gentleman from Kansas that 20 minutes on a side are all he is entitled to if the previous question is ordered. We were prepared to agree to the request of the gentleman from Illinois to two hours and a half debate. If we can agree to this rule without the consumption of time, we will see that gentlemen have the time they desire.

Mr. CAMPBELL. The hour and a half that was offered?

Mr. UNDERWOOD. Yes; before the previous question.

Mr. CAMPBELL. I think we can agree that no time shall be taken up in roll calls on the rule or on the previous question if we can have 20 minutes on a side for the discussion of the rule.

Mr. HENRY. The gentleman, as I understand it, then, contends for 20 minutes on a side on the adoption of the rule.

Mr. CAMPBELL. On the adoption of the rule.

Mr. UNDERWOOD. The rule is a very simple one.

The SPEAKER. Unless the previous question is ordered, of course the gentleman from Texas is entitled to an hour.

Mr. HENRY. Mr. Speaker, I move the previous question. [Applause.]

The previous question was ordered.

The SPEAKER. The gentleman from Texas [Mr. HENRY] is recognized for 20 minutes.

Mr. HENRY. Mr. Speaker, the rule is just as plain and simple as the English language can make it. Its only purpose is to bring before the House for immediate consideration the joint resolution which has just been reported by the Committee on Foreign Affairs. After the adoption of this rule, then it is within the power of gentlemen on this side, in control of the joint resolution, and those on the other side of the House, to make an agreement as to the time that shall be consumed in debating the Flood resolution. So the only object of this resolution is for the purpose of getting prompt action on the joint resolution. There is nothing further about it to explain; there is nothing else to consider, except its adoption or rejection. In my judgment the adoption of the Flood resolution does not necessarily mean war. It is only sufficient that we sustain the President in this great crisis. I join in here yielding him ungrudgingly the power he asks to-day to maintain our national honor.

Mr. MURDOCK. Will the gentleman yield?

Mr. HENRY. I yield.

Mr. MURDOCK. The proposition is that there shall be 20 minutes on each side on the rule?

Mr. HENRY. The rules provide for 20 minutes on each side, the previous question having been adopted.

Mr. MURDOCK. The 20 minutes under the rules?

Mr. HENRY. Under the general rules.

Mr. MURDOCK. And after the consideration of the rule is finished, then there will be an agreement in regard to debate on the resolution?

Mr. HENRY. That is left to the members of the Foreign Affairs Committee to adjust, if they can. I understand they can probably agree as to time.

Mr. CAMPBELL. Mr. Speaker, this rule makes in order a resolution making a declaration of war. Let us not be deceived nor deceive ourselves. The herald of a storm is usually a cloud of dust. This resolution is the herald of war, with all its direful consequences, immediate and remote. The adoption of this resolution commits our country to a war against Victoriano Huerta, now acting as President of the Republic of Mexico. This Government has not recognized Huerta as the President of that Republic, and ours is practically the only first-class Government that has withheld such recognition. Huerta has been recognized as the provisional president of Mexico by the Governments of England, France, Germany, Italy, Japan, and practically all the first-class powers of the earth. Mexico, not the United States, is responsible for Huerta.

We are asked this afternoon to declare war upon this man Huerta. Why? Because in Mexico American citizens have been ruthlessly murdered, American women unconscionably outraged, American property destroyed, without regard? Oh, no. Only because a subordinate of this man Huerta caused the arrest of some American sailors in Tampico, as related here from this rostrum within the hour by the President of the United States. These sailors were detained for not to exceed an hour and a half by those who caused their arrest. They were then, by order of a superior officer to the one making the arrest, discharged, and were escorted to their ship.

Apologies were made by those in immediate authority in Tampico and an apology was made by Huerta from the capital of the Republic of Mexico in the City of Mexico. This was not satisfactory to Admiral Mayo and the Government of the United States. The firing of a salute was demanded. This demand was not acceded to by Huerta. These are the reasons given by the President for asking authority to use the armed forces of the United States against Huerta. Does the President state a cause for war? Are the Members of this House, representatives of the people of this Republic, who were told a few moments ago by the President that he came here to get their advice, ready to advise the President that he has made out a case, a casus belli, and that he is therefore authorized to use the armed forces of

the United States, both upon land and sea, in making war upon Victoriano Huerta, the man? Have the people of the United States such a quarrel with Huerta that we, even upon the request of the President, must adopt a resolution that is a declaration of war on him alone?

Mr. Speaker, I ask the reading of the resolution.

The Clerk read as follows:

House joint resolution (No. 251) justifying the employment by the President of the armed forces of the United States in enforcing certain demands made upon Victoriano Huerta.

Resolved, etc., That the President of the United States is justified in the employment of armed forces of the United States to enforce the demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

Mr. CAMPBELL. I care not how the resolution may conceal it, its *effect will be* war; war with all its consequences; war with its toll of killed and wounded; with its toll of anguish and tears; and, I repeat, why are we declaring war? Do Members answer because the salute demanded from Huerta by the President was not fired by Huerta, whom the President refuses to recognize as president of Mexico? Is that a sufficient cause for war?

Mr. Speaker, there would be some excuse for the action asked for by the President a few moments ago if he had included as a cause of war against Mexico all the murders, all the unspeakable outrages of women and girls by Villa and his followers in northern Mexico. But this bandit, murderer, and rapist, who has answered all our appeals in the interest of our people with insolent insult, is not mentioned. Why?

Does the President condone all these offenses and merely make war on Huerta, who is bad, but no worse than Villa?

Mr. HENSLEY. Does the gentleman yield?

Mr. CAMPBELL. No. I have not time. In the face of all these outrages perpetrated against Americans in Mexico the President only asked a salute from Huerta to the flag of the United States—a salute by a man whom he refuses to recognize. And because of the refusal of the man Huerta to comply with the request of the President we are asked to make a declaration of war here this afternoon—war, the consequences of which no man can see—war, the cost of which no man can measure in blood and treasure and in all the horrors that are incident to war.

But, Mr. Speaker, if you pass this resolution, if you make this declaration of war, it will be a war of my country, and, right or wrong, I will be for my country and for support of the war. But I oppose the resolution, I oppose the declaration of war, and if you force the war upon the country I will stay here [laughter] and insist that you gentlemen furnish means for the prosecution of the war without stint until its close. The War with Spain is over, but the consequences are still upon us. The actual hostilities in Mexico may not last for a year or two years or three years, but the consequences will abide with us for years and years.

Mr. Speaker, I say again, if this resolution included within its terms a demand for reparation from Mexico for all the outrages that have been perpetrated on the American people there would be some excuse for its adoption, but it demands nothing of the kind. It simply makes a declaration of war on Gen. Huerta in the manner demanded by the President.

We crave the favorable opinion of mankind on our action in dealing with the powers of the world. Do we justify the favorable judgment of the world by taking the action urged to-day by the President?

What can we say to the world in defense of such a cause for war as the President has stated? Yea, more; what can we say to the mothers, wives, sisters, and sweethearts of our own country in justification of this war? What will be its consequences, immediate and remote? What is our ultimate aim and our final purpose? Is it to remove the provisional president of the Republic of Mexico, Gen. Huerta, by force of arms? If so, when we have removed him, whom shall be put in his place, and how? What will the war decide? That we can lick Mexico? We know that now.

Consideration of some of these questions before we act upon a war resolution will be helpful to all who are so deeply concerned in the grave consequences that shall follow the result of our action here to-day. [Applause.]

Mr. HENRY. Mr. Speaker, I yield four minutes to the gentleman from North Carolina [Mr. POU].

Mr. POU. Mr. Speaker, it seems very difficult to satisfy some of our Republican friends in the House. Until almost this very moment we have been hearing criticisms of the President of the United States from these gentlemen, because he has not undertaken to deal with the situation in Mexico with a strong hand. Now, when an outrage has been committed against the dignity of this Nation and the President proposes to put an end to that sort of thing, still there are Republican gentlemen who are not satisfied.

Mr. Speaker, this is a serious matter. When in the mind's eye we picture sailors of the United States being marched up the streets of Tampico under arrest, like thieving criminals, by one of Gen. Huerta's subordinates, we can not regard this as a trivial matter. And when the President of the United States comes into this Chamber and tells us that this affair is the culmination of a series of outrages, I think the time has come for all to stand by the President. [Applause.]

Some of us entertained the hope that this House would be so solidly behind the President that discussion of the resolution would not be necessary. I can not at all agree with gentlemen who make light of the arrest of our sailors. It is a most serious offense which can be wiped out by nothing short of complete acknowledgment and apology. It was said by the gentleman from Kansas [Mr. CAMPBELL] that Gen. Huerta had apologized for this outrage upon our flag. But how did he apologize? He apologized by saying that after all our American sailors had no right to land there at all. He apologized by justifying the arrest almost in the same sentence. He apologized by saying, "I am sorry for what occurred, but after all your sailors had no business there." He had taken these men out of a boat flying our flag. He had marched them up the streets of Tampico in disgrace, and then offered to apologize by saying, "I am sorry for this thing, but after all I was right."

I thank God, Mr. Speaker, that we have a President of the United States who will not accept that kind of apology. [Applause.]. If Gen. Huerta had had the manhood to admit that his subordinates were in the wrong, that would have presented an entirely different situation. If the President as the representative of the American people is to permit such indignities to be heaped on the sailors of our Navy, if the President is to permit a paymaster and sailors of our Navy to be arrested, marched up the streets of Tampico in disgrace, and then is to accept that sort of apology, there would be no guaranty that this sort of thing will not happen to-morrow and again and again in the future at the will of Huerta and his subordinates.

Yes, Mr. Speaker, the time has come to put an end to these outrages in Mexico, and it is surprising that the very gentlemen who have been crying so loudly for intervention, the gentlemen who have been criticizing the President for pursuing a policy of peace, still find excuse for criticism. These gentlemen are against the President. Right or wrong they are against the President. Mr. Speaker, I had not supposed that partisan feeling would carry men so far, and I venture the prediction that these gentlemen will find out very soon that such attitude toward the President will find little sympathy among the people. [Applause.]

Mr. HENRY. Mr. Speaker, I yield three minutes to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. Mr. Speaker, this resolution needs one thing more than anything else. In the face of the world it needs a unanimous vote in the Congress of the United States. [Applause.] When my country meets a crisis, I have one rule—follow the flag. [Applause.] We have tomporized, Heaven knows, long enough with Victoriano Huerta. The time has come to take him in charge. [Applause.] He is a dictator who came into place and power through violence. He has a brigand's disregard of the responsibilities and the amenities of nations. He has a brigand's reliance upon and hope in mere personal audacity. The same qualities in the man which did not prevent him from insulting us will save him, when we apply a penalty, from humiliation. We are not going to humble Huerta. You can not humble the Huerta kind, but what we are going to do is to send around the world to all mankind the message that everywhere, in Mexico as elsewhere, the American flag must be respected. [Applause and cheers.] I am not only surprised, I am pained, that there should develop on the floor of this House, in any party, opposition to this resolution. Compel from Huerta respect for our flag and murder and rapine in Mexico against our citizens will cease. I am tired of the policy of watchful waiting.

Mr. MANN. So are we.

Mr. MURDOCK. We have seen the President of the United States come here to-day with a proposition to end that policy, to take hold in Mexico with vigor and rigor, and I am for him in this work, and this body, on the Republican side as well as on the Democratic side and among the Progressives, ought to back him up to a man. [Applause.]

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, I am for the adoption of this rule at this time, because I do not believe there should be any

watchful waiting on the part of Congress in this matter. I shall vote when it comes to the resolution itself to sustain the President of the United States in the action he has taken [applause]—not because I believe the passage of this resolution means war, but because it is my deliberate judgment that the passage of the resolution is the only thing now that can prevent war with Mexico. [Applause.] As the gentleman from Kansas [Mr. MURDOCK] has said, there has been enough of watchful waiting so far as the Mexican situation is concerned, and it is not a matter for us to consider now whether the arrest referred to by the President was an affront important enough to warrant Admiral Mayo in demanding a salute of our flag, because the President of the United States has made Admiral Mayo's demand his own. Neither should we consider whether the President of the United States exercised the greatest wisdom in making that demand his own, but we are confronted with the fact that the President of the United States has made it, and it is our duty to either sustain him or else by the defeat of this resolution say that the fleet shall be turned back. That the President is discredited by his own country, that Congress will not sustain him in his efforts to restore order and bring peace to Mexico; that Huerta may insult our flag with impunity, may destroy American lives without fear of punishment; that Congress believes that a policy of do nothing should continue, until other nations who are interested there will say that if we are not prepared to fulfill our obligations they will see to it that their rights are protected regardless of the Monroe doctrine.

Mr. Speaker, I believe that it is the duty of every Representative in this Congress, that it is the duty of every patriotic American to sustain the President of the United States in the action that he has now taken, not in the belief that it means war, but with the conviction that only by sustaining him now is there any hope of preventing war. [Applause.]

Mr. HENRY. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Speaker, I am for the rule, and I am for the resolution reported by the Committee on Foreign Affairs. I had hoped that we should never again see the war clouds gather around our country, but I am for sustaining the President of the United States in the action that he has taken in reference to Mexico, and I am for sustaining the honor of the flag that has carried us for more than 100 years in our course of liberty and the rights of the people. If it becomes necessary that we shall have war in Mexico I hope that flag of ours will come through the fire of battle stronger and purer than ever in the history of our country. War is an awful thing, and I hope when this resolution shall have been passed and shall have become the law, that it shall not mean war in that country, but rather that it will be the means of preventing war. Those people on our border are our neighbors; we have endeavored to get along with them peacefully and in order, but if the time has now come when we must separate that friendship that has been existing so long, then I pray for the victory of my country and for the triumph of the principles which we advocate. Let us not forget as a great Nation we should do justice. Let us even be more than just. We hope that any clash of arms may be averted. Our country has been patient, and many of our citizens believed we were too lenient; but the administration has endeavored, if possible, to prevent any trouble. In a crisis which involves our country's welfare we should know no politics; and our people in the past have been patriotic, and have sustained the hands of the President. It will be done now. The people are not less patriotic now than they have ever been, and all will unite in an effort for the things that are for the best interest of our people. Let us pass this resolution with the hope that war may be prevented and the honor of our country preserved. [Applause.]

Mr. HENRY. Mr. Speaker, I will state to the gentleman from Kansas that we will have only one speech on this side, and I ask him to consume his time.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN]. [Applause.]

Mr. MANN. Mr. Speaker, if the incidents which the President narrated to us had occurred with England or Germany or France or any other great power there would be no resolution like this pending here now. [Applause on the Republican side.] But because Mexico is weak, we think that we have the moral right to declare practical war against her in the high hope that success is easily accomplished. And I would not do that under the plea that we are supporting the flag toward Mexico; that I would not stand for if it were Great Britain or Germany. [Applause on the Republican side.] Who would think that the incidents that have been narrated are a cause for war between two great powers? Have we forgotten ourselves that we propose to practically declare war without stopping to think or wait? The President did us the honor to say he came to us to ask our advice, and then he said:

> I have come to ask your approval and support in the course I now propose to pursue.

That is not asking the advice of Congress; that is giving his orders to Congress to sustain what he says he is about to do; and you on the other side of the House, without waiting, without deliberation, without care, propose to pass a resolution which is in effect a declaration—aye, more than a declaration of war. It is a declaration that the United States has become the ally, the helpful ally, of the murderous crew in the north of Mexico now engaged in murdering men and outraging women. [Applause on the Republican side.] The whole purpose of this resolution is to so discredit the present President of the Mexican Republic that he will fall an easy prey to the insurrectionists from the north. Cause for war! Why, the United States, like every other civilized country, ought to pause when an insult is offered for which apology has been given, and not say that we go to war because we do not like a man. The President said:

> If armed conflict should unhappily come as a result of his attitude and personal resentment toward this Government, we should—

And so forth.

I fear that the personal resentment is largely the resentment of the President of the United States because Mr. Huerta has not bowed before his demands. Huerta has been President of the Mexican Republic now for more than a year. I do not condone the method by which he secured that position, nor am I willing to declare war against him because President Wilson does not happen to like him. [Applause on the Republican side and laughter on the Democratic side.] That is the real reason for the resolution. I am not to be deterred from the position which I take by slighting remarks or laughter, because I believe that we owe to the American flag a higher duty than demanding a salute from Huerta. We owe to the American flag that it shall stand for right and justice and peace in all the world. [Applause on the Republican side.]

Mr HENRY. Will the gentleman yield for a question?

Mr. MANN. I yield to the gentleman.

Mr. HENRY. Would the gentleman, as the leader of the Republican Party in this House, advocate and support a resolution to recognize the Huerta government?

Mr. MANN. Well, when that question comes up I will pass upon it. That is about as near a question as the gentleman can come. I will do the thing that I believe to be right. I would not object if the President of the United States would stop the rapine, would stop the outrages, would stop the murders, would stop the destruction of property and lives in the northern portion of Mexico. [Applause on the Republican side.]

Mr. HENRY. Mr. Speaker, has the gentleman from Kansas [Mr. CAMPBELL] some one else to whom he wishes to yield?

Mr. CAMPBELL. Have I any time remaining, Mr. Speaker?

The SPEAKER. No; the time has expired.

Mr. HENRY. Mr. Speaker, I yield the remainder of my time to the gentleman from Alabama [Mr. UNDERWOOD]. [Loud applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Speaker, this resolution may mean war, or it may mean peace. Let us hope that the ultimate result that will be achieved by the passage of this resolution will be peace and good order in the Republic of Mexico and the establishment of friendly relations between our two Republics. [Applause on the Democratic side.] But whether it means peace or whether it means war, there are times that come in the history of nations like there are times that come in the life of man, when honor must be maintained, no matter what be the cost. [Applause on the Democratic side.] Your country is facing that condition to-day. No man can say that our great Government has not dealt with the people of Mexico and the governments that it has attempted to establish with the greatest patience and the greatest consideration. We have probably allowed conditions to go further in Mexico than we would have allowed them to go if we had been in contention with one of the foremost nations of the world. [Applause on the Democratic side.]

War never comes from one incident, and never has. For more than a year we have been facing a state of turmoil, a state of disorder—I may not go too far if I say a state of anarchy—in the Republic of Mexico, that has threatened the lives and property of the citizens of the United States. With great patience we have endeavored to allow that country to work out the problem of peace and the problem of government. We have hoped from day to day that a peaceful settlement might be reached, but I will say to you that peace never comes to the door of the coward; that peace without strife never

comes to that nation that is not willing to protect its citizenship, sustain its property interests in a foreign country, and, above all other things, compel a decent respect to the flag of the Nation [applause on the Democratic side]; the flag that is the emblem of our civilization, the flag that is the emblem of our past, the flag that stands for all the honor and glory of our country, the flag that makes it safe for an American to put his foot on foreign soil, the flag that protects our homes and our firesides. [Applause on the Democratic side.] That flag has been dishonored in a foreign land, on foreign soil. The President of the United States comes here to-day and, though he has not asked you to declare war, asks you to sustain him in using the military forces of our Government to require a decent respect for that flag and an honorable consideration for the rights of your Government. [Applause on the Democratic side.]

I regret the position that the distinguished gentleman from Illinois [Mr. MANN] has taken this afternoon for his party. Sixteen years ago yesterday I saw a resolution passed through this House complying with a message from a great President, one of the greatest Presidents of the gentleman's party, and I am proud to say that although before that time there may have been dissension, there may have been turmoil and dispute between the two sides of this House, when the President of the United States asked the Congress to hold up his hands for the honor of the American flag this side of the House sustained him as well as that side. [Loud applause on the Democratic side.]

The SPEAKER. The question is on agreeing to the resolution reported by the Committee on Rules.

The resolution was agreed to.

Mr. CAMPBELL. Mr. Speaker, was the motion on the previous question carried?

The SPEAKER. That was adopted 40 minutes ago. That was on the rule.

Mr. FLOOD of Virginia. Mr. Speaker, I would like to ask the gentleman from Illinois [Mr. MANN] if we can reach an agreement as to time?

Mr. MANN. So far as I am concerned, yes.

Mr. FLOOD of Virginia. Mr. Speaker, I wanted to see if I could arrange with the gentleman from Illinois about the time for debate on the resolution. I suggest that as he has agreed to an hour and a half on his side, I will make the same proposition to him that the gentleman from Alabama [Mr. UNDERWOOD] made at the beginning of this matter, that we take an hour on this side and that they take on that side an hour and a half. How much times does the gentleman from Kansas [Mr. MURDOCK] desire?

Mr. MURDOCK. I want 10 minutes.

Mr. FLOOD of Virginia. Then I will take the 10 minutes off the time to be controlled by the gentleman from Illinois [Mr. MANN]. I will take 50 minutes, and give the gentleman from Kansas [Mr. MURDOCK] 10 minutes and the gentleman from Illinois 1 hour and 10 minutes.

Mr. MANN. So far as I am concerned, that will give this side the time it wanted before. I do not care how much other time is taken.

Mr. FLOOD of Virginia. The gentleman from Illinois [Mr. MANN] is to have 1 hour and 10 minutes, the gentleman from Kansas [Mr. MURDOCK] 10 minutes, and we 50 minutes.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent that the debate shall proceed for 2 hours and 10 minutes; that is, that it be limited to 2 hours and 10 minutes.

Mr. FLOOD of Virginia. Yes.

The SPEAKER. Fifty minutes to be controlled by himself, 10 minutes by the gentleman from Kansas [Mr. MURDOCK], and 1 hour and 10 minutes by the gentleman from Illinois [Mr. MANN]. The Chair desires to find out who is going to control this time.

Mr. FLOOD of Virginia. The ranking member of the Committee on Foreign Affairs on the minority side [Mr. COOPER] is, I think, in favor of the resolution, and I shall yield him some time out of my time.

Mr. COOPER. I am in favor of the resolution, and that is the reason why I resign the control of the time of the opposition.

The SPEAKER. Is there objection?

Mr. GARDNER. Mr. Speaker, reserving the right to object, I would like to know, under that situation, if unanimous consent is granted, whether or not either of the gentlemen can yield the floor for the purpose of amendment?

Mr. MANN. Undoubtedly.

Mr. FLOOD of Virginia. Oh, undoubtedly.

The SPEAKER. That was agreed to in the former conversation.

Mr. GARDNER. It was not embodied in this request for unanimous consent, and there is a general rule of this House which provides that when a Member has the floor and in debate yields it, he can only yield it for debate, and that if he yields for amendment, he must yield the floor. Now, Mr. Speaker, if I am correct, I shall object to the request for unanimous consent unless in that consent there is embodied an agreement which will enable any Member who wishes to do so to offer an amendment.

Mr. FLOOD of Virginia. Mr. Speaker, I do not think the gentleman is correct about the rule he refers to.

The SPEAKER. Yes; he is. [Laughter.]

Mr. MANN. Well, Mr. Speaker, if unanimous consent were granted, as has been requested, either the gentleman from Virginia [Mr. FLOOD] or myself could yield to anyone for the purpose of offering an amendment, and, of course, no one else could get the chance to offer an amendment. Either of the gentlemen having charge of the floor would have the right to yield for the purpose of offering an amendment.

Mr. UNDERWOOD. Mr. Speaker, I do not think there is any question about the matter of amendment. There is no desire on this side of the House to cut off the right to offer an amendment. That can be understood. If gentlemen desire to offer amendments they shall have the privilege of doing so in their own time.

Mr. MANN. I have no objection to the request that if anybody desires to offer an amendment he may do so in his own time.

Mr. BARNHART. Mr. Speaker, would it not be possible to incorporate in this request for unanimous consent the privilege of offering amendments?

The SPEAKER. Yes; it would be a good deal safer.

Mr. HENRY. Mr. Speaker, I ask unanimous consent to broaden the request of the gentleman from Virginia [Mr. FLOOD] so that those who speak may have the right to offer amendments in their own time, to be voted on at the conclusion of the debate.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent to broaden the request of the gentleman from Virginia [Mr. FLOOD] so as to include the proposition that those who speak may have the right to offer amendments, to be voted on at the end of the debate.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I should be glad to know if there are any amendments to be offered. Has the gentleman from Massachusetts [Mr. GARDNER] an amendment to offer?

Mr. GARDNER. Mr. Speaker, as a matter of fact, I have an amendment, which I have drawn and have in my pocket. To be frank with the gentleman, I have not yet made up my mind whether to offer it or not. It will depend very much on the explanation of the word "justified" in the resolution, which may be given by the gentleman from Virginia [Mr. FLOOD].

The SPEAKER. The Chair will inform the gentleman—evidently he did not hear it—that the gentleman from Missouri [Mr. BARTHOLDT] has signified his intention of offering an amendment.

Mr. GARRETT of Tennessee. I suggest to the gentleman from Virginia [Mr. FLOOD] that he ask unanimous consent that all amendments may be offered and be pending now before the debate begins.

SEVERAL MEMBERS. No, no.

Mr. FLOOD of Virginia. Gentlemen may not be ready with them.

Mr. GARRETT of Tennessee. The gentleman from Massachusetts does not know whether he wants to offer his amendment or not?

Mr. GARDNER. I shall be willing to have it read, but it depends very much on the explanation of the word "justified" which may be given by the gentleman from Virginia [Mr. FLOOD] whether I offer it or not.

Mr. HENRY. Mr. Speaker, I insist on my request.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent to broaden the request of the gentleman from Virginia [Mr. FLOOD], by putting into the request for unanimous consent the proposition that any gentleman who has time to speak on this resolution shall have the right to offer an amendment, and that the amendments shall all be voted upon at the end of the debate. The whole request, then, is this: That the gentleman from Virginia [Mr. FLOOD] asks unanimous consent that this debate be limited to 2 hours and 10 minutes, he to control 50 minutes, that the gentleman from Kansas [Mr. MURDOCK] have 10 minutes, and the gentleman from Illinois [Mr. MANN] have 1 hour and 10 minutes, and that any gentleman who gets time to make a speech may have the right to offer an amendment, and that all the amendments shall

be voted on seriatim at the end of the debate. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] is recognized for 50 minutes. [Applause.]

Mr. FLOOD of Virginia. Mr. Speaker, I shall at this time occupy only a few moments upon this resolution. In his lucid manner the President this afternoon demonstrated the necessity of some action being taken on the part of this Government to resent the insults which have been inflicted upon our flag by the de facto government of Mexico. [Applause.] There can be no doubt, Mr. Speaker, that red-blooded American citizens all over this country uphold the President in the stand he has taken. [Applause.]

This resolution is not a declaration of war. As the gentleman from Wisconsin [Mr. LENROOT] says, it is the only step that can be taken now to prevent war. This resolution has been carefully drawn with the purpose of preventing war. There is nothing in it that can fairly be construed as a declaration of war, the statement of the gentleman from Kansas [Mr. CAMPBELL] and of the gentleman from Illinois [Mr. MANN] to the contrary notwithstanding.

Mr. GILLETT. Will the gentleman allow a question?

Mr. FLOOD of Virginia. I will.

Mr. GILLETT. Under this resolution would the President have the right to blockade a Mexican port?

Mr. FLOOD of Virginia. I think so, in so far as its effect upon Mexico is concerned.

Mr. GILLETT. Is not that an act of war?

Mr. FLOOD of Virginia. I think not. I think there are circumstances under which the President can blockade a port without such action constituting an act of war. I think the President could do that without this resolution.

Mr. GILLETT. Could the President stop a French, English, or German vessel going into one of the ports of Mexico?

Mr. FLOOD of Virginia. Not going into one of the ports; no.

Mr. GILLETT. Then how is he blockading it?

Mr. FLOOD of Virginia. The resolution gives the President practically the authority that he has now.

Mr. GILLETT. Can he prevent vessels going in? Is not that a blockade, to prevent vessels from going in?

Mr. FLOOD of Virginia. He can not prevent a vessel from going in, but he can take charge of property discharged from vessels that do go in, after it is landed.

Mr. GILLETT. Then he can prevent vessels going in.

Mr. FLOOD of Virginia. He can not prevent vessels going in, but after those vessels have discharged their cargo he can take charge of the cargo, and so far as the de facto government of Mexico is concerned, he can establish this blockade. I think that is clearly established by international law.

This resolution is not a declaration of war. It simply approves the steps that the President has taken in order to maintain the honor and dignity of this country. The resolution was carefully worded. Here is its language:

Resolved, etc., That the President of the United States is justified in the employment of the armed forces of the United States of America to enforce demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

It uses the word "justified," and does not authorize the President to do anything; it justifies the action he has taken. It puts behind the President the action of the Congress of the United States; and I will say to the gentleman from Illinois that the action of the Committee on Foreign Affairs would have been the same if this insult had been given to this Nation by Great Britain or had it been by the world in arms, as well as the faction-torn country of Mexico. [Applause.]

Mr. MOORE. Will the gentleman yield?

Mr. FLOOD of Virginia. No; I have not the time to yield. The time has come when the honor of the American flag must be upheld by the American Nation. The President took that position, and against that position is placed the pettifogging critics of the President. The Committee on Foreign Affairs have sustained the President, and the people of this country will do the same; and if this is the issue upon which we are to go before the people this fall, I predict that the gentleman from Illinois will have a very much smaller number of associates in the next Congress than he has in this. [Applause.]

Mr. GARDNER. Mr. Speaker, will the gentleman yield?

Mr. FLOOD of Virginia. Yes.

Mr. GARDNER. The gentleman's resolution says that the House of Representatives and Senate justify the employment of the armed forces of the United States.

Mr. FLOOD of Virginia. Yes.

Mr. GARDNER. Does that mean that we justify the course of the President in getting us into the situation where we now find ourselves?

Mr. FLOOD of Virginia. I do not think the President has gotten us into any situation that we need be in the least ashamed of or unwilling to stand for.

Mr. GARDNER. Very likely not.

Mr. FLOOD of Virginia. Answering what I presume to be the gentleman's question, I will say that it justifies, so far as this resolution is concerned, simply the President's action in reference to the Tampico incident and the insults given our Nation of a similar character.

Mr. GARDNER. The gentleman misses my point. Is this intended to justify his future course if we employ armed forces, or is it intended to justify both his past and future course?

Mr. FLOOD of Virginia. I do not think it has to do with the past course except the things specified in this resolution. It justifies his future course in whatever he may deem necessary to carry out the purposes specified in the resolution.

Mr. GARDNER. I understand that, and if I vote for this resolution, will the gentleman from Virginia understand that I am voting to justify the President's course in the Tampico incident?

Mr. FLOOD of Virginia. Yes.

Mr. GARDNER. Then, I can not vote for it.

Mr. MOORE. Will the gentleman yield?

Mr. FLOOD of Virginia. Yes.

Mr. MOORE. The gentleman says there is nothing in the resolution that can be construed as a declaration of war. I have prepared an amendment which I want to read. It is this:

Provided, That nothing herein contained shall be construed as a declaration of war.

Does the gentleman care to comment on an amendment of that kind at this time?

Mr. FLOOD of Virginia. No; I do not.

But even if it does mean war, is there anything else we could do? The flag has been flouted; the country has been insulted; an apology has been demanded which is recognized all over the civilized world as the only apology which would appease an honor-loving nation. This has been refused, and every brave man in this land and every brave nation in the world believes that we should have that apology or should take some action against the parties responsible for the insult.

On the 9th of April a paymaster of the U. S. S. *Dolphin* landed at the Iturbide Bridge landing at Tampico with a whaleboat and boat's crew to take off certain supplies needed by his ship, and while engaged in loading the boat was arrested by an officer and squad of men of the army of Gen. Huerta. Neither the paymaster nor anyone of the boat's crew was armed. Two of the men were in the boat when the arrest took place, and were obliged to leave it and submit to be taken into custody, notwithstanding the fact that the boat carried, both at her bow and at her stern, the flag of the United States. The officer who made the arrest was proceeding up one of the streets of the town with his prisoners when met by an officer of higher authority, who ordered him to return to the landing and await orders; and within an hour and a half from the time of the arrest orders were received from the commander of the Huertista forces at Tampico for the release of the paymaster and his men.

Two of the men arrested were taken from the boat itself—that is to say, from the territory of the United States; but had it stood by itself it might have been attributed to the ignorance or arrogance of a single officer. Unfortunately, it was not an isolated case. A series of incidents have recently occurred which can not but create the impression that the representatives of Gen. Huerta were willing to go out of their way to show disregard for the dignity and rights of this Government and felt perfectly safe in doing what they pleased, making free to show in many ways their irritation and contempt. A few days after the incident at Tampico an orderly from the U. S. S. *Minnesota* was arrested at Vera Cruz while ashore in uniform to obtain the ship's mail, and was for a time thrown into jail. An official dispatch from this Government to its embassy at Mexico City was withheld by the authorities of the telegraphic service until peremptorily demanded by our chargé d'affaires in person. Such wrongs and annoyances have been suffered to occur only against representatives of the United States.

These insults under circumstances in which they were given are unbearable. [Applause.]

It may suit the gentleman from Kansas and the gentleman from Illinois to advise their countrymen to submit to these insults. I am glad, however, Mr. Speaker, that the Committee on Foreign Affairs, this House, the President, and the people of

this country are not willing to allow this insult to go unavenged. [Applause.]

Mr. HARRISON. Mr. Speaker, I am in favor of this resolution. I approve the course of the administration in its dealing with the Mexican situation.

For three years this Government has looked on Mexico with pity and anxiety, at all times extending and offering its good offices to bring about peace and good will among the people of that country.

Holding the very commanding position that we do among the nations of the Western Hemisphere, and because of our proximity to Mexico and the events that have transpired there, the task of restraining ourselves from intervening has been a hard one. But that higher purpose, so aptly expressed in the President's message when he said—

> I believe that I speak for the American people when I say that we do not desire to control in any degree the affairs of our sister Republic; our feeling for the people of Mexico is one of deep and genuine friendship, and everything we have done or refrained from doing has proceeded from our desire to help them, not hinder or embarrass them—

restrained and controlled the patriotic impulses that ofttimes arose to avenge some act committed on American citizens or American property.

During the past 13 months the President and his able Secretary of State, so anxious have they been to see happiness and peace restored to Mexico, although they have used every means to bring about settlement between the contending forces there, have been in this House and in the other end of the Capitol criticized and at times ridiculed. And to me it is to-day strange that some of you on that side of the aisle who have most grossly criticized the "watchful waiting" policy of the administration and pleaded for intervention, now are opposing this resolution because you say "it is a declaration of war." The fact about the matter is you will not be satisfied, you would not be satisfied no matter what policy the administration had adopted. You strive to gain a partisan advantage. But, sirs, the American people will not be fooled. They have been and they are *now with* the President in his handling of this very delicate question, because they know he is prompted by patriotic impulses. [Applause.]

I have great respect for the leader of the minority [Mr. MANN]. I have seen him on more than one occasion surrender what might be taken by some as a party advantage for the country's good. But to-day the stand he takes on this resolution does not measure up to his past record in this House and serves only to lessen his patriotism and influence in the eyes of the country. From his remarks no one could tell whether he was against this resolution, because it did not go far enough or because it went too far. And although heretofore on this floor he has criticized the President's policy with respect to Mexico as weak and vacillating, his vote on this resolution to-night will answer whether he meant what he said.

I do not believe that this resolution is in itself a declaration of war, for its very wording only "justifies the President in employment of armed forces to enforce the demands of this Government upon Huerta and for unequivocal amends for the affronts and indignities committed against us by Huerta."

Of course, it means a declaration of war, so far as compelling Huerta to make amends, and for that purpose the President will be justified in going to the extreme against him and his adherents; but no authority is granted by the provisions of this resolution to go beyond that. The declaration is aimed at only Huerta and his representatives, and not against others of the Mexican people. I doubt not that the carrying out of the provisions of the resolution, unless Huerta "makes unequivocal amends," will shortly call for a resolution "declaring for war."

By this resolution you only justify the President in the action he has taken and signified taking to compel an apology from Huerta's deliberate acquiescence in an open insult to our soldiers. That is its intention; that is all it means.

I ask you who are against this resolution what more would you have your President do? Is it pleasing to you to see our soldiers humiliated and insulted? No Member of this House dreads war more than I do. I think it is all that Sherman said it was when he said, "War is hell." Peace to me is much more desired, and surely no Member here doubts that the President and his Secretary of State much more desire peace to war. Their utterances state it, their actions prove it. This is an age of peace, and we are all for it as long as it can be maintained with honor, but rather than surrender our national honor for peace I prefer war.

I am not that kind of an American who can view with complacency and approval the action of an unfriendly de facto government deliberately and defiantly arresting our soldiers clad in the uniforms of this country and marching them through the streets of a foreign city to the jeers of a foreign people. The sight, had I witnessed it, would not have appealed to me, but rather I think, in case my Government had failed to make and enforce compliance with demands for an apology, would have humiliated me as an American citizen. This is only one of a series of recent incidents, the President states, that have heaped insult upon insult, and to my mind shows that the crumbling power of Huerta is almost gone, and he, realizing it, rather than fall before the victorious armies of the constitutionalists, and risk his own life in their hands, defies us, preferring to take his chances with us.

The crisis is now formidable, not because we want war, but because we love peace.

In view of these outrages to our people and the insult to our soldiers, forbearance has ceased to be a virtue. The period has arrived when the United States must support its national character and station among the nations of the world, or submit to the most shameful degradation.

God knows the American people sympathize with poor, bleeding, prostrate Mexico. Rich in climate, unlimited in natural resources, with the Panama Canal at her very feet, her people ought to be the most contented and prosperous on the globe, but with all her advantages she is prostrate and unable to catch progress and opportunity as they march by.

And why? Because the people of Mexico lack confidence in their leaders. In my opinion, if it were not for the assumption of authority, the vanity, the intolerance, and stupidity of Huerta, the people of that afflicted country to-day would not be in suffering and sorrow.

In conclusion, Mr. Speaker, if what the President has done means war, if what he can do under the provisions of this resolution means war, then I am for war. And from that section from which I come, I believe, indeed I know, that as much as my people desire peace they are unwilling to see the soldiers of this Nation, once torn in civil warfare, humiliated and insulted by soldiers of an unfriendly power in a foreign land.

And when I look upon that flag, the glorious emblem of American liberty, I know that there is not a red line in its folds that would not be made more crimson by the blood that the people of the South stand ready to shed in its defense. [Loud applause.]

Mr. CAMPBELL. Mr. Speaker, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, for a little more than 13 months Victoriano Huerta has been provisional President of the Republic of Mexico, so recognized and acknowledged by every important civilized Government save ours. During that period a number of bands of freebooters, cutthroats, and murderers, largely organized for rapine and plunder in northern Mexico, have been warring on the Federal Government of Mexico. During the campaigns which the murderous chieftains in northern Mexico have been carrying on our people by the score have been murdered, our people by the thousands have been compelled to leave their homes, their farms, and their enterprises in northern Mexico because the country has been overrun and ravaged by these revolutionary forces. Hundreds of millions of dollars of property have been destroyed and the lives of many of our people and of foreigners whom we have taken under our jurisdiction have been wiped out. During all these occurrences through these awful months our administration has adhered to what the President has called a policy of "watchful waiting." Now and again pathetic appeals have been made by our Government to the bandit chiefs whose followers have been murdering and pillaging all over northern Mexico. When those appeals have not been completely ignored, they have been replied to with an insolence that ought to have brought the blush of shame to the cheek of every American citizen. Some of us have insisted that this condition in northern Mexico should be brought to an end. We have insisted that our people there and those whom we have assumed to protect ought to be protected. We have demanded that the strong arm of this Government be used, if need be, to preserve order and maintain peace in northern Mexico, but the administration has refused to allow a single armed man to cross the border, and has accepted as final and conclusive the miserable humiliating replies which have been sent to us by the Villas and Carranzas.

During all this time the federal government in Mexico has been measurably preserving order, nowhere under its flag, so far as I have dependable information, has a single American suffered in his life or in his property. During all of that period the conduct of that government toward our Government has been proper and conciliatory, so much so that up to within a few days last past, even our administration, pledged, as it was, to a determined animosity against the government of Huerta, has never found the slightest reason to find fault with any of our international relations with that Government. Last De-

cember our President in a message to Congress said that this government in Mexico was a "hateful power"; that it was a "mere military despotism"; that it never would be recognized or dealt with by our Government; that it was "tottering"; and that it would soon fall. But it has not fallen, even though we have armed its enemies, and the arms that have been furnished those enemies have been used to murder our citizens and to commit outrages without number in northern Mexico. Now, advantage is taken of a few incidents down at Tampico and Vera Cruz, which under any other circumstances or with any other nation or at any other time would be entirely overlooked, to bring forward a resolution to justify the President of the United States in using the armed forces of the United States for the purpose of crushing out that individual in Mexico, whom the President hates and whom he has declared shall be driven from power. This resolution does not pretend to give the President authority to protect American lives or American property. It does not propose that any armed forces of this Nation shall be used for the purpose of protecting our people, but that the President may compel Victoriano Huerta to do as he wills he shall do. What is hoped for is that, under this resolution, a blockade of all the ports of Mexico can be made, and thus the federal government of Mexico, deprived of the opportunity of securing arms and munitions of war, will be overcome by the hordes of Villa, who we are furnishing arms. The murderous hordes that have left destruction and ruin and desolation in their wake. The gentleman from Virginia [Mr. FLOOD] said the resolution does not necessarily mean war. I agree with him that it is perhaps the hope of the administration that actual war will not be necessary against the federal government of Mexico, because the hope is that we may by blockades so weaken the power of the federal government in the City of Mexico as to give Villa an opportunity to strangle Huerta and his government.

And when that is accomplished how have we improved the situation further than to justify the statement of the President, made months ago, that the government in the City of Mexico presided over by Huerta will fall?

If the administration is really desirous of maintaining our honor and dignity, of protecting our people and their property, it should make its demands not upon the federal government presided over by Huerta, but upon Carranza and Villa. If we are to use force it should be used on the northern border, where our flag has been insulted, our citizens plundered. But this will not be done, for the jingo appeal to patriotism in this resolution is not for the purpose of avenging wrong and insult or ending disorder in Mexico, but to satisfy the administration's morbid obsession to make good its prophecy that the Huerta government would fall.

The federal government in Mexico, except for the questionable cases now brought forward to bolster up our bluff of force, has admittedly preserved a correct and proper attitude toward every demand and representation of our representatives, even in the face of multiplied evidence of the hostility of our officials. On the other hand, the rebel forces in northern Mexico have either ignored our demands for reparation and redress for the murders committed and the property destroyed or have replied to them with insolent and contemptuous evasion or refusal. But our administration is apparently willing to submit to any indignity at the hands of the bandit chiefs, to allow any number of lives and any amount of property to be sacrificed by the bandit forces in northern Mexico, as it pursues its vengeful course toward the destruction of the present federal government.

If Huerta yields to our unreasonable demands, his government must lose prestige in the eyes of the people. If he does not, the plan seems to be to blockade the ports of Mexico, and thus, by shutting off sources of supply for the federal government while still affording supplies of war material to the constitutionalists over our border, enable the rebels to win. Truly this is a noble game for a great and powerful and alleged friendly people to play.

I will vote, if it is necessary, for a resolution under which the President may use the armed forces of the United States for the protection of the lives and property of our citizens, but I decline to vote to give the President the opportunity to make widows and orphans and pile up an awful debt in an unjustified, wicked war upon a single individual whom the President wants eliminated from the situation in the capital of Mexico. [Applause on the Republican side.]

The SPEAKER pro tempore (Mr. POU). The time of the gentleman has expired.

Mr. FLOOD of Virginia. Mr. Speaker, I yield to the gentleman from Maryland [Mr. LINTHICUM.]

Mr. LINTHICUM. Mr. Speaker, I have listened attentively and been much impressed by the remarks made on the floor of this House in defense of Gen. Huerta. I wish I could be convinced that the character of this man, the dictator of Mexico, is such, or his acts have been such, as to relieve him in part of the odium and stigma which will ever attach to his name in the contemplation of those who view with healthy regard free government, orderly established and maintained for the benefit of the whole people. I fail to see how gentlemen acquainted with his career, having regard for the ethics of civilized society, can with good faith arise in this Chamber and essay to defend a man with such a record and argue that our Government should recognize him as the head of that unfortunate Republic to our south.

HUERTA'S RECORD.

Let us for a moment consider his record. He espoused the cause of Madero and became his able general. Madero was the man he aided in placing at the executive head of his native land, and when he sought to get rid of him by unwarranted and unlawful methods he but added infamy to the burden of his mistakes. While a general in Madero's army, while enjoying the confidence of his chief, while in charge of the forces supposedly upholding the Madero administration, while presumably engaged in the duty of protecting and defending the President he had voluntarily chosen to support, he so completely abandoned himself to his own ambitions as to cause the arrest of that President and throw him into prison. And while Madero was in his custody, a helpless, hapless prisoner, he permitted him to be murdered under conditions so foul and atrocious as to provoke a wave of moral revulsion throughout the whole civilized world.

How could our Government with respect for its own honor and regard for the feelings of the people of Mexico be expected to recognize a president of that character?

WHY OUR RECOGNITION IS NECESSARY TO HUERTA.

Let us admit, for the purpose of discussion, that Huerta is a "strong man," that as chief executive of Mexico his administration would have assured respect for foreign lives and foreign property. Would it have been expedient to have recognized him, if not morally or legally justifiable to do so? What influence would such action have upon the future? What would have been its certain results in other South American Republics? These are considerations which should engage our attention. These are phases of the problem we can not afford to ignore.

Gen. Huerta wanted our recognition solely for one purpose. He cared nothing for the sanction it gave his acts. He cared but little for its moral influence upon his standing before the civilized world. He wanted it alone for the purpose of borrowing money. With our indorsement behind him he knew that he could borrow money from foreign sources, and just now money is the lifeblood he must depend upon for the perpetuation of his administration. He knew that to borrow the necessary large sums of money outside of Mexico he must pledge some property or property rights of the Mexican people, because no foreign Government would loan to him these large sums without such a pledge. He knew that no foreign Government would accept such a pledge as collateral for a loan unless that Government had our tacit consent to the making of the loan. He knew also that our Government could not be said to have tacitly consented unless we recognized him as the legal head of the Mexican Government. Once recognized by our Government he could pledge and borrow to his heart's content. Without this recognition he could not borrow except upon speculative terms, for though he might pledge as much as he wished, the foreign Government loaning him would be unable to convert its security into money in case he should default in payment. Without our recognition of his administration there was always danger of our stepping in and saying to the foreign Government, "Hands off, this property you propose taking belongs to the Mexican people. They did not pledge it to you. It was pledged to you by one having no authority to do so."

That was the situation. That is the situation to-day. That is why our recognition of Huerta is so absolutely essential to his success.

INEXPEDIENCY OF RECOGNITION.

Now, why is it inexpedient for us to recognize men who secure office in the criminal and unconstitutional manner resorted to by Huerta? Suppose we were to recognize every ipso facto president who, by some means or another, manages to secure the executive office of some South American Republic. How long would any of these Republics be free from the danger of revolution? Once recognized these self-constituted presidents are indorsed to

borrow. Once enabled to borrow, Heaven alone knows how long they may succeed in fastening themselves leechlike on the unhappy people who are the victims of their designs. Recognition, under such circumstances, is merely placing a premium upon crime.

Now, in view of this situation, is it the part of wisdom for us to say to the politically designing and ambitious of South America:

"No matter how you gain the presidency, no matter whether you are a traitor or not, we will recognize you in the office once you have attained it."

I ask the question, but the answer is so plain it requires no reply. Such would be a policy of most costly expediency. And yet there are those who come here and endeavor to defend Huerta, who affirm that it is none of our affair how the office was obtained and who argue that recognition would be the easiest and most expedient policy in this particular case. I deny this and maintain that it is our duty to stand upon higher ground, that we should say to the world that we will not recognize any man who obtains office by such foul and unlawful means.

OUR OBLIGATIONS TO CONSTITUTIONAL GOVERNMENT.

In my opinion the President made a wise move in behalf of constitutional government in the Western Hemisphere when he refused to recognize an individual who secured office by means not in conformity with the constitutional provisions of his land. If we recognize and, by recognizing, aid every de facto government in South America, when shall we see the end of these mushroom administrations, springing up over night, deriving their right to govern not from the will or authority of the people but from an appeal to arms, whose only claim to our recognition is founded on temporary conditions over which they have control solely for the time being?

We have endeavored to set a commendable example for the republics of the world. So well has that example impressed them in some respects that when they secured their independence their form of government was modeled after our own, and they sought to secure by the same manner in which we accomplished it the right of the people to govern themselves. Experience has taught us that the peace of the world is maintained only by orderly government, firmly established. If we subscribe to a policy which results in encouraging revolutions, uprisings, and conspiracies against the lawfully established governments in those Republics to our south, we are estopped from protesting against any inconvenience to us which may arise from the disturbance of natural, normal conditions in that land. It is our duty, as well as to our interest, to discourage and discountenance every effort to secure changes or reforms in government other than through those legal constitutional channels established for the purpose and to which men should appeal for the remedying or redress of unsatisfactory conditions.

When the whole people of South America, including those ambitious, designing spirits, who are the chief trouble makers, come clearly to understand that we will not recognize their claims unless they obtain office through proper, lawful means, we will have most effectually discouraged these sporadic outbreaks of rebellion.

Hardly a year passes without witnessing several revolutions in the smaller Republics of Central and South America. European Governments have not been too careful in considering how claimants for their recognition in these Republics secured office, because usually it has been to their financial interest to maintain amicable relations with the actual de facto Government of the country. Nor have Governments of Europe been restrained from recognition by the fact that such recognition was calculated to promote disorder eventually. Unfortunately, many of those living under monarchical government are obsessed with the idea that such form of government is the only true method of administering the affairs of civilized man in collective society. Consequently they have prophesied the inadequacy of republican form of government and have welcomed the opportunity to draw illustrations for these prophecies from the very conditions which their policy manifestly begot.

Then, too, it proves no reflection upon monarchical government when the republican Governments of South America fail to possess the requisite strength to maintain their permanency. As the greatest republican Government in the world, it is short-sighted policy on our part, however, to encourage conditions fostering suspicion and disbelief of that theory of government of which we are the leading exponent.

Undoubtedly it was for these reasons that we declined to recognize the pretensions of the present de facto Government in Mexico. That Huerta's actions partake of the character of offenses we should discourage is evidenced by his telegram to President Taft of February 18, 1913:

I have the honor to inform you that I have overthrown this government, the forces are with me, and from now on peace and prosperity will reign.

Your obedient servant, VICTORIANO HUERTA,
Commander in Chief.

HUERTA'S RESENTMENT.

I doubt not that it was a surprise to the present dictator in Mexico that the American Government did not accord him the recognition which he expected and relied on. His claim that our Government's attitude does not reflect the real sentiments of the American people is a sour-grape consolation barren of real satisfaction. Powerless to resent this fatal blow to his pretensions, not daring to openly antagonize us, obviously the most natural channels of his wrath would be in a carefully studied policy of petty offenses designed to discommode and irritate us while covertly giving vent to his spleen. With a generosity born of the knowledge of our own strength and ability to take care of ourselves, and for the further reason that none of these acts up to this last involved assault upon the honor of our Nation, we ignored and appeared not to notice these petty aggravations. Under conditions of such subtle tormenting we conducted ourselves with a patience and restraint which excited the wonder of the world.

But it seems in the face of such remarkable self-restraint on our part that our forbearance has been construed as fear. Laboring under such misconception Huerta and his adherents have permitted their resentment to develop into contempt, a contempt that has evidenced itself by more than one outward expression. As a final insult to our Nation, when a small boat from the American fleet, flying the American flag from both its bow and stern, landed to procure supplies at Tampico the soldiers and representatives of Gen. Huerta placed under arrest the marines who landed, and after boarding the boat and arresting two others marched them through the streets of the city regardless of their humiliation. Though they were soon released, Huerta refuses to make full amends for the indignity shown the American flag and uniform. He declines to formally salute our flag in accordance with international proprieties governing such an offense, and thereby express to the people of Mexico and the world regret for the action of his officers.

OUR FORBEARANCE.

We have been exceedingly patient and considerate toward the warring elements in Mexico. Though this forbearance has cost our citizens millions of dollars; and though the press of European nations have persistently protested that we should interfere, restore order, and present our bill to the Mexican people, we have not done so because of a genuine affection for the unhappy people of that country. It is this regard for the people of Mexico that has restrained us when rapine and death and robbery have been visited upon the unfortunate citizens of our land tarrying in Mexico. We have believed that eventually the better elements in Mexico would triumph, restore law and order and constitutional government, and that the Republic to the south would assume its place among the law-abiding, liberty-loving peoples of the earth. We have kept our toes out of the way as much as possible. We have watchfully waited and hoped for the day of ending.

As the result of our anxiety to bring peace again to Mexico, our President sent a representative there suggesting the reestablishment of constitutional government—a government formally approved by the votes of the Mexican people. Not only was our representative refused reception in the spirit in which he was sent, but his suggestions were ignored. Despite this, we were still patient, controlled our temper, and were willing to await the outcome.

OUR DUTY TO OURSELVES.

If we are to maintain the respect of the world, we must say, firmly and deliberately, that we will not tolerate such an indignity to our flag. There is only one way in which Gen. Huerta can atone for this insult, and that is by showing our flag the respect he denied it. Let him salute our flag with 21 guns, and let that salute echo around the world, that the people of every land may know that though we are a patient and tolerant people, we deeply love and cherish the symbol of our Nation and will not overlook him who dares insult it. [Applause on the Democratic side.]

And then, Mr. Speaker, consider our moderation. Trying to act justly and wisely, despite the aggravation and insult to which we have been subjected, we do not declare war against Mexico, but say to Gen. Huerta, "You can atone for this insult by saluting our flag."

We have confidence in our President, and under this resolution we say, "You are justified in the action you are taking."

Mark you, we do not say to the President, "You are 'authorized' to use the armed forces of the United States," because the use of the word "authorized" would be declaring war, and it is not our intention to declare war; we do not want war, but we do most emphatically insist upon respect for both the flag and uniform of the United States from Huerta and his adherents and every other people.

Somebody has said that if England or Germany had insulted our flag we would not have answered them. I tell you, gentlemen, we should have answered them long ago. We would never have put up with from Germany or from England, or from any other country, what we have tolerated from Mexico. And why? Because we knew that unfortunate Republic was torn asunder with revolution and strife; because we knew her people, many of them, were in poverty; because we knew it was our duty to be patient and forbearing and lend every office possible toward bringing about peace in that unhappy country. And for those reasons we have stood all that it was possible to stand.

And now we say to Gen. Huerta and his adherents, "Salute our flag, treat us right, show our Nation the respect which it is deserving, and everything will be satisfactory. If you do not, we shall stand behind the President for the blockade of your ports, for the administration of such punishment as will in the future insure proper respect for the American uniform and the American Stars and Stripes." [Applause on the Democratic side.]

Mr. GARRETT of Tennessee. Mr. Speaker, I wish to ask how much time there is remaining.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. FLOOD] has 26 minutes remaining.

Mr. HEFLIN. How much time has the other side?

The SPEAKER pro tempore. The gentleman from Kansas [Mr. MURDOCK] has 10 minutes, and the gentleman from Kansas [Mr. CAMPBELL] has 60 minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the House stand in recess until 7.30 o'clock.

Mr. FLOOD of Virginia. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. FLOOD] objects.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. LINTHICUM] asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FLOOD of Virginia. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman from Virginia has 26 minutes remaining.

Mr. FLOOD of Virginia. I would like the gentleman from Kansas [Mr. CAMPBELL] to use some of his time.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. BARTHOLDT].

The SPEAKER pro tempore. The gentleman from Missouri [Mr. BARTHOLDT] is recognized for five minutes.

Mr. BARTHOLDT. Mr. Speaker, I wish first to read a telegram which came to me last night from a prominent citizen of Massachusetts, a gentleman well known in the movement for international peace. He says:

BOSTON, MASS., *April 19, 1914.*

Hon. RICHARD BARTHOLDT,
Washington, D. C.:

Incredible that for trivial point of punctilio announced this great Christian power on Sunday should threaten war on a feeble people, with almost irresponsible government. It would be abdication of international reason and leadership. Christendom would stand aghast. Consider England's noble course over vastly greater Dogger Bank indignity and Germany's over Casablanca. Urge this strongly to-day. Large meeting of Boston citizens last night unanimously condemned this wild war talk.

That is signed by Edwin D. Mead. This gentleman is probably a "peace-at-any-price" man. I do not want to be known as such. If my country should be invaded, if your country and mine should be attacked, if some responsible government should offer a wanton and intentional insult to my country and the American flag, I would be ready, although my hair is gray, to fight for my country. [Applause.]

But, of course, you will all admit that nothing of this kind is at stake in the present emergency. To me, and I trust to you all, this situation is very instructive in many respects. It shows how uncertain your peace is. We have always believed that war is declared by the Congress of the United States; that the right to call upon the armed forces of the United States to defend our flag is reserved to Congress. We find now that this is not true. We see from this incident that a petty officer somewhere in the world can embroil us in war, and that we are only called upon to sanction and to ratify what that officer has already done, because it is those men who are committing us to a policy of war, and all we can do, I say again, is to ratify their action.

Is this not true, I ask you, in the present instance? The commander of the American forces at Tampico demanded the firing of 21 guns. The Mexican authorities apologized for the mistake that a petty officer had made. In fact, they apologized twice. It was done first by the commanding officer and then by Gen. Huerta himself; and then, in addition to that, they offered to fire 5 guns. But even that was not sufficient. Twenty-one guns are asked to be fired, in accordance with the judgment formed in a minute, in a second, you may say, by the commanding officer down there, and our country and this Congress is asked to stand by the judgment of that one man.

It seems to me this is highly instructive; and I tell you, gentlemen, this situation to-day is the strongest argument that could possibly be made for the demands of the friends of peace, namely, that the peace of the people should be better secured; that it should not be dependent upon the whims of a ruler or the momentary impulse of a Naval or Army officer; but that it should be anchored by international agreements to arbitrate differences.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. BARTHOLDT. Can the gentleman give me a few minutes more?

Mr. CAMPBELL. I yield two minutes more to the gentleman.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. BARTHOLDT] is recognized for two minutes more.

Mr. BARTHOLDT. The peace of the world should be founded upon the rock of law, so that it might not be disturbed by any incidents of a trivial nature such as the Tampico affair.

Now, as a member of the Committee on Foreign Affairs, in the one minute left to me I want to offer an amendment, Mr. Speaker. The President himself said that he did not wish this to be understood as a declaration of war. I believe in his sincerity. I also believe in the sincerity of the Secretary of State when he advocates the cause of peace. And therefore, if you want to make sure that this is not a declaration of war, it is absolutely necessary for you to insert the words I am going to mention as an amendment to this resolution. I propose that after the word "employment," in the third line of the resolution, the words "within the limit of his constitutional powers" be inserted.

The passage of this resolution would mean the approval by Congress of what the President is doing, but yet the President would act only within the authority already granted him by the Constitution; and the only additional authority, by the way, that could be granted would be in a declaration of war passed by Congress. [Applause.] Therefore, if you want to make sure you do not declare war, it is absolutely essential that you adopt this amendment, and probably your resolution might have easier sailing if you accede to my suggestion in that respect.

Mr. Speaker, I offer as an amendment, after the word "employment" to insert the words "within the limits of his constitutional powers."

The SPEAKER pro tempore. The gentleman from Missouri [Mr. BARTHOLDT] offers an amendment. Under the agreement as announced by the Chair the amendment will be considered as pending, and will be voted on at the conclusion of the debate.

Mr. MURDOCK. Mr. Speaker, I yield four minutes to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Speaker, I believe that the President of the United States has the constitutional right to do what, an hour ago from that stand, he said he was going to do. But he has come here and asked that we justify his action. It is an international question; and for the simple reason that I believe America should stand with solid front before all the world, I believe it is our duty here to sustain and to justify the action which the President proposes to take.

I am for this resolution for another reason: For years in Mexico, and especially in the northern part of Mexico, but I believe in all parts of Mexico, a most deplorable state of affairs has prevailed. American interests have been injured, American citizenship has been violated, American property has been destroyed, our Government has been flouted and our flag insulted, women have been outraged, children have been slaughtered. War is carried on in utter savagery and the country given over to the lawlessness and brutality of strolling bandit bands. Prisoners of war are taken and set up against an adobe wall and executed. I think the time has long since come when this country, as a great Christian nation, should have laid its strong hand upon such horrible conditions and put a

stop to such a state of affairs in the interest of a common humanity.

I do not believe that the incidents which are at the base of this proposition would, if considered alone, be sufficient cause. I believe that only a strained, fantastic, punctilious notion of honor would require us to use force in such a case; yet, as the culmination of a long series of outrages not only against American citizenship but against humanity, the duty is placed upon this Nation of restoring order and peace, at least to the extent that those revolutionary bands must conduct their warfare according to civilized rules. For that reason, Mr. Speaker, I propose to vote for this resolution, believing that when it comes to international questions it is the solemn duty of the American Congress to support the President of the United States, whoever he is, in the discharge of his constitutional duty. [Applause.]

I am supporting the President in a difficult situation. I would favor war only as the last resort. The President wants war no more than I do. The country wants no war. The resolution is not a declaration of war. It is rather a declaration that the patience of this Government is worn out, and will serve as a caution that transgressions upon the dignity of the United States Government and her citizenship will be tolerated no longer.

Mr. FLOOD of Virginia. Mr. Speaker, I yield to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Speaker, this is a solemn occasion—too solemn for partisan politics, and yet some gentlemen on the Republican side have lugged into this discussion the claptrap rubbish of political desperadoes, so thirsty for the fountains of political power, so hungry for a return of the emoluments of Republican control, and so dead to the demands of patriotic duty that they are willing to embarrass the administration, slander the President, brook indignities upon our soldiers and insults upon our flag in order to make political capital, to gain partisan advantage. [Applause.] Away with such disgusting, measly, and contemptible politics.

The gentleman from Kansas [Mr. CAMPBELL], the self-appointed captain of the home guard, in his effort to bolster up the remaining remnant of the old boss-ridden party of privilege, has exhibited bad judgment and displayed an un-American spirit in his attack on the President to-day. The country will condemn his course. The minority leader of the Republican Party in this House [Mr. MANN] in his effort to play politics has tried to commit his party to a policy that would damn it in the estimation of right-thinking men and patriotic citizens all over the country. [Applause.] He undertakes to excuse his blunder and his un-American conduct on the unfounded assumption that the President wants to go to war because he has a personal grievance against Huerta.

The gentleman now seeks to shackle the feet and manacle the hands of a Democratic President when our dignity and honor are at stake, when our soldiers are humiliated and our flag insulted by the ungodly and brutal tyrant of Mexico. [Applause.] The gentleman now makes mean insinuations about the motives that prompt this peace-loving, patriotic, Democratic President to uphold the dignity and honor of the American Union. How different was the conduct of the gentleman from Illinois 16 years ago when Mr. McKinley, a Republican President, requested Congress to appropriate money to be used in the event of war with Spain. Here is what the gentleman said then:

> This country, upon the suggestion of the administration, is now justified in spending its money as necessary, its blood as may be called upon—
>
> And so forth—
>
> for the purpose * * * of upholding the honor and the dignity of the country.

Mr. Speaker, would you believe that this Republican Member of Congress who 16 years ago was willing to spend the money of the Government, aye, and the blood of her soldiers, upon the mere suggestion of a Republican administration, in "upholding the honor and the dignity of the country" would to-day reverse his position when a Democratic President asks Congress to stand by him in his efforts to uphold the honor and the dignity of that same glorious country? [Applause.] And yet that is the unenviable attitude of the gentleman from Illinois. Some of these same Republicans have criticized the President because he has refrained so long from taking a hand in Mexican affairs. They have denounced his policy of watchful waiting and urged that he should put an end to the terrible conditions in Mexico; and now, when our country, without any fault on her part, is insulted by the self-constituted authority of a murderous and drunken tyrant, the President is criticized and abused by men who in their desire to serve their party prove faithless to their country. [Applause.]

The President has been using every good office in his power to bring about peace and order in Mexico. He has been hoping and praying that right would prevail and constitutional liberty would triumph. [Applause.] But, Mr. Speaker, his good offices have been rejected and his policy of watchful waiting has been interpreted to mean fear and cowardice; and now, as the climax of Huerta's brutality and infamy toward this Government, American soldiers, carrying the United States mail, are arrested and placed in Mexican prisons, and the tyrant ruler in authority over the officers who committed that crime against the Government of the United States and insulted our flag has flatly refused to make proper apology for the great wrong that he has done.

Mr. Speaker, now that the President of the United States—the Commander in Chief of our Army and Navy—has found conditions serious enough to send battleships to Mexican waters, it is the duty of every Member of Congress and of every patriotic American citizen to stand faithfully by him as he goes to uphold the dignity and the honor of this, the greatest Government on the globe. [Applause.]

And let me say to gentlemen who would embarrass the President and give comfort to the enemy who has insulted the flag, in your contemptible game of politics you are dallying with a dangerous question. The President of the United States is enthroned in the love and confidence of the American people, and whatever he does now will be done from a sense of duty and to the highest and best interest of liberty-loving people in Mexico and to the honor and glory of the American Republic. [Applause.] And then, Mr. Speaker, the flag that represents the manhood and the womanhood of the greatest race of people on the globe, that represents the courage and Christian virtues of a peace-loving, patriotic people, will command the respect and admiration of civilized people the world over. [Loud applause.]

Mr. CAMPBELL. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, the gentleman from Kansas and others have said that they were for this resolution because they want to follow the flag. Now, we all want to follow the flag; and I do not like this assumption of a superior and exclusive patriotism; but the question to-day is not, Shall we follow the flag? but the question is, Where shall that flag go?

It is our duty as Representatives in Congress not simply to make a show of patriotism and do what is popular, but it is our duty, and perhaps quite as patriotic, to determine calmly and judicially whether it is right to declare war to-day. Shall we yield to the easy and popular fervor of war, or shall we control ourselves and weigh the justice of our cause?

The gentleman from Alabama [Mr. UNDERWOOD] says that it is a question of honor. The President disclosed to us exactly what the question of honor was. He described the arrest of the boat crew, which he said was the culmination of other insults, and he pointed out two others, and I assume that he made his case as strong as he could. Both of them were trivial, and yet upon those grounds he says it is a question of honor for us to go to war; that in no other way can our dignity be maintained.

Mr. Speaker, we are a great and rich and powerful Nation, and compared with us Mexico at her best is weak and she is now torn by civil war. When a great, strong man thinks he is injured by a child, and a maimed and crippled child at that, would it be a question of honor for him to extort from the child an extreme apology?

Huerta, against whom personally this resolution is directed, apologized. No harm at all was done to our men. Is it a point of honor for this great Nation to demand from him a further apology? If 21 guns had been fired, answering 21, our honor would have been satisfied and there would have been no war, but we could not allow them to be fired and answered one by one and because of that distinction there must be war. On such technical trivial grounds as that this great Republic of the United States is asked to declare war against poor, suffering Mexico. Between two equal Nations it might be thought cowardice not to insist on extreme etiquette, but against weak Mexico no one would charge us with timidity. All would see it was magnanimity, not fear.

Mr. Speaker, this resolution declares war. The gentleman from Virginia [Mr. FLOOD] claimed that it was not war, but he admitted in answer to my questions that it justified a blockade. We can not stop vessels from going to Mexico, as I understand is the intention, and so cut Huerta off from supplies from the outside world without an act of war. This means war with all its horrors and responsibilities. I had hoped the day was forever past when this country would engage in war for a mere punctilio from pride or passion. I had hoped we had become sincere leaders in the noble cause of international peace and

arbitration and looked on bloodshed over points of etiquette as barbarous and outgrown, particularly with our weaker sisters on this continent, and now for us to declare war against a weak, distracted nation, which can not possibly strike back on such a pitiful pretext, fills me with regret and disappointment. It seems to turn back the wheels of progress a generation.

The gentleman who preceded me [Mr. HEFLIN] said he regretted to have politics enter. The only political reference I have heard was by the gentleman from Virginia [Mr. FLOOD], who said the elections next fall will justify this resolution. That may well be, Mr. Speaker.

War always excites fervor and enthusiasm and is helpful to the party in power. It may be wise to pass this resolution for the elections next fall, and so sustain the weakening administration; but we ought to have the courage and wisdom to look to the future and not simply to temporary popularity. The question is, Will history approve this action? I venture to predict that whatever may be the immediate results, history will censure and condemn the men who to-day, on this pitiable pretext, vote for war against distracted Mexico.

What is the real reason for this action? Why is it that we are in this condition? It is because the President, instead of following out his own precept enunciated to-day, that we have no right to mix in the domestic affairs of Mexico, long ago declared that there was one man in Mexico, no matter whether the Mexicans wanted him or not, who should not be President.

It was a wrong, untenable position—a position which the United States had no right to take, a position which we had no right to enforce upon Mexico. It is a mingling in her domestic affairs, to which no proud nation would submit, and which no self-respecting nation ought to assume. We are the older brother. We ought to exercise friendliness, kindness, toward this suffering nation to the south of us. If we were to take the position that their country was torn by conflicts, that Americans were killed, that property was devastated, that anarchy was imminent, and that some strong power must enter and bring about permanent peace for the good of all, that would at least be comprehensive and intelligible. But it seems to me unworthy of a great, powerful nation which aspires to be a leader in civilization and humanity to declare war against a weak and powerless neighbor on grounds of mere technicality and offended pride.

Mr. TOWNSEND. Mr. Speaker, several Representatives who have preceded me have, without qualification, spoken of the resolution reported by the Committee on Foreign Affairs as "a declaration of war." It is not a declaration of war. If it were I should not have voted in the Committee on Foreign Affairs, of which I am a member, to report out the resolution, nor would I vote for it here on the floor of the House. This is what the resolution is: It declares that the people of the United States, through the citizens they have elected to represent them here in Congress, justify the President in resenting the insults to the Stars and Stripes, resent the slights and indignities offered to the honor of our country. Is there anyone here who does not justify the President in so doing? Is there one Representative here who will say that the honor and dignity of our country need not be maintained; that insults to our glorious flag need not be resented? Sir, I hope not!

Representatives have declared here this evening, as I have said, that this is a declaration of war. Why not adopt the simple plan of looking into the resolution itself for its real meaning, its intent?

In the copy of the resolution I hold in my hand there are 7 lines of typewriting containing less than 70 words, and every word in every line was carefully studied by our committee this afternoon, and I say there is nothing in any of them which befogs the very clear meaning of them all.

Exactly what does this resolution declare? War? Let us see. I quote:

> The President of the United States is justified in the employment of armed forces of the United States—

To do what, Mr. Speaker?

> to enforce demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against this Government by—

By whom, sir? By the Republic of Mexico? By the Mexican people? No!

> Gen. Huerta and his representatives.

That is all. There is no confusion there. It is all very plain and explicit, as it should be. This Government has suffered "affronts and indignities," has suffered them during a period of more than a year, during which time the people of this country have exercised patience and forbearance. The time has come when patience has ceased to be a virtue; that time came when the Navy of the United States, the uniform of men in our armed forces—aye! when the flag of our country—were insulted.

To-day the Congress tells the President that it "justifies" him in using armed forces against the man and his representatives—Gen. Huerta and his army—who have been guilty of these affronts. The President will teach Huerta and his army a needed lesson in respect, decency, and good manners. That is not war; it is wholesome discipline. It is necessary; our flag is a sacred emblem; Huerta must not raise impious hands against it.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. TOWNSEND. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. The gentleman from New Jersey makes the same request. Is there objection?

There was no objection.

Mr. HAWLEY. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LINDBERGH. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. The gentleman from Minnesota makes the same request. Is there objection?

There was no objection.

Mr. CANTOR and several other gentlemen rose.

Mr. MANN. Mr. Speaker, I shall object to any further requests. If we can not have time to discuss it now, we can not discuss it in the RECORD.

The SPEAKER pro tempore. The gentleman from Illinois objects to any further requests.

Mr. FLOOD of Virginia. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, a good deal of the discussion upon this resolution has dealt with a side issue which is in no sense involved in the sound construction of the measure. The language of the resolution is:

> That the President of the United States is justified in the employment of armed forces of the United States,

And so forth.

Many gentlemen on both sides of the aisle have objected to the use of that word "justified." They have felt that it implied an indorsement, a vindication, a verdict of approval of everything that had been done in Mexico, or perhaps even of what might be done in the future; and they hesitated, and not unnaturally, to indorse unreservedly every act that had been done or that could be done across the Rio Grande. But what does "justified," in fact, mean in this resolution? Of course, we must here seek, not for the popular meaning of the word, but for the meaning which is given it in international law. The definition which is given to the word "justify" in the law books is:

> To show to have had a sufficient legal reason for an act.

This resolution was very carefully drawn, I understand, by the law officers of the State Department, and, of course, they used that word in the sense in which it is used among international lawyers.

There is a further reason why the word can not receive its ordinary popular meaning: This resolution clearly points to the future, and it is obvious that "justification" in the popular sense deals with events which are already passed. There can, therefore, for these two reasons, be no doubt that the President in coming before us to-day is simply asking us to show to the world—to adapt the language of the definition—that in what he is about to do in Mexico he will, beyond the shadow of a doubt, have "a sufficient legal reason for his acts." He wants to be able to say to the world that, although in fact he probably has the right under the Constitution—by virtue of the clause which makes him Commander in Chief of the Army and Navy—yet in a potentially great question of this kind he also has every shadow of justification and of authority with which the Congress can clothe him. Can we, as patriotic men, rightfully or properly refuse him this thing which he has just come in person to ask us to give him?

Nineteen years ago, when last there was a Democratic President in the White House, a somewhat analogous question was presented. Mr. Cleveland sent a message to Congress on the 17th day of December, 1895, asking that Congress should do his will in connection with the Venezuela boundary dispute that was then pending. I have before me the CONGRESSIONAL RECORD of December 18, 1895, the following day, setting forth the debate

upon the resolution which gave effect to the President's wishes. The entire debate took something less than three columns of the RECORD. At the end of that time the Democratic President was given by the Republican House precisely what he had asked for without one dissenting vote.

The announcement of that splendid result was received with loud applause on both sides of the House.

In questions of this sort a man's preferences ofttimes must be subordinated to the judgment of the Executive, which is charged primarily with the administration of foreign questions. It has often and truly been said in this House that party lines stop at the frontier. This resolution is not a declaration of war; indeed, it is carefully so framed as to avoid any such implication. It is, on the contrary, a step designed by the President in the light of his best and most mature judgment to avoid war. This he has told us to-day with his own lips. I believe it is the clear and manifest duty of every man in this House to stand with and by our President. We should present a united front to Mexico and to the whole world. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MURDOCK. Mr. Speaker, I yield three minutes to the gentleman from Michigan [Mr. MACDONALD].

Mr. MACDONALD. Mr. Speaker, if the resolution which we are now considering should be brought in here reading, "That the President of the United States is not justified in the employment of the armed forces of the United States to enforce the demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against the Government by Gen. Huerta and his representatives," I dare say that there would not be a single affirmative vote recorded upon the floor of this House. [Applause.] That is in effect just what we are doing when we vote against this present resolution. The President of the United States is charged with the high duty of guarding for the people the honor and dignity of the Nation. He is the President of the United States, not merely the leader of a party, and I believe no one will deny him credit for the highest patriotic motives and his ability and willingness to perform his duties with a full recognition of the solemnity of that responsibility. I believe that the action asked for by the President will do more to prevent war than any other step that we could take, and it is in that belief that I am desirous of recording my vote and my voice in favor of this resolution. [Applause.] A great deal has been said here about the smallness of the adversary. It is well known to gentlemen upon the floor of this House that there are forces extant in the world to-day that are greater than any organized government, and we do not know what forces of this kind are moving in Mexico which add embarrassment to the situation of the President and his advisers. We do know that he comes to us to-day, in a crisis that affects the welfare and honor of the people of this country, and demands, as he has the right to demand, the united support of the American Congress, and I, for one, hope that the message will be carried to Gen. Huerta that to a man the American people are standing behind the President. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MACDONALD. Mr. Speaker, I ask leave to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

Mr. ELDER. Mr. Speaker, reserving the right to object, and following the precedent of the leader of the minority, who allowed several a few moments ago to make this request, and when there were several others of us on our feet desiring to make that request, he objected.

Mr. MURDOCK. Why does not the gentleman ask now?

Mr. ELDER. I will attend to that in a moment. I was making the request a moment ago, when the leader of the minority, after allowing some Members, then objected; and as the leader does not make the objection now, I shall make it for him.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. ELDER. Mr. Speaker, I made objection.

The SPEAKER pro tempore. The gentleman from Louisiana objects.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. KENT].

Mr. KENT. Mr. Speaker, I regret and resent the fact that there has been a certain amount of partisan politics injected into this very serious discussion. The question at issue is far away and above any political consideration or any question of party advantage. I, for my part, have believed it my duty as a man not bound by party ties to stand by the President of the United States whenever I could, simply because the President of the United States is in power and has the responsibility of representing the whole United States, the dignity of its people, and has the opportunity to push forward policies that lead to the betterment of our country by carrying on the march of progress and reform. My loyal support has been given the more freely because of the respect I have for the man, in addition to the respect due the office. At this time I regret exceedingly that I can not agree with the President. In all other great questions I have believed with him, and therefore have supported him. He has had my respect and my loyalty and will still have both, but I should be false to my deepest convictions if my respect and my loyalty could swerve me at this juncture.

I, too, stand for the national honor, and I stand for the national honor in its highest possible sense, because I stand for international peace. I stand, and shall stand, against the crazy, old, barbaric idea of going to war on slight pretext, even though that pretext may be clothed in the stolen habiliments of national honor, or may be premised upon a defense of the flag when that flag is not in jeopardy. I would never for a moment deny the last drop of my blood or the Nation's blood to save this country from foreign aggression; but to believe that the national honor of the United States is in the keeping of any foreigner, and especially in the keeping of a man who has been authoritatively called a "bandit," is beyond my comprehension.

This man Huerta, who has been branded as a bandit, a traitor, and a murderer by our Government, has been asked to make an apology, an apology as head of a responsible nation, and this demand has come to us through a subordinate in the Navy. What absurd logic is this that we are called upon to indorse. The man whom we do not recognize as the responsible head of the Mexican Government has apologized, the man who committed the offense of arresting American sailors has been punished, and now because, forsooth, a little more gunpowder will not be burned than this particular naval officer thought ought to be burned, we are declaring war. This resolution means war, and nothing short of it. This is no declaration of peace. This is not a declaration against one man. It is to every man who knows Mexico a declaration of war against the whole people of Mexico, and nothing else; for the moment we put armed forces into Mexico all the tides of racial antipathy will rise, all the old historic bitterness will be revived, and we shall find that we shall have to take the country and rule it. It is all very well to say this resolution is in the interest of peace, but I, who have been in Mexico and know the people of Mexico, know how jealous they are of the aggressions of what they are pleased to call us—the gringos. Before we get through with the spanking of this man whom we do not recognize even as spankable, we shall have upon us all the horrors, all the heartbreaks, all the waste and loss that will come of war. I believe as firmly as I stand here that by voting for armed intervention in Mexico we are condemning to death many of our own citizens who, without the passage of this resolution, would live happy lives. I can see no use or excuse at this time for picking trouble, for declaring war, on any such a petty or trivial basis as has been given. [Applause.] The honor of our flag is no more in the keeping of Mr. Huerta than it is in the keeping of a Papuan cannibal who might have eaten an American missionary who had a flag in his valise. The honor of the flag is involved in preserving a just peace in the world, in minding our own affairs, and in promoting the welfare of our own people along the lines of self-governing democracy and equalized economic opportunity. This is no case, in my opinion, to authorize intervention, to authorize the murder of American citizens in a useless war, for a useless war is murder, for which we collectively and each of us must assume responsibility.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, I yield to no Member of this House in love and devotion to my country's flag. [Applause on the Republican side.] I have hoped that it might always float high in the heavens—an emblem of peace and an inspiration to the oppressed of every land. The honor of my country is just as dear to me as it is to any Member of this House. I shall be as prompt as anyone to defend my country's honor. But what is the situation that confronts us? Read the resolution that has been reported to this House from the Committee on Foreign Affairs. It says:

Resolved, etc., That the President is justified in the employment of the armed forces of the United States to enforce demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

The resolution does not contemplate the enforcement of demands against Mexico.

All the powers of the United States are to be brought to enforce our demands upon one individual. And yet, what is the situation in Mexico? Huerta has 18 of the 27 States of Mexico giving him their allegiance besides the 4 territories and the Federal district. There are 12,000,000 people of the 18,000,000 population of Mexico who acknowledge allegiance to him. Does any Member of this House believe that you can begin a conflict with Huerta without embroiling all those who acknowledge allegiance to him? It is preposterous to think so. This resolution means war. It means tearing from the loving wife the devoted husband, from the babbling children the indulgent father, and to the old parents who depend upon their son for support and livelihood in their declining years, possibly—yes, probably—the sacrifice of that son's life. And all for what? I doubt whether many of the Members here present realize the full solemnity of this hour. The unseemly laughter that has been manifested at times during this debate would indicate to me at least that the sacrifices that this resolution will entail are not fully appreciated on this floor. Yes, sacrifices of blood, of limb, of life itself. For what? It is claimed that Huerta has offended us repeatedly. Has he been more culpable in that regard than Villa or Carranza? What are the facts with regard to Mexico? If the newspaper accounts are correct, I recall when this Government requested information from Carranza as to what had been done with Benton, an English citizen, who was murdered by the so-called Constitutionalists. And what was the reply from that faction in Mexico?

"Attend to your own business. Mind your own affairs. If England wants information we will give it to her. He was her citizen. It is none of your business what we do with nationals other than your own." And we meekly pocketed the affront. Villa and his bandits have raped and looted and murdered American citizens. But no effort has been put forth by the administration to "get Villa." No; the embargo against the admission of arms and ammunition into Mexico was removed so as to make his path to murder and plunder easier and more effective. There has been no protest from this administration against the acts of violence performed by these worthies. But Huerta must be eliminated.

Mr. Speaker, I hope that this "blockade," of which we have heard so much, may not result in war. But I can see no other outcome if this resolution shall be adopted in its present form. Why, what did the distinguished leader of the majority on the floor of this House say to-day upon that very subject? Listen to his statement:

With the message of the President of the United States having been delivered, our troops may be fired on at any moment.

That was his language on the floor of this House this afternoon. We may not desire war, but, Mr. Speaker, the federals of Mexico are just as fond and just as proud of their flag and their country's honor as we are of our flag and our country's honor. Does anyone believe that they will submit to a blockade of their ports without resentment? Why, such a belief is simple fatuity. They will fire upon us the moment we begin that blockade. In fact, such a blockade is nothing less than an act of war. [Applause on the Republican side.]

Sir, when the Army appropriation bill was under discussion on February 26 last, I predicted that if the administration persisted in its policy of "watchful waiting" armed intervention would result inevitably. Scarcely two months have rolled by since then, and we are on the very verge of intervention. Had we refused to interfere in the internal affairs of a friendly nation all of this difficulty would have been avoided.

But the administration rather preferred to favor Villa and Carranza—at least to the extent of giving them aid and comfort by removing the embargo on arms. I feel the pending resolution will pass. I feel it means war. And I feel that before the war is over the very arms and ammunition that have been sent into Mexico from these United States will be used to destroy the lives of hundreds of our young men in the impending struggle.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. STEPHENS of Texas. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Texas [Mr. STEPHENS] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN]. [Applause.]

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MADDEN] is recognized for five minutes.

Mr. MADDEN. Mr. Speaker and gentlemen, I approach this question not as a Republican or a Democrat, but as an American. I come from a fighting race. [Applause.] I would do anything on earth to preserve the honor of the American flag, even to giving the last drop of blood that I have in me.

The resolution that we have before us means war. Now the question is, Do we want war? And are we to have war with anything less than a nation? I have never been able to bring myself to believe that anything short of a nation could insult a nation to such an extent as to provoke that nation to a declaration of war. [Applause on the Republican side.]

The question we have before us is, Shall we declare war against Gen. Huerta? not Shall we declare war against Mexico? Shall we preserve the national honor? Has the national honor been insulted? Have we anything to protect in the shape of national honor in this case? Our men were arrested on the streets of Tampico, it is true, by a subordinate officer of the Mexican army. But a superior of that subordinate directed the release of these men, and the man who made the arrest was arrested himself and punished for the arrest that he had made.

Now, the question is, after they apologized for the insult, so called, Are we still to believe that the national honor has not been appeased? There is no man living who has more respect for the American flag than I. All the people of my family who were able to defend it in the days of its direst need fought the battles for the preservation of the Union. [Applause.] And I would be willing, as I said a moment ago, to give the last drop of blood I have in me to preserve its honor and to preserve the honor of the Nation. But war means widows; it means orphans; it means devastation, destruction of property, maimed men; it means the shedding of the blood of our best youth, and bleaching their bones on the plains of Mexico. Are we ready for such a conflict for such a trivial cause? Are we ready for the reasons alleged to send our boys to the plains of Mexico and allow their bones to lie there bleaching in a southern sun? Are we ready to make widows and orphans and cripples everywhere throughout this land?

I say preserve the honor of the Nation by every means at our command, but we have no cause for war here; no cause whatever. I believe that we ought to sustain the President in everything he tries to do for the preservation of the honor of the Nation, and I would be the last man to criticize him for anything he does or leaves undone. But I believe that this matter can be settled without war, and that the adoption of this resolution at this time is not only not necessary but not justified. [Applause on the Republican side.]

Mr. MURDOCK. Mr. Speaker, I yield two minutes to the gentleman from Washington [Mr. BRYAN].

The SPEAKER pro tempore. The gentleman from Washington [Mr. BRYAN] is recognized for two minutes.

Mr. BRYAN. Mr. Speaker, 78 years ago to-night, along the banks of the little stream San Jacinto, in what was then northern Mexico, there were encamped some 740 grim and determined pioneers who had fresh in their minds the memories of the Alamo, with all its slaughter and its horror, and on the opposite side, or right near them, there were encamped more than 1,400 Mexican soldiers under the leadership of Santa Ana, a dictator then, as there is a dictator now. The next day, on April 21, 1836, with the words "Remember the Alamo" on their lips and the homes and the lives and well-being of their wives and families burdening their hearts, those 740 Texans charged the ranks of the 1,400 Mexicans and forever wiped out Mexican sovereignty over the territory north of the Rio Grande, and then and there was born the Republic of Texas, soon to become the Lone Star State of Texas. [Applause.]

Those men then stood and fought for American ideals, for American manhood, and laid the ground for a broader citizenship and at the same time reclaimed an empire from the dominion of outlaws and bandits. They had fresh in their minds the fall of Travis, Bowie, Crockett, Bonham, Fannin, and other heroic defenders of the Alamo—

Thou new world's glorious Thermopylæ.

They fought like men, like Americans, facing unrestrained perpetrators of crime, rapine, arson, and murder.

To-day we are called upon to confront the same enemy. We know of the crimes, the murders, the wanton destruction of lives and property all over Mexico in which American citizens and citizens of the world have suffered in every conceivable way, but as yet there is no Alamo to freshen and quicken our demand for vengeance and reparation. We have not yet a battle cry "Remember the Alamo" nor "Remember the *Maine*." No warship has yet been blown up with its hundreds of brave souls sent into eternity. But we know all that has gone on, and the people know. It is not necessary for the Presi-

dent to present a prayer for vengeance or for us to pass a resolution here that will unnecessarily inflame the public mind.

It is our duty to preserve the peace of the world and the well-being of the men, women, and children, both American and foreign, who are sojourning in Mexico. Shall we wait for wholesale bloodshed to pass a resolution letting the dictator know our purpose? Shall we refuse to turn our hand to determined and definite preparation for any situation that may arise till our sailors, our marines, our officers are slaughtered in a Mexican massacre or a ship is sent to join the *Maine* in the ocean's depth?

We have the same fundamental grievances, thought not so pronounced, as had the Texans on April 21, 1836, at San Jacinto, or as had the Spanish-American Army of 1898; but, thank God, those fundamental grievances have not yet been crystallized into one concrete act of wholesale destruction or murder.

It is not necessary for the resolution to recite the insults and the awful conditions that prevail. This resolution leaves the only remaining hope for peace, as a door that is open.

Consider, gentlemen, the attempts Huerta has made to embroil us in foreign complications. Will we wait for him to make his cessions to those who would get a hold on the Pacific? I am glad to give the President more power; I am glad to hold up his hands, and to couch the resolution in words that make it yet possible for the Huerta organization to elect peace, if willing to have peace. I know that a blockade by the Navy is an act of war, and that the blockade can not continue long without a clash at arms. But it is plain to me that it is our duty to preserve order in Mexico, and that if we do not do our duty in this matter some other nation will act on its own initiative and the complications will be more pronounced.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. ELDER. Mr. Speaker, reserving the right to object, I notice that the leader of the minority is on the floor. Just a few minutes ago, after allowing something like a dozen Members to extend their remarks, he then objected to the remaining few who were on the floor. I notice that he now sits silent in his seat and allows one of the Republican Members to extend his remarks. However, I shall not object.

Mr. MANN. The gentleman is mistaken. I did not object to the extension of remarks of those who spoke.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CAMPBELL. I yield five minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER. Mr. Speaker, I have been against intervention in Mexico all along. I am against intervention in Mexico now. Nevertheless, I should be willing to vote for a resolution approving the use of our armed forces to extricate us from the situation in which we now find ourselves. But the chairman of the Foreign Affairs Committee tells us that this resolution justifies the President's course. In reply to my inquiry as to the significance of the word "justify," as used in this resolution, the chairman of the committee stated on the floor of this House that any man who votes "aye" must be interpreted as voting to justify the President's course in this Tampico incident. I am ready to approve his use of our Army and Navy under the forced situation in which we find ourselves. I will not justify his course in the Tampico incident. I believe that of late he has been so criticized for his course in foreign affairs, in which, by the way, I supported him, that he has lost his usual good sense of proportion. It seems to me that in Mexico the President has strained at a gnat and swallowed a camel. Oh, Mr. Speaker, I wish Mexico were a little nearer our size. In that case I should feel more like indulging in heroics, as does my friend from Kansas [Mr. MURDOCK], the leader of the Progressive Party, but there is no occasion for heroics in dealing with poor little Mexico. I can not agree with those gentlemen who feel that there is nothing for us to do except to approve the President's course now that our fleet is on its way to Mexico. If that doctrine is conclusive, what becomes of the exclusive right to declare war which the Constitution gives to Congress?

I propose to offer a resolution as a substitute for that which is pending. It differs from the resolution proposed by the Committee on Foreign Affairs principally because it does not undertake to justify the President's course in handling the Tampico matter. My resolution, without declaring war, lends the President our moral support if it becomes necessary to employ force to maintain respect for our flag. I send my resolution to the Clerk's desk.

The SPEAKER pro tempore (Mr. POU). The gentleman from Massachusetts offers a resolution as a substitute, which the Clerk will report.

The Clerk read as follows:

Joint resolution for approving the employment by the President of the armed forces of the United States of America in maintaining the dignity of and respect for the flag of the United States of America.

Resolved, etc., That a situation has arisen with respect to our relations with certain persons in Mexico under which it may be necessary for the President to employ the armed forces of the United States of America to maintain the dignity of and respect for the flag of the United States, and such employment of armed forces within the limits of his constitutional powers is hereby approved.

The SPEAKER pro tempore. The substitute will be considered as pending under the agreement, and the time of the gentleman from Massachusetts has expired.

Mr. MANN. I yield 10 minutes to the gentleman from Pennsylvania [Mr. TEMPLE].

Mr. TEMPLE. Mr. Speaker, before I begin the remarks I wish to make I should like to read a passage from Senate Executive Document No. 35, of the Thirtieth Congress, first session, pages 9 and 10. It is an extract from a letter of Mr. de Souza, Brazilian minister of foreign affairs, to Mr. Leal, Brazilian chargé at Washington, dated May 31, 1847.

I should say also that this letter is quoted by John Bassett Moore in his great Digest of International Law—I think the second volume—in discussing the extent of the exemption from local jurisdiction enjoyed by warships in foreign territorial waters:

A few years since a marine of the English squadron was seized by the customhouse guards at Bahia in a boat of the brig of war to which he belonged, coming from a merchant ship, to which he had gone without license from the customhouse, and, agreeably to the law, he was confined in a customhouse vessel, to be kept there until he should have paid the fine incurred by him. The commander of the brig went on board the vessel and took him away—

Up to this point there is some approach to a parallel between the incident at Tampico and that described in this letter—

But the English commodore, on being informed of the circumstances, immediately caused the marine to be sent back to the customhouse vessel, and dispatched his next officer, in full uniform, to make an apology to the inspector of the customhouse, alleging that their officers were ignorant of the provision of the law and offering to pay the fine. This ample apology was received and the fine was remitted.

There is no incident in the Tampico affair that would correspond to the exercise of authority by the British officer in invading the Brazilian vessel. No officer of the American squadron at Tampico did that. What Admiral Mayo did do was to demand an apology, assurances that the offending Mexican officer should be punished, and a salute to the flag. The apology was made, the offending Mexican officer is said by those in authority to be under arrest, waiting trial, but the salute was not fired.

I wish that this matter had been left in the hands of Admiral Mayo, that it might have been a local incident. [Applause.] I regret that it was taken up through diplomatic channels and made an international affair.

Now, there are some things about this resolution that it seems to me ought to be discussed. I would not say one word that would either give comfort to Huerta or embarrass the United States in case war is inevitable. When war comes there is only one thing for an American to do, and that is to stand by his country [applause], but the question now is whether war is inevitable and whether this resolution will tend to bring it on or will tend to bring about a peaceful solution. The resolution itself is ambiguous.

Either it is intended to confer on the President of the United States authority that he does not now have or it is not intended to confer upon him such authority. If we intend to authorize him to do more than the powers given to the President by the Constitution permit him to do, there is only one thing that can be meant. The President has power to make such use of the armed forces of the United States as is necessary in the ordinary affairs of the Government. He has power to do everything, practically, short of making a declaration of war. If that is wanted, it must come from Congress. If that is not wanted or granted by this resolution, the President has all the power that he will have when the resolution has been passed.

Mr. Speaker, I very much favor the amendment proposed by the gentleman from Missouri [Mr. BARTHOLDT] which would make the resolution read as follows, the phrase added by the amendment being in italics:

Resolved, etc., That the President is justified in the employment, *within the limits of his constitutional powers*, of armed forces of the United States to enforce demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

Mr. GORDON. Mr. Speaker, would it disturb the gentleman to ask him a question?

Mr. TEMPLE. Not at all.

Mr. GORDON. Why is any action of Congress necessary to authorize the President to exercise the powers already conferred upon him by the Constitution?

Mr. TEMPLE. That is a question I would like to have the President of the United States answer. [Laughter and applause.]

The President came to us saying in his message that there is no doubt that he could do what is necessary in the circumstances to enforce respect for our Government without recourse to the Congress and yet not exceed his constitutional powers as President; but he does not wish to act in so grave a matter except in close conference and cooperation with both the Senate and the House. If he has no doubt that he already has the power that he is now asking for, that he has all the power short of making war, then this resolution must be intended to be understood as a declaration of war. But we are assured by the chairman of the Committee on Foreign Affairs, the gentleman from Virginia [Mr. FLOOD], that it is not a declaration of war. We are told by the gentleman from Alabama [Mr. UNDERWOOD] that this resolution may mean war and it may mean peace. That is my objection to it [applause], that it may mean war and it may mean peace. It is ambiguous, and this is no time for doubtful utterances.

The resolution that was adopted at the time of the disturbances in Cuba did not say that the President was justified in the use of the armed forces, and so forth. That resolution authorized and directed the use of the armed forces of the United States Government. Is that what is meant now? If we do not mean that, the President already has all the power that he can be supposed to have under this resolution. If it is a declaration of war, then we ought to authorize and direct the use of the armed forces. If it is not a declaration of war, then we ought to insert the language suggested by Dr. BARTHOLDT, that the President is justified in the employment of armed forces within the limits of his constitutional powers. It should be one thing or the other. We should send forth no ambiguous declaration. Who will respond in the day of battle when the trumpet sends forth an uncertain sound? The effect of this resolution justifying the President in the use of the armed forces will be to reopen negotiations with Huerta. The President can say to him, "I now have the Congress behind me to insist upon the salute."

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MANN. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. TEMPLE. And Mr. Huerta can reply to the demand with more quibbling. This is more of the policy of watchful waiting. If we intend war, this resolution does not mean business. If we do not intend war—and I, for one, do not want war—this resolution is unnecessary. The President is Commander in Chief of the Army and Navy. He has all military powers short of the power to declare war, and the Congress will hardly delegate to him that authority. It is Congress, and only Congress, that can declare war. Why ask Congress to share the responsibilities of the Executive? It has not been supposed that the President of the United States lacked the nerve to exercise his responsibility. Ordinarily he is willing to assume all the responsibilities that the Constitution or the laws have put upon his shoulders. Why not now? Will not the effect of this resolution be ambiguous? Will not men say that, whether we intended it or not, we have in fact declared war? Is there not a difference of opinion in the House itself as to the effect of this resolution? How, then, can we expect others to understand it clearly and without mistake? Let us insert the language suggested by Dr. BARTHOLDT, and thus make it plain that this resolution is not a declaration of war, or let us declare war plainly and begin it in earnest. [Applause.]

I yield back the remainder of my time, and ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Pennsylvania yields back three minutes and asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, how much time have I remaining?

The SPEAKER. Sixteen minutes.

Mr. MANN. I yield to the gentleman from Mississippi [Mr. STEPHENS].

Mr. STEPHENS of Mississippi. Mr. Speaker, if the United States shall become involved in war with Mexico or any other nation, I stand ready to vote every dollar necessary to carry on that war.

Every patriotic citizen would approve the act, and no one would stop for a moment to inquire as to the right or wrong of the matter after the war had begun.

We are a country-loving, patriotic people, and millions of American citizens would not hesitate to offer themselves, their money, their lives, their all in the defense of the Nation and the Nation's honor.

But this is not the question before us now; that is, what we would or would not do in case of war.

The real question is whether or not we shall declare war.

We should consider the matter carefully, having in mind both the honor of the Nation and the effects that will come to our country.

National honor may consist as well in refusing to wage war without just cause as in engaging in war for good and sufficient reasons.

The resolution now under consideration reads as follows:

Resolved, etc., That the President of the United States is justified in the employment of the armed forces of the United States of America to enforce demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

The clear meaning of this resolution is simply this: That such affronts and indignities have been committed against the United States by Gen. Huerta and his followers that would justify war, and it authorizes the President to use the armed forces to enforce his demands.

This is, in effect, nothing less than a declaration of war, for we are told that as soon as the resolution is passed our war vessels will blockade the ports of Mexico.

What facts are offered as a justification for a declaration of war?

I shall let the President state the facts that have caused the introduction of this resolution:

ADDRESS OF THE PRESIDENT.

"Gentlemen of the Congress, it is my duty to call your attention to a situation which has arisen in our dealings with Gen. Victoriano Huerta at Mexico City which calls for action, and to ask your advice and cooperation in acting upon it. On the 9th of April a paymaster of the U. S. S. *Dolphin* landed at the Iturbide Bridge landing at Tampico with a whaleboat and boat's crew to take off certain supplies needed by his ship, and while engaged in loading the boat was arrested by an officer and squad of men of the army of Gen. Huerta. Neither the paymaster nor any one of the boat's crew was armed. Two of the men were in the boat when the arrest took place, and were obliged to leave it and submit to be taken into custody, notwithstanding the fact that the boat carried, both at her bow and at her stern, the flag of the United States. The officer who made the arrest was proceeding up one of the streets of the town with his prisoners when met by an officer of higher authority, who ordered him to return to the landing and await orders; and within an hour and a half from the time of the arrest orders were received from the commander of the Huertista forces at Tampico for the release of the paymaster and his men. The release was followed by apologies from the commander and later by an expression of regret by Gen. Huerta himself. Gen. Huerta urged that martial law obtained at the time at Tampico; that orders had been issued that no one should be allowed to land at the Iturbide Bridge; and that our sailors had no right to land there. Our naval commanders at the port had not been notified of any such prohibition; and, even if they had been, the only justifiable course open to the local authorities would have been to request the paymaster and his crew to withdraw and to lodge a protest with the commanding officer of the fleet. Admiral Mayo regarded the arrest as so serious an affront that he was not satisfied with the apologies offered, but demanded that the flag of the United States be saluted with special ceremony by the military commander of the port.

"The incident can not be regarded as a trivial one, especially as two of the men arrested were taken from the boat itself—that is to say, from the territory of the United States—but had it stood by itself it might have been attributed to the ignorance or arrogance of a single officer. Unfortunately, it was not an isolated case. A series of incidents have recently occurred which can not but create the impression that the representatives of Gen. Huerta were willing to go out of their way to show disregard for the dignity and rights of this Government and felt perfectly safe in doing what they pleased, making free to show in many ways their irritation and contempt. A few days after the incident at Tampico an orderly from the U. S. S. *Minnesota* was arrested at Vera Cruz while ashore in uniform to obtain the ship's mail and was for a time thrown into jail. An official dispatch from this Government to its embassy at

Mexico City was withheld by the authorities of the telegraphic service until peremptorily demanded by our chargé d'affaires in person."

It has been stated in this debate, and has not been denied, that the Government of which Huerta claims to be the head has caused no American citizen to suffer loss of life or property.

The bands of freebooters and cutthroats under Villa and Carranza and their adherents have inflicted many serious indignities upon our citizens.

Yet there has been no action taken to have reparation made in these matters, but the simple arrest of a few marines, although an apology was readily offered, is sufficient to cause us to declare war upon Huerta.

Do not be misled as to the cause of this action.

I know that there has been a strong feeling that our Government should take some action to protect our citizens in Mexico.

President Wilson evidently does not believe that Gen. Huerta has been responsible for any such indignities to American citizens or their property, because he makes no reference to them in his message.

I have heard it said frequently that our Nation should intervene in Mexico and put a stop to this warfare that is being waged there and restore order and good government.

The President does not think so, and he does not base his present action on such premises. In his message to-day he said:

> Mexico is torn by civil strife. * * * I believe that I speak for the American people when I say that we do not desire to control in any degree the affairs of our sister Republic.

This statement was received with loud applause from Senators and Congressmen.

Again, he said:

> The people of Mexico are entitled to settle their own domestic affairs in their own way, and we sincerely desire to respect their right. The present situation need have none of the grave implications of interference.

I have called attention to the fact that this resolution is not before us because of any indignities heaped upon American citizens either on account of loss of life, limb, or property. Neither is it prompted by any broad, humane spirit that grows out of a desire to restore order in Mexico, because the President expressly states that we should not interfere with the right of Mexico to settle her own domestic affairs.

The President was giving his reason to Congress for asking approval of his purpose to proceed against Huerta. It was his duty to present all the facts and make as strong a case for himself as possible.

He has failed to make his case. I can see that war will come; and I had earnestly hoped that the President would state reasons that would thoroughly justify our action.

REASON ASSIGNED FOR RESOLUTION.

What reason is assigned for presenting this resolution?

The President asks us to "justify the employment of the armed forces of the United States" upon the action of Huerta in refusing to salute the flag.

He urges this action, which will surely result in war, solely upon the ground that a few marines were arrested and one telegram was not promptly delivered.

A few marines were arrested on Mexican soil and detained an hour and a half. They were then released.

The officer making the arrest apologized for his action. Gen. Huerta immediately expressed his regret at the occurrence.

Admiral Mayo, of our Navy, was not satisfied with the apologies offered and demanded that a salute of 21 guns be fired. Huerta was willing to fire only 5 guns.

The President asks us to approve his purpose of forcing Huerta to fire 21 guns.

If 21 guns are fired, our national honor will be vindicated. If Huerta will fire only 5 guns, we must have war is the argument.

Thus, the difference of 16 guns, according to the advocates of this resolution, constitutes the difference between national honor and national dishonor.

It must be that the national honor has not been very seriously offended, as the President is willing to forgive every offense, to have every grievance settled, if Huerta will fire 21 guns as a salute.

Can any man justify war on such a reason as this?

A RIDICULOUS PROPOSITION.

This resolution is a declaration of war against an individual, Victoriano Huerta.

Nations deal with nations, not with individuals. This is the first time in the history of the world that a great nation has singled out an individual to make war on him, except in the single instance of Napoleon when the monarchs of Europe combined against him, fearing that monarchical government would be wiped from the face of the earth.

I am unwilling to elevate this usurper to the dignity of the great Napoleon.

President Wilson has refused to recognize him in an official capacity. So far as our Government is concerned, he has no official existence. He is simply a man, one individual.

Yet a nation of a hundred millions of people takes up arms against this man who has been denounced as a brigand simply because he refuses to salute the flag.

What dignity does it add to us? What sense of satisfaction can come to us simply because a brigand makes obeisance to us?

A PREDICTION AS TO ACTION OF THE SENATE.

The Senate will not commit itself to the absurd proposition of making war upon an individual.

The resolution will be materially changed. If war is to be waged on account of indignities and affronts offered in Mexico, I feel sure that the Senate will amend this resolution so as to state that fact.

Why not put the matter on some tenable ground here?

No, Mr. Speaker; it has been decreed here that we must pass this resolution just as it is written and trust the Senate to put it in different and better shape.

Every amendment, no matter how senible and meritorious it may be, will be voted down by the House; yet there will be no fight made here when the Senate whips it into better shape. It is our duty to perfect it now and not wait for another body to do it for us.

WHAT PROFITS THE SALUTE?

The inevitable result of the passage of this resolution is war. What do we gain by it?

Sixteen years ago, at the beginning of the Spanish-American War, we had a standing Army of about 30,000 men. To-day the Army numbers nearly 100,000 men.

Our Navy was maintained at a cost of about $30,000,000. To-day we expend annually for the Navy about $140,000,000.

About two-thirds of the revenue of the Government is spent in the payment of the expense of the Army, Navy, and pensions.

If a little war like the one with Spain has so enormously increased expenses, it is very probable that the increase of expense caused by war with Mexico will soon eat up the remaining one-third of the revenue.

Should this great burden be placed upon an already overtaxed people simply because Huerta, a brigand and outlaw, who is unworthy of recognition by our Government, as the President has declared, refuses to give a salute?

But, Mr. Speaker, there is much more to this matter than the question of expense.

When the old mother weeps for her son whose life has been lost in far-distant Mexico, will it be any comfort to her for some consoling friend to say, "Your son gave his life in an effort to force Huerta to fire a salute of 21 guns"?

When the wife looks upon the dead form of her husband, who has been killed by a Mexican bullet, will it relieve her aching heart to be told that he was sent into battle because Huerta refused to fire a salute of 21 guns?

When the orphan, cold, hungry, and homeless, perhaps, cries for the succor and protection of a loving father, can his wants be gratified and the little soul be consoled by the knowledge that the father was sacrificed simply because Huerta refused to fire a salute of 21 guns?

In the future, when some truthful historian writes the history of our country, will we feel our bosoms swell with pride when we see the reason assigned for this war that Huerta refused to fire a salute of 21 guns?

No, Mr. Speaker, the game is not worth the candle. The reasons assigned for this action are too trivial.

Bear in mind that if a salute of 21 guns is fired that our quarrel with Huerta will cease.

How absurd, how foolish, to predicate war upon such a matter.

A hurt that can be healed, an insult that can be salved by so slight a thing as a salute—a salute between nations corresponds to "good morning" between individuals—is too insignificant to be made the basis of war with all its attendant horrors.

WHO PROFITS FROM WAR?

The people do not profit from war. It not only means added financial burdens, but the cost in other ways is enormous.

Religion, education, and civilization all suffer. Families are separated, hearts are broken, want, suffering, and vice collect their full toll.

But, you say, there must be come profit for some one. There is a profit.

Who gets that profit? The railroad companies who convey the soldiers and supplies to the seat of war.

The Powder Trust that furnishes a large part of the munitions of war gets its profits.

The Steel Trust that furnishes armor plate and other necessary materials gets its profits.

The large corporations, with their enormous holdings of various kinds in Mexico, who are really anxious for this war, will get their profits.

The people are denied any profits, but are permitted to bear the burdens, endure the hardships, heartaches, misery, and woe that result from war.

MY VOTE WILL BE AGAINST RESOLUTION.

I shall vote against this resolution. As Congressmen, we have a duty to perform which the Constitution places on us.

It is for Congress to declare war under our Constitution. It is for us to say whether or not a cause for war exists.

In voting as I do I am not expressing my lack of confidence in the wisdom, intelligence, or patriotism of the President. I am simply passing on the facts, and am firmly of the opinion that a declaration of war upon the facts presented is wholly unjustifiable.

Mr. Speaker, when the weeping of the mother for her son is heard, when the cry of the widow and the wail of the orphan fill the land, I can say that it was not caused by my vote to require Huerta to fire a salute.

Whether my time in the land of the living be short or long, it will always be a matter of gratification to me that when I retire at night and commune with my God I can say, "O God, I thank Thee that Thou didst guide me in voting against a measure that was so useless and unjustifiable and that has brought so much misery and woe to so many poor hearts."

IF WAR COMES.

We are now considering one question and only one. That is, Shall we have war? To me war is wholly unjustifiable on the facts presented by the President.

It is certain that this resolution will pass, and it is equally certain that war will result.

When war comes a different situation will be presented. Then our liberties, our form of government, everything in our Nation and her history, of which we are so justly proud, will be at stake.

Then our duty will be plain. It will then be "Our country, right, or wrong, she must be defended."

And she will be defended. Every loyal son will respond to the call of duty, no matter what the cost.

When war comes, although I believe with all my heart and soul that it ought not to come, I shall be ready to perform my duty to my native land as freely and patriotically as those who favor war. [Applause.]

Mr. MURDOCK. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker, I fear that the gravity of the possible consequences of the action that we are about to take is being underestimated; but this is not the time to discuss that. On political questions I am a Republican. However, this is not a question of politics, but of patriotism. [Applause.] I have not approved of the so-called policy of "watchful waiting," but the President tells us, in effect, that what we are proposing to do will result in an end of that policy. I am opposed to war, if we can avoid it with honor. Our Army and Navy are composed of splendid young Americans. I would not see a single one of them sacrificed for all the Mexicans in Mexico. The President assures us that this resolution will aid him in preventing war, and that its adoption is necessary to that end. He, as the head of the Nation, is peculiarly charged with the highest responsibility in guiding us in such matters. I hope the time will never come when I can not take the personal word of the President of the United States on such a question. This resolution is not in the form that I would like to have it, and I reserve the right to vote for amendments to perfect it; but upon the main proposition, Mr. Speaker, I feel it my patriotic duty, under my oath of office, to follow the Commander in Chief of our Army and Navy and to give him the support he says he needs to preserve the honor of our flag. [Applause.]

Mr. MURDOCK. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. LINDBERGH].

Mr. LINDBERGH. Mr. Speaker, if our country becomes involved in war, whether due to its own negligence or because it is forced, or even if it be because of its own wrong, every true American would support the Nation to the limit; but we should exercise wisdom and keep out of war, if possible, so that, if it does come, it will not be due to our negligence or wantonness. We have not passed so far beyond the state of savagery as to have lost the fighting spirit, but I believe that we have developed beyond the point where we desire a condition of war; and, above all, we decry a petty or frivolous parade of patriotism in Congress or elsewhere.

Oh, Mexico—unhappy Mexico! The sympathy of the people of this country is with you. For years you have struggled for liberty, for a release from the state of oppression in which you found yourself.

According to the policy of the President, there is no lawfully constituted governmental authority in Mexico, and yet the President has gone so far as to practically declare war on a mob for the stated reason that it did not give a 21-gun salute, a frivolous demand sometimes practiced by civilized nations. A true American spirit has been witnessed in all of the volunteer forces brought out in times of crisis, but the snobbery and extra parade that often appears in the Regular Army and in the Navy is un-American. Of course we do not deceive ourselves into believing that the real reason for the proposed actions is stated in the President's message.

If the resolution were a declaration of war, I could not, for the cause stated in the President's message, vote for it. I further believe, affairs having reached the stage they now are in, we are sure to have war if this resolution is not passed, and I believe we are very likely to have war if it is passed. When a large fleet was dispatched to Mexican waters it practically meant war, for the Navy wants war. I further believe that if there is any way of averting war, it is to pass the resolution. I wish, however, to make it clear that while I am in Congress, clothed with the responsibility of representing a great district in a manner consistent with the national welfare, I am not in sympathy with supercilious claims for mere formal honors to place their observance above the peoples' general welfare.

I regret very much that the President backed up Admiral Mayo in the latter's demand for a more formal salute. I believe it was a grave mistake, but it is always easier to look back upon what has happened and criticize that it is to act.

The President at the time, of course, did what he then believed to be right. He dispatched a great fleet from our Navy to the Mexican waters as a result of his belief. Now he asks Congress to back him. If the President had come to Congress in advance for advice in regard to backing Admiral Mayo in the latter's demand for a more formal salute, as an apology, which had substantially been given by the arresting officer as well as by President Victoriano Huerta, I doubt that Congress would have backed the admiral's frivolous demand. But the President has acted. He has done what he had a constitutional power to do. He was elected President by the people. By virtue of his high office he is Commander in Chief of all the United States military forces. He sent a fleet to the Mexican waters. It is there now, and the President promises to make use of it in the interests of peace, and asks Congress to justify his act. Can we assume that the President, the constituted authority at the head of all the military forces of the United States—so elected by the people themselves, intends to do otherwise than what he says? I think not. He has already acted and we must ratify his act, since it does not appear that he intends to bring on war, but in his own language he proposes to prevent war. If we do not grant what he asks, I fear, with things now shaped as they are, we would find conditions very much more embarrassing. The passage of the resolution approving what the President has already done will not increase the probabilities of war nor will our voting against it save us from the resulting conditions. If the fleet were not already in Mexican waters, I think the resolution would tend toward war, but as things are now it depends upon what the fleet went down for. If it was sent down for the purpose of promoting peace, I think we still have a chance for peace, and if it went for war it will be war. With the fleet there, war can be provoked in spite of Congress.

The Bartholdt amendment to the resolution should pass, and I shall vote for it. I do not believe the President should have given so much dignity to Victoriano Huerta after having refused originally to recognize him. The President refused originally to recognize the provisional government of Mexico. By approving this act of Admiral Mayo's the Huerta government has been recognized.

The final wind-up of this whole Mexican situation is likely to lose us the respect of the world; but let that be as it may, though we can not idly disregard it, the important thing is to keep the respect of the American people. We can not possibly secure honor in war with Mexico. It would be no honor to our military forces to whip Mexico under any circumstances. We can get no honor out of any war that is not forced upon us,

and certainly Mexico can not at this time force a war upon us unless we go to it. If we should foolishly go into Mexico and not get out as fast as we go in, it, like the Philippine Islands, will be another burden on our hands. War with Mexico means that progress in this country for the plain people will cease while the war lasts, and that is why the "special interests" want war with Mexico and staged things, so far as they could, to force a war.

I can not pass this most regrettable condition that we are in without some further consideration of our position as a nation in the world—a world power—and what it means. The results of Admiral Mayo's demand show what a dangerous thing it is to have a lot of military men hanging around in the different parts of the world who do not understand the true spirit of our people for which the American flag stands. I do not mean by this that the regular military men are less honorable in their motives than civilians, but they are trained in the arts of war and know little about the industrial conditions and the real purposes of government. They welcome the opportunity rather than regret the condition that brings on war.

THE AMERICAN FLAG IS NOT AN ENSIGN OF FRIVOLITY NOR A TOKEN OF SUBSIDY.

We have just passed through a consideration of the Panama Canal tolls question. The American flag was then, as it is now, unfurled and waved over the heads of the Congressmen and in front of the citizens of the country as a means of exciting sentiment.

If we were to use our heads instead of false sentiment as a guide in the settlement of international problems, our patriotism would mean more. In both the Panama Canal tolls question and in this Mexican affair, the "pirates of commerce" have unfurled the Stars and Stripes to excite a false spirit of patriotism instead of the true patriotism ever active in the bosoms of Americans who value the national honor. In the hearts of true Americans the American flag stands as an ensign of justice. It can not serve as a truce between greed and a square deal nor compel, at the expense of war, a second salute to sooth the injured feelings of a military officer. The Panama Canal was paid for out of the sweat of America's toilers, and ought not to be made the gateway for "black greed and commercial piracy." Nor should "commercial greed" govern us in the Mexican affair. The "commercial pirates" snatched from the hands of justice and held aloft the Stars and Stripes. It seeks to divert America's attention by the colors of her flag and the glories of its origin. It would have us think of creation—of the blue of heaven lighted by the constellations—of God in His infinite, and forget the devil while he undermines the foundation of national independence. The Stars and Stripes is the ensign of justice alone. America must determine what is real justice and unfurl the flag only in support of justice.

It is not the pride of military men nor militarism which we seek to satisfy. War is paid for by the people. It is the slavery and drudgery that follows war that is more damaging than war itself. We glorify the soldier. We appeal to his pride and to his patriotism. The country treats him as a hero, and he is a hero. We call the country to honor him when he proves to be a hero. But what of those who drudge year after year all through life to make up for the destruction of war? They are the ones who are entitled to our sympathy, and more especially our consideration. I would rather die in action amid the thunder of cannon than by the drudgery that war brings to those who pay the cost. We are safe here in this House. The most of us are safe from the burden that war would bring. Are we therefore to be indifferent to the men and women who would really pay the toll? It would be taken out of their daily earnings for the rest of their lives and out of their children's earnings. And what are we to gain? An enormous debt and the loss of valuable lives.

The Socialists' view of war is, in my judgment, the correct view. Every possible thing should be done to avert war; but if war arises out of conditions over which we have no control, then we must fight as true heroes and not as the followers of false honors. I consider the failure of the Mexican authorities to fire 21 guns an exceedingly trivial thing as compared with the real problem of war. I can not respect any officer who would imperil his country's welfare by an insistence for such a formal thing. I do not believe we had any business, in the first place, to mix up in the domestic affairs of Mexico. Certainly not any more than they would have in mixing in ours. What would be our answer to Mexico if it made any such pretense? We would be more impolite to Mexico than it has been to us. It has been a great mistake and I fear that it will be a most costly one.

I do not believe that we owe to our citizens nor to those of any other country protection for investments made in Mexico for speculative purposes. I would not ask my country to go to war to protect anyone's speculations. When men and women wish to enter foreign lands to speculate or to live there, let them take their chances. If they do not like what takes place, let them get out and, if necessary, sacrifice what they put in for speculation. I would have them do that and save the welfare of those of our people who remain in our own country. If these world seekers for wealth believe that they can find a better country to live in than our United States, let them become citizens of that country and get their protection from it. I would not have the people of this country make the sacrifices they are asked to make in order to help out the adventurous ones in their adventures, nor would I sacrifice our citizenship to interfere in the domestic management of other nations. The only way in which the Nation can acquire the greatness that the conditions justify is to consider those things as touching the honor of the Nation that make for the general welfare of the people.

WHAT ABOUT THE FACTS IN MEXICO?

Only in a limited degree does anyone know what has been taking place in Mexico. Sometime we may learn of the official acts that have been taking place on the part of our own Government, but of the acts of foreigners, including many of our own people and corporations whose stock is held by speculators here, in private speculative and adventurous undertakings in Mexico, and the detailed acts of Mexicans among themselves, we will never know.

Immense natural wealth exists in Mexico. There is a design followed by the most persistent active operations on the part of foreigners, as well as by a few of the Mexicans, to secure complete control of this natural wealth. Most of it had been secured and plans made to utilize it in the interests of the wealthy, but on account of the unstable government the wealthy have had a "hard row to hoe" in Mexico. Some of our shrewdest financiers and speculators, in alliance with like interests from other countries, are exploiting Mexico. In the struggle to secure all the natural wealth in that country it is the purpose of these wealth seekers to utilize the Mexican laboring classes—the peons—and to keep them at slavery wages. There are many conflicting interests contesting in Mexico for advantages, and in the struggle the ignorant peons are being ground and murdered between these different interests. These poor people of Mexico are made to believe that they are fighting these wars to gain freedom.

In this conflict to finally settle the problems the greatest of all human forces is being exerted. It is not the soldier, nor the bands of outlaws which overrun the country, nor is it the organized armies. It is public sentiment which will in the end control. This the "special interests" know and have made all arrangements in advance in the hopes to guide it in their way if they can.

The "special interests," Mexican as well as others, have had their "press agents" at work molding the "news"—that is, manufacturing it of the kind they wish to be published and where they wish. They control many of the great dailies, which publish the prepared statements. Small papers are not in a position to get the real facts. These, for lack of information, are forced to publish the manufactured news, not knowing whether it is false or true. No one with an eye to the situation doubts that millions of dollars have been spent by the "special interests" in our country for the very purpose of forcing the United States to intervene, in order to establish what they consider a stable government in Mexico. This they do in order to exploit Mexico and the Mexicans. They give not the slightest consideration to the sacrifice our country would make in such an undertaking.

The people of this country are not likely to continue running the Government for the "special interests" much longer or extend our Government into Mexico for that purpose. When the Government is in the interest of the people themselves, from that time the "special interests" will not want the United States to intervene where they have any hold.

Gen. Francisco Villa, President Victoriano Huerta, and many others are and have been pictured as butchers, and all the crimes known have been laid by the press at their doors. How many of these charges are true and how many are false we can not now tell, and shall never know very much about the truth of what has thus far taken place. If we go to war with Mexico, the whole of the burden will fall on the plain people of this country, to be taxed in this and future generations to them without gain in return. I sympathize with the President and the Secretary of State in their sincere desire to avoid armed conflict.

Under the leave to print, I now add to my remarks the following article, written by John Reed, who recently returned

from Mexico, where he spent considerable time among the revolutionists as a war correspondent. He depicts the Mexican unrest and the probable effect of an American invasion that will cost our people perhaps billions in money and the blood of thousands of our best citizens for the benefit of speculators. I have talked with several persons who have been in Mexico, and those who have no "ax of their own to grind" have discussed the conditions in much the same light that Mr. Reed does. The Reed article is as follows:

TO THE EDITOR OF THE NEW YORK TIMES:

The newspapers have managed to present pretty accurately what happened and where in the Mexican revolution, but they have not bothered with why.

James Creelman has told us that Huerta is a drunkard; he never told us that Huerta was one of the most inefficient field commanders the federal army ever had. We have been told all about Villa's once being a bandit—as if that had anything to do with the way he has done his job as a general and a governor. The correspondents have spoken of the Madero revolution, the Orozco revolution, the Carranza revolution, and the Zapata revolution, but there is and has been only one revolution in Mexico. It is very necessary at this time that the American people should know what the revolution is about.

It was at first purely and simply a fight for land. During the last 20 years of the Porfirio Diaz régime the landed aristocracy of Mexico, created originally by the Spanish land grants, slowly and definitely absorbed the open cattle ranges, the communal fields around the towns, the village commons, and, lastly, the small, independent farms that had been held sometimes by one family for three generations. Then the big hacendados banded together and secured the passage of the land law of 1896, which permitted the denunciation of all property in the Republic not secured by a legal title. Since most of the small holdings were occupied by illiterate peons, too ignorant to know anything about titles, and since in many cases their occupancy of the land had been undisturbed for generations, great tracts of fertile country passed into the hands of the hacendados. And for the tenants evicted by the aid of federal soldiers there was no alternative but to become slaves on great estates and no hope for the future.

PEONS AT LOWEST LEVEL.

The subjugation of the peons to the level of draft horses was deliberate. Often 500 to 1,000 families did the work of one hacienda, and everything was done to keep them in submission, physical contentment, and ignorance. Even public schools could not be established on the hacienda because it was "private property."

But land discontent among the peons had been smoldering since the Spanish crown gave Cortez a Province for a garden. The evicted farmers and the debauched and enslaved Indians—notably the Yaquis, whose case is the most tragic and shameful in the history of Mexico—could still remember with passionate longing the time when their fathers owned each his little ranch. Even the hacendados recognized that instinct of the peons, and allotted a tiny private field to each one, which he was allowed to work on Sundays. The rest of the week he rose at dawn and worked the immense farms of his employer until late at night. Sundays he rested by furiously working his own patch, and there were produced the best crops of the hacienda. Remember that the Mexicans are naturally a peaceful agricultural people and only take to banditry as a second choice.

There is a flood of books abroad in the land, of which Mr. Hamilton Fyfe's "The Real Mexico," or, better, "Mexico According to the London Times," is the best example. They tell you that the revolution is a revolution of the middle class, because it was stirred up by Francisco Madero. That is simply a lie. In the first place, there is no Mexican middle class. In the second place, the entire unrest of the peons had been described and predicted 10 years before the revolution broke out.

START OF THE REVOLUTIONS.

It was and is nothing but a revolution of the peons. And the first man who proposed any plan, no matter how inadequate, to remedy the land question was followed. Zapata rose in arms a year before Madero did, demanding confiscation and distribution of the great estates among the peons and political autonomy for two great States. Madero's proclamation to the Mexican people from prison at San Luis Potosi inflamed the peons only because he promised to acquire the big land monopolies and reapportion them among the poor. But when his government was established in Mexico City, either he became conservative or because of political pressure, he was unable to carry out his plans, or the time was too short; anyway, the situation remained the same, and the peons became discontented.

First, Zapata abandoned him and raised the standard of "War for the land"; then Orozco issued the plan of Tacubaya, in which he promised the peons free farms. In the twinkling of an eye the turbulent north rose in arms, but Orozco betrayed the peons. He had been bribed by the big landowners to embarrass Madero, whom they feared, and never intended to settle the land question at all. When the peons learned that, they abandoned his red flag by thousands and returned, hopeless and disheartened, to their homes. Zapata, who had acknowledged Orozco as President of Mexico, renounced him. And that was why the Orozco revolution failed.

When Carranza proclaimed himself "first chief of the revolution" on the death of Madero, he cleverly indorsed the principles of Madero, as set forth in the plan of San Luis Potosi, but put all the emphasis upon the restoration of constitutional government in Mexico. Either because he was afraid that if he made promises he could not fulfill them any more than Madero could, or because he did not believe in the wholesale distribution of land to the peons, Carranza avoided the question entirely. He said that after the constitutionalist government was established and order restored in the country he would see what could be done. Zapata promptly denounced him, his party, and his plan, and declared that Carranza did not intend to make any redical changes, and it is perfectly true that the peons are only secondarily interested in the restoration of constitutional government.

WHY VILLA IS POPULAR.

But Villa, with or without the approbation of his chief, went ahead confiscating the estates of the great landowners and dividing them among the people. For instance, in the State of Chihuahua he gave outright 62½ acres to every adult male, to be inalienable for 10 years. He knew that many of them, especially the younger generation, were so sunk in lethargy, because of the slavery of the haciendas, as to have lost all feeling for individual proprietorship of their farms; he calculated that if they were not allowed to gamble away or sell their properties for 10 years the ancient independent love of working the land would return. It is significant that Zapata promptly joined Villa, and is now in accord with him, although he still renounces Carranza.

The three years of the revolution have educated the Mexican people more than the 35 years of the great "educator," Porfirio Diaz. For one thing, they have traveled all over the Republic in the revolutionary army, a thing that never happened before, and now possess a very distinct national feeling. Villa's army is not composed entirely of northerners; it contains men from Yucatan, Jalisco, Zacatecas, Vera Cruz, and the federal district itself.

The peon along the American border now knows every day what his comrades in Sinaloa and Aguas Calientes are thinking. Every State in the Republic, either covertly or openly, is in revolt. Where there are telegraph lines the revolutionists communicate with Carranza daily; where that is impossible, weekly messengers ride north over the secret roads of the Republic. The old barriers between communities are broken down, thought spreads, and every day more Mexicans join the revolution.

And there has also grown up, not only among the soldiers but even among the women and old men in outlying villages and haciendas far removed from the lines of communication, the feeling and the desire for representative government. They have decided that they will be no longer ruled by jefe politicos or other federal agents of the palace in Mexico City; that they will be no longer policed by federal soldiers and spies. Their common form of political society is communal and tribal. But now there is a pretty general realization that in order to protect themselves against the predatory rich and the Government they must have their own representatives in Congress. Of course they are still very ignorant; hardly a village that has not elected its headman, who, it believes, will be a member of the national legislature. But the idea is at last thoroughly implanted in the peons, for the first time.

IF WE OCCUPY MEXICO.

We are going to destroy all that. We have made ourselves responsible for Mexico before the eyes of the world. The first American soldier who enters Mexico City means the end of the Mexican revolution. It means that the United States can not leave Mexico until it has established there a government perfectly suitable to the European powers, and that government will not be suitable at all to the Mexican people. We must suppress the right of franchise in a way that even Porfirio Diaz never dared to do. For if the peons were to indicate their choice for President, they would probably elect a man who represents them—perhaps even a peon like Francisco Villa. At any rate, some one who would give them what they have been fighting for so painfully and so long. And there is not a Government in the world which will allow that, because the people's choice for President will take the lands away from the rich who stole them and return them to the people to whom they rightfully belong. And that, you know, is confiscation—a crime under the law.

The Government of the United States has already expressed itself as being opposed to the distribution of lands. Moreover, it would not dare, if it wanted to—which it doesn't—recognize such a man as Villa; in the first place, because he was a bandit and not respectable; in the second place, because he is only a peon, not a business man, and therefore impossible in the eyes of a democratic nation.

Of course, there are immense European and American interests in Mexico, many of them obtained by sheer bribery, all of them rich in the blood and sweat of the peons. The United States could not recognize any desire of the Mexicans that some of these illegal concessions be restored to the people who were cheated out of them. In Mexico, as well as at home, the idle money of foreign speculators is of more importance than the wishes, independence, and ideals of the people who gave it to them.

THE PEONS WILL FIGHT US.

It is an Anglo-Saxon trait to consider all other races as inferior. A great many of us honestly believe that we will benefit the Mexicans by forcing our institutions upon them. We know nothing about the Latin temperament, and care less. We do not realize that the Latin ideal of liberty is broader than our own. We want to devitalize the Mexican race and turn them into brown, docile American business men and laborers, as we have the Cubans, as we are turning the Filipinos.

As I write this, some of our newspapers are publishing sickening headlines about the 17 heroic American marines who laid down their lives for their county in the streets of Vera Cruz. The lowest estimate of the Mexican dead is 200. The greater number of those who died were not Mexican soldiers at all; they were Mexican citizens firing from the roofs of their own houses upon a foreign army which invaded their country because some foreign business men whom they had enriched were not satisfied and wanted it all.

And if we can ever withdraw from that distracted country we will leave things worse than they were before—an exploiting class firmly intrenched in the places of power, the foreign interests stronger, because we supported them, the great estates securely reestablished, and the peons taught that wage slavery and not individual freedom is the desirable thing in life.

Mr. MANN. Mr. Speaker, I yield three minutes to the gentleman from Pennsylvania [Mr. BUTLER].

Mr. BUTLER. Mr. Speaker, I am one of a few Members of this House having an experience such as we are about to have to-night, standing with our faces turned toward war. Permit me to say, sir, I was in this House and voted for a declaration of war against Spain 16 years ago. I believe it could have been avoided, as I believe the threatened war can be avoided. No man in this House is more embarrassed than I am in the struggle going on within me in my desire to stand by the President and at the same time keep faith with what I believe to be a conscientious performance of a duty. I had anticipated that the President, in his message delivered to-day, would have given us many reasons justifying himself and sufficient in number and importance to justify us. I have no official knowledge beyond that given us by the President in his message. I have heard from those not authorized to speak officially of the murder of our citizens in Mexico, of the outrage of women, and the destruction of American property. It was of these condi-

tions that I expected him to speak. I expected him to ask for authority to improve them by the use of force, and it was my purpose to cordially and willingly sustain him. These conditions which have been exciting the American citizens were not offered by him as a reason for war with Mexico. Indeed, he has made no reference to them. What is the provocation he assigns? It is what is known as the Tampico incident and will go into history under that name. What is this incident upon which we are asked to make a fight against Victoriano Huerta, who is at least the de facto president of Mexico? I read from our President's message for the answer which fully furnishes the description:

On the 9th of April a paymaster of the U. S. S. *Dolphin* landed at the Iturbide Bridge landing at Tampico with a whaleboat and boat's crew to take off certain supplies needed by his ship, and while engaged in loading the boat was arrested by an officer and squad of men of the army of Gen. Huerta. Neither the paymaster nor anyone of the boat's crew was armed. Two of the men were in the boat when the arrest took place, and were obliged to leave it and submit to be taken into custody, notwithstanding the fact that the boat carried, both at her bow and at her stern, the flag of the United States. The officer who made the arrest was proceeding up one of the streets of the town with his prisoners when met by an officer of higher authority, who ordered him to return to the landing and await orders; and within an hour and a half from the time of the arrest orders were received from the commander of the Huertista forces at Tampico for the release of the paymaster and his men. The release was followed by apologies from the commander and later by an expression of regret by Gen. Huerta himself.

Here is the provocation which the President asks us to justify him in the use of the armed forces of the United States. Here is the situation which Huerta must be thrashed to accept. Has he not expressed his regret for the mistake that was made? Has he not placed the officer under arrest who made it? But Admiral Mayo orders him to salute the American flag. To this Huerta will not agree. The only dispute is to the character of the apology. It is true that the arrest of our seamen constituted an offense against our Nation, but it is one for which an apology can be offered and accepted. I will admit that obedience to our demand for a salute would have ended the incident. We would have preferred the salute, but it being denied by Huerta, are we justified in making war upon him in person?

Mr. Speaker, the President gave us three instances upon which we are expected to base this resolution. The one of which I have spoken is the only one of moment. Let no man be mistaken; this means the shedding of human blood. This means an increase in the work of the coffin makers of the United States and much employment for the gravediggers. Gentlemen who vote for it must accept the responsibility. Probably the country will not understand—for one I do not understand—why the apology made by Huerta was not sufficient. Its character certainly does not warrant us in making the sacrifice of human life, and it does not justify the awful drain upon our resources. Let me repeat, these sailors were upon ground where they were denied to go, according to the statement of the President. When they were arrested the officer who arrested them was instructed to discharge them, which he did, and apologized for having arrested them. What happened? The President himself says that the release was followed by apologies from the commander and later by an expression of regret from Gen. Huerta himself. It seems to me, sir, that this has ripened into a question as to the character of apology that should be made. The country will not stand for a war for such a reason. We must deal with the Mexican as a Mexican, and not fight him because his apology is not in accord with the rules of a higher civilization. I am not opposed to armed conflict when the provocation demands it. I do not find it here. I do not believe we are justified in passing this resolution for the reasons assigned. Patriotism can be found in the faithful and conscientious performance of a duty. Let me make the statement here, if the administration discovers that we can not maintain our American dignity without war, and war has to come, I will stand by the President and by the country, let the result be what it may. [Applause.]

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The gentleman has used all of his time.

Mr. FLOOD of Virginia. Mr. Speaker, I yield two minutes to the gentleman from Connecticut [Mr. REILLY].

Mr. REILLY of Connecticut. Mr. Speaker, it is to be regretted that there is any difference on this Mexican matter here to-day.

It is a matter of regret that the leaders of a once great party should see fit not to follow the President in this patriotic proposition.

It is to be regretted that some men are trying to make this a party question.

It is not a party question, and, try as they may, they can not make it such, at least with the people of this Republic, because the people are with the President. It is with the people as it should be with you and with some on our side who hesitate, not a party question, but a question of—

Your flag and our flag,
And how it floats to-day
O'er your land and my land,
And half the world away.

Blood-red and rose-red,
Its stripes forever gleam;
Snow white and soul white,
The good forefathers' dream.

Sky blue and true blue,
With stars that beam aright;
A gloried guidon of the day,
A shelter through the night.

Your flag and my flag—
Oh, how much it holds!
Your heart and my heart
Secure within its folds.

Your heart and my heart
Beat quicker at the sight;
Sun kissed and wind tossed,
The red and blue and white.

The one flag! the great flag!
The flag for me and you!
Glorified, all else beside,
The red and white and blue.

Mr. FLOOD of Virginia. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. TEN EYCK].

Mr. TEN EYCK. Mr. Speaker, our President, with the patience of Job, has kept the American eagle caged, while he has carried the dove of peace extended in his right hand to the chancery door of our one-time sister Republic, and has knocked without reply. No one will deny but that he has within his breast the heart of a lion, with a love for his Nation's honor equal to that love of a mother for her child. He tells us that the flag that Washington created has been insulted. He has demanded an apology. He tells us that he has waited, realizing the cost of life in war. Anticipating the sacrifice of his fellow countryman by a declaration of war, not willing to assume this enormous responsibility, he has come to us for a ratification of his policy. Shall we deny him? Shall we hesitate? No. I for one pledge him my support where he leads in his country's honor. [Applause on the Democratic side.]

Mr. FLOOD of Virginia. Mr. Speaker, how much time have I left?

The SPEAKER. Twelve minutes.

Mr. FLOOD of Virginia. How much time has the gentleman from Illinois [Mr. MANN] remaining?

The SPEAKER. Ten minutes.

Mr. FLOOD of Virginia. Mr. Speaker, I yield four minutes to the gentleman from New York [Mr. SMITH].

Mr. SMITH of New York. Mr. Speaker, the distinguished gentleman from Missouri [Mr. BARTHOLDT] has introduced an amendment to the resolution reported by the Committee on Foreign Affairs. It provides for the insertion of the words "within his constitutional powers." In my judgment that amendment is unnecessary to carry out the meaning and intent of the resolution. In the next place, if it is inserted it will act as a qualification and a reservation upon the resolution. If we are to adopt this declaration at all it ought to be definite; it ought to approve the action of the President without qualification or equivocation. I wish to announce my opposition to that amendment and to state that the Foreign Affairs Committee will be opposed to it. [Applause.]

For reasons similar to those that I have stated, I am opposed, also, to the substitute resolution presented by the gentleman from Massachusetts [Mr. GARDNER]. The committee resolution was carefully considered from every viewpoint. It fully and accurately covers the situation. It would be difficult to add or take away from the language without destroying the intent of the committee. I therefore ask that it be adopted without amendment or alteration of any nature.

So much has been said about the probable effect of any action that may be taken to-day, I desire to place in the RECORD the law passed by Congress in 1898, prior to the War with Spain. I refer to the actual declaration of war, as enacted by Congress. It will be interesting to contrast the bill passed on that occasion with the "vote of confidence" which we will give to-day to the President. The resolution to which I have referred reads:

Be it enacted, etc., First, that war be, and the same is hereby, declared to exist, and that war has existed since the 21st day of April, A. D. 1898, including said day, between the United States of America and the Kingdom of Spain.

Second, that the President of the United States be, and hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States to such extent as may be necessary to carry this act into effect.

For the last 12 months the President has been confronted by a peculiarly trying situation. On the one hand, he was censured for refusing to send our soldiers into Mexico to shed their blood that Mexico might have peace. He was denounced for preserving a policy of nonintervention in the domestic affairs of a neighboring Republic. On the other hand, he was deluged by the demands of those who would go so far as to arbitrate insults to the flag and compromise national honor in the almost unpatriotic desire to maintain peace at any cost of national self-respect.

The President was neither intimidated by criticism nor coerced by censure. He outlined his course, and he pursued it. The culmination is a justification of his settled policy toward Mexico. Gen. Huerta's dictatorship, established on the martyred remains of Madero, who was a true patriot, even if ahead of his time, has miserably failed. Northern Mexico has refused to recognize his authority or bow to his leadership. One State after another has fallen from his grasp. Tottering before his final fall, and in the irritation and desperation of defeat, he threw off his mask of pretended friendship for the United States and openly defied and insulted our representatives at Tampico. Dispatches to our embassy in Mexico City were intercepted. Indignities were heaped upon our citizens. We are compelled to assert our dignity and preserve the honor and traditions of our country. The President of the United States, like his illustrious predecessors in other national crises, is meeting the situation squarely and without faltering. He does not ask Congress for power to declare war, but for authority to enforce an honorable peace. I trust the resolution reported by the committee will be adopted without amendment and that there may not be a division on party lines when the vote is taken by the House.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FLOOD of Virginia. Mr. Speaker, did the gentleman yield back any of his time?

The SPEAKER. The gentleman yielded back two minutes.

Mr. FLOOD of Virginia. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. LEVY].

The SPEAKER. The gentleman from New York [Mr. LEVY] is recognized for two minutes.

Mr. LEVY. Mr. Speaker, if for one moment I entertained the thought that the pending resolution reported out from the Committee on Foreign Affairs was a declaration of war I would cast my vote against it. That phase of the resolution was thoroughly discussed in the committee, and we were convinced that the word "justified" could not be construed as a declaration of war. If, however, the word "authorized" had been employed in the drafting of the resolution such a construction could have been placed upon it. I am perfectly willing to allow the settlement of the Tampico incident to remain in the hands of our President to protect the honor of our flag, because I am fully convinced that he has no intention of declaring war against the Republic of Mexico, and all his future actions will tend toward peace instead of war. Come weal or woe, I am first for my country and my country's honor. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FLOOD of Virginia. Mr. Speaker, will the gentleman from Illinois [Mr. MANN] use some of his time?

Mr. MANN. I think there will be only one speech over here.

Mr. FLOOD of Virginia. Mr. Speaker, I yield one minute to the gentleman from Illinois [Mr. HILL].

The SPEAKER. The gentleman from Illinois [Mr. HILL] is recognized for one minute.

Mr. HILL. Mr. Speaker and gentlemen of the House, the adoption of this resolution, as has been stated, means either a declaration of war or a declaration of peace. Without the adoption of this resolution, there is no doubt in my mind that if we intend to preserve the honor of the flag of our country we must admit that we are at the threshold of war. By the adoption of this resolution, it may be possible that war can be avoided; but without it, there is no other result.

I do not want our Nation engaged in warfare just for the sake of war. No patriotic citizen does want war in that manner. But to-day a crisis and situation confront us that would warrant an out-and-out declaration of war. If it were not for his tempered spirit of peace and justice, President Wilson to-day would have given a message for a declaration of war and a request for an appropriation to support the same.

I am indeed surprised to find Members of this House opposed to this or any resolution that seeks redress for an outrageous insult to the emblem of our Nation—the emblem that stands for the safety of our lives, homes, and firesides. I am sorry there is opposition at this time to this measure. I am glad, however, it is alone from the Republican side of the House. This party has always boasted of its chivalry and loyalty to our flag. It is unfortunate at this time that you are controlled by the dominating spirit of your leader, my colleague, the gentleman from Illinois [Mr. MANN]. Ever since the election in November, 1912, the leader of your party has been in the objective mood. He has allied with him two objective cohorts, the gentleman from Kansas [Mr. CAMPBELL], who to-day on this floor asserted, "If you force the war upon the country, I will stay here," and the ever talkative gentleman from Wyoming [Mr. MONDELL], who reversed his position upon the tolls question simply because he could not be in harmony with President Wilson. This triumvirate during this Congress usually has controlled the Republican side of this House with a word or even wave of the hand, but this is one time they will find red-blooded Members on that side voting with the President and with the unanimous sentiment of our Nation. In my judgment they will fail to control at least 60 per cent of the vote on that side against the adoption of this measure. With a few more samples of this character of leadership from them they will relegate themselves to low privates in rear ranks. If their party should follow them in their conduct of putting party enthusiasm above national patriotism and their country's honor, it will be relegated to merited oblivion.

These gentlemen to-day have belched forth one spasm after another because Carranza and Villa have waged bloody warfare in northern Mexico against the power and questioned right of Dictator Victoriano Huerta, who sits on his throne by virtue of ravage, rapine, and murder. These opponents to this resolution insist that the Executive of our country should recognize the self-constituted murderous Huerta, who sits on the throne of Mexico. Such recognition will never be given. Our President is right. The people of the country are with him.

Mr. Speaker, I care not what position others may take, but as for me, I shall vote to uphold and sustain my President and our Nation's President. I shall vote to keep our flag respected by every nation on earth. I shall vote for Old Glory to remain unsullied and unspotted from insult and dishonor by greasers of Mexico.

I am surprised that members of the great Republican Party of this country, who have boasted of their greatness and their goodness, under the leadership of the excellent gentleman from Illinois, my colleague [Mr. MANN], would stand up here and say to you that they are willing for Mexico, under the vile guidance of Huerta, to spit upon Old Glory.

May the God of all mankind, who inspired George Washington to lead to success his soldiers, whose foot tracks at Valley Forge were left bloodstained; who inspired the patriotic hand of Betsy Ross to design Old Glory, to be forever honored and respected; who inspired the leaders of our Nation to require England to respect Old Glory in 1812; who inspired our fathers to require Mexican respect for Old Glory in 1846; who inspired President McKinley to require Spain to respect Old Glory in 1898; may that same inspiration move the gentleman from Illinois [Mr. MANN] and his followers to vote for respect and reparation due Old Glory at this time from Mexican greasers. [Applause.]

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky [Mr. LANGLEY] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GOLDFOGLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from New York [Mr. GOLDFOGLE] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MANN. Mr. Speaker, we could not hear what the request was.

The SPEAKER. The gentleman from New York [Mr. GOLDFOGLE] asks unanimous consent to extend his remarks in the RECORD.

Mr. MANN. I object, unless he has spoken.

Mr. LANGLEY. I made the request, Mr. Speaker.

The SPEAKER. The gentleman's request is already granted; likewise that of the gentleman from Illinois [Mr. HILL].

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. ELDER. Has the gentleman spoken?

Mr. BUTLER. Yes. What I said is not important, but I have spoken.

Mr. ELDER. Reserving the right to object, Mr. Speaker, I can not see the difference between a gentleman who has spoken and wishes to add to his speech and one who has not. I do not like to object, and shall not; but I think the leader of the minority [Mr. MANN] has been very unfair to-night.

Mr. MANN. That is very unfair for the gentleman to make that statement. I am always fair.

Mr. ELDER. I do not want to be unfair to the gentleman. I shall not object, but I think the way he has treated some of us to-night is very unfair, and I wish to express my regret at his action.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. BUTLER] that he may extend his remarks in the RECORD?

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Speaker, did the gentleman from Illinois [Mr. MANN] object to the gentleman from Illinois [Mr. HILL] extending his remarks?

Mr. MANN. I did not.

The SPEAKER. No reference was made to him. Is there objection?

There was no objection.

The SPEAKER. If no one wishes to make a speech, the Chair will put the question.

Mr. MANN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. MOORE] one minute.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] is recognized for one minute.

Mr. MOORE. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk and ask to have read.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The Clerk read as follows:

Amendment offered by Mr. MOORE:
At the end of the resolution add the following: "*Provided*, That nothing herein contained shall be construed as a declaration of war."

Mr. MOORE. Mr. Speaker, the resolution speaks for itself. It will give to those who are opposed to a declaration of war an opportunity to say so. That is all it offers. There are some here who may want to vote that way.

Mr. CULLOP. Mr. Speaker, the opponents of this resolution have declared their objection to it, some because it does not declare for war, others because it does not declare for peace. It seems that the opposition is divided upon these lines. I am unable to understand why gentlemen opposing this resolution take these two opposite positions. Some declare that it means war; some declare that it does not mean war. It is immaterial whether it means war or means peace; if it means to bring about a settled condition in Mexico and to restore the honor and dignity of the American flag it is sufficient for any American citizen to support. [Applause.]

Not only has the President related one incident that would warrant the passage of this resolution, but he has referred to a number of them, equally grievous as the first one named in the message, which require reparation. It becomes the duty of every American citizen to stand by the President of the United States in the crisis now upon the country. True, Mexico, a neighboring Republic, is torn by strife; but indignity has been heaped upon the American flag, and the honor of every American citizen is at stake to hold aloft that banner and to keep it above the insult of any foe. [Applause.]

We may dispute over the wording of this resolution, declare that it means this or that, but it is no time to quibble over words. We all know the purpose is to uphold the dignity of our Government and to resent indignities offered by a hostile foe, and our duty should be discharged in keeping with the great Government we represent and the brave people who have intrusted us with their confidence. [Applause.] Gentlemen who oppose this resolution, who have criticized the President for his course, offer no solution of the vexed question here presented, but content themselves by opposing the course here presented. This, on their part, is not arising to the position which the exigencies of the hour require nor affording the country some better plan for a reparation of the wrongs done a patriotic people. It would be better for them, in the eyes of the public, if they would come forward with some proposition that would remedy the situation, in order to preserve the honor of the greatest nation on earth. This they fail to do, and why they do not explain.

The people back at their homes will want of them explanation of their course and a reason for their opposition to this resolution approving the President's course in handling the situation which has arisen here.

The people of this great country stand ready and willing to hold up his hands in this matter and abide by his wise and patriotic course. They believe in him, and they will see that he is sustained in whatever he asks for the upholding of the dignity of this great Government and defending our flag, the symbol of a liberty-loving people whose civilization is the glory of the whole world, and whose standard of justice and uprightness is an example for the nations of the earth. [Applause.] They indorse his course in this matter of so much moment and will have no patience with those who attempt to obstruct or delay his patriotic but firm treatment of it. [Applause.] For one, I shall vote for the resolution, and hope to see it unanimously passed by this House. [Applause.]

Mr. MANN. Mr. Speaker, perhaps I am a little more averse to a declaration of war because I served in this House and helped to bring on one war; and, while gentlemen have referred this afternoon to the solid support which the Democratic side of the House gave to President McKinley when the Cuban difficulties were under consideration, such gentlemen have forgotten the record. For week after week and month after month the Democratic side of the House in the Fifty-fifth Congress harried President McKinley and denounced him because he had not done what the Democratic side thought ought to be done in regard to Cuba; and when it came to voting upon the propositions in the House, declaring that Cuba was and ought to be free and independent, there were two roll calls in the House on which the Democratic side voted practically unanimously against the wishes of President McKinley. [Applause on the Republican side.]

Nor have I forgotten the results of the Spanish War. Many of us here then—and I was one of that number, younger then than I am now, with less experience then that I have now—believed then that it were possible for us to intervene in Cuba, make Cuba free, and stop there. I have seen the results of the Spanish War, and have seen that no one can foretell what will be the results of a war. I saw us take the Philippine Islands. I saw us take Porto Rico. I saw us acquire Hawaii. I have seen our Army grow from a maximum of 25,000 to a maximum of 100,000 men. I have seen our Navy—and partly as a result of that the navies of the world—grow from an expense of $30,000,000 or $40,000,000 a year to $130,000,000 or $140,000,000 a year. I do not believe that it is possible for us to have war with Mexico and ever leave Mexico. I think that when our troops, as the result of war, land in Mexico City, when we have finished the war we will own Mexico. I am not now in favor of acquiring the responsibilities which will come through that ownership [applause], though I know full well that when we put our troops there and come into the possession of that country some gentlemen—and they will be a majority in our country—will say, and perhaps I will join with them, "We will never haul down the flag that the blood of our boys has raised there."

We are in a serious situation that ought to be considered calmly. Do you know what will happen? Does the President know what will happen? No one can tell. It is the time when we ought to keep cool, when we ought not to resort to the arbitrament of arms, but when we ought still to endeavor to have a peaceful solution of our problems. [Applause.]

I believe that this resolution means war. I remember very well when Mr. Cannon, the chairman of the Committee on Appropriations of the House in the Fifty-fifth Congress, offered a bill to appropriate $50,000,000 to be placed at the disposition of the President at his will. Mr. Cannon said it was a measure to preserve peace. This was not war, he said, it was to maintain peace. At that time I had one minute yielded to me, and I took that one minute to say that at least I was not fooled by the vote I was about to cast. I knew that it meant war. I know that this means war. I do not think we have yet exhausted the possibilities of peace, that we should plunge our Nation into war. [Applause.]

Mr. FLOOD of Virginia. How much time have I remaining?

The SPEAKER. Five minutes.

Mr. FLOOD of Virginia. I yield five minutes to the gentleman from Texas [Mr. HENRY].

Mr. HENRY. Mr. Speaker, we are now about to conclude the proceedings of this fateful day. Gentlemen should not endeavor to play partisan politics on this occasion, as the distinguished gentleman from Illinois [Mr. MANN] has done during to-day's proceedings.

For a number of weeks he has been clamoring for action on the part of the President of the United States and has demanded

that we go forward. Now that insult has been heaped upon our country, he quails in the face of those who insulted us and questions the motives of the President of the United States. [Applause.]

Sixteen years ago on yesterday I was a Member of this body when William McKinley, that great patriot, with strong heart, requested that we appropriate fifty millions of dollars to be placed at his disposal. I remember well how the bosoms of all Members of this House swelled with pride while they expressed their confidence and voted ungrudgingly and without qualification fifty millions of dollars for the glory and welfare of our Republic. [Applause.]

To-morrow will be 78 years since Texas on the battlefield of San Jacinto routed the Mexicans and established a great republic there. We did it because our rights had been invaded and because we were entitled to our liberty and independence. Since that glorious day of April 21, 1836, we have come into the Union, and now from the North, the East, the South, the West we are all proud to stand under that flag and rally to the support of the President of the United States. [Applause.]

Some gentlemen complain that the President's case has not been made as strong as it should have been. He could have made it much stronger; he could have paraded before this country and the world case after case for action on the part of our Government. But he has constantly deplored the fact that he had to proceed at all. He has tried to avert war with Mexico. He has done everything that an honorable man and a patriotic President could do to avoid the struggle that seems impending. There is one thing certain, while this resolution may not mean war, while it may not imply a declaration of war, yet not to pass it would bring this country into disrepute in the eyes of the world. And such attitude I, as the representative of a great congressional district, am not willing to occupy before the balance of the world. [Applause.]

We ought to have the votes of the Democrats and the Republicans; we ought to have the support of all the Representatives of this body in this crisis, and gentlemen ought to be ashamed to play partisan politics when the honor of our country is involved. [Applause.]

In concluding this discussion, I hope and believe that we will have practically the solid support of the three parties in Congress, and that the President will receive the assurance that the representatives and spokesmen of 100,000,000 people are ready to uphold his hands and defend the flag of our country. [Prolonged and loud applause.]

Mr. FLOOD of Virginia. Mr. Speaker, I move the previous question on the resolution and amendments to final passage.

The motion was agreed to.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

Amendment offered by Mr. BARTHOLDT:
After the word "employment," in line 4, insert the words "within the limits of his constitutional power."

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. MOORE:
At the end of the resolution add the following: *"Provided,* That nothing herein contained shall be construed as a declaration of war."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was rejected.

The SPEAKER. The Clerk will report the Gardner substitute.

The Clerk read as follows:

Substitute by Mr. GARDNER:
"Resolved, etc., That a situation has arisen with respect to our relations with certain persons in Mexico under which it may be necessary for the President to employ the armed forces of the United States of America to maintain the dignity of and respect for the flag of the United States, and such employment of armed forces within the limits of his constitutional powers is hereby approved."

The SPEAKER. The question is on agreeing to the substitute.

The substitute was rejected.

The SPEAKER. The question is on the engrossment and third reading of the House resolution.

Mr. CLAYTON. Mr. Speaker, on that I demand the yeas and nays.

Mr. FLOOD of Virginia. Mr. Speaker, I desire to call the attention of the Chair to the fact that the Committee on Foreign Affairs reported a substitute for the original resolution. The substitute is in lieu of the original resolution, and we desire to have the substitute voted on.

The SPEAKER. The question is on the committee substitute.

Mr. MANN. Mr. Speaker, would it be proper to ask to have the resolution read at some time?

The SPEAKER. Entirely proper. The Clerk will report the substitute.

Mr. HENRY. That has already been read.

Mr. MANN. Let us know what we are voting on.

The SPEAKER. The Clerk will report the substitute.

The Clerk read as follows:

Resolved, etc., That the President of the United States is justified in the employment of armed forces of the United States to enforce the demands made upon Victoriano Huerta for unequivocable amends to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

The SPEAKER. The question is on agreeing to the substitute.

The substitute was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution as amended by the substitute.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the House joint resolution.

Mr. FLOOD of Virginia. Mr. Speaker, on that I demand the yeas and nays.

Mr. MANN. Mr. Speaker, pending the taking of the vote, may I ask the gentleman what the intention is in respect to the rest of the evening? I understand the Senate will meet at 9 o'clock.

Mr. FLOOD of Virginia. Mr. Speaker, I understand the House will take a recess.

Mr. MANN. To await the action of the Senate?

Mr. UNDERWOOD. Mr. Speaker, I think it would be well for the House to stay here until it is found out whether the Senate will be able to get through this evening. There is other business on the calendar.

Mr. MANN. Oh, I do not think we will transact any other business.

Mr. UNDERWOOD. Then when this is disposed of, I will ask the House to take a recess for an hour.

Mr. FERRIS rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. FERRIS. Mr. Speaker, I desire to make an observation to the gentleman from Alabama. This is unanimous-consent day. It is growing late in the session and the calendar is chock-full. Why not let us work?

Mr. UNDERWOOD. The gentleman from Illinois indicated that he did not desire to do that.

Mr. MANN. I think not to-night. Besides, many of us have not yet had our dinner.

Mr. CLAYTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. CLAYTON. The roll call was ordered.

Mr. MANN. This is for the convenience of this side of the House.

Mr. CLAYTON. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] and the gentleman from Alabama [Mr. CLAYTON] demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 337, nays 37, answered "present" 3, not voting 56, as follows:

YEAS—337.

Abercrombie	Broussard	Coady	Eagle
Adair	Brown, N. Y.	Collier	Edmonds
Adamson	Brown, W. Va.	Connelly, Kans.	Edwards
Aiken	Browne, Wis.	Conry	Elder
Alexander	Bruckner	Cooper	Esch
Allen	Brumbaugh	Covington	Estopinal
Ansberry	Bryan	Cox	Evans
Ashbrook	Buchanan, Ill.	Cramton	Faison
Aswell	Buchanan, Tex.	Cullop	Falconer
Austin	Bulkley	Curry	Farr
Avis	Burgess	Danforth	Fergusson
Bailey	Burke, S. Dak.	Davenport	Ferris
Baker	Burke, Wis.	Decker	Fess
Baltz	Burnett	Deitrick	Fields
Barchfeld	Byrnes, S. C.	Dent	Fitzgerald
Barkley	Byrns, Tenn.	Dershem	FitzHenry
Barnhart	Calder	Dickinson	Flood, Va.
Bartlett	Callaway	Dies	Floyd, Ark.
Barton	Cantor	Difenderfer	Foster
Bathrick	Caraway	Dillon	Fowler
Beakes	Carlin	Dixon	Francis
Beall, Tex.	Carter	Donohoe	Frear
Bell, Ga.	Casey	Donovan	Gallagher
Blackmon	Chandler, N. Y.	Doolittle	Gallivan
Booher	Church	Doremus	Gard
Borchers	Clancy	Doughton	Garner
Borland	Clark, Fla.	Dunn	Garrett, Tenn.
Bowdle	Claypool	Dupré	Garrett, Tex.
Brockson	Clayton	Dyer	Gerry
Brodbeck	Cline	Eagan	Gilmore

Giffins	Kinkaid, Nebr.	Nolan, J. I.	Smith, Saml. W.
Glass	Kinkead, N. J.	Oglesby	Smith, Tex.
Godwin, N. C.	Kirkpatrick	O'Hair	Stafford
Goeke	Kitchin	Oldfield	Stedman
Goldfogle	Konop	O'Leary	Stephens, Cal.
Gordon	Kreider	O'Shaunessy	Stephens, Nebr.
Gorman	Lafferty	Padgett	Stephens, Tex.
Graham, Ill.	Langley	Page, N. C.	Stevens, N. H.
Graham, Pa.	Lazaro	Palmer	Stone
Gray	Lee, Ga.	Park	Stringer
Greene, Mass.	Lee, Pa.	Parker	Sumners
Greene, Vt.	Lenroot	Patten, N. Y.	Sutherland
Griest	Lesher	Patton, Pa.	Switzer
Griffin	Lever	Peters, Mass.	Taggart
Hamill	Levy	Peters, Me.	Talbott, Md.
Hamilton, Mich.	Lewis, Md.	Peterson	Talcott, N. Y.
Hamilton, N. Y.	Lewis, Pa.	Plumley	Tavenner
Hammond	Lieb	Porter	Taylor, Ark.
Hardy	Lindbergh	Post	Taylor, Colo.
Harrison	Linthicum	Pou	Taylor, N. Y.
Hart	Lloyd	Prouty	Ten Eyck
Haugen	Lobeck	Quin	Thacher
Hawley	Loft	Ragsdale	Thomas
Hay	Logue	Raker	Thompson, Okla.
Hayden	Lonergan	Rauch	Thomson, Ill.
Heflin	McAndrews	Rayburn	Towner
Helgesen	McClellan	Reed	Townsend
Helm	McCoy	Reilly, Conn.	Treadway
Helvering	McDermott	Reilly, Wis.	Tribble
Henry	McGillicuddy	Roberts, Mass.	Tuttle
Hensley	McGuire, Okla.	Roberts, Nev.	Underhill
Hill	McKellar	Rogers	Underwood
Hinds	McKenzie	Rouse	Vare
Hinebaugh	McLaughlin	Rubey	Vaughan
Hobson	MacDonald	Rupley	Vollmer
Holland	Maguire, Nebr.	Russell	Walker
Howard	Mahan	Sabath	Wallin
Hughes, Ga.	Manahan	Saunders	Walters
Hulings	Mapes	Scott	Watkins
Hull	Metz	Scully	Watson
Humphrey, Wash.	Miller	Seldomridge	Weaver
Humphreys, Miss.	Mitchell	Shackleford	Webb
Igoe	Montague	Sherley	Whaley
Jacoway	Moon	Sherwood	Whitacre
Johnson, Ky.	Moore	Shreve	White
Jones	Morgan, La.	Sims	Williams
Keating	Morgan, Okla.	Sinnott	Willis
Keister	Morrison	Slemp	Wingo
Kelley, Mich.	Moss, Ind.	Sloan	Woodruff
Kennedy, Conn.	Mott	Small	Young, N. Dak.
Kennedy, Iowa	Murdock	Smith, Idaho	Young, Tex.
Kennedy, R. I.	Murray, Mass.	Smith, J. M. C.	The Speaker
Kettner	Murray, Okla.	Smith, Md.	
Key, Ohio	Neely, W. Va.	Smith, Minn.	
Kiess, Pa.	Nelson	Smith, N. Y.	

NAYS—37.

Ainey	French	Kent	Steenerson
Anderson	Gardner	Kindel	Stephens, Miss.
Anthony	George	La Follette	Stevens, Minn.
Bartholdt	Gillett	Langham	Temple
Bell, Cal.	Good	Madden	Volstead
Britten	Hayes	Mann	Witherspoon
Butler	Howell	Mondell	Woods
Campbell	Johnson, Utah	Platt	
Davis	Johnson, Wash.	Sells	
Fordney	Kahn	Sisson	

ANSWERED "PRESENT"—3.

Payne	Slayden	Taylor, Ala.

NOT VOTING—56.

Browning	Fairchild	Kelly, Pa.	Phelan
Burke, Pa.	Finley	Knowland, J. R.	Powers
Candler, Miss.	Goodwin, Ark.	Korbly	Rainey
Cantrill	Goulden	L'Engle	Riordan
Carew	Green, Iowa	Lindquist	Rothermel
Carr	Gregg	Maher	Rucker
Cary	Gudger	Martin	Sharp
Connolly, Iowa	Guernsey	Merritt	Sparkman
Copley	Hamlin	Morin	Stanley
Crisp	Hardwick	Moss, W. Va.	Stout
Crosser	Houston	Neeley, Kans.	Walsh
Dale	Hoxworth	Norton	Wilson, Fla.
Dooling	Hughes, W. Va.	O'Brien	Wilson, N. Y.
Driscoll	Johnson, S. C.	Paige, Mass.	Winslow

So the joint resolution was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. SLAYDEN with Mr. BROWNING.

Mr. RUCKER with Mr. NORTON.

Mr. JOHNSON of South Carolina with Mr. GREEN of Iowa.

Mr. TAYLOR of Alabama with Mr. HUGHES of West Virginia.

Mr. GOODWIN of Arkansas with Mr. FAIRCHILD.

The SPEAKER. The Clerk will call my name.

The name of Mr. CLARK of Missouri was called, and he answered "Aye."

The result of the vote was announced as above recorded.

[Applause.]

On motion of Mr. FLOOD of Virginia, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GILMORE, for five days, on account of death of a relative.

To Mr. GREGG, for one day, on account of sickness in family.

WITHDRAWAL OF PAPERS.

By unanimous consent Mr. REILLY of Connecticut was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of George W. Beach, H. R. 1535, first session, Sixty-third Congress, no adverse report having been made thereon.

RECESS.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the House take a recess until 10.30 to-night.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the House stand in recess until 10.30 o'clock to-night. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, does the gentleman think there is any possibility whatsoever of the Senate acting upon this resolution within one hour?

Mr. UNDERWOOD. No, I do not; but I think it will act to-night, and at the end of an hour we will be in a better condition to state what we can do.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Thereupon (at 9 o'clock and 27 minutes p. m.) the House took a recess until 10.30 o'clock p. m.

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker.

EXTENSION OF REMARKS.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I understand that the Senate has adjourned to meet at 12.10 a. m. to-morrow. They will probably be in session the balance of the night. It is not probable that they will get a vote before 6 or 7 o'clock in the morning. With that in view, I ask unanimous consent that when the House adjourns it adjourn to meet at 10 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock a. m. to-morrow.

Mr. MURDOCK. Mr. Speaker, reserving the right to object, has the Senate recessed until 12.10 a. m.?

Mr. UNDERWOOD. It has adjourned until 12.10. That means 12.10 to-night.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 31 minutes p. m.) the House adjourned until Tuesday, April 21, 1914, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Missouri River from the mouth of Kansas River to a point at or near where the west line of Kansas City, Kans., extended, intersects the Missouri River (H. Doc. No. 913); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

2. A letter from the Secretary of the Interior, transmitting a list of papers in Department of the Interior that have no permanent or historical interest, and recommending that authority be granted to destroy them (H. Doc. No. 912); to the Joint Committee on Disposition of Useless Papers and ordered to be printed.

3. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination of San Leandro Bay, Cal., with a view to establish-

ing at West Leandro a deep-water channel to San Francisco Bay (H. Doc. No. 911); to the Committee on Rivers and Harbors and ordred to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 1694) to amend an act approved October 1, 1890, entitled "An act to set apart certain tracts of land in the State of California as forest reservations," reported the same without amendment, accompanied by a report (No. 555), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SLAYDEN, from the Committee on the Library, to which was referred the joint resolutoin (H. J. Res. 249) for the appointment of George Frederick Kunz as a member of the North American Indian Memorial Commission, reported the same without amendment, accompanied by a report (No. 557), which said bill and report were referred to the House Calendar.

Mr. McCLELLAN, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 15320) authorizing the Secretary of the Treasury to disregard section 33 of the public-buildings act of March 4, 1913, as to site at Owego, N. Y., reported the same without amendment, accompanied by a report (No. 558), which said bill and report were referred to the House Calendar.

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 251) justifying the employment by the President of the armed forces of the United States in enforcing certain demands made upon Victoriano Huerta, reported the same with amendment, accompanied by a report (No. 560), which said joint resolution and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 239) granting an increase of pension to Alexander M. Rainey; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5243) granting a pension to Ezra R. Fuller; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13336) granting a pension to James D. Setliff; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CULLOP: A bill (H. R. 15838) to establish a fish-cultural station and mussel hatchery on the Wabash River, near Vincennes, Ind.; to the Committee on the Merchant Marine and Fisheries.

By Mr. OLDFIELD: A bill (H. R. 15839) authorizing the Secretary of War to grant permission for utilization of water power at Lock and Dam No. 1 on upper White River, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: A bill (H. R. 15840) authorizing the Secretary of Agriculture to rent or lease certain portions or spaces of ground within the national forests for certain purposes; to the Committee on Agiculture.

By Mr. BURKE of Wisconsin: A bill (H. R. 15841) to amend "An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 15869) to provide for the establishment and maintenance of mining experiment and mine-safety stations for making investigations and disseminating information among employees in mining, quarrying, metallurgical, and other mineral industries, and for other purposes; to the Committee on Mines and Mining.

By Mr. WICKERSHAM: A bill (H. R. 15870) to amend the United States land laws in their application to Alaska, and for other purposes; to the Committee on the Public Lands.

By Mr. FLOOD of Virginia: Joint resolution (H. J. Res. 251) justifying the employment by the President of the armed forces of the United States in enforcing certain demands against Victoriano Huerta; to the Committee on Foreign Affairs.

By Mr. MURRAY of Oklahoma: Resolution (H. Res. 482) directing that 3,000 copies of a symposium of the points of order and the rights of the Mississippi Choctaws under the fourteenth article of the Dancing Rabbit Creek treaty of 1830 be printed for the use of the Members of the House and Senate; to the Committee on Printing.

By Mr. TREADWAY: Memorial adopted by the Legislature of the State of Massachusetts protesting against the incorporation of a literacy test in the pending immigration bill; to the Committee on Immigration.

By Mr. GILMORE: Memorial adopted by the legislature of the State of Massachusetts protesting against the incorporation of a literacy test in the pending immigration bill; to the Committee on Immigration.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMPBELL: A bill (H. R. 15842) granting an increase of pension to Priscilla Smith; to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 15843) granting an increase of pension to William F. McLean; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 15844) granting an increase of pension to William Otha White; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 15845) for the relief of Pinkie West, administratrix of the estate of J. J. West, deceased; to the Committee on War Claims.

By Mr. CULLOP: A bill (H. R. 15846) granting an increase of pension to Jacob L. Fowler; to the Committee on Pensions.

Also, a bill (H. R. 15847) granting an increase of pension to William H. Robinson; to the Committee on Invalid Pensions.

By Mr. DILLON: A bill (H. R. 15848) granting an increase of pension to Peter Schnellbacker; to the Committee on Invalid Pensions.

By Mr. DONOHOE: A bill (H. R. 15849) granting a pension to James Howard; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 15850) granting an increase of pension to Francis M. Van Tress; to the Committee on Invalid Pensions.

By Mr. FRANCIS: A bill (H. R. 15851) granting an increase of pension to Francis Acton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15852) granting an increase of pension to James W. Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15853) granting an increase of pension to Leasen E. Callen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15854) granting an increase of pension to George D. McIlroy; to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 15855) granting a pension to Sallie E. Doolittle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15856) granting an increase of pension to A. C. Lee; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Connecticut: A bill (H. R. 15857) granting a pension to Catherine Coughlan; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 15858) granting an increase of pension to William Burnell; to the Committee on Invalid Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 15859) granting an increase of pension to George Sharp; to the Committee on Invalid Pensions.

By Mr. MURRAY of Oklahoma: A bill (H. R. 15860) granting a pension to John W. Martin; to the Committee on Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 15861) granting an increase of pension to Catherine Shields; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 15862) granting an increase of pension to Pharaoh A. Cobb; to the Committee on Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 15863) granting a pension to Augusta Fels; to the Committee on Pensions.

Also, a bill (H. R. 15864) granting an increase of pension to William Houston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15865) granting an increase of pension to William J. Denney; to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 15866) granting a pension to Alfred N. Curtis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15867) granting an increase of pension to Lionel C. Long; to the Committee on Invalid Pensions.

By Mr. WOODS: A bill (H. R. 15868) granting an increase of pension to William H. Sprague; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 15871) granting an increase of pension to Edward V. Rutter; to the Committee on Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 15872) for the relief of Iver Boreson; to the Committee on Claims.

By Mr. SMITH of Maryland: A bill (H. R. 15873) granting a pension to Minnie Hamilton; to the Committee on Pensions.

By Mr. KEY of Ohio: Resolution (H. Res. 483) authorizing the payment of $1,200 to William McKinley Cobb for extra and expert services rendered to the Committee on Pensions during the first and second sessions of the Sixty-third Congress; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Redpath Chautauquas, favoring the production of such programs as will tend toward the general uplift of the country; to the Committee on Education.

Also (by request), petition of sundry citizens of New York, Michigan, and Illinois against practice of polygamy in the United States; to the Committee on the Judiciary.

Also, petition of sundry citizens of Louisiana, Pike County, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ADAIR: Petitions of sundry citizens of Elwood, Ind., favoring passage of House bill 12928, retaining section 6; to the Committee on the Post Office and Post Roads.

By Mr. ANSBERRY: Petitions of Carl Anderson and others of the State of Ohio, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of 621 citizens of Defiance, Ohio, and 85 citizens of Edgerton, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ANTHONY: Petition of J. B. Woodman and other members of West Powhattan Grange No. 1541, of Netawaka, Kans., favoring House bill 11897, relating to rural credits; to the Committee on Banking and Currency.

By Mr. ASHBROOK: Evidence to accompany a bill (H. R. 15616) for the relief of Mrs. Rachel Davis; to the Committee on Invalid Pensions.

Also, evidence to accompany a bill (H. R. 12317) for the relief of James K. Butler; to the Committee on Invalid Pensions.

By Mr. BARCHFELD: Petition of sundry citizens of the eighteenth and nineteenth wards and 174 citizens of the twentieth ward, of Pittsburgh, Pa., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Mount Oliver, St. Clair, and McKees Rocks, all in the State of Pennsylvania, against national prohibition; to the Committee on the Judiciary.

By Mr. BROWNING: Petitions of 394 citizens of Woodstown; sundry citizens of Pennsville and Salem; Mickleton Grange, No. 111, Patrons of Husbandry; sundry citizens of Elmer, Monroeville, Woodbury, Almonesson, Gloucester City; First Baptist Church of Gloucester City; sundry citizens of Camden; 24 citizens of Berlin; 80 citizens of Merchantville; 106 citizens of Blackwood; and 125 citizens of Gibbstown, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BURKE of Wisconsin: Petition of sundry citizens of Waterloo, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CARY: Petition of P. J. Pinter, Vinton Mosel, O. L. Kohl, D. W. Weiss, J. Kremer, W. C. Singer, E. C. Binky, F. Lenhard, Val Blatz, A. Blatz, A. H. Koeing, W. H. Pahl, H. L. Lontog, A. S. Pierce, Charles Hornig, George Beuzel, J. H. Ehlhardt, and W. Boeshaad, all of Milwaukee, Wis., against national prohibition; to the Committee on the Judiciary.

Also, petition of the western governors' conference, relative to water power of the West; to the Committee on Rivers and Harbors.

By Mr. CLARK of Florida: Petition of various members of the churches at Anthony, Fla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CONRY: Petition of 1,720 citizens of the fifteenth congressional district of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. COX: Petition of Kamer Bros., of New Albany, Ind., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Highlands Friends' Church, of Washington County, Ind., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CRAMTON: Petition of William Roy Moon and 617 other voters of St. Clair County; Peter Miller and 68 other citizens of Lapeer County; E. F. Hess and 596 other citizens of Huron County; George McMorran and 836 other citizens of Macomb County; and M. Shay and 74 other citizens of Tuscola County, all in the State of Michigan, protesting against the Hobson resolution, providing for national prohibition; to the Committee on the Judiciary.

Also, petitions of the Mennonite Congregation, representing 150 people, of Brown City; the Methodist Episcopal Church of Brown City, representing 108 people; the Pilgrim Congregational Church, of Metamora, representing 40 people; the Methodist Episcopal Church of Metamora, representing 75 people; the Free Methodist Church of Lum, representing 15 people; the Woman's Christian Temperance Union of Lapeer, representing 70 people; the Free Methodist Church of Burnside, representing 8 people; the First Methodist Protestant Church of Lapeer, representing 100 people; the Methodist Episcopal Church of Hadley, representing 100 people; the Southwest Dryden Woman's Christian Temperance Union, representing 25 people; the First Presbyterian Church of Port Huron, representing 200 people; the Mennonite Brethren of Port Huron, representing 100 people; and the Washington Avenue Church, of Port Huron, representing 64 people, all in the State of Michigan, in favor of national constitutional prohibition; to the Committee on the Judiciary.

By Mr. CURRY: Petition of F. W. Field, of St. Helena, Napa County, Cal., and others, in opposition to House bill 7826, to provide for the closing of barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

Also, petition of F. W. Field, of St. Helena, Napa County, Cal., and others, in favor of House bill 12928, to amend the postal and civil-service laws; to the Committee on the Post Office and Post Roads.

By Mr. DALE: Petition of the William D. Sing Co. and sundry citizens of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. DILLON: Petition of sundry citizens of the first congressional district of South Dakota, against national prohibition; to the Committee on the Judiciary.

By Mr. DONOHOE: Petition of sundry citizens of Philadelphia, Pa., against national prohibition; to the Committee on the Judiciary.

Also, petition of various churches of Philadelphia, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of sundry citizens of the State of Kansas, favoring passage of House bill 11755, for bureau of farm loans; to the Committee on Banking and Currency.

By Mr. FESS: Petition of the Methodist Episcopal Church of Milford, Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of citizens of the State of Ohio, opposing national prohibition; to the Committee on the Judiciary.

By Mr. GALLIVAN: Petition of sundry citizens of Boston, Mass., against national prohibition; to the Committee on the Judiciary.

By Mr. GILMORE: Memorial of Campbells (Mass.) Branch of Brockton Socialist Club, favoring investigation of mining troubles in Colorado; to the Committee on Rules.

Also, petition of 104 citizens of Massachusetts, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of H. A. McComos, of Philadelphia, Pa., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the board of directors of the Philadelphia Bourse, urging that all bills for the regulation of business be deferred to next session of Congress; to the Committee on the Judiciary.

Also, memorial of the Philadelphia County Women's Christian Temperance Union, State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Western Governors' Conference, relative to right of States to develop water-power possibilities; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON of Michigan: Petition of 1,577 citizens of the fourth congressional district of Michigan, against national prohibition; to the Committee on the Judiciary.

Also, petition of 25 citizens of Moore Park, 225 citizens of Lawton, and 150 citizens of Buchanan, Mich., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 77 citizens of the fourth Michigan district, opposing national prohibition; to the Committee on the Judiciary.

By Mr. HAMMOND: Petition of various members of Duluth (Minn.) Typographical Union, No. 136, favoring passage of the Bartlett-Bacon bill (H. R. 1873); to the Committee on the Judiciary.

By Mr. HELVERING: Petitions of sundry citizens of Salina, Kans., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HINDS: Petitions of 25 citizens of Brunswick; 34 citizens of North Portland; 45 citizens of Cumberland Center; 8 citizens and the Methodist-Episcopal Church of North Pownol; the First Baptist Church of Biddeford; 33 citizens and the Free Baptist Church and the Pine Street Congregational Church of Lewiston; Congregational Church at Lyman; Methodist-Episcopal Church of Brunswick; 145 members of Ogunquit Grange, Ogunquit; Methodist-Episcopal Ministers' Association of Portland; First Baptist Church of Westbrook; Beaver Dam Grange, of North Berwick; 25 citizens of Portland; 14 citizens of Lymon; 9 citizens of West Kennebunk; the Congregational Church and sundry citizens of Otisfield, 112 members of Starling Grange Congregational Church of Cumberland, 419 citizens of Portland; 111 citizens of Gorham; 220 citizens of Monroe; 217 citizens of Old Orchard; 39 citizens of South Windham; 100 citizens of Winterport; 196 citizens of Bridgton; 200 citizens of Scarboro; 110 citizens of West Falmouth; 95 citizens of South Portland; 35 citizens of Stroudwater; 150 citizens of South Gorham; and 68 citizens of Berwick, all in the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Petitions of the Howe Scale Co., of Illinois; J. H. Rode; the Church Progress, a Catholic publishing company; the George W. Reid Oil Co.; the Trovelicht Duncker Carpet Co.; the Union Rubber & Supply Co.; the Copen Belting & Rubber Co.; the Reliance Machine & Tool Works; the Henie Safety Boiler Co., and Charles Mahlenbrook and A. J. Flynn, all of St. Louis, Mo., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Theodore R. Schweedtmann, of St. Louis, Mo., favoring passage of House bill 13305, relative to discrimination in prices; to the Committee on Interstate and Foreign Commerce.

By Mr. KEISTER: Petitions of citizens of Ligonier, 1,801 citizens of Vandergrift, 50 citizens of Monessen, 400 citizens of Mount Pleasant, 30 citizens of Branch, 100 citizens of Trafford, 1,240 citizens of West Newton, 200 citizens of New Kingston, 56 citizens of Irwin, 250 citizens of Zelienople, 110 citizens of Evans City, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Connecticut: Memorial of the German-American Alliance of Waterbury, Conn., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Memorial of the Friends' Bible School, of Providence; Rev. George L. Michelson, of Lonsdale; and Woodlawn Baptist Sunday School, of Pawtucket, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Fairmont Creamery Co., of Omaha, Nebr., favoring passage of House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

Also petition of the Francis E. Willard Union and the Globe Congregational Sunday School, of Woonsocket; Rev. L. M. Flacken, of Pawtucket; George S. Wheeler, of Providence; and C. O. Parker, of Slatersville, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Blake-McFall Co., of Portland, Oreg., favoring House bill 14328, relative to false statements in mails; to the Committee on the Post Office and Post Roads.

By Mr. LAFFERTY: Petition of sundry citizens of Portland and Multnomah, Oreg., against national prohibition; to the Committee on the Judiciary.

Also, petition of 863 citizens of Portland, Oreg., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEVY: Petition of sundry citizens of New York City, against national prohibition; to the Committee on the Judiciary.

Also, petition of the New York Branch, National League of Commission Merchants; Edward Schultheis, of Evergreen; S. E. Kostka, of Long Island City; and C. H. & C. W. Kimball, of New York; all in the State of New York, relative to bill creating a standard barrel for fruit, etc.; to the Committee on Coinage, Weights, and Measures.

By Mr. LEWIS of Maryland: Petition by a town meeting held in Rockville, Md., representing 35 citizens, praying for a national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition by a town meeting of Rockville, Md., representing 40 citizens, praying the passage of a national prohibition constitutional amendment; to the Committee on the Judiciary.

Also, petition by a town meeting of Keedysville, Md., representing 81 citizens, praying for a national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of a town meeting held in Middletown, Md., representing 50 citizens, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of a town meeting held in Middletown, Md., representing 445 citizens, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of a town meeting in Middletown, Md., representing 600 citizens, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Zion Baptist Church, of Hagerstown, Md., representing 75 citizens, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 40 citizens of Smithsburg, Md., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LIEB: Petitions of Richard Knoll, William J. J. Becker, George William Matthews, Henry Winterman, Theodore Peters, Charles J. Mitchell, Ben Schulte, Joe Gyr, John L. Hoelscher, John Salzman, Henry Schnarr, Fred Rubbert, Joseph Winiger, Philip Seitz, Walter Kiler, sr., Charles W. Robinson, Richard Fitzgerald, Frank Salmen, and J. L. Coleman, all of Evansville, Ind., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of 28 citizens of New Britain, Conn., favoring the passage of the Hobson-Sheppard measures for national prohibition; to the Committee on the Judiciary.

By Mr. McCLELLAN: Petitions of 313 citizens of Coxsackie, 35 citizens of Plattekill, 60 citizens of Scoharie County, 165 citizens of Sloansville, and 410 citizens of Esperance, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Ulster County, N. Y., and of 18 voters of the twenty-seventh congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. McKENZIE: Petition of sundry citizens of the thirteenth congressional district of Illinois against national prohibition; to the Committee on the Judiciary.

By Mr. MADDEN: Petition of sundry citizens of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. MAPES: Petition of 1,738 citizens of the fifth district of Michigan against national prohibition; to the Committee on the Judiciary.

By Mr. MERRITT: Petitions of 60 citizens of Bombay, 450 citizens of Gouverneur, 48 citizens of Brasher Falls, 1,365 citizens of Chateaugay, 220 citizens of Moira, and 181 citizens of St. Regis Falls, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Andrew De Celle, of Plattsburg, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MOTT: Petition of the Merchants' Association of New York against further extension of the Parcel Post Service; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of the thirty-second New York district against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Oswego, Cleveland, Williamstown, and Mannsville, N. Y., favoring House bill 12928, relative to compensatory time for Sunday work by postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of J. E. Danna, of Oswego, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Oneida, N. Y., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Williamstown, Cleveland, Oswego, and Mannsville, N. Y., against Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of the Victor Valley Mutual Water & Power District Association, of Los Angeles, Cal., relative to improvements for Mojave River; to the Committee on Rivers and Harbors.

By Mr. MURRAY of Oklahoma: Petition of sundry citizens of Tulsa, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. O'LEARY: Petition of sundry citizens of New York, against national prohibition; to the Committee on the Judiciary.

By Mr O'SHAUNESSY: Petition of F. R. Medbery, of East Providence; William F. Janes, and various members of the South Baptist Church; the Gifford, sr., Department of Mathewson Street Methodist Episcopal Sunday School; Ida N. Lee, secretary Livingstone Young Women's Christian Temperance Union; the Church of the New Jerusalem; the Swedish Free Congregational Church Sunday School; the Young People's Society of Advent Christian Church, all of Providence; and the Second Baptist Church of East Providence, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Local Union No. 534, Brotherhood of Painters, Decorators, and Paperhangers of America, favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of A. C. Thompson, of Westerly, R. I., relative to a standard barrel for cranberries; to the Committee on Coinage, Weights, and Measures.

Also, petition of the Providence (R. I.) Council of Jewish Women, favoring House bill 1915, relative to naturalization of immigrants; to the Committee on Immigration and Naturalization.

Also, petition of the Pawtucket (R. I.) Chapter Daughters of the American Revolution against changing the United States flag; to the Committee on the Judiciary.

By Mr. PETERS of Maine: Petition of 83 citizens of Hartland, 35 citizens of North Lubec, 50 citizens of Bar Harbor, 42 citizens of Monroe, 27 citizens of Ripley, 63 citizens of Gardiner, 46 citizens of Searsport, 50 citizens of Gray, 13 citizens of Eastport, 24 citizens of Readfield, 25 citizens of South Penobscot, sundry citizens of Waldoboro, Winslows Mills, Dedham, New Portland, Pittsfield, and Bluehill; the First Methodist Episcopal Church, of Belfast; the Highland Grange, of North Penobscot; the Grand Lodge of Maine, International Order of Good Templars, of Waterville; the Massapaqua Grange, of Bluehill; the Epworth League of Eastport; the Methodist Episcopal Church of Winterport; the Kennebec Pomona Grange, of Monmouth; the Chelsea Grange, of Chelsea; the Skowhegan Grange, of Skowhegan; the Friends Church of Manchester; the Congregational Church of Dedham; and the Methodist Episcopal Church of Waldoboro, all in the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. REILLY of Connecticut: Petition of Waterbury Typographical Union, No. 329, of Waterbury, Conn., favoring passage of the Bartlett-Bacon bill (H. R. 1873); to the Committee on the Judiciary.

Also, petition of James G. Blaine Council, No. 1, of Stamford, Conn., protesting against any change in the American flag; to the Committee on the Judiciary.

By Mr. ROGERS: Petition of sundry citizens of Massachusetts against national prohibition; to the Committee on the Judiciary.

By Mr. SCOTT: Petitions of sundry citizens of Danbury, Cherokee, and Sioux City, all in the State of Iowa, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions signed by the officers of the following churches and societies: The Methodist Episcopal Church of Smithland, representing 48 people; the Peterson Union, representing 69 people; the Woman's Christian Temperance Union of Merrill, representing 11 people; the Methodist Episcopal Church of Early, representing 200 people; the Christian Endeavor Society of the Presbyterian Church of Battle Creek, representing 60 people; the Woman's Christian Temperance Union of Arnolds Park, representing 61 people; the Archer and Baker Methodist Episcopal Churches of Archer, representing 75 people; the First Methodist Episcopal Church of Pierson, representing 80 people; the Nemaha Improvement Club, of Nemaha, representing 95 people; the Woman's Christian Temperance Union of Early, representing 32 people; the First Congregational Church of Cherokee, representing 140 people; the Methodist Episcopal Church of Battle Creek, representing 60 people; the Union Meeting of Pierson, representing 250 people; the Swedish Methodist Episcopal Church of Sioux City, representing 50 people; the Fostoria and Meadow Churches, of Fostoria, representing 68 people; the Church of Christ of Pierson, representing 36 people; the Dunkard Church of Kingsley, representing 55 people; the First Congregational Church of Whiting, representing 216 people; the Providence Methodist Episcopal Church, of Pierson, representing 60 people; the Methodist Episcopal Church of Merrill, representing 80 people; the First Presbyterian Church of Early, representing 140 people; the First Congregational Church of Castana, representing 120 people; various public-school pupils of Arnolds Park, representing 75 people; the German Methodist Episcopal Church, 30 people, the Swedish Baptist Church, 150 people, the St. John's Lutheran Church, 425 people, the Swedish Evangelist Lutheran Church, 888 people, the Swedish Mission Church, 400 people, the First Methodist Episcopal Church, 450 people, the Grace Methodist Episcopal Church, 750 people, all of Sioux City; the First Congregational Church of Onawa, representing 130 families; the Woman's Christian Temperance Union of Anthon, representing 15 people; the Friends Church of Arnolds Park, representing 55 people; the Woman's Christian Temperance Union of Battle Creek, representing 25 people; the Presbyterian Church of Larrabee, representing 52 people; the Congregational Church of Primghar, representing 50 people; also petition of residents of Bronson, Westfield, and Sioux City, all in the State of Iowa, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of eleventh congressional district of Iowa, against national prohibition; to the Committee on the Judiciary.

By Mr. SELDOMRIDGE: Petitions of sundry citizens of Colorado Springs, Colo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: Petitions of 1,243 citizens of Boise, 170 citizens of Lewiston, and 45 citizens of Soldier, all in the State of Idaho, favoring national prohibition; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Petitions of 30 citizens of Dimondale, 6 citizens of Eaton Rapids, 19 citizens of Battle Creek, and 12 citizens of Charlotte, all in the State of Michigan, favoring bill to amend the postal and civil-service laws (H. R. 12928); to the Committee on the Post Office and Post Roads.

Also, protests of 30 citizens of Dimondale, 6 citizens of Eaton Rapids, 16 citizens of Battle Creek, and 21 citizens of Charlotte, all in the State of Michigan, against Sunday-observance bill (H. R. 7826); to the Committee on the District of Columbia.

By Mr. STEPHENS of Texas: Petition of R. L. Irving and other citizens of Gainesville, Tex., favoring Federal censorship of motion pictures; to the Committee on Education.

By Mr. SUTHERLAND: Papers to accompany a bill (H. R. 2273) for the relief of A. H. Dolly; to the Committee on Invalid Pensions.

Also, petition of 29 citizens of Grant County, W. Va., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TEMPLE: Petitions of sundry citizens of Fallston, Beaver Falls, New Galilee, Ambridge, Economy, New Castle, Beaver, Rochester, New Brighton, Eastbrook, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. THACHER: Petition of sundry citizens of Plymouth, Mass., relative to national prohibition; to the Committee on the Judiciary.

By Mr. TREADWAY: Petition of sundry citizens of the State of Massachusetts, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of Alex Renton and others, favoring the "One hundred years' peace celebration"; to the Committee on Foreign Affairs.

By Mr. WALLIN: Petitions of sundry citizens of Johnstown, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of Jacob Frank and 14 other citizens of Findlay, Ohio, protesting against the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Isaac Gibson and John Shuler, of Vanburen, Ohio, protesting against the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

SENATE.

TUESDAY, *April 21, 1914.*

The Senate met at 12 o'clock and 10 minutes a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou art Lord of all. Thy will is the supreme law of all nations. Thy will is the highest ground of human obligation. We seek Thy favor and blessing upon us as a nation intrusted with a great mission among the nations of the earth. We pray that the action of this Government may be approved in the court of high Heaven. We thank Thee for American statesmanship and for American valor. Give unto us the assurance of Divine favor and make us brave to protect the sacred inheritance which has been committed to us. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. OWEN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ORDER OF BUSINESS.

The VICE PRESIDENT. The presentation of petitions and memorials is in order. [After a pause.] Reports of committees. [After a pause.] Introduction of bills and joint resolutions. Concurrent and other resolutions.

PANAMA CANAL TOLLS.

Mr. GALLINGER. I introduced a resolution yesterday which, at my suggestion, went over under the rule. I ask unanimous consent that it may retain its place. I do not care to call it up to-day.

The VICE PRESIDENT. There being no objection, the resolution will go over until to-morrow without prejudice.

THE CALENDAR.

The VICE PRESIDENT. The Calendar under Rule VIII is in order. The first business on the calendar will be stated.

The bill (S. 1240) to establish the legislative reference bureau of the Library of Congress was announced as first in order on the calendar.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 655) authorizing the Secretary of the Interior to survey the lands of the abandoned Fort Assinniboine Military Reservation and open the same to settlement was announced as next in order on the calendar.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

The joint resolution (S. J. Res. 41) authorizing the Secretary of the Interior to sell or lease certain public lands to the Republic Coal Co., a corporation, was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The joint resolution will go over.

The bill (S. 2242) making it unlawful for any Member of Congress to serve on or solicit funds for any political committee, club, or organization was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 3112) to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex., was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 2651) providing for the purchase and disposal of certain lands containing kaolin, kaolinite, fuller's earth, and other minerals within portions of Indian reservations heretofore opened to settlement and entry was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

Senate resolution 156, limiting expenditures for telegrams sent or received by Senators, was announced as next in order.

Mr. POMERENE and Mr. HUGHES. Let that go over.

The VICE PRESIDENT. The resolution will go over.

Senate resolution 84, providing that any Senator upon his own request may be recorded and counted as present in order to constitute a quorum, was announced as next in order.

Mr. LA FOLLETTE and Mr. VARDAMAN. Let that go over.

The VICE PRESIDENT. The resolution will go over.

Senate resolution 218, proposing an amendment to the standing rules of the Senate, was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The resolution will go over.

The joint resolution (S. J. Res. 26) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The joint resolution will go over.

The bill (S. 3023) relating to the duties of registers of United States land offices and the publication in newspapers of official land-office notices was announced as next in order.

Mr. LEA of Tennessee. Let that go over.

The VICE PRESIDENT. The bill will go over.

The joint resolution (S. J. Res. 94) to authorize the Secretary of Commerce to investigate the condition of trade in China, for the purpose of determining the desirability of establishing there a permanent exposition of the products of the United States of America, was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The joint resolution will go over.

The bill (S. 2425) to authorize the Roanoke River Development Co. to construct and maintain a dam across the Roanoke River in Mecklenburg County, in the State of Virginia, approximately 20 miles below the town of Clarksville, in said State, was announced as next in order.

Mr. LA FOLLETTE. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 3971) to provide for a permanent exhibit of the resources of the States of the Union in or near Washington, D. C., was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

The joint resolution (S. J. Res. 10) proposing an amendment to the Constitution of the United States, fixing the time for the convening of Congress and commencement of the terms of the President, Vice President, Senators, and Representatives was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The joint resolution will go over.

The bill (S. 1986) to remove the charge of desertion from the military record of Henry Fuller was announced as next in order.

Mr. CLARK of Wyoming. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 3504) to correct the military record of Peter Duchane was announced as next in order.

Mr. BRYAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 1990) to correct the military record of Samuel J. Kearns was announced as next in order.

Mr. LEA of Tennessee. Let that go over.

The VICE PRESIDENT. The bill will go over.

Senate resolution 254, to create a special committee of five Senators to assist the Interstate Commerce Commission in investigating certain facts regarding the methods and practices of the Louisville & Nashville Railroad, and for other purposes, was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 392) to create in the War Department and Navy Department, respectively, a roll designated as "the Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 121) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes, was announced as next in order.

Mr. SIMMONS. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (H. R. 6827) to amend an act entitled "An act to change the name of the Public Health and Marine-Hospital Service to the Public Health Service, to increase the pay of officers of said service, and for other purposes," approved August 14, 1912, was announced as next in order.

Mr. HUGHES. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 4552) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

Mr. BRYAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

AFFAIRS IN MEXICO.

Mr. SHIVELY. Out of order, I ask unanimous consent to report, by direction of the Committee on Foreign Relations, House joint resolution 251, with an amendment in the nature of a substitute, and I submit a report (No. 437) thereon.

The VICE PRESIDENT. The joint resolution will be read.

Mr. LODGE. Let the joint resolution be read as proposed to be amended by the committee.

The VICE PRESIDENT. The joint resolution as proposed to be amended by the committee will be read.

The SECRETARY. The committee report the following as a substitute for the joint resolution:

In view of the facts presented by the President of the United States in his address delivered to the Congress in joint session on the 20th day of April, 1914, with regard to certain affronts and indignities committed against the United States in Mexico: Be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is justified in the employment of the armed forces of the United States to enforce his demand for unequivocal amends for certain affronts and indignities committed against the United States; be it further

Resolved, That the United States disclaims any hostility to the Mexican people or any purpose to make war upon Mexico.

Amend the title so as to read: A joint resolution justifying the employment by the President of the armed forces of the United States.

Mr. SHIVELY. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

Mr. LIPPITT. I object.

Mr. LODGE. Before the objection is made, I will say that an objection made at this time carries this matter over until Wednesday. I do not think a matter of this great importance should be passed over until Wednesday, although, of course, one objection will do it. I was in hopes that we might agree to take a recess until 12 o'clock to-day, and then take up the joint resolution for such disposition as the Senate may desire to give it. I wish very much the Senator from Rhode Island would be willing to withdraw his objection, if we could make an arrangement for a recess.

Mr. SHIVELY. Do I understand that the Senator withdraws his objection?

Mr. LODGE. I did not make the objection. I can not withdraw it. I asked the Senator from Rhode Island if he would not be willing to withdraw his objection and permit us to take a recess until 12 o'clock to-day.

Mr. SHIVELY. The proposition is that we shall now take a recess until 12 o'clock to-day?

Mr. LODGE. Yes.

Mr. SHIVELY. With the agreement that the joint resolution shall then be taken up?

Mr. LODGE. Certainly.

Mr. SHIVELY. To be considered then?

Mr. WILLIAMS. We had better meet as early as the House.

Mr. SHIVELY. Could the Senator make it 10 o'clock to-day?

Mr. LODGE. I am afraid——

Mr. LIPPITT. Mr. President, I think a matter of this character ought to be considered by this body entirely without any appearance of haste and in a most calm and moderate way. I am utterly opposed to taking it up at this hour and under the conditions that prevail here now. If it is the opinion of the other Members of the Senate that they would like to take the matter up at 12 o'clock to-day instead of putting it over to Wednesday, as my objection would compel to be done if persisted in, I will agree to it, but I should not care to withdraw my objection without any such understanding. If it is agreeable, and if that is the proper way to do it, I would withdraw my objection, reserving my right to object if any action is taken other than to take a recess until 12 o'clock to-day.

Mr. SHIVELY. My understanding of the proposition of the Senator from Massachusetts was that we should now take a recess until 12 o'clock to-day and then take up the joint resolution.

Mr. LODGE. Certainly; that is my proposition.

Mr. SHIVELY. We agree to that.

Mr. LIPPITT. With that understanding, I will withdraw my objection.

Mr. WILLIAMS. That requires unanimous consent, and I do not agree to take a recess until 12 o'clock.

Mr. LODGE. It requires no unanimous consent to take a recess.

Mr. WILLIAMS. I will agree to take a recess until 10 o'clock. The House meets at 10.

Mr. LODGE. It does not require unanimous consent to take a recess.

Mr. WILLIAMS. I understood the Senator was about to ask for unanimous consent. I understand that it does not require unanimous consent. If a recess is to be taken until 12 o'clock, I want to have it taken on a vote.

Mr. CLARK of Wyoming. What has the hour of meeting of the House to do with it?

Mr. LODGE. I simply want to give notice that I shall offer an amendment, to be considered at the proper time, to the preamble reported by the majority of the committee. I ask to have it printed.

Mr. LIPPITT. Does that interfere with the understanding?

Mr. LODGE. No; I only want to offer the amendment and have it printed.

The VICE PRESIDENT. It will in nowise interfere with the understanding. The amendment submitted by the Senator from Massachusetts will be printed and lie on the table.

Mr. GALLINGER. Let it be read.

The VICE PRESIDENT. The Secretary will read the amendment.

The SECRETARY. In lieu of the preamble reported by the committee, substitute the following:

That the state of unrestrained violence and anarchy which exists in Mexico, the numerous unchecked and unpunished murders of American citizens and the spoliation of their property in that country, the impossibility of securing protection or redress by diplomatic methods in the absence of lawful or effective authority, the inability of Mexico to discharge its international obligations, the unprovoked insults and indignities inflicted upon the flag and the uniform of the United States by the armed forces in occupation of large parts of Mexican territory have become intolerable.

That the self-respect and dignity of the United States and the duty to protect its citizens and its international rights require that such a course be followed in Mexico by our Government as to compel respect and observance of its rights.

Mr. SHIVELY. Do I understand the Senator from Rhode Island to agree that if a recess is taken until 12 o'clock to-day he is willing that the joint resolution shall then be taken up?

Mr. LIPPITT. I am willing that it should be taken up at 12 o'clock to-day.

Mr. SHIVELY. Then, Mr. President——

Mr. JAMES. Just a moment. The Senator agrees that he will make no objection. Perhaps some others might. Does the Senator get unanimous consent that the matter be taken up at 12 o'clock?

Mr. LODGE. We are perfectly ready to do that, but the Senator from Mississippi [Mr. WILLIAMS] objected.

Mr. SHIVELY. He did not object to taking it up.

Mr. WILLIAMS. I suggested that we meet at 10 o'clock, because the House meets at 10.

Mr. LA FOLLETTE. The House can take a recess until 12 o'clock.

Mr. LIPPITT. I should not feel like withdrawing my objection if the understanding is that we shall meet at an earlier hour than 12 o'clock to-day.

Mr. SHIVELY. With the statement that has been made by the Senator from Rhode Island before the Senate, I move that we now take a recess until 12 o'clock to-day.

Mr. SWANSON. Pending that I should like to make a suggestion.

Mr. WILLIAMS. Mr. President, I want to withdraw the objection I made a moment ago.

Mr. LODGE. There is no doubt about the unanimous consent.

Mr. SHIVELY. Then we have unanimous consent to take a recess until 12 o'clock to-day, when this joint resolution will be taken up.

Mr. JAMES. For consideration.

Mr. SHIVELY. For consideration.

Mr. WILLIAMS. I desire to withdraw the objection I made. I do not know whether the Vice President heard me or not.

Mr. LODGE. I ask the Chair to state the unanimous-consent agreeement.

The VICE PRESIDENT. The unanimous-consent agreement is that the Senate of the United States will take a recess until 12 o'clock meridian to-day, at which time, by unanimous consent, there being now in the knowledge of the Chair more than a quorum present, the Senate of the United States will proceed to the consideration of the joint resolution just reported from the Committee on Foreign Relations. Is there objection? The Chair hears none, and it is so ordered; and the Senate of the United States is in recess until 12 o'clock meridian to-day.

The Senate thereupon (at 12 o'clock and 30 minutes a. m., Tuesday, April 21) took a recess until 12 o'clock meridian, Tuesday, April 21, 1914.

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. Under the unanimous-consent agreement, the Senate will proceed to the consideration of House joint resolution 251.

AFFAIRS IN MEXICO.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 251) justifying the employment by the President of the armed forces of the United States in enforcing certain demands against Victoriano Huerta.

Mr. LODGE. Mr. President——

Mr. GALLINGER. Mr. President, I will ask the Senator from Massachusetts to yield. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	O'Gorman	Smith, Mich.
Brady	Hughes	Oliver	Smith, S. C.
Brandegee	James	Overman	Smoot
Bristow	Johnson	Page	Sterling
Bryan	Jones	Penrose	Sutherland
Burleigh	Kenyon	Perkins	Swanson
Catron	Kern	Pittman	Thomas
Chamberlain	La Follette	Poindexter	Thompson
Chilton	Lane	Pomerene	Tillman
Clapp	Lee, Md.	Ransdell	Townsend
Clark, Wyo.	Lewis	Reed	Vardaman
Colt	Lippitt	Robinson	Walsh
Crawford	Lodge	Saulsbury	Warren
Cummins	McCumber	Sheppard	Weeks
Dillingham	Martin, Va.	Sherman	West
Fletcher	Martine, N. J.	Shively	Williams
Gallinger	Nelson	Smith, Ga.	Works
Hitchcock	Norris	Smith, Md.	

Mr. REED. My colleague [Mr. STONE] is detained from the Chamber by illness.

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY] and also of the junior Senator from Wisconsin [Mr. STEPHENSON]. Both Senators have general pairs.

Mr. SHEPPARD. I wish to announce the unavoidable absence of my colleague [Mr. CULBERSON]. He has a general pair with the Senator from Delaware [Mr. DU PONT]. This announcement may stand for the day.

The VICE PRESIDENT. Seventy-one Senators have answered to the roll call. There is a quorum present.

Mr. LODGE. Mr. President, in a situation of the highest seriousness, such as that which now confronts the Congress, it is well to remember that the responsibility of the Senate is greater than that of any other branch of the Government. War can be declared only by the House and by the Senate. Peace can be made only by the President and the Senate. Neither peace nor war can be made without the assent of the Senate of the United States. In my judgment, Mr. President, that places upon us a peculiar responsibility. Whatever action is taken in such a situation as this is preeminently the action of the Senate.

The power to declare war is vested by the Constitution in the Congress alone. The President alone can initiate negotiations. He alone can frame treaties and submit them to this body. The great weapons of diplomacy are his and not ours. But when we come to the threshold of a war the power is vested in the Congress of the United States alone. When the President comes to Congress and lays before it a controversy with a foreign nation, he comes to that branch of the Government in whose hands rests the great issue of peace or war. When he remits it to Congress he takes the last step that precedes war.

I am aware that the President, as he said in his message, could have gone on and taken more steps than he has taken under his constitutional authority as Executive and as Commander in Chief of the Army and Navy of the United States. But he has come to us. He has come to the body which, in foreign relations, exercises the power of declaring war. I think that he was right to do so. With Congress in session I think it would have been unwise for him to have proceeded further without the action of the Houses. I am sure that he would not desire to expose himself to the words of indictment uttered by Webster when he said, "No one declared the Mexican War; Mr. Polk made it."

Once before during my service in this body a President of the United States remitted to Congress the question which had arisen between this Government and another power and which in its issues involved war. After President McKinley had sent in that message resolutions, as I remember, were drafted by the House of Representatives, passed by that body, and sent to the Senate. Here they were amended. Then they went to conference, the conference agreed on a report, and the resolutions were adopted by the two Houses.

Mr. WILLIAMS. Mr. President, may I ask the Senator from Massachusetts how long it took to do all that?

Mr. LODGE. I do not remember just how long a time it took, but I know that it took more than a day.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Wisconsin?

Mr. LODGE. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. The message of President McKinley was received by the Senate on the 11th of April. It was referred to the Committee on Foreign Relations with accompanying papers on the same day, after brief debate, in which two or three Senators participated. Resolutions were reported back to the Senate by the Committee on Foreign Relations on the 13th of April. They were debated from the beginning of that session on the 13th until the close of the session on the 16th of April at about 5 o'clock in the afternoon when they were passed by the Senate. That debate was participated in by a very considerable proportion of the membership of the Senate.

The House of Representatives concurred in the resolution passed by the Senate with an amendment and reported that action back to the Senate on the 18th of April and asked for a conference. A conference was agreed upon, and after extended debate, at the close of the day's session, or about 6 o'clock on the 18th, the conference report was agreed to by the Senate. But my recollection is that the House refused to concur and that it required an evening session to complete the work and adopt the conference report.

Mr. LODGE. I am much indebted to the Senator from Wisconsin for giving those facts so precisely. The resolutions were finally agreed to——

Mr. WILLIAMS. Mr. President——

Mr. LODGE. I will not yield just at this moment. The resolutions were finally agreed to on the legislative day of the 18th, but on the calendar day of the 19th, after midnight. I did not remember the date of the message, but it appears that no less than seven days elapsed between the transmission of the message and the adoption of the resolution.

Mr. WILLIAMS. Now, Mr. President, if the Senator will yield, the question that I asked, or intended to ask, was how long after the House acted in connection with the Cuban-Hispanian-American question was it before the Senate acted, and that question has not been answered. A little reminiscence might possibly be interesting to the Senate.

Mr. LODGE. Mr. President, I wish the Senator would allow the reminiscence to come later. I should like to finish what I have to say. I shall be very brief. I will answer any question that I can.

Mr. WILLIAMS. Of course I will not be so discourteous as to insist upon an interruption, and I shall take my seat if the Senator from Massachusetts does not wish to hear what I wanted to say.

Mr. LODGE. I yield. The Senator can say what he pleases.

Mr. WILLIAMS. I do not want the Senator to yield to me unwillingly; but I wanted to say that when this question came before the House of Representatives I was at that time a member of the Foreign Affairs Committee of that body, and I had been bitterly opposed to war with Spain about Cuba. The Speaker of the House had been opposed to it. Mr. McKinley wanted to avoid it all that he could, and I was doing all that I could to help him avoid it.

When that debate came up in the House, I remember distinctly that the only time I had to express my opinion was one minute under the rules of the House, and in that one minute I rose and said substantially that I had not wanted war but that the situation was such that the United States must stand behind the President of the United States, and that I stood behind him.

Now, whatever the parliamentary record may be, I know that in the House of Representatives upon that day a spokesman for the Democrats upon the Foreign Affairs Committee had one minute in which to express his opinion.

Mr. LODGE. Mr. President, this is not the House of Representatives; this is the Senate of the United States; and the Senator from Wisconsin has just shown that seven days elapsed between the coming in of President McKinley's message and action by the two Houses.

Mr. LA FOLLETTE. Mr. President——

Mr. LODGE. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I am reluctant to interrupt the Senator.

Mr. LODGE. I do not object to interruption at all. I yield to the Senator with pleasure.

Mr. LA FOLLETTE. But my recollection—and I have examined the record—is that the resolutions which were finally adopted were adopted in face of the dissenting vote both in the other House and in the Senate of practically the entire Democratic representation.

Mr. WILLIAMS. What is that? [Laughter in the galleries.]

Mr. LODGE. I decline to yield further.

Mr. WILLIAMS. I want to say there were only seven men who voted against the resolution of intervention that President McKinley sent to the House of Representatives.

The VICE PRESIDENT. Just one moment. The Chair must announce to the galleries that there is an unqualified rule of the Senate that there must be neither approval nor disapproval manifested in the galleries, and that if it is manifested, it will be the duty of the Chair to clear the galleries. The Chair must request of Senators that, having made that rule for the galleries, they observe it for themselves.

Mr. LEWIS. May I be permitted to say to the distinguished Senator from Massachusetts [Mr. LODGE] that I am sure the Senator from Wisconsin [Mr. LA FOLLETTE] did not mean to refer to the House minority or to the House Democrats at that time as opposing the resolution? Doubtless he referred to the Senate. I feel I must correct that impression before the country. I was present there, and I know the Senator's statement to be an error.

Mr. WILLIAMS. There were only seven votes against the resolution.

Mr. LODGE. Mr. President, no resolutions were sent to Congress by President McKinley. The resolutions were drafted, amended, and settled here.

Now, Mr. President, to return to what I was trying to say about the course pursued with the resolutions which Spain accepted as a declaration of war. The subsequent act declaring war, which was passed by Congress, dates the beginning of the war from the 21st of April, and was passed three or four days after the resolutions. But the resolutions were taken as a substantive declaration of war.

These resolutions now before us, Mr. President, use the word "justify." To my mind that makes no difference whatever in their character. Whether we justify the President or empower or authorize him to use the forces of the United States for any purpose, the result is the same. In this case, Mr. President, there will be, and can be, I take it, no formal declaration of war. There is no government from our point of view yet recognized against which we can declare war. The President in his message disclaimed any hostility to the Mexican people, and by a unanimous vote of the Foreign Relations Committee of the Senate a clause was adopted disclaiming any hostility to the Mexican people or any purpose of making war upon Mexico.

These resolutions are not in themselves a formal declaration of war, but they authorize armed intervention. The consequences of an armed intervention are, in many respects, precisely the same as war, but armed intervention presents a task less capable of quick completion, less fertile in the swift glory of victories won, and it may bring with it a long period of the exercise of what would be a police power in a foreign country, involving vast expense, great loss of life perhaps, and, after months or possibly years, yielding nothing more than the satisfaction of feeling that we had brought back peace, order, and liberty to a distracted country.

The culmination of wrongs and affronts which finds expression in these resolutions has come from the incident at Tampico. I need not rehearse that incident; it is well known to all who do me the honor to listen to me. American seamen, sailors from an American ship of war, were arrested; two of them were taken from a boat from which floated the American flag, and which in law was the soil of the United States, and all were then marched up into the town, and shortly afterwards released. I will not go on to the other incident at Vera Cruz mentioned by the President, but there is no doubt whatever in my mind that the action at Tampico constituted an insult to the American flag and to the American uniform.

Mr. President, no nation which desires to maintain its self-respect can suffer an insult to its uniform and to its flag to pass unnoticed. It is its duty to seek proper atonement and reparation, but the atonement to be given by a government or by a nation for an insult or wrong to another nation is well recognized in the form of a salute to the flag of the injured nation. That salute, however, Mr. President, is governmental action. It is the only means by which a government of any kind or an organized military force of any kind can as an entity express its regret for a wrong done to another nation.

The salute of apology is not and can not be offered by an individual. It can not be personal. Certainly, Mr. President, no one can question that in seeking atonement for an insult to the flag all party considerations vanish and we all stand alike behind the President, who seeks for that proper atonement. I have seen intimations that those of us who do not approve the resolution as adopted by the House and who do not think the resolution reported from the Committee on Foreign Relations of the Senate, although greatly improved in form over that passed by the House, are sufficient—I have seen intimations, I say, that we were not duly sensitive to the honor of the flag.

Mr. President, the party to which I belong, and whose members sit around me here, has a somewhat long tradition; and in that tradition, I think I may say, without partisan boasting, devotion to the flag of the United States has not been lacking. The old State, which I have the honor to represent in part, has done something for the flag in the days that are gone. The best blood of Massachusetts, like that of the States of the Senators who sit around me here, was poured out for that flag, and let it be understood once for all that there are no men in the broad confines of the United States who are more sensitive to the honor of the flag than the men who bear the name Republican and who represent the States which gave their all that there might be but one flag in this country.

Mr. President, we go further; we think not only that the honor of the flag should be maintained—that due atonement should be demanded and enforced for any insult to it, but we believe that something should be done and something said about that which the flag covers. The flag covers the citizens of the United States; they look to it as the emblem of the great Government and the great Nation to which they owe allegiance and from which they expect protection. More than 150 American citizens—innocent, helpless people—have been murdered upon Mexican soil. I, for one, when I demand atonement for the insult to the flag at Tampico, can not put aside those people who have perished in Mexico and whose deaths have gone unnoticed and unavenged. I, for one, speaking only as a single Senator of this body, can not consent, at this great crisis, to pass by in silence the wrongs which have been done to innocent people lawfully in another country without declaring that there is another grievous wrong besides this insult to the flag to be atoned, a wrong which must not be and shall not be repeated.

Moreover, Mr. President, speaking for myself, I can not be placed in a position—and the action of the Senate is the action of each one of us—I can not be placed in a position where I appear either directly or indirectly to pick and choose between the factions which tear Mexico asunder at this moment. I will not, for one, without a protest at least, join in any resolutions which can by any construction put the United States in the attitude of selecting for support one murderer and cutthroat in preference to another murderer and cutthroat.

If we intervene in Mexico it must be for the protection of American citizens; it must be in the hope that by our intervention we shall try at least to bring back peace and order to that distracted country, for which we have no feeling but one of friendship. It must not be that we go there to take down one man and set up another.

I have no desire to criticize the President for his refusal to recognize Gen. Huerta. The President, no doubt, proceeded on grounds which seemed to him good and sufficient. I condemn as strongly as he can the methods of treachery and bloodshed by which Gen. Huerta has reached his present position; but the fact that I condemn Huerta's methods does not make me willing to put myself in a position whereby any interpretation—any distortion, if you please—of the action which we take or the words which we utter here, can make it appear that we are supporting Pancho Villa and the puppet with him—Pancho Villa who began life as a hired assassin and whose pathway has been marked by bloodshed, by rapine, by plunder, by unnameable crimes which are a disgrace to the century in which we live.

Mr. President, it is for these reasons that the minority of the Committee on Foreign Relations has presented the amendment to the preamble which is lying upon your desks this morning. There is not one statement in that preamble, I venture to say, that can be denied; every sentence contains a truth—melancholy, tragic truths, many of them. It is not the purpose of the minority in offering that preamble to make this resolution a declaration of war or to broaden its scope for any such purpose as that. As it stands it means armed intervention,

and armed intervention it will remain whether my amendment is adopted or not.

Let us be under no misapprehension as to where this resolution, either in the form passed by the House or in that reported by the Committee on Foreign Relations, leads. It leads to armed intervention. The first step that will be taken under it will be the seizure of Vera Cruz. Does anyone suppose for one moment that we can seize Vera Cruz without some show of resistance on the part of those who now hold it? It is inconceivable. The day we take Vera Cruz we have intervened; you can not narrow that fact; we have intervened, and if we are to stand by the President, as everyone intends so to stand, in seeking atonement for the insult to the flag, we say that intervention should rest on grounds so broad that the civilized world can not contest the righteousness of the act.

We are engaged at this moment, Mr. President, not only in dealing with the gravest responsibility that can come before the American Congress, but we are engaged, as not often happens, in a great historic transaction. The grounds of our action here to-day will lie before the world and will come to the tribunal of history.

If we are to intervene for any cause or at any point in Mexican territory, I want it to be done on broad, sufficient grounds. I want to strip the transaction of any personal character whatever. I want to lift it up from the level of personal hostility and place it on the broad ground of great national action, taken in the interest and for the protection of American lives in a foreign country, and for the purpose of restoring peace and order, if we can, to the unhappy people just across our border. I want to place it on a ground where we shall all be content to have it rest. I want to place it upon a ground where the nations of the earth, in whose presence we are acting to-day, shall admit the justice and the high motives of our action. I want to place it upon a ground upon which we shall not fear to appeal to the judgment seat of history.

Mr. SHIVELY. Mr. President, the usefulness of the action proposed by the Committee on Foreign Relations depends on the expedition with which such action is taken. The attempted parallels and comparisons by Senators of the time taken in 1898 and the time that should be taken on the proposed resolution utterly fail, for the reason that the resolution of 1898 was a declaration of war, while this resolution disclaims any purpose to make war, but seeks to preserve peace. Whether 1 day or 5 days or 10 days are consumed in declaring war may not be important. In the present situation promptness in action is of transcendent importance. It is never too late to declare war; it easily may become too late to preserve peace.

The senior Senator from Massachusetts [Mr. LODGE] disclaims any wish or purpose to aggravate the situation or provoke a state of war. I can do no less than credit the Senator with good faith in making that disclaimer; but whatever may be the high purpose and good faith of the Senator in making the disclaimer, the manifest effect of the amendment which he has presented and is pressing on the Senate is to produce the very result which he professes anxiety to avoid. The President has asked no authority from the Congress. Why? Because in what he has done, is doing, and proposes to do he is neither making war nor exercising any other authority not already confided to him by the Constitution. In his address to the joint session he says:

> No doubt I could do what is necessary in the circumstances to enforce respect for our Government without recourse to the Congress and yet not exceed my constitutional powers as President, but I do not wish to act in a matter possibly of so grave consequence except in close conference and cooperation with both the Senate and House. I therefore come to ask your approval that I should use the armed forces in such way and to such extent as may be necessary to obtain from Gen. Huerta and his adherents the fullest recognition of the rights and dignity of the United States, even amidst the distressing conditions unhappily obtaining in Mexico.

It is clear that the President asks no power that he does not already possess. The Congress is not asked to declare war. Certain affronts and indignities have been inflicted on the United States which, if permitted to go unresented, must lead to further contemptuous aggressions and consequent war. The President asks no authority from Congress, but appeals for approval by Congress of the course he already has authority to take to stop further aggressions by compelling suitable reparation for the insults to the flag of our country and the uniform of our Navy. In response to this appeal the Committee on Foreign Relations reported the following resolution:

> In view of the facts presented by the President of the United States in his address delivered to Congress in joint session on the 20th day of April, 1914, with regard to certain affronts and indignities committed against the United States in Mexico: Be it
>
> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is justified in the employment of the armed forces of the United States to enforce his demand for unequivocal amends for certain affronts and indignities committed against the United States; be it further
>
> *Resolved,* That the United States disclaims any hostility to the Mexican people or any purpose to make war upon Mexico.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Connecticut?

Mr. SHIVELY. I am anxious for an early vote, and expect to hasten my remarks to a conclusion. However, I yield.

Mr. BRANDEGEE. I simply wanted to ask the Senator a question in connection with the statement just made by him. The Senator from Massachusetts has stated that if this resolution passes the first act of the administration will be the seizure of Vera Cruz, by force if necessary, using the armed forces of the United States for that purpose. I should like to ask the Senator whether, in his opinion, that would be an act of peace or an act of war?

Mr. SHIVELY. The seizure of the customhouse at Vera Cruz under the circumstances would not necessarily be an act of war. The act would be in the nature of reprisal to compel satisfaction for an injury done. The injury was patent, and the act would not justify the power which inflicted the injury in making war. That such power might seize on the act as a pretext for further aggression is true. The issue of peace or war is ahead of us on the calendar of fate. Certain it is that the United States have on several occasions landed troops on foreign soil and seized and held property to compel redress of injuries, and have done this without producing war. Whether there shall be war is a choice that lies with the power that committed the offense and on which demand for reparation was made. Our effort is to preserve peace.

Now, Mr. President, I want the Senate to note with special care the scope and purport of the resolves submitted by the Committee on Foreign Relations. For the best of reasons, I know that the Senator from Massachusetts as a member of the committee approved these resolves. He professes to approve them now. He does not propose to amend the resolves. His proposed amendment goes only to the preamble. The preamble submitted by the committee, and which the Senator asks us to displace, comprehends by reference to the address the facts submitted by the President and in view of which the President asks approval of his action. It is for this preamble the Senator offers his substitute.

But, preliminary to discussing the proposed substitute, I want the Senate to mark the character and import of the transaction in Mexico on which our Government has been constrained to act. A squad of our men of the Navy was engaged at Tampico in taking a supply of gasoline from the shore onto one of our boats. They were doing this at the accustomed place. Their employment was legitimate and peaceful. While so employed they were placed under arrest by the armed forces dominant in that district in Mexico. When seized, two of the men were on the boat. The flag of the United States was flying from the bow and the stern of the boat. None of the men bore arms. They were in charge of a commissioned officer of our Navy. The officer and men were taken up street and marched about the town. All wore the uniform of the Navy. No ingenuity of Senators can confuse these acts of aggression with the depredations suffered by American citizens in common with the native population in the course of revolution. They go beyond that. They could not be the result of mistake. The conduct of the offending authority was not an inadvertence. It was not accident. It was not the result of blundering ignorance. All the attending circumstances show it to have been deliberate, intentional, willful, and wanton. It was aimed directly against our Government, and carried wanton insult to the honor, the authority, the sovereignty of the United States.

The reparation demanded by our Government was well within the offense and in conformity with the usages of civilized nations. On occasions in the past where acts of our own were transgressive, and though they bore no sign of malevolence, our Government promptly made reparation by firing the salute with the usual forms and in the usual way, and thus without humiliation closed the incident to the credit of all concerned. In seeking to preserve peace your committee do not feel at liberty to ignore the notorious fact that there are contending military factions in Mexico, or the equally notorious fact that it was the de facto authorities of only one of them that inflicted the indignities which produced the crisis. Acting in view of these facts, the committee approve a course of conduct aimed at the real offenders and designed to promote peace through security against repetition of the offense.

Now, returning, Mr. President, to the amendment presented and urged by the Senator from Massachusetts, I again ask the

Senate to mark how his proposed preamble comports with the resolves to which he would prefix it. The last of these resolves is:

That the United States disclaims any hostility to the Mexican people or any purpose to make war on Mexico.

In the light of the Senator's approvel of this resolve, I read the first clause of his proposed preamble:

That the state of unrestrained violence and anarchy which exists in Mexico * * *.

What is the purpose of this language? To begin with, it is a manifest exaggeration. Over two-thirds of the populated territory of Mexico is at peace. The courts are open. The usual civil processes are in force. In any event, we are here engaged in an effort to avoid war, and at the same time to impress on the de facto authorities in the disturbed districts of Mexico that our flag and what it stands for must be respected.

The next clause of the proposed preamble reads:

The numerous and unchecked and unpunished murders of American citizens and the spoliation of their property in that country * * *.

No one can deplore more than I do violence to American citizens, whether in Mexico or in the United States. But, again, I inquire as to the purpose of the language employed in the proposed preamble. It should not be forgotten that our own country is not exempt from the crime of murder. There were more homicides committed in a single city of the United States last year than American citizens have been killed in Mexico in all the years since the revolt against Diaz in that country began. It is a regrettable fact that only a few of the perpetrators of these crimes were punished. The majority was not even apprehended. There has been a larger number of violent deaths attending industrial conflict in a single State of the Union within the last year than of American citizens in Mexico within the over three years of the revolutionary period. How many of those suffering violent death in this country were aliens I do not know. But I do know that were a foreign Government to refer to them and solemnly incorporate the language of this clause of the proposed preamble in an official document, such action would receive only one interpretation in the United States.

The further clauses which distinguish the proposed preamble from that submitted by the committee read:

The impossibility of securing protection or redress by diplomatic methods in the absence of lawful or effective authority—

And—

The inability of Mexico to discharge its international obligations.

These two clauses are only implications from the other clauses. They add nothing to what has gone before, and only emphasize the mischief of the proposed amendment. Our Government has never undertaken to secure to its citizen in a foreign country a higher level of justice and protection than that enjoyed by the natives of the community among whom he resides. And this is the utmost limit of security which any nation undertakes. To go further than this would be to set up a rule provocative of constant and general war among nations.

When our citizens in Mexico are denied the usual course of justice in that country they have a just claim for redress. The clauses in the proposed preamble are wholesale and reckless in their assumptions. On demand by our Government criminals have been apprehended, tried, and executed in Mexico; imprisoned American citizens have been released in Mexico; and property has been restored to American citizens in Mexico. In all cases? No. Nothing is plainer than that in the nature of the situation it is often impossible to secure redress or indemnity until after peace and stable government are restored. After each of our own wars we established tribunals to investigate and adjudicate cases. It was many years after our war between the States before certain of our own claims against a foreign nation arising out of that struggle were finally settled. These natural and usual instrumentalities of peace following in the wake of war were overlooked in the preparation of the proposed preamble.

Moreover, the proposed amendment is an unmerited censure of the last and present administrations. From the beginning of the revolution in Mexico there were voices from certain quarters in the United States that have loudly clamored for armed intervention. When the insurrection first broke out there were over 60,000 men, women, and children from the United States scattered throughout Mexico. Were those who clamored for armed intervention solicitous for the lives of these men, women, and children, or was their solicitude based on fear of the "spoliation of property"? Certain it is that the vast majority of these men, women, and children was far from the border. Many were from five hundred to a thousand miles from any point of rescue. If the estimate placed on the Mexican people by those who have persistently demanded armed intervention be true, the march of armed forces across the border must have been the signal for general massacre of these helpless citizens before assistance could have reached them. President Taft did not trifle with the situation. President Wilson inherited a vexed and aggravated problem, and has handled it with firmness, prudence, and humanity.

Mr. President, whatever difference of opinion may exist among Senators as to the truthfulness or exaggerations of the statements in the preamble proposed by the Senator from Massachusetts, I submit that there can be no difference of opinion as to what the effect, if not the design, of that preamble must be. If it concerned any great militant power of the world, the resolve that we have "no purpose to make war" would be idle and futile. The language of the proposed preamble is the language of war. Not simply of war on the organized forces that insulted the flag; it is an indiscriminate indictment of all de facto governments in Mexico, of all of Mexico as a country, of the whole Mexican people as a people. And we are asked to place this preamble over a resolve "that the United States disclaims any hostility to the Mexican people or any purpose to make war on Mexico!"

Why this lame and impotent conclusion? Why make all the motions of war while professing a desire to conserve peace? If it is your purpose to make war, then so declare. The proposed amendment would engage the Senate in the sniveling pharisaism of proclaiming war in the preamble and peace in the resolves. It would give us an incongruous performance, thundering in the index and whispering in the text. It would transform a measure designed to approve steps to insure peace by enforcing reparation from those who deliberately insulted the authority of our Government into a measure of general indiscriminate war against the whole Mexican people. Even Senators who foreshadow such result should not be in a hurry to rush toward it. I repeat, it is never too late to make war.

Mr. President, I can not but believe that the theory that the basis of our action would be broadened by the proposed amendment to the preamble is an utterly mistaken conception. Such course would import into the measure questions of more or less disputed fact and serve to becloud the gravity of the offense committed at Tampico. The effect of minimizing the gravity of that offense would be to defeat every legitimate purpose we can have in view. Two of the men were on the boat. The gunboat of a nation is the soil of that nation in whatever waters it may be. They were in the service of their country; they were under the flag of their country; they were committing no offense and were entitled to be secure; they and the others who were seized wore the uniform of their country's Navy. The flag is more than a piece of tawdry bunting. The uniform of the Navy is more than the cloth from which it is made. It symbolizes the embattled spirit of the country. The man under the uniform is expected in time of stress and storm to promptly cross the dead line in defense of his country. If public indignity and insult to him are to go unresented and unnoticed, we should soon have no Navy. If the flag, the symbol of the power, the honor, and the justice of the United States, is to be wantonly flouted and insulted before the world with no reparation save a manifestly insincere expression of regret, then, indeed, are the lives and property of American citizens in Mexico more insecure than ever. The offense at Tampico, to say nothing of what followed it, forms no narrow basis for action by the President to enforce redress. The insult was to the whole Nation, and bears evidence of being so intended. To require prompt reparation is to take bond for larger security in the future to the lives of American citizens not only in the distracted districts of unhappy Mexico, but elsewhere as well.

The refinements heard to-day as to who should salute our flag, to whom or what the return salute should be made, and how the salutes should be made are to me less impressive even than the proposed amendment to the preamble. The de facto government or authority which was competent to deliberately insult our flag was competent to salute our flag or suffer the consequence of refusal. The return salute would be to no man nor to the power of any faction, but to the flag of the Mexican nation which floats over all factions. The salute of the flag is a usage among civilized nations by which amend for injury is made and controversy is closed which otherwise might drift into armed conflict. There is no mystery about the negotiations in the Tampico case. They have but one import. The contention for simultaneous salutes, then for a protocol to assure a return salute, and the final refusal to salute, like the arrest of our uniformed naval messenger in Vera Cruz and the suppression of our official dispatches in Mexico City, were all deliberate and wanton aggravations of the original affront. The difficulty

was not one of forms. The usage of nations leaves no such difficulties. The difficulty was one of motive and purpose.

The advocates of the proposed substitute preamble seem uncertain as to how and against whom war would be declared. The proposed substitute leaves it against the whole Mexican people. Happily the purpose of those who oppose the proposed preamble is not to devise ways and methods of declaring war. If war must come, we shall meet the responsibilities that come with it. Should the effort to preserve peace fail, we know whence came the offense that provoked the crisis.

The Senator from Massachusetts [Mr. LODGE] points to the history of his State as a pledge to what may be expected of her should the country need the services of her sons. At least here we shall not differ. And while his State has a longer history, I can not permit even his good State to go before Indiana in reverence for the flag and that for which it stands. Indiana has signalized on hundreds of battle fields the sacrifices of which she is capable in defense of the flag and country. She sent nearly as many men into the service of the Union between 1861 and 1865 as both the leading candidates for President received votes in the State in 1860. But I feel too strongly the importance of early action by the Senate to strengthen the efforts to preserve peace, to yield to the strong temptation to dwell on the valor, patriotism, and devotion of my State in time of war.

Mr. President, I oppose the proposed substitute for the preamble, and earnestly counsel its rejection. I again remind the Senate that it points in one direction, while the resolves to which we are asked to prefix it point in the opposite direction. They are absolutely out of joint with one another. They are in direct antithesis, both in substance and in spirit. The adoption of the proposed amendment as a preamble would reduce the concluding resolve to a hollow sham, a reproach on the sincerity of the Senate. The preamble reported by the committee responds to the facts set forth in the President's address. The resolves as reported are in consonance with the recitations in the preamble. The address, preamble, and resolves make the case on which the President solicits the approval and justification of the Congress. It is manifest that the value to the country of this approval and justification must rest in its responsiveness to the President's appeal and the unanimity and cordiality with which it is given.

Mr. WILLIAMS obtained the floor.

Mr. LIPPITT. Mr. President, would the Senator from Mississippi allow me to ask the acting chairman of the Committee on Foreign Relations a question before he proceeds?

Mr. WILLIAMS. Yes; I could not in courtesy refuse.

Mr. LIPPITT. Mr. President, the Senator from Mississippi has already freely interrupted other Senators on the floor of the Senate this morning, so that I supposed that in making this very ordinary request I was not doing anything unusual or out of the way. If he feels that it would be discourteous, I certainly have no desire of forcing him to yield.

Mr. WILLIAMS. Mr. President, I have not said that the Senator from Rhode Island did anything out of the ordinary, according to the custom of the Senate. I merely replied that in ordinary courtesy I could not refuse to yield. If I had begun my first sentence to the Senate, it would have been a different affair; but I yield to the Senator—and I yield to him very freely and very willingly—in order to ask the question which he desires to ask.

Mr. LIPPITT. I am very much obliged to the Senator for his courtesy.

I should like to ask the Senator from Indiana [Mr. SHIVELY], who, on account of his position as acting chairman of the Foreign Relations Committee, is in very close touch with the President of the United States on matters of this kind, and has information which has not yet come into the possession of the rest of us, what reply, if any, President Huerta made to the communication of the President of the United States asking for a salute, and which reply was to be made before 6 o'clock on Sunday last?

Mr. SHIVELY. My attention was diverted. Will the Senator repeat his question?

Mr. LIPPITT. The present administration came into office pledged to take the American people into their confidence to an extraordinary degree. Instead of doing so, they have surrounded all their actions with an extraordinary secrecy. I had hoped that when the President of the United States read his address to us yesterday he would accompany it with the documents and correspondence that had taken place in regard to this very important matter. Instead of that, we are left with no official information of any kind. I am trying to ascertain whether any reply was made to the ultimatum which was sent by the President of the United States to the President of Mexico, and to which an answer was demanded by 6 o'clock on Sunday night last. I presume that the acting chairman of the Committee on Foreign Relations would be in such close touch with the administration that he would know in regard to these matters.

Mr. SHIVELY. Mr. President, the general implication of the Senator's remarks would seem to be that certain information has been wrongfully concealed. If he means by this that publicity should be given to all things transpiring in our foreign relations, I do not understand his view of such relations. The President is primarily charged by the Constitution with responsibility in our relations with foreign countries. It is patent that if these relations are not to be regarded as confidential within certain limits, and that if those whose business it is to conduct such relations shall be required to throw all the papers upon the table for inspection by the public, including the representatives of other governments than those party to them, such a thing as amicable foreign relations would be manifestly impossible. As to the specific case to which the Senator refers, I have not the official communication with me.

Mr. LIPPITT. Mr. President, I had hoped that the Senator would tell me whether Gen. Huerta or President Huerta did or did not make a reply.

Mr. SHIVELY. A reply came from Mexico City.

Mr. LIPPITT. Could the Senator give us any information with regard to its character? Has the Senator seen it?

Mr. SHIVELY. I will furnish the Senator a copy of the communication later in the day if he feels that he has not seen a copy of it.

Mr. LIPPITT. Well, Mr. President, I am only asking this question so that we may have the exact information required on which we ought to act in deciding a matter of this kind.

Mr. SHIVELY. If the Senator please——

Mr. WILLIAMS. Mr. President——

Mr. SHIVELY. Why, Mr. President, it was published in every newspaper throughout the United States; there was no concealment whatever about it.

Mr. LIPPITT. I had hoped that we would get our information in some more official manner than through the newspapers. It seems to me that there should be full information and copies of all correspondence laid before this body before this matter is voted upon. I am trying to find out whether or not there really was any reply made.

Mr. WILLIAMS. Mr. President——

Mr. LIPPITT. The Senator from Mississippi has yielded to me, and I will not take his time any further.

Mr. WILLIAMS. Mr. President, there is no occasion, howsoever great or howsoever solemn, that can not be interfered with by a senatorial interruption. This is a very great and a very solemn occasion. One great nation upon one side and a divided people upon the other are set perhaps in solid phalanx against one another. The thought has occurred to me that the world is not yet quite civilized. Perhaps in 100 years, perhaps in 500 years the world may be civilized, but to-day the world is not quite civilized; and we are put where we must meet the world as the world thinks, as the world feels, and as the world does, and not as the world ought to feel, or ought to think, or ought to do.

I doubt not that a hundred years from now the senseless act of a Mexican colonel in arresting men upon an American boat, with the American flag flying at the prow and at the stern, will be laughed at by civilized men if invoked as a cause of war; and yet I know as well as I know my name is what it is that if the President of the United States, in the present condition of civilization, had passed by the insult to the flag of the United States, the insult to the uniform of the United States, there would have gone up from every hilltop and every valley in the United States resounding denunciations of his "cowardice," his "pusillanimity," his lack of "patriotism," and his "un-Americanism." So I stand here not prepared to meet this question in its true aspect, but prepared to meet it in its present aspect. With humanity such as it is, with humanity semibarbaric, and with humanity semicivilized, no nation has ever yet failed to resent an insult to its flag and to its uniform. The time will come after awhile when manhood and womanhood will say that a mere punctilio shall not lead men to kill one another; but that time has not yet come, and I face men who now, if I challenged that time, would denounce me as cowardly and pusillanimous and surrendering to the dictates of a Mexican military commander—would denounce me and my kind. So we have got to argue it as it is.

The other night my wife and I had gone to the Raleigh Hotel. I heard sounds on the street of rejoicing, of horns blowing, as if a new year had sounded upon the world, as if Christ had been resurrected—an Easter celebration. I asked what was the matter, and they said that a crowd down in front of the Wash-

ington Post newspaper building were celebrating. I asked what they were celebrating, and the reply was, "Celebrating the anticipation of war with Mexico." Then it struck me that mankind might be very much better employed if they were thoughtful and sad with the anticipation of war. I do not want to kill any Mexicans; I do not want any Mexicans to kill me. I have nothing against the Mexican people nor against the Mexican country. The President of the United States has nothing against the Mexican people and nothing against the Mexican country. He said so yesterday in an address to the Congress of the United States.

The preamble offered by the Senator from Massachusetts [Mr. LODGE] presumes that there is a quarrel with Mexico. There is no quarrel with Mexico at all, nor with the Mexican people. God knows, you know, I know, the American people know that every sympathy we have in the world is for the divided factions in Mexico. We wish in our hearts that they were capable of self-government; we wish in our hearts that, if they were capable of it, they would exercise self-government; we wish in our hearts that nothing that has happened in Mexico, and that nothing that can happen in Mexico would call upon us to intervene in their purely domestic affairs. The Monroe doctrine itself was a pronunciamiento to the effect that no country upon the earth had a right to interfere in the domestic affairs of Central or South America. There may have been later on, under the administration of a notorious if not distinguished President of the United States, a different significance given to the Monroe doctrine, but that is what it originally meant. The United States said to the world: "You shall not interfere in the domestic affairs of the countries of Central and South America." And yet—and yet—and still yet—all Europe every day is standing on tiptoes and saying to us: "If you do not bring about domestic tranquillity and peace in Central and South America," according to the Monroe doctrine, "then we menace you with the threat that perhaps we may."

Mr. President, I confess that, so far as I am concerned, this is one of the saddest days in my life. I have got to do something that I do not like to do, that I do not want to do. I must surrender the ideals of the glorious future to the sentiment of the present. Nobody not a fool appeals to a glorious future against an actual, pressing present, whatever the present may be. You have to deal with the present, and you have to deal with the present according to the environment and heredity which have made the present; and, according to the environment and heredity of the present, no Government can afford to stand and at the same time fail to resent an insult to its flag and to its uniform.

If I were in a country where duels were being fought upon a question of punctilio or honor, I would say, "I think it is folly; I think it is nonsense; but I can not live and exist with self-respect in this community without according myself with the customs of the country. Therefore I shall allow no man to subject me to a direct insult without inviting him out to shoot or to be shot."

I take it, Mr. President and Senators, that a gentleman can forgive and overlook an injury. My neighbor's stock may run over my crop and I may go out and fix up his fence out of real good nature and let it pass; but when my neighbor comes to me and says, "I want to tweak your nose," that is a different proposition. You may forgive and overlook an injury, but you can not forgive and overlook an insult if both parties understand that it is an insult, and deliberately intended as such.

Huerta has studiously endeavored to insult the Government and the President of the United States. There is no doubt about what he has wanted to do. It is not a mere matter of injury; it is not a mere matter of property; it is not a mere matter of life. It is a matter of insult to the honor of the United States, which far transcends either life or property. I do not like it. I do not believe in flag idolatry or uniform idolatry any more than I do in any other sort of idolatry; and yet the world believes in it, and we are part of the world, and we must live in the world, and we can not live outside of the world until after we are dead.

The President of the United States sounded the right keynote, and that keynote is Huerta. The House of Representatives sounded the right keynote, and that keynote is Victoriano Huerta. My only objection to these resolutions is that in the preamble they leave out what the House put in it—the insults to the American flag and to the American uniform by Huerta.

When I vote for these resolutions, I vote for them solely upon the ground that I hope that in conference the House may insist upon reinserting the name of Gen. Huerta as the insulting party and the insulting cause; for all the insults we have received from Mexico, either to the flag or to the uniform, have come from him. I am not talking about injury now; I am talking about insult—a higher thing, a much more reprehensible thing, than mere injury.

During our War between the States hundreds of citizens of foreign countries were killed and imprisoned both by Confederate and by Federal troops, and hundreds of thousands of dollars of foreign property were taken by the one side and by the other. None of that furnished any occasion to intervene in the domestic affairs of our country. In so far as men have lost their lives in Mexico, Americans have been on an equal footing with Germans and Italians and Englishmen and other people. In so far as Americans have lost their property in Mexico, they have been on an equal footing; but in so far as mere insult has come, it has come to America alone.

Huerta has insulted no English uniform nor English flag, nor German uniform nor German flag; but he has flaunted himself in the face of the Mexican people as a safe insulter of the American flag and the American uniform. He has not trespassed upon our crop; he has tweaked our noses.

I hope that when this resolution comes out of conference it will come back with Gen. Huerta's name in it. I hope that the civilized world will understand that if war shall follow these resolutions—and if war shall follow them it will not be by our act, but by the act of Gen. Huerta—it shall not be war upon the Mexican people nor upon Mexico, but it shall be war upon Huerta until one of three things happens—either Huerta salutes that flag, or Huerta becomes an American prisoner, or Huerta dies. [Applause in one of the galleries.]

The VICE PRESIDENT. The Sergeant at Arms will clear this gallery. Notice has been given once this morning.

Mr. WILLIAMS. Mr. President, I have another reason for wanting to confine these resolutions to Huerta and to the insults which Huerta and Huerta's underlings have delivered to the uniform and to the flag. That other reason is this: If Huerta shall salute the flag or if Huerta shall be overturned or if Huerta shall die, any one of the three, then we can get out of Mexico. If the Lodge preamble were adopted, we should be compelled to stay in Mexico for other things besides this.

I am willing to go, even in flag idolatry, to the point of insisting upon a salute to the flag, because that is the present state of heredity and environment in the world; but I am not willing to go with an army into Mexico to stay there for other things. Why? Because I do not know what the other things shall be. It is mighty easy to get into Mexico. It is awfully easy to take Vera Cruz. It is mighty easy to close up the railroad between there and the City of Mexico. It is not a very difficult job to go to the City of Mexico; but it will be an awful job, Senators, to get out of Mexico after you get there. I do not want 10,000,000 of "greasers," more or less, incorporated in the American Republic either as a subject population or as coequal citizens with me. We have race problems enough now without that.

The VICE PRESIDENT (to the Sergeant at Arms). There is no trouble at all on this side of the gallery. If the occupants of the galleries will heed the warnings and obey the rule, there will be no trouble at all.

Mr. WILLIAMS. Now, Mr. President, is there order?

The VICE PRESIDENT. There is.

Mr. WILLIAMS. I want to impress this upon my fellow Senators: It is an easy thing to go to Mexico. It is an easy thing to whip Mexico if we had occasion of war against Mexico, and we have not. We have no occasion of war against anybody except Victoriano Huerta; but it will be the hardest thing in the world to get out of Mexico after you go there.

You went into the Philippines in that sort of style, and you have not gotten out yet. There is a party in power to-day, one of the planks of whose platform was that it would get out. It has been in power two years or more, and it has not gotten out yet, and my prediction is that it will not. Why? Because, Mr. President, the greediest thing on the surface of the earth is the white man.

Every race has it crimes. Every race has its faults. The negro is sensual. The Chinaman wants to go into a state of exhilaration. The Hindu wants to go off finally into a general counion with the Divinity, while he dreams and does nothing. The white man's fault is greediness. He is the greediest creature that God ever made—greedy for land, greedy for money, greedy for power, greedy for influence, greedy for everything. In that particular respect he is inferior to the Chinaman or the Jap or the negro or anyone else that ever existed on the surface of this globe.

If you once get into Mexico, California will say: "Well, we want Lower California"; Texas will say: "We want Sonora and Chihuahua"; and the demagogue will go out and say; "Who is going to pull down the flag?" Of course, the answer is easy: "The men that put up the flag, the American people,

have a right to pull it down"; but when you begin to argue, the crowd does not listen.

Down here the other night in Washington they were blowing horns and cheering, as I said a moment ago, and why? They did not know. They did not think, if they were capable of thought, which I doubt; but it was the old superstition—epaulets, uniforms, drums, fifes, war—"Hurrah for us!" That was all there was to it. People were actually celebrating, as if Christ were resurrected; the anticipation of a great Nation and a divided people killing one another.

I am going to vote for these resolutions. I find in my political career that I have never been able to impress a single idea that I ever had upon any government in the world. All I had to do was to take my choice between two evils; and as between the Lodge evil and the committee evil I will take for my choice the committee evil. I do it chiefly because if the committee amendment is adopted, and this assassin, this traitor, this brute—Huerta—who is now, under the color of military authority, dominating a part of Mexico, shall, before we fire a shot, salute that flag, we will not have to go into Mexico at all; but if the Lodge preamble is adopted we will have to go, or at least there will be an excuse left to the President to go; and as much as I love and admire Woodrow Wilson, I do not want to leave him even an excuse to go.

Mr. President, this occasion is sad to me for another reason. Here is a great party, the old, historic Democratic Party; the only party that has existed in this Government from Washington's administration down to Woodrow Wilson's; the only party that throughout all of its history has had representatives in every precinct of every county of every State of every section of the United States. It has just gone into power with a progressive program before it. It has passed its tariff bill; it has passed its banking and currency bill—neither of them perfected, both of them approximately right. It has its antitrust legislation before it. It has this question of the repeal or nonrepeal of the tolls exemption before it. It has all the great progressive program of the Democratic Party before it. Inter arma silent leges (amidst arms laws are silent), and if we do have war with Mexico, that is the end of progressive legislation until after peace comes back. You are playing into the hands of the reactionaries. You are playing into the hands of those who do not want to go forward in progress and in peace.

O Mr. President, Thomas Jefferson said, "I frankly confess that my passion is peace"; and so is mine. I have but one hatred in my heart, and that is the hatred of hate itself. I hate war, and I know some little about it. I was not old enough to engage in the last trouble between the States, but I have seen the negro soldiers in my grandfather's parlor in blue uniforms tearing the silk curtains down. I have seen—more disgraceful still—white soldiers threatening my two old gray-haired grandmothers to make them tell where they had hidden their money, and I have seen them stealing the silver and carrying it off. I know that war is not only hell, as Sherman said, but it is worse than that. It is petty larceny as well as grand larceny. No uniform and no flag ennobles it. War brutalizes, war disennobles, war unenlightens, war degrades.

My boy and yours want to run to this war. I have one. He sees nothing except the flag and hears nothing except the drum. But I know what it means. There never was a man yet who could go through the passions and the blood and the hatred of war time without running the risk at any rate of disennobling himself.

When I vote for these resolutions, so far as I am concerned, I am making a sacrifice not only upon the ground I have stated as a citizen and a Democrat, but upon another ground as an economist. What does it mean? New taxes. What does it mean personally to me and you? Nothing. You are not going; you are not going; I am not going; you are not going. The carpenter's son is going; the blacksmith's son is going; the farmer's son is going. If I had a personal quarrel with the Senator from Wisconsin [Mr. LA FOLLETTE] and he and I went upon the dueling field to shoot it out, I could respect him and he could respect me. We would leave it to the god of battles, as they used to call it "the trial of battle," for my breast would be presented to his bullet and his to mine. But when we invoke nations to war we do not present our breasts. There are none of you going except perhaps one or two here and there on the other side of the Capitol and here, who may think the advertisement of getting a commission and going down with a war record may be superior to what he can do in the Senate or the House. [Laughter.]

The VICE PRESIDENT rapped with his gavel.

Mr. WILLIAMS. We declare war and the other people fight it. God knows if I could go out and take it all on myself, just me and nobody else—and I am no brave man, either—I believe I would be willing to do it, because after all it does not matter much just when you die; 24 more hours or 24 more weeks or 24 more months or 24 more years do not make much difference. At the end of it all you are dead; you occupy just about 6 feet in the ground; you are summoned to the chancel of God to account for your sins, and probably the longer you live the more sins you will have to account for. So if I could take it all on myself whenever a question of war or peace comes, I am not certain of it, but I really do believe I would be willing to take it in propria persona. But, Mr. President, I am not willing to put it on the other fellow.

And yet I recognize that in the present state of civilization no nation can exist with self-respect and, what is more, no nation can exist with the respect of other nations that does not resent insults to its uniform and to its flag. Christ said, When a man strikes you on one cheek turn the other. I reckon Christ was right, but the time has not come for it yet. When a man strikes me on one cheek in the present condition of heredity and environment I am going to strike him on the other. That is the condition of the nations as well as of individuals.

Now, Mr. President, the Senator from Massachusetts has told us that if we intervene in Mexico he wanted to intervene for broader purposes than this resolution. That is just where I differ with him. If I could make the purpose in this resolution still narrower than it is, I would make it still narrower. Now why? Because if you can make the purpose of intervention broader you have latitude to stay, and you have latitude to "pacify," and you have latitude "benevolently to assimilate," and you have latitude of every wrong description.

I do not want any more "benevolent assimilation" in Mexico, and I do not want any excuse for us to stay there until Mexico is "pacified," we to be the judges of when it is "pacified." I have had enough of that in the Philippines already. Just think of it! Two chess players; one of them says to the other, "I will put a pawn out here two ranks in front of my men, and my king and my queen and my bishops, and I will subordinate my entire game to the safety of that pawn." That is what we have done in the Philippines.

Most of you never heard of the Philippines until after we took them. I believe most of you here knew there was such a thing as Manila straw and Manila matting. I remember I was upon the Foreign Affairs Committee in the House, and men came to me at that time and asked me where the Philippines were, and they had to go around and inspect a map to be certain. Congressmen, great men as we all are, did not even know where the Philippines were upon the map. Yet after we took them we found out that American "honor" and American "vital interests" were interested in retaining them. We had gotten along a hundred years or more without the Philippines very happily, with a good deal of liberty, a good deal of freedom, a good deal of prosperity; but after we took them once we could not have any liberty, prosperity, or anything else without keeping them.

You have not got an international question that vitally disturbs you to-day that does not grow out of the Philippines, and if you take Mexico you will have more of the same sort of stuff. And you do not want Mexico. What do you want with Mexicans? I said a moment ago I had no war to make upon Mexicans, neither has the President; but I have no profession of violent friendship and love for the Mexicans to make, either. I know the "greaser" when I see him. I do not want him as a member of the body politic of the American Union, and, God knows, I do not want him nor anybody else as a subject, as an alien subject, kept in place by force of arms. What do you want with him at all?

I hope when this resolution comes back from conference it will come back as a declaration against Gen. Huerta.

One more thing before I conclude. When this resolution passed the Committee on Foreign Relations, the last sentence of it was that we had no animosity against the Mexican people nor were we prepared to wage war against Mexico. Is the Senator from Virginia [Mr. SWANSON] in my hearing? The resolution read "against them." Is that the way the resolution reads now, the very last word in it?

The VICE PRESIDENT. It reads "to make war upon Mexico."

Mr. WILLIAMS. That is right. I thought the clerk read it "them." I was very anxious to include in this resolution the idea first that we were announcing no hostility either to the Mexican people or to the Mexican country as a country. Huerta is de facto military governor or President, or whatever you call him, not of Mexico, but of a part of Mexico.

Mr. President, the Senator from Massachusetts said that if this action was to be taken he wanted it to be taken upon "broad and sufficient ground." I do not. What I suppose he

means by "broad and sufficient ground" is ground broad enough and sufficient enough to stay in Mexico after we get there. I want our action taken upon ground so narrow that it shall be insufficient to stay there. [Applause in the galleries.]

The VICE PRESIDENT. The Sergeant at Arms will be compelled to clear the galleries. The Chair is not responsible for the rules of the Senate. They were made contrary to the judgment of the Chair. They place upon the Chair the duty of seeing that there are no demonstrations of approval or disapproval in the galleries of the Senate. Three times now this morning attention has been called to that fact, and the Chair has been compelled to clear one gallery, much to the regret of the Chair.

The Chair wants to say something further now: The Senate passed this rule; but the Senate, if the Chair is an observer of things going on, is largely responsible for the outburst in the galleries. If the Senate expects the Chair to enforce the rule as against the galleries, a decent respect for the feelings of mankind would suggest that Senators should also obey the rule.

Mr. WILLIAMS. Mr. President, can I go on, with "decent respect" for my own feelings?

I want the ground of this action to be so narrow as to be absolutely insufficient to be quoted hereafter as an excuse to stay in Mexico. I want it so narrowed down that if Huerta shall die or shall be assassinated or shall resign or shall salute the flag, all we shall have to do will be to come on back home.

I admit the right of the Mexican people to govern themselves in their domestic affairs absolutely. I assert with regard to them and with regard to all other people everywhere, at all times, that the right of self-government carries with it the right of self-misgovernment. You have no right to sit in judgment upon another community as to whether its government is government or misgovernment.

I was raised when I was a boy during the carpetbag times down South. I know how they came down there and talked about misgovernment. I know how you Yankees condescendingly spoke of "the natives." Positively the old archives here are full of the messages of you northern people from the South, calling us "the natives," "the natives believe," "the natives think," "the natives are inclined," "the natives are so and so," and so on. We thought we had an older and better civilization than you had. We will not quarrel about that. I am inclined to think we were both mistaken, but leave that out. Whether he is a northerner down South, or an American in the Philippines, or an American in Mexico, or an Englishman in India, or a German in South Africa, the carpetbagger naturally arrogates to himself all the excellencies and superiorities of the home country and of his government and speaks condescendingly of "the natives." I have been a "native" myself, and, what was worse than that, my two old gray-haired grandmothers were "natives," subject to all these indignities and insults; and I do not agree about carrying the "carpetbag" "native" business into Mexico.

I have just received this telegram, Mr. President:

> How can the Senate authorize reprisals against unrecognized bandits and not declare a war against the nation whose people ignore the grave situation? No wonder John Bassett Moore resigned.

It is signed by William C. Dix, of Philadelphia, Pa.

Now, that is an indication of the feeling. Because a colonel serving under Huerta insulted our flag and arrested our sailors on our yawl and carried them through the streets at Tampico this American citizen wonders why or how we can make any distinction between him and that act and the nation whose people "ignore the grave situation." How could they fail to "ignore"? What did the "people of Mexico" have to do with it? Between warring factions, God pity the people in Mexico. There is the invitation of the greedy white man to make war upon a nation—against the Mexican people—all of them, regardless of what they think or how they feel. It seems to me I can draw the distinction. It seems to me you can draw it if you will halfway try to do it.

By the way, John Bassett Moore's resignation had no more to do with this than it had to do with the Revolutionary War. But still they bring that in. That is a part of this endless attempt to make the American people think that it is a part of their patriotic duty to hate other peoples. All you have got to do in an argument on the tolls question, for example, is to prove that it might possibly help somebody else of some other nation across the water, and if it does, then it is our "patriotic duty" to oppose it. So it is with this question.

Now, Mr. President, I shall not offer an amendment to the present resolution, because I was the only member of the Foreign Relations Committee of the Senate who voted to retain in the resolution the name of Gen. Huerta. I have found out long ago, and the older I get the more certified I am in the saying, that no one man amounts to anything. He is a fly on the spoke of a wheel, and when the wheel is going down he thinks his weight is making it go. I do not fool myself about that, and I shall not offer an amendment merely to be voted upon and merely to be voted down, but I do hope that the House of Representatives will assert its dignity when this question goes to conference, and that it will retain the name of Victoriano Huerta in the resolution, because the more I think about it the more wise statesmanship and the more sagacity I see in the proposition of directing the United States forces at him and at the men operating under him who insulted the flag and the uniform, and toward confining our operations simply to him and them.

Mr. BRADLEY. Mr. President, I have no prepared speech to make and shall be brief.

In the first place, I will say that there is no Senator on this floor who will go further than I to uphold and sustain the President of the United States, the Commander in Chief of our Army and Navy, in this present difficulty. There is no Senator who has more love for the American flag than I have. That flag is the emblem not only of our power but the emblem of our liberty. It has been made sacred by the blood of our fathers and the blood of their sons. It has never gone down in defeat or dishonor, and I trust that I may not live to see it so go down. An insult to the flag is an insult to the whole American people. It is an insult which no self-respecting government can brook.

But, Mr. President, let us see what the result of present action may be if only a salute to the flag is to satisfy us. The Senator from Mississippi [Mr. WILLIAMS] stated a moment ago that if Huerta saluted the flag then "we would turn and come back," as that would be satisfaction in full for the insult that has been given to American honor and to the American people.

For long and weary months citizens of the United States in Mexico have been subjected to plunder and murder. They have sent appeal after appeal for relief, but no relief came. They could see their flag waving over the border, but it could not or would not bring them aid. I am not only in favor of sending the fleet to resent an insult but I am in favor of sending the fleet to shelter citizens of America from rapine and slaughter and robbery.

I quite agree with the Senator from Massachusetts [Mr. LODGE] that this resolution is not broad enough. Shall we, if the flag is saluted, turn our ships and come back? Shall the American citizens and the citizens from other countries whom it is our duty to protect under the Monroe doctrine get but a glimpse of the flag when it comes, a glimpse of it when it goes? Shall it be said that we can resent an insult to the flag, but are powerless to protect the lives of American citizens?

I do not desire war. I was comparatively a child during the Civil War, but I saw much of it. I saw the terrible sufferings of that period; I saw the bodies of the brave brought home and laid to rest; I saw the dead and wounded on the battle field; I heard the cries of widows and orphans, and I saw desolated homes. But terrible as all this is it is far better that we should endure it than that the honor of our country or the rights of our citizens should be trampled under foot.

The American flag has gone to Mexico, and I for one hope to see it stay there until protection is enforced for American citizens. Let us not like "the King of France, with 40,000 men, march up the hill and then march down again." Let us not content ourselves merely because reparation has been made for an insult to the flag.

Mr. President, the people of this country and the people of the civilized world have stood by in wonder and astonishment while all these diabolical deeds have been enacted. I have no friendship for Gen. Huerta. I should like to see him wiped from the face of the earth. But, Mr. President, are we by our resolutions to simply say that he and he alone is to blame and that a settlement with him shall be a settlement for all the dastardly deeds that have been enacted in Mexico? Better that our Navy had never gone into Mexican waters than that it should return after having accomplished so little.

I do not favor a declaration of war. Time and again the United States has landed its forces in foreign countries for the purpose of preserving the lives, the liberty, and the property of its citizens; time and again other nations have pursued this course. Let us land our forces for that purpose. The soil of Mexico is no more sacred than is the soil of any other country that murders our citizens. Let us demand protection not alone for the lives and property of our citizens but the same protection for the citizens of foreign countries; let us enforce the Monroe doctrine, not in part but as a whole. Either let us stand by it or let us desert it and confess our inability to enforce it.

I would prefer that the resolution should be passed in its present form and the President be given authority to carry out all of its features rather than fail to take any action. I have no fear of the result, and no Senator has any fear of the result. Let us do right; let us be just; let us extend the strong arm of protection; and while we protect the flag, let us protect our citizens, whose blood has been shed for more than a year in Mexico. Their blood cries from the ground. Shall that cry go unheeded? It is time to act. There should be no more "watchful waiting."

I shall vote for the amendment proposed by the Senator from Massachusetts [Mr. LODGE], but if it is not adopted, I shall vote for the present resolution, even though it does not go as far as I wish it to go.

Mr. WORKS. Mr. President, I offer the resolution which I send to the desk as a substitute for the resolution brought in by the committee and for the amendment thereto offered by the Senator from Massachusetts [Mr. LODGE].

The PRESIDING OFFICER (Mr. LEWIS in the chair). The proposed substitute will be stated.

The SECRETARY. In lieu of the substitute reported by the Committee on Foreign Relations and that offered by Mr. LODGE, it is proposed, after the title of the joint resolution, to insert the following:

Whereas on the 9th day of April, 1914, a paymaster of the U. S. S. *Dolphin* landed at the Iturbide Bridge landing at Tampico with a whaleboat and boat's crew to take off certain supplies needed by his ship, and while engaged in loading the boat was arrested with his crew by an officer of what is known as the federal army of Mexico; and

Whereas the said city of Tampico was in possession of the federal army and under martial law and being besieged by what is known as the rebel or constitutional army; and

Whereas orders had been given by the commanding officer of the federal forces that no one be allowed to land at said Iturbide Bridge, but of which said officer and crew had no notice, and it was claimed that our men had no right to land there; and

Whereas within an hour and a half after their arrest, without injury to them, the said commander of the federal forces ordered said paymaster and men discharged, and they returned to their ship; and

Whereas the said commanding officer expressed his regret that the arrest had been made and apologized therefor to the admiral commanding our fleet; and

Whereas, notwithstanding said voluntary discharge of the men so arrested and the apology, the admiral of our fleet demanded that a salute of 21 guns be made to our flag; and

Whereas said demand for a salute was referred to Victoriano Huerta, who then claimed to be the President of the Republic of Mexico and commander in chief of said federal army; and

Whereas the said Huerta claimed that our flag had not been insulted and that apology had been made for said arrest and expressed his regret at the occurrence; and

Whereas the President of the United States confirmed the action of the said admiral in demanding said salute and insisted to the said Huerta that the same be given; and

Whereas the said Huerta still maintained his position and refused to cause said salute to be fired; and

Whereas the Republic of Mexico is a friendly nation and torn with civil war; and

Whereas this Nation is an earnest advocate of peace between nations, and desires to avoid bloodshed or strife; and

Whereas the President has said in his message: "This Government can, I earnestly hope, in no circumstances be forced into war with the people of Mexico. Mexico is torn with civil strife. If we are to accept the tests of its own constitution, it has no government"; and

Whereas this Government has refused to recognize the said Huerta as President of said Republic of Mexico; and

Whereas if this be justified he has in none of the acts complained of acted for the people of Mexico; and

Whereas if we take action to vindicate our flag it must, if we are consistent, be against the said Huerta, individually, but must work to the injury of the Republic of Mexico and its people who have not done any act to the injury of our national honor or to insult our flag: Now therefore

Resolved, That as an evidence of our friendship and good will toward the people of Mexico, of the sincerity of our advocacy of peace among nations, and of our desire to maintain and perpetuate our peaceful and friendly relations with the Republic of Mexico, this Government accepts as sufficient reparation for any wrong that may have been done us by the arrest of said officer and men, their discharge and the apology made.

Mr. WORKS. Mr. President, if I know myself I love and revere the flag of my country as sincerely as can any Member of this body. I have lived under it for 67 years; I have followed it in the smoke of battle; I have worn the military uniform of my country that is now said to have been insulted. If I believed that the arrest of the petty officer and his crew, their almost immediate discharge, and the apology made by the officer in command was such an act as to leave a stain upon the flag that could only be wiped out by the firing of a salute by a Mexican gunboat at the command of a man who, we say, is so bad that he is not fit to be the President of the Mexican nation, a man who, we say, is an assassin and a murderer, then I should be willing to go to the farthest extent in the effort to compel such reparation as might be necessary to restore the flag to its original purity; but, sir, what honor can there be to this Nation, how can the stain or insult that has been given be removed from the flag by the firing of such a salute by such a man?

Mr. President, we are the advocates of peace among nations; we have various peace organizations throughout this country headed by the most distinguished of its citizens, and here is an opportunity on the part of this great Nation of ours to do a magnanimous thing that will give evidence to the whole world that it is sincere in its advocacy of peace.

What is the condition? A petty officer of one of our ships and the crew under his command landed upon Mexican territory, where, it was claimed, an order had been made that no one should land. They were arrested by another petty officer and the squad under his command, taken up through the town, and when the matter came to the superior officer who had command he at once ordered them returned to their boat, and, as set out in the message of the President, within an hour and a half, without injury to them and without any insult to them or to the flag except the mere fact of having made the arrest, they were allowed to return to their ship; and the officer in command, after this had been done, voluntarily on his part, made his apology to the commander of the fleet of this Government.

Mr. President, when we come to consider the condition of Mexico, the condition that surrounded this whole transaction, a country torn with civil war and strife, a city that was at that very moment besieged by its enemies and attempting to protect itself, was it not enough that this voluntary discharge had been granted to the men and an apology made to satisfy a great Government like ours? Unfortunately, however, this question did not first come to the President of the United States. I am sorry to say that the seat of power in that instant was in the admiral of the fleet. He was not satisfied; he demanded that a salute of 21 guns should be fired within 24 hours. That was not done. The matter was submitted to the President. He must do one of two things; he must either stand by his officer and see that his command was carried out, or, in the estimation of the officer and his comrades perhaps disgrace him by reversing the order. How much better it would have been for the reputation of our own country if the admiral of the fleet had accepted the apology and gone no further. How much better it would have been if the President of the United States, who is an earnest and sincere believer in peace and who has by every means possible attempted to prevent war or intervention in Mexico—how much better it would have been if the President himself had declared that the apology and the discharge were sufficient.

Now, sir, it requires more courage sometimes to withhold the hand than to strike. That is just as true of nations as it is of men; and I am afraid that we have not the moral courage to do what we believe this country ought to do under all the circumstances—to say to this weak and stricken nation that what she has done to repair this wrong is enough.

Mr. President, there is another phase of this question that has concerned me very seriously, and that is that in what we are asked to do to-day we are not dealing with the Mexican Government. Who has insulted our flag? According to the position the President has taken, not the Republic of Mexico, but the single man whom we have refused to recognize as President of the Republic and who is no more to us under the position which we have taken than a private citizen of Mexico. Why should we consider the act of a private citizen as an insult to our flag that calls for a salute from him or anybody else? Why should a great nation like ours, because of this apparent insult, send all of its ships to Mexican waters for the purpose of disciplining, not the Republic of Mexico, not another nation, but a private citizen of that country?

The President said in his message—and very justly so—that we have no enmity for the Mexican people; that we have no desire to wage war against them; that we are not even asking them to repair this wrong that has been done. The President is not asking us to authorize him to take any step of any kind toward the Mexican Government. He tells us that Huerta, not the Mexican Government, has refused, upon his demand, to salute the flag; and he asks us to give him authority, if that is needed, to compel him to salute the flag. That is the whole question that is presented to the Senate. I say it is the whole question, because every one of us here knows that if the salute had been given to the flag within the time required, the President would never have come before the Congress of the United States asking for authority to act. If the salute had been fired, this Government would have been satisfied, and no further steps would have been taken. Therefore I repeat that all we are asked to do is to uphold the hand of the President while he compels Huerta, a private citizen, to salute the flag of this Nation. Mr. President, so far as I am individually concerned, I do not believe it would be any great honor or any great credit to the Government of the United States to have a salute fired to its flag under such circumstances and at the command of such a man.

A question is raised here whether or not this is a declaration of war. While it is not so in a technical sense, what is going to happen? If Huerta still declines to fire the salute that is required of him, I suppose about the first thing we will do will be to seize some of the ports and some of the customhouses of the Republic of Mexico. Does anybody believe that if we go to that extent it is not going to bring on war, whether we have declared it or not, and if we are not dealing with the Mexican people or the Mexican Government, what justice is there in seizing the customhouses and the revenues of that country under the circumstances which are presented to us to-day?

I hope and believe that I am as sensitive to the honor of this country and its flag as is anyone else. I should not willingly stand by and see it insulted by any other nation; but I hope the time is coming in this country, if it has not already arrived, when the people of a great and enlightened Christian country like ours can rise above the rules that require a salute or other reparation for an offense like this. *What do we mean when we declare for universal peace, when at the very first instant when there is the slightest insult to our flag we are ready to go to war?*

I have not offered this resolution with any intention of criticizing the course taken by the President—far from it. I believe the President in this matter has acted with perfect sincerity and has done what he believed to be right and just to the country he represents; but the responsibility just now is presented to the Senate; we are asked to pass upon this question, and we can only do so upon our own conscience and upon our own judgment. If we believe that this country will be more honored by forgiving the Republic of Mexico under the circumstances and accepting the apology that has been made, we can not shirk our responsibility by saying the President has asked us to do this.

A good deal has been said here—it was said very eloquently only a moment ago by my distinguished friend, the Senator from Kentucky [Mr. BRADLEY]—that there have been other outrages and violations of the rights of American citizens in Mexico. I sympathize sincerely with what the Senator from Kentucky has said on that subject, but I want to remind the Senator that that question is not involved here. There is no effort made to bring about any sort of punishment nor to bring any force to bear on the Republic of Mexico because of those acts, but it is brought down to the simple question as to whether or not there shall be a salute to our flag.

I have had occasion before now to say something in the Senate about the treatment that our citizens have been receiving in Mexico. I think one of the greatest mistakes this country has made since the trouble down there commenced was that it did not protect our citizens on Mexican soil. If we had done so energetically from the first, we might have been respected by the citizens of Mexico on that account.

It is said by the President that we have been singled out from all other nations, our citizens insulted, their lives taken, and that the treatment which has been accorded to our people has been different in that respect from that accorded the citizens of all other nations. That is not surprising. We have not sustained our honor in Mexico; we have not protected our citizens there; the flag of the country about which we are talking to-day has not been their shelter or protection. Why should not the Mexican people feel contempt for us under these circumstances?

There is another reason why there should be more irritation manifested toward us and less respect for us than for other nations, because on one side of the Republic of Mexico we have a fleet of warships and on the other an army standing there ready at any time to invade that country if the opportunity should occur or the conditions should require it.

Mr. President, I have not introduced this resolution with any expectation that it will be passed. We are going headlong to the terrible conditions of war. I am afraid there are some people who might feel that if they do not assert our right and compel the salute to the flag they might be regarded as cowardly and pusillanimous. *On the contrary, I believe that the most courageous thing the people of this country could do to-day would be to accept the apology which has been made and refrain from any further act of aggression toward the Republic of Mexico.*

Mr. President, I know something about the terrors of war. I have seen it at first hand. This country has had its experience—sad enough. I do not want to see any more war; I do not want that your sons or mine shall go through the experience that some of us in this body have gone through; and, while I am not willing that we should fail to do anything that is necessary to protect the honor and integrity of our country or its flag, I am willing to forgive, to make concessions in an honorable way rather than go to war.

Mr. President, I did not expect to discuss this amendment at length. I feel very keenly the situation we are in. I think it a time when the Senate should think very seriously before it enters upon what I am satisfied will be a long and protracted war. I have offered this amendment in part for the purpose of accentuating the real conditions, and why we are proposing to go to war. I have undertaken in the rather long preamble that precedes the resolution to set out the facts as they have been detailed by the President himself, in order that we and the country may realize what it is that we propose to go to war about.

Mr. McCUMBER. Mr. President, as a member of the Committee on Foreign Relations, I wish to take only a very few minutes in expressing my reasons for sustaining the views of the minority as expressed in their resolution. The resolution offered by the Senator from Massachusetts [Mr. LODGE] was worked into form and shape by the minority members of the committee, and represents the consensus of the opinion of those members.

The resolution before us is a matter of far-reaching import. No matter how adroitly worded, no matter what limitations may be in the mind of the President of the United States in seeking the approval of Congress of his contemplated course in Mexico, the result of this resolution will be war. It will be all the war that a poor, internally torn, bleeding, and exhausted country can maintain against this most powerful Nation on the face of the earth. In blood and treasure it can not be a serious war on our part. On the other side there is little further treasure to be exhausted. Bankrupt, and without supplies or the means of securing them, resistance to us will necessarily be very feeble.

But, Mr. President, this step will lead us into relations and conditions which now we can but dimly foresee; reparations which we can not leave without exacting when we are once on Mexican soil, and an occupancy and policing which may last for many years.

If, therefore, we are forced to take steps which may mean war, we owe it to our own people and to the world to present the real justification for our act.

If Mr. Huerta salutes our flag, no matter which one of these resolutions is agreed to, we have an assurance that that will end the matter at the present time. If Mr. Huerta fails to salute, then we have assurance that war will inevitably follow; and if war inevitably follows we ought to present to the world and to our own people the real causes for making this war.

We can not afford to make war for a trivial offense; nor can we afford to make the trivial offense the excuse for a war which may be based, in fact, on such a series of grave offenses and misconduct as justifies armed interference.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. McCUMBER. I yield.

Mr. WILLIAMS. I should like to ask the Senator from North Dakota a question. Does he regard an insult to the American flag, on an American boat, representing American sovereignty as a trivial offense?

Mr. McCUMBER. Mr. President, I do not regard that as a trivial offense, but I do not place the uniform of the soldier above a life of an American citizen; and if the first is an offense that will justify war, then far more will the other justify war.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota further yield to the Senator from Mississippi?

Mr. WILLIAMS. One more question.

Mr. McCUMBER. I yield again, Mr. President.

Mr. WILLIAMS. The Senator perhaps did not understand what I said. I said nothing about the uniform, although I might have said a great deal about it. The uniform is worn by one individual. I spoke about the United States flag, which was at the bow and at the stern of that boat. It was in that connection that I asked the Senator the question.

A sovereignty is represented by its flag, and it is represented by its naval vessels, and it is represented by a yawl from one of its naval vessels. If men from a naval vessel wish to land without previous notice of a condition of military affairs under which they could not possibly land—and that is the situation here—and those men are arrested with the flag flying at the bow and at the stern of the boat, does the Senator mean to tell me that in the present condition of so-called civilized opinion that is not a casus belli?

Mr. McCUMBER. Mr. President, I will answer the Senator. When, as was the case in the territory of Mexico, American citizens under the flag of the United States are arrested by one who is not recognized by the President even as an officer de facto, the arrest immediately repudiated by that officer, the men released, an apology made to our Government by the party making the arrest, and the petty officer making the arrest imprisoned and charges preferred against him, in my opinion sufficient reparation has been made; and that incident, standing alone, would not justify a war upon the people of Mexico. That, in connection with all of the other atrocious things that have been committed against our citizens in Mexico, is ample cause for war.

If we are to go into war, let us present to the American people and to the world the real cause that is back of our action. The real cause is not that single incident, as every one of us knows, and we feel certain that the matter will not stop with a demand for reparation for that incident.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota continue to yield to the Senator from Mississippi?

Mr. McCUMBER. I yield, Mr. President.

Mr. WILLIAMS. If I can have the attention of the Senator for a moment longer, I suppose he will admit that Huerta pretends that he is the de facto Government of Mexico; and if that be true from the standpoint of his pretensions, have not we the right to demand an apology to the flag for what his subordinates did?

Mr. McCUMBER. Mr. President, there is no evidence before Congress that at the time these arrests were made Mr. Huerta knew anything about them. As soon as the matter was brought to his attention, so far as the record discloses, he ordered the release of the men and he made an apology for the act. I have stated to the Senator that this occurrence in connection with the others is sufficient to require respect to be shown our flag by the salutation that is demanded; but I want to put the whole matter before the world and before the Mexican people themselves. I do not want either to overlook the more grave and serious offenses which justify beyond any question our demands and contemplated action.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota continue to yield to the Senator from Mississippi?

Mr. McCUMBER. I will yield once more.

Mr. WILLIAMS. It being admitted that Huerta at least pretends to be the head of the Mexican Government, although not recognized in that way by us, and it also being admitted that we have pursued the usual course, the naval course—I will wait until the Senator from New York is through talking with the Senator from North Dakota, because I have long since learned that if the Senator from New York is talking with anybody his voice is so potential that nobody else can be heard.

Mr. ROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New York.

Mr. McCUMBER. I do.

Mr. ROOT. I do not want the Senator from Mississippi to think I was discourteous to him. I have not said a word to the Senator from North Dakota—not a word. I have been listening with great interest and in entire silence to the colloquy between the two Senators.

Mr. WILLIAMS. Mr. President, if the Senator from New York was not talking with the Senator from North Dakota, of course my ears were singularly at fault, and my eyesight must have been at fault, too. I thought the Senators were talking together, for they were bending toward one another.

Mr. McCUMBER. No; the Senator from Mississippi was speaking in a rather low tone of voice, and I had to bend a little to catch every word of his question.

Mr. WILLIAMS. The Senator from New York tells me he was not talking at all with the Senator from North Dakota, and now the Senator from North Dakota tells me he had to bend to hear the Senator from New York.

Mr. McCUMBER. To hear the Senator from Mississippi; not the Senator from New York.

Mr. WILLIAMS. I will leave the question where I have left it.

Mr. McCUMBER. Mr. President, I think I have answered the question.

I wish to place no obstacle in the path of the President in the performance of a duty and function which devolves upon him in his official capacity, and I would not support a resolution which would narrow the scope of his action or power. I am ready to grant him all the power that is given in the resolution reported by the majority. But the President, foreseeing that this proposed step of his might lead to war, has asked the war-making department of the Government, the Congress of the United States, to add its indorsement to his proposed armed intervention in Mexico.

It is Congress and not the President that speaks in this resolution. It is the war-declaring power of this Government that speaks in this resolution. This resolution will be the foundation upon which will rest all further warlike actions and activities on the part of this Nation. It is Congress now that is moving by this resolution for an armed invasion of Mexican territory. It is Congress that must now assume the responsibility for all that is done under this resolution. It is, therefore, Congress that should justify itself before the American people and before all the civilized world.

Segregated from all the other grave and serious incidents that have attended the armed conflict in Mexico for the past year, I do not think the incident referred to in the President's message of yesterday in itself justifies a war against the Mexican people, but taken in connection with all the offenses and crimes committed by the combatants on both sides of that conflict against the American citizens and the citizens and subjects of other countries resident in that State, whom, under the policy lately pursued by us, it is our duty to protect, it is clearly now our duty to take such active steps as are necessary to enforce reparation and insure a cessation of further offenses against them.

The incident to which the President directed attention in his address to both branches of Congress yesterday related entirely to the arrest and temporary detention of American sailors, two of whom were taken from a boat flying the American flag, and an American officer charged with the duty of landing in Mexico for the purpose of obtaining mail intended for one of our warships. In the latter incident imprisonment, as I am informed, actually took place for a very short period of time. In the other case there was no imprisonment, but simply an arrest. Within an hour and a half, the arrests having been reported and protest made, the parties were released, an apology made, and a charge by the Mexican Government laid against the party making the arrest. That is about all he could do at that time.

That is one side. Those are the reasons for which we are asked to make war in Mexico, according to the resolution adopted by the majority of the committee. Now let us look on another side of this question.

The northern Provinces of Mexico, that portion which has been under the military control of Gens. Carranza and Villa, have been the scene of most atrocious murders and outrages committed against American men, women, and children by the soldiers and officers of the army in control. The armies have been sustained by confiscation of the property of American citizens and the citizens and subjects of other nations resident in Mexico. The protests of this country have been met either with promises, which have been immediately broken or evaded, or by open, notorious insult to the Government of the United States. The whole country has been reeking with the blood of innocent victims, until this country can no longer with proper self-respect maintain silence or inactivity or fail to proceed to the protection of its own citizens and those of other countries relying upon its assurance of protection or fail to demand and enforce reparation in some form for these offenses.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. McCUMBER. I yield, Mr. President.

Mr. REED. Can the Senator from North Dakota name a single, specific instance, save the one immediately under consideration, in which the governmental authorities in Mexico have authorized the killing of a single American citizen or the destruction of the property of an American citizen or an insult to the flag of our country?

To make my question plain, I distinguish between acts of violence committed by unauthorized persons or private individuals and acts committed by the established government of the place at the time.

Mr. McCUMBER. Mr. President, we had an address here the other day, some hours in length, by the Senator from New Mexico [Mr. FALL], who gave us instance after instance of that character. It is needless for me, and against my inclination, to go over those atrocious cases again at this time.

Mr. FALL. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Mexico?

Mr. McCUMBER. I yield to the Senator.

Mr. FALL. Mr. President, directly answering the question of the Senator from Missouri, I will ask if he has heard of the case of the United States official, Dixon, shot in the town of Juarez, across from the city of El Paso?

Mr. REED. When?

Mr. FALL. Since this administration began, without any request whatsoever being made for reparation.

Mr. REED. What does the Senator know about it?

Mr. FALL. I know that he was shot in the performance of his duty.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota further yield to the Senator from Missouri?

Mr. REED. If the Senator will pardon me——

Mr. McCUMBER. I yield for a short time.

Mr. REED. My question was a very plain one, and the distinction is a very plain one. It may be that such instances have occurred; and if so, I wanted the names.

I understand, of course, that American citizens have been killed in Mexico. I understand, of course, that some of them may have been shot down by men claiming to be soldiers and attached to some one petty leader or another, but I am inquiring whether in a single instance the real, established government of a place sanctioned the killing of an American citizen?

I will make the question still plainer. If some man—some private soldier, even—had shot down an American citizen, it would be a very different thing than if the President of Mexico, or the man claiming to be the President, should order the shooting done or directly sanction it. I ask either of the Senators to name a single case where the established governmental authority of a place authorized or directed the killing of an American citizen.

Mr. FALL and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Dakota yield, and to whom?

Mr. McCUMBER. I yield first to the Senator from New Mexico.

Mr. FALL. Mr. President, since the President of the United States insists that he has not recognized any government in Mexico, of course there is no established government in Mexico. Therefore I will say that, so far as I know, there has not been an occasion when a military officer of the United States Government has demanded the body of an American citizen when it has not been delivered to him. I will say that there have been such occasions as the Dixon case, in which what was recognized and dealt with by this Government as the established civil authority in the city of Juarez, in the State of Chihuahua, five minutes' ride from the public square of El Paso, Tex., refused to surrender Mr. Dixon to the authorities of the United States, he being then an official in the employ of the United States, until the surrender of Dixon was demanded by Gen. Hugh L. Scott.

Mr. REED. The question is still unanswered.

Mr. FALL. It is impossible to answer it otherwise, Mr. President.

The PRESIDING OFFICER. Does the Senator from North Dakota continue to yield to the Senator from Missouri?

Mr. REED. I think it is impossible for the Senator to answer it, and hence we have not had a categorical and direct answer.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota further yield to the Senator from Missouri?

Mr. McCUMBER. I yield.

Mr. REED. It does not enable one to escape the situation to say that we have not recognized a government there. There is in all parts of Mexico at least a de facto government. Gen. Huerta exercises the powers of a de facto government over a considerable portion of Mexico. I was speaking of governmental authority in the sense that you could apply that term to Gen. Huerta. It is a very grave distinction which I have sought to point out—the distinction between a private act of violence, an act of violence committed by marauders, by banditti, by irresponsible persons, and an act which has been authorized or sanctioned officially by the established government, whether it be a recognized government or a mere de facto government.

Mr. McCUMBER. The only government that really exists in the northern provinces to-day is the military government under the control of Carranza and Villa. These murders, these outrages, have been committed by their officers and soldiers. The only government there is is a government of force. The only responsible parties are these two military leaders. If we are to look to Huerta for the salutation of the flag for his misdeeds, we must look to these generals for reparation for the crimes that have been committed by their soldiers and officers.

Mr. FALL. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Mexico?

Mr. McCUMBER. I yield.

Mr. FALL. What the Senator has stated is very true. It happens to be a fact, however, that at the time of the shooting of Dixon by a squad of soldiers in Juarez, Gen. Castro, the general in command for the Federal Government of Mexico, was the military chieftain and the commandant of the garrison of Juarez; and it was his soldiers—Federal soldiers of the Government—who shot Dixon.

Now, Mr. President, I wish to ask a question. If, as has been suggested by the acting chairman of the Foreign Relations Committee, we are to be relegated to the public press for news, what has the Senator to say of the statement of Hermanos, the Mexican consul in the City of Mexico, three days ago, to the effect that he saw nothing but the most trifling incident in this flag matter, because to his knowledge nine American citizens had been court-martialed and shot in Tampico within two weeks prior to that time? This is a public statement made by the consul of the de facto government through the public press.

Mr. BORAH rose.

The PRESIDING OFFICER. Does the Senator from Idaho desire to interrupt the Senator from North Dakota?

Mr. McCUMBER. I yield to the Senator from Idaho.

Mr. BORAH. Perhaps I should not interrupt the Senator at so late a moment. I was simply going to ask the Senator from Missouri, when he refers to the proposition of an established government, in what sense he uses that term with reference to Huerta? Does he recognize Huerta as the representative of an established government in Mexico?

Mr. REED. No; Mr. President, the Senator is too good a lawyer for him and me to quibble about a phrase. We all know——

Mr. BORAH. I assure the Senator I was asking him with no other purpose than to get the idea of the Senator as to what kind of a government Huerta really represented. The question was asked in perfect good faith, because I am frank to say that the proposition as to what he represents has a vast amount to do with the kind of vote I shall cast in the Senate.

Mr. REED. I think we all recognize the facts of the case, which are that there was an established and legal government in Mexico; that it was overthrown; and that another had scarcely been established, and yet perhaps it ought to be said it was established, the Madero government, when Huerta overthrew it. Since that time there has been a government carried on; it has performed the usual and ordinary functions of government, perhaps badly, but nevertheless whatever government there was he represented. Now, we have not seen fit to recognize as a legal government the Huerta government, but it undoubtedly must be treated as the de facto government of that particular part of Mexico over which it maintains its supremacy by arms.

Mr. BORAH. As I understand the position——

The PRESIDING OFFICER. Does the Senator from North Dakota continue to yield to the colloquy?

Mr. McCUMBER. I yield with the simple suggestion that I do not think the President of the United States has even recognized a de facto government under Huerta.

The PRESIDING OFFICER. The Senator from Idaho has permission to proceed.

Mr. BORAH. I simply desire to remark that as I understand the position of the Senator from Missouri, then, it is that Huerta is the head of the de facto government, the representative and president of the de facto government of Mexico.

Mr. REED. Of that part of Mexico over which he maintains his supremacy. He certainly is not a de facto president over the rest of the country that is held by other forces and another power superior to his.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Connecticut?

Mr. McCUMBER. With pleasure.

Mr. BRANDEGEE. The President, in his message yesterday, said:

> Mexico is torn by civil strife. If we are to accept the tests of its own constitution, it has no government.

Mr. McCUMBER. I stated that the President of the United States has not recognized even a de facto government there.

Now, Mr. President, I want to return for a moment to the incident that is made so much of in this resolution.

Mr. President, I believe it is the duty of this country to see that its flag and its uniform, the symbols of our Nation, are respected in every corner of the earth. But I for one do not want to vote to make the uniform of the soldier superior to the life of a citizen.

Am I right or wrong in that respect? I do not want to vote to make the epaulette, the golden braid, mean more to the people of the United States than the living, beating human heart beneath the golden braid. I do not want to vote to justify war and intervention because of an affront to the uniform while I overlook the brutal murder of our citizens.

I do not want to vote to go to war against a people on the sole grounds that they have violated the code of international etiquet and respect for the regalia of our Government while their swords are still red and dripping with the blood of American men and women and while the groans of murdered men and the cries of outraged women are ringing in our ears.

Personally, Mr. President, I have never voiced a single complaint or given utterance to a single word of censure that the President, supported by the Secretary of State, has refused to recognize Mr. Huerta as the head of the Mexican Government. While I believe that it would have been better to have recognized his Government as a de facto Government, leaving the Mexican people themselves to determine whether they should continue in power one who overthrew the previous Mexican Government by most atrocious methods and established himself as its head by most brutal and cowardly murder; while I can not but admire and deeply sympathize with the high moral stand which the President and the Secretary of State have taken in refusing recognition to one whose claim rests upon successful treachery and murder, I have hoped that this most laudable position taken by the President might work out a result which would be a fair example for other great nations of the world to follow and a discouragement to all would-be assassins whose official credentials must bear the seal of blood, and I believe it is our duty now to sustain the President in his unswerving policy to never recognize Huerta as the representative of the Mexican Nation.

But, Mr. President, while we sustain our President in his moral stand against the recognition of Huerta, we must not allow the Government to be put into the most immoral position of an alliance, directly or indirectly, by implication or otherwise, with that murderer, bandit, robber, fiend, Gen. Villa. In the presence of such a monster the murderer Huerta is an angel of purity.

The President said that we will be fighting against Huerta and his followers. So, too, the murderer Villa and Carranza are also fighting against Huerta and his followers. By this resolution we in effect form an alliance with these northern bandits, one of whom, at least, is the most atrocious and brutal murderer who yet remains to blight and curse the earth. We ought not to allow the country to be put in that position.

I can not but feel that this resolution, referring to the address of the President yesterday, making the incident which he detailed the basis of our armed intervention, places this country in the position of making war for a trivial matter and for the failure of one who is recognized as an individual only and not as the head of the Government to salute our flag, while we wholly ignore the murder of a hundred American citizens, the confiscation of property amounting to millions of dollars, the slaughter and banishment of citizens of other countries which our policy makes it our duty to protect, and which also, whether intentional or not, makes us an ally of those who have committed all of these atrocities.

Mr. President, there can be no serious objection to the adoption of the broader resolution, the resolution which presents to the world all the facts under which we justify an intervention, because according to that resolution the President may do as little as he sees fit. If we pass that resolution and Huerta grants his salute, the President can withdraw if he thinks he can do so with honor and credit to the Nation. If, on the other hand, Huerta neglects to salute, neglects to make any reparation for the insult to the American flag, and if war then is necessary we have the basis of our war and the reasons for our interference, and they are such as would justify us in the eyes of all people upon the face of the earth.

It is for that reason, Mr. President, that I sincerely hope that when we will give the President all the authority that he needs, when we will give him the authority to make war, if it becomes necessary to do it, we will also make our position tenable before the entire world.

I shall, therefore, Mr. President, support the resolution which has been presented by the minority of the Committee on Foreign Relations. [Applause in the galleries.]

The PRESIDING OFFICER. There must be no applause in the galleries. Those who think they may do so will have to vacate.

Mr. SMITH of Michigan. Mr. President, I am very reluctant to take any part whatever in this debate. I think that my associates upon the Committee on Foreign Relations will bear out the statement that at no time, even under provocation, have I violated the confidence of the President of the United States in the free conferences with our committee nor with my associates upon the committee itself at any time.

I am not unfamiliar with the Mexican situation. It has existed in one aggravating form or another for several years. That it has at last reached a point of acuteness demanding attention goes without saying.

I recall, Mr. President, as you recall [Mr. LEWIS in the chair] and as other Members of the Senate recall, who were at that time Members of the House of Representatives, the strain and the stress which President McKinley underwent under circumstances not wholly dissimilar from those through which we are now passing. I recall that perfect poise and good will, that kindness and generosity that were manifest in every phase of his character as he approached with great solemnity the War with Spain.

It was my good fortune to be a member of the Committee on Foreign Affairs of the House at that time, and in company with Mr. Hitt, of Illinois; Mr. Adams, of Pennsylvania; and Mr. Cousins, of Iowa, I was chosen to draft the declaration of war which passed the House of Representatives. That was a purely legislative function. The President acted within his constitutional function, and we were acting within our constitutional sphere. There was no attempt whatever upon the part of the Executive to furnish for us, handmade, any ironclad resolution which should reflect the Executive will.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Mississippi?

Mr. SMITH of Michigan. No; I can not yield to the Senator.

Mr. WILLIAMS. I merely want to ask——

The PRESIDING OFFICER. The Senator from Michigan declines to yield to the Senator from Mississippi. The Senator from Michigan is recognized in his own proper right and may proceed.

Mr. SMITH of Michigan. Mr. President, President McKinley's long experience here and his familiarity with the work of Congress stood him in good stead when dealing with the coordinate branches of the Government. He recognized our constitutional right and respected it. President McKinley had no personal pique to gratify. He had seen with his own eyes thousands of Cuban citizens emaciated and starving, and he saw through the eyes of a committee of Congress the suffering in Cuba, which had become impossible to longer endure.

I saw in one ward of the city of Habana 8,000 orphan children, many with the marks of the machete upon their heads, and I saw dying from starvation in the doorway of the governor of Matanzas 12 innocent but afflicted people of that island. I saw the farmers of Cuba herded like beasts into Los Tasos, in Habana, and fed like hungry dogs. I went with the consul general of the United States, Fitzhugh Lee, when he presented his final protest to the governor general against the outrages committed within 90 miles of Key West, on the American border.

It was under such circumstances that the resolution of war was conceived. It was under such circumstances that the appropriation was voted and placed in the hands of the President. There was no studied hatred of individuals in his great heart. There was no uncompromising intent in his mighty brain to either humiliate or disgrace the head of a friendly country.

The President of the United States, whom we all respect, for whom we have the most abundant respect, told us yesterday that the American Government or its people had been singled out for special annoyance in Mexico.

So far as I can learn—

Said the President—

such wrongs and annoyances have been suffered to occur only against representatives of the United States. I have heard of no complaints from other Governments of similar treatment.

No other Government has treated Mexico as we have treated her. Every Government on the civilized globe represented in that Republic recognized her government as the de facto government of Mexico but three—Argentina, Chile, and Brazil. What have we done to aid Mexico, torn, bleeding from civil strife. President Taft put 20,000 American soldiers on the Mexican border before there had been a single gun fired in the capital of Mexico. He put 20,000 soldiers along the Rio Grande nearly two months before the battle of Juarez occurred. Not a gun had been fired in the Mexican capital. President Diaz was in full possession of the Government of his country. It had been but a few weeks before that the President of the United States visited the Rio Grande and upon the international bridge shook hands with the President of Mexico in honorable and open felicitation upon his long and successful reign.

I regret to say it, and yet it is the unblushing truth, that our soldiers during the revolution of Madero, and the representatives of the Department of Justice of the United States, rendered a voluntary service not entirely creditable to a country which professed neutrality.

After President Madero was installed in the Government of Mexico, and out of nearly 17,000,000 people he had only received about 19,000 votes, officers of our Army and of the Department of Justice of the United States took orders in many instances from the Mexican consul, Mr. Llorente.

Mr. President, from a somewhat intimate knowledge of the historical facts and upon my responsibility as a Senator I say that the revolution against Diaz was planned and perfected and stimulated and encouraged upon the soil of the United States. It is a notorious fact that three men in a hotel in the city of New York held in the hollow of their hands the fate of Mexico while they were attempting to adjust between themselves the railroad and the oil interests of that country.

While under oath Mr. Sherburne G. Hopkins, of Washington, told a committee of the Senate he was the counsel of the Maderos, or of the Madero revolution, and at the same identical moment admitted he held a retainer as the counsel of a great American oil company.

After President Diaz was put out of the capital of Mexico, and Francisco Madero was put in, the first money paid out of the Mexican treasury was $50,000 in gold to this Washington lawyer for services to the revolutionary junta in this capital.

How have we conducted ourselves toward Mexico? It is a well-accepted principle of equity jurisprudence that he who seeks equity must do equity, and yet the jails along the border of Texas were for months filled to overflowing with noncombatant Mexicans apprehended and put into American prisons at the will of a Mexican consul.

I visited the prisons in person, as did my colleague on the committee, the Senator from New Mexico [Mr. FALL]. We saw prisoners paraded through the streets of the American cities under the apparent control of the military authorities of our country. We took Col. Orozco from the prison at El Paso for examination. He was apprehended, without arms, while he was crossing a narrow river in Mexico and discovered to his horror that he had unintentionally crossed the Rio Grande at a narrow point. He had no sooner touched American soil than a detective employed by the Mexican Government, accompanied by our soldiers, took possession of him, paraded him through the streets of the city, and formal complaint was not lodged against him. Dismissed, he was taken to the next American town and again paraded there. A complaint was lodged against him, and it was dismissed by legal process. He was then taken to another town, and finally brought to El Paso, where he was paraded through the streets, followed by the jeers of a hostile crowd. A friend of his was at the train with a private conveyance to conduct him with dignity, at least, through an American city. His kind offices were rudely denied. Col. Orozco was immediately confined in a prison in El Paso. I heard a woman interrogated as she looked upon him, by the Mexican consul, who asked her, "Is this the man who, while he was military governor of Juarez, murdered your husband?" She said, "No; he is not the man." He pressed her, and again she said "no." When ordered released, the jail could not hold him; he was taken to Fort Bliss and held there as a military prisoner without warrant of law.

Mr. President, has that kind of treatment tended to promote concord or been so fair and equitable as to impress upon the Mexican people the justice of our position? I think not. Have we treated Mexico fairly? Let us see.

The President of the United States has said there is no government in Mexico, and yet the President commissioned Mr. Lind to the Government of Mexico, with a special message to be delivered to President Huerta.

How have we acted with reference to our neighbor on the south? Does anybody question that the loan negotiated by the Mexican Government in Europe was defeated by our Government? Let my associates upon the Committee on Foreign Relations say. We have sent emissaries directly to those in rebellion against the de facto government of Mexico; we have dealt directly with the revolutionists or constitutionalists in Mexico in open rebellion against President Huerta.

Mr. President, that was not enough. While Mr. Madero was making his campaign against President Diaz, we were content with the neutrality law then upon the statute books; and I can testify that the Madero people in revolution against Diaz got hundreds of millions of rounds of ammunition upon our side of the Rio Grande for use against the established Government; but the moment that Madero was installed we were called to the White House and told that we must strengthen our neutrality law, so that those who had lately been in rebellion with Madero could not procure for themselves arms and ammunition.

Mr. President, have we been generous and kind to Mexico in her distress? Why was the embargo raised upon the exportation of arms from America, so that banditti and revolutionists might obtain their powder and their munitions with less difficulty from our own people? No, Mr. President, it is not a pleasant thing to recite our own shortcomings, but I believe the historical truth about our attitude toward the Mexican Government should be stated.

Mr. President, at no time in this Chamber, in committee, in conference, or anywhere else have I spoken one syllable or sentence in favor of war; nowhere from the beginning of this agitation until now have I favored intervention, but I have thought that the least respectable thing that our Government could do would be to refrain from encouraging banditti and revolution in a friendly State. I would not recognize President Huerta now. That time has gone by. The President by his attitude has made it impossible for us, with dignity and honor to ourselves, to recognize Gen. Huerta even though the rest of the world had done so. There was a time, in my opinion, when it might have been done with perfect propriety and under conditions which would have been acceptable to the American people. Ambassador Wilson named the time and the manner and the conditions for that recognition. It is a part of the record of the Department of State, and I am going to make it a part of the record of this debate for future verity. He was not trifling with the power and the dignity of the American Government, he was cautious and diplomatic. I send to the Secretary's desk the recommendations of Ambassador Wilson with reference to recognition, and ask that it may be read by the Secretary.

The PRESIDING OFFICER. The Chair hears no objection; and permission to do so will be granted.

Mr. JAMES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. SMITH of Michigan. Certainly

Mr. JAMES. The Senator from Michigan seems to have some of the records of the State Department. Has he the record of the telegram that Victoriana Huerta sent to President Taft after the murder of Madero? I thought that if he had that perhaps it would be better to have it precede the reading of this article to show upon what this recommendation for the recognition of Huerta was based.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Will the Senator from Michigan allow the Chair to ask the Senator from Kentucky if he refers to the telegram informing the President of Huerta having overthrown the previous government?

Mr. JAMES. That is the telegram, Mr. President.

Mr. SMITH of Michigan. I am not talking now about what the President of Mexico said. I am speaking of the American ambassador's suggestions.

Mr. JAMES. But my question was for the purpose of having the telegram printed, so that we could see what was the basis of recognition requested by our ambassador to Mexico of the Huerta government.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. The Chair interrupted the Senator from Kentucky merely to identify the matter, so that the Senator from Michigan could more accurately reply to the question.

Mr. SMITH of Michigan. The Senator from Kentucky and myself can not be drawn into any argument over that situation. Neither he or myself or the American Government had any part in creating it. Both of us sincerely deplore it. Neither of us will utter one syllable in exculpation of the guilty. I am not dealing with that situation; I am dealing with the American attitude, and in that connection what I send to the Secretary's desk becomes highly important.

Mr. JAMES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. JAMES. If the Senator from Michigan will yield to me, if he has not that telegram, I will be very glad to supply it from the records of the State Department, as I have a copy of it here now and ask that it may be read.

Mr. SMITH of Michigan. You may do so in your own time.

Mr. JAMES. I will not interfere now, but I thought it would come in appropriately at this point.

Mr. SMITH of Michigan. I did not think the Senator, upon reflection, would interfere.

Mr. JAMES. Not at all.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Connecticut?

Mr. SMITH of Michigan. Certainly.

Mr. BRANDEGEE. I want to ask the Senator from Michigan what is the date of the recommendation of ex-Ambassador Wilson? I understand this paper is not dated, and I therefore ask when was that recommendation made?

Mr. SMITH of Michigan. It was made, as I recollect, early in the month of March, 1913.

Mr. BRANDEGEE. Of course, it is on file in the State Department?

Mr. SMITH of Michigan. Certainly. It is a part of the records of that department, and I desire it read. I would read it myself, but I am a little fatigued and prefer to have the Secretary do so.

The PRESIDING OFFICER. The Chair hears no objection. The Secretary will proceed with the reading.

The Secretary read as follows:

Ambassador Wilson's recommendations to the President read to the Senate Committee on Foreign Relations:

RECOGNITION.

Recognition under the present circumstances can not be made with the same effects and the same results as immediately after the assumption of power by the new administration. It would be misconstrued now as a yielding to pressure and force and would result in the loss of great prestige.

If recognition is accorded, it should be done in the following way:

First. By a preamble, recognizing the remarkable and unprecedented situation in Mexico, the desire of the United States to contribute to the restoration of order in a neighboring and friendly State, and the necessity, on account of the important matters daily pending between the two Governments, to establish full official relations with all of the benefits and obligations resulting therefrom.

Second. No recognition should be accorded unless the important international questions, like the Chamazal, the Colorado River, and the specific claims falling under a clear rule of international law, shall be immediately closed upon the basis presented by the Government of the United States and agreed to by the Government of Mexico in correspondence with the ambassador and verbally.

Third. Recognition should not be accorded unless an international claims commission having jurisdiction over all kinds and classes of claims arising out of the revolutionary movements during the last three years shall be admitted in principle by the Mexican Government.

Fourth. Recognition should not be accorded unless ample guaranty for the holding of a constitutional presidential election during the month of October shall be given; and this would involve the removal of the present minister of gobernacion, who is a pure creature of Huerta, and the substitution therefor of a Mexican of force and power—say Calero—who is thoroughly committed to the principle of constitutional government.

Fifth. Recognition should not be accorded unless the Federal Government is able to furnish evidence of its ability to restore peace and order to the twenty-sixth parallel.

Sixth. Recognition should not be accorded unless an arrangement can be made by which the American Government, in cooperation with the Mexican Government, will be permitted to cross the border and aid the federal authorities in restoration of order down to the twenty-sixth parallel, always giving ample stipulation for the retirement of our troops whenever order and peace have been reestablished, in the judgment of the United States and Mexican commissioners duly appointed.

Recognition accorded in this manner will restore our lost prestige, impress foreign and native opinion in Mexico, and undoubtedly restore peace and prevent further bloodshed.

On intervention he said:

If recognition is not accorded in some form or other, our duties as a civilized nation, pledged to the world to preserve the peace and order of this hemisphere, point directly to immediate and effective intervention.

This should be done in the following way:

First. By discreetly removing the already decimated and ruined American population of Mexico.

Second. By the transfer of the charge of our diplomatic and consular establishments to the representatives of other powers.

Third. By the massing of our fleet in overwhelming proportions, aided by effective marine reserves, at every Mexican port on the Atlantic and Pacific.

Fourth. By the massing of our Army, fully equipped for invasion, at every strategic point lying on the border States, and the calling out of the reserves in all the border States.

Fifth. By the appointment of commissioners, one of whom should be the ambassador, another the general in chief of the Army, another the ranking officer of the investing fleet, and another a member of the Committee of Foreign Affairs of the Senate. The duty of this commission would be to seek, by a preliminary action, a reconciliation of all the contending forces in Mexico, with the understanding that their duty should be urgent, expeditious, and not detained by any dilatory methods, and with a further understanding that they should follow in the path of invasion, reestablishing the rule of law and dispensing justice and order in the name of the United States.

Any invasion should be accompanied by a public statement that our purpose is not one of aggression, but that we are acting in the discharge of a duty to humanity and civilization, and that when once constitutional methods and practices are reestablished and firm government installed our troops will retire to the United States.

Mr. SMITH of Michigan. Mr. President, former Ambassador Wilson had seen 19 years of diplomatic service for his country. He was first commissioned in 1897 by President McKinley, and served eight years in Chile. President Roosevelt offered him the post at Greece or Portugal, which he declined. He was finally transferred by President Roosevelt to Belgium, and the President at that time announced through the Associated Press that he was promoted entirely upon merit. President Taft tendered him a choice of the embassies at Russia, Austria, or Turkey, all of which he was obliged to decline because he could not afford to take either position. He was finally accorded the position of ambassador to Mexico. If there is anything lacking in thought and care and painstaking regard for his country in the recommendations just read from the Secretary's desk I have failed to note it. It was, of course, the privilege of President Wilson to remove him, although Ambassador Wilson tendered his resignation five times before it was accepted. So much for Ambassador Wilson's connection with the question of recognition and intervention.

Now, Mr. President, I assert, without any hesitation whatever, that the very same element in Mexico which banded together to overthrow the government of President Diaz, which instigated and furnished the means and much of the munitions for President Madero's successful revolution, are the men who have engineered the Carranza and Villa movement. Their headquarters are in the city of Washington; their offices are in the Hibbs Building; and all during last summer——

Mr. REED. Mr. President, will not the Senator kindly now, since he has given the locus in quo, give us the names of the occupants?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. SMITH of Michigan. I will give to the Senator from Missouri the names of those who were here during most of the summer, who were back of, in sympathy with, and encouraged the revolution against the present de facto government of Mexico. The following were here in person during the summer:

Felix Sommerfeld, the head of the secret-service corps, operating with Consul Llorente along the Mexican border, who claimed that there was no limit to the expenditures he had a right to make; and it was found, without any difficulty whatever, that Mr. Llorente, consul, had over $2,000,000 to his credit in the city of El Paso alone with which he was to buy arms and ammunition and create propaganda in favor of his faction of the Mexican people; Mrs. Francisco Madero; the Madero brothers coming and going; Manuel Perez Romero, broker of Mrs. Madero, Washington representative of the rebels, their minister of finance; while Mrs. Madero's brother was busy through the entire summer fulminating against the Government of Mexico, safely and usually in the District of Columbia.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. REED. I do not want to interrupt the Senator, but——

Mr. SMITH of Michigan. Then, I wish the Senator would not do so. [Laughter in the galleries.]

The PRESIDING OFFICER. The Chair will insist that there shall be no such demonstration in the galleries. If the risibilities of the occupants can not be controlled, the Chair will have to ask that they be excluded.

Mr. SMITH of Michigan. I did not say that, Mr. President, out of any discourtesy to my friend the Senator from Missouri, but I have been suffering all day from an injury to my ankle that has caused me great pain, under which I am laboring, and am very anxious to conclude and resume my seat.

Mr. REED. The question I desire to ask——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. SMITH of Michigan. Certainly, if the Senator wishes.

Mr. REED. The question I desire to ask is asked in good faith and simply for light. I interpreted the Senator's remarks a moment ago to indicate that there was in America some sort of organization or association of Americans who had been instigating the revolution. The names that he gave, I think, were those of Mexicans. I simply desire to ask the Senator, inasmuch as he has investigated this matter, if he meant to give the impression that some American influence has been operating and financing the revolution?

Mr. SMITH of Michigan. Mr. President, the Senator has asked me a very direct question. I am not in the habit of dodging questions, and I am going to give him an equally frank reply. In order that I may do so, I am going to read from testimony of witnesses given under oath, and the Senator can put his own construction upon it. I did not intend to do it. I am the last man to cast reproach upon my countrymen, but the question has been asked and I am going to read this sworn testimony in answer to the question of the Senator from Missouri.

Mr. OVERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from North Carolina?

Mr. SMITH of Michigan. I do.

Mr. OVERMAN. Is that some of the testimony taken by the Senator as chairman of the committee?

Mr. SMITH of Michigan. Yes.

Mr. OVERMAN. Ought we not to have all the testimony?

Mr. SMITH of Michigan. You have it all. I have filed it all.

Mr. OVERMAN. Is it in print?

Mr. SMITH of Michigan. It is; and each Senator has had it on his desk. The volume is before me. If the Senator has not had it, it is because he has not availed himself of his privilege.

When the Mexican revolution, headed by Francisco I. Madero against President Diaz, broke out, the Eagle Oil Co., which includes the Aguila Oil Co., dealing in the refined products of oil, and the Pearson oil concessions belonging to Lord Cowdray, of England, producing crude oil, were doing their business in sharp rivalry with the Waters-Pierce Oil Co., a Missouri corporation operating in Mexico. Mr. Hopkins says they were active competitors. At that time the controlling interest and the stock of the Waters-Pierce Oil Co. was owned by the Standard Oil Co. According to the witness, Mr. Henry Clay Pierce, president of the Waters-Pierce Co., "conceived it to be 'imminently' proper that the public should understand how Lord Cowdray got these concessions and how he exercised the control which he had over the Mexican Government," and witness says that he was employed by Mr. Pierce for that purpose.

When asked by Senator MCCUMBER (p. 757) why he should have been employed to ferret out public offenses in Mexico, he replied that Mr. Pierce did not believe the Government would do it, and that it would require a person outside of the Government, and witness advised as to the best methods to accomplish that end with most effect. Mr. Hopkins says that his employment took place in the city of Mexico. He further says that he was consulted with a view to exposing the graft by means of which Lord Cowdray had attained the degree of influence which he wielded with the Diaz administration (p. 756). He says also that he was at that time the adviser of the Madero revolutionary party in Washington and gave it his advice as to the best manner of deposing the Diaz Government; that he was employed directly by Gustavo Madero and others, and that he "made it as hot as he could for Lord Cowdray and the Eagle Oil Co." He says he was especially called upon to advise Mr. Madero regarding railroad matters, and, in fact, says, "I was the legal adviser of the revolutionary party in Washington from the beginning until the end," employing men for work in the secret service in the United States and doing everything to assist in creating public opinion in the revolution against President Diaz; and that he was called to Mexico immediately after the fall of Juarez by President Madero and his brother, Gustavo Madero, for the purpose of adjusting certain large outstanding accounts for secret service in the United States whom witness had employed.

During this visit to Mexico, Gustavo Madero was paid $600,000 Mexican out of the treasury of that government for revolutionary expenses, and this money was carried by Madero to the hotel where Hopkins was stopping and deposited in the International Banking Corporation, having a branch in Washington and various foreign countries, with which Hopkins did business, and which he sometimes represented. Of this fund Mr. Hopkins was paid $50,000 in gold for his service in promoting the revolutionary cause in Mexico. During this employment the Standard Oil Co. sold its holdings in the Waters-Pierce Co. to Henry Clay Pierce and acquired an interest in the Cowdray & Doheney oil concessions (p. 795). The Standard Oil Co. "was quite willing to sacrifice its stock interest to destroy the Waters-Pierce Co., because they saw what was coming"—by the success of the Hopkins-Madero revolution (p. 794). Mr. Hopkins further says "Henry Clay Pierce found out that I was after some men who had been engaged in crooked practices, and he conceived that they should be exposed; they were so-called cientificos, who had been juggling with the national railways" (p. 755). Senator HITCHCOCK asked if this service, being for the Waters-Pierce Oil Co., was for any idealistic purpose, and suggested that it must have been for some business reason; Hopkins says it was to "even up conditions—I mean in respect to Government protection, assistance, aid, and so forth," and that for this work he was paid $1,000.

He further said, in answer to Senator MCCUMBER, that much of his service consisted in advising the revolutionists how "to get all the arms and ammunition and munitions of war that they could, and, with due regard to the neutrality laws, to get them across the border and organize their movement on the most approved military lines." I pointed out to them as best I could the lines of least resistance, both in a military and political sense. Most of the war material came from the United States—New York and St. Louis (pp. 758, 759). Mr. Hopkins said that Bannerman, Broadway, New York, furnished some of the rifles, cartridges, and machine guns, and Gustavo Madero bought them (p. 760). In speaking of Bannerman, Mr. Hopkins said: "They are the largest dealers in war materials on this hemisphere; that they deal on a large scale with foreign Governments; that they have furnished war materials for other Central and South American States" (p. 760).

Mr. Hopkins says that he had a conference with a French banker in New York regarding a loan to the Madero revolutionists, also Charles R. Flint, a New York banker; that he discussed the matter of loans generally with Mr. William M. Ivins, of New York, but without success. Mr. Limantour was in the cabinet of President Diaz. He had been abroad in Diaz's interest.

Mr. Hopkins says that he was at the Hotel Astor when Mr. Limantour was there, but denied that Limantour had reported to President Diaz upon his arrival in New York from France that large financial interests in New York had agreed to advance the necessary money to make the Madero revolution successful, whereupon President Diaz resolved to make no further resistance, although he admitted that Francisco Madero, the father of the late President, and Dr. Francisco Vasquez Gomez conferred with Limantour in the Hotel Astor, and "I understand he had a conference with Speyer & Co." When asked whether he had any conference with Mr. Stillman or Mr. Vanderlip, Hopkins replied: "It would not surprise me at all" (p. 768).

Gustavo Madero promised Hopkins that if the revolution were successful he intended to pay him a fee of $50,000. He was chief counsel in the United States and his advice was sought upon the whole field of revolutionary action (p. 769). Hopkins also says that he was kept in close touch by wire with the proposed amendment to the neutrality law which passed March 12, 1912, both at Vera Cruz, before his departure for the United States, and at Key West and Palm Beach (p. 770), and says that he considered such legislation very advantageous to the Madero government.

Hopkins admitted that he was publicity agent for Henry Clay Pierce in exposing graft in oil concessions in Mexico, and that various public officials of Mexico had accepted valuable stock amounting to a million and a half dollars in value, given to them by Lord Cowdray while they were holding public office (p. 772). He also says that the Standard Oil Co. now owns the Cowdray or Pearson oil interests; that he has examined papers which show this fact, shown to him by General Manager J. N. Galbraith, of the Waters-Pierce Co., but he denied that the Waters-Pierce Co. contributed any money toward the revolution, and says his relations with the company at that time were so close that he would have known it had there been any (p. 774).

Mr. Hopkins says that the national railways of Mexico now include the Old National Railway and the Mexican Central Railroad and one or two other small roads. They were nationalized and consolidated by the Government in 1907. He says that he was interested in the railroad aspect of that situation. He says that the leading cientificos had had themselves appointed directors of the national railways, and were controlling the policy to suit their own ends. That he and Gustavo Madero thought and others thought that these gentlemen should be gotten rid of as expeditiously as possible, and with the information he had would engage in forcing them out. (P. 776.) The Government of Mexico have the privilege of voting the stock of these companies for guaranteeing interest on bonds, while the bonds are held by Speyer & Co., of New York, and Henry Clay Pierce, who is said to be the largest individual holder in the United States, and who was at the head of the road for many years. Kuhn, Loeb & Co. are also holders. Hopkins says that the course outlined with reference to these railroad properties by Gustavo Madero and himself was known to Henry Clay Pierce, who "had a very vital interest in the management of the national railways and was both a bondholder and stockholder," and to the bankers above mentioned. Hopkins first became interested in changing the directory of those roads through Gustavo Madero about the time of the revolution, and the matter was discussed at length by Madero and Hopkins in his office in Washington, at which time a plan was made to oust the Diaz people from the Mexican national railways (pp. 777, 778). At that time all the directors in the Cowdray oil concessions were directors in the national railways of Mexico.

After the triumph of Madero every American employee was run off the national railroads, and the treatment accorded these men—numbering about 700—was severely condemned by the Organization of Railroad Trainmen in the United States, although the management was left practically the same as be-

fore the revolution. Hopkins says that there was a well-defined plan by which Henry Clay Pierce and Gustavo Madero were to bring about the change in the board of directors of the national railways, and "get the Diaz people out and remove the Cowdray menace." Hopkins admits that the plan was at the bottom of his interests in the matter, which was arranged between "Gustavo Madero, some others (bankers), and myself" (pp. 780 and 781). Hopkins says, page 782, that he thinks the Mexican national railroads were to be connected with those Central American lines, thus establishing a through line from Montreal, Canada, to Panama; that it is possible now to go by rail from Montreal to Guatemala City. He says he happened to be in Guatemala City and knows that the Northern Railway of Guatemala, with which the Pan American road was to connect, is owned by his clients, Mr. Keith, Gen. Hubbard, and Sir William Van Horne jointly, and that these men with certain associates recently purchased the road that runs from the capital of Guatemala down to the west coast, which will connect with the Pan American (p. 782).

He also says that the consolidation of the Mexican Central and the Mexican railways was made possible through Henry Clay Pierce, and admits that when Gustavo Madero took up the work of getting rid of the directory of the Mexican railways that the railways were prospering. That Pierce's scheme to down Cowdray, his rival in the oil business, in order to even things up with his competitor, the Pierce people sold the Mexican Central Railroad to the Mexican Government through Limantour, the stock being worth at that time four to five times as much as when Mr. Pierce acquired it. That everybody connected with the revolutionary movement against Diaz shared the view of Gustavo Madero as to the desirability of getting control of these railways, which Hopkins denominates as a house-cleaning incident of the political reactionaries and enemies of the revolution. Hopkins admits that he was acting both for Pierce and Madero, who had ideas in common (p. 785). That he went down to Mexico to bring these matters to the attention of the Mexican people and with a view to bringing about just what has taken place. Hopkins says that he was very familiar with the whole affair; that he was in Washington when the Battle of Juarez occurred, and that just prior to the Battle of Juarez he was in conference in New York with the father of the late President Madero, Mr. Limantour, the minister of finance of Mexico, also a director in the Mexican national railways, and Dr. Francisco Vasquez Gomez at the Hotel Astor. That the attack upon Juarez was delayed pending this conference, "where there were negotiations looking to a compromise."

Why, Mr. President, is it conceivable that three men meeting in the Hotel Astor in New York should hold in the hollow of their hands the fate of 17,000,000 people at the south of us? Is it conceivable that all of this dire calamity, the loss of life, the murder, the outrages committed upon women and girls, the destruction of millions of dollars' worth of property, could all have been avoided if these three archconspirators had been able to agree upon a division of the railroad and the oil interests of Mexico? Yet that is what this man says under oath (p. 787). Hopkins admits that the Mexican Petroleum Co. finally arrived at an understanding with the Standard Oil Co., and that through this connection it is doing a very large business in Mexico, and says that the Mexican Petroleum Co. is practically owned by the Standard Oil Co., and "on one occasion Doheney & Canfield, who manage the Mexican Petroleum Co., were a little hard up for money and went to the Standard Oil office, 26 Broadway, N. Y., where they secured $400,000 in a few moments," as I was told by a man in the office of the Standard Oil Co., although I would not care to give his name; that the Waters-Pierce Oil Co. did everything they could to keep the Standard out of Mexico "and has been and is its greatest enemy in that country" (p. 791).

Hopkins says that he has "had a good deal to do with revolutions, also in maintaining constituted government." He says he knew that President Zelaya was going to be put out of the Presidency of Nicaragua some time before it happened (p. 788). That he imparted his information to certain people in Europe, notably the French banker, whom he had approached for a loan in behalf of the Mexican revolution. He said he knew exactly what was going to happen. When asked if that information came directly from our Government he said: "I should not say directly from our Government; I knew what was going to happen before our Government did, and stopped Zelaya's loan from going through."

You can not dismiss with a wave of the hand this man who can stop a loan from a European banking house to a government in Central America. You can not dismiss with a wave of the hand a man whose labors were sufficient to call for a personal appropriation out of the treasury of Mexico amounting to $50,000 in gold. This man is an acknowledged and professional revolutionary authority; has been close to the Department of State, and wields a powerful influence over the affairs of Central America. His hand can be seen in every vexatious movement involving the instability of Governments at the south of us, and in my opinion he and his associates are a menace to organized society.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Colorado?

Mr. SMITH of Michigan. I was just about through with this statement. I am anxious to conclude.

Mr. THOMAS. I merely wanted to ask the Senator if he might not, with perfect propriety, add to the indictment he has just eloquently drawn of those three men the further fact that every dollar of treasure to be expended and every life to be lost in the coming conflict, if there is one, should also be charged directly to the account of the same men and the same forces behind them?

Mr. SMITH of Michigan. Mr. President, I think that with his usual sagacity and experience as a lawyer, my friend from Colorado sees with unusual accuracy the consequences of this plot.

Mr. President, Senators may say, "Why was not this matter presented to the Senate before?" That is a fair question. When we returned to Washington after our labors we found our associates scattered from a long and laborious session of the Senate. We were unable to get our committee together. Unfortunately, several of the actors in this horrible drama were killed. Your committee was squarely upon the trail of Gustavo Madero and the Vice President of that Republic, Mr. Suarez, when their lives were snuffed out. The change of administration occurred, and the complexion of the Committee on Foreign Relations changed; a new situation arose. We had no power to go on. We could not complete our work. All we could do was to report the progress we had made; and we laid upon the desk of every Senator the testimony we had taken.

Talk about murders of Americans in Mexico! I have talked personally with several of the unfortunate children whose fathers were murdered on Mexican soil. I know of my own knowledge of many instances of this character. The condition of affairs in Mexico is most deplorable.

My associates upon the Committee on Foreign Relations did not agree that the House resolution was the appropriate resolution for us to adopt. We were unanimous in substituting the resolution offered by the Senator from Virginia [Mr. SWANSON] for the House resolution. Why did we raise any question over the House resolution? The House resolution directs its attention entirely to an individual, whom it seeks to divorce from his government.

If you divorce Victoriano Huerta from the Government of Mexico, with whose guns will he salute your flag? He has no guns as Victoriano Huerta. A private individual can not salute our flag. All a private individual can do is to express regret for an affront; and that, the President tells us, Victoriano Huerta has done. He has no guns, however, unless he is the de facto head of the Government of Mexico. It is only in his capacity as a representative of government that he can use the power that you exact from him. That is the reason our committee changed this resolution. We were all agreed about it—even the Senator from Mississippi [Mr. WILLIAMS], who apologized for our course in committee and turned to Members of the House present in this Chamber a few moments ago and said he hoped they would insist upon their resolution.

With whose guns will Mr. Huerta salute our flag? With the guns of Mexico? If so, he must be in control of those guns as the representative of established government. When Sir Edward Grey was asked upon the floor of Parliament why the British Government recognized Gen. Huerta as provisional President he replied, "Because it is the policy of England to recognize the de facto government; we prefer this to anarchy."

Mr. President, I little thought when I took the floor that I would have either the strength or the desire to prolong the discussion as far as I have; and I am grateful to my colleagues for their generous consideration. I have left unsaid many things I ought to have said. But I am laboring under extreme pain, as the result of a slight accident; but even under such circumstances I felt that, as a member of the Committee on Foreign Relations, I ought at least to say that our committee, without prejudice or party spirit, without pique or unjust criticism, have resolved that we would stand better in the eyes of our countrymen and of the world if we disclosed the real situation existing in Mexico.

Does any Senator upon this floor doubt that our patience has been sorely tried? Does any Senator upon this floor doubt that our national pride has been hurt? Does any Senator doubt that American life and property are unsafe in Mexico as it is at present controlled? Does any Senator doubt that we should appear better before the world if we state the bald, simple unqualified truth about the condition of affairs existing in Mexico?

Mr. President, surely the Senate will not allow itself to be cramped and placed in a strait-jacket in a proceeding like this. I have often heard Senators on the other side of the Chamber criticize and condemn former Executives who sought to interfere with the constitutional prerogatives of Congress, yet I think the membership on the other side is patriotic, it is country loving, rising often above partisanship and personal rancor.

If we have been faulty in our treatment of Mexico, surely it has not been intentional upon the part of the American people. It is the result of accident or lack of information or misinformation. Whatever it is, let us not go blindly to the very brink of danger, but halt before it is too late and take solemn account of our doings. Let us take counsel of the fathers who brought credit and honor to our country in every crisis.

Mr. President, I have not often found it necessary to criticize my fellow officers in the management of the Government of our country, and never mean to do it unkindly. I think the policy which has led us into this error was a mistaken one, but we, at least, should meet the situation squarely now. The situation confronting us is grave in the extreme; the consequences may be very far reaching. The situation calls for our highest patriotism and greatest wisdom.

I heard the late President McKinley say the morning after the *Maine* went down that continuously he had combated war through many weary months. He had been a soldier himself, and he knew the dangers and the calamities and the misfortunes of war—I heard him say, "It is an easy thing to get into war, but no one knows where it may lead. I have been slow to get in, but wherever it leads we must go."

Now, Mr. President, I have nothing more to say, except that I shall support the amendment proposed by the Senator from Massachusetts, because every statement in it is the absolute and unqualified truth. I hope that out of a situation so complex and so dangerous our country may come unscathed, without a blot of dishonor upon our flag.

Mr. THOMAS obtained the floor.

Mr. ROOT rose.

The PRESIDING OFFICER. The Senator from Colorado has the floor, but the Senator from Massachusetts [Mr. WEEKS] desires to address an interrogatory to the acting chairman of the Committee on Foreign Relations in charge of the measure.

Mr. THOMAS. I yield for that purpose.

Mr. WEEKS. Did the Chair recognize the Senator from New York?

The PRESIDING OFFICER. The Senator from Colorado had been recognized previously.

Mr. THOMAS. I yield to the Senator from Massachusetts.

The PRESIDING OFFICER. The Chair desires to state to the Senator from New York that the Senator from Colorado had been recognized and the Chair had requested the Senator from Colorado to give way to another Senator.

Mr. THOMAS. I yield to the Senator from Massachusetts for the purpose indicated by the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts informed the Chair he desired to make an interrogatory of the acting chairman of the Committee on Foreign Relations.

Mr. WEEKS. I supposed the Chair was going to recognize the Senator from New York, and I would not wish to intrude upon his time except to ask a question. Having recognized the Senator from Colorado, who yields to me, I wish to ask the Senator from Indiana if he has any information relating to a rumor which seems to be persistent in the press and which is well authenticated, I think, that our military forces at Vera Cruz have already seized the customhouse and that city?

Mr. SHIVELY. In reply to the question submitted by the Senator from Massachusetts, I ought to say that I do not want to speak with entire positiveness as to just what has occurred at Vera Cruz. I may be mistaken. My impression is that the customhouse at the city of Vera Cruz has been taken; that it was taken to-day without the firing of a gun; and that it is in the possession of our forces.

Mr. WEEKS. Then, Mr. President, that being the case, I want to ask the Senator from Indiana——

The PRESIDING OFFICER. There must be order in the galleries. The Senator from Massachusetts is concluding his interrogatory.

Mr. WEEKS. Assuming that that is the case, I want to ask the Senator from Indiana one further question. Does he not think it is a farce for the Senate to further consider a resolution sent here by the State Department asking us to give the President authority to use the armed forces in Mexico?

Mr. SHIVELY. Mr. President, I thought it was understood by this time that there is no resolution here asking Congress to give the President authority. The President made it very clear and distinct in his address that that was not the purpose of his errand. He has only asked the counsel and the support and the approval of Congress for things that he has the authority to do without coming to Congress.

Mr. JAMES. Mr. President——

The PRESIDING OFFICER. The Senator from Colorado has the floor, and the time occupied must be with his assent.

Mr. JAMES. If the Senator from Colorado will yield, I should like to ask the Senator from Massachusetts a question. He speaks of a farce in the Senate in considering this resolution. I ask him if he does not think it would have been a complete farce for the forces of the United States to have been delayed while the Senate talked and talked and talked and 2,000,000 rounds of ammunition and 250 rapid-fire machine guns were delivered to forces that perhaps we are to have to fight. I rejoice, if the President has seized Vera Cruz, to prevent the delivery of these munitions of war to the forces of Huerta.

Mr. WEEKS. It is noticeable that the administration has taken no action to prevent arms and ammunition from being taken across the border to assist Villa in his campaign against Gen. Huerta. I am informed that 2,700 stands of arms have been taken across the border within 24 hours for that purpose. Why is it found necessary to prevent arms and ammunition reaching one combatant and permitting them to be taken to the other? I simply ask a question for information, because it seems to me to ask us to justify the President to do something after he has done it is little short of ridiculous.

The PRESIDING OFFICER. The Senator from Colorado will proceed. The Chair will recognize the Senator from New York, a member of the Committee on Foreign Relations, after the Senator from Colorado has concluded.

Mr. THOMAS. Mr. President, I desire to offer an amendment to the resolution as proposed to be amended by the Committee on Foreign Relations.

The PRESIDING OFFICER. Let the proposal of the Senator from Colorado be read.

The SECRETARY. On page 2 of the printed amendment, as reported by the Senator from Indiana [Mr. SHIVELY], line 7, after the word "Mexico," add the following words: "or any disposition or intention to exercise sovereignty or control any of the territory thereof except as may be necessary to the enforcement of such demands," so that if amended the paragraph will read:

Be it further resolved, That the United States disclaims any hostility to the Mexican people or any purpose to make war upon Mexico or any disposition or intention to exercise sovereignty or control over any of the territory thereof except as may be necessary to the enforcement of such demands.

Mr. THOMAS. Mr. President, I shall support the resolution which the majority of the committee has laid before the Senate, whether the amendment just read shall have been incorporated into it or not. I shall do it notwithstanding my conviction that the proposed amendment is of the utmost and far-reaching importance in the present crisis and that a solemn declaration should be given to the world that our purpose is not and will not be one of territorial aggression.

Mr. President, I shall vote for the joint resolution under no illusions as to its meaning or to what it will lead us. I am aware of the far-reaching consequences which will inevitably ensue from the ultimate action of Congress to-day. Mr. President, we are, notwithstanding the purpose both of the President and the committee, declaring war against the people of a sister Republic. This will be our condition to-morrow without reference to our purposes or intentions. It makes no difference, so far as the logical consequences are concerned, whether our resolutions are pivoted upon one cause or upon many causes, whether we single out one act and make it the prominent feature of our preamble or include all the acts of which complaint against Mexico has been made during the past two years.

I sympathize with the committee and with the President in their laudable efforts to preserve the peace, and I know that the President of the United States and his honored predecessor before him have done all that they could do as an alternative to ultimate interference and for the avoidance of military action.

Mr. President, Wendell Phillips long ago said that "revolutions are not made; they come." The war with Mexico which

now confronts us had its genesis in that room in the New York hotel, that room in which three men met and assumed to determine the destiny of Mexico, and whose schemes have been so eloquently described by the distinguished Senator from Michigan [Mr. SMITH]. They sowed the wind, Mr. President, and the people of Mexico and of the United States are reaping the whirlwind, out of which, if benefits shall come, will flow to those who are responsible for these unhappy conditions. Interference, Mr. President, from whatever motive means war.

I am therefore, Mr. President, laboring under no illusions as to what present conditions mean. While we have been debating, the armed forces of the United States have effected a landing upon Mexican soil, and have taken possession of Vera Cruz.

Mr. President, history many times repeats itself. It has done so more than once in the history of this Republic. April has been a fateful month to America. We have waged four great wars since 1775. The shot fired at Lexington in that year, which was heard around the world, disturbed the stillness of an April morning, and the American Revolution was on.

On the 12th day of April, 1861, 86 years thereafter, the boom of cannon at Fort Sumter ushered in the mightest military drama in the history of mankind. And it was upon the 16th day of April, 1898, that the Congress of the United States formally declared war against Spain.

We are assembled here to-day, Mr. President, upon this 21st day of April, I fear, to begin, not a war of aggression, I trust not a war of conquest, but a conflict which the exigencies and the emergencies of the past few months have made absolutely unavoidable. I trust in God, Mr. President, that my apprehensions may prove groundless, and that from the dark forebodings of the present may come a brighter and a happier future than that which now looms before us.

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Texas?

Mr. THOMAS. I yield to the Senator.

Mr. SHEPPARD. I wish to call the Senator's attention to the fact that to-day is the anniversary of the battle of San Jacinto, a battle that marked the achievement of the independence of the Texans from Mexico.

Mr. THOMAS. I thank the Senator, Mr. President, for his reminder, for it adds another to the instances which have made April America's eventful month.

Mr. President, with the possible exception of that of 1812, the wars of this country have resulted in our territorial aggrandizement. Through them we have extended our domain to the west and to the south. That which we acquired in the War of the Revolution was our own. It is not surprising that the last two wars of this country, thus resulting, should, with the Latin races and Governments of the south, inspire the apprehension that beneath our cloak of philanthropic interference for Mexico's welfare is covered the darker design of further territorial acquisitions. The Senator from Mississippi [Mr. WILLIAMS] very truly declared to-day that the white man was the greediest of mortals.

The PRESIDING OFFICER. Will the Senator from Colorado permit the Chair to merely interrupt him for a moment? The Chair begs to ask of the Senate such quietude as is compatible with its comfort, and he demands of the occupants of the galleries that they must cease conversation while a Senator is speaking from the floor. The Senator from Colorado will proceed.

Mr. THOMAS. If we may speak from his history, the Senator from Mississippi might have added that the Anglo-Saxon white man is the greediest of them all. Beginning with his origin is his hunger for land, for conquest, for territorial expansion. It is a splendid attribute of the race, properly directed, because in its exercise we find those springs of advancement and development and of colonizing which have made that the first and dominating race of the world; but, Mr. President, we should not feel surprised if the motives of the Anglo-Saxon are challenged, if the Southern and Central American should believe that any conflict in which he may engage has for its ultimate, if not its only, purpose the further acquisition of territory, which, of course, means the spoliation of the vanquished.

Mr. President, the Monroe doctrine as originally promulgated had for its object the preservation of this continent to the great principle of self-government. Its purpose was to forbid colonization and to prevent Europe from interfering with the domestic affairs of any of the peoples of this hemisphere. Coincident with it was the declaration of Mr. Jefferson that we should confine all of our enterprises, all of our affairs, to this continent, and abstain from meddling with those of the older nations.

Yet, Mr. President, that doctrine south of the Rio Grande is perhaps less relished than it is anywhere else on earth. It is both feared and hated wherever the Spanish language is spoken on this hemisphere, and the peoples whose confidence we should have, whose self-constituted guardians we are, and for whose benefit and protection the doctrine was announced, are those, and precisely those, who are most vigorous in refusing to accept it, and in assigning sinister purpose and motives to us because of our support and defense of it. They realize, as we do, that it has been strangely construed and remarkably applied in later days. When they consider the result of the Spanish War, acquiring, as we did, additional territory in the Atlantic seas, reaching out across the Pacific and annexing to ourselves the Philippines; when they reflect upon the manner in which the Republic of Panama was created and defended and recognized; and when they reflect further upon the fact that troops were recently landed on, and I think, have never been withdrawn from, the soil of Nicaragua, it is not surprising, Mr. President, that they will see in our present effort to restore law and order in unhappy Mexico deep and dark and sinister designs to partition its territory.

The Senator from Mississippi referred to the joy and hilarity exhibited upon the streets of the city of Washington last Sunday night by those who shouted their approval of the possibility of armed conflict with Mexico; and you have noticed, Mr. President, as have I, in many public prints the assurance that wherever the flag is raised it will never be pulled down, and that territorial acquisitions will be, as a consequence, an accomplished fact with the invasion of Mexico by the armed forces of the United States.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Mississippi?

Mr. THOMAS. I yield.

Mr. WILLIAMS. The Senator from Colorado used the words "the Senator from Mississippi." Is the Senator quoting me?

Mr. THOMAS. I referred, Mr. President, to the Senator from Mississippi, who this morning said, among other things, that on Sunday evening last he heard sounds of rejoicing upon the street, and, upon inquiry, was informed that they proceeded from people who were celebrating the possibility of war with Mexico.

Mr. WILLIAMS. Oh, the Senator quotes me perfectly correctly, then. I had misunderstood the Senator.

Mr. THOMAS. I was drawing my own conclusions as to the prompting causes of that hilarity, which I believe to be the desire for more land, the hunger for conquest, the raising of Old Glory upon foreign soil, and the appeal to American patriotism to excitement and passion against its being taken down, to the end that we might have new lands to exploit and new provinces to govern.

Mr. WILLIAMS. Before the Senator——

The PRESIDING OFFICER. Does the Senator from Colorado continue to yield to the Senator from Mississippi?

Mr. THOMAS. I yield to the Senator.

Mr. WILLIAMS. I at first did not quite understand what was being referred to——

Mr. THOMAS. I hope I am not responsible for that.

The PRESIDING OFFICER. Will the Senator from Mississippi permit the Chair to request that he address the Chair in order that the reporter may gather his observations and record them?

Mr. WILLIAMS. I hope the Senator from Colorado will express his contempt for the people who have made that sort of an appeal to him or to me.

Mr. THOMAS. The Senator did that himself this morning so much better than I can do it that I do not think it is necessary to repeat it.

Mr. President, there have been during the past year or two in the press, on the platform, and in the ordinary intercourse of man with man many expressions of a desire for war with Mexico. Many of the supposed causes for invasion have been exploited, many of them aggravated, in order to force this country to interfere with the armed hand in the affairs of Mexico. The men who have been engaged in that propaganda are not the men who are going to fight the battles of the Republic. They are the men who expect, through an aroused and perhaps an artificial public opinion, to provoke war and to receive the benefits consequent upon its successful prosecution. Many of them know, Mr. President, although they may not admit it, that war with Mexico is going to be no holiday affair, but they are willing to take their chances because of the gain

which may flow from that conflict. Many of them know that it will be a long and bloody and expensive conflict, arousing and crystallizing eternal enmity between American and Latin; but what is that compared with the prospect of plunder?

Mr. President, I wish there were some power in the Congress of the United States by the exercise of which we could require that every proprietor of a newspaper, every man who edits one, every speaker upon the platform, and every man who in common intercourse with his fellow men has been demanding war with Mexico might be made to enlist as a private in the ranks for its entire duration. Some of them will go to the front with epaulets upon their shoulders, perhaps; many of them will secure fat Army contracts; but I have no expectation, Mr. President, of seeing any of them either in the front or the rear ranks with the men who fight the battles of the Union. Oh, Mr. President, it is the son of the middle-class man, the son of the artisan or the merchant or the lawyer, the sons of the laboring men and women, who must shoulder the musket and brave the horrors of the Mexican desert and the miasmatic jungles of the Tropics—for they will meet both in Mexico—the sons of these people, the news of whose bloody end upon the field or in the sweltering hospitals of that unhappy country will bring heartache and agony to fathers and mothers, wives and children, to sisters and sweethearts; but the men who made this war will never subject themselves to its awful horrors.

We, Mr. President, of the South and you gentlemen of the North, who have been through the crucible of these conflicts, know what it all means. It seems to be a law of nature that the offenses of men visit their consequences upon the heads of the innocent, the helpless, and the nonoffending. It is the wives, the widows, the mothers, the orphans, Mr. President, upon whom will fall the awful burden of the terrible agony that greets us beyond the border. The sweat and toil of the masses will be expended in providing the funds to sustain our efforts to restore peace to unhappy Mexico; and I, for one, Mr. President, want to see an amendment to this resolution which will circumvent the ambitions of the man who stays at home, the man who wants war for war's sake, the man who is proud of Old Glory only when it waves upon foreign soil and who pretends to love it only when he fears its removal from soil he wants to steal.

It is this class of men, Mr. President, who are responsible for the unpopularity of the Monroe doctrine in South and Central America, who will make their influence, their greed, and their purposes more effectual as the practical result of this war than any purposes of our own if we do not declare to them and to the civilized world that we do not want and will not retain one solitary foot of the territory of Mexico.

Why should we take it, Mr. President? This country has problems now confronting it which arouse the serious apprehension of every thinking man. Some of them are so grave as to defy solution by our best and wisest statesmen. The South is confronted with an age-old problem. Out on the Pacific coast are the advance guards of the hordes of a more populous race, presenting possibilities so serious and far-reaching as to make us wonder whether our Government is not still in its experimental stages and whether it can ride the waves of Asiatic immigration. From the southeast of Europe and from western Asia comes another tide of immigration, bringing with it problems perhaps deeper and darker still; and out of them all, Mr. President, have emerged those unsettled conditions which we characterize as difficulties between capital and labor, between wealth and opportunity, and which may carry within their bosoms the seeds of internal destruction.

We on this side of the Chamber have been sent here, Mr. President, as the result of the recent election for the purpose of solving, if we can, some of these mighty problems. We have endeavored, to some extent, to do so, but the greater task is still before us. What becomes of that legislation which we have promised to give to the American people—those restraints which we have covenanted with them to place upon expanding centralization of capital and of industry—if the minds and the energies of the people of the Nation are to be diverted to the conflict with Mexico?

If all our time and attention must be absorbed by such conditions, they must be, Mr. President, disappointed, and our duties may be forgotten or abandoned, if as a result of this war our boundary line moves southward. Mr. President, if there be one reason for moving it southward, there is every reason for carrying it to the Straits of Magellan; for the same problem will confront us from any other boundary wherever it may be fixed short of that line.

I say, therefore, that we ought to give assurance to the world that we not only do not want, but we do not propose to take, any territory from Mexico. What the Government of the United States, through the action of its wise and patriotic President, means is that the armed force of the country is to be used to restore peace and law and order to distracted Mexico—only that and nothing more. We do not want that country. We can not assimilate its people.

Mr. President, as far as I am personally concerned, I would not give one strong, clear-eyed, wholesome American boy, the pride and joy of a father's ambitions and the center of a mother's earnest love, for all the people and all the lands of Mexico. Yet how many, many of them will cross the Rio Grande never to return. How many will perish upon her inhospitable deserts. How many will be stricken by the diseases that infest her jungles. Let it not be said that they were sacrificed upon the altar of territorial acquisition. Let us make that plain to the world.

Mr. President, it is not alone the youth of our land whom we are about to sacrifice. No country ever entered into a war and emerged from it in the same condition. Modern wars are enormously expensive. A Mexican war may be unusually so. Everything that is consumed must be transported within her borders. Our debt will swell perhaps to undue proportions. The people of the world to-day are paying the cost of wars that were fought and ended over a century ago. It is said of the great Napoleon—in some respects far greater statesman than military genius—that he paid his way as he went. He never issued a bond nor placed a mortgage upon posterity. His maxim was that each generation should pay its way. He was conquered by the man who invented the deferred debt, who at that time was the ruler of England, whose people since that time in interest alone have paid that debt thrice over, while the debt itself is as large as it ever was.

The debt which the people of the United States incurred during the Civil War still rests its heavy burdens upon us. We have paid it twice over in interest charges. The debt incurred by the Spanish War, like Tennyson's brook, goes on and will go on forever. The debt which we are about to create is a debt which our children and our children's children must bear, all in the cause of a public philanthropic duty resting upon us to restore peace to the people of a sister republic. That is enough, God knows, without adding to the reproaches which may come from posterity—the added reproach of cupidity and of land hunger, finding expressions in terms of bonds and coupons through all the coming centuries.

The prospective Mexican War, if it may be so called, had its origin in the cupidity of Americans and Englishmen in a battle royal between those who had and those who would control the oil resources of Mexico. The Standard Oil Co., with its branches upon the one side, and Lord Cowdray, with his company and branches upon the other, fomented a rebellion, financed it to ultimate success and were doubtless responsible for the recommencement of hostilities.

Think of it, Mr. President. I confess that I was amazed and appalled by the marvelous and infamous conspiracy, whose beginnings and consummation were outlined by the distinguished senior Senator from Michigan [Mr. SMITH], who read the awful story from the record. Oh, Mr. President, it is an awful thing to say, but truth requires me to say that every dollar of property destroyed, every life that so far has been taken, whether of Mexican or of foreigner, every woman who has been ravished, every outrage that has been committed, may be directly traced to that conspiracy for the control of the natural resources of Mexico. It is equally true that all the treasure that shall be expended, all the blood that may be shed, all the lives which may be lost in our efforts for the tranquillity of Mexico should be traced directly back to that sinister source. For it the liberties of 17,000,000 people were jeopardized and the peace and order of 17,000,000 people destroyed perhaps forever.

If the great American Nation is obliged to use its Army and its Navy, its young men, glorying in their strength and manhood, to undo in part the fearful wrong inflicted upon humanity by these conspirators, I would to God, if what the Senator from Michigan said be true—and I do not doubt it—that they might be carried with the Army and placed midway between the contending hosts of Mexico and Uncle Sam, there to expiate in part their crime against humanity, to the end that some of the misfortunes for which they are responsible might visit their consequences upon them.

But, Mr. President, it is these gentlemen and others like them who will buy our bonds! It is these interests that will advance us their money! It is to them that interest will be paid by us and our children's children until time shall be no more! They arise in war as they arise in peace, and honor is vindicated that they may wax fat with time. Unless we declare to all the world, and particularly to them, that not a single acre of Mexican soil shall be annexed to Uncle Sam's dominions; unless

we give them to understand that one result of this war will not be the acquisition to American territory of those great resources, it will follow as the night the day that the powers which have been so potential in the past may be equally potential in accomplishing their ultimate result as one of the conditions of peace between the United States and whatever government is created in Mexico, and thus secure the prize for which they overthrew Diaz, assassinated Madero, and involved their country in a devastating war.

But I shall not detain the Senate longer. I earnestly hope Senators will incorporate this declaration into the resolution of justification which we propose to give to the President of the United States, I trust, by the unanimous voice of 95 Senators here assembled.

Mr. ROOT obtained the floor.

Mr. HITCHCOCK. Mr. President, I desire to inquire whether it would not be possible to take a recess at this time, or soon, and reconvene this evening about 8 o'clock?

The PRESIDING OFFICER. In a matter of that kind the Chair, of course, necessarily defers to the Senators on both sides having in charge the resolution. The Chair will be glad if they will take counsel and then announce their conclusion.

Mr. HITCHCOCK. I suggest to the acting chairman of the Committee on Foreign Relations the propriety of a recess at this hour, with the program of reconvening at 8 o'clock this evening.

Mr. SHIVELY. Mr. President, it is only fair to say that we are increasingly anxious for an early vote on this measure. If, by conserving the comfort and convenience of Senators by taking a recess, we shall expedite the matter, I will agree to it for that purpose.

I ask unanimous consent that the Senate take a recess until 8 o'clock this evening.

Mr. WILLIAMS. I object, Mr. President.

The PRESIDING OFFICER. Objection is made by the Senator from Mississippi.

Mr. SHIVELY. Mr. President, I move that the Senate take a recess until 8 o'clock this evening.

The motion was agreed to, and (at 5 o'clock and 50 minutes p. m.) the Senate took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m., on the expiration of the recess.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On April 16, 1914:

S. 135. An act for the relief of Severin and Berthe L. Evensen, dependent parents of Sigurd Evensen;

S. 1884. An act for the relief of Phoebe W. Chase; and

S. 4943. An act to amend section 1 of an act of Congress approved April 9, 1912 (37 Stats., p. 80), entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes."

On April 17, 1914:

S. 54. An act for the relief of George W. Hoyt.

On April 18, 1914:

S. 75. An act for the relief of Theresa A. Murray;

S. 175. An act for the relief of Lawson Reno, collector second district of Kentucky; and

S. 3610. An act for the relief of C. E. Moore.

On April 20, 1914:

S. 1829. An act for the relief of W. D. McLean, alias Donald McLean.

FRANCHISES OF PORTO RICO (H. DOC. NO. 915).

The PRESIDING OFFICER (Mr. LEWIS in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

As required by section 32 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith certified copies of franchises granted by the Executive Council of Porto Rico, which are described in the accompanying letter from the Secretary of War transmitting them to me. Such of these as relate to railroad, street railway, telegraph, and telephone franchises, privileges, or concessions have been approved by me, as required by the joint resolution of May 1, 1900 (31 Stat., 715).

WOODROW WILSON.

THE WHITE HOUSE, *April 21, 1914.*

AFFAIRS IN MEXICO.

The PRESIDING OFFICER. The Senate resumes the consideration of House joint resolution No. 251.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 251) justifying the employment by the President of the armed forces of the United States in enforcing certain demands against Victoriano Huerta.

Mr. JAMES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Goff	Nelson	Smith, Md.
Borah	Hitchcock	O'Gorman	Smith, Mich.
Brady	Hollis	Oliver	Smith, S. C.
Brandegee	Hughes	Overman	Smoot
Bryan	James	Owen	Sutherland
Burleigh	Jones	Page	Swanson
Catron	Kenyon	Perkins	Thomas
Clapp	Kern	Pomerene	Tillman
Clark, Wyo.	La Follette	Ransdell	Townsend
Clarke, Ark.	Lea, Tenn.	Reed	Vardaman
Colt	Lee, Md.	Robinson	Walsh
Cummins	Lewis	Root	Weeks
Dillingham	Lippitt	Saulsbury	West
Fall	McCumber	Sheppard	Works
Fletcher	Martin, Va.	Shively	
Gallinger	Martine, N. J.	Smith, Ga.	

Mr. REED. My colleague [Mr. STONE] is detained from the Senate by illness.

The PRESIDING OFFICER. Sixty-two Senators having responded to their names, a quorum of the Senate is present.

Before the proceedings are resumed for this evening the Chair desires to say a few words to the occupants of the galleries. Many of you who are in attendance have been accustomed no doubt to visiting the galleries of the House and are not familiar with the rule of the Senate which prohibits any form of manifestation of applause or dissent. The Chair desires to advise you that it is not permitted, and trusts you will not violate the rule. If the rule is violated intentionally, the person doing so must vacate the gallery. The Chair recognizes the Senator from New York [Mr. ROOT].

Mr. ROOT. Mr. President, I shall not prolong very much this discussion, for I think that whatever action we take ought to be taken to-day without further delay. I do wish, however, to state the reasons for supporting the substitute offered by the Senator from Massachusetts [Mr. LODGE] in lieu of the resolution reported by the Committee on Foreign Relations.

The President has asked Congress for its approval of a course which he purposed to follow to compel amends for an insult to the flag of the United States. A resolution has come from the House declaring that the President is justified in the course he proposes and naming Gen. Huerta as the person against whom the present action is understood to be directed. The Committee on Foreign Relations has reported a substitute resolution which omits all reference by name to Gen. Huerta, but so refers to the statements made by the President in his address that in explaining the justification of the course which he proposes the effect is substantially the same. We are not asked to authorize action; we are asked to justify it.

Mr. President, I have the highest respect—more than respect, I have regard and admiration—for the President of the United States. I have entire confidence in the sincerity of his purpose, in the lofty quality of the ideals which he pursues, and in the genuineness of his adherence to peace.

But we are asked not to express our opinion of the President of the United States, not to express our confidence in him or in his purposes. We are asked in the exercise of our duty as a part of the Government of the United States to declare a specified course of conduct under specified conditions to be justified. It is our duty that we are to perform, our duty as a part of the Government of the United States, our duty to the hundred millions of people of the United States, to the community of nations, to the credit and good name of our country, to the honor and glory that this great democracy has intrusted to our hands as its representatives. This duty we are called upon to perform.

The course which is proposed is the forcible armed compulsion of the people or some of the people of a friendly nation, the armed compulsion of a government which I think we all are agreed is an existing de facto government, having in its control the greater part of the territory of Mexico—the armed

compulsion of that government to make amends to the United States for an insult to its flag.

What is the justification? We can not justify, sir, upon confidence which we all have in the President. We must justify upon grounds which commend themselves to our consciences, to our intelligence, to the conscience of the American people, and to the deliberate judgment of the civilized world.

What is the justification? Observe, sir, I do not say that there is no justification. I ask what it is. In the address of the President, in the plain implications and exclusive inferences of the resolution which came from the House, and equally in the resolution reported by the committee, the justification is to be found in a single incident. That incident was this: A boatload of sailors in the uniform of the United States, upon a boat flying the flag of the United States, landed the other day at a wharf in Tampico and were arrested by an officer in charge of a guard, taken through the streets, presently returned to the boat and set free—a very gross offense to the dignity of the United States, an insult which can not be ignored.

But, sir, immediate amends were made. The action of the officer who made the arrest was disavowed by the government under which he served, the de facto government of Mexico, under the de facto presidency of Gen. Huerta. It is stated that the officer was in turn arrested and was to be punished. The commandant at Tampico apologized for the act and, promptly upon being advised of the circumstance, the head of the de facto government, Gen. Huerta, also apologized. Those amends, which would be all that could be expected from private individuals, were, nevertheless, not satisfactory and not sufficient for the officer in command of the American fleet or squadron at Tampico, and he demanded a formal salute to the American flag.

Mr. President, I agree with the admiral that the amends were not sufficient as coming from the de facto government and that there should have been a salute to the American flag, but it appears that there was an interposition by our Government; there were communications between our State Department and our chargé in the City of Mexico, representations to the de facto government in Mexico, negotiations and conversations, as to the character of the further amends that should be made. The matter came plainly to be a discussion between the Government of the United States and the de facto government of Mexico. Not about the quality of the act that was done; there is no dispute about that. Not about the obligation to make amends; that was done. Not about the obligation to apologize; the apologies were made. But about the form of further amends, how a salute should be fired, what were the proper and customary obligatory incidents in the way of returning such a salute, and the number of guns which should be fired. It is upon that dispute—upon a dispute between these two Governments about the number of guns that are to be fired and about what the proper custom is as to returning the salute when it is fired—it is upon that dispute that this justification is made to rest in the resolution passed by the other House and in the resolution reported by the Committee on Foreign Relations of the Senate.

Mr. President, I feel bound to say that while I would never for a moment fail so far as in me lay in preserving the dignity and honor of the flag of the United States, the dispute to which this incident has come seems to be painfully inadequate to the results which are to be drawn from it. If that is all—if there is nothing else except a question of the number of guns and the form and manner of salute—which stands between the hundred million people of the United States and this poor, harried, and distressed people, it seems to me that the occasion is painfully inadequate to the results that are to follow.

Is that all? We learn to-night that Vera Cruz has fallen, that 4 American marines lie dead in that city, and that 21 lie suffering from wounds. Is there nothing but this dispute about the number of guns and the form and ceremony of a salute to justify the sacrifice of those American lives?

O Mr. President, deeply and sincerely as the President of the United States desires to limit the scope of his action, deeply and sincerely as he desires the maintenance of peace, all history and human experience teach us that once lighted the fires of war can not be quenched at will.

It is intervention, technically, but it is war in its essence that we are to vote to justify to-night. How long it will continue, what its results and its incidents will be, no man can state. Men will die, men dear to us will die, because of the action that we are to approve to-night. American homes will be desolate; American women will mourn; American children will go through life fatherless, because of the action that we are to approve to-night; and when those children, grown to manhood, turn back the page to learn in what cause their fathers died, are they to find that it was about a quarrel as to the number of guns and the form and ceremony of a salute and nothing else?

We are to justify. What is the justification? Is there none but that? We, the representatives of the great peace-loving Nation; we, the representatives of the great democracy that prides itself upon demonstrating to the world that democracy can be peaceful and just; we are to justify these acts of war; and is there no justification that we can lay before our countrymen, before the world, before the community of nations, before the judgment seat of history, except our dispute about the number of guns and the form and method of a salute? O Mr. President, how inadequate! How can we justify ourselves if we have no justification but that?

But, sir, that is not all. If it had been all, the President would not have come to the Congress yesterday; if it had been all, we would not be discussing the subject here to-night. Back of the incident, back of the special circumstance which forms the whole of the resolution reported by the committee, there is a great array of facts, a long, dreadful history. Mr. President, if there were nothing else but the incident referred to in the resolution, would the American Government have thought for a moment of treating this poor, weak country in this peremptory way? Such things have happened hundreds of times before. Ignorant subalterns have many and many a time transgressed the limits of propriety, mistaken their duty and their powers, and have done acts which were insults to great governments. It has often occurred in the history of the United States. What have we done; what would we do to-day if a subordinate officer in a port of England or France or Germany or Italy were to mistake his duty, make an arrest of American sailors, as American sailors have been arrested before, and the act were disavowed by the Government he served and an apology were made, and regret and an intention to punish him were expressed—what would we do about the form and method of further amends? Sir, in the first place, we would settle the facts.

We are now engaged in signing a series of treaties designed to take in all the world, and already a very large number of nations of the world have signed, under which we agree with them that if there be any dispute about any question of fact a commission shall investigate and report, and no action shall be taken for one year, to allow the report to be made. We find here that, while our admiral reported that the American flag was flying on the boat, the Mexican officer reported to Gen. Huerta that no flag was flying. I believe our admiral, but can we think it strange that Gen. Huerta believed his officer? If there were nothing else—if this were all—should not that question of fact be determined by peaceful means?

The question of the proper, appropriate, and customary form and method of a salute is a matter of precedent and the usage of nations. It is the universal custom of civilized nations to present in diplomatic communications the precedents, the authorities showing that the custom contended for by one country is the true custom and that the other country is mistaken. In the case that I suppose, of such an incident occurring in a port of France or Germany or England or Italy, sir, we would have presented our facts, investigated the facts, made certain and clear the facts, presented the authorities upon precedent and custom, and by peaceable and friendly communication would have reached a result.

If that were all, that is what we would do. If this be all, is this Nation of a hundred millions, the richest upon earth, with its mighty power, to treat poor, weak, bankrupt, downtrodden, distressed, despairing Mexico in any less kindly and just a way? If this be all, how can we, in the arrogance of power, justify treating this weak neighbor with a peremptory harshness that we would not think of using toward a powerful nation?

Mr. President, what I have said is what the good people of our country and of the world will think if we finish our work to-night by the adoption of the resolution reported by the committee. There is no justification for us there. No; by the expression of one thing, the dispute about the salute, we commit ourselves to the exclusion of all other justifications. We commit ourselves to a condemnation that will weigh heavily upon the heart of many a good American who loves his country and her honor, and which as time goes on, and the judgment of the world and of the future is made up, will grow darker and darker.

But, Mr. President, it is not all—it is not all. There is matter of justification; and the Senator from Massachusetts [Mr. LODGE] has sought to lay it before the people of America and of Mexico and of the community of nations by the recital in the substitute resolution which he offers. What is it? It is that lying behind the insult to our flag by this poor, ignorant sub-

ordinate are years of violence and anarchy in Mexico. Lying behind it are hundreds of American lives sacrificed, millions of American property destroyed, and thousands of Americans reduced to poverty to-day through the destruction of their property. Lying behind it is a condition of anarchy in Mexico which makes it impossible to secure, by diplomatic means, protection for American life and property in that country. Lying behind it is a condition of affairs in Mexico which makes that country incapable of performing its international obligations.

The insult to the flag is but a part—the culmination, if you please—of a long series of violations of American rights, a long series of violations of those rights which it is the duty of our country to protect—violations not, for the most part, of government, but made possible by the weakness of government, because through that country range bands of freebooters and chieftains like the captains of free companies, without control or responsibility. Lying back of this incident is a condition of things in Mexico which absolutely prevents the protection of American life and property except through respect for the American flag, the American uniform, the American Government.

It is that which gives significance to the demand that public respect shall be paid to the flag of the United States. There is our justification. It is a justification lying not in Victoriano Huerta or in his conduct alone, but in the universal condition of affairs in Mexico. The real object to be attained by the course which we are asked to approve is not the gratification of personal pride; it is not the satisfaction of an admiral or a Government. It is the preservation of the power of the United States to protect its citizens under those conditions.

If we omit from the resolution that shall be passed to-night all reference to the matters that are enumerated in the substitute, we omit the real object which forms the only justification for action. Without that, sir, upon the showing of the resolution reported by the committee we would be everlastingly wrong. With the facts that are enumerated in the substitute the action of the United States will rest with becoming sense of proportion and national dignity upon adequate foundation and cause.

The Senator from Indiana [Mr. SHIVELY] has observed, in effect, that the substitute resolution thunders in the index. Ah, Mr. President, the capture of Vera Cruz, the death of American citizens, the wounds and sufferings of men who lie there to-night demand something more than formal inducement. The recitals of the substitute resolution are weak in the face of death and wounds and sufferings of Americans in Vera Cruz. No less than the substitute resolution avers can justify us.

The conclusion of the substitute resolution, sir, is the same as that of the other. It justifies the President in the same course of conduct which the committee resolution justifies, but it gives grounds. It gives substantial grounds. It gives grounds creditable to the United States and adequate for the proposed action, instead of leaving this momentous movement of a great naval and military power to rest upon no justification but a dispute with a weak and helpless adversary about number of guns and the proper ceremonies of a salute.

Mr. REED. Mr. President, the issue between the two resolutions can not be buried in rhetoric nor submerged in eloquence, however splendid their periods. The issue is, Shall we make general declaration of offensive action against all of the people of Mexico, or shall we hold to responsibility the present head of the de facto government which controls a part of Mexico? The question is, Shall we endeavor to drive all Mexico together to fight as one man, for what they will be led to believe is the preservation of their national integrity, or shall we say to the people of Mexico, as the President has asked us to say, "We have no quarrel with Mexico. We have no issue with her people. We contemplate no violence against her or her people. We merely insist that Gen. Huerta, who now holds military sway over a portion of Mexico, shall furnish to his subject people a fit example of the fact that the dignity of the American uniform and the sacredness of the American flag must be respected even upon the soil of Mexico"? That is the issue.

I have listened here to arguments which strike me as most astounding. We are told in one breath that "all of the trouble in Mexico resulted from a conspiracy foully born upon American soil; that the conspirators were Americans having selfish financial interests and Englishmen having equally selfish financial interests; and that the contest in Mexico, with all its long chain of disorder and suffering and misery, sprang from one common source, to wit, the conspiracy upon our own soil." We were told by the Senator from Michigan [Mr. SMITH] in great detail of these circumstances; and we heard him, with eloquent tongue and plaintive tone, speak of the fact that our Government had not done its duty by the people of Mexico. Then we heard him join in the cry of those who would make war on all Mexico; join in the cry of those who would by armed force right every wrong that has happened upon the soil of Mexico, who would set forth every act of murder and rapine and outrage, whether done by government or done by private individuals, and heaping all together, massing all against the people of Mexico, demand in fact, if not in phraseology, that our armed forces shall sweep the entire territory of Mexico. That is the logic we hear from gentlemen who have so eloquently spoken.

On the contrary, the President of the United States, "with the patience and faith of the saints," has been endeavoring to preserve the peace of this continent. He has looked upon Mexico with real charity; his great heart has been and yet is filled with kindliness for its people; he has endeavored to hold back the hand of war. When at last insult was officially given to our flag and to our uniform, the President declared that the author of the insult should be held responsible and that the Mexican people should go acquit of that act.

It would come with better grace if gentlemen who plead for "poor, oppressed Mexico," who rehearse the story of her wrongs and charge them to the American people, did not at the same time insist that with fire and sword, with bayonet and cannon we sweep the entire land of Mexico and crush it beneath the iron heel of war.

What is the request of the President? He has said that our flag and uniform have been insulted by the only existing government at the City of Mexico; he has said that the Mexican Government as it exists at that place must properly make reparation.

The Senator from New York [Mr. ROOT] asserts "that we are about to engage in war over a mere question of the number of guns to be fired in a salute." Mr. President, with all respect for the Senator from New York I say it is not a mere contest over the number of guns. It is a very much graver question.

Let us understand the point. Everything in this world is done by symbol. The deed to property is after all only a symbol of title. The flag is the symbol of a nation's sovereign power and honor. An insult to the flag is an insult to the national honor. The number of guns fired under certain circumstances is the answer to the question whether a proper apology has been made for an outrage committed against the national honor. Is that a trivial matter? Is it a light question whether proper apology shall be made when the honor of the United States Government has been assailed, its flag insulted, and the uniform of its soldiers and sailors violated?

Mr. President, I asked the question to-day, and I think I am warranted in saying it was not answered, whether in any single instance up to the one we are now discussing there had been official outrage perpetrated upon our flag, our uniform, or our people. We all understand that there have been acts of violence. We all know that roving bands of alleged soldiers have stolen horses and cattle in Mexico. We all know that banditti have outraged American citizens, and that they have in some instances committed murder. Those are the acts of violence which always occur in countries that are torn with civil dissension and rent by internecine war; but the act of Huerta is the first instance, to my knowledge, where the responsible head of a de facto government has insulted our flag or our uniform.

What was the significance of that act? The mere arrest of two or three men, taking them from a boat, carrying them a few blocks into the city, may in itself be a trivial thing, and it may be a thing of tragic importance. When these men were arrested they represented the Government of the United States. Their arrest meant an insult to the Government of the United States. The least the offending Government could do was to apologize, and to follow that apology by the particular salute which under the law and custom of nations was demanded by the circumstances. When Huerta refused to make that reparation he stood upon his insult and continued to defy the Government and people of the United States.

Now, sir, was that a trivial thing? Why do we insist upon respect for our uniform? Why do we insist upon respect for our flag? Is it because the uniform costs a certain number of dollars? Is it because the flag is composed of silk or bunting which has a market value? Not at all. It is because the uniform represents the majesty of our country and the flag typifies the glory and honor of our people. Whenever in Mexico an officer of the Mexican army can parade a soldier of the American Army or a sailor of the American Navy before the populace for their jeers and laughter, notice is given to every inhabitant of that country that the United States is not able to protect even the men who wear its uniform. Hence all are in effect told that free license may be had to prey upon the citizens of this country there residing.

To pass this insult in silence is to imperil the life of every citizen of the United States who may set foot upon the soil of Mexico. To pass this insult without demanding full, certain, and speedy reparation is to bring into jeopardy all American property and the life and liberty of every American citizen who is in Mexico. Nay, more; it is to bring our country within the contempt of all mankind. We are not, as has been said, standing here "on punctilios." We are standing upon national honor, upon national dignity, upon our rights as a free people; we are standing for the majesty of the greatest Government there is beneath God's bending skies.

For one, as long as I live I will never subscribe to the pusillanimous doctrine I heard here this afternoon that "the uniform is nothing," and that it is "a mere punctilio" to demand that our flag shall be respected.

We are told that if we do not put in the preamble of this resolution a recitation of all our wrongs the child of the future will read the resolution and ask in wonder, "Why was my father sent to his death for so slight a cause?" We are told that the people of the United States will with astonishment ask, "Do you fight because of the number of guns to be fired in a salute?"

Mr. President, the children of the future may be ignorant, as the Senator appears to anticipate—I hope they will not be—but I can say to the Senator from New York that the great body of the people of the United States now living know every fact that the Senate of the United States knows with reference to our troubles in Mexico; and though we do not recite the murders done or the anarchy which exists in Mexico, though we recite none of these things, the people will understand that this insult to our flag was the culmination of aggravated conditions, and they will know how to give to our act its proper setting.

Why, sir, the world knows the facts. The world looks with astonishment at the patience we have hitherto displayed. Will it not applaud us if we now limit our demands and the extent of our reprisals?

Since I began speaking the telegraph reports that blood has already been spilled at Vera Cruz. The report may unhappily be true; it may be that red drops will yet sprinkle every acre of Mexican soil; it may be that there will be vacant chairs in the American homes; it may be that we shall ride with fire and sword across that country and plow its fields with cannon shot and shell; but down at the other end of the Capital sits a man who hopes that this fire can yet be circumscribed within the area that is controlled by Gen. Huerta, and that the rest of the country need not be invaded. Meanwhile you who talk of "poor, weak Mexico" and of the "awful crime it is to invade her" insist upon a resolution which means war not with Victoriano Huerta but with all the people of Mexico.

I am astounded, sir, at another sentiment uttered here, uttered twice upon this side of the Chamber, that "the American is the greatest land thief in the world." At this crucial hour, when men are dying down there in Vera Cruz, we certify to all the Mexican people from the lips of American Senators that we are land thieves, and they must look well lest we shall steal their homes.

I deny, sir, that such indictment can be brought justly against the American Republic. We acquired by purchase nearly all the land we occupy. We were compelled to take some of it from Mexico in a war that was clearly and absolutely justified, a war that did not begin for the purpose of getting land, a war that was begun for the protection of human beings, a war that was lighted by the glorious flame of Texan patriotism.

We made war with Spain. We took Cuba, situate within 90 miles of our coast; we poured out some of our blood and much of our treasure; we camped upon the soil and helped establish a free government; we returned to strengthen the government, to enable it to grow, so that it could stand alone, and we are to-day protecting the Cuban government and people by the Army and Navy of the United States. We did not steal Cuba; we gave it liberty.

We bought the Philippine Islands, and we have at the expense of scores of millions of dollars set up there a government which every day is being yielded more and more into the hands of the native population, and which, ere this administration shall have expired, I trust, will be turned completely over to the native people of the islands.

I deny, sir, that we are land thieves. I say that Mexican citizens can well turn their eyes toward this Republic and say: Yonder is the only nation that in all the tides of time that has conquered provinces and overrun countries and established governments for the conquered people and turned over to the conquered both the land and the government.

I deny that we are land thieves; I deny that we enter into this contest with so base a purpose.

Mr. President, it was even said we were worse than any other nation. Thus we tell the Mexican that we are more greedy than Cortez, more grasping that Pizarro. We proclaim ourselves more cruel than these monsters who extorted wealth by the torture of fire. Ah, Mr. President, those were unfortunate words. It were better they had not been uttered.

The President of the United States is charged with a great responsibility. He has asked merely that his acts in enforcing proper reparation shall be justified. He seeks to confine this trouble within a narrow compass. He hopes that the bonds of peace between the United States and the Mexican nation may yet be maintained unbroken. That request, so modestly preferred, meets with an insistent demand that we shall take such action as we all understand means a general declaration of war against Mexico instead of a mere act of reprisal against Gen. Huerta.

Mr. President, I have this to say in conclusion. We heard it said to-day that it does not matter how many guns are fired or whether any guns whatsoever are fired. We have been told that the man beneath the uniform is more important than the uniform; we have heard it declared that we are standing on punctilios. Sir, the uniform of our Nation, the flag of our country, the honor of the Republic, are not punctilios. The nation which ceases to defend the uniform of its soldiers and enforce respect for its flag will soon cease to be a nation.

The flag and the uniform are not trifling bits of cotton or woolen or silken fabrics; they represent the majesty of a great people. The flag of this country typifies the only real freedom there is beneath the skies; it is not run up merely because its colors are pleasing to the eye. It is emblematic of all the battles that have ever been fought in the cause of human right. About it hover the souls of all the dead who have died in the battles for liberty.

For centuries the votaries of freedom were beaten down. Again and yet again they renewed the contest, until at last their triumph came upon the battle fields of the American Revolution. Every soldier of the American Revolution who marched to his death did it with eyes fixed upon the flag of the United States. It was baptized later in the blood of 1812; it was dipped in the crimson tides of the great war of 1861; it was rechristened down on the plains and in the woods and the morasses of Cuba; it has floated in glory over the heights of Chapultepec. An insult to the American flag is an insult to all the patriots dead. It is an insult to every patriot living.

So far as I am concerned I insist that an American sailor in an American boat, with the flag of this country floating at bow and stern, shall be protected though it requires all of the armaments of our Navy and all the soldiers of our Army, for as we protect him we protect ourselves, our property, our liberty, and our country, and we preserve the blessings of liberty to the children that are yet to come.

Mr. President, we have talked long. Can we not vote? Down in Mexico they are dying, so the wires tell us. Let us at least certify to the American people and to the world before this night shall be over that the Congress of the United States is with the Commander in Chief of the Army and Navy of the United States; that it is not splitting hairs; that it is not cavilling about the form of sentences or the construction of preambles, but that as one man, with one heart, one soul, and one purpose, the American people stand with President Wilson in his demand that the flag of the Republic shall be respected in Mexico as it is by the other nations of the earth.

Mr. WEEKS. Mr. President, in one respect at least I sympathize with the Senator from Missouri [Mr. REED]. I do not recall that I have ever spoken on a question after which I was not ready to vote; and his appeal just now that we might vote after he had thoroughly discussed the question is characteristic of all of us. I am only taking the time of the Senate to say a few words, because it has been, and it is now, my intention, unless the resolution which is pending and which is likely to be adopted to-night is materially modified, to vote against it.

I am embarrassed, however, by a change in conditions which existed at the time we met this morning and those which exist to-night. A citizen and a Senator is justified in criticizing the administration even in an important international affair before war is undertaken, but it is the duty of every citizen, and every Senator especially, to support the administration to the utmost limits when war has been undertaken. This morning war had not been undertaken; we had been asked to consider an important justification of the President's purposes, involved in which, in my judgment, was a justification of the President's acts in Mexico during the last 13 months; and while we are

engaged in discussing that subject we are informed that 4 of our men in Mexico have been killed; that 21 have been wounded; and we know not what other movements are on foot.

I need not say to Senators that that means war. The President may say to us that we can not make war against the Mexican people; that we are making war against a man and the supporters of that man; but we need not delude ourselves with any such specious plea as that, for our men have been killed and wounded in action. We have commenced an undertaking which will cost this Government hundreds of millions of dollars and thousands of lives and years of time. Let us not delude ourselves with minimizing or lessening the importance and the solemnity of this occasion and of this undertaking in which we are embarked.

If we were not engaged in war, I had intended to call the attention of the Senate to some of the reasons why it seemed to me we should not indulge in haste in so important a matter, and to compare the present action with what has been done on similar occasions in the past. For example, I wanted to call attention to what is known as the *Virginius* case. Forty years ago an American ship, flying the American flag, was captured by a Spanish man-of-war; her people were taken ashore, were tried by a drumhead court-martial, and more than 50 subjects of Great Britain and America were summarily shot. That was an occasion that tried the temper and the forbearance of this country and of the people of this country, and yet did we demand the kind of reparation which some Senators would ask us to demand on this occasion? We did ask for reparation. The Spanish authorities informed our Government that they believed the ship was not an American ship; that the use of the American flag was not justified; and we gave 30 days to investigate that condition. The result proved the correctness of the position of the Spanish Government, and we never at any time demanded that our flag should be saluted as a result of this incident. Many years ago——

Mr. SHIVELY. Mr. President, will the Senator allow me to interrupt him right there?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. WEEKS. Yes.

Mr. SHIVELY. Did not the United States withdraw its demand because in that instance it was found that the registration was fraudulent and that the owner of the ship was a Cuban?

Mr. WEEKS. That is exactly what I have stated, Mr. President, but I also said that we did not ask for a salute to our flag even under those conditions.

Twenty years ago, in Chile, many of the sailors of the U. S. S. *Baltimore* were ashore in the port of Valparaiso, where they were attacked by the soldiers and the police of that city, and several men were killed. There was great public excitement as a result of this incident, and yet we find, 90 days after the incident itself, the President of the United States giving to Congress the facts which applied to the case, and during the intervening time the local courts of Chile had been occupied in investigating the case. There were at that time unsettled conditions in Chile not dissimilar to those which now exist in Mexico. During this interval our Government abstained from making unreasonable demands, and in the end Chile apologized for the attacks which had been made. Incidentally I want to read what President Harrison said in submitting the matter to Congress, and also to call attention to the fact that he submitted to Congress all the correspondence which had passed between the two Governments, so that Congress at that time had all the information which existed, while we are asked to act on this occasion without being furnished with any of the correspondence or with any other matter which would enable us to come to a correct conclusion. This case does not differ materially from the one which we are considering, for while the flag is involved in the Tampico incident, it does not differ from the Chilean affair in its essence, as President Harrison pointed out. He said:

> It is not claimed that every personal collision or injury in which a sailor or officer of such naval vessel visiting the shore may be involved raises an international question; but I am clearly of the opinion that where such sailors or officers are assaulted by a resident populace animated by hostility to the Government whose uniform these sailors and officers wear and in resentment of acts done by their Government, not by them, their nation must take notice of the event as one involving an infraction of its rights and dignity; not in a secondary way, as where a citizen is injured and presents his claim through his own government, but in a primary way, precisely as if its minister or consul or the flag itself had been the object of the same character of assault.

And yet under these circumstances we waited 90 days before we pressed our demand for reparation. Even then we did not demand that our flag should be saluted, but an apology was made as a result of the investigations made by the Chilean Government.

During that insurrection which took place in Chile at about that time the fleet of that country rebelled and five ships put to sea under the leader of the rebellion. They were met on the high seas by our Pacific Fleet. The rebel fleet, flying the Chilean flag, saluted our flag as the fleets were passing, outside the 3-mile limit, and the salute was returned gun for gun, as is always done when a salute is fired under such conditions. I point that out because the point has been so frequently made in this discussion that the provisional president of Mexico has demanded that we return a salute in kind. That is nothing but a matter of custom; it can not be returned in any other way, and never has been done in any other way when a salute has been demanded and the demand has been acceded to. Therefore, we ought not to make a point, in my judgment, against Gen. Huerta because he has, presumably, requested that the salute be returned gun for gun.

Mr. HUGHES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New Jersey?

Mr. WEEKS. Yes.

Mr. HUGHES. Does the Senator intend to create the impression that such a point has been made by any officer of this Government?

Mr. WEEKS. Mr. President, it is pretty difficult to find out just what has been done. We are dependent here to-night on newspaper reports for what has been taking place in Mexico and as to what has been the correspondence between our Government and that of Mexico during the past week. We are asked to justify the acts of the President, and yet we do not know exactly what the President has had in mind to do, and we do not know what has been done or whether or not his proposed action should be justified.

Mr. HUGHES. I am in the same position——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield further to the Senator from New Jersey?

Mr. WEEKS. I do.

Mr. HUGHES. I am in the same position as is the Senator from Massachusetts; I am dependent upon the same sources of information; but my clear understanding of the matter is that it was understood by all parties on this side of the Chamber that it would be proper for the American fleet or the American authorities to answer any salute fired by the Mexican authorities. The only question raised with reference to that matter came from the minority members of the committee, and it was argued with some force by them for some time that that would be a recognition by the United States Government of the Mexican Government. Afterwards, as I understand, according to the public prints, the same sources of information which the Senator has, that position was abandoned.

Mr. WEEKS. Mr. President, I do not know. I wish I did know. I wish I had more information on which to form my own decision as to what should be done in this matter. It is possible the Senator from New Jersey is right, but, in any event, if a national salute is fired on a demand from us by the Mexican authorities or any other authority it should be returned gun for gun, because that is the customary proceeding, and if Gen. Huerta has asked that this course be followed he has been within his rights.

But why discuss these questions? We have passed the stage of resolutions. We are at this moment in a state of war, and under such conditions, after I have voted against this resolution—which I am going to do, because I can not justify the course that has been followed by the administration in Mexican affairs for the past 13 months—in fact, I am unalterably opposed to what has been done. I am a supporter of the administration in the prosecution of the war; we have reached the point where action must be taken, and I hope that every Senator as well as every citizen of this country, under these conditions, is going to do his very best to support the Government. I certainly am, and after my vote has been cast on the resolution I expect to do what I can do as a citizen and a Senator to uphold the hands of the Government, much as I regret the situation in which we now find ourselves.

Mr. JAMES. Mr. President, the resolution now under consideration by the Senate ought to have been passed yesterday. I had hoped that the House of Representatives would pass it unanimously and that it would come to this body, and that here, with the same unanimity, we might say to Mexico and to the world that the Congress of the United States stood behind President Wilson. It seems, however, that some of our friends upon the other side are right hard to satisfy. Some of them tell us that we ought to accept what Huerta has already offered. Others of them tell us that we should have agreed to

fire gun for gun, the conditional salute demanded. Others of them upon that side say that we should have recognized Huerta as President of Mexico.

In another body the distinguished leader of the Republican Party went so far as to criticize the President of the United States, saying that his action in coming before Congress asking for the passage of this resolution was for personal revenge and for personal spite. All this is finding its way to Mexico. And every move and criticism of the President made here beyond the Rio Grande was quickly taken as evidence of a divided country.

A Senator rose upon the floor to-day and asked whether or not Vera Cruz had been taken, and inquired whether or not we should consider further this resolution—if it was not a farce to do so. In God's name, what were you to expect of the President of the United States and the forces at his command? Did you think they were to remain idle while the 250 death-dealing rapid-fire machine guns and 2,000,000 rounds of ammunition were delivered at the port of Vera Cruz by the German steamer, and quickly loaded on trains waiting with steam up, and hurried to Mexico City, to be put into the hands of Huerta's soldiers for the purpose of shooting down our boys who wear the blue? Did you think the President would wait for the Senate to talk, talk, talk, and permit these death-dealing machines and ammunition to be placed in the hands of those Mexicans to fight our soldiers? The President has acted. Vera Cruz has been taken. The guns and ammunition intended for Huerta's soldiers are in our possession. And every American heart will beat with pride, and every American lip will approve the action of the President.

Mr. President, the distinguished senior Senator from Michigan [Mr. SMITH] stated in his address to the Senate that the United States ought to have recognized Huerta. He offered a copy of a letter from the State Department, signed by Ambassador Wilson, directed to the Secretary of State, suggesting certain reasons and giving certain conditions for such recognition. When I asked the distinguished Senator if he could also supply us with the telegram that Victoriano Huerta had sent to President Taft, he said that I could "do that in my own time"; and it is now my pleasure to do so, and read the copy of the telegram which Huerta sent to President Taft, which is as follows:

CITY OF MEXICO, *February 18, 1913.*

President TAFT:

I have the honor to inform you that I have overthrown this Government. The forces are with me, and from now on peace and prosperity will reign.

Your obedient servant,

VICTORIANO HUERTA,
Commander in Chief.

Senators seriously contend upon the floor of this great Chamber that the President of the United States should recognize this man who says that he has overthrown "this Government." Yes, Mr. President; he had overthrown the Government by the assassination of its President, the President who was elected by the people. Huerta was the commander in chief of the army; he was sworn to support President Madero. After he had him assassinated and he had assumed the dictatorship of Mexico, he said the "forces are with me."

What forces, Mr. President, did he mean? Forces of right, forces of justice, the forces of the consent of the governed, or the brutal forces of assassination and fear—the forces that he himself commanded? Heretofore in this country, happily, I may say, we have consigned to the gallows those who have assassinated Presidents. Shall the United States—enlightened, civilized, Christianized United States of America, whose juries and courts have sent to death three assassins of Presidents—set before all of the civilized world the awful example of saying that the highway to rulership in Mexico and to recognition by us is by the assassination of the President? Suppose Booth, after he assassinated Lincoln, had cabled to England, "I have overthrown the Government and the forces are with me." What would the world have said if it had been suggested that he should be recognized? What would the countries of the earth have said if Guiteau, after he had fired the fatal shot that took the life of the great Garfield, had written with his bloody hands a cablegram to the countries of the earth, "I have overthrown the Government and the forces are with me"? Who would have suggested recognition of him to rule the people? Mr. President, what would the civilized world have said if Czolgosz, after he had fired the fatal shot that killed the beloved McKinley, had sent a cablegram to the powers of the earth, "I have overthrown the Government and the forces are with me"?

Mr. President, Victoriano Huerta has had no more right to rule in Mexico than any of these assassins would have had to rule in the United States of America. He has no more right to rule the people of Mexico than any other assassin would have the right to rule in any other country where his treachery, his treason, and his murder had caused the death of the ruler. There is this difference between Huerta and an ordinary assassin: The ordinary assassin at least has the brutal courage to perform with his own hands his awful act, while Huerta lacked that, but he had it done by those under his control.

The granite rock upon which republics rest and upon which governments are builded is the consent of the governed. Our soldiers went to war to give this right to the oppressed people of Cuba, to free them from the tyrant, and now shall we destroy that glorious history by recognizing a tyrant to rule a people?

Mr. President, the Senator from Massachusetts [Mr. WEEKS] says that according to national law there is no justification for war or for the President of the United States to demand that the insult to our flag should be apologized for. Let us consider for a moment what would have been said of the President of the United States by our political enemies if he had pursued the course advocated by the distinguished Senator. Senators upon the Republican side have grown vehement in their denunciations and criticisms for "watchful waiting." They sneered at that, and now when the President is acting they complain of that. Admiral Mayo, of the Navy, and not President Wilson, said that this insult called for a salute from the guns under the control of Huerta. I have not the slightest doubt, Mr. President, if President Wilson had said, "Oh, no; that is too much; just let him apologize; that will be all," that Senators upon the other side would have flouted his name. They would have declared he was unworthy to be President of this great Republic of brave men. They would have declared that he was unwilling to protect the flag of the Republic. President Wilson backed up the demand of Admiral Mayo for an honorable amend for the insult cast upon our soldiers, our country, and our flag.

Huerta insolently refused to grant the demand, and the President has asked our approval of the course he proposes to take. Some Senators say that the soldier and flag incident was immaterial. Why, Mr. President, I can not agree with them. The American citizens who have gone to Mexico have gone for the purpose of making money. They have a more fertile field to ply their trades than the one here offered them. They have greater opportunities to get rich, to accumulate and to build up a fortune.

When war broke out the President notified them of the danger. This great Republic offered to pay their expenses to leave Mexico, knowing, of course, that in a great war between forces the danger to a citizen, though a noncombatant, is practically as great as that to the soldier in the field. Many of them, thousands of them, took advantage of that opportunity and came home. Senators grow eloquent in describing newspaper reports and in reciting unconfirmed rumors about deaths of American citizens that have occurred in Mexico. I deeply deplore these casualties, as much as they do; but, Mr. President, has the soldier of this Nation, the boy in blue, nothing to be said for him? He did not go to Mexico looking for a fortune. He did not go there of his own consent. He had dedicated his life to his country's service. He was ordered there by the great commander of this Nation's Navy.

When he landed upon Mexican soil, with the Stars and Stripes above him, to do the service of this country, he was entitled to the protection of the forces that were in control of this Government. These soldiers were arrested; they were insulted; they were thrown into jail. This was an assault not upon one of the citizens who was trying to make a fortune in Mexico, who had been advised to leave there on account of the dangers of the war, but this was an assault and an insult to the whole people of the United States—to the farmer in his furrow, to the workman at his bench, to the millions of men in every field of endeavor everywhere throughout the Nation. Senators say, "You talk of the soldiers, you talk of the uniform, you talk of the flag"; but, Senators, remember this: If you do not protect the flag and the uniform, a day will come when you will have nobody willing to wear the uniform and no one willing to fight for the flag.

The difference, Mr. President, between the citizen who entered Mexico for the purpose of making money and the soldier who was insulted, arrested, and thrown into jail is that one was a soldier of fortune and the other was a soldier of his country.

Mr. President, in my judgment if the Senate had acted last night—and I cast no reflection on those who wished to debate the resolution—it is possible that no blood would have been shed at Vera Cruz. Whatever has occurred there, however, or might have occurred, it is now the duty of every Senator, it is the duty of every American at this time to uphold the acts of the Presi-

dent of the United States of America. It is no time to quibble now, Mr. President, about whether or not the preamble to the resolution is exactly right; no time now to dilly-dally about whether or not all of the reasons that could be suggested are given.

My understanding is that the Republicans agree that the President had a right to go to Mexico, but their objection to the resolution is that certain other things ought to be set out as the reason for his going. That time has passed. There is no time now for hairsplitting. Our soldiers are upon Mexican soil. Their blood has been spilt. The flag of our country flies from the parapet of the Vera Cruz fort. It is the duty of every Senator here to uphold the glory of that flag. It is no time to play politics.

Politics ends at the Rio Grande and patriotism takes its place. Mr. President, Senators who criticized the President of the United States a few hours ago must remember that this night, upon Mexican soil, President Wilson walks side by side with Uncle Sam, clad in the blue uniform of the greatest, freest Republic in the world, holding aloof in his hands the flag of this Nation—the flag of no party, of no creed, but the flag of a common country. With every star ablaze and every stripe aglow, it speaks the language of all our people, our love for its glorious past, our hope for its more glorious future. It is your flag, my flag, our flag, the country's flag.

Mr. President, I sincerely trust that before many hours shall have passed this Senate will pass this resolution, asked for by the President and say to Mexico and to the world that we are a united people, standing in solid phalanges against a common foe.

Mr. FALL. Mr. President, since I have been in this body, a Member of the Senate, I have never made a partisan speech. I believe I have never referred to politics in the Senate of the United States. I certainly shall not make a political nor a partisan speech upon this occasion.

On the 22d day of July, two years ago, I made a speech in the Senate of the United States upon the same subject which has been discussed here all day—the Mexican question—which at that time, to those who knew it, was of as much importance as it is to-night. I pointed out to the Senate of the United States at that time that affairs in Mexico, if allowed to drift as they were drifting, would result in dragging this country into a war; and at that time I referred to the acts of the Republican administration, then in power, as weak, imbecilic, and pusillanimous. I realize the fact that the present administration came into power with the Mexican situation complicated beyond the point which it had reached when I first spoke of it in this body. I have recognized the difficulties under which this administration has labored in dealing with the Mexican question, but I was not deterred then from expressing my convictions plainly and openly because of hope of patronage dividends, and I shall not be deterred now because of criticism from some man who has allowed American citizens to be murdered in Mexico without lifting his voice and only now feels his latent patriotism aroused when the American flag is, as he says, insulted at Tampico.

Who speaks of war in connection with the resolution which has been offered? Who refers to the possibility of war? The President of the United States, when, in his message, he says that in the event war should follow this peaceful action which he has now taken, and justification for which he now asks, the people of Mexico then would understand or should understand that it was only war against Victoriano Huerta and those who might support him.

The President has suggested war, and, with 4 American marines lying dead and 21 wounded and the Associated Press reporting that the *Prairie* is shelling the heights beyond Vera Cruz and 200 Mexicans have died, you know it is war now. What is it to those 200 men in the uniform of their country, soldiers obeying the orders of him whom they recognize as the constituted authority in Mexico? What is it to them, what is it to their families that the Senators report here what they declare to be a peace measure? Peace to the families of the American marines, peace to those writhing in their wounds, peace to the dead Mexicans, peace to those yet to die!

My God, Mr. President, if war is horrible, what is the appearance of this kind of peace? Mr. President, if a man dies for his country, as these Mexicans have died, or dies for his country as these marines have died, what is the difference to him that some orator in this assembly chooses to cry peace and that some committee in this assembly reports a resolution justifying his death in the name of peace?

The Senator from Missouri [Mr. REED] said that we sought by the amendment offered by the Senator from Massachusetts to combine the opposition in Mexico, while every effort on the part of the committee was to prevent this very combination. There is not a Senator upon the other side who does not know that read into your resolution is this same amendment which is offered, as has been said by the Senator from New York [Mr. ROOT]. There is not one of you who could justify your acts upon any other ground than that the people of the United States, the people of the world, and that posterity, judging your acts, will despite your vote read the debates upon this resolution and read into the resolution what you mean—that your only justification is the outrages upon American citizens, the destruction of American property, and the outrages yet being committed in the name of peace by those whom this resolution seeks to invite as allies of the "Prince of Peace" himself.

Mr. President, what message are you sending to my people on the border of this country? What message are you sending to the people of Texas, of Arizona, of New Mexico, of California? What message are you sending to the families of those women outraged by the people whom you invite to become allies of the United States in its attack upon Victoriano Huerta? What message are you sending to the fathers or brothers or mothers or sisters of those Americans who have died in Mexico, where they were invited to go by the silver tongue of your Secretary of State when he preached to the people of the United States of the beauties of Mexico and its advantages to investors, to American citizens, when he was so much impressed with its prosperity under free silver. [Manifestations in the galleries.]

The PRESIDING OFFICER (Mr. LEWIS in the chair). The Chair will insist upon the rule that there must be order maintained, and no demonstration disclosed in the galleries. Otherwise they will be vacated.

Mr. FALL. Mr. President, what message are you sending to the 30,000 American citizens who have been driven out of Mexico without a protest from this Government? On yesterday I received a communication from an old American, a veteran of the Civil War, now living upon charity in Passaic, N. J., who has been writing in vain to the Secretary of State that some little something might be done for him, because he had come out of Mexico at the call of the President and left his all there. From Mexico itself and from every State in the Union practically, sir, I have had pleas for help. In the past the Congress of the United States has listened to those pleas. You have allowed American citizens to be driven from Mexico, and you have voted money to pay their way to their friends when they were driven across the border at the muzzles of the guns in the hands of those whom you are now inviting to become your allies in your attack upon Victoriano Huerta.

I have here, sir, a list of 284 men, 301 women, and 1,286 children, American citizens, a list giving their names, who have been driven from their homes in Mexico, and an affidavit from P. H. Carlin, a former citizen of the State of Michigan, as to the circumstances under which they were driven out of Mexico. He tells you under his oath that these people were driven out after the revolutionists, some of whom are those you now welcome to your arms, had placed rapid-fire guns at the ends of the streets of the little towns in which they lived and had demanded that 10 citizens from each town be surrendered to them and that they should be killed. He proceeds in detail to tell you that after night, overland for 167 miles, they made their way to the American border, where stood the American troops and where waved the American flag, and that following every step that they took, hounding them night and day, were these constitution lovers, whom you now invite as your allies in war upon Victoriano Huerta.

This is the message which you will send to the people of the border. This is the message which you will send to those who remain behind mourning the American citizens whom the Senator from Kentucky [Mr. JAMES] dares to name as mere soldiers of fortune who have gone to an unmarked grave in the Republic of Mexico.

Mr. President, this is one gigantic mistake. It is time that attention was called to the sources of information which have impressed the Secretary of State of this great Nation apparently with the fact, as he understands it, that Pancho Villa is something more than an ordinary thief and murderer.

Why, sir, at the time the President of the United States sent his personal representative to Vera Cruz, to be close there to the scene of action in the City of Mexico, the Secretary of State, as reported by the papers, sent his personal representative to the southern border of the United States, there to enter into a conference with and to report upon conditions among the so-called constitutionalists.

Now, who was this representative? I think the records in the case, in the hearings reported by the committee, which have been referred to once before to-day, will show that Mr. Del Valle was at one time the paid attorney for the Maderos, who are backing the so-called constitutionalist revolution; and I think, further, and I take it upon myself to say, Mr. President, that the truth is that if the records do not show it the fact can be proven that the special representative of the State Depart-

ment to-day is a business partner of the Madero family, Mr. George R. Carrothers, the acting consular agent at Torreon and special envoy extraordinary to the court of Pancho Villa. This simply means prejudiced information or misinformation. It means an inaccurate judgment necessarily based upon facts which are not correctly stated. It means that no correct judgment could have been formed, and, as we of the border who are familiar with Mexico know, no correct judgment has been formed by the President of the United States as to the true conditions existing in Mexico.

I want to say, sir, now, in passing, that I have approved of the action of the President of the United States in refusing to recognize as the President of Mexico Victoriano Huerta. It is not love for Huerta which causes me to say to you upon my word as a Senator, one who for 32 years has been familiar, as I believe possibly no other Senator here has, with actual conditions existing in Mexico and with the Mexican people and the Mexican character—upon my word, I say to you that the President of the United States is at this moment uninformed or misinformed as to the conditions in northern Mexico. Otherwise, sir, he, as a Christian gentleman, as an intelligent man, as President of the United States, could not and would not have held out to Pancho Villa or Carranza not only the hope, but the promise, that if they did not directly support Mr. Huerta—for that is what he says in his message—no war would be made upon them, absolution would be granted for all the deaths which have occurred, and pardon would be extended for all the insults and outrages which we have endured at the hands of these bandits, and, substantially, that an alliance would be made with them, provided they would not support Huerta. The Senator from Missouri [Mr. REED] says that this is the issue which is drawn between the substitute proposed and the resolution offered by the committee.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Missouri?

Mr. FALL. I will state my proposition, Mr. President. This is the issue which the Senator says is drawn, that upon the one hand the committee says that we will divide the Mexican forces, and upon the other that the Senator from Massachusetts says by his resolution that all murderers look alike to him, whether they are pets of the Department of State or not.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Missouri.

Mr. FALL. For a question.

Mr. REED. The Senator has just stated that the President of the United States has said to Villa that he shall have immunity for all the murders he has committed. In what document——

Mr. FALL. I decline to answer any such question. I do not mean to be disrespectful to the Senator.

Mr. REED. The only refuge that the Senator can have is in declining to answer that question.

Mr. FALL. Mr. President, I do not think it is necessary——

The PRESIDING OFFICER. The Chair begs to recall the attention of Senators to the rule touching matters personal in debate not intentionally violated. The Senator from Missouri resumes the subject. Does the Senator from New Mexico yield to the Senator from Missouri?

Mr. FALL. No; the Senator from Missouri can not raise any personal question with me.

The PRESIDING OFFICER. The Senator from New Mexico will proceed.

Mr. REED. What was the last remark of the Senator?

Mr. FALL. I said the Senator could not raise any personal question with me.

The PRESIDING OFFICER. The Chair will reply to the Senator from Missouri that the Senator from New Mexico declined to yield further, and the Chair is compelled to respect the Senator's wish on that statement.

Mr. REED. I could not understand the remark. I could not hear it.

Mr. FALL. Kindly allow me to reply for myself. I said the Senator from Missouri could not raise any personal question with me.

Mr. REED. I have not sought to do so.

Mr. FALL. The Presiding Officer said a Senator could not engage in personalities. Is that explanation satisfactory? [Manifestations in the galleries.]

The PRESIDING OFFICER. The occupants of the galleries must maintain order. It is not a matter for the amusement of the galleries, but for the intelligence of the Senate.

Mr. FALL. Mr. President, I have said that you are sending a message to the people of the border, and I will ask to have read from the desk some telegrams from the people of the border. I will just read one, as I desire that one name mentioned in it shall not be published:

Senator ALBERT B. FALL, *Washington, D. C.:*

Is it possible our Government is proposing partnership with the thieving combination of pelados—

Which term might be translated as the lowest class of inhabitants—

who are trying to confiscate all property for personal use? Villa, his brother Alberta, Madero—

And one name which I refrain from repeating—

bringing out cotton and droves of cattle for their own private speculation. This outrage is unprecedented and will lead to serious trouble, even if our Government does approve.

I will ask that the Secretary may read the other telegrams, Mr. President.

The PRESIDING OFFICER. If there be no objection, the Secretary will read as requested.

The Secretary read as follows:

EL PASO, TEX., *April 20, 1914.*

ALBERT FALL,
United States Senate, Washington, D. C.:

Press reports Mexican ports in control of Huerta faction will be placed under blockade, and intimate that those in control of Carranza and Villa will be permitted to remain open. We hope these reports untrue. Enormous quantities of war munitions being entered through this port for Villa's forces, which we believe will be eventually used against the United States. Sincerely believe it is to the interest of our Government that all ports be closed. We personally know that situation in northern Mexico is bad, unstable, unreliable; and the rank and file of Carranza-Villa forces are against Americans, regardless of representations of leaders, and we are unalterably opposed to Villa as our ally.

TOM LEA.
CHAS. F. HUNT.
HARRIS WALTHALL.
R. M. DUDLEY.
GEO. CURRY.
J. R. FULKULSON.

EL PASO, TEX., *April 20, 1914.*

Senator A. B. FALL,
Washington, D. C.:

In honor and dignity don't let our country put in with these northern revolutionists who have robbed and murdered us at their pleasure. Take the whole country or none.

GEO. LOOK.

Mr. FALL. Mr. President, the President of the United States has said that this is not war; that—

It is only an issue between this Government and a person calling himself the provisional president of Mexico, whose right to call himself such we have never recognized in any way.

Mr. President, is it possible that the President of the United States could believe for a moment that in undertaking to deal, or in asking Congress to justify him in dealing, with Victoriano Huerta, as he does ask and as he has asked—that Victoriano Huerta, recognized as the President of Mexico by all the great countries of the world with the exception of this; that Victoriano Huerta, recognized in San Luis Potosi; in Tampico; in Guaymas; in Nuevo Laredo in the north; in Guadalajara, the richest city for its size probably on this continent, and the Athens of Mexico; with Guanajuato, the greatest silver camp in the known world; the City of Mexico; and the capitals of all the States of the 27 in the Mexican Republic in his hands except the capital of the State of Chihuahua and the capital of the State of Sonora alone—is it possible that the President of the United States has hypnotized himself into the belief, or has been hypnotized by his Secretary of State into the belief, that his attack upon Vera Cruz is an attack upon "a person calling himself the provisional president of Mexico"?

Mr. President, not in my words, but in the words of one of the leaders of the Democratic Party, sometime known to the President of the United States, Col. George Harvey, I may say that "never before, to our knowledge, while their countries were at peace and resolved—as the President says these countries are—to remain in amicable relationship, has one President declared war upon another President."

The Congress of the United States was called into joint assembly several months ago to hear the President of the United States read to them the instructions which he had given to his personal representative, John Lind, with reference to Mr. Huerta's title to the office which he claimed and as to the wishes and demands of the President of the United States with relation to the occupancy of the office; but, in so far as I know, never to Congress, nor even to the Committee on Foreign Relations, has been communicated that message which John Lind himself delivered to Victoriano Huerta.

Again referring to the authority to which the Senator from Rhode Island [Mr. LIPPITT] was referred by the acting chairman of the Committee on Foreign Relations, the public press, and again quoting that eminent Democrat, Col. George Harvey,

as my authority, I find that he says that the communication served upon Victoriano Huerta was as follows:

That unless Huerta, voluntarily and on his own initiative, retires at once from power and abandons every idea of controlling the organization of the Government and the conduct of negotiations, the First Magistrate—

In polite Mexicanized Spanish "the First Magistrate" is the President of the United States—

will find himself under the necessity of intervening by means of an ultimatum; and if this is not accepted, he will be obliged to propose to the Congress of his country the adoption of practical measures of a most serious nature.

But apparently the President has only found it necessary to appeal to the Congress of this country for justification of his act in committing an act of war, in sacrificing the lives of American soldiers, and in taking the lives of the poor, deluded Mexicans who went to death believing that Victoriano Huerta was the President of their country, irrespective of the opinion of the Chief Magistrate of this country.

Furthermore, Mr. President, the fifth article of this most remarkable document reads:

That such a course is absolutely necessary to the end that he [the chief executive]—

Polite Mexicanized Castilian for Victoriano Huerta—

merit the approval of the First Magistrate—

The President of the United States—

for the reason that the Government of the Chief Magistrate has firmly and irrevocably decided—

What Government of the Chief Magistrate? The Government of the United States—

by one method or another, to eliminate completely all assistance that Huerta believes he may receive from foreign sources if he persists in his proposal to remain in power, it being a further fact that only for a few days longer will he, Huerta, be free to select the course he chooses to follow.

Mr. President, in all my reading of the history of this or of any other country, and in my limited study of diplomatic correspondence, I have never yet known such a document as this to be issued by any Government or the representative of any Government.

What do those telegrams mean which have just been read from the desk? This flag, our glorious flag, to prevent a stain upon which some of our friends are so zealous—this flag, which to them means all, is to-day floating over the customhouse in the city of El Paso, Tex., in sight of fugitive Americans, driven from their homes in Mexico. They have appealed to those who have it in their hands, as the Senator has said, upholding it, and they have appealed in vain. It is floating there in the view of 720 Spaniards, driven from Torreon and forced to seek hospitality under its folds or to die the death pronounced upon them by Francisco Villa. There these Spaniards and these American citizens, of the same class as the Englishman Benton, who was driven from his home by Villa, are compelled to stand day by day and see their property stolen from them by Francisco Villa and brought across the line into the United States and in view of the flag of this Government taken from them and their heirs forever.

These Spaniards were robbed first by Francisco Villa a few months ago upon his entrance into Torreon of ₱3,000,000, a million and a half dollars in gold—all the ready money which could be raised in the city, and $500,000 more than all their ready money. The Secretary of State of this great Nation demanded, through George R. Carrothers, that the Spaniards seized by Pancho Villa at Torreon should be released; and he laughed in the face of the representative of this great Government, and sent his brother to the First National Bank of El Paso, Tex., with the drafts forced from these Spaniards under the fear of death, and had him remain in El Paso until those drafts were sent to New York for collection and the money was collected. In the meantime he held the Spaniards, in defiance of the order of this Government, as hostages for the payment of this $500,000.

Now he enters Torreon again, and he drives from his home every Spanish citizen in Torreon, and drives them from the cotton plantations of the Bolson de Mapimi district, the greatest cotton district south of the State of Texas, where millions of dollars' worth of cotton per annum are produced. When he takes the city of Torreon he finds upon the railroad platforms of Gomez Palacio, Torreon, and the surrounding towns, thousands of bales of cotton belonging to these poor Spaniards whom he has despoiled, and, having driven them from the country, he is now sending into the United States with impunity the cotton which he stole from them and is selling it under the folds of the American flag, to which they have appealed in vain.

Mr. President, George Look is an American, a large property owner in the city of El Paso and also a ranch owner and cattle owner in the State of Chihuahua, but he is compelled to see his cattle stolen by Pancho Villa, or like bandits, and driven across the line or butchered in Villa's butcher shop in the city of Chihuahua and the meat sold in the markets of El Paso, and he can not protect himself nor will this flag protect him.

Several months since I presented to the Secretary of the Treasury of this great United States a request that the rules providing for the shipment of goods in bond from Mexico might be amplified in a certain way; that is to say, Mr. President, I transmitted to the Secretary of the Treasury undisputed information that over ₱800,000—$400,000—worth of hides bought up by Americans and others in Mexico, who handled the hide business of northern Mexico, and baled for shipment, had been stolen by Pancho Villa and his bandits, and were then being shipped into the United States; and being fearful that under the laws of the State of Texas this property might be replevined by its owners, they billed it through in bond to Canada and then "dumped" it into New York.

I presented the request from the collector of customs, as well as the owners, that in making these shipments they should be compelled to put upon their manifest the brand on the hide, so that when it arrived in El Paso, Tex., the property could be proven. The great United States Government refused even to compel them to make the manifest show the only evidence by which the owners could prove property; and those hides were shipped through, with their owners telegraphing here for protection under the flag.

Mr. President, in the eyes of the Nation, or at least of these outraged citizens of other nations, under the peculiar circumstances existing as they do, with Pancho Villa and Carranza marauding with impunity because they can not be reached by Spain or by England or Germany—they control no ports, they touch no seacoast, and the only power that can reach them is the United States of America, unless we choose to permit the passage of armed forces of other nations through our borders—under these peculiar circumstances this nation, under its flag, stands to-day as a "fence" for the burglars, the bandits, the looters, the murderers of northern Mexico. We stand indicted in their eyes as receivers of stolen goods, and we propose to seize the ports of southern Mexico, to make war on Victoriano Huerta, and to accept these people before the eyes of the world as our allies in such war!

No, Mr. President. I know and you know and the President knows, as I said, that read into this resolution which you may pass, because it is written on the White House typewriter, is the amendment of the Senator from Massachusetts [Mr. LODGE] whether you adopt it by your votes or not.

Do you suppose that had it not been for the protection extended by geography and this country Great Britain, whose proud boast during the ages has been that where an Englishman stood there was British soil, would have rested satisfied for one moment with what is now acknowledged by Pancho Villa himself to be his deliberately lying account of the death of Benton? Do you suppose that Spain, shorn of all her power as she was by the result of a war with this country—that power at least which would enable her to meet upon equal terms any first-class nation—would for one moment stand idly by and see her citizens despoiled of their property in violation of solemn treaties, driven from Mexico, and murdered if they remained in Mexico? Never, except because of the circumstances to which I have called your attention.

We have stood between these murderers and bandits and the righteous wrath of the other nations of the world, and this flag to which you appeal has not been carried to the assistance of one of your own 40,000 citizens, 50,000 of whom have been compelled to leave Mexico, 4,000 of them at the muzzles of guns.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from New Hampshire?

Mr. FALL. I do.

Mr. GALLINGER. I should like to ask the Senator from New Mexico, who has such intimate knowledge of these transactions, why it is that the Spanish Government remains quiet when the citizens of that great country are driven out of Mexico and despoiled of their property; and why it is that Great Britain, which on a memorable occasion sent an army into Abyssinia to rescue a British subject, remains quiescent over the death of Benton?

Mr. FALL. Because, Mr. President, the United States—at least, so we are informed, again appealing to the only vehicle through which we receive information, the public press—has requested Great Britain and Spain and the other countries of the world to acquiesce in the "watchful waiting" policy which apparently has proven such a miserable failure. It is because of this, and because of the physical, the geographical, difficulty

that these people can not be reached by the forces which Great Britain sent into Abyssinia or by the Spaniards, except by crossing American territory. It is because, again, under what is known in the other countries of the world as the Monroe doctrine, if not so recognized here, this country has more than once refused to admit that any other country could invade a State upon this continent with the intention of remaining for any length of time upon its territory.

When in the throes of Civil War, as we were, and unable to enforce our demands, unable to carry out our policies, one country of the world did invade Mexico for the purpose of demanding and obtaining reparation, for the reason, as she answered us, that her citizens had been murdered and reparation had not been given. When the United States was in a position where it was able to make known its views and to enforce its demands the United States compelled that nation to retire.

There are ample reasons, Mr. President; but, sir, if Victoriano Huerta had committed these crimes and these offenses which have bloodied the hands of the bandits of the north, despite your Monroe doctrine and because of your "watchful waiting" policy, Great Britain and Spain would have been in Mexico, hammering at the gates which you are now opening with cannon, and demanding reparation and satisfaction.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico further yield to the Senator from New Hampshire?

Mr. FALL. I do.

Mr. GALLINGER. I quite understand that the Monroe doctrine, if carried out, would prevent colonization on American soil on the part of foreign Governments, but I did not suppose a demand from a foreign Government for reparation for outrages upon its citizens would involve that question. For that reason it is a matter of great wonderment to me that these foreign Governments have not in some way sought reparation. If I remember correctly, a citizen of the Empire of Germany was killed, or some outrages were committed upon him, months ago, and that Government did get reparation from Mexico. Am I correct?

Mr. FALL. The Senator is correct. Multiply it by 3, and make it $100,000, and the Senator would state the correct figures. That is true. As it happened, these citizens of Germany were killed at Pachuco, in the southern portion of Mexico, and they were not protected by the American Government nor the American flag.

Mr. President, I am one of those who believe that the American flag should be sustained by every American hand, and that when that flag is endangered, or when the voice of its bearer calls to its defense the citizens of this country from the remotest corners of the earth, they owe a sacred duty not only to defend it from attack but to follow it wherever it may go in aggression. I am one of those who believe that when this country calls its citizens to its flag their answer should be, "My country—right or wrong, my country." But, sir, I am also one of those old-fashioned citizens who believe that when you teach the children of to-day that the flag is nothing but a "fetish" to be worshiped as it floats over the White House; that it does not mean to them protection upon every sea or protection upon every soil; when you teach that doctrine, when you denounce an American citizen as a "soldier of fortune," not worthy of defense, because he may have crossed the border of this country, when you announce the doctrine that when he steps across the border no longer does that flag represent to him the mighty power of this Government standing behind him, with its 90,000,000 population and its untold wealth—whenever you inculcate that doctrine, then, sir, you can no longer call upon the patriotism of the citizens born under this flag to come to its defense nor to follow it into the field.

When the individual surrenders to and becomes a part of organized society or a unit of organized society, when he surrenders his individual right of self-defense and of aggression to the community at large, when he promises to that society or to that Government, right or wrong, his support, then when he is right, obeying the laws of the locality in which he may be residing, he is entitled to the protection of all we are accustomed to understand that the flag stands for.

Mr. President, when you announce a contrary doctrine, then, sir, you who announce it tear from that banner its stars and pollute its stripes. Are you afraid to announce that doctrine in the face of the world? Are you afraid to place even more power in the hands of the President than he asks? No one on this side is presuming for one moment to restrict the President in any way, but we are justifying him not only in what he proposed to do and in what he has done but what he may do. Let him go to the end, and we will follow him. We will follow him not only in peace but in war. We know that he has entered upon war. We are not disguising from ourselves the fact.

The Senator from Kentucky [Mr. JAMES] appealed for the support of the flag. I answer him, sir, that when volunteers are called for, as they will be called for, while I can not speak for Massachusetts except by her history, for every man who goes from Kentucky behind that flag there will be at least one of the descendants of those who fought at Lexington and Bunker Hill.

There is no sectionalism, Mr. President, in love of the flag. When you reach down into the heart of the American citizen and let him understand the issue, there is no difference of opinion as to the duty of this Government to support its citizens and to protect them and to avenge them. Let it go out to the world that you propose this restricted resolution that you may not meet united opposition in Mexico; ally yourselves with thieves and bandits and murderers, and then you will find where the American people stand. I, for one, want to save the Congress of the United States; I want to save the President of the United States from the results of his error.

Mr. President, what objection can there be to the Congress of the United States, in the face of actual warfare, as the Senator from New York has said, laying at least as a predicate for the acts already committed—or rather as an excuse for those already committed—a proper foundation which you all know to be behind the request of the President? What pride of opinion have you in this particular resolution? Do you take your inspiration only from the White House? Has the Congress of the United States reached that point where the majority of its Members not only will follow as they should where their leader goes, but that they will only follow the precept and the word of the leader; that you do not dare to change one line or add one reason to those reasons given by your committee upon which action is to be based? What is the objection to it? Why could your committee not write a resolution of its own? Why were you compelled to take a resolution handed you by some one else? Have you surrendered, Senators, all your prerogatives?

I am willing to admit that I think the President is in some respects an abler man than any Member of this body; but, Mr. President, I have not yet arrived at the point where I am willing, as one Member, to delegate to him the legislative powers completely. I am willing to follow his lead wherever he may take the flag, and not only with my voice and my vote but in any other way that he may need me; I am willing to follow him through this resolution if you insist upon having it in the hypocritical terms in which it is couched, because you know that embraced in it, underlying every word, and to be read between every line are the reasons announced in the substitute and spoken of so eloquently by the Senator from New York.

Mr. President, I have detained the Senate a greater length of time than I had intended. I hope that you will follow the suggestions offered by the Senator from Massachusetts. I certainly hope that my children may not be compelled to delve through the archives of this debate to ascertain my true reason for following the President of the United States into war.

The PRESIDING OFFICER. Previously to recognizing anyone the Chair desires to say to the Senator from New Mexico that the Chair clearly misunderstood the observation between himself and the Senator from Missouri, and the observation of the Chair touching the question of personal matters in debate was unnecessary.

Mr. FALL. I thank the Chair. It was entirely unnecessary for the Chair even to refer to the matter at all.

Mr. HITCHCOCK obtained the floor.

Mr. KERN. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Indiana for the purpose of submitting a request, and then the Senator from Nebraska will proceed.

Mr. KERN. I desire to ask unanimous consent that a vote be taken on the substitute at 1 o'clock to-morrow morning, and that immediately following it there shall be a vote on the principal resolution.

Mr. GALLINGER. Mr. President, there may be other amendments to be offered.

Mr. KERN. Well, on any other amendments offered.

Mr. OVERMAN. Not later than 1 o'clock.

Mr. KERN. My purpose in making the request is that we may conclude this debate and have a vote within a reasonable time, it being the purpose, in so far as we may control matters, that the Senate shall remain in session until a vote is had upon amendments and upon the resolution.

The PRESIDING OFFICER. Will the Senator from Indiana permit the Chair to suggest that he would like the Senator from Indiana to observe Rule XXIII and advise the Chair whether he thinks the suggestion made by himself could be

under that rule enforced; that is, respecting the preamble of the resolution?

Mr. KERN. Yes; a separate vote would be taken on the preamble. A vote on the preamble is included in the request for a unanimous-consent agreement.

The PRESIDING OFFICER. The Chair is compelled to suggest to the Senator from Indiana that the rule indicates to the Chair that the preamble must come up for a separate vote. The Chair may take the liberty to read the rule:

When a bill or resolution is accompanied by a preamble, the question shall first be put on the bill or resolution and then on the preamble, which may be withdrawn by a mover before an amendment of the same, or ordering of the yeas and nays; or it may be laid on the table without prejudice to the bill or resolution, and shall be a final disposition of such preamble.

Mr. KERN. The purpose of my observation——

Mr. LODGE. Will the Senator allow me a moment?

Mr. KERN. Certainly.

Mr. LODGE. I propose to modify my amendment so as to offer it with the resolution as a substitute for the whole report of the committee.

Mr. KERN. I so understood.

Mr. LODGE. That will avoid any difficulty about the preamble. I do that because the resolving words in the committee report differ, as I found after I had offered my amendment, from those which I had had. That will dispose of the matter of the preamble. It will be offered as a simple substitute for the resolution.

Mr. KERN. The idea I intended to convey was that there should be a vote on all pending questions connected with this subject matter.

The PRESIDING OFFICER. The request of the Senator from Indiana is in order under the statement of the Senator from Massachusetts. Does the Senator from Indiana desire to press the consideration now of his proposed unanimous-consent agreement?

Mr. KERN. I desire to ask unanimous consent that a vote be taken at 1 o'clock.

Mr. BRISTOW. I think we can get along very well——

Mr. WILLIAMS. A vote on the resolution and all pending amendments.

Mr. KERN. That is understood.

Mr. BRISTOW. I think we can get along very well without a unanimous-consent agreement for the present at least. I notice that one or two Senators who are not present expect to speak, and I would not want to consent to a unanimous-consent agreement in their absence.

Mr. KERN. The Senator from Kansas objects?

Mr. BRISTOW. Yes.

The PRESIDING OFFICER. The Senator from Nebraska [Mr. HITCHCOCK] is recognized.

Mr. HITCHCOCK. Mr. President, there is danger that we will lose sight of the true issue which is before the Senate of the United States to-night. That issue is a simple one. Expressed in the fewest words it is included in the question, Shall the Congress of the United States sustain the President in the exercise of his constitutional power in the action which he is now taking?

The question is not, Mr. President, whether the President of the United States was wise or unwise when he declined to recognize Gen. Huerta as president of the Mexican Republic. The question is not whether Gen. Villa is a murderer and an outlaw. The question is not whether Huerta is a drunkard and a despot. It is not even a question as to how far the United States may ultimately be compelled to go in performing its duties to civilization and to its southern neighbor. The simple question before the country to-night is whether the Senate will join the House of Representatives in sustaining the President who is within his constitutional powers and who is doing his duty as every one believes conscientiously, intelligently, and fearlessly.

Mr. President, that issue is presented in three alternative propositions to the Senate to-night. The first is the resolution which has been presented by the majority of the Committee on Foreign Relations. It is a simple resolution. It does not direct the President to do anything. It does not seek to analyze the Mexican situation. It simply contains the resolve that the President is justified in employing the armed forces of the United States if necessary to enforce demands of this Government for the unequivocal amends for affronts and indignities committed against this Government.

Mr. President, I do not see why the Senate should long hesitate in such a situation. If the President is within his legitimate power, his constitutional limitation, if the acts which he is taking are in the interest of the dignity and the honor of the American flag, why should the Senate quibble on the terms of the resolution indorsing his course?

The proposition presented here in the substitute offered by the Senator from California [Mr. WORKS] contemplates that the President shall be directed to abandon his efforts to exact amends from the government in Mexico and shall accept as sufficient the apology already made for the affront received by our marines in the harbor of Tampico. I am glad to say that there is probably only one Senator in this body and certainly few people throughout the United States who think that such a course should be pursued.

The third alternative, Mr. President, is presented by the substitute offered by the Senator from Massachusetts [Mr. LODGE]. I have a high respect for the Senator from Massachusetts and for the Senator from New York [Mr. ROOT], who so ably advocated the adoption of that substitute, but I feel justified in saying that that substitute is, above all things else, a covert attempt to criticize the President of the United States for his policy of the past year and to force upon the country a reversal of that policy on account of the internal conditions in Mexico.

That this is the proper construction to place upon that substitute is plainly shown, particularly by the speech of the Senator from New Mexico [Mr. FALL], who takes occasion in advocating the adoption of that substitute to denounce the President for his policy and to bring in here again all the criticisms of the past year and to seek to array here a partisan spirit in the very hour when the Senate should be united behind the President of the United States in the performance of his duty.

Why should we, the Senate of the United States, in this hour indict a miserable people and recite their shortcomings, their evil deeds, and their crimes committed during the last year? Can anything be gained in this hour by inflaming public opinion in this country and exciting antagonism and animosity in Mexico by the long recital of the crimes and miseries all too well known to exist in that Republic?

Mr. President, I can not view the substitute offered in this hour, and supported, as it is, by the rather violent attack upon the President, as anything less than an effort to take a partisan advantage of the situation and embed in a resolution of the Senate a criticism of the President for his policy in Mexico during the last year. The last paragraph of the proposed substitute resolution is practically a demand that that course be changed, and I regret to see that in the hour when the Senate of the United States should stand behind the President without respect to party, an attempt is made in this carefully phrased substitute to raise a partisan issue and to inflict an injury upon the President.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. HITCHCOCK. I do.

Mr. GALLINGER. I will ask the Senator from Nebraska, in all seriousness, if the preamble which the Senator from Massachusetts [Mr. LODGE] has submitted is a criticism upon the present President, is it not equally a criticism upon the last Republican President?

Mr. HITCHCOCK. Well, Mr. President, it may be, but I am not interested in that matter. The last administration is "a tale that is told."

Mr. GALLINGER. But, Mr. President, my suggestion was that it can hardly be called a partisan attack upon anyone.

Mr. HITCHCOCK. I am very much afraid it is, Mr. President, and my first suspicions to that effect have been gradually increased as I have heard the speeches on the other side of the Chamber by some Senators whose views are well known, who have been standing for armed intervention for months, and who have sought on every occasion to arouse public indignation against the President for his laudable attempts to preserve peace and, if possible, to avoid war.

Mr. CLAPP. Mr. President, will the Senator from Nebraska pardon an interruption?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I do.

Mr. CLAPP. There is much force, no doubt, in what the Senator is urging as to the preamble being a reflection; but does the Senator feel, in view of the conditions that have arisen since this resolution was introduced yesterday, that a mere reference to the facts presented by the President—which, of course, go to the insult—in view of the disparity of the strength of the two nations, is a sufficient warrant for pursuing a matter which already, if the reports are to be relied upon, has reached the point of war, call it whatever we may? I ask this question in all seriousness. I dislike to leave as a legacy a vote that amounts to a vote of war upon the mere circumstance of the arrest of these men, in view of the apology which those responsible for the arrest made, and in view of the great disparity

between the two countries. If it were some great power I should not hesitate a moment.

Now, I want to ask the Senator, if it might not be well at the end of the first paragraph of the resolution, on page 2, to add the words "and to insure the peace and security of life and property of citizens of the United States," in order that there might be something in the authorization, if it amounts to that, in the justification, if it amounts to that, in the approval, if it amounts to that, beyond the mere effort to require reparation for the insult?

Mr. HITCHCOCK. Mr. President, I think the President of the United States is wise in taking one step at a time. There is abundant time for war. As the acting chairman of the Committee on Foreign Relations (Mr. SHIVELY) well said this morning, we can declare war at any time. The present duty, the highest duty, for the Senate of the United States is to support the President of the United States in endeavoring to preserve peace. If the occupation of Vera Cruz shall serve as sufficient warning to "the powers that be" in Mexico, it may well happen that our operations in that Republic may begin and end in that city. Certainly in taking the action which he did the President was within his constitutional power. War may be necessary, as we all know, but it is still possible to avoid it; and so long as the President of the United States holds out the hope that war may be avoided, I think it is the duty of Congress to stand by him and insert nothing in the resolution which will contemplate going any further than is necessary to secure what the President seeks to secure by the occupation of Vera Cruz.

Mr. President, how idle and how false would be the last paragraph of these resolutions read if the proposed preamble were adopted:

Be it further resolved, That the United States disclaims any hostility to the Mexican people or any purpose to make war upon Mexico.

How idle and false would be that preamble if we adopt the preamble proposed as an amendment by the Senator from Massachusetts, with all the serious and grave charges against the people of Mexico which it contains.

Mr. CLAPP. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Minnesota?

Mr. HITCHCOCK. I do.

Mr. CLAPP. The Senator from Colorado [Mr. THOMAS] today suggested substantially the same amendment to the resolution reported by the majority of the committee as that proposed by the Senator from Massachusetts [Mr. LODGE]. What has the Senator to say to that?

Mr. HITCHCOCK. I am not discussing that, Mr. President. I stand for the resolution as it was reported from the committee, without any amendment.

Mr. CLAPP. Then the Senator would not favor that declaration as an amendment to the resolution as reported by the majority of the committee?

Mr. HITCHCOCK. I favor that declaration, that in taking this step, even though it be a bloody step, at Vera Cruz we do it without any malice or hatred toward the Mexican people.

Mr. CLAPP. But the Senator does not understand my question. The Senator from Colorado this afternoon sent up and made a speech on an amendment containing substantially the same provision that is contained at the end of the amendment proposed by the Senator from Massachusetts; that is, disclaiming any intention to take any part of Mexico. Now, the Senator is criticizing that feature in the preamble offered by the Senator from Massachusetts.

Mr. HITCHCOCK. The Senator is mistaken——

Mr. CLAPP. It strikes me to be just as much the subject of criticism when offered as a separate amendment to the resolution as reported by the majority of the committee.

Mr. HITCHCOCK. The Senator is in error. I am not referring to the amendment offered by the Senator from Colorado. The resolution offered by the committee of which I am a member contains this final paragraph:

Be it further resolved, That the United States disclaims any hostility to the Mexican people or any purpose to make war upon Mexico.

I say that declaration would be idle and would be false, if we preface it with a declaration that in Mexico there has been a state of "unrestrained violence and anarchy"; that there have been "numerous unpunished murders of American citizens and the spoliation of their property"; and then follow those statements with a further recital of all the evil deeds that have occurred in Mexico during the past years. I say it would be a contradictory thing for us to introduce a resolution with such a denunciation of the Mexican people and wind up with a declaration of friendship and affection.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to his colleague?

Mr. HITCHCOCK. I do.

Mr. NORRIS. I should like to inquire of my colleague whether, in his judgment, any of the claims made in the so-called substitute are untrue?

Mr. HITCHCOCK. Well, Mr. President, I hardly think it is a proper thing to enter into a discussion of that. I presume there is some truth in the statements referred to, and I think there has been also much exaggeration. I think it is beside the case, however, to discuss that now. But if it is true that there has been "unrestrained violence and anarchy" and "unpunished crimes against American citizens and others," certainly the course of the President in landing an armed force at Vera Cruz and asserting the dignity and strength of the United States will have a restraining influence in the future.

Mr. NORRIS. If they are not true, that fact alone would be sufficient objection to any such statement, I take it; but if they are not to be considered and it is not proper to consider them, whether or not they are true, does the Senator himself base the justification that we are going to adopt by our resolution entirely upon the fact that there has been a dispute about how a salute should be given? Does the Senator think that, standing alone, without anything else, such a dispute is sufficient reason even for us to take Vera Cruz?

Mr. HITCHCOCK. Mr. President, my colleague is mistaken in saying that the issue between the United States and the Huertista government is a question of the number of guns or the method of firing a salute. That was the statement made by the Senator from New York [Mr. ROOT], but it is inaccurate.

Mr. NORRIS. I have not made that statement as to the number of guns, but I think my colleague will certainly agree that had there been no dispute about the salute between the Government of the United States and Huerta the President would probably not have delivered his message and we would perhaps not have this resolution here. What I want to get at is the judgment of the Senator as to whether a dispute, not necessarily as it was defined by somebody else, but a dispute, I think, admitted by everybody, about the salute would be of itself a sufficient ground for us to take the step that has been taken and that we are asked to justify?

Mr. HITCHCOCK. Mr. President, I see no ground for the contention stated by my colleague. The United States is not taking the step because it disagrees with Gen. Huerta as to a salute. The United States is taking the step because Gen. Huerta refused to fire the salute, and in refusing to do so he practically added insult to injury by the nature of his statements and his contentions with our Department of State.

Mr. NORRIS. Mr. President, if my colleague will yield, I will put the question in another way and take his statement for it, which may be more accurate than mine; I will not quibble about that. Is the fact that Huerta refuses to salute the flag, in the judgment of my colleague, a sufficient reason for the steps that have been taken and that we are asked to justify by this resolution?

Mr. HITCHCOCK. Mr. President, I regret to see that there has been an attempt to narrow this question down to the diplomatic correspondence between Huerta and the United States on the question of the firing of a salute. The Senator will remember that in his address to the Congress the President enumerated a number of affronts and indignities which the Huertista government had inflicted upon the representatives of the United States and upon the representatives of no other nation doing business with him in Mexico.

Mr. NORRIS. Then, I should like to ask my colleague if there are other reasons, what objection there would be to stating those reasons in the resolution?

Mr. HITCHCOCK. The resolution states those reasons.

Mr. NORRIS. I think not.

Mr. HITCHCOCK. The resolution is as broad and comprehensive as the case warrants, and the Senator from Nebraska, my colleague, will find it in the preamble, which reads:

In view of the facts presented by the President of the United States in his address delivered to the Congress in joint session on the 20th day of April, 1914, with regard to certain affronts and indignities committed against the United States in Mexico,

Under those circumstances this resolution approves the course of the President and justifies his acts, not because of the failure to fire a salute but because of those indignities and affronts committed against the United States. One was the arrest of an officer from one of the vessels who went ashore to get the mail. Another was in seizing and holding—and I do not know but in opening—a dispatch of the United States to the chargé d'affaires in Mexico City.

Mr. NORRIS. Those were all, I believe, that the President mentioned. Now, I will ask the Senator whether any demand has been made by the United States for reparation excepting for the refusal of Huerta to fire the salute? Has our Government asked for any reparation, any apology, or anything that has not been complied with in reference to the holding of the mails or the arrest of the other official, or anything else that complaint has been made about on our part?

Mr. HITCHCOCK. Mr. President, I do not think my colleague expects me to go into the details of those diplomatic negotiations. I am not acquainted with them. They came before the President, and the President has acted. He is within his constitutional power in acting. He could have gone on acting and not have referred the matter to Congress at all; but he came to Congress. Shall we now present before the world the spectacle of even hesitating to justify the President in what he did?

Mr. President, I have said that this substitute, as offered here and supported by speeches from the other side of this Chamber, however carefully drawn and however ingeniously worded, is in its effect a criticism upon the President of the United States for his policy toward Mexico during the last year, and a demand upon him to change that policy and take those conditions into consideration in the future policy of the United States in Mexico. The substitute preamble is fairly worded, and it reads like any other preamble. It has the appearance of respect. It has the appearance of deliberation. It has the appearance of sustaining the President in what is he doing. But, Mr. President, while the voice is the voice of Jacob, the hand is the hand of Esau; and an unfair and an unwise attempt is being made to make of this occasion an opportunity for criticizing the President in the performance of his constitutional duty.

Mr. BRISTOW. Mr. President, it is not my purpose to speak at length. I simply desire to give, in a brief way, the reasons for the vote I expect to cast upon the resolution and the amendment.

We are called upon to approve the action of the President. Believing that the President has committed a great blunder and that his attitude is wrong, I can not vote to approve it.

I have not been one of the special advocates of peace that have been parading before the country during recent years. I have not made the advocacy of arbitration treaties a specialty, but I shall not give my consent to dragging my country into a war the results of which can not be foretold, unless the gravest situation confronts us and unless I am convinced it is a matter of vital concern to my country.

I am not one of those who believe that the period of military conflicts is past and have so stated from the public platform in recent months. I believe the world still will be afflicted with war. But I want to say that I am somewhat surprised that an administration which we were led to believe was devoted to the promotion of peace should be so hasty to plunge the country into war upon the first occasion that seemed to favor it.

I believe I am patriotic. I believe I love my country as well as any one of her citizens, but I do not believe it adds to its glory to bow to Great Britain, to shiftily avoid a controversy with Japan, and then, with a lion-like boldness, attack Mexico, as has been done this day.

Ah, my friends, I can not vote to approve that course, for I do not believe it is right. I shall vote for the Lodge resolution, as a substitute, if offered as printed, for I believe that if there are any reasons for war that resolution recites them. If that resolution is defeated, I intend to vote against the resolution reported by the committee, and if the Lodge amendment is adopted as a substitute, I believe I shall vote against its adoption as amended, because I am not yet ready to declare war upon Mexico.

No man can tell where the action of this day will lead. There have been quoted here to-night—and they impressed me with great solemnity—the words of President McKinley when he was struggling against the Spanish-American conflict—that it was easy to get into war, but the end was beyond control.

I must admit that I am under some embarrassment to-night. The President, in my judgment without justification, has made an attack upon Mexico. He has blockaded a harbor. He has taken a city. If the press dispatches are true, he has taken the lives of hundreds of the Mexican people and sacrificed the lives of American marines, and that is done in the name of peace.

I can not approve it, because, instead of leading to peace, it plunges us into war, and for what purpose? Is it to pacify Mexico, to restore peace and order there? If so, how?

Why, Senators, those of us who have given some study to the Spanish-American character know that we can not set up the same standards for them to follow in the administration of their Governments that we set up for ourselves, and the only way peace and order will be maintained in Mexico according to the standards we set up for ourselves is for the United States to administer the government of Mexico. Then, after the conquest has been completed, after we have set up a government there, after we have sustained that government, when shall we withdraw? Who will pay the bills? For what purpose will the sacrifice of treasure and life have been made?

These are questions which we should consider before we approve of the action that has been taken. I want to disagree with my friend the Senator from Nebraska [Mr. HITCHCOCK] when he says that he believes the President had a constitutional right to start this war—for that is what he has done.

I understood that Congress alone declared war. What is the avail of such a provision in the Constitution if war is begun by the President and is actually in progress before Congress is permitted to act? What, then, is there for the Congress to do? Of what use is a declaration when the armies of the United States and her navies are attacking cities, destroying fortifications, and blockading harbors?

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. I do.

Mr. CLAPP. The Senator and myself are much in sympathy. We have talked over this matter a good deal together, and what I ask is not in any spirit of criticism.

The consideration of this resolution 24 hours ago, to my mind, was one thing. Its consideration now is another thing. War has begun. There is no question about that. Now, the question is, can we limit the operations, can we lessen them, by refusing to adopt this resolution and conveying to Huerta the suggestion that there is a divided sentiment here, or can we more likely hasten their termination by giving Huerta to understand that this country is a unit?

I ask the question because it is one that the Senator and myself and all of us will have to face. I will say that I have no idea myself which way I will deal with it.

Mr. BRISTOW. I am free to admit, as I said a few moments ago, while the President has asked us to approve what he proposed to do, he has proceeded to do it before we had an opportunity to approve or disapprove. He has proceeded to plunge the country into a war. Now we are told that a disapproval will be alleged to be a refusal on our part to sustain our country when engaged in war with an enemy. I do not propose, however, to be put in that attitude. It has been said here to-night that we are to approve or disapprove what the President has done. I think he has done wrong, and I intend to say so by my vote.

Mr. CLAPP. Mr. President, will the Senator pardon me further?

The PRESIDING OFFICER. Does the Senator from Kansas continue to yield?

Mr. BRISTOW. Certainly.

Mr. CLAPP. The things the President has done since the scene in the House yesterday have now become history and are a part of the many mistakes that have been made in dealing with this question. We now face the question as to what will best serve toward terminating the warlike operations in Mexico. It seems to me that we have got to face it from the viewpoint of the present rather than the viewpoint of the time when the resolution was drawn.

Mr. BRISTOW. I am perfectly willing, so far as I am concerned, to take it from that point of view.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. BRISTOW. I do.

Mr. REED. I desire to ask the Senator from Kansas the same question which the Senator from Kentucky propounded a while ago. Does he think the President of the United States did wrong when he prevented the landing of 250 cannon and 200,000,000 rounds of ammunition to be used against us?

Mr. BRISTOW. As to whether those munitions of war would be used for us or against us would depend on whether or not we went to war with Mexico. If we did not declare war upon Mexico, they would not be used against us. I am not going to vote to declare war. If the President knew that war was going to be declared, he may have been justified; but I have understood that it was the business of Congress under the Constitution to declare war.

Mr. REED. If the Senator will pardon me a further interruption, does the Senator think the preamble offered to the resolution by the Senator from Massachusetts is a correct recitation of facts? He said he was going to vote for it. Does he think that it is a correct representation of facts?

Mr. BRISTOW. Yes; I think substantially so. I have said there is anarchy there and has been, and I intend to vote for the resolution offered by the Senator from Massachusetts, if I can do so without justifying the attack upon Mexico, as a substitute for the resolution of the committee.

Mr. REED. Does the Senator think that it is a correct representation of facts, and upon top of that, under the circumstances, that American sailors from our man-of-war were arrested in the very boat flying the American flag; adding all that together, does he propose to say that the President did wrong when he stopped the landing of the munitions of war to which I have just referred?

Mr. BRISTOW. So far as the arrest of marines is concerned, I think that Huerta—and what I say now is no justification of the Huerta régime, for four or five months ago I justified the President in refusing to recognize him as the lawful head of the Mexican Government—I think Huerta has made reasonable amends, and that the differences as reported to us between the Huerta government and the President in regard to the additional amends which the President desired were not a sufficient justification for the action the President has taken.

I am not ready now to say that if the Lodge amendment is adopted by the Senate as a substitute I shall vote for it in its final passage, because I do not believe that we have sufficiently exhausted all the diplomatic means for restoring peace in Mexico. In my opinion we are not yet justified in making war upon that helpless people.

Mr. REED and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Missouri or the Senator from Mississippi?

Mr. REED. If the Senator will permit me to finish what I was discussing with him——

Mr. BRISTOW. Yes.

Mr. REED. Would the fact that a battle is now on and that American sailors are defending our flag and are being attacked have any effect upon the judgment of the Senator?

Mr. BRISTOW. The Senator puts that in a false light. Mexicans are defending their country against an attack from us.

Mr. REED. Made, as the Senator says, for he says he is going to vote for the resolution offered by the Senator from Massachusetts, after a state of anarchy has existed, after numerous murders have occurred, and after our flag and uniform have been insulted. [Applause in the galleries.]

The PRESIDING OFFICER. The Chair must impose on the occupants of the gallery obedience to the suggestion made that there shall be no demonstrations in the gallery. The Chair hopes that it will not occur again.

Mr. WEEKS and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Mississippi or the Senator from Massachusetts?

Mr. BRISTOW. I can not yield at this time. I will yield to the Senator from Massachusetts in a moment.

The PRESIDING OFFICER. The Senator from Kansas will yield shortly, but not at present.

Mr. WILLIAMS. Will the Senator yield to me for a moment?

Mr. BRISTOW. No; I want to respond to the Senator from Missouri.

Mr. WILLIAMS. I should like to have the Senator yield for a minute, if possible.

The PRESIDING OFFICER. The Chair must hold that the Senator from Kansas declines to yield, but he says he will yield a few moments later.

Mr. WILLIAMS. I wanted to tell the Senator that the war is on, and that American sailors and soldiers have been already killed at Vera Cruz.

Mr. BRISTOW. The Senator from Missouri is mistaken. I do not intend to vote for the adoption of the resolution, even if amended by the Lodge substitute. Mr. President, I know that at the beginning of a war, before the burdens of the conflict appear, before the enormous drains upon our resources have been had, before lives are lost, before homes are devastated, it is easy to arouse the martial spirit of a conquering race, but I shall not be one to precipitate and start our country into a war without the gravest provocation—one more grave than has been presented here yet. It is, in fact, military conquest, against which we have protested from the beginning. I now yield to the Senator from Massachusetts.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. The Senator from Kansas yields to the Senator from Massachusetts, having been under previous obligations. The Senator from Mississippi will defer for a moment.

Mr. BRISTOW. Since the Senator from Massachusetts is not here at this moment, I want to read a statement from an extra of the Washington Post. It says:

A detachment of American Regulars were captured by the rebel forces just across the border near Hereford, Ariz., by Villa's bandit leaders. The troops were on border patrol, and as soon as they had crossed the international line were surprised and taken captives.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Missouri?

Mr. REED. I want to say to the Senator from Kansas that there is not a particle of official confirmation of that statement up to this moment.

Mr. BRISTOW. I do not know anything about it. I am just reading it. [Laughter in the galleries.]

The PRESIDING OFFICER. To the occupants of the galleries the Chair desires to say it would very freely grant permission to display sentiment respecting any patriotic feeling as American citizens, but the rules prohibit any expression of approval or dissent, and the Chair respectfully asks that the occupants of the galleries shall respect the rules of the Senate. It is a deliberative body and not an amusing one.

Mr. BRISTOW. The quotation that I read was from the Washington Post, an extra of 10.30 p. m. I have here an extra of the Washington Star, and in that I find this dispatch:

TENTH UNITED STATES CAVALRYMEN HELD.

DOUGLAS, ARIZ., *April 21.*

A special to the Douglas (Ariz.) International from Tombstone says news reached there to-day that 15 members of Troop B, Tenth Cavalry, were being held by constitutionalist troops at a point just below the border between Naco and Hereford, Ariz.

The troops, who were on border patrol, wandered across the line last night, without being aware of the fact. It is reported they were surrounded and taken prisoners by a large rebel detachment.

Troop A, Tenth Cavalry, left Fort Huachuca to-day to investigate.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Washington?

Mr. BRISTOW. I yield.

Mr. POINDEXTER. Has the Senator from Kansas any information whether or not the United States Government has taken steps to require Gen. Villa to salute the flag?

Mr. BRISTOW. I will state to the Senator from Washington that I realize the pertinency of his inquiry; but to me this is a very serious matter. To me it appears that this day we have started our country into a war the results of which we can not foretell, but which inevitably will cost thousands of lives of our own people, and lead us to kill and maim thousands of Mexicans—a nation with which we have been living upon friendly terms for many years. I do not believe that we exhausted all the means of diplomacy before this conflict was precipitated. I believe that the American people will be shocked when they read of the murders that are being committed in the name of peace. While, as I said, I have not been one of the special propagandists of peace, and I have not made a specialty of treaties of arbitration, I want to repeat that I will not vote to plunge my country into a war until driven to it either in its defense or to maintain its honor and its integrity.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Mississippi?

Mr. BRISTOW. I yield the floor.

Mr. WILLIAMS. I want to ask the Senator from Kansas a question before he takes his seat. He has just said that he was not willing to vote for this resolution until he had exhausted all the means of keeping the peace. I should like to ask the Senator from Kansas to designate one possible means of keeping the peace that we have not exhausted.

Mr. BRISTOW. I will say that in my humble opinion if the President had been as eager to preserve peace with southern Mexico as he has been to depose the usurper Huerta, we would not have had any battle at Vera Cruz to-night and human lives would have been saved. So far as the north is concerned, I do not know whether or not the statements that appear in the extra papers to-night are true.

Mr. NORRIS. I would not detain the Senate at this late hour, Mr. President, were it not for the criticism that has been made by my colleague [Mr. HITCHCOCK] against those who are supporting the substitute resolution. I absolve my colleague, of course, from any intent to misrepresent anybody; I know him too well to think for a moment that he would attempt to do anything of that kind. But yet I feel that I can not remain silent with the positive statement in the RECORD that those who were in favor of the substitute were guilty of a discourtesy, or were making any attempt to criticize the President of the United

States, or were undertaking to make of it a party question or to take any partisan advantage on the present occasion.

So far as I am personally concerned, Mr. President, the criticism of undertaking to make it a party question will not apply to me in this case or any other case that ever comes before the Senate for my official action. To me it is a serious charge to say that I am now trying to obtain a party advantage out of this Mexican question. It would take but one moment of thought for anyone to realize that any party advantage that can be gained here on this occasion will be on the other side of the proposition.

It is easy to say something nice about the American flag and the defense of the American flag and get the plaudits of a vast number of people, and I am aware that those who are opposed to this resolution will be subjected to the adverse criticism that we are not defending the flag, so that when I say that I am opposed to the resolution reported by the committee I realize just as fully as anybody can that I am taking the unpopular side of the proposition, but I am impressed with a conviction that I am right in taking it and, although I may be criticized now, I believe that the history of the years that are to come will show that I am right right now.

Mr. President, I am just as earnest in my denial that in supporting the substitute I for one would think of any such thing as a criticism of the President of the United States as I am in my denial that I am attempting by my conduct to get any kind of party advantage on this proposition. From the time that the Mexican question became acute, both during this administration and the one which preceded it, I have avoided on all occasions criticizing the President of the United States in the course that he was taking.

I believe that this is an occasion when party feelings should have no control or influence; but, as I have said, so far as I am concerned I believe that in every official action that any public official must take he should throw off his partisanship and decide every official action entirely on its merits and according to his conviction as to what is right.

It never occurred to me, Mr. President, that a man could not support the substitute resolution without being subjected to the criticism that he was disrespectful to the President of the United States. To my mind that is almost going to the extent of saying that he is not patriotic. In my humble judgment I was laboring under the impression that I was giving the President of the United States in my support of the substitute resolution a greater power and a greater discretion than will be given him under the resolution proposed by the Committee on Foreign Relations. I was laboring under the impression that in that substitute was a statement of the actual facts as they had existed and do exist. Until I listened to my colleague I supposed it was admitted by all, both those in favor of and those against the substitute, that as far as the statements made in the substitute were concerned they were all true. If any of them are not true, I for one should like to amend it and strike out everything that is false. If there is one sentence in it that is disrespectful to the President, I want to vote to strike it out, and if it does not go out I certainly would not support the substitute.

It seems to me we ought to be allowed here to exercise our discretion and our judgment and our reason without being charged with an attempt to take a partisan advantage of somebody, even if we could. It seems to me I ought to be allowed to exercise my honest judgment here in casting my vote without its being charged that I am trying to criticize or find fault with the President, unless you can point to some specific thing that can be fairly construed as a criticism of the President.

I believe that in time of war or in dealing with foreign relations it is the patriotic duty of the citizen to follow the President. Personally, I have not always agreed with the steps he has taken in this Mexican matter. I thought sometimes that a different course ought to have been pursued; but that never brought forth from me a criticism, and it would not have resulted in my opposition to any steps he wanted to take, because I would have been behind him every time to the extent of my ability, even though I did not agree with him as to what he was doing. I had faith in his honesty. I never doubted his patriotism and his good intentions. It is no disrespect to him to say that sometimes I did not agree with him. If that is the case, if disagreement is disrespect, then no man in this body can have any respect for any other man in the body or anywhere else, because I have never found two men who always agreed on all occasions on all things.

The President, in his message, started out with these words:

It is my duty to call your attention to a situation which has arisen in our dealings with Gen. Victoriano Huerta at Mexico City which calls for action—

Now, mark you—

and to ask your advice and cooperation in acting upon it.

I give the President credit for acting in good faith. He says: "I ask your advice and cooperation." In this matter he was not required to ask our advice. I do not believe he has done anything beyond his constitutional power. He came here voluntarily, and said with his own lips: "I am asking your advice and cooperation." Will you say to me that in acting in good faith upon his own request I am not patriotic or I am treating him with disrespect if I do not agree with him? Can it be possible that you are going to say that when the President calls upon you for advice and cooperation he is going to say to you in advance what advice you shall give him? Are we going to be basswood men or human beings with minds and with reason? Would the President respect us, would anybody respect us, if we should permit him automatically, when he has asked our advice, to tell us what advice we should give?

There is no disrespect to him. If he has come to us in good faith—and I take it that he has; I am giving him credit for that—then you can not say to the man who honestly disagrees with him and says so, that he is not true to the flag, or that he is trying to get a party advantage, or that he is discourteous to the President.

What would you think of a general—and the President is the Commander in Chief of the Army and the Navy—if, on the eve of battle, he called his subordinates about him in council of war and said, "I want to advise with you as to what we shall do on the morrow; I want your advice and cooperation; but I will tell you in advance what advice I want you to give me; and if you do not give the advice that I want, then you are discourteous to me; you are not treating me with respect?"

So, taking the President at his word, we ought to be allowed, if we are taken into consideration at all, to give our honest judgment without being accused of doing anything that is discourteous, and without being accused of trying to get some party advantage.

The President refused to recognize Huerta as the president of Mexico. I have always been one who believed that our President was right when he took that step. I believe, even though Mexico was recognized by all the other great nations in the world, that upon the President of the United States rested a greater responsibility than upon the head of any other Government in the matter of such recognition. I was glad to see our President rise to the occasion and do what, in my judgment, was right—refuse to recognize the man who had obtained the title to his office by treason to his superior officer, by butchery, and by murder. To my mind, the precedent of such a recognition, especially among nations that have not advanced further than Mexico has in civilization, would have been one of far-reaching consequences, the evils of which, if we had recognized Huerta, would extend down through generations and perhaps centuries. The only dispute, however, so far as this resolution is concerned, as I look at it, is whether or not Huerta shall salute our flag or perhaps not quite that far; perhaps a dispute as to how the salute shall be given, and as to how it shall be responded to.

It seems that there is a rule that has existed for a great many years between nations requiring one nation, upon demand, to salute the flag of another nation when it admits that it has committed some wrong against that nation. As the Senator from Mississippi [Mr. WILLIAMS] well said early in this debate, perhaps no people in the world are fully civilized; this matter of saluting the flag is one of the relics that has come down to us through the ages; and a hundred years from now, when the world has advanced farther in civilization, this silly custom, this foolish rule, this international courtesy that has outlived its usefulness, will be forgotten and will be unknown, at least in practice.

If that be true, and I believe it is, then it seems to me there is presented now to the American Government an opportunity to help get rid of this silly, foolish form—this ancient international custom of barbarism. When a man honestly and sincerely apologizes for a wrong he has done, he ought not be compelled to humiliate himself by the observance of some form that has no reason for its basis. These American sailors were wrongfully arrested. They were taken into custody by Huerta's soldiers. They were kept in custody only about an hour and a half, when they were released. Apologies were made; and Huerta himself, so the President says in his message, expressed his own personal regret. The admiral demanded, in addition to that apology, that Huerta should salute the flag.

I pass over the question of recognition. It has always seemed to me to be given more importance than it is entitled to. I will only say in passing that private citizens can not salute the flag of a nation, and it seems to me that when we demand a salute we recognize the government of which we make the

demand. I do not care for that, however. It may be technical, and I do not care for technicalities. Huerta either refused the salute or he could not agree with the President or his representatives upon the way in which it should be given, and the salute was not given.

Mr. President, when you simmer it all down, there is nothing in this resolution except the failure of Huerta to salute the American flag, and a demand, therefore, that we should use the armed forces of the United States to compel him to do so. As I look at it, there is not anything else in it. I would rather let the matter rest with the apologies that have been received, and not ask for the salute, or pay no attention to the refusal to give it, than to lose a single human life to preserve this ancient courtesy of barbarism existing between nations.

Mr. President, if I were President of the United States, or had been when this incident occurred, I would not have saluted the Mexican flag so long as the butcher Huerta had it in his possession. If they salute our flag, it means that we must salute theirs. I would not have saluted his flag and I would not have permitted him to salute the American flag if I could have prevented it. To my mind it would be a disgrace to have our flag saluted by a man whose only claim for power rests in treason, in murder, in human butchery.

It is said by my colleague that there were some other incidents. The President names them in his message. One is the holding up of the mail. The mail was not opened, or at least the President does not say so, and therefore I take it that the mail was not interfered with except to delay it. Another was the arrest at another time of some one from the *Minnesota*, I believe.

It must be remembered, however, that in every one of these cases redress has been given. At least the President has made no demand for an apology, no demand for a salute of the flag, no demand for anything in reference to those other incidents. There is only one thing stated in the message that he has asked for that he has not received and that is a salute to the American flag. So if we base the resolution upon the message—and we do, as I understand it—we say to the world: "Because this man refused to salute the American flag we are going to war."

I do not believe it is a sufficient reason. It may be popular now to have it go out to the country that we are defending the honor of the flag; but, Mr. President, this means war. It means that after every man who is within the hearing of my voice shall have passed beyond the river the Government of the United States will be paying pensions to widows who are made widows by this incident. No man can tell what may be the extent of the misery and the suffering that may be caused. The evil effects of the war will go on long after those who have caused it have passed away.

I want to give to the President the right to take any step that, in his judgment, he believes he ought to take; but I am not willing to base that step upon the single incident of a refusal on the part of this butcher to salute the American flag. I thought, when I was in favor of this other resolution, that I was giving to the President a broadened power, one that would give him the discretion to use this incident and a thousand other incidents if he wanted to, or not to use them if he did not desire to do so. I am willing to give to the President the right to say when he shall go into Mexico, if he goes at all, and I am willing to follow him in the course he takes regardless of what I personally might think was right.

But when the President comes to Congress and says, I want you to act officially, I want you to officially say before the world that when this human butcher refuses to salute the flag that is a sufficient reason for war, I decline to do it. I do not believe it is right. If this is disrespect, if this is discourtesy, if this is unpatriotic, then I am guilty. It may seem patriotic now, my friends, it may be popular now, but in my heart I believe that the time will come when the people, not only of the United States, but of the world, will realize that the Government of the United States ought to be broad enough to brush this murderer aside when he refuses to apologize and let the world march on in peace without war and without depredation.

Mr. President, I want to work in harmony with every Senator and with the President whenever I can agree with them. I would rather agree than disagree, but when I am called upon to act officially I am going to do what I think is right, even though I run the risk of being condemned as one who is not patriotic and who wants to criticize and censure the President of the United States. I disclaim, I deny, with all the emphasis at my command, any intention of being discourteous, and no evidence of such intention can be produced.

I want to say that when an amendment is proposed here that broadens the scope of approval to the President I have a right to support such amendment without having my motives impugned, unless there is some evidence sustaining such a charge; and if any man has any such evidence of it, let him produce it.

Mr. President, a war will bring to us and to those who follow us not only suffering and misery, but it will overburden the shoulders of succeeding generations of taxpayers to support the widows, the orphans, the sick, and the crippled, made so by those responsible for the war.

I know that war is sometimes necessary, but I am not willing now, and I do not believe I ever will be willing to say that any nation that is civilized is justified in going to war because somebody refuses to salute its flag.

Mr. CLAPP obtained the floor.

Mr. GALLINGER. Mr. President——

Mr. CLAPP. I yield to the Senator from New Hampshire.

Mr. GALLINGER (at 1 o'clock and 5 minutes a. m., Wednesday, April 22). I desire to ask the Senator from Indiana [Mr. KERN] if he does not think it would be wise at this time to try to get an agreement to vote?

Mr. KERN. I would be very happy to do so.

Mr. GALLINGER. Say, at not later than 3 o'clock or half past 2 o'clock.

Mr. KERN. I will ask the unanimous consent of the Senate that a vote be taken on the pending resolution and all amendments thereto not later than 2.30 o'clock this morning.

Mr. BORAH. Will the Senator from Indiana make it 2 o'clock? It seems to me that we might as well vote at 2 o'clock.

Mr. KERN. Yes; I will make it 2 o'clock, if that will suit the convenience of Senators.

Mr. SHIVELY. No one on this side wants to speak.

Mr. KERN. I will make it half past 1 o'clock.

Mr. GALLINGER. If the Senator will permit me, from conversation I have had with Senators on this side I am quite sure that half past 1 would not give us a sufficient length of time.

Mr. KERN. Very well; say 2 o'clock.

Mr. GALLINGER. I will say that I had intended to occupy a few minutes myself, but I will forego that, and I think some other Senators will do the same; but I feel sure that a vote could not well be taken before 2 o'clock.

Mr. KERN. We will say 2 o'clock.

Mr. SMOOT. I will say to the Senator from Indiana that I have no objection to 2 o'clock, although it will preclude me from submitting the remarks I intended to make. But I am perfectly willing to do that in order to get an agreement to vote at 2 o'clock.

Mr. KERN. I will ask for an agreement to vote at 2 o'clock, then.

Mr. GALLINGER. Before that is done I will ask unanimous consent that the rule which requires that the roll shall be called before a unanimous consent is given may be suspended.

The PRESIDING OFFICER. It is asked that the rule requiring the roll to be called before unanimous consent is given be suspended. The Chair hearing no objection——

Mr. BRISTOW. Mr. President, what kind of a precedent are we setting here now?

Mr. GALLINGER. I think we can do it by unanimous consent.

Mr. BRISTOW. Suppose there are only six Senators here and there is a unanimous-consent agreement, the rule being suspended. No one can tell what would happen under such a practice.

Mr. GALLINGER. Let the roll be called.

Mr. BRANDEGEE. I have no objection to the unanimous consent, but I raised the question at the time we adopted the new rule, and I was scouted at for raising it. It was said that no Senator would ever ask that the rule be suspended.

Mr. GALLINGER. Let the roll be called.

The PRESIDING OFFICER. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Martine, N. J.	Simmons
Bankhead	Goff	Nelson	Smith, Ga.
Borah	Gore	Newlands	Smith, Md.
Bradley	Hitchcock	Norris	Smith, Mich.
Brady	Hollis	Oliver	Smith, S. C.
Brandegee	Hughes	Overman	Smoot
Bristow	James	Page	Sterling
Bryan	Johnson	Penrose	Sutherland
Burleigh	Jones	Perkins	Swanson
Catron	Kenyon	Pittman	Thomas
Chamberlain	Kern	Poindexter	Thornton
Chilton	La Follette	Pomerene	Tillman
Clapp	Lane	Reed	Townsend
Clark, Wyo.	Lea, Tenn.	Robinson	Vardaman
Clarke, Ark.	Lee, Md.	Root	Walsh
Colt	Lewis	Saulsbury	Warren
Crawford	Lippitt	Shafroth	Weeks
Cummins	Lodge	Sheppard	West
Dillingham	McCumber	Sherman	Williams
Fall	McLean	Shields	Works
Fletcher	Martin, Va.	Shively	

Mr. KERN. I was requested to state that the Senator from South Carolina [Mr. TILLMAN] is unavoidably absent. He is paired with the Senator from Wisconsin [Mr. STEPHENSON]. This will stand for the morning.

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, there is a quorum present.

Mr. KERN. Now I ask unanimous consent that the Senate proceed to vote on the pending resolution, the substitute, and amendments in their proper order at 2 o'clock this morning and continue to so vote until all are disposed of.

Mr. GALLINGER. Without debate?

Mr. KERN. At not later than 2 o'clock.

Mr. PENROSE. Without debate?

Mr. LODGE. Without further debate?

Mr. KERN. Yes.

Mr. POINDEXTER. I object.

The PRESIDING OFFICER. The Senator from Washington objects.

Mr. KERN. Then I ask unanimous consent that the Senate proceed to vote on the resolution and amendments as stated not later than a quarter after 2 this morning.

Mr. POINDEXTER. This is a matter of the gravest possible importance. I do not believe that the time ought to be fixed for taking a vote. I do not expect to occupy any of the time of the Senate, or, if at all, not more than 10 minutes, but I object to fixing the hour for taking a vote. As long as any Senator desires to be heard upon this matter I think he ought to be heard.

Mr. KERN. I understand the Senator, then, will object to any unanimous-consent agreement.

Mr. POINDEXTER. I will at this time.

Mr. GALLINGER. Would not the Senator agree to half-past 2?

Mr. POINDEXTER. I object to fixing an hour.

Mr. PENROSE. Why would not 10 o'clock to-morrow morning do?

Mr. POINDEXTER. Mr. President, I will say in this connection there is no reason why this matter should be disposed of to-night. It was the Senator's own suggestion that he would undertake to hold the Senate in session continuously until it was disposed of. Events are moving on. The President is acting with full power and full discretion. There is no emergency for action by the Senate to-night.

Mr. KERN. The Mexican Parliament and the nations of the world are witnessing the spectacle of the American Senate refusing to stand by the President of the United States at this moment of danger and peril.

The PRESIDING OFFICER. The Chair understands that the Senator from Washington objects to the unanimous consent. Is the Chair rightly informed?

Mr. POINDEXTER. The Chair is rightly informed.

The PRESIDING OFFICER. Then the Chair recognizes the Senator from Minnesota [Mr. CLAPP].

Mr. CLAPP. Mr. President, if this vote had been taken 24 hours ago, I would not have voted for the resolution as reported by the committee, or even if amended as proposed by the Senator from Massachusetts, for I do not believe that 24 hours ago there was any excuse or justification for the passage of the resolution. In the first place, the resolution at that time was absolutely without any meaning whatever. It did not ask for any authority. The President, as I read his message, insisted that he had all the authority necessary to meet the conditions. In that connection, let me say that I do not attach importance to the criticism that delay in the consideration of this resolution has at all interfered with the President's activities. He has gone on independently of the delay in the passage of the resolution.

Mr. President, in view of the changed conditions in the last twenty-four hours I shall not devote much time to the discussion of the President's message. The spectacle of the President asking Congress to pass a resolution which contains no authority whatever will ever remain as one of the novelties of the present time. The facts recited in the President's message were without any warrant as a justification for steps that were destined inevitably to lead to war. No man can hold the honor of his country in higher esteem than I do, but I submit that when men have been arrested, as these men were, and the arrest found to be a mistake, and those arrested were promptly discharged and an apology made by the commanding officer, and then an apology made by Gen. Huerta himself, taking into account the fact that here is a Nation of 90,000,000 of people, with resources without limit, and there a handful of sixteen or seventeen million people, torn and distracted by civil war—as to any demand for recognition being made upon a man whom the President had refused to recognize because of the method by which he had obtained his power, this great Republic could well have paused and lost nothing of self-respect or of honor or prestige among the nations of the earth. I go a step further, and taking the statements contained in the substitute offered by the Senator from Massachusetts [Mr. LODGE], there is nothing that will warrant me at least in casting a vote that means a declaration of war.

I was impressed this afternoon by the statement of the Senator from Colorado when he said he would not exchange one bright, clean American boy, the hope of a father and the center of a mother's love, for all the population of Mexico. Unpopular as it may be, I would go a step further than that. I know a boy who is the hope of his father and the center of his mother's love and affection, and that boy is ready to-day, under the benediction of father and mother, to go forth with their godspeed whenever this country needs his services, but I would not see that boy sacrificed simply to maintain peace and order in a conflict between bandits down in Mexico or to preserve the property of the men who having exploited our own Government have gone through their emissaries to Mexico to exploit that government, and, of course, I would not ask any other man for the sacrifice of his son. So, even if the facts recited in the preamble offered by the Senator from Massachusetts were true, I would not take it as a justification for a step that would lead to war. War means too much of human misery, suffering, and sorrow. We ought to have reached, after 19 centuries of Christian civilization, a point where a great, powerful nation like ours, that should be in the vanguard of the spirit of peace throughout the world, could well afford to overlook the final offer of recognition and apology involved in a salute at the hands of a murderer and a villian.

But since this resolution came into the Senate a changed condition confronts us. It is no longer a question of justifying the President. I do not believe his act can be justified. I believe his policy has been a series of mistakes through the long months that have intervened since he took his office, with reference to the Mexican situation. I believe that a bold, firm stand that indicated no choice between the factional leaders in Mexico would have brought peace to Mexico; but instead of that it has been a policy of drifting, a policy of waiting, called "watchful waiting." It might well be termed "careless drifting." It is no longer a question of indorsing or withholding indorsement of the President. It is now a broader question, involving the lessening of bloodshed. War is in existence to-night in Mexico. Call it what you will, when the soldiers of one nation are shot in open conflict by the soldiers of another nation, it is war. It does no good to disguise it under any other term.

Mr. President, for one, I am confronted with this situation: We can not stop the President; I wish we could. I wish he could have seen months ago; I wish he could have seen yesterday morning; I wish he could still see the pathway to peace. But there seems to be some condition, some influence, some purpose—and I do not question the integrity of that influence or that purpose—that is leading him on. We can not stop his course, and the question with me to-night is, the question now is, if it were in my power to pass or reject this resolution, which act would most likely conduce to the saving of bloodshed and the speedier peace in Mexico?

I believe the time has come when Mexico should realize that there is but one voice now in this land. Forgetting the mistakes, ignoring the errors of the past, withholding for the present our criticisms, if we should by any means defeat the passage of this resolution, it would mean encouragement to those forces—for the President has made up his mind for some reason to go forward down there. If it were in our power to stay that force, I would be only too glad to cast my vote to stay the hand that is leading on to war in Mexico, that has already lead to war, for now war it is; but it being beyond our power to do that, he having the constitutional right to do what he has done and to do what he is doing, the question is, What course of ours will have the greatest effect upon that force which is opposed to the force, the policy, and the activities of the President; what course of ours will most likely lessen further bloodshed.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Kansas?

Mr. CLAPP. With pleasure.

Mr. BRISTOW. I want to inquire of the Senator from Minnesota if the acceptation of the theory which he is now presenting would not practically place in the hands of the President the power to declare war whenever he sees fit to do so?

Mr. CLAPP. I do not want to be captious, but I want to answer the question by asking the Senator does he know any

way to stay the progress of the President? I do not; I wish I did.

Mr. BRISTOW. If the Senator will permit me to answer, my judgment is that if this resolution were defeated the President would stop; and it would be the best thing, in my opinion, that could happen to the people of the United States and Mexico to stop the slaughter that is going on to-night.

Mr. CLAPP. Mr. President, if the Senator's conjecture is right, there is no question about that; but after coming to the Congress yesterday morning, after assembling the Congress in the Hall of the House of Representatives, after talking about wanting to confer with the Congress, he has gone on without any reference to the Congress. What is there in that course to justify the hope that, even if it were within our power to defeat this resolution, we could stay his hand and his purpose?

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. CLAPP. With pleasure.

Mr. KENYON. The question I desire to ask the Senator is suggested by that of the Senator from Kansas. Does the Senator from Minnesota mean to say, or does he believe, that if this resolution were defeated it would stop the slaughter?

Mr. CLAPP. Is the Senator asking the question of the Senator from Kansas?

Mr. KENYON. I am asking the Senator from Minnesota.

Mr. CLAPP. I do not. That is the argument I was making when the Senator from Kansas suggested that if the resolution could be defeated it would stay the purpose of the President. Of course, if the defeat of the resolution would stay the President, if that is true, of course it would end the slaughter; but the trouble is it would not stay the President. He has gone on regardless of what might be done with the resolution.

Mr. BRISTOW. Mr. President, do I understand——

The PRESIDING OFFICER. Does the Senator from Minnesota yield further to the Senator from Kansas?

Mr. CLAPP. I do.

Mr. BRISTOW. Do I understand the Senator from Minnesota to believe that if the Senate of the United States refused to approve this war which the President has driven the country into, in defiance of Congress, the war-making power, he would continue to prosecute the war?

Mr. CLAPP. I have no more doubt of it than I have of my existence.

Mr. BRISTOW. Then, I say the Congress of the United States should stay his hand by refusing to furnish him men and arms to murder and destroy the people of Mexico.

Mr. CLAPP. Ah, but the trouble is he will then have us in the same dilemma that we are in to-night—we stand like a man with his back to the wall. There is no way of staying the hand of the President. He can push on to Mexico in the alleged cause of peace; he can push on to Mexico in the alleged cause of preventing the importation of arms; he can push on to Mexico in the alleged cause of maintaining the honor of this country; and we are powerless to prevent him. It is true that under the Constitution the power to declare war is vested in Congress, but, nevertheless, the power to make war, unfortunately, is in the hands of the President, as has been demonstrated by the activities and events of the last 24 hours.

Mr. BRISTOW. Mr. President, will the Senator yield to me again?

The PRESIDING OFFICER. Does the Senator from Minnesota yield further to the Senator from Kansas?

Mr. CLAPP. Certainly. I want to say, however, that there is no one in the Senate more in sympathy with the purpose of the Senator from Kansas than I. Twenty-four hours ago I think we were agreed upon this question. The only difference is that to my mind now the question seems to be not what this resolution was then, but what is the condition we deal with to-night?

Mr. BRISTOW. Let me inquire again of the Senator, if he will pardon me, in the event this resolution were defeated and the President continued to prosecute the war without the approval of Congress, would not that be a usurpation of authority?

Mr. CLAPP. Well, I am very free to admit that for five long years we have witnessed a questionable exercise of authority in the Executive office, but we have not been able to stop it.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Idaho?

Mr. CLAPP. With pleasure.

Mr. BORAH. Mr. President, as I understand this resolution, and the attitude of the President with regard to it, it does not refer to the proposition of declaring war at all.

Mr. CLAPP. No.

Mr. BORAH. The President does not regard this resolution as authorizing him to declare or carry on war, and according to his declaration he does not regard what he is doing as declaring or carrying on war. We are only asked to justify what he has done, which he interprets to mean an effort to bring about peace.

Mr. CLAPP. Certainly; but the great fact remains that the war has come; we are in the midst of war to-night. I do not think there is a Senator within the sound of my voice who would deny that we are in war, although Congress has not declared war. A President can keep the country in turmoil and actual war, except that the Congress——

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Pennsylvania?

Mr. CLAPP. In just a moment, when I finish the sentence—except Congress might in its power sooner or later deprive him of the sinews of war.

Mr. OLIVER. Mr. President, I merely want to ask the Senator from Minnesota to explain a little further his position. It seems to me that all that is sought to do in the pending joint resolution is to vote a justification of the President in the action which he has taken leading up to the present condition.

Mr. CLAPP. Oh, no.

Mr. OLIVER. For my part, I do not see that my vote should be any different now from what it would have been 24 hours ago; in other words, I do not see that the events of the last 24 hours permit me to vote as an individual in justifying what the President has done if I did not believe 24 hours ago that he was justified. I intend to vote against the joint resolution, unless it is coupled with the Lodge amendment; but if that is voted down and we are forced by the President's acts into a war with the people of Mexico, I will consider the then existing conditions, and, if necessary, I will vote the supplies to enable him to carry on the war, although I do not see that I am now called upon to justify the acts that he has done leading up to this condition.

Mr. CLAPP. Does the Senator question that we are already at war with Mexico?

Mr. OLIVER. I do not think that makes any difference.

Mr. CLAPP. Well, that is another question. But does the Senator concede that we are at war with Mexico?

Mr. OLIVER. It looks very much like it when two armies get to fighting and shooting each other.

Mr. CLAPP. Now, Mr. President, there is this difference, and that is what I was proceeding to point out: Until the President led us into war I did not think he had done anything that was justifiable. His getting us into war I do not think is justifiable.

Mr. OLIVER. Then, Mr. President, why does the Senator vote that he is justified?

Mr. CLAPP. But to refuse to adopt this joint resolution in the midst of war would encourage the enemy to believe that there was a division of sentiment in this country, prolong the struggle, and result in a destruction of life, whereas to convince that country and that Government that there is now but one voice in this country, and that is the voice of our Government, will be to discourage opposition to the Government, lessen the probability of the continuation of the struggle, and lessen the destruction of human life. It is a condition now; it was a theory 24 hours ago.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Utah?

Mr. CLAPP. With pleasure.

Mr. SMOOT. I should like to ask the Senator if the best way to convince the people down there that we are in dead earnest in this matter would not be to have Congress immediately declare war under the Constitution? We are in war now, so why not have the Congress at this time declare war?

Mr. CLAPP. Well, war is on. We are in war. A declaration of war to-day would simply give to the President of the United States certain recognized relations to foreign countries outside of Mexico that he has not already got. So far as concerns the fighting of soldiers and the slaughter of men, we are in that already, call it whatever you may.

Mr. President, I admit that the problem is difficult of solution. It is a hard thing to stand here and vote on a resolution containing the word "justified" when I do not believe the President has been justified; and I would not for one moment vote for the resolution if I did not believe that being in war already it will lessen the duration of that struggle if we give Mr. Huerta and his government to understand that this Government is behind the President. In my opinion, it is no time to waste time and energy in the definition of terms. The country knows, the world knows, that it is not alone this insult;

and the President will learn in the bitter school of experience that instead of the resolution of the Senator from Massachusetts consolidating Mexico, his attack upon Huerta, who is one of the great factors in Mexico, will consolidate Mexico against the United States. The President may just as well make up his mind at one time as another that he has to deal with northern Mexico before he gets through with this matter just as certainly as he has to deal with southern Mexico. Blood is thicker than water; and the attack upon Vera Cruz will, in my humble judgment, go very far to solidify the people of Mexico in the defense of a common cause which they will recognize as their national cause.

The President has taken this step. He has taken the responsiblity. It rests with him, and he is welcome to whatever he gets out of it. It is to be regretted that it was taken. But now, Mr. President, the house being on fire, the first thing to be done is to put out the fire, and settle these differences afterwards.

Therefore, reluctant as I am to vote for this resolution, I can not consistently with my convictions encourage Mr. Huerta into further resistance by casting a vote against the resolution, because I must vote on it.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator for a moment?

Mr. CLAPP. Certainly.

Mr. CHAMBERLAIN. I will ask the Senator if he does not think the country will conclude that the Senate is playing the part of a lot of cowards in refusing to the President what he asks?

Mr. CLAPP. No; I do not think so. I think when the country comes to settle down from the hysteria that yesterday's proceedings threw it into it will realize that a grave mistake has been made. I believe, however, as long as the building is on fire, that our first duty is to ignore the differences until the fire is extinguished. Believing that, and believing that to defeat this resolution would encourage the opposition, prolong the warfare, and extend bloodshed and despair and misery to those people, I for one feel that I must vote for the resolution. Therefore I shall cast my vote in the affirmative when the vote upon the resolution is reached. It is an unfortunate condition, but we are dealing with a condition and not with a theory.

Mr. TOWNSEND. Mr. President, history has been made most rapidly during the last 24 hours. Grim-visaged war has made his unwelcome entry into our deliberations since we began them on yesterday. God only knows whether this day will mark the beginning of another of those epochs in our national life made epochal by armed international conflict. The dream of peace which for 16 years has lulled our beloved country into sweet sleep has been dispelled by the boom of cannon and the groans of the dying.

Never before have I been so deeply impressed with the awful responsibilities which rest upon Congressmen. In their hands lie the power to declare war. I had fervently hoped that no occasion for exercising that power would ever arise again, and especially not while I was a Member of the United States Senate. Senators may try to deceive themselves into believing that what has been done to-day in Mexico is not war, but the three American mothers who mourn their dead sons, the lifeless bodies of 200 Mexican soldiers in the streets of Vera Cruz, the awful depression experienced by the thoughtful people of two heretofore friendly Republics, all testify to the fact of war.

I fear that the passage of the pending resolution will not decorate the page of history which records it. It recites no sufficient justification for what has been or for what will be done by this Government. But discussion now of the resolution will be of no avail. Whether it shall pass or not will make no difference with the course of events. The die has been cast. The flag has been carried at the head of our Army into Mexico, and there I fear it will remain. The American people have always been loyal to their flag. They always will remain so. They will not stop to consider congressional resolutions of approval or of disapproval after the act has been done. They will approve without consideration.

The time for discussion, I repeat, has passed. Debate should have occurred months ago. When our policy, or lack of policy, was carrying us inevitably into armed intervention in Mexico, then was the time when the Congress should have demanded information, should have insisted upon knowing what was being done. We have not known. This Senate has been derelict in its duty by sitting in almost silent inactivity. We know now that we have made a mistake. We should have insisted upon being advised as to all that was being done between the United States and Mexico. I am sorry that Senators do not feel like broadening the preamble to the resolution; not that such a change would make any difference with the President's actions or with current events, but because it would give a semblance of justification for this day's and to-morrow's work in Mexico. The situation in our country now is not the same as it was when the resolution came to the Senate. We can not justify to the satisfaction of ourselves, of our country, or of the world the action of the President in forcing war upon Mexico by the reasons given by him in his last message to Congress and incorporated in this resolution. The Lodge substitute does not reflect upon the President. It enlarges his powers and will save him and us from the criticism of forcing war upon a torn and helpless Republic for an insufficient stated cause. On yesterday I had thought to speak at some length on this matter, but the conditions surrounding it have changed. The pertinency of remarks in order 24 hours ago has become irrelevant to-day. What we say now will receive slight attention. The country has already taken its eyes and ears from this forum. It is now watching and listening for news from our battle front. The newspapers to-morrow will be popular; the CONGRESSIONAL RECORD will be neglected. The movements of our Army and Navy will be watched with feverish interest, and what we are now saying will be passed unnoticed.

As I have been sitting here to-night another scene than the one in this Chamber has come upon my vision. At the other end of Pennsylvania Avenue, in the White House, I see the President of the United States. He knows and feels that what has been done has been done by him, and by him alone. He must feel the awful weight of responsibility. He knows that American boys and Mexican sons are this night dying in Mexico. His prophetic eyes can discern the mighty, the fearful results which must follow in the wake of the battleships ordered by him into Mexico. He is our President. He has my profound sympathy. In this trying hour he will have my loyal support. If the substitute of the minority shall fail, I shall then vote for the committee resolution, notwithstanding its limitations and defects, because I think that by so voting I shall express a vote of confidence in the President of the United States at a time when patriotism demands it.

Our country can get no glory out of this controversy with Mexico. May God grant that no dishonor shall stain the flag, lack of respect for which is the alleged cause of our present trouble in Mexico.

Mr. POINDEXTER. Mr. President, I offer an amendment to the resolution, and ask that it be read.

The PRESIDING OFFICER. The Chair will state to the Senator that there is an amendment pending.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. POINDEXTER. I do.

Mr. WORKS. If the Senator will yield to me for a moment, I will state that yesterday afternoon I offered an amendment in the form of a substitute for the resolution brought in by the committee and the amendment offered by the Senator from Massachusetts, and I addressed the Senate in its support. Since that time the President, without action on the part of the Senate, has entered upon a war with Mexico.

I can understand that under those circumstances it would be idle to take up the time of the Senate with a discussion of the amendment I have offered, or by asking for a record vote upon it. I am not willing to withdraw it, because it expresses my sentiments as to what we should have done before we actually entered upon war. In order that the Senator from Washington may have an opportunity to offer his amendment, if it is so desired, I am willing that a vote may be taken upon the amendment I have offered, so that it may be disposed of and gotten out of the way without calling for a record vote.

The PRESIDING OFFICER. The Chair desires to inform the Senator from California that the amendment referred to by the Chair is the amendment tendered by the Senator from Colorado [Mr. THOMAS].

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Colorado?

Mr. THOMAS. I ask the Senator to yield to me for a moment.

Mr. POINDEXTER. I will yield for a brief matter. The remarks which I intend to make will be very brief. I will yield the floor in a very short time.

Mr. THOMAS. I will take only a moment, Mr. President.

Mr. POINDEXTER. I yield to the Senator.

Mr. THOMAS. Mr. President, while in my judgment the resolution now pending is equivalent to a declaration of war, I am aware of the fact that it is not intended by the committee as such, and that it is not so in form.

Some of my colleagues are apprehensive that the amendment which I propose justifies a construction of the resolution as amended which would be inconsistent with the purpose it is designed to accomplish, to wit, a justification only of the President's action as outlined in his message of yesterday.

I have no disposition to do this. Upon the assurance, therefore, that should a resolution declaring war be reported, or should actual hostilities require it, I shall have opportunity to present my amendment, and full opportunity for its consideration, I shall not at this time insist upon it.

The PRESIDING OFFICER. Does the Senator from Colorado give the Chair to understand, then, that he withdraws the amendment tendered by him?

Mr. THOMAS. That is the conclusion.

The PRESIDING OFFICER. The amendment is withdrawn at the request of the Senator from Colorado.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield now to the Senator from California respecting the amendment tendered by him?

Mr. POINDEXTER. I do.

Mr. WORKS. I am not pressing the matter. I am only endeavoring to get out of the way of the Senator from Washington, so that he may have an opportunity to offer and discuss his amendment.

Mr. POINDEXTER. I appreciate that.

The PRESIDING OFFICER. The amendment tendered by the Senator from Washington is now in order. It will be stated.

The SECRETARY. It is proposed to amend the amendment proposed by the committee, or by the Senator from Indiana [Mr. SHIVELY], as follows:

On page 2, strike out all of lines 5, 6, and 7 and insert in lieu thereof the following words:
"*Be it further resolved*, That a state of war exists between the United States of America and the United Mexican States."

Mr. SHIVELY. Is that amendment offered now?

Mr. POINDEXTER. I offer it now.

The PRESIDING OFFICER. The Senator from Washington announces that the amendment is offered now.

Mr. SHIVELY. Does the Senator wish to address the Senate upon his amendment at this time?

Mr. POINDEXTER. I desire to make a few remarks upon it at this time.

Mr. President, it must be generally conceded that the amendment I have just offered recites merely the actually existing condition of affairs between the two countries. It is not a mere idle form that we should recognize that existing condition by a declaration. It does not involve the United States in actual hostilities to any greater extent than it is now or otherwise may be involved in them.

If the resolution is amended by the adoption of the resolution which I have just offered, the President of the United States in conducting this affair with the Republic to the south of us will have the advantage of international law relating to a belligerent, and all foreign countries will occupy toward us the positon of neutrals. To illustrate, Mr. President, the advantage which that would be to the President and to the United States—if a declaration of war had been made before actual hostilities were precipitated by the desire of the administration to prevent the landing in Mexico of a cargo of arms and ammunition that could have been accomplished without the seizure of a Mexican port, because arms and ammunition are contraband of war. They could have been stopped on board the German ship, and the lives of these marines and of those Mexicans and of thousands more who will inevitably fall in this war which has already begun might have been saved. There is nothing, on the other hand, to be gained by refraining from making this declaration, but everything to be lost by the United States being hampered in its dealings with foreign nations by the false position in which we are placed—and I say it without any captious criticism of the President, because this is not the time for captious criticism—the false position in which we are placed by the attempted artificial distinction between a war against Victoriano Huerta and a war against the Republic of Mexico. We will on account of that attempted attitude, which we can not possibly maintain, be denied by every foreign country the rights of a belligerent. There can be no state of belligerency between an individual in Mexico and the United States of America in international law, and there can be none, in fact, because Gen. Huerta, however illegal and nonjuridical may have been the means by which he seized the Government of Mexico or overthrew it, as he expressed it, nevertheless represents the Mexican people in this affair; what he has done has been done as the representative of the united Mexican States; and we might as well throw aside, and we ought to throw aside, that awkward, artificial, more or less absurd, attitude of pretending that we are not conducting a war against Mexico, and declare the actual fact as it exists.

Mr. President, when this resolution was introduced, I had intended to make a number of objections to it, but the time has gone by, in my judgment, when any objections as to form or any recounting of the blunders and mistakes of the Government of the United States, both in this administration and the last administration, in dealing with this question will be proper. When the Government of the United States notified the Republic of Mexico and the world that it would not protect its citizens in that Republic, but, on the contrary, advised them to leave Mexico for their protection, it sowed then the seeds which have grown into war. If, instead of advising the world and the American residents in Mexico that they could not depend upon the United States to protect them from injury, we had thrown around their forms the charmed cloak of our citizenship and proclaimed to Mexico, "Put but a lawless hand within its veil, we'll hurl upon your head the wrath of this great Republic," the wrongs and injuries which have festered and become aggravated from month to month during the last 18 months would not have been committed. I had intended to object to the grounds which have been presented here for the authority which the Congress is asked to confer upon the President, or to formally recognize as existing, because they are not the real grounds which make necessary this armed conflict which has already taken place and is now in progress between the two Republics.

Mr. President, if the only cause of controversy between the United States and Mexico was the temporary detention of a half dozen sailors of the American Navy, offensive as that was, the seizure of the customhouse at Vera Cruz and the slaughter of 200 Mexicans which has already taken place is more than a sufficient vindication of the American honor for that affront. Instead of authorizing the President to proceed with the Army and Navy of the United States to commit further acts of hostility against the Republic of Mexico, if there were nothing in this affair but what the President cited in his address, Congress had better be engaged in passing a resolution instructing the President to desist from hostilities, because we have gone far enough for revenge, even if the dispatches, that bear every evidence of verity, which we are receiving to-night are true.

But those are very far from being the only causes. Many of the real causes are recited in the substitute resolution which has been introduced by the Senator from Massachusetts [Mr. LODGE], and back of that, far back of it, far more important, is that great international relation which the United States occupies growing out of what is called the Monroe doctrine. This is no time or occasion for a discussion of that great feature of American policy. I will say, however, in passing, that its significance and its importance can not be determined, as we see it so often attempted, by reading the declaration of President Monroe on the subject, or of other representatives of this Government at the time it was declared, because it is not a written document. It is a living principle, and it has grown with the growth of the American Republic, and it is not obsolete. It has been said that it has been the source of offense to the Latin-American Republics. On the other hand, it has been very truly said that but for it the Latin-American Republics would not exist. It is still a part of the unwritten Constitution of the United States, and under it we owe an obligation to the rest of the world.

The question was asked here to-night why Spain and England—and almost all other foreign countries might have been added—had not pursued with their accustomed vigor the defense of their nationals in Mexico during the recent disorders in that Republic. The answer was made that it was because this country requested it. The true answer is that it is because of the Monroe doctrine. We have assumed that responsibility and foreign nations depend upon us to live up to it. So it becomes a great world question which we have recognized and acquiesced in, aye, asserted, and foreign countries after protesting have recognized and acquiesced in—that the United States is indirectly responsible for the treatment of citizens of those countries in Mexico.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from Washington yield to the Senator from New Hampshire?

Mr. POINDEXTER. I yield to the Senator.

Mr. GALLINGER. Are we to understand that the United States holds itself responsible because of the Monroe doctrine for injuries to persons and damages to property committed in all the countries of this continent?

Mr. POINDEXTER. I do not so understand. I understand, and that is what I had reference to a moment ago, that growing out of the Monroe doctrine, which would forbid a foreign country from making, at least, territorial aggressions upon an American republic or from seeking restitution for injuries in that way—a certain responsibility devolves upon the United States to use its influence and under certain conditions its power to preserve orderly government in those countries.

Mr. GALLINGER. As I understand the matter, the Monroe doctrine would inhibit any European country or government from colonizing on the American Continent.

Mr. POINDEXTER. That was the original doctrine. A great many incidental obligations have grown out of that.

Mr. GALLINGER. I agree with the Senator to the extent that doubtless that imposes upon us an obligation to use our good offices to protect the citizens of other countries who suffer in person or property in the countries that in a way we supervise, but I think it would be going too far to say that the United States could be held responsible for depredations upon property and lives to the extent of making reparation.

Mr. POINDEXTER. Certainly not to that extent. I agree entirely with the Senator from New Hampshire in that regard; but the situation which the Senator from New Hampshire himself so pointedly called attention to existing in the attitude of foreign countries toward the United States and toward Mexico at the present time illustrates what I intended to say. They are looking to the United States to act in whatever international action should be taken in the case of Mexico. It is due in part, of course, to our proximity. Of course a great Republic like the United States bordering upon Mexico is bound, regardless of any intention on the part of this Government, to become most deeply interested in the affairs of that country. It would be impossible to prevent our citizens from going there, from acquiring property there, from having their habitation there, and consequently, through the mere evolution of circumstances, we become involved with Mexico so far as our own citizens are concerned, and that adds in a measure to the tendency on the part of foreign countries to look to the United States for the preservation of reasonable international relations with that country.

Now, that being the case, Mr. President, suppose that it should be attempted to make war only upon Gen. Huerta. Why not look ahead until to-morrow and until the next day and until next week to ascertain the condition which will confront the United States in Mexico in the discharge of that great international responsibility. Does anybody suppose that the so-called constitutionalists in northern Mexico would recognize the rightful possession of central Mexico by the United States? There would be a state of war, inevitably growing out of the situation, between the United States and the so-called constitutionalists.

In the meantime we are allowing unlimited quantities of arms and ammunition, contraband of war even if shipped by a foreign country, to be shipped from our own soil across the northern border into Mexico, which are undoubtedly being accumulated and being distributed to a mobile army, which will confront us with these ammunitions and arms when we put ourselves into possession of Vera Cruz, to say nothing of the City of Mexico or other portions of central Mexico.

The resolution I expect to vote for, because, as I said, I think the time has gone by when forms are so significant; but it is somewhat peculiar that we have been asked to authorize the President to take this step without being advised even as to the outline of the attitude which the President would assume toward Mexico itself or toward the belligerent constitutionalist party in that Republic—asked to make war against an armed faction in Mexico and in the same resolution to declare our friendship for the Mexican people.

Does any Senator suppose that the seizure of Vera Cruz, the killing of 200 Mexicans in the city of Vera Cruz, and the guerrilla fighting which is going on in Vera Cruz, I suppose, at this moment, from the shelter of the houses, between the American sailors and Mexican soldiers is going to be looked upon—as this resolution declares and resolves—as a "disclaimer of any hostility to the Mexican people"?

If that language is left in the resolution, it will be quite absurd in the light of the existing conditions; but neither resolutions, nor statutes, for that matter, amount to very much in time of war; events are shaping the course of nations, and the time has come when, in whatever form we may be able to shape the resolution, we should give the assent of the American Congress to the use of the armed forces of the United States by the President.

So I shall vote for this resolution, regardless of the blunders which have been made by our diplomacy and the paradoxes which are contained in the resolution itself in the attempt to pretend that it is not a war when it is a war, and vest in the Chief Executive of this Nation the power and the responsibility to conduct a military campaign against Mexico, which he has already started. I do not criticize him for starting it when he did, because so long as it was evident that there were to be hostilities, I think he was perfectly right in preventing the landing of arms and munitions of war.

He may carry the war a little way or a great way. Neither this resolution nor a declaration of war would set any limit or boundary to it. He may confine it to a war against Gen. Huerta or he may extend it to a war, as I believe conditions will force him to do, against Carranza and Villa; but whatever he does, it is not the act of the American Congress. The American Congress will be compelled, because he is in the position of the only one who can represent us in this way, to support the President; but the responsibility will be his, not only for what he does but for how he does it. I, for one, only trust and pray that he may be given the wisdom to so use this great power, or that some one will be raised up to advise him so that he will use it, in a manner that will redound to the honor and the glory of the United States and ultimately to the peace and happiness of mankind.

Mr. SHIVELY. Mr. President, I move to lay the amendment to the amendment on the table.

The PRESIDING OFFICER. The question is on the motion of the Senator from Indiana to lay the amendment to the amendment on the table.

Mr. POINDEXTER. On that I ask for the yeas and nays.

The PRESIDING OFFICER. On the motion of the Senator from Indiana to lay on the table the amendment proposed by the Senator from Washington [Mr. POINDEXTER] to the amendment reported by the committee there is a demand for the yeas and nays. Is the demand supported?

Mr. GALLINGER. I ask that the amendment to the amendment shall first be stated.

The PRESIDING OFFICER. The Senator from New Hampshire requests that the amendment proposed by the Senator from Washington to the amendment reported by the Committee on Foreign Relations shall be stated. The Secretary will state the amendment to the amendment.

The SECRETARY. It is proposed to amend the amendment reported by the Committee on Foreign Relations, on page 2, by striking out all of lines 5, 6, and 7 and in lieu thereof to insert the following:

Be it further resolved, That a state of war exists between the United States of America and the United Mexican States.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment, upon which the yeas and nays have been demanded.

The yeas and nays were not ordered.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is upon agreeing to the amendment reported by the committee.

Mr. JONES. Mr. President, the following telephone message appears to have been sent by the Navy Department to the Senate:

Telephone message from Navy Department.

VERA CRUZ, 10 P. M.

Fletcher reports he is holding the customhouse, consulate, and cable office. Firing continues from near-by houses. No additional casualties. *San Francisco* has arrived in the inner harbor and the *Chester* will arrive at 11 p. m. Expect to hold present position to-night. Latest news Tampico all quiet.

Mr. President, I shall not discuss at this time, in this place, and under the present conditions of war, this joint resolution I shall vote for it whether or not it is amended by the adoption of the amendment proposed by the Senator from Massachusetts [Mr. LODGE]. At another time, in another forum, and under other conditions I propose to discuss and shall discuss the joint resolution without reservation.

The PRESIDING OFFICER. The question now is upon the amendment reported by the committee, which will be stated.

The SECRETARY. The committee proposes to strike out all of the House text of the joint resolution after the resolving clause and in lieu thereof to insert the following:

That the President is justified in the employment of the armed forces of the United States to enforce his demand for unequivocal amends for certain affronts and indignities committed against the United States.

Be it further resolved, That the United States disclaims any hostility to the Mexican people or any purpose to make war upon Mexico.

Mr. LODGE. Mr. President, I offer as a substitute the amendment to the amendment which I send to the desk, which I put in the form of a resolution.

The PRESIDING OFFICER. The Senator from Massachusetts tenders an amendment in the nature of a substitute for

the joint resolution. The amendment to the amendment will be stated.

The SECRETARY. As a substitute for the joint resolution as reported by the committee it is proposed to insert the following:

Resolved, etc., That the state of unrestrained violence and anarchy which exist in Mexico, the numerous unchecked and unpunished murders of American citizens and the spoliation of their property in that country, the impossibility of securing protection or redress by diplomatic methods in the absence of lawful or effective authority, the inability of Mexico to discharge its international obligations, the unprovoked insults and indignities inflicted upon the flag and the uniform of the United States by the armed forces in occupation of large parts of the Mexican territory have become intolerable.

That the self-respect and dignity of the United States and the duty to protect its citizens and its international rights require that such a course be followed in Mexico by our Government as to compel respect and observance of its rights.

That to this end the President is justified in the employment of the armed forces of the United States to enforce his demand for unequivocal amends for affronts and indignities committed against the United States; that the United States disclaim any hostility to the Mexican people or any purpose to make war upon them.

Mr. WORKS. Mr. President, I offer the substitute which I presented yesterday afternoon as a substitute for both the original resolution and the amendment proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. SHIVELY. That can not be done.

The PRESIDING OFFICER. The Chair begs to inform the Senator from California that under the rules of the Senate that is not a proper motion at this time, and the Chair is compelled to rule it out of order.

Mr. WORKS. Very well, Mr. President; I will wait until the pending substitute is acted upon, and then I will renew the motion.

Mr. BRISTOW. Mr. President, upon hearing read the resolution offered by the Senator from Massachusetts, as now framed, I desire to state that I can not vote for it, because I do not believe that the time has come when we should wage war upon Mexico. I do not believe that all the means of diplomacy have been exhausted, and the latter part of the resolution I can not indorse.

The PRESIDING OFFICER. The question now is upon agreeing to the amendment proposed by the Senator from Massachusetts to the amendment reported by the committee.

Mr. SMOOT. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WEST. Mr. President, do I understand that the amendment is a substitute for the whole resolution as reported by the committee?

The PRESIDING OFFICER. It is so tendered by the Senator from Massachusetts.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE], who is absent. The senior Senator from Maine [Mr. JOHNSON] has a pair with the Senator from North Dakota [Mr. GRONNA], who is also absent. By an interchange of pairs it is agreed that the Senator from Maine and I shall both vote. I vote "yea."

Mr. SHEPPARD (when Mr. CULBERSON'S name was called). I desire to announce the unavoidable absence of my colleague [Mr. CULBERSON] and his pair with the Senator from Delaware [Mr. DU PONT].

Mr. FALL (when his name was called). I have a general pair with the Senator from Arizona [Mr. SMITH]. I transfer that pair to the Senator from Ohio [Mr. BURTON] and vote. I vote "yea."

Mr. JOHNSON (when his name was called). Under the announcement of transfers made by the senior Senator from Wyoming [Mr. CLARK] I am permitted to vote. I vote "nay."

Mr. McLEAN (when his name was called). I have a pair with the senior Senator from Montana [Mr. MYERS] and therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WALSH (when the name of Mr. MYERS was called). I announce the absence of my colleague [Mr. MYERS] on account of illness. He is paired with the Senator from Connecticut [Mr. McLEAN]. If my colleague were present, he would vote "nay."

Mr. OLIVER (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. I observe that he has not voted, and I therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. REED (when Mr. STONE'S name was called). My colleague [Mr. STONE] is detained from the Senate by illness. If he were present, he would vote "nay."

Mr. KERN (when Mr. TILLMAN'S name was called). The Senator from South Carolina [Mr. TILLMAN] is unavoidably absent on account of illness. He is paired with the Senator from Wisconsin [Mr. STEPHENSON].

The roll call was concluded.

Mr. McCUMBER. I wish to announce that my colleague [Mr. GRONNA] is unavoidably absent.

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Delaware [Mr. DU PONT] and his general pair with the senior Senator from Texas [Mr. CULBERSON]. If the Senator from Delaware were present, he would vote "yea."

I also desire to announce that the junior Senator from Wisconsin [Mr. STEPHENSON] is detained from the Senate and has a general pair with the senior Senator from South Carolina [Mr. TILLMAN].

The result was announced—yeas 36, nays 47, as follows:

YEAS—36.

Borah	Crawford	Lodge	Sherman
Bradley	Cummins	McCumber	Smith, Mich.
Brady	Dillingham	Nelson	Smoot
Brandegee	Fall	Norris	Sterling
Burleigh	Gallinger	Page	Sutherland
Catron	Goff	Penrose	Townsend
Clapp	Jones	Perkins	Warren
Clark, Wyo.	Kenyon	Poindexter	Weeks
Colt	Lippitt	Root	Works

NAYS—47.

Ashurst	Johnson	Owen	Smith, Ga.
Bankhead	Kern	Pittman	Smith, Md.
Bristow	La Follette	Pomerene	Smith, S. C.
Bryan	Lane	Ransdell	Swanson
Chilton	Lea, Tenn.	Reed	Thomas
Clarke, Ark.	Lee, Md.	Robinson	Thompson
Fletcher	Lewis	Saulsbury	Thornton
Gore	Martin, Va.	Shafroth	Vardaman
Hitchcock	Martine, N. J.	Sheppard	Walsh
Hollis	Newlands	Shields	West
Hughes	O'Gorman	Shively	Williams
James	Overman	Simmons	

NOT VOTING—12.

Burton	du Pont	Myers	Stephenson
Chamberlain	Gronna	Oliver	Stone
Culberson	McLean	Smith, Ariz.	Tillman

So Mr. LODGE'S amendment to the amendment of the committee was rejected.

Mr. WORKS. I now offer the substitute which I have already presented and which is on the Secretary's desk.

The PRESIDING OFFICER. The Chair will inform the Senator from California that the proposed substitute has been read. Does the Senator desire to have it reread for the information of the Senate, or will he state its contents?

Mr. WORKS. I think it has been read and is in the mind of Senators. I do not care to ask that it be read again.

Mr. BRISTOW. I should like to have it read.

The PRESIDING OFFICER. The Secretary will read the proposed amendment to the amendment.

The Secretary proceeded to read the amendment to the amendment.

Mr. BRISTOW. If the Secretary will merely read the resolving part, it will be sufficient.

Mr. WORKS. If the resolving part is to be read, I think the preamble should be read as well.

Mr. BRISTOW. I withdraw the request for the reading.

The amendment proposed by Mr. WORKS to the amendment reported by the committee is as follows:

Whereas on the 9th day of April, 1914, a paymaster of the U. S. S. *Dolphin* landed at the Iturbide Bridge landing at Tampico with a whaleboat and boat's crew to take off certain supplies needed by his ship, and while engaged in loading the boat was arrested with his crew by an officer of what is known as the federal army of Mexico; and

Whereas the said city of Tampico was in possession of the federal army and under martial law and being besieged by what is known as the rebel or constitutional army; and

Whereas orders had been given by the commanding officer of the federal forces that no one be allowed to land at said Iturbide Bridge, but of which said officer and crew had no notice and it was claimed that our men had no right to land there; and

Whereas within an hour and a half after their arrest, without injury to them, the said commander of the federal forces ordered said paymaster and men discharged and they returned to their ship; and

Whereas the said commanding officer expressed his regret that the arrest had been made and apologized therefor to the admiral commanding our fleet; and

Whereas, notwithstanding said voluntary discharge of the men so arrested, and the apology, the admiral of our fleet demanded that a salute of 21 guns be made to our flag; and

Whereas said demand for a salute was referred to Victoriano Huerta, who then claimed to be the President of the Republic of Mexico and commander in chief of said federal army; and

Whereas the said Huerta claimed that our flag had not been insulted, and that apology had been made for said arrest, and expressed his regret at the occurrence; and

Whereas the President of the United States confirmed the action of the said admiral in demanding said salute, and insisted to the said Huerta that the same be given; and

Whereas the said Huerta still maintained his position, and refused to cause said salute to be fired; and

Whereas the Republic of Mexico is a friendly nation and torn with civil war; and

Whereas this Nation is an earnest advocate of peace between nations, and desires to avoid bloodshed or strife; and
Whereas the President has said in his message: "This Government can, I earnestly hope, in no circumstances be forced into war with the people of Mexico. Mexico is torn with civil strife. If we are to accept the tests of its own constitution, it has no government;" and
Whereas this Government has refused to recognize the said Huerta as President of said Republic of Mexico; and
Whereas if this be justified he has in none of the acts complained of acted for the people of Mexico; and
Whereas if we take action to vindicate our flag it must, if we are consistent, be against the said Huerta, individually, but must work to the injury of the Republic of Mexico and its people who have not done any act to the injury of our national honor or to insult our flag: Now therefore

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That as an evidence of our friendship and good will toward the people of Mexico, of the sincerity of our advocacy of peace among nations, and of our desire to maintain and perpetuate our peaceful and friendly relations with the Republic of Mexico, this Government accepts as sufficient reparation for any wrong that may have been done us by the arrest of said officer and men their discharge and the apology made.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute proposed by the Senator from California to the amendment reported by the committee.

The amendment to the amendment was rejected.

Mr. GALLINGER. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to amend the committee amendment, on line 2, page 2, by inserting, after the word "to," before the word "enforce," the words "protect American citizens and to": so that, if amended, the paragraph will read:

That the President is justified in the employment of the armed forces of the United States to protect American citizens and to enforce his demand for unequivocal amends for certain affronts and indignities committed against the United States.

Mr. SHIVELY. Mr. President, I move to lay the amendment on the table.

Mr. GALLINGER. Mr. President, the Senator will not gain anything by that. We will have the yeas and nays on it.

Mr. SHIVELY. Does the Senator wish to discuss it?

Mr. GALLINGER. No; not at all. I simply ask for the yeas and nays.

Mr. SHIVELY. Then I withdraw my motion.

The yeas and nays were ordered.

Mr. BRISTOW. Mr. President, let me make an inquiry. I do not want to vote for any amendment or any resolution that justifies making war on Mexico. As I understand, the amendment offered by the Senator from New Hampshire embodies that part of the committee resolution which justifies war on Mexico.

Mr. SHIVELY. Mr. President, I withdraw my motion to lay the amendment on the table.

Mr. GALLINGER. The yeas and nays have been ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. BRISTOW. Let the language proposed to be inserted be read again, Mr. President.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The Secretary again stated the amendment.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Under the transfer of pairs heretofore announced, I vote "yea."

Mr. FALL (when his name was called). I again announce my pair with the junior Senator from Arizona [Mr. SMITH]. I transfer that pair to the senior Senator from Ohio [Mr. BURTON], and will vote. I vote "yea."

Mr. WALSH (when Mr. MYERS's name was called). I repeat the announcement made some time since in regard to my colleague [Mr. MYERS]. If he were present, he would vote "nay."

Mr. OLIVER (when his name was called). I announce my general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] and refrain from voting. If at liberty to vote, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 40, nays 43, as follows:

YEAS—40.

Borah	Crawford	Lodge	Sherman
Bradley	Cummins	McCumber	Smith, Mich
Brady	Dillingham	Martine, N. J.	Smoot
Brandegee	Fall	Nelson	Sterling
Bristow	Gallinger	Norris	Sutherland
Burleigh	Goff	Page	Townsend
Catron	Jones	Penrose	Warren
Clapp	Kenyon	Perkins	Weeks
Clark, Wyo.	La Follette	Poindexter	West
Colt	Lippitt	Root	Works

NAYS—43.

Ashurst	Johnson	Pittman	Smith, Ga.
Bankhead	Kern	Pomerene	Smith, Md.
Bryan	Lane	Ransdell	Smith, S. C.
Chilton	Lea, Tenn.	Reed	Swanson
Clarke, Ark.	Lee, Md.	Robinson	Thomas
Fletcher	Lewis	Saulsbury	Thompson
Gore	Martin, Va.	Shafroth	Thornton
Hitchcock	Newlands	Sheppard	Vardaman
Hollis	O'Gorman	Shields	Walsh
Hughes	Overman	Shively	Williams
James	Owen	Simmons	

NOT VOTING—12.

Burton	du Pont	Myers	Stephenson
Chamberlain	Gronna	Oliver	Stone
Culberson	McLean	Smith, Ariz.	Tillman

So Mr. GALLINGER's amendment to the amendment of the committee was rejected.

Mr. GALLINGER. Mr. President, after having lost that righteous amendment I have very little hope for the one I am about to offer, but I will venture to offer it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 3, on page 2, in the proposed amendment of the committee, it is proposed to strike out the word "certain" where it appears, so that, if amended, it will read:

That the President is justified in the employment of the armed forces of the United States to enforce his demand for unequivocal amends for affronts and indignities committed against the United States.

Mr. GALLINGER. I trust that amendment will be agreed to. I think it improves the text very much.

Mr. SHIVELY. It certainly will not be agreed to.

Mr. SMOOT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Under the transfer of pairs heretofore announced I vote "yea."

Mr. FALL (when his name was called). I again announce my pair and its transfer, and vote "yea."

Mr. JOHNSON (when his name was called). I am paired with the junior Senator from North Dakota [Mr. GRONNA]. I transfer that pair to the senior Senator from Missouri [Mr. STONE] and will vote. I vote "nay."

Mr. McLEAN (when his name was called). I again announce my pair with the senior Senator from Montana [Mr. MYERS] and withhold my vote.

Mr. OLIVER (when his name was called). I again announce my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN], and refrain from voting. If at liberty to vote, I should vote "yea."

Mr. REED (when Mr. STONE's name was called). I renew my announcement of the enforced absence of my colleague [Mr. STONE] on account of illness. In his absence he is paired with the senior Senator from Wyoming [Mr. CLARK]. If my colleague were present, he would vote "nay."

The roll call was concluded.

Mr. KERN. I again announce the unavoidable absence of the senior Senator from South Carolina [Mr. TILLMAN]. He is paired with the senior Senator from Wyoming [Mr. CLARK]. If the Senator from South Carolina were present he would vote "nay."

The result was announced—yeas 38, nays 45, as follows:

YEAS—38.

Borah	Crawford	Lodge	Smith, Mich.
Bradley	Cummins	McCumber	Smoot
Brady	Dillingham	Nelson	Sterling
Brandegee	Fall	Norris	Sutherland
Bristow	Gallinger	Page	Townsend
Burleigh	Goff	Penrose	Warren
Catron	Jones	Perkins	Weeks
Clapp	Kenyon	Poindexter	Works
Clark, Wyo.	La Follette	Root	
Colt	Lippitt	Sherman	

NAYS—45.

Ashurst	Kern	Pomerene	Smith, S. C.
Bankhead	Lane	Ransdell	Swanson
Bryan	Lea, Tenn.	Reed	Thomas
Chilton	Lee, Md.	Robinson	Thompson
Clarke, Ark.	Lewis	Saulsbury	Thornton
Fletcher	Martin, Va.	Shafroth	Vardaman
Gore	Martine, N. J.	Sheppard	Walsh
Hitchcock	Newlands	Shields	West
Hollis	O'Gorman	Shively	Williams
Hughes	Overman	Simmons	
James	Owen	Smith, Ga.	
Johnson	Pittman	Smith, Md.	

NOT VOTING—12.

Burton	du Pont	Myers	Stephenson
Chamberlain	Gronna	Oliver	Stone
Culberson	McLean	Smith, Ariz.	Tillman

So Mr. GALLINGER's amendment to the amendment of the committee was rejected.

Mr. LA FOLLETTE. Mr. President, I offer the amendment which I send to the desk, to follow line 7, page 2, of the committee amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. At the end of the amendment proposed by the committee it is proposed to insert:

Be it further resolved, That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over Mexico or any portion of the same, except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of Mexico and every portion thereof to its people.

Mr. LA FOLLETTE. On that I ask for the yeas and nays.

Mr. SHIVELY. I move to lay the amendment on the table.

Mr. LA FOLLETTE. I wish the Senator from Indiana would let us have a vote directly on the amendment. We will not lose any time by it. I do not wish to take any time to discuss it. We might as well have the yeas and nays directly on the amendment.

Mr. SHIVELY. I am inclined to yield to the suggestion of the Senator from Wisconsin. I withdraw my motion if we can get a vote right away.

The PRESIDING OFFICER. The motion to lay the amendment on the table is withdrawn. The Senator from Wisconsin asks for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Again announcing my pair with the senior Senator from Missouri [Mr. STONE] and its transfer and the exchange of pairs with the senior Senator from Maine [Mr. JOHNSON], I vote "yea."

Mr. FALL (when his name was called). Again announcing my pair and its transfer, I vote "yea."

Mr. JOHNSON (when his name was called). Under the transfer made by the Senator from Wyoming [Mr. CLARK] I am at liberty to vote. I vote "nay."

Mr. McLEAN (when his name was called). I again announce my pair with the Senator from Montana [Mr. MYERS].

Mr. WALSH (when Mr. MYERS's name was called). I announce the necessary absence of my colleague [Mr. MYERS] on account of illness. If he were present he would vote "nay." He is paired, as has been stated, with the Senator from Connecticut [Mr. McLEAN].

Mr. OLIVER (when his name was called). On account of my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] I refrain from voting. I would vote "yea" if at liberty to vote.

Mr. REED (when Mr. STONE's name was called). I wish to renew the announcement previously made in reference to my colleague [Mr. STONE], and to state that if present he would vote "nay." He stands paired on this vote with the Senator from North Dakota [Mr. GRONNA].

The roll call having been concluded, the result was announced—yeas 39, nays 44, as follows:

YEAS—39.

Borah	Crawford	Lippitt	Smoot
Bradley	Cummins	Lodge	Sterling
Brady	Dillingham	McCumber	Sutherland
Brandegee	Fall	Nelson	Thomas
Bristow	Gallinger	Norris	Townsend
Burleigh	Goff	Page	Warren
Catron	Jones	Penrose	Weeks
Clapp	Kenyon	Perkins	Williams
Clark, Wyo.	La Follette	Root	Works
Colt	Lane	Smith, Mich.	

NAYS—44.

Ashurst	Johnson	Pittman	Shively
Bankhead	Kern	Poindexter	Simmons
Bryan	Lea, Tenn.	Pomerene	Smith, Ga.
Chilton	Lee, Md.	Ransdell	Smith, Md.
Clarke, Ark.	Lewis	Reed	Smith, S. C.
Fletcher	Martin, Va.	Robinson	Swanson
Gore	Martine, N. J.	Saulsbury	Thompson
Hitchcock	Newlands	Shafroth	Thornton
Hollis	O'Gorman	Sheppard	Vardaman
Hughes	Overman	Sherman	Walsh
James	Owen	Shields	West

NOT VOTING—12.

Burton	du Pont	Myers	Stephenson
Chamberlain	Gronna	Oliver	Stone
Culberson	McLean	Smith, Ariz.	Tillman

So Mr. LA FOLLETTE's amendment to the amendment was rejected.

Mr. McCUMBER. Mr. President, I stated in an address a very few hours ago that the purpose outlined by the President in his last address before the two Houses of Congress would inevitably lead to war, and that as war would be the only result from that action we ought to make our position clear as to the cause of that war. Therefore I joined most heartily in an attempt to secure an amendment that would present to the American people and to the world the real causes.

Since that time the President has pursued his policy and war has come upon the country. I am now brought to the question whether I shall vote to sustain the President in actual warfare, and although I should have voted a few hours ago against this resolution, under the circumstances, while our soldiers are on the firing line, I find it to be my duty as an American citizen and as I see it to vote to sustain the President, and I shall do so in reference to this resolution.

Mr. JONES. Mr. President, I have some statements here with reference to the views and conduct of former Ambassador Wilson in Mexico. In view of some editorial criticism that has been made of him, I feel that it would be just and fair that the statements should be printed in the RECORD. I ask for permission that that be done.

The PRESIDING OFFICER. Is there objection to printing the statements in the RECORD?

Mr. JAMES. I object.

The PRESIDING OFFICER. There is objection.

Mr. JONES. I will take the time of the Senate to read these statements. I regret very much to have to do it, but I think they should be in the RECORD, in fairness and justice to the former ambassador.

Mr. JAMES. Will the Senator let us know what they are about? We do not know what the statements contain.

Mr. JONES. I will say to the Senator I have read them, and there is nothing improper in them at all. It simply purports to be a fair statement of his action in connection with matters in Mexico made by reputable citizens there and also a statement by himself.

Mr. JAMES. Who prepared the record in Mexico?

Mr. JONES. A committee there. I think these matters are before the Committee on Foreign Relations. They are not secret matters at all. It is published by a committee, giving the names of all the people.

Mr. REED. I wish to ask the Senator if he does not think that former Ambassador Wilson could wait until to-morrow morning or this afternoon for his rejuvenation?

Mr. JONES. Certainly; but I prefer to put the matter in now.

Mr. JAMES. I have no objection, I will state to the Senator.

Mr. JONES. I simply ask to put the matter in the RECORD, and I would rather have it in now before the debate is concluded.

Mr. SHIVELY. Unanimous consent is asked, and I hope it will be granted.

The PRESIDING OFFICER. Is there objection. The Chair hears none, and consent is granted.

The matter referred to is as follows:

Copy of recommendation made to the President by Henry Lane Wilson re the Mexican situation and read afterwards to the Senate Committee on Foreign Relations. This was attached to general memorandum on the situation:

RECOGNITION.

Recognition under the present circumstances can not be made with the same effects and the same results as immediately after the assumption of power by the new administration. It would be misconstrued, now, as a yielding to pressure and force, and would result in the loss of great prestige.

If recognition is accorded, it should be done in the following way:

First. By a preamble, recognizing the remarkable and unprecedented situation in Mexico, the desire of the United States to contribute to the restoration of order in a neighboring and friendly State, and the necessity, on account of the important matters daily pending between the two Governments, to establish full official relations with all of the benefits and obligations resulting therefrom.

Second. No recognition should be accorded unless the important international questions—like the Chamazal, the Colorado River, and the specific claims falling under a clear rule of international law—shall be immediately closed upon the basis presented by the Government of the United States and agreed to by the Government of Mexico in correspondence with the ambassador and verbally.

Third. Recognition should not be accorded unless an international claims commission, having jurisdiction over all kinds and classes of claims arising out of the revolutionary movements during the last three years, shall be admitted in principle by the Mexican Government.

Fourth. Recognition should not be accorded unless ample guaranty for the holding of a constitutional presidential election during the month of October shall be given, and this would involve the removal of the present minister of gobernacion, who is a pure creature of Huerta, and the substitution, therefore, of a Mexican of force and power, say Calero, who is thoroughly committed to the principle of constitutional government.

Fifth. Recognition should not be accorded unless the federal government is able to furnish evidence of its ability to restore peace and order to the twenty-sixth parallel.

Sixth. Recognition should not be accorded unless an arrangement can be made by which the American Government, in cooperation with the Mexican Government, will be permitted to cross the border and aid the federal authorities in restoration of order down to the twenty-sixth parallel, always giving ample stipulation for the retirement of our troops whenever order and peace have been reestablished, in the judgment of the United States and Mexican commissioners duly appointed.

Recognition accorded in this manner will restore our lost prestige, impress any foreign and native opinion in Mexico, and undoubtedly restore peace and prevent further bloodshed.

INTERVENTION.

If recognition is not accorded in some form or other, our duties as a civilized Nation, pledged to the world to preserve the peace and order of this hemisphere, point directly to immediate and effective intervention.

This should be done in the following way:

First. By discreetly removing the already decimated and ruined American population of Mexico.

Second. By the transfer of the charge of our diplomatic and consular establishments to the representatives of other powers.

Third. By the massing of our fleet in overwhelming proportions, aided by effective marine reserves, at every Mexican port on the Atlantic and Pacific.

Fourth. By the massing of our Army, fully equipped for invasion, at every strategic point lying on the border States, and the calling out of the reserves in all the border States.

Fifth. By the appointment of commissioners, one of whom should be the ambassador, another the general in chief of the Army, another the ranking officer of the investing fleet, and another a member of the Committee of Foreign Affairs of the Senate. The duty of this commission would be to seek, by a preliminary action, a reconciliation of all the contending forces in Mexico, with the understanding that their duty should be urgent, expeditious, and not detained by any dilatory methods, and with a further understanding that they should follow in the path of invasion, reestablishing the rule of law, and dispensing justice and order in the name of the United States.

Any invasion should be accompanied by a public statement that our purpose is not one of aggression, but that we are acting in the discharge of a duty to humanity and civilization, and that when once constitutional methods and practices are reestablished and firm government installed, our troops will retire to the United States.

FACTS SUBMITTED BY THE COMMITTEE OF THE AMERICAN COLONY TO PRESIDENT WILSON AND SECRETARY OF STATE BRYAN RELATIVE TO THE MEXICAN SITUATION, AND THE RECORD OF THE HON. HENRY LANE WILSON IN CONNECTION THEREWITH.

[Published by the committee.]

Executive committee of the American colony: C. H. M. y Agramonte, president, American colony; G. W. Cook, chairman committee; E. N. Brown, president National Railways; George J. McCarty, president Mercantile Banking Co. (Ltd.); W. F. Layer, president Sonora News Co.; J. N. Galbraith, general manager Waters-Pierce Oil Co.; C. F. De Ganahl, president Tampico Navigation Co.; Burton W. Wilson, attorney at law; J. E. Long, general manager Guerrero Iron & Timber Co.; T. J. Ryder, vice president Aguila Oil Co.; H. Walker, general manager Mexican Asphalt Co.; L. R. Wilfley, attorney at law; Paul Hudson, editor Mexican Herald; Fred Tackaberry, resident manager Pennsylvania Steel Co.

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Copy of a letter addressed to the Hon. Henry Lane Wilson by Mr. George W. Cook, chairman of the executive committee.

Copy of a cable sent to His Excellency the Hon. Woodrow Wilson, President of the United States, by a committee of the American colony of Mexico City, requesting the retention of his excellency the Hon. Henry Lane Wilson as ambassador to Mexico.

Copy of the memorandum of the argument placed in the hands of His Excellency the Hon. Woodrow Wilson, President of the United States, and his excellency the Hon. William J. Bryan, Secretary of State, by the committee sent to Washington by the American colony of Mexico City, to request the Washington government to retain his excellency the Hon. Henry Lane Wilson as ambassador to Mexico.

CASE SUBMITTED.

MEXICO, D. F., *April 30, 1913.*

The Hon. HENRY LANE WILSON,
American Ambassador, Mexico, D. F.

DEAR SIR: At a recent meeting of the executive committee of the Society of the American Colony of Mexico City I was directed to inform your excellency of certain steps which have been taken by the Americans residing in this city and throughout the Republic, looking to your retention at your present post of ambassador to Mexico.

Prior to the presidential election in the United States the Americans domiciled in Mexico generally entertained the hope that your excellency might be retained in your present position, even though the political complexion of the administration in Washington should be changed.

After the revolt which resulted in the overthrow of the Madero government our nationals here became convinced that it was not only desirable but essential to the interests of our Nation and our people in Mexico and to the conservation of existing cordial international relations that no change be made in the diplomatic representation of our Government to this country.

Acting upon this conviction the American citizens here resolved to take action with view to the accomplishment of this end.

The first step taken was to send a cablegram to President Wilson on the 5th of March, apprising him of the conditions obtaining here, with the suggestion that your excellency be retained here, together with our reasons therefor. This cable was signed by a committee of the leading American citizens in this city, as will be shown by the copy which is transmitted herewith.

Thereafter it was deemed advisable that a committee be sent to Washington to call upon the President and the Secretary of State, with view to laying before them more fully than could be done by cable the facts in regard to this situation. This committee proceeded to Washington, called upon the President and the Secretary of State, and explained to them fully the conditions prevailing in this country at the present time, and suggested that in view of your excellency's long experience in the diplomatic service, your ample knowledge of the Mexican situation as a result of your three years' service in this country, and especially in view of your knowledge of the conditions arising out of the overthrow of the Madero government, no change be made at this post at the present time.

At the request of the President and of the Secretary of State the committee filed a memorandum with these gentlemen covering the salient points brought out in the interviews of the committee with them, a copy of which is transmitted herewith.

Trusting that the action taken by your nationals in the Republic will meet with your approval and assuring your excellency of my high respect and esteem, I am,

Very sincerely, yours,

GEORGE W. COOK,
Chairman of the Executive Committee.

[Telegram.]

MEXICO, *March 4, 1913.*

The PRESIDENT, *Washington, D. C.:*

The undersigned committee representing the American colony of the City of Mexico and virtually all Americans throughout this Republic urgently request Your Excellency to retain the Hon. Henry Lane Wilson in his present post as ambassador to Mexico for the following reasons:

The situation here resulting from the sudden and violent overthrow of the Madero government continues to be exceedingly critical. The invaluable services rendered by Ambassador Wilson to all foreigners during the recent crisis by aiding them in the preservation of their lives and properties and the important personal service which he rendered Gens. Huerta and Diaz after the fall of Madero place him in a position to contribute powerfully to the prompt and proper working out of the present situation in a manner satisfactory to all interests and especially useful to the present needs and to the future welfare of American interests in this country. It is a matter of common knowledge that after Madero's fall Huerta and Diaz were not in accord and a conflict between them threatened, which, had it occurred, would have been most disastrous. It was through the personal mediation of Ambassador Wilson that their differences were adjusted and harmony between them established. In consequence of this service he gained and continues to have the implicit confidence of both parties, and is daily, at their solicitation, rendering them useful aid looking to the immediate pacification of the country and the prompt reestablishment of a permanent Government.

Ambassador Wilson has been in Mexico since before the inception of the Madero revolution of 1910, and has served our Nation and our nationals here with ability and success. In view of the foregoing facts we unhesitatingly but respectfully submit the opinion that Ambassador Wilson is in a position to render a service to Mexico and all foreign interests, which a new man, however competent, could hardly be expected to accomplish.

The gravity of the present situation, from the standpoint of the future of American interests in Mexico, can not be overstated. It is not too much to say that under the complicated and delicate conditions which obtain here the announcement of a change in our diplomatic representation would be viewed by all elements of this community, both Mexican and foreign, with serious apprehension and alarm.

A committee representing this colony desires to call on you at an early date, and, with your permission, will lay before you at greater length the facts in connection with this situation and our reasons for making this request. Confidential:

C. H. M. Y AGRAMONTE, *President American Colony.*	C. F. DE GANAHL.
G. W. COOK, *Chairman Committee.*	BURTON W. WILSON.
E. N. BROWN.	J. E. LONG.
GEORGE J. MCCARTY.	T. J. RYDER.
W. F. LAYER.	H. WALKER.
J. N. GALBRAITH.	L. R. WILFLEY.
	PAUL HUDSON.
	FRED TACKABERRY.

MEMORANDUM OF ARGUMENT BEFORE THE HON. WILLIAM J. BRYAN, SECRETARY OF STATE, PRESENTED APRIL 2, 1913, BY A DELEGATION SENT BY THE AMERICAN CITIZENS OF THE CITY OF MEXICO TO REQUEST OF THE WASHINGTON GOVERNMENT THE RETENTION OF THE HON. HENRY LANE WILSON AS AMERICAN AMBASSADOR TO MEXICO. THIS MEMORANDUM WAS AFTERWARDS LEFT WITH THE PRESIDENT.

The chairman of the delegation addressed Mr. Secretary Bryan as follows:

"Mr. Secretary, the delegation which has the honor to address you for the purpose of requesting the retention of the Hon. Henry Lane Wilson in the post which he now occupies as American ambassador to Mexico is composed of professional and business men who have been sent here for this specific purpose by the American citizens of the City of Mexico, as per our credentials, which have already been laid before you. The mere fact that these gentlemen have been willing to undertake a journey of over 3,000 miles, occupying seven days and seven nights, and have sacrificed their business interests and time to undertake this mission, is a substantial evidence of the sincerity of purpose and depth of conviction which has induced them to come on this errand.

"If we request at your hands the retention of Ambassador Wilson, notwithstanding the recent change in the political administration at Washington, we realize that we must present to you sufficient and convincing reasons for our request and must explain to you why we believe that no other American, be he ever so able and patriotic, can hope to exercise the same beneficent influence in connection with the existing critical state of affairs in Mexico as can our present ambassador, Mr. Wilson. That sufficient and convincing reasons exist no American citizen who passed through the horrors of the recent bombardment and who was cognizant of the events which were transpiring and the frightful possibilities of their tragic issue will deny.

For the nine days prior to the last day of the bombardment the ambassador dedicated and limited his activities to efforts to ameliorate the horrible conditions prevailing in the Mexican capital; to rescuing Americans and other foreigners whose homes were within the zone of the heaviest firing; to providing succor and refuge for such American citizens as found themselves in want of food or shelter, owing to the sudden and unexpected outbreak of hostilities; to organizing a guard to patrol the district inhabited by Americans, and to be ready to offer assistance and protection in case of attack; to providing a suitable hospital with the requisite medical and nursing facilities for any who might be wounded; to establishing banking facilities in the embassy for such Americans as might find themselves in need of funds; to organizing a corps of intrepid messengers for the carrying of cablegrams and letters from the embassy to the cable and post offices in the heart of the city, which service was open to all Americans and foreigners; and for the transmission of messages from the diplomatic corps to the Mexican Government authorities and the leaders of the two hostile camps; to allaying the fears and anxieties of his countrymen and giving them wise counsel as they gathered in large numbers day after day at the embassy; and the keeping in constant touch and communication with the other members of the diplomatic corps in the Mexican capital, who naturally looked to him as their dean for leadership.

The last day of the "bloody 10 days," as the period of the bombardment is now designated by the Mexicans, was the critical day which saw the arrest and imprisonment of President Madero and his cabinet, an event which created a situation giving rise to intense anxiety and well-grounded fear for its results. The Mexican nation suddenly found itself practically without a government. A part of the Federal army under the control of Gen. Huerta was in possession of the palace and

the greater part of the Mexican capital. Another part of the Federal army, headed by Gen. Felix Diaz, was still in possession of the arsenal, with its guns and large reserve stores of ammunition. The residents of Mexico, with direst forebodings, breathlessly awaited the outcome. Would Gen. Huerta and Gen. Diaz come to a clash, continue their bombardment and fight out the battle to its bitter end, thus accentuating the dangers and prolonging the horrible situation already existing in the capital, or could these two contending generals, up to this time embroiled in a fierce and bloody fight, be induced to come together to compose their differences and to arrive at an agreement which would put an end to the wretched spectacle of a battle in the heart of a capital city, begun without notice to noncombatants and continued without giving them a definite opportunity to withdraw from the city to points of safety? Conditions in the city were becoming unbearable. The dead were unburied, and in some instances were burned in the streets. Provisions had soared skyward in price, and in many places could not be obtained at any price. Milk for the children, medical attention for the sick, religious consolation for the dying all were difficult to be obtained. The city was absolutely without police protection; water had been cut off in certain parts of the city; the sewers were blocked for lack of flushing; the streets at night were dark, owing to the cutting and destruction of the electric wires; the workingmen were out of employment and had not been paid; hunger riots were in prospect; looting had already begun; and in the absence of police protection the uprising of the mob, with all its attendant horrors, seemed inevitable.

The cry on all sides among foreigners and Mexicans alike was, What can be done to save the situation? It was at this juncture that our American ambassador rose nobly to the demands of the occasion, demonstrated his great efficiency and ability, and brought the two contending generals together in a conference at the American embassy, the place designated by them both as the only place in which they were willing to meet for conference. This conference lasted for several hours, and at various critical points in the discussion it seemed inevitable that it was destined to break up without reaching the agreement so necessary for putting an end to a situation replete with horrors. It is a fact of common knowledge that the skillful mediation of our ambassador during these long hours of conference, when everything hung in the balance, and the personal confidence which he inspired in both the opposing generals, finally brought about the agreement between them, which was then and there reduced to writing, read before witnesses summoned for that purpose, signed by Gens. Huerta and Diaz, and delivered to the ambassador for safe-keeping.

This consummation so devoutly wished for by all the inhabitants of Mexico constituted a diplomatic triumph of the first order for our ambassador, not only by reason of the immediate results obtained, which were the cessation of the combat, the immediate renewal of the policing and municipal service of the city, the giving of an opportunity to the inhabitants who had left the city to return thereto and take up their peaceful occupations, the opening up of ways and means to obtain food for the suffering people, the opportunity for the burial of the dead which had accumulated in such numbers as to threaten a pestilence, and the alleviation of all the horrors resultant upon the long-continued hostilities, but over and above all, because the effective mediation of our ambassador, and the confidence which he inspired in Gens. Huerta and Diaz during the conduct of these negotiations, place him in a unique position in connection with the solution of all these difficulties and enable him, more than any other man possibly could, to exercise a strong moral influence upon all the parties to this agreement to carry it out in all its expressed and implied terms.

If we are right in our deduction as above expressed, the prestige which our ambassador in Mexico now enjoys with the parties in actual power and his personal acceptability to them and influence upon them render him indispensable to the satisfactory solution of the Mexican situation and the maintenance of peace so long as the present critical conditions in Mexico prevail.

It is a well-known fact in connection with the Mexican character that it is extremely slow to give its confidence to an individual, but that once an individual has obtained that confidence, it is given to him in full measure, and carries with it a power to exercise influence which can not be transferred to a third party and is more potent in its effect than any authority or power which may be behind the personality. In other words, the personality and the personal equation are of the greatest importance in dealing successfully with the Mexican people.

The fact that Mr. Wilson has for over three years discharged the duties of American ambassador in Mexico gives him an experience that is invaluable under the existing circumstances, and which entirely differentiates him from any new man, however able, who might succeed him at the present time. The great value of this experience is too patent to require further comment.

We pass with a word the facts of the ambassador's long experience of over 16 years in the American Diplomatic Service; his recognized ability, and his fidelity and assiduity in the discharge of his duties, amply attested by his dispatches to the State Department; his character as a cultivated gentleman of broad sympathies; and his accessibility to all his countrymen; the refined and elevating atmosphere of the embassy in Mexico; and the charming tact and social accomplishments of Mrs. Wilson.

The facts above set forth and our deductions from them constitute the basis of our sincere and earnest belief that the retention of Mr. Henry Lane Wilson as American ambassador in Mexico, pending a satisfactory solution of the Mexican situation, will prove a most important factor not only in the protection of the lives and property of Americans and other foreigners in Mexico, but also in the continuance of the friendly international relations now existing between the two countries and the avoidance of any sudden and unfortunate event which might cause those relations to be strained or even ruptured, a contingency which would involve both countries in difficulties too painful to contemplate.

Since our arrival in Washington our attention has been called to certain charges against Ambassador Wilson published in the public press. In Exhibit G, attached to this memorandum, we set forth these charges and our replies thereto.

Mr. Secretary, in conclusion, permit us to say that, as American citizens resident in the Republic of Mexico, we highly appreciate the hospitality and good will of the Mexican people toward our fellow countrymen and ourselves personally, and recognize to the fullest extent the impropriety of our making any comment upon Mexican politics; and should anything we have said to you herein be susceptible of a construction contrary to such a view of the proprieties of the cases we expressly disclaim any intention to that end.

Permit us to convey to you our thanks for your kind reception and attentive hearing.

The facts in connection with the rebellion of February, 1913 which resulted in the overthrow of the government of President Madero by Gen. Felix Diaz, are now historical and are set forth in Exhibit A, hereto attached.

The conduct of the American ambassador, the Hon. Henry Lane Wilson, throughout the period of these revolutionary troubles was such as to win for him the highest praise not only from the Americans in Mexico, but also from the nationals of other foreign countries resident in Mexico and the Mexicans themselves.

The universal appreciation of the undoubted fact that Ambassador Wilson, by his skillful and efficient handling of a most difficult situation, had been instrumental in bringing about a termination of the bombardment in the City of Mexico, thereby saving life and avoiding a continuation of the destruction of property, resulted in a call, issued by the president of the American colony, for a mass meeting of American citizens in Mexico. This mass meeting was the largest and most enthusiastic of any similar meeting ever held by Americans in Mexico, and after many eulogies upon the conduct of affairs by the ambassador during the bloody 10 days of the bombardment appropriate and laudatory resolutions were unanimously passed, as set forth in Exhibit B, hereto attached.

In harmony with the same spirit which led to the call for the mass meeting, another call was issued to over 50 of the leading American citizens in Mexico City, asking them to meet for a conference with a view to determining what action should be taken by them for the purpose of conserving the interests of the Americans in Mexico and the mutual welfare of that good feeling between both peoples (Americans and Mexicans). See Exhibit C, hereto attached.

In pursuance to this call some 50 American citizens met for conference, and after a prolonged discussion it was the unanimous opinion of this conference that it would be "highly conducive to the interests of Americans in Mexico and to the continuance of the extremely cordial relations now existing between the American and Mexican Nations if the Hon. Henry Lane Wilson were to be continued in the position of American ambassador near the Mexican Government, which position he has filled with such marked efficiency and with such great honor to his country." This opinion was embodied in a resolution which was unanimously adopted. See Exhibit D, hereto attached.

For the purpose of giving effect to the wishes of this conference an executive committee of 18 was appointed with power and with instructions to proceed in such manner as it might deem best to accomplish the object desired. See names of committee in Exhibit E, hereto attached.

This executive committee at once prepared and sent the President of the United States a cablegram setting forth the views and wishes of the American citizens in Mexico in regard to the retention of the present ambassador, and likewise named a special delegation to proceed to Washington and lay before President Wilson and Secretary of State Bryan the view of the American citizens in Mexico on this subject and their reasons therefor. The names of the delegation which came to Washington are set forth in Exhibit F, hereto attached.

Respectfully submitted.

GEORGE W. COOK, *Chairman.*

A letter dated March 12, 1913, directed by the American clergymen of Mexico City to Ambassador Wilson, protesting against certain newspaper attacks made upon him and expressing approval of his conduct during the bombardment is hereto attached and marked "Exhibit H."

A letter signed by members of the British colony expressing their appreciation of the able manner in which Ambassador Wilson handled the delicate situation created by the bombardment of the city is attached herewith and marked "Exhibit I."

A resolution adopted by the board of directors of the Young Men's Christian Association of the City of Mexico commending Ambassador Wilson for his conduct during the recent disturbance in the city is attached hereto and marked Exhibit J.

A copy of the resolutions adopted by the Mexico Society of New York congratulating the ambassador on the able discharge of his duties during the recent trouble is hereto attached and marked Exhibit K.

There were also addressed to the ambassador letters from the British, German, and Spanish ministers and the French chargé d'affaires expressing thanks for the aid rendered foreign citizens by the American embassy and congratulating Ambassador Wilson for his efforts to restore peace and order during the bombardment of Mexico City. These communications, on account of their essentially private and personal character, are not attached hereto.

EXHIBIT A.

CHRONOLOGICAL STATEMENT OF EVENTS IN MEXICO CITY.

February 9 to February 18, 1913.

Sunday, February 9, 1913: The two artillery regiments in Mexico City and the cadets of the Tlalpam Military School "declare" for Gen. Felix Diaz and liberate him and Gen. Reyes from prison in Mexico City.

Gen. Reyes is killed in an attempt to capture the National Palace. In the shooting, over 500 innocent people and churchgoers lose their lives in the park in front of the palace and cathedral.

President Madero arrives at the palace from Chapultepec, 3 miles to the west. Goes to palace on horseback with small guard. Twelve hundred soldiers, cavalry and infantry, follow later and take up position in the palace.

The rebelling troops under Felix Diaz take the arsenal, or citadel, containing all the large cannon and all reserve arms and ammunition of the nation. It is a low building and constructed for defense, with only broken streets leading to it.

At night President Madero goes to Cuernavaca for reinforcements. Nobody in the city expects a bombardment.

Monday, February 10, 1913: A day of uncertainty, with a little rifle fighting between outposts. Felix Diaz makes no move other than to secure provisions, giving as his reason that he will not accept the responsibility of beginning a battle in a city of 450,000 inhabitants. Gen. Huerta who had been deprived of his command and had opposed the Maderos recently, made commander in chief of the government forces.

No notice of impending bombardment given by either party.

American ambassador publishes notice to Americans to keep in safe places, and requests Government to protect foreign colonies. Police force entirely disappears. Patrols of Americans and other foreigners established in streets.

Tuesday, February 11, 1913: Bombardment of the citadel begins without warning to the people of the city. Over 400 soldiers killed in as-

saults on the citadel in narrow streets. Shell fire in many angles from the citadel. Two American women killed in their homes. Reinforcements to the Government arrive from the Zapata country, and ammunition for the Government arrives from Vera Cruz.

American ambassador asks Government and revolutionists to respect noncombatants. Republishes warning to Americans.

Midnight: All patients of English hospital ordered out. Battery set up near by.

Wednesday, February 12, 1913: Bombardment and assault continue. Battery of 12 guns set up about a quarter of a mile from the embassy, but out of line. Its shells begin to destroy homes of Americans and others. The firing temporarily stopped at request of embassy, and over twelve hundred people in danger removed to houses in the embassy district, where they are cared for by embassy service organized since beginning of bombardment to meet the emergency. Cable office, post office, and hospital established at embassy. Messenger service to cable office started.

Ambassador and German and Spanish ministers go through the firing line to palace, where they request President to have more regard for foreign lives and property. Go later with British minister to citadel, where they make the same request of Gen. Diaz.

Replies not entirely satisfactory. Apparent that bombardment must continue. Many noncombatants killed. Bodies burned in the streets and in piles outside of town. Red Cross and White Cross services abolished. Surgeons subsequently protected by American flag.

Thursday, February 13, 1913: Bombardment continues. News of sailing of American warships arrives and makes good impression. Bombardment subsides in the evening.

Friday, February 14, 1913: Bombardment renewed in morning. Senate convenes and appoints a committee to wait on the President to request his resignation as the only method to end the fierce battle in the city. President Madero refuses to receive them. Spanish minister, members of the cabinet, and other delegations reported to be making the same request. Former President da la Barra tries to mediate the matter. His attendant killed at his side.

Gen. Blanquet is expected to arrive from Toluca, but does not appear. Troops brought in from as far north as Monterey.

Infantry and cavalry assaults on citadel becoming rarer. Embassy automobile held up by men in army uniforms and robbed of $300.

Saturday, February 15, 1913: Bombardment continued. Shells striking new points in town. Government soldiers reported to be going over to Felix Diaz.

Ambassador makes another automobile trip to palace, and returns with promise of President to respect embassy district as neutral zone; to remove soldiers stationed on roof of a school to which American women refugees had been sent; to give proper notice in case of opening fire in localities occupied by foreigners; to cooperate in establishment of centers for distribution of bread to the poor; and to grant an armistice of 24 hours for the removal of all those in the danger zone.

Messenger (Capt. Burnside) sent to notify Gen. Diaz of agreement. He orally consents to armistice, asking Government to fix the time.

Americans and foreigners notified of arrangement. More optimistic feeling produced.

Pay day: Practically no workmen paid off. This is a serious phase of situation.

Sunday, February 16, 1913: Fast work done removing families, some of which were marooned without food or water for days. Armistice broken at 10.30 and fire resumed. Government accuses revolutionists of opening fire. Revolutionists accuse Government of placing guns during armistice, necessitating fire. Fighting in residential district in afternoon.

Battery is set up one block from embassy. Ambassador protests, and fire is held until he can communicate with palace. Messenger returns with order from Gen. Huerta for removal of battery. Rurales in district refusing requests for passage through lines issued by embassy for humanitarian purposes.

Monday, February 17, 1913: Bombardment continues, but government soldiers, many of them drunk, broken into small bands all over town, from either fatigue, unwillingness to join the storming parties, or by order from superiors for fear of defection in masses. Evident that soldiers are not enthusiastic about attacking. Outposts from citadel fighting all day near embassy, with rural police in the streets. Bodies burning all over town.

Gen. Blanquet, with 1,800 men, known to have arrived from Toluca, but does not go into action, this exciting comment, as he is an aggressive soldier and his men are fresh.

Secretary of relations comes to embassy to say that a battery must be planted near by, and offering ambassador a temporary embassy in a suburb and transportation thereto with army wagons. Ambassador asks if the many refugees in the district will also be removed and cared for. As the secretary can not assure him of this, the ambassador refuses to go and leave his people to their fate, and protests against the proposed violation of the neutral zone. Result, no battery is placed there, and refugees are saved. This act of Mr. Wilson saved the lives of hundreds of people.

General feeling in all quarters since morning is that the affair is nearly ended. Government ammunition reported nearly exhausted. Soldiers unpaid and unfed.

At night sharpshooters firing on American patrol. Streets unsafe. Drunkenness and looting among many bands of detached soldiers increasing. Smell of burning bodies pervading city. Disintegration manifest.

Tuesday, February 18, 1913: Bombardment continues, but much slackened. More infantry fire extending from the citadel. Late in the day a messenger comes from the palace with a letter from Gen. Huerta to the diplomatic corps, reporting that he has arrested the President in the interest of humanity, and states that he desires to end the battle. Also requests diplomatic corps to notify Gen. Diaz that he desires a conference.

Jubilation in center of town, but rifle fighting continues around the citadel and in residential district.

Ambassador sends messenger to citadel reporting arrest of Madero and conveying Huerta's request for a conference. Diaz thanks messenger for this notice, and says he will meet Huerta only in the embassy. Suspicion naturally then existed between the leaders in the 10-day battle. Messenger goes to palace and notifies Gen. Huerta, who agrees to meet Gen. Diaz in the embassy.

At about 9 p. m. Huerta arrives at embassy. A messenger is sent to citadel to notify Diaz, who returns to embassy with him.

Negotiations continue until nearly morning, when, after three failures to agree, smoothed out by diplomacy of the ambassador, whom both request to remain with them, they come to terms; written memorandum of agreement read before witnesses in the embassy and left with Mr. Wilson.

Police service immediately restored. Looting stopped, and dead collected from streets.

Wednesday, February 19, 1913: City at peace and assuming normal conditions for first time in 10 days. Ambassador cheered in the streets and Americans thanked for their part in amelioration of conditions.

Ambassador, for diplomatic corps, requests government assurance that the life of Madero will be spared. Assurance given.

Mrs. Madero and Mrs. Pino Suarez come to embassy and ask ambassador to intercede for the lives of their husbands. Government assurance communicated to them, and at their request another appeal for protection for the men is made to the officers of the Government.

Laborers in the city return to work. Relief committee of the embassy begins distribution of funds and food.

EXHIBIT B.

RESOLUTIONS OF MASS MEETING OF AMERICAN COLONY PASSED ON FEBRUARY 28, 1913.

Whereas during the 10 days from February 9 to 18 this city was the theater of a bitter strife between contending forces, the lives and property of Americans and other foreigners, as well as of Mexican residents, were gravely imperiled by shot and shell, several Americans being killed and wounded. Under the existing conditions Americans naturally looked to their national representative for aid and protection, and they were not disappointed. Our ambassador, the Hon. Henry Lane Wilson, caused headquarters for the colony to be established at the American Embassy, and in concert with his staff of faithful assistants was untiring in his devotion to the best interests of not only his own countrymen but of the many foreigners of other nations who came to the embassy for aid and comfort. In recognition of those efforts, which undoubtedly saved the lives of many defenseless Americans: Be it

Resolved, That the American colony recognizes the fact that to the American ambassador, Hon. Henry Lane Wilson, it owes a debt of gratitude the magnitude of which can not be expressed in words, but which will be retained as a cherished memory of the noble and patriotic services rendered under most trying conditions, which stamp him as an American of whom his countrymen may well feel proud, and to whom the American colony extends this humble token of its appreciation.

Resolved, That a copy of these resolutions be engrossed and presented to Hon. Henry Lane Wilson, ambassador of the United States, and that a copy also be sent to the State Department at Washington.

EXHIBIT C.

CALL FOR CONFERENCE OF 50 OR MORE LEADING AMERICANS IN MEXICO.

MEXICO, *February 27, 1913.*

Mr. ——— ———:

In view of the pending change in the administration at Washington, of the recent change in the Government of Mexico, and of the bearing which both of these events may have upon American interests in this country, it has been thought that it would be well for a considerable number of Americans in Mexico to meet for a conference, with a view to determining as to what action should be taken by them for the purpose of best conserving the interests of Americans in Mexico and the mutual welfare and good feeling between both peoples.

You are therefore requested to meet with other fellow Americans, who have likewise been invited to this conference, at the American Club on Saturday, March 1, at 12 noon.

Yours, truly,

C. H. M. Y AGRAMONTE.
E. N. BROWN.
G. W. COOK.
C. F. DE GANAHL.
J. E. LONG.

EXHIBIT D.

RESOLUTIONS PASSED BY THE CONFERENCE.

Whereas 50 or more American citizens in the City of Mexico, irrespective of political affiliations, have met this day to confer in regard to matters of great import to Americans and American interests in the Republic of Mexico; and

Whereas the unanimous opinion of this gathering is that it will be highly conducive to the interests of Americans in Mexico and to the continuance of the extremely cordial relations now existing between the American and Mexican nations if the Hon. Henry Lane Wilson be continued in the position of American ambassador near the Mexican Government, which position he has filled with such marked efficiency and with such great honor to his country: Now, therefore, be it

Resolved, That this gathering, embodying as it does many of the representative American men and interests in Mexico, believes that the record for patriotism and efficiency made by Ambassador Wilson during his incumbency justifies and demands that he be continued in this high office and hereby pledges itself to work vigorously to that end.

EXHIBIT E.

EXECUTIVE COMMITTEE OF 18 APPOINTED BY CHAIRMAN OF THE CONFERENCE TO CARRY OUT PURPOSE OF THE RESOLUTION SET FORTH.

G. W. Cook, chairman; C. H. M. y Agramonte, W. F. Layer, C. F. de Ganahl, B. W. Wilson, T. J. Ryder, Paul Hudson, H. C. Wagner, F. H. Tackaberry, E. N. Brown, G. J. McCarty, J. N. Galbraith, E. L. Beck, J. E. Long, H. Walker, L. R. Wilfley, C. R. Hudson.

EXHIBIT F.

NAMES OF DELEGATES SENT TO WASHINGTON.

George W. Cook, chairman, member of New York bar, capitalist and merchant, 23 years in Mexico.

Burton W. Wilson, member of New York bar, senior member of the law firm of Wilson & Baz, 7 years in Mexico.

H. Walker, member of New York bar, manager of construction company in Mexico, 10 years in Mexico.

F. H. Tackaberry, Mexican representative of the Pennsylvania Steel Co. and other American manufacturers of railway supplies, 12 years in Mexico.

C. L. Seeger, merchant, 31 years in Mexico.

Charles F. de Ganahl, president of Tampico Navigation Co. and sugar planter, 24 years in Mexico.

EXHIBIT G.

Extracts from the New York World of March 7, 1913:

"Information which has filtered into Washington from numerous sources in Mexico lays on the State Department and Ambassador Henry Lane Wilson responsibility for the overthrow of the Madero government. From the Mexican capital these charges are made:

"'That Ambassador Wilson threw the whole influence of the American Government into the balance against Madero.

"'That he gave encouragement and indirect aid to the traitorous Mexican generals so openly as to constitute the most pernicious form of diplomatic meddling.

"'That he used other foreign diplomats as his facile instruments in attempting to coerce Madero to resign.

"'That he either possessed advance information of the plot of Huerta and Blanquet to turn traitors to Madero or displayed amazing prescience in his official dispatches predicting Madero's downfall the night before it occurred.

"'The charges are also made that Huerta was in frequent conferences with the American ambassador before the palace coup d'état.

"'That news of the success of the blow was conveyed by the ambassador's messenger to Felix Diaz with the suggestion that Huerta and Diaz should come to terms.

"'That Diaz, distrustful of Huerta, insisted upon an American escort and the protection of the American flag on his trip to confer with Huerta in the embassy.

Answers to the World's charges:

Not true. He was convinced that the Madero government was in difficulties and that its attitude toward the protection of Americans and their property was unsatisfactory and failed to produce the results that justice demanded.

Not true. He was careful even to the extent of refusing passports through the lines during the bombardment to Americans whom he suspected of taking sides in any way. His activities with the officers of the army were limited to arrangements of armistices and neutral zones. He did see Gen. Huerta once in these humanitarian matters, risking his life to do so, and treated the matter with Gen. Huerta in company with President Madero. Furthermore, on these trips he was accompanied by other foreign representatives. He never saw Gen. Huerta alone.

This statement is manifestly ridiculous. The British, German, and Spanish ministers in Mexico are not men of the type to be used as "facile instruments." The attempts of the Spanish minister, Señor Cologan, to induce the President to resign were made on his own initiative after consultation with other members of the diplomatic corps and with the humanitarian desire to avoid further loss of life.

It was a matter of common rumor throughout the city that serious defections were about to occur among the generals who were supporting President Madero, and a color of truth was given to those rumors by the attitude of Gen. Blanquet, the number of days he consumed in bringing his troops from Toluca to the City of Mexico, and his inactivity after arriving in the capital. It was further rumored that members of the Senate were actively engaged in trying to bring about the resignation of President Madero. It was impossible for the ambassador to be blind and deaf to all that any Spanish-speaking foreigner saw or heard, and had he failed to notify the State Department of what all intelligent men believed to be impending, we submit that he would have been delinquent in his duty.

The truth is that Ambassador Wilson saw Gen. Huerta only once prior to the conference between Gens. Huerta and Diaz on February 18, and on this one occasion he was accompanied by other members of the diplomatic corps and conferred with President Madero and Gen. Huerta jointly in the important matter of an armistice for the removal of the families in peril.

This is perfectly true. In sending this advice to Gen. Diaz the ambassador rendered a most important service to the residents of Mexico City, as this information opened up the way to negotiations for the cessation of hostilities. Gen. Diaz expressed his appreciation of this act of the ambassador and its humanitarian motive, and added that he would agree to meet Gen. Huerta at the American Embassy and there only. As the city was divided into two hostile camps, the neutral ground of the American Embassy was manifestly the suitable place for the meeting of the opposing generals, and especially so in view of the fact that the ambassador was the dean of the diplomatic corps and commanded the respect and confidence of all parties.

Not true. The ambassador sent a messenger in an automobile to advise Gen. Diaz that Gen. Huerta had arrived at the embassy and was awaiting him, and this messenger, Dr. Ryan, well known to Gen. Diaz by reason of his rescue work during the battle, returned to the embassy accompanied by Gen. Diaz. Dr. Ryan's automobile did not fly the American flag on the return trip with Gen. Diaz.

"'That Ambassador Wilson, brusque, arrogant, and unsympathetic with the Mexicans, was for months openly hostile to Madero and an avowed partisan of Felix Diaz.

"'That without the encouragement and approval of the American ambassador Huerta would never have been turned traitor and that Madero never would have been defeated without outside interference.

"'That Ambassador Wilson's prompt recommendation that the United States recognize the new Government was precipitate and undiplomatic.

"'That his haste to seal with his approval the weird official explanations of the execution of the Maderos and Pino Suarez has further prejudiced Mexicans against Americans.

"'While much of the information reaching Washington discredits any assertion that Ambassador Wilson acted with explicit instructions from the State Department, it all lays stress on the prevalence in Mexico City of the impression that he was only executing the policy of the Taft administration.

It is asserted that this impression is apparently fixed firmly in the public mind in Mexico City, not only among natives but among foreign residents.

Some of the narrations of events in Mexico City approach the hysterical in expressing fear that irreparable damage has been done to the diplomatic and commercial prestige of the United States in Latin America. This element pictures rage and resentment spreading throughout Central and South America, eventually reacting upon all our diplomatic and commercial relations with those countries.

Some assert that the common interpretation of Ambassador Wilson's interference in the internal troubles of Mexico is that it was only the forerunner of a policy of coercion which the United States might be expected to exercise from this time on.

Others offering information or advice are less radical in their conclusions, though the consensus

Ambassador Wilson is neither brusque, arrogant, nor unsympathetic. He is a gentleman in conduct and sentiments, both with Mexicans and all other people. An examination of the dispatches of the ambassador and the various consuls in Mexico to the State Department will undoubtedly disclose whether or not he was justified in the austere demeanor he at times displayed in the question of the protection and welfare of the Americans in Mexico.

Prior to the visit of the ambassador to Gen. Felix Diaz on Wednesday, February 12, he had never seen Gen. Diaz, and his relations with Gen. Diaz had been limited to a single correspondence with him in regard to police protection in the year of 1910, when Gen. Diaz was chief of police of the Federal District. It is untrue that the ambassador was a partisan in any sense of the word.

It is outside our province to either characterize or comment upon the conduct or motive of Gen. Huerta and his companions in arms. But Gen. Huerta never solicited nor received the encouragement and approval of the American ambassador.

If it is a fact that Ambassador Wilson recommended the recognition of the new Government, we deem it strictly within the province of the State Department to pass judgment upon his action, as that department fully appreciates the functions and duties of an ambassador.

This is a misstatement of the case. An official statement was issued by the Mexican Government in regard to the deaths of ex-President Madero and ex-Vice President Pino Suarez. What grounds had Ambassador Wilson for refusing to accept the Government's version of this affair? What proofs could he possibly produce as a basis for denial of the Government's version? So far as we know, the Government's version of this affair has not been disproven up to date. We are not aware that the ambassador's attitude toward the Government's version of these deaths has had any effect whatsoever upon the relations of Mexicans and Americans. Can we believe that such be the case had the ambassador refused to accept the official version?

The members of this delegation believe that they are extensively acquainted with the people of Mexico City and in the entire Republic, and limit themselves to saying that they have never met a single individual who has expressed the fears described in this paragraph.

Since it is not true that any improper interference on the part of Ambassador Wilson in the internal troubles of Mexico, and since we have never heard of any such "interpretation" as that referred to, we assert on the best of our information and belief that no such opinion as is expressed in the paragraphs under reply exists among either foreigners or Mexicans in Mexico.

of their opinions appears to be that he coup d'état of Gen. Huerta could not have succeeded without the approval if not the encouragement of the American ambassador.

EXHIBIT H.

LETTER FROM AMERICAN CLERGYMEN OF MEXICO CITY.

MEXICO CITY, *March 15, 1913.*

The Hon. HENRY LANE WILSON,
The United States Ambassador, Mexico City.

DEAR SIR: At a meeting of American clergymen of the City of Mexico, held this day, our attention was called by different members of the body to articles recently appearing in certain American newspapers which very seriously and unjustly reflected upon your character and official conduct during the trying and tragic ordeal through which we all passed in the month of February.

Therefore we, the undersigned, desire to express our surprise and indignation at the tenor of such unjustifiable attacks, since it was known to us that you put forth extraordinary efforts to save the lives of the late unfortunate President and Vice President of this Republic; that you offered your own home as a place of refuge to several branches of their respective families; that within four hours after the fall of the Madero government you summoned to the embassy Gens. Huerta and Diaz, chiefs of the forces contending in the city, and succeeded in bringing them to an agreement which produced an immediate cessation of hostilities and the speedy restoration of guarantees of life and property in the city; that during the combat you used your best influences to secure the establishment of a neutral zone and the cessation of hostilities within the city limits; that you, with the aid of the diplomatic corps, secured an armistice of 12 hours; and, furthermore, that you established within the embassy a bureau for the assistance of refugees, an automobile service for the removal of noncombatants from the most dangerous sections of the city, branches of the cable and post office, a temporary bank, an emergency hospital, a bureau of supplies for your own country people, which good offices greatly alleviated the sufferings not only of Americans but of many other foreigners and not a few Mexicans, and that in all this humanitarian and Christlike work you were patiently and efficiently aided by Mrs. Wilson.

We are also aware that your conduct in all these matters has won for you the general and high appreciation of the American colony at large, to which we particularly desire to hereby add our expression of sincere gratitude and highest esteem.

We are sending copies of this letter to the President of the United States, the Sun Bureau, Hearst papers, the Associated Press, and the Mexican Herald.

Faithfully, yours,

John W. Butler, district superintendent Methodist Episcopal Church; R. C. Elliot, presiding elder Methodist Episcopal Church South; R. A. Carhart, missionary, Methodist Episcopal Church; Rev. John A. Reis, pastor San Lorenzo Catholic Church; Geo. H. Brewer, superintendent Baptist Mission; J. P. Hauser, district superintendent Methodist Episcopal Church; Sidney M. Conger, pastor Union Evangelistic Church, member of the Presbytery of Otsego; Rev. Edmund A. Neville, M. A. (Oxon.), rector Christ Church; Rev. F. E. McGuire, pastor Trinity Methodist Episcopal Church.

EXHIBIT I.

MEXICO, *February 21, 1913.*

His excellency HENRY LANE WILSON,
United States Ambassador, Mexico:

The undersigned members of the British colony in Mexico beg to express their appreciation for the able manner in which Mr. Wilson, United States ambassador, handled the delicate situation created by the recent disturbances in the City of Mexico, and to thank him most sincerely for the help afforded to all foreigners by the embassy, without distinction of nationality, and more especially to all Britishers.

A. W. Donly, J. S. Campbell, Robert A. H. Watson, O. R. Shapp, W. S. Cromble, C. N. Mowag, H. Hensy, S. W. Goddard, R. P. Easton, Harwood H. Simpson, A. H. Hewet, Mr. Turner, C. B. Knocker, W. Hogg, A. J. Stuart, B. Voupy, Syd. J. Smith, A. Chermside, C. H. Lloyd, F. Woodcock, D. Bankhart, D. Muirhead, P. C. Proveny, R. Rymer, H. J. Alexander, W. H. Gleadell, R. V. Gray, Hubert Earle, L. M. B. Bullock, Jas. F. Macnabb, Sebbon D. Baker, W. Chas. Price, F. W. Green, Arthur Williams, Jas. McKinlay, W. S. Brooks, E. G. Ally, Harmer C. Sandifer, E. Wankeger, O. H. Harrison, J. W. S. Turner.

EXHIBIT J.

Resolution adopted by the board of directors of the Young Men's Christian Association of the City of Mexico, at their regular meeting on Thursday, April 10, and recorded in their minutes. That

Whereas it is the sense of this meeting that the attitude of the Hon. Henry Lane Wilson, ambassador of the United States to this Republic of Mexico, always consistently maintained, and especially during the recent period of keen and critical tension in this city, has been wise, patriotic, and unselfish, and has been such, in our judgment, as to belie certain uncharitable and unfair attacks of which he has been and is being made the victim: Be it unanimously

Resolved, That the members of this board cordially sympathize with the ambassador in the premises, and that an expression of their renewed confidence be extended to him: Be it

Resolved also, That copies of this resolution be sent to his excellency, the President of the United States, to Hon. Henry Lane Wilson, and to the press.

Thomas Philips, president; Guillermo B. Puga, vice president; Luis Alvarez Leon, sec. de actas; W. A. Price, treasurer; G. J. Babcock, general secretary; J. E. Dennison, R. Williamson, Dr. Antonio Orozco, A. Aldasoro, S. W. Rider, R. M. Raymond, P. H. L. King, W. W. Blake.

EXHIBIT K.

RESOLUTIONS ADOPTED BY THE MEXICO SOCIETY OF NEW YORK ON FRIDAY, FEBRUARY 21, 1913.

Resolved, That the Mexico Society of New York offers its congratulations to the Hon. Henry Lane Wilson, American ambassador to Mexico, upon the ability, patience, and courage he has shown in the discharge of the difficult duties imposed upon him during the recent crisis in Mexico.

Resolved, That the society extends its heartfelt sympathy to the Mexican people and to those patriots who are fighting to establish and maintain a constitutional government, and expresses the hope that a stable government, the necessary precedent to peace and prosperity, may soon be established by the people of Mexico.

Resolved, That copies of these resolutions be sent to the State Department at Washington and to the ambassador at the City of Mexico.

—

FROM THE CHARGÉ D'AFFAIRES OF FRANCE.

MEXICO, *March 11, 1913.*

MR. AMBASSADOR: At the moment in which my functions as chargé d'affaires have ended, on account of the return to Mexico of his excellency the French minister, I consider it my duty to express to your excellency my deep gratitude for the cordial manner in which you had the kindness to receive and aid me during the course of two months in which I had charge of the French legation, and notably during the tragic days of the revolution of February last.

I shall always keep in my memory the special courtesies you had the goodness to accord to me, and I congratulate myself that the discharge of my duties during the above-mentioned difficult moments allowed me the privilege of dealing more directly with the eminent dean of the diplomatic corps.

With assurances of my highest consideration, believe me, your obedient servant,

V. AYGUESPARSSE.

His Excellency HENRY LANE WILSON,
Ambassador of the United States of America.

—

FROM THE SPANISH MINISTER.

MEXICO, *March 13, 1913.*

His Excellency HENRY LANE WILSON,
Ambassador of the United States of America.

MY DEAR MR. AMBASSADOR:·On account of my interminable labors I failed to express to you my sincere thanks for the visit made to me in your name by Mr. O'Shaughnessy in order to show me the telegram you sent to the Secretary of State and the favorable reply thereto relative to the telegram I received from Spaniards at Pidras Negras, advising me that they had asked protection of the American consul during the hours of trial caused by the threats and demands of the rebels.

I avail myself of this occasion to say to you that I shall always remember the daily and constant communication in which we were during the tragic days, and will keep a grateful recollection of the always efficacious and kind assistance and cooperation I had from you. I have been an eyewitness of your valuable efforts to solve the problems and responsibilities of those trying moments and to favor the pacification of the country, which we both had at heart, due to the great importance of our respective colonies.

I avail, etc.,

B. J. COLOGAN.

—

BRITISH LEGATION,
Mexico, February 22, 1913.

MY DEAR MR. WILSON: I wish to express to you my most cordial thanks for the aid rendered to British subjects during the recent disturbances by your excellency, as well as by the members of your embassy and their gallant assistants of the American colony.

The British legation was difficult of access owing to its exposed position and its remoteness from the principal residential quarter, and the help afforded by the United States embassy and those who worked with it was therefore of special value.

I remain, my dear Mr. Wilson,
Yours, very sincerely,

FRANCIS STRONGE.

—

KAISERLICH DEUTSCHE GESANDTSCHAFT,
Mexico, March 8, 1913.

DEAR MR. AMBASSADOR: It is with profound satisfaction that I read in this morning's paper the praises duly bestowed on you by the State Department. As an eyewitness of last February's events, I wish to congratulate you upon the official recognition of your merits. May I add a word for my part? That is to say, that I want to thank you most heartily for your excellent advice and practical help proffered to this legation, through your kindness and readiness during a rather trying situation. I was so delighted when reading the morning paper that I wanted to get up to congratulate you in person, but the doctor won't have it, as this intestinal hemorrhage has repeated itself last Wednesday.

Believe me, dear Mr. Ambassador,
Yours, very sincerely and devotedly,

VON HINTZE.

—

[From the Detroit Tribune, February 26, 1914.]

RECOGNITION OF HUERTA OR OF NEW REPUBLIC, OR INTERVENTION IN MEXICO ONLY COURSES OPEN TO UNITED STATES—HENRY LANE WILSON, FORMER AMBASSADOR, IN DETROIT, SAYS ONE OF THREE MEANS PEACE—"PRESENT ATTITUDE IS INTERVENTION"—DIPLOMAT WHO RESIGNED WON'T DISCUSS ADMINISTRATION COURSE; RECALLS OWN PROPOSALS.

Declaring that the United States Government, in its effort to hold aloof from taking a hand in the Mexican situation has actually intervened in the political affairs of the country and by its attitude has furnished moral support and encouragement to the rebels now in arms against the federal government, and that one of three courses outlined will bring order out of chaos, Henry Lane Wilson, former ambassador to Mexico, last night expressed his opinion of conditions in the Republic to the south.

Mr. Wilson was in Detroit for a short time while en route from Saginaw to Ithaca, N. Y., where he will deliver a lecture. When seen at the Michigan Central station the former ambassador willingly gave his views of the situation in the bandit-ridden country, maintaining that the present crisis warrants a sort of "I told you so" attitude on his part.

"The situation with reference to Mexico at the present moment is so grave and so big with dangerous possibilities that any discussion of it ought to be approached with caution and reserve," said Mr. Wilson.

"It is not my desire to embarrass the situation in the slightest degree or to hamper by the expression of any views the proper working out of the administration plans in the present crisis, although as is known to the American public, the state of affairs which now exists was dent.

WON'T DISCUSS PAST.

"The enormous damage which has been brought upon our own citizens in Mexico and the continuance of the barbarous and devastating war which exists there, if chargeable to this administration, are things of the past. No good results can be achieved by reciting them.

"It is with the present crisis that public opinion has to do. It will be recalled that all Governments diplomatically accredited to Mexico, with the exception of Chile and Brazil, which Governments, at my request, agreed to make their recognition dependent upon ours, have recognized the provisional government of Gen. Huerta, and have endeavored, by their moral support, to enable the government to maintain itself and exert its power in the restoration of order.

"Our Government alone has held aloof, and not only has held aloof but in its anxiety to make its views prevail has actually intervened in the political affairs of the country and has by its attitude furnished moral support and encouragement to the rebels in arms against the Federal Government.

"In assuming this position contrary to the advice of its sworn constitutional officer, and in variance with the clearly announced attitude of all the great powers of the world, this Government assumed heavy responsibilities—responsibilities which might have been avoided by adhering to the traditional policy of this Government in recognizing all Governments without questioning their origin or antecedents—which are now becoming apparent even to those uninstructed in international affairs.

"We have at the present moment not only to face the Mexican situation itself, which alone would be sufficient to occupy the serious attention of a government trained in dealing with international affairs, but we are also brought face to face with the possibility of unpleasant complications with other powers who have no political interest in Mexico, but whose subjects and citizens, being in danger, have a right to expect that either this Government shall furnish effective moral support and aid to the provincial Government in Mexico or, failing this, set the Mexican house in order by direct action.

SEES THREE COURSES.

"Three courses rising to the standard of sound statesmanship are open to this Government at the present time. It may be possible it has others in contemplation, but one of these three only—all of which commend themselves—can be adopted in the light of reason.

"First, the recognition of the provisional government of Gen. Huerta, coupled with the furnishing of those moral aids and sympathies which will lead to a restoration of the national credit, the organization of the Mexican Army, and the imposing upon that Government of its full responsibilities toward all other nations. The effect of this course would be to dissipate the hordes of bandits who are masquerading under the name of constitutionalists, and make it possible for the Federal Government *to restore comparative* order.

"Second, armed intervention; that is to say, the assumption by us of the responsibilities that naturally grow out of our refusal to recognize the provisional government of Gen. Huerta. This, I believe, is a policy repugnant to the vast majority of the American people, and before entered on it must be fully understood that it means the enlistment and dispatch to Mexico of some 200,000 American soldiers. Twenty thousand United States soldiers can march to the City of Mexico and take it, but it would require the number stated to police the country after occupying the capital. The adoption of this policy means a vast expenditure of money and probably a large sacrifice of American lives, with the probability that when we shall have withdrawn from the country the reign of anarchy will be renewed. I do not believe the administration will intervene by arms in Mexico in view of the grave character of this step and of the likelihood that such a step would not be supported by American public opinion.

SUGGESTS NEW REPUBLIC.

"The third course would be the recognition, coupled with our guaranty of its independence, of a new republic extending as far south in Mexico as the twenty-sixth parallel and including Lower California. Below the twenty-sixth parallel, where the wealth and population of Mexico are, public sentiment is opposed to the present revolution, and as the bandit army marches farther south it will advance more and more into the enemy's country. People of these border States are a different people than those below the twenty-sixth parallel, and no government at Mexico City can hope to hold them permanently in control.

"This is due not only to the antagonisms which exist, but to the character of the country, which makes it possible for roving bandits to carry on the class of warfare carried on in South Africa during the Boer War. I do not know that this plan is possible of execution nor that any considerable Mexican or American sentiment would favor it. I simply suggested it as a 'way out.'"

Mr. GALLINGER. Mr. President, I will occupy the floor but a moment. I desire simply to say that no Member of this body more sincerely desired to sustain the President in any matter that he has in hand in connection with the unfortunate condition of things in the Republic of Mexico, provided the resolution was broadened sufficiently to give what I thought was an adequate reason for interfering. But inasmuch as the Senate saw fit to vote down an amendment to the resolution which simply provided for the protection of American citizens, and likewise voted down the most excellent amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE], which disclaimed all purpose on our part to territorial acquisition, I feel constrained in justice to my own convictions to vote against the joint resolution.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Foreign Relations.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment as in Committee of the Whole, the joint resolution will be reported to the Senate.

The joint resolution was reported to the Senate as amended.

The PRESIDING OFFICER. The Chair desires to call attention to something that has perhaps been omitted, as he wishes to proceed in this matter in formal routine. There has been an amendment, unless the Chair is in error, that has not been voted upon. The Senator from Massachusetts [Mr. LODGE] tendered a correction of a previous amendment of his own. Has that been disposed of?

Mr. LODGE. I never offered the other amendment.

The PRESIDING OFFICER. The Chair did not wish the Senator from Massachusetts to feel that he had ignored him in the matter.

Mr. LODGE. I am very much indebted to the Chair.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDING OFFICER. The question is, Shall the joint resolution pass?

Mr. SHIVELY, Mr. GALLINGER, and Mr. LA FOLLETTE called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Again announcing my pair with the senior Senator from Missouri [Mr. STONE], who is detained by illness, and the exchange and transfer of pairs with the senior Senator from Maine [Mr. JOHNSON], I vote "yea."

Mr. SHEPPARD (when Mr. CULBERSON'S name was called). I again announce the unavoidable absence of my colleague [Mr. CULBERSON]. He is paired with the Senator from Delaware [Mr. DU PONT]. If my colleague were present he would vote "yea."

Mr. FALL (when his name was called). I have reason to believe that the Senator from Arizona [Mr. SMITH], with whom I am paired, if present would vote as I will, and I shall vote. I vote "yea."

Mr. JOHNSON (when his name was called). I have a pair with the junior Senator from North Dakota [Mr. GRONNA], but if he were present he would vote as I will vote. I vote "yea."

Mr. WALSH (when Mr. MYERS'S name was called). I again announce the unavoidable absence of my colleague [Mr. MYERS] on account of illness. He is paired with the Senator from Connecticut [Mr. MCLEAN]. If my colleague were present, he would vote "yea."

Mr. OLIVER (when his name was called). I transfer my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] to the senior Senator from Ohio [Mr. BURTON] and vote "nay."

Mr. KERN (when Mr. TILLMAN'S name was called). If the Senator from South Carolina [Mr. TILLMAN] were able to be present, he would vote "yea." He is unavoidably detained, and is paired with the Senator from Wisconsin [Mr. STEPHENSON].

The roll call was concluded.

Mr. REED. I renew the announcement with reference to the enforced absence of my colleague [Mr. STONE]. If he were present, he would vote "yea."

The result was announced—yeas 72, nays 13, as follows:

YEAS—72.

Ashurst	Gore	Newlands	Shively
Bankhead	Hitchcock	O'Gorman	Simmons
Borah	Hollis	Overman	Smith, Ga.
Bradley	Hughes	Owen	Smith, Md.
Brady	James	Page	Smith, Mich.
Bryan	Johnson	Penrose	Smith, S. C.
Burleigh	Jones	Perkins	Sterling
Catron	Kenyon	Pittman	Sutherland
Chilton	Kern	Poindexter	Swanson
Clapp	Lane	Pomerene	Thomas
Clark, Wyo.	Lea, Tenn.	Ransdell	Thompson
Clarke, Ark.	Lee, Md.	Reed	Thornton
Colt	Lewis	Robinson	Townsend
Crawford	McCumber	Saulsbury	Vardaman
Cummins	McLean	Shafroth	Walsh
Fall	Martin, Va.	Sheppard	Warren
Fletcher	Martine, N. J.	Sherman	West
Goff	Nelson	Shields	Williams

NAYS—13.

Brandegee	La Follette	Oliver	Works
Bristow	Lippitt	Root	
Dillingham	Lodge	Smoot	
Gallinger	Norris	Weeks	

NOT VOTING—10.

Burton	du Pont	Smith, Ariz.	Tillman
Chamberlain	Gronna	Stephenson	
Culberson	Myers	Stone	

So the joint resolution was passed.

The PRESIDING OFFICER. The Secretary will read the preamble reported by the Committee on Foreign Relations.

The SECRETARY. The Committee on Foreign Relations recommend the adoption of the following preamble to the joint resolution:

In view of the facts presented by the President of the United States in his address delivered to the Congress in joint session on the 20th day of April, 1914, with regard to certain affronts and indignities committed against the United States in Mexico: Be it

The PRESIDING OFFICER. The question is on agreeing to the preamble.

The preamble was agreed to.

The title was amended so as to read: "A joint resolution justifying the employment by the President of the armed forces of the United States."

Mr. SHIVELY. I move that the Senate request a conference with the House of Representatives on the joint resolution and amendments and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to, and the Presiding Officer appointed Mr. SHIVELY, Mr. CLARKE of Arkansas, and Mr. LODGE conferees on the part of the Senate.

UNITED STATES VOLUNTEER FORCES.

Mr. REED. I ask to take from the table my motion to reconsider the vote by which the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war was passed. The motion was made for what I thought were sufficient reasons. I still should like to call the attention of the Senate to certain matters contained in the bill; but in view of the present emergency, and because the bill relates to the reorganization of the Army, I withdraw the motion to reconsider.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the bill stands passed.

Mr. KERN. I move that the Senate adjourn, to meet at 12 o'clock noon to-day.

The motion was agreed to; and (at 3 o'clock and 25 minutes a. m., April 22, 1914) the Senate adjourned until Wednesday, April 22, 1914, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 21, 1914.*

The House met at 10 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Profoundly sensible, O God our Father, of our utter dependence upon Thee, we lift up our hearts in love and gratitude that Thou hast spared our lives and permitted us once more to assemble within this legislative Hall where history is made. Let Thy favor, we pray Thee, be upon these Thy servants as they thus lengthen the pages of our national record, that they may be impressed with the solemn duty resting upon them, that their resolves and enactments may be in accordance with Thy good purposes. In the name of Christ, the Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14034, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14034, the naval appropriation bill, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 14034) making appropriations for the naval service for the fiscal year ending June 30, 1915, and for other purposes.

Mr. PADGETT. Mr. Chairman, I will ask the gentleman from Massachusetts [Mr. ROBERTS] if he will use some of his time?

Mr. ROBERTS of Massachusetts. I shall be glad to. I yield 30 minutes to my colleague on the committee from Michigan [Mr. KELLEY].

The CHAIRMAN. The gentleman from Michigan [Mr. KELLEY] is recognized for 30 minutes.

Mr. KELLEY of Michigan. Mr. Chairman, a few weeks ago this House passed a resolution approving the suggestion of a high official in the British Government that naval construction be suspended for a period of one year by all the leading nations. The House took this method of expressing the desire of the American people to cooperate with other nations in any movement looking toward limiting expenditures for war purposes. In doing this the House undoubtedly reflected the sentiment of the American people. This resolution attracted attention and was commented upon favorably by the press both at home and abroad. It is to be hoped that tangible results will flow from it. For this year, however, it is too much to expect that it will effect any curtailment in the naval program of any of the great nations.

The day of universal peace has been the desire and the dream of the ages. While we are undoubtedly advancing slowly toward that happy end, the millennium has been by no means yet attained. At times that happy goal has seemed but a day's journey ahead of us, but like the mirage of the desert the next sunset found it still beckoning us onward. However, the moral support of this great Republic should be exerted at all times to the end that disputes among nations may be settled without resort to force.

In the meantime, however, it would be worse than folly to close our eyes to actual world conditions and fail to provide for a reasonable national defense. We have not yet reached that day when war is but a memory. It is still a fearful reality.

Mr. BARTON. Mr. Chairman, will the gentleman yield right there?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Nebraska?

Mr. KELLEY of Michigan. Yes.

Mr. BARTON. Before the gentleman gets away from that point. After we adopted the Hensley resolution it was transmitted to some department of this Government. Can the gentleman inform this committee whether that resolution was ever forwarded to foreign Governments or whether it ever left the department of this Government?

Mr. KELLEY of Michigan. I have no information as to what became of the resolution after it left the House.

Nearly all of the leading nations of the world have engaged in war within the last two decades. The war between China and Japan in the early nineties cost China, including indemnities, $750,000,000. In the late nineties we were engaged in war with Spain. Although the war lasted but a few weeks, it cost this Government, exclusive of expenditures in the Philippine Islands, upward of $300,000,000. The Boer war, fought during the early part of the last decade, cost England and the Boers upward of $400,000,000. One hundred and fifty thousand men were engaged in that conflict, and approximately one-third of them were killed in battle or died of wounds and disease. The war between Japan and Russia in 1904 cost Russia $775,000,000 and increased the national debt of Japan fivefold. Russia lost 338,000 men and Japan 167,000 men. The Balkan wars of last year involved a fighting force of 368,000 men in behalf of Turkey and 665,000 men in behalf of Bulgaria, Servia, Greece, and Montenegro. During the past two years a great revolution has been going on in China, resulting in the overthrow of the ancient dynasties of the Empire, and in the Far East there has arisen the sun of a new Republic—the United States of China. For the past three years a brutal war has been carried on in the neighboring Republic of Mexico at a cost in life and property which can not even be approximated. In fact, the last two decades have been among the most warlike in modern history. In spite of the sentiment for disarmament, for international arbitration, for naval holidays, and for universal peace, the world has by no means yet abandoned the practice of settling disputes between nations in the forum of the field, the camp, and the march.

This being true, it is the duty of Congress to provide an adequate national defense for this Republic. When the Army appropriation bill was before the House a few weeks ago much was said about the cost and the fearful waste of war. Upon that proposition there is no disagreement. All are agreed as to the poverty and want which follow in its wake. All are agreed that it picks for sacrifice the bravest and the strongest of the race. All are agreed as to the burden of debt which must be paid by other generations. All are agreed as to the benefits which would come to mankind could all the expenditures for armies and navies be made in behalf of public improvements, sanitation, schools, churches, social and industrial betterment. The same thing might with equal propriety be said of expenditures for police, for jails, and courts. The police department of New York City alone costs $12,000,000 annually. Think of all the benefits which might be conferred upon the people of New York along lines of education and social betterment by the expenditure of this vast sum. But police and jails and courts are necessary and must be provided so long as there are individuals who must be restrained. The

same thing is true in the community of nations, and it would be just as unwise for a nation to fail to provide for an adequate national defense as for a city to neglect to provide ample police protection.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Texas?

Mr. KELLEY of Michigan. Yes.

Mr. CALLAWAY. I have heard a great deal about this "adequate national defense." I want to know what "adequate national defense" is.

Mr. KELLEY of Michigan. I will discuss that as I go along, a little later, if the gentleman will abide in peace.

Mr. CALLAWAY. Very well.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. FESS. Speaking of the tremendous outlay for these wars that the gentleman has just mentioned and their very short duration in point of time, what is to be the ultimate result of the present growth of armament upon the people?

Mr. KELLEY of Michigan. The only purpose, I will say to the gentleman from Ohio, that I had in calling attention to the expenditures for wars fought in the recent past was to show that the day of peace is not yet here, and as long as that condition prevails it would be unwise for us not to provide for a reasonable national defense.

Mr. FESS. Does the gentleman see in this armament a point where we will break because of the overweight of its burdens?

Mr. KELLEY of Michigan. Why, it is the hope, of course, of all that the time will come when nations will agree to curtail the expenditures for war purposes.

Mr. FESS. Will that agreement be by the stress and force of necessity?

Mr. KELLEY of Michigan. Under the stress of necessity it would seem that international agreements limiting war expenses might be reached.

Mr. FESS. The gentleman is going on the basis that peace will be secured by arming the peaceful nations? Is that it?

Mr. KELLEY of Michigan. No; I am going on the basis that as long as there is a war spirit in the world it would be foolish for this great Republic not to be prepared to resist aggression.

Mr. MADDEN. Mr. Chairman, does the gentleman object to a question?

Mr. KELLEY of Michigan. No; but my time is limited, and I can not take up much more time in yielding.

Mr. MADDEN. Is the gentleman's conclusion, that the time of peace is not near at hand, based on the action of the House yesterday?

Mr. KELLEY of Michigan. No. The American people are against war, except as a last resort. If war comes we will not be the aggressors. We have no desire for conquest. We do not seek the territory of any other country. But if forced into war in defense of our liberties, for which we have paid so high a price or for the maintenance of such policies as we consider of paramount importance or for the protection of our people at home or abroad, it would be a world calamity were we not adequately equipped to bring such a war to a speedy and successful termination.

The immediate question, therefore, before the House is whether the sums authorized in this bill are reasonably necessary for the national defense. This bill carries an appropriation, in round numbers, of $140,000,000 for the Navy. Of this sum approximately $36,000,000 is for new construction. The balance is for the general upkeep of the Navy and for the pay of officers and men. So far as the existing Naval Establishment is concerned, the Committee on Naval Affairs has exercised such economy as seemed consistent with efficiency. The pay of the officers and men, while higher than in foreign countries, is in harmony with American conditions and standard of living. The sums provided for supplies are not excessive. Only such repairs and improvements in the navy yards and other industrial plants as seem necessary are provided. Undoubtedly the Government maintains too many navy yards, and if some plan of consolidation could be worked out it is altogether likely that economies could be practiced without sacrificing efficiency.

The matter then narrows itself down to that part of the bill making provision for the construction of two dreadnaughts, six destroyers, and eight submarines, involving when completed an expense of approximately $40,000,000. Is this expenditure reasonably necessary for an adequate national defense? In considering the necessity for the proposed naval construction it is necessary to consider the size and strength of our present Navy.

At the present time we have 34 battleships, 9 of the dreadnaught class and 25 of the predreadnaught type. A dreadnaught is described by the Secretary of the Navy as a battleship having at least 18,000 tons displacement, a speed of not less than 20 knots per hour, and having a main battery of 10 or more not less than 11-inch guns. In addition to ships now in commission in the Navy, 5 dreadnaughts have been authorized and are now being built. The *New York* is completed and will be ready for sea in a few days. The *Oklahoma* and the *Nevada* will be completed and commissioned within a year. The *Pennsylvania* will probably be completed and commissioned within two years. The keel of battleship *No. 39* has just been laid. When these 5 dreadnaughts are completed and commissioned we will have a dreadnaught fleet of 14 ships. Of our predreadnaught fleet of 25 ships, the *Indiana* and the *Oregon* were commissioned 18 years ago, and the *Massachusetts* 17 years ago.

The plans for their construction were prepared about 22 years ago. The same improvement is going on in naval construction as in all other construction. A warship built according to designs prepared upward of 20 years ago naturally becomes more or less obsolete on account of improvements, resulting in greater speed in the newer ships and in higher power and longer range of the newer guns. For illustration, the battleship *Indiana* had a speed of 15.55 knots per hour on its trial trip, while the speed of the *Texas*, recently commissioned, is 22 knots per hour. The range of the guns of the *Indiana* is between 7 and 8 miles, while the range of the guns of the *Texas* is between 14 and 15 miles. The *Indiana* and the *Oregon* were remodeled a few years ago, and will be useful for many years to come for coast defense. It is obvious, however, that if taken out to sea with our dreadnaught fleet having a speed of 21 or 22 knots per hour, these slow-going battleships would reduce the speed of the entire fleet to 15 knots per hour.

The battleships *Massachusetts*, *Iowa*, *Alabama*, *Kearsarge*, *Kentucky*, *Illinois*, and *Wisconsin* were commissioned between 1896 and 1901 and have a speed of approximately 17 knots per hour. Assuming that it takes one year after authorization to make the plans and award the contracts, and that it takes three years thereafter to build a dreadnaught, the ships authorized under this bill will not be ready for commission until 1918, at which time the *Alabama*, the *Kearsarge*, the *Kentucky*, the *Illinois*, and the *Wisconsin* will be as old as the *Oregon* and the *Indiana* are now.

It seems only the part of wisdom for the United States to add new ships from year to year in sufficient numbers to take the place of those which become obsolete on account of scientific developments in naval construction. Assuming that there is a depreciation in efficiency of only 5 per cent per annum, an annual addition of two battleships will just about compensate for such depreciation and would seem to be a reasonable policy for this Government to pursue under existing world conditions.

But how does our Navy compare in size and strength with that of other countries? The authorities all seem agreed that for purposes of comparing the strength of navies the battleship unit should be taken as a standard. This, of course, leaves out the question of men. Applying this standard, England stands first, with a navy about twice the size and strength of ours. Germany stands second, the United States third, France fourth, and Japan fifth.

The gentlemen who signed the minority report have contended that our Navy is now equal to that of Germany. Up to five years ago this contention would have undoubtedly been correct. Our old Navy is undoubtedly superior to the old navy of Germany. By old Navy I mean ships built prior to 1909. In this class we have 25 battleships, ranging from the *Indiana*, commissioned in 1895, to the *New Hampshire*, commissioned in 1908, while Germany has 20 battleships commissioned between 1898 and 1908. In our new Navy we have 9 dreadnaughts, 7 of which are the equal of any fighting craft in the world. Germany has 13 dreadnaughts and 4 dreadnaught cruisers. These dreadnaught cruisers cost more than dreadnaughts, and have the armor, armament, and displacement of ships of the dreadnaught class and a speed of from 28 to 29 knots per hour. Counting dreadnaught cruisers as dreadnaughts, Germany has in commission 17 dreadnaughts to our 9. We are building 5 dreadnaughts, which when completed will make 14 in all. Germany is building 6 dreadnaughts and 3 dreadnaught cruisers, which when completed will make 26 dreadnaughts and dreadnaught cruisers as against our 14 dreadnaughts. Germany is therefore clearly entitled to second place in naval strength, and if she carries out her present building program her superiority will be still further increased.

Of course, the United States does not need as large a navy as England. In the first place, England must control the seas touching her shores. She is dependent upon the outside world for her food supply. She has exposed valuable territory in all parts of the world. She has an extensive world commerce.

Under these conditions it would be impossible for England to bring her entire naval strength to bear at a given point without exposing her commerce and her widely scattered possessions. The situation of the United States is very different. On the Atlantic side our interests are almost wholly confined to continental United States. Our remoteness from Europe is in itself a protection. Any European nation attacking us must cross 3,000 miles of sea to do it. Besides, conditions in Europe are such that none of the great powers could safely send their entire fleet away from home. Too great a disparity, however, between our Navy and that of a great nation like Germany would be unwise.

In considering our naval requirements we must also have in mind any National or State policies which have in the past given rise to controversies with foreign countries and which may cause trouble again. It so happens that certain policies which are deemed wise for the people of this country prove irritating to other nations. Our policy of excluding Asiatics falls within this class and is one of the most sensitive questions with which our Government is called upon to deal. Within a year the Secretary of State has appealed in person to the Legislature of the State of California urging upon that State the importance of doing nothing which would complicate our relations with Japan. Only recently, while the immigration bill was under consideration, the Members of this House were appealed to by the administration and by the leaders of both parties to the same effect. Members of the House fully realize the possibility of international complications growing out of anti-Asiatic legislation, either by Congress or any of the States. We can not ignore this question in considering our naval requirements.

Since the Spanish-American War we have exercised sovereignty over the Philippine Islands. Our future policy in these islands may have some bearing on the size of our Navy. The present administration has declared it to be the purpose of the United States to grant independence to the Philippines at an early date. Those best qualified to judge insist that the people of these islands are not now and will not in the near future be able to maintain an independent government. If we stay in the Philippine Islands, we must go forward with our work of education and preparation which has been so splendidly carried on during the past 15 years. If we decide to risk granting them independence at an early date, we must stand by and see that they do not fall a victim either to conquest or revolution. Whichever course we pursue it is not likely that our obligations to the people of the Philippine Islands will cease during the active lifetime of any battleships authorized by this bill. Our naval plans therefore, for the present at least, must take into account our obligations in the Far East.

For 90 years we have declared it to be our fixed policy to stand by the Monroe doctrine. While this doctrine has not been recognized as international law it has been observed by the nations of Europe, and is to-day a vital part of our foreign policy. The people of the United States are as much opposed to the entrance of any European power into Central or South America as when the Monroe doctrine was first announced.

Since the building of the Panama Canal it is particularly important that no great foreign power should gain sovereignty over or even become the dominant influence in any country lying between the United States and that great highway of commerce. For many months thoughtful men have been watching with growing concern the steadily increasing influence of foreign nations in Mexico with a corresponding loss of prestige on the part of the United States.

This situation has come about partly because of the policy pursued by this Government toward Mexico during the past year, and partly because of the steadily increasing financial dependence of Mexico on European nations. During the past three years a tremendous war debt has been incurred by Mexico and heavy loans have been made abroad. Some of these loans have been secured by customs receipts, which would give a creditor nation so secured the right to seize the customhouses of Mexico whenever it might be deemed necessary for the protection of its loans. Students of history are well aware of the fact that when one nation becomes heavily interested financially in the affairs of another it is only a short step to an attempted exercise of sovereignty and political control in the event of serious domestic disturbance in the debtor nation.

A realization on the part of this Government that such a situation might arise as a result of the chaotic conditions in Mexico is undoubtedly one of the reasons for the mobilization of practically the entire American Navy in Mexican waters at this time. Such a show of strength as has been made in Mexican waters would not be necessary if our only purpose was to force an apology for an insult to our flag from a weak nation like Mexico, a nation without a navy and with its coast line practically without fortifications. The effect of such a naval demonstration as has been made will be to serve notice on the world that the Monroe doctrine is still a vital part of our foreign policy, and no matter what happens in Mexico, that unfortunate Republic will not be open to exploitation by foreign nations. In this course the President will have the support not only of the American Congress but of the American people as well.

The situation in Mexico has not only been disturbing from the standpoint of the preservation of the spirit of the Monroe doctrine, but for many months it has raised the very pertinent question of the duty of this Government to protect American citizens as well as citizens of foreign countries temporarily residing there. Since the war began the lives of scores of American citizens have been sacrificed in Mexico. The State Department is to be commended for the zeal displayed in the Benton case, but it is a matter of keenest regret to the American people that a more vigorous policy has not been pursued in protecting citizens of the United States. It does seem to me that this Government should exercise at least the same vigilance and the same consideration in behalf of our own citizens as for the citizens or subjects of a foreign power. [Applause.] American citizenship has never been regarded as a one-sided affair. On the one hand it means protection to the Government by the citizen. On the other hand it means protection to the citizen by the Government. No great government can afford to close its ears to the cry for help from a deserving citizen in distress whether at home or abroad.

In the palmy days of the Roman Empire it was the proud boast of the Cæsars that the legions of Rome would march to the ends of the earth to protect Roman citizenship. I want to see the time come when American citizenship will mean so much that a citizen of the United States may travel the world over and feel that if he keeps within his rights he will carry with him the protection of this mighty Republic, and that his cry for assistance will not go unheeded by the American Government. [Applause.]

Coming back to the bill now under consideration by the House permit me to say in conclusion that in view of our position as a Nation on this hemisphere, in view of our duty to republican government everywhere, in view of all that there is at stake for us and for our children and for all mankind, this great Republic can not afford to rely on accident or chance. In the extension of popular rule it is our destiny to lead the way. Let us make our leading a blessing to all mankind. To this end let us provide and maintain a navy in keeping with the responsibilities with which we are charged and sufficient at all times to defend our coast, our commerce, our foreign and domestic policies, our possessions, and our people at home or abroad. [Applause.]

Mr. ROBERTS of Massachusetts. Mr. Chairman, if the chairman of the Naval Committee has no objection, I would like to yield at this time one minute to the gentleman from Wisconsin [Mr. CARY].

Mr. PADGETT. I shall be glad if the gentleman would use some of his time.

Mr. ROBERTS of Massachusetts. I yield to the gentleman from Wisconsin [Mr. CARY].

Mr. CARY. Mr. Chairman, not wishing to take up the time of the House this morning, I merely ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CARY. Mr. Chairman, the question before Congress is neither partisan, political, nor anything else but patriotic, and I, for one, can see nothing but the plain duty of every American citizen to stand firmly back of the President.

We may differ as to the wisdom or the sagacity of any administration's foreign policy, but we can not differ when the call comes to "rally 'round the flag." There never has been a time in our history and there never will be a time when the American people will not stand together as one man to resent and punish an insult to Old Glory, and party lines fade into insignificance when the bugle call of patriotism sounds its warning note that the time for action is near.

It matters not whether we believe in intervention in Mexico or not; it matters little whether we believe that any faction in Mexico should or should not be recognized; but it does matter when any faction in Mexico or any other country abuses an American citizen or offers an affront to the American flag, and the punishment should be swift and sure to any man or faction or country who does so.

There may be some people in this country who believe different, such as Socialists, capitalist-owned high-brows, and so forth, but I am firmly convinced that the vast majority of virile, red-blooded American citizens still hold fast to the old, old patriotic traditions and agree that an American man, no matter how humble, is entitled to the protection of the American flag wherever his footsteps may carry him in the whole wide world.

I make no pretensions to any deep knowledge of the intricate mazes of international law. The musty books upon the library shelves have not taught me the patriotism that I understand, but out amongst the hardy pioneers who came from every corner of the civilized world to seek their fortunes, build their homes, and live up to their ideals of freedom in the broad areas of the mighty West; from these people I learned the love of country that knows no faltering methods, that recognizes no timid doubtings, but, with a confidence that their country will never tread in a dishonorable pathway, sturdily maintains that if the devil himself should ever dare to lay his horny hands upon an American yellow dog a battalion of the boys in blue and a white squadron would be promptly pounding at the gates of hell to know the reason why.

The following clipping might be of interest, which I cut from the Washington Herald of this date:

HIS WORDS CALLED TREASON.

NEW YORK, *April 20.*

Attachés of the United States attorney's office to-day declared that they expected the arrest of William D. Haywood, the Industrial Workers of the World leader, to be ordered if war is declared against Mexico, because of his advocacy of a "war strike" at Carnegie Hall last night.

If Haywood is arrested it will be on charges of treason and seditious utterances. "The agitator urged all workingmen to go on strike the minute war is declared, so that the United States would be helpless before her enemies."

Mr. ROBERTS of Massachusetts. Mr. Chairman, I yield to the gentleman from Iowa [Mr. GOOD].

The CHAIRMAN. The gentleman from Iowa [Mr. GOOD] is recognized.

Mr. GOOD. Mr. Chairman, every day brings new and convincing proof of the need of a tariff commission. The amount of misinformation contained in the CONGRESSIONAL RECORD relative to the cost of production in this country and abroad is most remarkable. In the Daily Consular and Trade Report of March 25, 1914, published under the direction of the Department of Commerce, is found this statement from the American consul at Liege, Belgium:

WAGES PAID IN FACTORIES.

[Consul Alexander Heingartner, Liege, Belgium.]

In the various operations in the manufacture of firearms and ammunition the following wages obtain here, the schedule being furnished by a Belgian manufacturer:

Firearms operations: Operations on metal per hour: Drop forging, barrel rolling and forging, and power milling, all $0.08 to $0.13; hand milling and profiling, $0.07 to $0.13; drilling (women employed) and tapping, each $0.05 to $0.06; shaving, $0.07 to $0.13; polishing, $0.05 to $0.10; filing, $0.09 to $0.13. Woodworking (with high-speed machinery) per hour: Stock turning, $0.07 to $0.09; stock drilling, $0.07 to $0.13; stock sanding and polishing, $0.10 to $0.14; assembling and fitting, $0.09 to $0.14; toolmakers and machinists, $0.10 to $0.16; common laborers, truckmen, packers, and miscellaneous, $0.06 to $0.10; draftsmen, $25 to $80 per month. Proportion of males and females employed—2,600 men and 1,000 women.

Exports of firearms from Belgium during the first 11 months of 1913 had a value of $4,660,000.

Ammunition operations: Draftsmen, $25 to $80 per month. Hourly rate (male): Machine operators (women), $0.05 to $0.07; automatic machine tenders, tool setters, etc., $0.12 to $0.16; machinists and toolmakers, $0.12 to $0.16; helpers, $0.05 to $0.09; carpenters, electricians, steamfitters, and other such trades, $0.07 to $0.10. Piecework earnings for both male and female are practically the same as those paid by the hour. Proportion of males and females employed—400 women to 100 men.

Mr. COLLIER. Will the gentleman yield?

Mr. GOOD. Just as soon as I complete this statement.

Mr. COLLIER. I want to know what factory that is.

Mr. GOOD. The factory at Liege, Belgium, as reported to the Secretary of Commerce and Labor by the American consul at that point.

Upon reading that report the thought struck me that the prices paid laborers of that class were not more than 25 or 30 per cent of the wages paid similar occupations in this country. I knew that under the Chief of Ordnance of the War Department the Government is employing thousands of men in the manufacture of ammunition and small arms, and I desired to know how the wages of such men compared with similar employment abroad. So on the 28th day of March I sent to Gen. Crozier, Chief of Ordnance, who is in charge of the employment of the men in our ammunition factory at Frankford Arsenal, Philadelphia, and at the Springfield Arsenal at Springfield, Mass., the Daily Consular and Trade Report referred to, asking him to give a comparison between the wages paid as reported in this publication and those paid by the Government of the United States, and I received from him this reply:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ORDNANCE,
Washington, April 1, 1914.

Hon. JAMES W. GOOD,
House of Representatives, Washington, D. C.

DEAR SIR: Subject: Comparison of wages paid in Belgium with those paid in the United States in the manufacture of firearms and ammunition.

1. Answering your note of the 28th ultimo, inclosing a copy of the Daily Consular and Trade Report for March 25, 1914, inviting attention to the statement therein contained of the wages paid laborers in the firearms and ammunition factories of Belgium, and requesting a statement of the wages paid in the Government arsenals for similar employment, I inclose herewith two statements prepared in this office, one showing a comparison of the wages paid in Belgium—as stated in the Consular and Trade Report—with those paid at the Springfield Armory, Springfield, Mass., in the manufacture of firearms, and the other giving similar data with reference to the manufacture of ammunition, the latter statement showing the wages paid at the Frankford Arsenal, Philadelphia, Pa., which is the Government's ammunition factory. The Springfield Armory is the Government's small-arms plant.

2. I am also returning herewith, as requested, the copy of the Consular and Trade Report received with your notes.

Respectfully,

WILLIAM CROZIER,
Brigadier General, Chief of Ordnance, United States Army.

Here are the inclosures, giving a comparison of wages paid in Belgium and the United States in the manufacture of firearms and ammunition.

Comparison of wages paid in Belgium and United States in the manufacture of firearms.

Designation.	Belgium.	United States.[1]
	Per hour.	*Per hour.*
Drop forger	$0.08 to $0.13	$0.37½ to $0.50
Barrel rolling	.08 to .13	.34⅜
Forging	.08 to .13	(2)
Power milling (miller)	.08 to .13	.25 and .28⅛
Hand milling	.07 to .13	.25 and .28⅛
Profiling	.07 to .13	.31¼ to .37½
Drilling	.05 to .06	.31¼
Tapping	.05 to .06	.31¼ to .37½
Shaving	.07 to .13	.31¼ to .34⅜
Polishing	.05 to .10	.32½ to .37½
Filing	.09 to .13	.31¼ to .37½
Woodworker (machinery):		
Stock turning and drilling	.07 to .09	.31¼ to .40⅝
Stock sanding and polishing	.10 to .14	.31¼ to .40⅝
Assembling, etc	.09 to .14	.31¼ to .37½
Toolmakers	.10 to .16	.40⅝ to .46⅞
Machinists	.10 to .16	.37½ to .43¾
Packers	.06 to .10	.28⅛ to .28⅛
Common laborers	.06 to .10	.25
Draftsmen	[3] 25.00 to 80.00	83.33 to 100.00

[1] Rates taken from Springfield Armory. All male employees in United States. A large majority of these employees work on piecework, and make from 10 to 20 per cent more than day wages.
[2] See drop forger.
[3] Per month.
[4] Per month. Some of the arsenals employ a larger number of draftsmen than others, and the rate of pay extends to $183.33 per month.

Comparison of wages paid in Belgium and United States in the manufacture of ammunition.

Designation.	Belgium.	United States.[1]
	Per hour.	*Per hour.*
Machine operators (women)	$0.05 to $0.07	$0.14½ to $0.19
Automachine tenders	.12 to .16	.40½
Machinists	.12 to .16	.31¼ to .50
Toolmakers	.12 to .16	.34⅜ to .47
Helpers	.05 to .09	.25
Carpenters	.07 to .10	.37½ to .40
Electricians	.07 to .10	.31¼ to .53
Steam fitters	.07 to .10	.31¼ to .34⅜
Draftsmen	[2] 25.00 to 80.00	[2] 75.00 to 166.67

[2] Per month. [1] Rates taken from Frankford Arsenal.
Proportion of males and females employed: 400 men to 100 women in United States. A large majority of these employees work on piecework and make from 10 to 20 per cent more than day wages.

Mr. MOORE. Mr. Chairman, the gentleman is contrasting the wages paid in Belgium and in the United States?

Mr. GOOD. I am not making the contrast. I am simply giving first the statement printed by the Secretary of Commerce in the Daily Trade and Consular Reports, which gives the wages paid in Belgium, and I am reading a statement made by Gen. Crozier, who employs thousands of men in our arsenals who are performing exactly the same kind of work, giving the wages paid them.

Mr. MOORE. The gentleman is quoting Government authority?

Mr. GOOD. Yes; absolutely; both as to the wages paid in Belgium and the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBERTS of Massachusetts. I yield five minutes more to the gentleman from Iowa.

Mr. MOORE. The gentleman is aware that Belgium is a great iron and steel manufacturing country?

Mr. GOOD. Yes.

Mr. MOORE. One of the chief competitors of the United States in that line?

Mr. GOOD. Yes; I believe that is true.

Mr. MOORE. The statement of wages as quoted by the gentleman, coming from the Department of Commerce, shows that the wages paid in the United States to iron and steel workers, particularly in the arsenals, are, on the average, about three times what they are in Belgium.

Mr. GOOD. They are more than three times as much; the wages range from three to six times as much.

Mr. MOORE. The gentleman knows it has been contended here that the cost of living in the United States would be reduced by reducing the tariff against foreign-made materials. It now appears that labor in Belgium, one of our competitors, receives from three to six times less wages than labor receives in the United States.

Mr. GOOD. That is true, and I am putting this comparison before the House for the purpose of showing that the statements that have been made on the floor of this House time and time again and that have gone throughout the country to the effect that there is practically no difference in the wages paid for labor in the United States and abroad are absolutely without foundation.

Mr. MOORE. The gentleman is quoting Government authority?

Mr. GOOD. Absolutely.

Mr. MOORE. I am very glad he is, because the Government can not very well go back on its own figures. If the gentleman will indulge me, I would state that the Philadelphia Record, the foremost Democratic paper in Pennsylvania, which constantly stands for a lower tariff, in an editorial on April 18 said:

> The best-paid locomotive engineers in Italy receive $1.64 a day; firemen, 85 cents; conductors, $1.28; head brakemen, $1.10; and an ordinary brakeman, 73 cents, after long years of service. A station guard's pay ranges between 50 and 70 cents, and a switchman, beginning at 51 cents, in 18 years may attain a wage of 70 cents a day. In reality they all receive considerably less, for the Government deducts from their pay the income tax and pension premium. It is not surprising that the men are threatening to strike for better wages. When American railroad employees contrast their own compensation with these figures they may well feel that they are the best-paid workers of their kind in the world.

If the gentleman will permit me to interject into his remarks this Democratic authority and compare it with the Government authority, I will be very much obliged.

Mr. TOWNSEND. Will the gentleman permit just one question?

Mr. GOOD. I agreed to yield to the gentleman from Mississippi [Mr. COLLIER].

Mr. COLLIER. While the gentleman was preparing his interesting statistics, did he also find any statistics in reference to the efficiency of these laboring men and workmen as compared with the efficiency of the American workmen? And also, has he any statistics showing the value of the purchasing power of a dollar in Belgium and a dollar in the United States?

Mr. GOOD. I am glad the gentleman asked that question. I have no information on that subject; and, what is more, the Ways and Means Committee have no information on that subject, apparently, and do not want any information, for they brush the whole question aside with the statement that the wages paid in this country are the same as those paid abroad. And you on that side passed a tariff bill based on this kind of information. You spurned impartial and reliable information, and the American workman must now suffer because of the stupidity and ignorance of a Democratic Congress. A tariff commission would have supplied information which Congress lacked.

And if gentlemen on that side are looking for an answer to the question of why men are tramping all over this country begging for bread, they will find it in the fact that American manufacturers, who are obliged to pay this high wage scale, can not compete in the markets of the world or in their own market with European manufacturers who only pay their laborers from one-third to one-sixth of the wages paid American laborers. I want to say, further, that the employees in our arsenals are given 28 days leave every year with full pay, making employment in our arsenals a very attractive employment. The wages, however, which are given in the schedule furnished by Gen. Crozier are not higher, and in many instances are not as high, as American skilled mechanics receive in various cities throughout the country. It will be noticed that the highest wages paid carpenters is 40 cents per hour, or $3.20 per day, while the highest wages paid carpenters in Belgium is but 80 cents per day.

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. McLAUGHLIN. Has the gentleman any data showing the actual importation of these manufactured products into the United States?

Mr. GOOD. The only information I have is contained in the article which I have read, which shows that for the first 11 months of 1913 the importation to the United States of firearms alone amounted to $4,666,000.

Mr. ROBERTS of Massachusetts. Mr. Chairman, I yield 15 minutes to the gentleman from Nebraska [Mr. BARTON].

Mr. BARTON. Mr. Chairman, on June 2, 1913, I introduced House bill 115, for the election of a committee to provide for such manufacturing plants as may be necessary for the production of armor plate. This was referred to the Committee on Rules and placed away in one of the many sepulchers provided for burying bills that do not suit their fancy.

Again, on June 17, 1913, I asked unanimous consent for the present consideration of a resolution of inquiry directed to the Secretary of the Navy, requesting the total expenditures of the United States Government for armor plate; what portion of this amount had been paid to the Carnegie Steel Co., Bethlehem Steel Co., and Midvale Steel Co.; what was the cost to the Government per ton for armor plate purchased and what was the cost of manufacturing armor plate, and other points of information. This information was desired for the purpose of laying a foundation, on which I intended to introduce a bill providing for the erection of an armor-plate factory. This resolution was discussed at length, as shown by page 2450 of the CONGRESSIONAL RECORD, but went out on a point of order.

On July 18, realizing that the resolution would be noneffective, although the Secretary of the Navy had made answer to both of my inquiries in a letter addressed to the chairman of the Committee on Naval Affairs [Mr. PADGETT], I tackled the proposition from another angle and introduced House resolution 204, directing the Commissioner of Corporations to make a report on the cost of an armor-plate factory and the cost of armor plate and gun forgings. This was referred to the Committee on Naval Affairs and to date has not received their consideration.

On October 10, 1913, I placed in the RECORD a statement of the condition of affairs relative to armor plate and the trust that controls it, and followed this on January 12, 1914, after a conference with the Secretary of the Navy, by introducing House bill 11308, to provide for the erection or purchase of an armor-plate factory, which was referred to the Committee on Naval Affairs. This bill provides for the appropriation of $8,000,000 for the purchase or erection of an armor-plate plant. My reason for using the word "purchase" was that the Secretary of the Navy had told me that it was possible to purchase a plant ready for operation for less money than the bill provides.

On referring to the bill now under consideration, I find that the committee has made this recommendation: That the Secretary of the Navy is hereby authorized and directed to investigate and report at the next regular session of Congress upon the selection of a suitable site for the erection of an armor plant to enable the United States to manufacture its own armor plate and special-treatment steel capable of standing all ballistic tests and other necessary tests required for use in vessels of the Navy at the lowest possible cost to the Government. Taking into consideration all of the elements necessary for the economical and successful operation of such a plant, such as the availability of labor, material, and fuel and transportation facilities to and from said plant. Said report shall contain a cost of a site sufficient to accommodate a plant having an annual output capacity of 20,000 tons and a site for an output of 10,000 tons, and also an itemized statement of the cost of the necessary buildings, machinery, and accessories for each and the annual cost for the maintenance of each and the estimated cost of the finished product.

I desire to congratulate the committee on this much-needed recommendation, and sincerely trust that this paragraph will be sustained. A retrospective view of the many investigations of the past and the lack of results would, indeed, cause one to be fearful of the ultimate success of this recommendation, for we well know the potential power behind the Steel Trust and the manufacturers of armor plate and munitions of war; but

knowing that the members of the committee who favored this recommendation are in earnest and will follow this legislation, and having been assured by the Secretary of the Navy that he favors the plan of manufacturing our armor plate, I feel confident that at the next session of Congress we will have presented for our consideration a definite, businesslike, clear-cut statement containing all the information we need to give to the country this much-needed legislation.

Much has been said in the past about the exorbitant price paid for armor plate and about the very poor quality that came from the only two factories then in existence, the Carnegie and Bethlehem plants. The question was constantly agitated as to whether or not the Government should undertake to make its own armor, thereby securing perfect quality, and by entering the field as a quasi competitor bring about a reduction in price.

This problem is before us now. We want to get the best quality of armor plate at a price that is not extortionate. It certainly can not be successfully contended that we are not now at the mercy of the Steel Trust in the purchase of armor plate.

An inspection of the records will show that during the period from 1887 up to and including the letting of the contract for the *Pennsylvania* the Carnegie Steel Co. received, in round numbers, $33,500,000 and the Bethlehem Steel Co. $33,250,000 from the Government for the manufacture of armor plate, the Bethlehem receiving orders for 73,291 tons and the Carnegie Co. receiving orders of 73,121 tons. This is most conclusive proof, to my mind, that they thoroughly understand each other and that there has been no competition in bidding, as contemplated by law. If we had our own armor plant during this period, and taking the extravagant estimates of $300 per ton as cost of production, we would have saved, in round numbers, to this Government $26,000,000. If this bill passes carrying the authorization for two battleships, to say nothing of the work connected with the other floating machines of war, it will mean at least $3,000,000 profit to the Steel Trust. Perhaps we may get some virtue out of the situation by swelling up with patriotic pride when this kind of money is sent in to our municipalities to endow colleges and build libraries, but for my part I would prefer that the Government cease paying tribute, save their own money, and build their own schools and libraries.

There was a time not many years ago when we did not have powder and gun factories. We were at the mercy of what was known as the Powder Trust for our supplies of ammunition, and we had to get our guns from private shops in foreign countries. We established these factories, and they have been of great benefit to our people. The powder factory has reduced the cost of powder to the Government from 80 cents a pound in 1901 to 53 cents per pound in 1913. In a statement furnished me by the Secretary of the Navy, it shows that smokeless powder manufactured at the naval powder factory, at Indianhead, Md., since the date of the completion of that plant, has varied from 30 cents to 48 cents per pound. Taking into consideration that we use in this one arm of the service over 44,000,000 pounds annually, it can be plainly seen that the establishment of these factories has richly paid the Government to manufacture its own powder and to cease being the victim from which the Powder Trust extorted its great profits.

If we need any further proof we need only read the recommendation of the subcommittee of the Committee on Appropriations in their fortification bill that passed the House, the recommendations of the Committee on Military Affairs in their bill that has passed the House, and the present recommendation of the Naval Committee in the pending bill. The minds of the members of these various committees have met and their action has been approved by this House in laying down in no uncertain language the doctrine that practically all of the powder used shall be manufactured in United States arsenals and not bought from private plants. It seems to me that there is nothing more needed to prove that this same theory carried into practical operation in the manufacture of our armor would not only meet the approval of the Members of this body but the plaudits of every one of the taxpayers of this Nation, except possibly the Steel Trust.

At this season of the year when great appropriation bills are pending, carrying many millions of dollars for the purchase of guns and ammunition, war scares and war news seem to be quite in fashion. There appeared in one of the Washington papers this statement:

United States at mercy of foreign foe. Garrison and Crozier say country would be helpless in war. Ammunition is lacking.

And in another paper of the same date:

Foe is now feared. Senate committee amazed at unpreparedness for war. Garrison on the stand. Not enough ammunition on hand to make an effective fight, he says—

And so forth.

In the meantime that great patriotic body, the Navy League, were sending out their propaganda urging more battleships. While I think the Navy League, as represented by its executive officers, have not to any great extent misled the people of this country, I do think that the expression, if the quotations be true, of the executive officers of our Army and Navy are entirely improper, and I should favor legislation that would subject an officer of the Army or Navy to court-martial for making public statements that in my judgment are more likely to bring on war than even unpreparedness. [Applause.] If we are totally unprepared for war, and I do not believe we are—basing my opinion upon the statements of Mr. SHERLEY, of the subcommittee of the Appropriation Committee, who has in charge our fortifications, and Mr. HAY, chairman of the Committee on Military Affairs, who has made most excellent statements of facts as to our ammunition reserve, and taking into consideration the fact that for the past years we have expended annually about a quarter of a million dollars for the Army and Navy and have practically been at peace—one would conclude that we are somewhat prepared for war or that our funds had been entirely dissipated. I would much rather believe the statements of these gentlemen who have in charge these great matters of importance, and who have given the matter careful study and have placed the facts in the RECORD, than to listen to the vaporings of scare-head articles.

The discipline of the Army and Navy to a layman seems quite severe. If an ordinary mortal that is not adorned with gold braid and military advices attempts to visit the navy yard, the training schools, or the fortifications, he is at once admonished to leave his kodak outside and the inner secrets are most carefully guarded. To this I raise no objection. It may be necessary. I am not a military man and know but little about military discipline, but I do claim to know common sense, and when the heads of our Army and Navy so far forget themselves as to give to the world statements that we are unprepared for war and at the mercy of the invaders, and military discipline permits this, it strikes me as a perfect illustration of straining at a gnat and swallowing a camel.

Quoting from Pearson's Magazine of November 13, 1913, where a careful analysis of the officers of the Navy League was made, I submit the following:

Mr. J. Pierpont Morgan was until his death one of the directors, and intensely interested in the league's work, to which he was a liberal contributor. Mr. Herbert L. Satterlee, general counsel for the league, is a son-in-law and heir of Mr. Morgan.

Gen. Horace Porter is president of the league. He was for many years an officer of the Pullman Co., which is a Morgan corporation.

Mr. Charles G. Glover is treasurer of the league. He is president of the Riggs National Bank, which is closer to Wall Street than any other bank in Washington.

Col. Robert L. Thompson is chairman of the executive committee of the league. He is an eminent financier of New York, whose great interests generally coincide with the colossal undertakings of the Morgan group. He is also the head—being chairman of the board—of the International Nickle Co. and holds the honorable post of president of the New York Metal Exchange.

Mr. J. Frederick Pams is director of the league. He is a New York society and yachting man, a friend of Mr. Morgan and a member of Mr. Morgan's yacht club.

Mr. George von L. Meyer is a director of the league. Mr. Meyer was Secretary of the Navy in the Taft administration and on March 3 signed the remarkable contract for the *Pennsylvania's* armor that has been the subject for unpleasant comment in Congress and elsewhere. He is a considerable stockholder in the New Haven Railroad, which is a Morgan concern, and is also a director in the Amoskeag Manufacturing Co., at Manchester, N. H., and has on the board as his associates Mr. F. C. Dumine, who helped Mr. Morgan to incorporate the Boston Railroad Holding Co., by which the New Haven was enabled to hold the Boston & Maine in spite of certain provisions of the Massachusetts law. Mr. Dumine is also a director of the Fore River Shipbuilding Co., which is on friendly terms with the Morgan group and affiliated with United States Steel.

With a board of directors containing all of these wise and experienced men that are on terms of friendship with our greatest captains of industry our defenseless condition may be believed to be in safe hands and the activities of the Navy League to be unremitting.

All civilized nations desire peace, but must peace be assured by the constant building of great navies and the equipment of large armies? It seems so. Until the nations of this earth can realize that they are driving their people on to bankruptcy and stupendous debt we will probably continue to build. The time is not far distant when the people of peace in all civilized countries will cease to listen to the siren song of the interests who sell guns and ammunition and will look to the future welfare of their posterity and demand that their country, with other powers of the globe, enter into a pact of peace. The taxpayers are already tired of this great burden. The following statement was made on the floor of this House recently by Mr. SISSON, of Mississippi, in which he says:

Now, I want to call your attention to the world's condition, and I shall not take up the time of the committee to go into all the smaller

nations. In 1911 there were 41 countries enrolled as members of The Hague Tribunal; yet in that same year, according to the Statesman's Yearbook, 30 of these countries spent for army and navy approximately the amounts given below:

Russia	$304,333,585.00
Norway	5,704,934.50
Sweden	23,947,287.40
Denmark	9,210,905.40
Germany	303,290,492.00
Belgium	14,800,511.87
France	289,962,838.00
Italy	126,753,522.00
Austria-Hungary	100,455,565.00
Bulgaria	8,877,421.00
Egypt	5,101,176.00
Japan	65,190,690.00
Argentine	17,518,514.13
Belgian Kongo	2,211,876.50
China	22,365,000.00
Greece	5,757,040.23
Guatemala	2,243,996.00
Mexico	10,833,603.00
Netherlands	20,613,370.72
Peru	2,175,324.00
Portugal	13,595,539.24
Roumania	13,370,782.92
Servia	5,655,841.14
Spain	49,689,752.78
Switzerland	8,515,845.72
Turkey	48,418,131.24
Uruguay	3,580,740.00
Chile	6,100,000.00
Great Britain	339,425,000.00
United States	280,073,619.00
Total	2,109,792,824.79

Now, the current expenses of European Governments have been practically paid—sometimes a little overpaid—each current year out of the current taxes. Therefore the indebtedness of all of Europe—the great nations, at any rate—is a war debt. Now, let us see what it is. The war debt of Europe is as follows:

Austria and Hungary have a bonded war debt of $4,000,000,000; France has a bonded war debt of $7,500,000,000; Germany has a bonded war debt of $5,000,000,000; Italy has a bonded war debt of $2,750,000,000; Russia has a bonded war debt of $4,500,000,000; England has a bonded war debt of $3,500,000,000; or a total of $27,250,000,000.

As will be seen, these six nations have a fixed bonded indebtedness on account of war and the support of armies in time of peace of $27,250,000,000. In other words, all of Europe is mortgaged for the stupendous sum of $27,250,000,000. The interest on that, one authority says, is a little over $900,000,000 annually.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENSLEY. I yield the gentleman 10 minutes more.

Mr. BARTON. These figures are stupendous, almost unthinkable, and it seems to me constitutes the greatest peace argument that could be advanced. We are military mad. Each nation striving to outdo the other, and if this continues the only possible result can be the absorption of the Nation's wealth into machines of war that will soon disintegrate, leaving a bankrupt condition in the various nations of the earth. Why should we pursue this ruinous policy? We have never asked any nation to arbitrate with us and been refused. We have been at peace for a hundred years except for a six months' war with one weak European power, a war which we began. We have always had a very small Navy and have always been able to maintain the dignity of this Government on land and sea. Will the people continue to permit these great expenditures?

We all agree that in team work there is strength, but to-day in the same building at the end of Pennsylvania Avenue are three of the great departments of this Government—State, War, and Navy. At one end of this building sits the Secretary of State with his peace plans trying to bring a world into a peace pact which would stop this great outpouring of the world's funds into unprofitable channels, and yet at the other end of the building are the two great departments of War and Navy, both demanding of Congress many millions of dollars for the construction of machinery of war that we hope and pray will never have to be turned upon an enemy. This is not team work, and bound only to result in ineffective results. If we could have team work but for one year with the President of the United States, his Cabinet, the Members of the House and Senate all working together in one great movement toward peace, I am sure that even if the interests who manufacture the munitions of war in foreign countries are most potent the voice of the people who pay the taxes would be heard by the legislators who vote out these great sums of money, and that such an overwhelming and powerful wave of opinion would sweep over the world that the results would be a high tribunal to arbitrate all international matters and assure an everlasting peace. [Applause.] If we must vote out of the Treasury of this country millions of dollars for the purpose of preparing for war, let us limit this expenditure by the most rigid economy.

We have already established our powder factories and we know them to be a success, giving to this Government its vast amount of ammunition at cost. We also know the quality of the powder that we are making. Let us now follow out the recommendations in this bill and prepare for and build an armor plant so that we may save more than a million dollars on each battleship and know the kind and quality of armor that is placed on our machines of war.

In Pearson's Magazine of November, 1913, it states:

The next time the Government wanted armor plate the price from the plant for which it had already paid rose to $646 a ton, and continued at or near these figures until an odd event brought it down. Some workman in the employ of the philanthropist, meaning Mr. Carnegie, made known the fact that the Carnegie Co. was swindling the Government it had already gouged. It was furnishing to that Government fraudulent armor—armor so badly made, so soft and spongy in spots, that if a shell ever hit one of these spots it would slip through like a knife cutting cheese.

At this charge a chorus of most indignant denials filled the air. Would a company composed of our very best citizens and pillars of society and commerce stoop to such detestable things? No, indeed. But the persistent slanders persisted, nevertheless, and low demagogues in Congress and elsewhere made an unseemly clamor, whereupon the Navy Department, just to show how baseless were these stories, ordered reports from the naval officers stationed as inspectors at the various armor-plate mills. These usually found the stories about defective armor to be baseless. But even this distinguished body failed to silence calumniators of true philanthropy——

Mr. YOUNG of North Dakota. What year was that?

Mr. BARTON. I have not the date at hand. Therefore, investigation was undertaken by a competent commission, which found that the charges were perfectly true. On 11 counts the committee found the Carnegie Co. guilty of repeatedly swindling the Government by palming off worthless armor for good.

It found, for instance, that worthless plate had been accepted, paid for, and placed on war vessels as follows:

On the *Amphitrite*, 4 plates; on the *Terror*, 3 plates; on the *Oregon*, 3 plates; on the *Monterey*, 3 plates; on the *Monadnock*, 6 plates; on the *New York*, 8 plates; on the *Olympic*, 3 plates; on the *Indiana*, 6 plates; on the *Massachusetts*, 4 plates.

When the truth could be no longer concealed Mr. Carnegie's company was hauled up and fined $500,000 for fraud. Then the same subtle and tremendous power that has so often appeared in these matters was exerted, and President Cleveland, a short time before he went out of office, reduced the fine to $120,000.

Meantime the Government continued to buy its armor plate of this convicted swindler, who had already made $5,000,000 of illegitimate profit on its armor-plate deals. Quite a number of libraries would be required to balance this account.

So, again, I say, if we must build machines of war and buy these great quantities of armor plate when we know that there is absolutely no competition, that there are only three firms in the United States that make this class of goods, that they have been charging unreasonable prices all these years, let us then erect an armor-plate factory and make our armor at cost, as we do our powder, therefore making a great saving to the taxpayers of this country, knowing the quality of goods we are using, and at the same time dealing one of the greatest trusts in this world a staggering blow. [Applause.]

Mr. PADGETT. Mr. Chairman, I yield 30 minutes to the gentleman from Rhode Island [Mr. GERRY].

Mr. GERRY. Mr. Chairman, adequacy of sea power is a question of the most vital importance to our Nation. The object of the building program contained in this bill is to enable the United States to hold its place among the naval powers of the world. To maintain this position is a duty that rises above politics and rests upon the more solid foundation of patriotism.

The reason that the effect upon military campaigns, of the control of the sea and of waterway transportation, has not been more thoroughly understood in the past is probably because the work done by the sailors was not of a character to show immediate results. But, thanks to careful study, we know to-day how fundamentally important this control has been in many wars. Countries having command of the sea find that fortune smiles in the long run upon their military and commercial efforts. England realized this when she wrested naval supremacy and the ocean-carrying trade from the Dutch, and when she adopted a similar policy toward France. Waterloo was a possibility after the Battle of Trafalgar. The English blockade forced Napoleon to adopt economic policies which injured and antagonized more and more all of Europe, and eventually resulted in his downfall.

From earliest times supremacy on the Mediterranean has been of international importance. Because the Roman galleys were stronger than those of Carthage, Hannibal was forced to go by land instead of by sea and in the crossing of the Alps lost a great part of his army, enough to save Rome.

The Battle of the Nile sealed the fate of Napoleon's control in the East. The last war that Italy carried on in Tripoli was only possible because the Turkish Navy was inferior to the Italian. Could Japan have defeated Russia if she had lost the Battle of Tsushima. These are only a few of the many cases that can be cited to prove that naval support is often the foundation upon which a successful military campaign rests.

The object of sea power is twofold—the prevention of attack upon one's shores and the protection of one's shipping at sea. The United States has a very long coast that would be vulnerable in time of war. Sufficient military fortifications are not practical owing to the number that would be required and the prohibitive cost which they would entail. Dreadnaughts are our best defense. Submarines and torpedo boats are necessary adjuncts, but to depend solely upon them is unwise, for it disregards all sound naval experience and teaching. Small-ship advocates are usually more influenced by the lessening of expenditures than by the results that naval strategists know will follow in war. To rely upon such naval units instead of first line of battleships is to agree to surrender the control of the sea and the rights of our citizens upon it, abandon the islands under our protection, give up the Monroe doctrine, let the Panama Canal Zone be isolated if attacked by foreign fleets, and adopt the defensive ideas of a turtle. When the American people realize this, does anyone think that they will approve such a policy; that they will be willing to submit to any injury to their honor rather than support a proper navy in order to defend it? We know that they will not.

The best defense is an offensive operation. For in war as in everything else moral effect has to be reckoned with, and a country in fear of an attack is in a very different position from one that does not lie under this danger. Few Governments can act with calm judgment when an enemy is close at hand. The pressure brought to bear through popular sentiment and fear nearly invariably results in unsound military action. History proves this.

We are fortunate in the isolated position we enjoy, but with modern inventions this isolation is becoming practically less and less, and even in the early days of the last century it was not so insurmountable that a foreign fleet could not blockade our ports.

One dreadnaught is vastly superior to a number of smaller warships which collectively may have a greater total of tonnage, broadside, and so forth. Two frigates in the time of Nelson were never equal to a battleship, and two or three *Oregons* to-day are not equal to one *New York*. The latter having the superiority of speed, range, concentration, weight of broadside, and armament could keep out of harm's way while it destroyed its less efficient opponent. The idea of a ship built 15 or 20 years ago attempting to oppose a modern dreadnaught would not be considered by any naval expert.

To argue that men can do practically everything regardless of equipment is to rely upon the inefficiency of your enemy and not upon your own preparation. There is nothing more dangerous than to underestimate an opponent. It is a good way to court defeat. Courage and ability can do much, but they can not perform the impossible. The country that learns from history and takes advantage of all modern inventions is the one that is bound to succeed. Once a nation has obtained control of the sea it can blockade the ports of its enemy, attack its shores, and harass its commerce at will. Last year our exports amounted to $2,428,506,358 and our imports to $1,813,008,234. Do we want to surrender these to the power of a hostile fleet?

We can but judge the future by the past, and there is no stronger argument for an adequate navy than the history of our country. I wish that the facts were more clearly taught in our schools, for to my mind it is of the highest importance that future citizens should understand what sea power has meant to us.

It was the British control of the sea in the Revolutionary War that enabled them to disembark their troops at will upon the coast, thereby saving their army much of the hardship that ours was forced to endure in long marches. Washington's evacuation of Long Island and New York and the cutting in two of American communications through the control of the Hudson were due to the aid of Admiral Howe's fleet.

The turning factor of the war was the acknowledgment of our independence by France, which was decided upon because of Burgoyne's defeat. Yet how few of us realize that this defeat would not have occurred if the English advance had not been delayed, owing to the necessity of their building ships and wresting the control of Lake Champlain from the small American fleet under Benedict Arnold.

It was the coming of the French fleet under D'Estaing which forced the British to evacuate Philadelphia, and for a while even New York and Narragansett Bay were in danger. How important the latter position was considered can best be judged by Rodney's own words, uttered after it was abandoned, toward the end of the war:

> The evacuating of Rhode Island was the most fatal measure that could possibly have been adopted. It gave up the best and noblest harbor in America, capable of containing the whole navy of Britain, and where they could in all seasons lie in perfect security, and from whence squadrons in 48 hours could blockade the three capital cities of America, namely, Boston, New York, and Philadelphia.

Finally the surrender at Yorktown was, in Washington's opinion, more of a naval than a military victory, for it only became possible after the British fleet was driven away by the French under De Grass and Cornwallis's army cut off from the support of the Navy.

The War of 1812 is an example of the inability of a people to enforce its rights upon the sea unless it has an adequate navy at its command. Had the suggestion of Gouverneur Morris, in the latter part of the eighteenth century, been followed and 20 battleships constructed, how different might the history of our country have been. England never would have dared to enforce her orders in council or Napoleon the Berlin and Milan decrees had the United States at that time been a naval power.

Unfortunately the policy of the country had been to rely upon harbor defenses and gunboats. The few frigates that we had made a splendid record, and are thought of with pride by all Americans; but they could not accomplish the impossible, and when England was freed by the defeat of Napoleon from her European blockade our vessels were driven off the seas, and it was with difficulty that our frigates were kept from falling into the hands of the enemy. Decatur had to take his ships up the Thames above New London, and the *Constellation* never saw blue water, but was bottled up inside the capes of the Chesapeake. The gunboats that were to protect our coast and harbors were easily driven back, and the city of Washington was burned. If it had not been for Perry's victory on Lake Erie and MacDonough's on Lake Champlain we might even have lost some territory when the treaty of peace was signed.

It is of interest as showing the value of an offensive operation, even if the attacking force is weak, to study the cruises of Bainbridge, Decatur, Rodgers, and Porter. With a few vessels they were able to do considerable damage to British commerce by sailing in the trade routes followed by homegoing ships. The rates of insurance rose, and there was much protesting by English merchants to the admiralty. Porter finally sailed even to the Pacific. He badly injured a whaling industry there, with the result that a fleet had to be sent against him. These cruises created more uncertainty and trouble for the English Government than 500 gunboats could have done.

During the Civil War the taking of New Orleans by Farragut probably prevented Napoleon III from recognizing the Confederacy. The control of the Mississippi detached the main part of these States from one of their chief sources of supply, and this, with the blockading of the Atlantic coast, destroyed all commerce and finally bankrupted them.

To-day our Navy stands in third place. A few years ago it was second; but with the increased activities of Germany, it has now dropped down to third, with the danger of occupying a still lower grade unless we carry out the dreadnaught program contained in this bill. This rating is not based upon the opinion of American officers alone. It is the opinion of the experts of the world; and to argue that we have not been given our proper position is to say that these recognized naval authorities are not rightly deciding the question, which is a proposition too ridiculous even to be considered.

The total tonnage of Great Britain is 2,072,711, Germany 943,338, and the United States 760,002 tons. When the proposed vessels now building are completed England will have 2,611,291, Germany 1,228,208, and the United States 921,446 tons. Germany has built and is building 26 battleships as against 14 of the United States, built and building. It has been argued that the *Indiana*, *Oregon*, and *Massachusetts* should not be eliminated in computing the strength of our Navy, but it is an established rule of all nations to disregard a battleship launched 20 years ago, and these vessels fall under that class. Besides, their tonnage, speed, and the caliber of their guns are less than the German ships of the class of the *Kaiser Frederick III*. The *Michigan* and *South Carolina* can not be considered as dread-

naughts, because they have but 8 big guns, where the average dreadnaught has 10 or 12. They are 2 or 3 knots too slow and are not of sufficient tonnage. The above are a few of the many convincing reasons that explain the rating of the different ships by the experts.

One hundred and thirty-nine million dollars is a very large appropriation, but to cut it down by building less dreadnaughts is a suicidal policy, for the main object of this expenditure is to retain our position among the world's sea powers, and the only way this can be done is by constructing these first line of battleships. If it is not considered worth while to expend $30,000,000 for this purpose, it is hardly worth while to pay $109,000,000 for a Navy that will be dropping backward and deteriorating. It would seem like supporting the upkeep of an army but refusing to supply it with guns. Undoubtedly we pay more for our Navy than do other nations, but this to a great extent is due to the higher wages we give our people. Germany, for instance, has conscription, and many less naval stations. The 35 naval establishments we maintain are too many. If the suggestion made to a former Secretary of the Navy was carried out and Narragansett Bay and Newport News were made the only two naval bases on the Atlantic coast, with a similar number on the Pacific coast, an advantageous reform would be accomplished.

The proper way to regard our Navy is in the light of a form of insurance. Why should not a Government follow the principles of a shrewd business man? If we compare the cost of the Navy at different times with the wealth of the country at these times, we shall find what a small comparative charge it has been. Take the figures of Mulhall up to the census of 1850, and then the figures of the census, which would give us a valuation every 10 years, commencing with 1800. The following is a table made up on this basis. It shows that the average cost of the Navy as compared with the total property of the United States which it has to protect has amounted to a little over a mill:

Years.	Average valuation computed.	Average naval expenditure.	Percentage.
1801-1810	$1,321,245,000	$1,636,732	0.00123
1811-1820	1,732,470,000	4,675,502	.00269
1921-1830	2,335,930,000	3,295,086	.00141
1831-1840	3,301,915,000	5,041,751	.00152
1841-1850	5,637,199,000	7,237,696	.00129
1851-1860	12,198,889,800	11,996,977	.00098
1861-1870	23,718,414,100	46,848,730	.00197
1871-1880	36,983,933,100	19,658,796	.00053
1881-1890	54,959,300,050	16,867,629	.00030
1891-1900	81,131,690,950	38,635,164	.00047
1901-1910	110,000,000,000	100,678,000	.00091
General average			0.00120

The Commissioner of Pensions, in his report for the fiscal year ending June 30, 1913, gives the amount of pensions to date, as follows:

War of 1812, service pensions	$45,923,014.46
War with Mexico, service pensions	47,632,572.34
Civil War, service pensions	4,294,596,944.47
	4,388,152,531.27

I have not been able to find the exact cost of the War of 1812, the Mexican War, and the Civil War up to the present time, but Kremer's One Hundred Great Battles gives the following statistics. They evidently include pensions:

War of 1812	$107,159,903
Mexican War	100,000,000
Civil War	10,189,929,900
	10,397,089,803

I do not believe that these figures of Mr. Kremer are exaggerated. If we consider the damage to our Nation in the Civil War alone arising on account of the increased insurance on all American vessels, of the loss of exports and imports, the destruction of commerce, and the annihilation of our merchant marine, is it not easy to believe that the figures are rather under than over estimated? Keep in mind these facts, and the appropriation of $139,000,000 for a Navy to protect us and possibly prevent some future war does not seem extravagant. I believe that from the viewpoint of sound business prudence there is no item that we can less afford to eliminate from our budget than the $30,000,000 for battleships.

It may be all right to take theoretical stands in favor of universal peace, but the world has not yet arrived at a point of civilization where it is a possibility. The only way that we can enforce policies that we believe are right and which affect our honor is by a proper navy. The history of the world teaches that the greatest factor for peace in any country is adequate preparation. Germany in modern times has been probably the most military of all nations, yet she has not had a war for over 40 years.

Mr. TRIBBLE. Will the gentleman yield?

Mr. GERRY. Yes.

Mr. TRIBBLE. The gentleman has considered the destruction of property and the monetary consideration, but he has not taken up the loss of human life. Has the gentleman any estimate as to the many human lives that were lost in the Civil War?

Mr. GERRY. No; but there would have been more if it had not been for the United States Navy, because without it the war probably would have been prolonged.

The argument has been made that not to increase our Navy this year would be an example for other nations to follow, but our authorization of but one battleship last year and one the year before did not make England, Germany, France, or Japan decrease their navy building. Such a program can only be successful when agreed to by all the great powers of the world. Until all stop building no one can, for to do so simply means to drop back and lose the advantages already gained.

Mr. Chairman, there can be no doubt that the American people as a whole are overwhelmingly in favor of proper naval strength so that our voice can not be ignored in the council of nations nor our demands refused when we know that they are just. The two-battleship program is popular because it is both sound and patriotic, and a very heavy responsibility rests with this House in determining whether or not we shall sustain it. The importance of the policy requires that the issue be decided on broad, national, and statesmanlike reasoning, for the action that we take may be a determining factor in the future welfare of our country. Should we refuse this support we must do so realizing that if war arose the responsibility of the country's state of preparedness would rest with us, and that should any ill fortune come because of the lack of naval strength, those who voted against the bill would have to bear the onus and the remorse.

For though Allah and earth pardon sin, remaineth forever remorse.

[Applause.]

Mr. PADGETT. Mr. Chairman, I will ask the gentleman from California [Mr. STEPHENS] to use some of his time.

Mr. STEPHENS of California. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, the United States owes no apology to the Republic of Colombia. If the present crisis in Mexico emphasizes one fact more than another, it emphasizes that fact. This Government could not temporize longer with Huerta and save its self-respect. We could not have temporized with Marroquin in 1903 and saved either our self-respect or our rights.

We have been, among the nations of the world and in the history of the world, peculiarly the benefactor and protector of other nations. Within a period of less than 100 years the great powers have divided Africa and Asia. We have held the Western Hemisphere inviolable against European conquest and partition. We have seen the great Republics of Chile, Argentina, Brazil, Mexico, and their sister States rise to power and wealth. We have coveted nothing but the friendship of their people. And this we have had, except in those instances, happily temporary, where the passing adventurer or scheming faction, fattening on revolution, have prejudiced the people against us. We have been kind. We have been patient. We have been faithful to the interests of the New World, and in our dealings with these sister nations we have been straightforward and just.

Now, after over 100 years of benefactions, this Nation is asked to cloud the greatest physical achievement possible in the Western Hemisphere with an expression of regret to a blackmailing faction in Colombia. We are asked, at the crowning moment of accomplishment of the greatest engineering work in history, to taint our unselfish service to the nations of the earth with a confession of obliquity. There is no Government in the world which could compel the confession. There is no Government which would try. For the humiliating demand comes, not from without, but from within.

The news comes from Paris that we have concluded a treaty with Colombia in which the Government of the United States, in the name of the people of the United States, expresses sincere regret to the Republic of Colombia for our attitude at the time of the creation of the Republic of Panama. This is done in no mere polite usage of diplomatic phrase. A previous treaty negotiated with Colombia in 1909 by ELIHU ROOT, then

Secretary of State, has no such qualification. It is a straight-out, abject apology. And for what?

Twelve years ago in Colombia the President was Marroquin. He was another Huerta. Elected as vice president, he was soon in the President's chair, for the elected President, M. A. Saclamente, treacherously seized and thrown into prison, under duress resigned. A little while before, the trip of the *Oregon* had renewed American interest in building the canal. A commission had been appointed to consider canal routes. Theodore Roosevelt was President and was bringing to the task the pressure of his marvelous executive genius, initiative, and energy. The Panama route was preempted by the French company. That company asked a prohibitive price for its rights. The American commission recommended the Nicaragua route. Then the French company, which had asked $100,000,000 for its rights, reduced its demand to $40,000,000.

The United States agreed to make the bargain provided Colombia would consent to the transfer to the United States of the French company's right in return for the payment of $10,000,000 in cash by the United States. A treaty to this effect was submitted to Marroquin. That individual was not actuated by a desire to accomplish a great work for the world. He was after American gold. The most direct route to it was, of course, in the immediate acceptance of the $10,000,000. But a more indirect route fired his imagination. In 1904, within two years, the French company's rights expired. If he could stave off the conclusion of the bargain until 1904 he believed he would obtain the $40,000,000 in addition to the $10,000,000. Marroquin first agreed to the treaty, but a Congress, elected for the purpose and dominated by Marroquin, craftily rejected the treaty.

The people of the State of Panama were outraged by this conduct. The completion of the canal was vital to their well-being. The Marroquin bunco game of waiting until 1904 meant not only delay, but it meant that France, in protection of the French company, would be down in the Isthmus, and international complications would follow. Moreover, Panama had had a full share of trouble. In 53 years, from 1850 to 1902, it had, on its record, 53 revolutions, rebellions, and insurrections. It was generally known to those interested that the rejection of the treaty by Marroquin's Congress in 1903 would be followed by trouble in Panama. The newspaper correspondents there knew it. The foreign consuls knew it. And two United States Army officers, Capt. Humphrey and Lieut. Murphy, who had returned from the Isthmus, saw President Roosevelt on October 16, 1903, and told him there would unquestionably be a revolution on the Isthmus. Roosevelt did not temporize. He never does. He acted. There were American citizens to protect, and he directed the Navy Department to station various ships within easy reach of the Isthmus.

On November 3 the revolution occurred. One life was lost. A Chinaman was killed by a shell from a Colombian gunboat. The Republic of Panama was established. It was recognized by the United States and the rest of the world. De Marroquin, the designs of his eager cupidity fading into thin air, offered to accept the original terms if the United States would restore Colombian sovereignty over Panama. He confessed his turpitude, the cheap blackmail game he had attempted and failed in. His offer was rejected. Panama prospered and passed into 12 years of peace she had not known for half a century. This is the transaction, told briefly. One year after the transaction Theodore Roosevelt was elected President by the largest majority ever received by a President. Afterwards, reviewing his official activities and having in mind those critics who asserted that he had fomented revolution at the Isthmus, he wrote:

No one connected with the American Government had any part in preparing, inciting, or encouraging the revolution, and except for the reports of our military and naval officers, which I forwarded to Congress, no one connected with the Government had any previous knowledge concerning the proposed revolution, except such as was accessible to any person who read the newspapers and kept abreast of current questions and current affairs. By the unanimous action of its people and without the firing of a shot the State of Panama declared itself an independent republic. The time for hesitation on our part had passed.

With these facts in mind let us examine the text of the treaty between the United States and Colombia in settlement of the controversy over Panama, as published in the Paris Temps:

ARTICLE 1. The Government of the United States, desiring to put an end to all disputes and differences with the Republic of Colombia occasioned by events which have brought about the present situation in the Isthmus of Panama, in its name and in the name of the people of the United States, expresses sincere regret for anything that may have interrupted or altered the relations of cordial friendship existing long between the two nations. The Government of the Republic of Colombia, in its name and in the name of the Colombian people, accepts that declaration in the full assurance that every obstacle for the re-establishment of complete harmony between the two countries will thus disappear.

ART. 2. Colombia will enjoy freely and in perpetuity the free passage through the canal of its troops, supplies, and warships.

An explanatory clause says that the same article stipulates commercial advantages for Colombian products imported through the Canal Zone, special advantages in Panama Railway traffic when service by the canal is interrupted for any cause, and when its use is required for Colombian agents and troops and for war material, and also advantages for traffic in Colombian products, especially coal, oil, and salt.

ART. 3. Payment to Colombia, six months after the exchange of ratifications of the treaty, of the sum of $25,000,000 is stipulated.

ART. 4. Colombia recognizes Panama as an independent nation, with the limits laid down by the Colombian law of June 9, 1855, the line of which on the Pacific Ocean will terminate at a point equidistant between Cocalito and Ardita. The United States undertakes to induce the Government of Panama to send an agent to negotiate with Colombia a treaty of peace and friendship, in which shall be introduced an arrangement relative to the pecuniary liabilities of the two countries, in conformity with precedent and with the principles of law.

The treaty which Secretary of State Root negotiated with Colombia in 1909 had no apology. Its preamble read:

The United States of America and the Republic of Colombia, being equally animated by a desire to remove all obstacles to a good understanding between them and to facilitate the settlement of the questions heretofore pending between Colombia and Panama by adjusting at the same time the relations of Colombia to the canal which the United States is now constructing across the Isthmus of Panama, have resolved to conclude a treaty, and to that end have appointed——

This Government was not guilty of moral relaxation in its attitude. And there can be no justification in the expression of regrets.

Col. Roosevelt has said:

We did our best to get Colombia to let us treat her with a more than generous justice; we exercised patience to beyond the verge of proper forbearance. When we did act and recognize Panama, Colombia at once acknowledged her own guilt by promptly offering to do what we had demanded and what she had protested it was not in her power to do. But the offer came too late. * * * Colombia was solely responsible for her own humiliation; and she had not then, and has not now, one shadow of claim upon us, moral or legal; all the wrong that was done was done by her.

John Hay has said:

The action of the President [Roosevelt] in the Panama matter is not only in the strictest accordance with principles of justice and equity, and in line with all the best precedents of our public policy, but it was the only course he could have taken in compliance with our treaty rights and obligations.

Theodore Roosevelt needs no defense from me or from any man. The record of his administration is beyond the reach of calumny. He made progress and he maintained peace and prosperity. His life is a throbbing, vital part of his day and age. His acts have written the strongest, the most virile, the most moving chapters to be found in the history of this generation. Whether it was sending, as an officer to his Government, the protest for the private soldiers in fever-stricken Cuba, or as a private citizen ramming back down the throat of a slandering editor the accusation of intemperance, or inaugurating as President a great policy, every act of his reflects courage, integrity, rectitude. And every year since he left the White House adds emphasis to his surpassing statesmanship.

It was his statesmanship which vitalized the neglected Sherman antitrust law; which found the way to arbitration between capital and labor; which revived the interstate-commerce laws; which strengthened the public service in every department, built up the efficiency of the Army and the Navy; which added new administrative departments and new activities; extended the Government's protection over the food of the people; expanded the advantages of the post office; gave stable government to Cuba; set the Filipinos upon their feet; inaugurated the great policy of conservation; forwarded the national projects of reclamation and irrigation. It was his statesmanship that brought peace after the bloodiest war in 50 years—the struggle between Russia and Japan.

It was his genius which wrought the dream of Balboa, after 400 years, into reality. It was his initiative which turned the mighty engine of this people's energy to the work at the Isthmus. It was his gift at organization which has given to the world in 12 years, without scandal, its foremost engineering achievement—the canal. [Applause.]

Shall this Government "in the name of the people of the United States," at the hour of completion of the canal, at the moment of righteous pride in national accomplishment, accept the hypocritical contentions of a trafficking Marroquin, and express regrets for the strong, square, open acts of a Roosevelt? [Applause.]

It is an outrage against the record of Roosevelt to express regrets. It is an outrage to extend in the name of the people of the United States, who indorsed him and his acts, an apology to anyone. [Applause.]

Mr. STEPHENS of California. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Chairman, the distinguished gentleman from Missouri [Mr. BARTHOLDT] delivered a remarkable speech in this House on Friday last, when the bill now before the House was under discussion.

It was remarkable for beauty and lucidity of expression. It was remarkable for the lofty altruism that pervaded it.

It was remarkable as a logical demonstration that war is irrational and unnecessary at the very moment when the sable-plumaged vultures of war are hovering over the country.

With the hopes and aspirations expressed I am in most hearty accord.

Civilization had not proceeded very far until courts founded upon approximations to justice, a sense of which exists in the breasts of the most primitive man, were established for the purpose of settling the disputes of individuals by appeals to reason.

Society, government, will not permit the individual to take the law into his own hands.

Every injury to his property, his person, or his honor must be righted in courts of justice. Even the attempt to enforce his rights by violence is an offense against society.

And so, Mr. Chairman, I have long since believed that the day will come when the community of nations will establish a great international tribunal where all nations will be obliged to take their quarrels for settlement, and the decree of that tribunal will be a final adjudication of any cause of complaint whether it should be of injury to property or national honor precisely as such complaints of individuals are now settled in our civil courts, and the decrees of such tribunal should be enforced by the aggregate power of all nations as the decrees of our civil courts are now enforced by the aggregate power of the individuals of the community establishing the court.

But just here, Mr. Chairman, I am obliged to differ somewhat from the distinguished gentleman.

Not indeed as to the end he has in view, but as to the road he would take to reach it.

He believes that "justice can be substituted for force as a basis of government."

I agree that it is greatly to be desired that justice should be substituted for force.

But regarding the slowness of human nature to change, I am confident that any tribunal without the physical power to enforce its decrees will be a failure.

With all our vaunted civilization physical force is necessary. Behind all our great institutions, our schools, our churches, our courts, stands the soldier.

Disraeli once said "sentiment rules the world," but it does not yet rule all the world.

The sentiment of justice happily rules in our civil communities, but it does not rule all individuals of our communities. Courts are necessary, and sheriffs and policemen and soldiers are necessary to enforce its decrees, and a community whose courts have no physical force behind them would soon go to pieces.

Besides, honest litigants quarrel when each thinks justice is on his side, and when they come before a tribunal that tribunal must have the physical power to enforce its judgment of the justice of the cause or its decrees can be disregarded, which, in the case of national litigants, would be likely to follow in spite of all agreements, conventions, treaties, or sense of justice, and one such case would thoroughly discredit the tribunal.

As I said on a former occasion in this House, war, irrational, abhorrent, is not an unmitigated evil.

The stairway of human progress is an escalade of battles.

Mankind, from the puling babe to the potent Senator, only learns by knocking his head against the rugged rocks of experience.

Man is a fighting animal. Under the veneer of national civilization sleeps the tiger and the wolf, and I doubt whether the nations, the great nations, the civilized nations, have yet learned enough from the experience of war to abolish war by the power of public sentiment.

There is something in war itself that appeals strangely to the human heart.

The patriot who falls in the red front of battle is ever reared upon a higher pedestal than the statesman who from the retirement of his closet commands the destiny of the State.

There is such an utter unselfishness, such devotion, of the man who dies for his country that it creates, inspires, and uplifts public sentiment.

Tennyson sings:

> The placid arts of peace smell of meanness and deceit, while the tocsin of war transforms the clerk into a warrior patriot.

There are sentiments that lie deep in the human heart and that will make the Hague tribunal or any other tribunal without physical power to enforce its decree chimerical.

And yet, Mr. Chairman, there will come a day when national disputes will be settled in an international court, and that day can be and is being hastened by the efforts of the distinguished gentleman from Missouri and other enlightened men throughout the world.

No court, civil or international, can compel obedience to its decrees by "sentiments of justice." Public opinion can not compel, for the litigant, if a nation, may choose to defy public opinion.

If the United States, instead of haggling over the question of one battleship or two battleships, should set about to build a Navy such as she easily could, that would be paramount on every sea, and from her great throne of physical and moral power should call a congress of all nations, or if England, Germany, and the United States would unite to establish an international court to police the world, endowed with the physical power to enforce its decrees, and should decree the disarmament of all nations except for internal police, an enormous burden would be lifted from the shoulders of sweating millions and the uselessness and the impossibility of war would be speedily recognized by all mankind.

Mr. Chairman, until such a court shall be established we shall always be in danger of war, even though the Hague tribunal and arbitration may be more or less efficacious in composing national disputes.

At the very moment when the gentleman was making his speech orders from this Capitol sent a great fleet steaming southward, threatening war to a poor, distressed people already torn by savage uncivilized internecine conflict.

The cryptic utterances of the President but a few days ago portended grave troubles unless we should secure the good will of England by a surrender of what the American people believe to be their honorable rights in the Panama Canal. If his utterances meant anything, they meant threatened war.

The distinguished Senator from Illinois [Mr. LEWIS], who was assumed to speak advisedly and within the President's confidence, painted a dreadful picture of the horrors of war which would result unless the surrender at Panama should be made.

Under such circumstances, Mr. Chairman, war seems to be not only possible but imminent, and international peace far in the vistas of the future.

At such a time talk even of reducing the Navy—for we have little need for an Army save as an internal police and a school—is imprudent.

The great warrior-soldier Washington was a man of peace, and I commend his farewell address to those who would depend upon altruism and love of justice as a national defense.

In a dozen years the United States, if she chose to do so—and if Mr. Carnegie would give up what he has made out of armor plate it wouldn't cost very much—could build a Navy that would render her impregnable at every point and enable her to command the peace of the world.

This great peace-loving Nation then could, backed by her guns, create an international public sentiment that would result in disarmament, and we would have peace through government based on justice backed by force sufficient to silence dissentients.

If we had adopted such a policy years ago, there would have been no demand for a surrender of the Panama Canal to England.

There would have been none of these scare stories of Japanese invasion, none of this flouting of the Monroe doctrine, and none of the destruction of the lives and property of American citizens that has been permitted in Mexico for more than a year past.

Mr. Chairman, I favor a wise economy.

I am not familiar with the numerous items of this bill.

But I see so much of extravagance and waste in every department that I assume that there is need to examine closely the items of this bill and to cut out extravagances and waste. But I am in favor of an adequate Navy.

An honorable peace is the best investment this great, throbbing, pulsing Nation can make.

And preparation for war in the present state of world sentiment is the best prevention of war. [Applause.]

I would invest in a great Navy precisely as a prudent business man pays for fire insurance in proportion to the property he has at risk.

Practical men take the world not as they would like it to be, not as they hope it will be, but as it is. While we talk about peace and justice and public sentiment and world power, American citizens in all the South American Republics, and, for that matter, everywhere else, when they get into trouble, seek the protection not of the American but the British flag.

The scorn and contumely with which both factions in Mexico have treated American diplomacy should be a lesson to us.

I would take a brace on our Americanism.

I would make America proverbial the world over for standing up to her contracts.

I would announce to the world that the United States was going to control the Panama Canal precisely according to contract—"that the shipping of all nations would have the use of the canal on equitable terms without discriminations." But as to our own shipping, coastwise or deep sea, we would let them go through free, or we would not let them go through free, or part free, just as we might from time to time choose. Whether we subsidize or do not is no affair of Great Britain. She subsidizes her ships and we have the same right. Whether we choose to exercise that right is our business, and ours alone.

And if there is anybody who really thinks the United States built the canal so that all nations would have equal rights with herself in it, I would promptly disabuse their minds and proceed to make of that canal a great strategic naval and commercial base that in time of war would command both oceans and in time of peace prove a vantage ground from which an American merchant marine, now swept from the seas, might be reestablished, while at the same time giving all nations the use of the canal on just terms.

I would make the American flag known and respected in every part of the world.

The world does not know the American flag. It does not know the powerful, peace-loving, fair-dealing, big-hearted people the Stars and Stripes represent.

Send it out to the world; send it out in peace, please God, but send it out in power, panoplied by the tremendous energies of the mightiest people of earth. [Applause.]

O beautiful banner! Splendid in thy red stripes, that represent the red blood of manly hosts that have died on the field of honor that thou mightst live; splendid in thy pearly white, that stands for the pure hearts and purposes of patriots, living and dead, that have made thee the flag of the brave and the free; splendid in thine azure field, that proclaims faith in God, in justice, and the right; splendid in thy silvery stars, that light up the pathway to lofty achievement! Thrice splendid thou, O beautiful banner, for thou alone amidst all the proud standards and escutcheons of the nations of the earth, thou only dost represent a land where man may be free—free, with such abilities and capacities as God has given him, to work out his own fortunes unbuttressed and undeterred by class, rank, or privilege! [Applause.]

Mr. STEPHENS of California. Mr. Chairman, I now yield to the gentleman from California, my colleague, Mr. KETTNER.

Mr. KETTNER. Mr. Chairman, the bill under discussion carries two items that seem very small in comparison with the many large items that of necessity are in this bill, but are of great importance to the efficiency of the Navy on the lower Pacific coast. These are an item of $45,000 for the erection of coal-storage bins and one of $50,000 to provide for fuel-oil storage, on a wharf already completed by the Government for this purpose, on San Diego Bay.

The matter of establishing a coaling station at this point was first brought to the attention of the Navy Department in 1900. An investigation was made immediately by the Bureau of Equipment, the result of which was a recommendation that a site be acquired for a coaling station on the reservation under the control of the War Department. Later this coal-depot property was turned over to a custodian of the Navy Department, and the general board recommended the establishment of a station with a capacity of 20,000 tons.

The preparation of plans and specifications was not undertaken until 1904, the delay being due principally to the difficulties attendant upon the proximity to the quarantine station, so that the construction of any work at the station was deferred until 1907. Contract for the construction of cottages and a stable was effected in June, 1907, and in October of the same year contract was let for the construction of the wharf, costing somewhere in the neighborhood of $200,000.

It was my pleasure to walk through the 7-foot casing that inclosed the cluster of piles and cement for each of the piers. The entire construction, on the same durable, far-sighted basis, makes this one of the finest wharves on the Pacific coast.

In 1909 active operations were discontinued, and I have learned since becoming a Member of Congress that the department had set aside a certain amount with which to finish this work, but that some emergency had caused it to be diverted.

Concerning the need for an adequate fuel supply at this point, I quote from a letter written in December, 1912, by Admiral George Dewey:

> The geographical situation of San Diego, 450 miles south of San Francisco, close to the Mexican border, and the nearest United States port to Panama on the Pacific coast, points to its being a frequent port of call for the Navy as well as for commercial vessels when the canal is in operation. The Navy now has a coaling wharf at San Diego, and the harbor is used as a base for a part of the drills of the Pacific torpedo flotilla; the capital ships of the Pacific Fleet are at this date engaged in target practice in the immediate vicinity. The general board believes it probable that the naval use of this port will increase in the future rather than the reverse. There is room in the inner harbor for at least 16 capital ships in quiet, perfectly protected water, and there is now a limited coast defense.

I wish to emphasize this matter of a quiet inner harbor.

The first observation we have of record is that of Cabrillo, the discoverer of San Diego Bay, who entered in his ship's log, in September, 1542:

> A very great gale blew from the southwest; the port being good, we felt nothing.

Father Junipera Serra, in July, 1769, established at San Diego the first mission in California, and in his letters mentioned the similarity in climate to his beloved Spain.

Sixty years later Richard Henry Dana visited San Diego, and in his "Two Years Before the Mast" left a record of early life in California. In 1835 he describes the storm winds of California and mentions San Diego as one of three ports in California safe from these winds.

Alexander Agassiz, in 1872, stated:

> In enumerating the peculiar advantages of San Diego, there seems to be one which is of great importance. Perhaps, as a scientific man, I may lay more stress upon it than is necessary, but I hardly think it possible. I have seen many parts of the world and have made some study of this subject. It is the question of your climate. * * * This is one of the favored spots on the earth. * * *

When Gen. A. W. Greely, as Chief Signal Officer of the Army, was at the head of the United States Weather Service he contributed a paper on the climates of the United States.

In this article he said:

> The American public is familiar on all sides with elaborate and detailed statements of the weather at a thousand and one resorts. If we may believe all we read in such reports, the temperature never reaches the eighties, the sky is flecked with just enough of cloud to perfect the landscape, the breezes are always balmy, and the nights ever cool. There is possibly one place in the United States where such conditions prevail—a bit of country about 40 miles square, at the extreme southwestern part of the United States, in which San Diego is situated.

Quoting from a book, "Climate and Weather of San Diego," prepared under the direction of Willis L. Moore, Chief United States Weather Bureau, by Ford A. Carpenter, for several years local forecaster:

> The climate of San Diego is characterized by uniformity of temperature and invariability of sunshine. The temperature covers a short range and the sunshine is even more constant in winter than in summer. San Diego may truthfully be said to have the shortest thermometer in the United States with one exception—the southeast Farallone Islands.

Concerning the strategic importance of this harbor, 11 nautical miles north of the Mexican border, 89 nautical miles south of Los Angeles, and 482 nautical miles south of San Francisco, it is the nearest port of call for the fleets of the world passing through Panama. It is a landlocked bay, varying in width from 600 to 4,000 feet and about 15 miles long. The bar is generally smooth, 570 feet wide, and 35 feet deep at mean lower low water; the middle ground is always smooth, with a depth of 32 feet at mean lower low water. The State has turned the water frontage over to the city, and a municipal pier has just been completed at a cost of more than $1,000,000. This includes a bulkhead of 2,675 linear feet and the reclamation of tidelands to the extent of 50 to 60 acres, with 1,460 acres of tidelands owned by the city.

Besides her own immediate back country, which is being developed rapidly, the railroad into Imperial Valley and Arizona, now nearing completion, will tap an unlimited supply of food products, with fresh vegetables 12 months in the year at reasonable rates. This, I understand, is an item of great importance to the Navy Department in its problem of providing for the hundreds of men in each branch of the service.

This strategic importance in connection with our relations with Mexico and Central and South America has long been recognized, and the closer relations with these countries for which we had hoped through the opening of the Panama Canal first led our people to think of a unique "Exposition of Opportunity" to celebrate this opening.

The unfortunate civil war in Mexico, however, has put us on the defensive, as a border city, thinking of how we shall best equip ourselves against her instead of how we could cooperate with her, as we had hoped, in the opening up of her vast desert territory in the north, as we have begun to open up our vast desert country in the south and west, through the reclamation principles and methods.

A story is told of an admiral of the Pacific Squadron anchored at San Diego for target practice and drill during the war between Russia and Japan.

The admiral seemed very much worried.

"What's the matter?" asked a friend. "Ham and eggs not right for breakfast?"

"Ham and eggs!" burst out the admiral. "It's not ham and eggs I'm thinking about; it's coal. Are you aware, sir, that as far as use on war vessels is concerned this is a coalless coast

from Vancouver to Valparaiso? If war involved the United States, where do you think we'd get coal to sustain our fleet?"

An incident that illustrates in some measure the necessity for the completion of this fuel-storage station occurred some time ago when the *Denver*, lying at San Diego, received orders to proceed to Acapulco to protect American interests. With no adequate supply of coal at hand, the cruiser was compelled to await the arrival of a collier. Under the circumstances of that time there was probably no desperate hurry, but under the present circumstances one may easily conceive of the value of this fuel supply close to the border, especially by a glance at the map to note the long Mexican coast line.

As a business proposition is it wise to allow this magnificent fuel wharf to remain practically useless for the want of the comparatively small appropriation required to equip it thoroughly when the needs are so great and the ships assigned for duty must either wait for a collier or proceed to San Francisco for fuel and then back by San Diego to Mexican waters, Central America, or the Panama Canal? [Applause.]

Mr. ROBERTS of Massachusetts. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, the Commoner seems to be quite an official organ these days. I have here a short signed statement by the distinguished Secretary of State, which appeared in the last edition of the Commoner, just out, together with some very short comments upon it in this morning's New York Sun. The article is entitled "Counting the battleships and regiments," and came out the very day our fleet was speeding to Mexican waters, and we were, in effect, declaring war. I ask to have the article read from the Clerk's desk:

The Clerk read as follows:

"COUNTING THE BATTLESHIPS AND REGIMENTS."

The Commoner, out to-day, contains a signed article by its proprietor, the Secretary of State of the United States of America, ending with the three astounding paragraphs here subjoined:

"If our Nation desires to be measured by intellectual and ethical standards, how unworthy to brag of our strength and threaten to use that strength. 'We are ready to fight' does not arouse the enthusiasm that it did a few centuries ago. Brute force is not the level upon which this Nation settles controversies to-day; the question is not what we can do, but what we ought to do.

"The path of history is strewn with the wreck of nations that boasted that they were all powerful; they went down under Jehovah's inexorable law—and the 'God who ruled over Babylon is the God who is ruling yet.'"

[Applause on the Democratic side.]

"This question must be decided on moral principles and not by the counting of our regiments and battleships.

"What shall it profit a nation if it conquers the whole world and loses its faith in the doctrine that 'righteousness exalteth a nation'?

"W. J. BRYAN."

[Applause on the Democratic side.]

Think of it!

The New York Sun comments editorially as follows:

This mess of apocalyptic rhetoric and ecstatic exhortation was put forth unofficially from the Department of State by the Secretary of State on the very day when the administration of which he, next to the President, is the principal figure, was counting its battleships and making an unprecedented demonstration of naval strength and threatening to use that strength; declaring that it is "ready to fight," and actually appealing to Congress for full war powers wherewith to settle an international controversy by brute force.

And Secretary Bryan indignantly denies that he thinks of resigning.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Certainly.

Mr. MOORE. Is not the Commoner the same paper which in its last issue published the administration version of the Panama Canal tolls question?

Mr. JOHNSON of Washington. I think it is. However, I am not able to subscribe to the Commoner. I can not, therefore, keep up with all of the official statements published in that journal.

Mr. MOORE. Is it not true that a great many statements which bear the stamp of official sanction appear in the Commoner that are not conveyed by way of information to Congress?

Mr. JOHNSON of Washington. It would seem so.

Mr. MOORE. It would seem that we have here a gentleman who believes in peace in the Commoner, but as Secretary of State, if we consider the action taken yesterday, is advocating war with a foreign power. How are we to harmonize these conflicting interests in one personality?

Mr. JOHNSON of Washington. I am sure that I do not know; but I desire to say, Mr. Chairman, that I have admired and do admire the efforts of Mr. Bryan in the Commoner, at least, toward a world-wide peace. If the distinguished Nebraskan has two characters, permit me, then, to say I admire the "Commoner" character.

I advocated here not long ago, during an opportunity I had to make a short address, the placing of the white nations of the world upon a peace footing, and I desire to make a few remarks upon that subject.

A union of the great white nations means peace. Such a union, on a peace footing, is insurance against war. Other great nations will be glad to come down to the peace footing of the United States. It may take some time to bring about this, but our fearful difficulties in Mexico only emphasize the necessity for it. Here we are face to face with a war which no one wants, and 337 Members of this House voting for an ambiguous resolution which most of those who voted for it did not want.

On yesterday's vote but 37 Members voted against that ambiguous resolution which comes as near meaning war as anything can mean, and yet pretends not to mean war. The 37 voting "no" were:

DEMOCRATS.

George of New York, Stephens of Mississippi, Witherspoon and Sisson of Mississippi, and Kindel of Colorado.

PROGRESSIVES.

Bell of California, Temple of Pennsylvania, and Kent of California.

REPUBLICANS.

Anthony of Kansas, Ainey of Pennsylvania, Bartholdt of Missouri, Britten of Illinois, Butler of Pennsylvania, Campbell of Kansas, Davis of Minnesota, Fordney of Michigan, French of Idaho, Gardner of Massachusetts, Gillett of Massachusetts, Good of Iowa, Hays of California, Howell of Utah, Johnson of Utah, Johnson of Washington, Kahn of California, La Follette of Washington, Langham of Pennsylvania, Mann of Illinois, Madden of Illinois, Mondell of Wyoming, Platt of New York, Sells of Tennessee, Steenerson of Minnesota, Stevens of Minnesota, Volstead of Minnesota, and Woods of Iowa.

The President said in his message yesterday that he did not need the authority of Congress to go ahead. And he did not. I predict that he will go ahead against Huerta without waiting for the Senate to strike from the resolution its ambiguous words. [Since this paragraph was placed in type we have gone to war. The Senate is still at work in an effort to perfect the resolution adopted by the House yesterday.]

No one wants this war. No one believes that we have taken all the steps which can be taken to prevent this war. One day we vote almost unanimously to indorse the resolution of Sir Winston Churchill for a naval vacation, and almost the next day—in the same session of the Sixty-third Congress at least—we vote ourselves into war. How can we go on with our peace treaties with all the nations of the world?

We are going to war without a cheer; without a martial note. There is no "Spirit of '76" in this war. The country has not been oppressed by foreign tyrants. There is no "Remember the Maine." No ship has been blown up. This is not like 1812. No American ships have been seized. Thornton's Cavalry has not been destroyed, as in 1846. No Fort Sumter has been fired upon. But war is here. Next comes an appropriation of $50,000,000 or more. It will be granted. It is now our country, right or wrong. And soon we may look for the lists of dead and wounded and missing. There have been 8,000 wars since civilization has recorded its actions, and all have told the same story of horror. Oh, how many have started from trivial causes? Read your histories.

Why not proceed to peace treaties with the five great white nations? Then we can stop war and take the soldiers off of the backs of the people. Then, too, we shall be in an alliance which can not fail, and when the time comes for Caucasian and Mongol to meet, be it 20 years from now or 200 years from now, we are ready. Besides, such an alliance would postpone—postpone possibly for generations—the conflict which has been inevitable since Caucasian and Mongolian parted on the plains of Ararat in the beginning of civilization.

One great branch of the human family slept the sleep of ages. It is now awake. Do not be deceived. All the Orient is awake. I need not particularize as to the nations we naturally think of first. But if things continue to develop as they have during the last five years, it will be only a few years before the British are driven out of India, and then 900,000,000 people on the other side of the Pacific will be free to arm themselves to enforce their common demand for unrestricted admission to the lands controlled by white men.

Oh, as we plunge into what we think will be a little war, let us remember that wars are very costly—the Franco-German War cost Germany about $300,000,000 and the Boer War cost Great Britain about $1,000,000,000—but only a few realize how colossal are the sums which are spent every year upon the maintenance of an armed peace. The nations of Europe spend at present about $2,500,000,000 per year on their armies and navies. In reality the cost of the European armies and navies is very much greater than $2,500,000,000 per annum. European nations keep under arms about 5,000,000 soldiers and sailors, the strongest and healthiest men of the race, men who are in the prime of life.

The maintenance of 5,000,000 men under arms costs the nations of Europe another $2,500,000,000 in lost earnings. Thus the preservation of peace costs European people altogether $5,000,000,000 every year, or sixteen times as much money as the Franco-German War cost Germany and five times as much as the Boer War cost Great Britain. The British national debt amounts to about $3,500,000,000. French generations yet unborn must pay the war bills of France. It is the same with the other great powers of Europe.

These nations would welcome a peace plan embracing the five great white nations, which would still leave them on a moderate war footing combined against all comers. What would be a peace footing for them would be a war footing for us. We could soon cut ours down.

A world-wide peace plan, embracing all nations, is not practicable. Witness our unfortunate situation with regard to Mexico, or, rather, as the resolution passed by the House would have it, our situation with regard to Gen. Huerta. That resolution reads:

Resolved, etc., That the President of the United States is justified in the employment of the armed forces of the United States of America to enforce demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

Witness also the signed article from the Secretary of State, Hon. W. J. Bryan, in his Commoner, which I have had read by the Clerk of the House. That article is not presented with ulterior purpose in view. Not a bit of it. It is presented as very important testimony to prove the arguments that have just been presented. As editor, Mr. Bryan has one view; as Secretary of State, he is forced to another.

Mr. Bryan's situation is that of many Members of Congress. In the cloak rooms they freely express one view. On the roll call they vote another. Their explanation is "The President wants it," "The President 'right or wrong,'" "Our flag must not be insulted by a foreigner," and so forth.

These are the answers, not only as regards this situation, but, at some time or other, in all languages of all the races that made a world-wide universal peace impracticable. And all point to the need of a Pan-Aryan union.

Military and naval expenditure is rapidly rising, not only in the United States but everywhere. We can do our part toward ending it, and we can do it with honor. We can start now. We can save the Monroe doctrine. We can save Mexico. We can avoid setting back for a hundred years the union of those races whose faces are neither brown nor black nor yellow, but white, and whose religion is that of the one God, and whose precepts are those of the Great Teacher.

Mr. ROBERTS of Massachuetts. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. GRAHAM of Pennsylvania. Mr. Chairman, with reference to the bill that is under consideration in committee, I would like to see the number of battleships provided for in that bill multiplied by 2. I think one of the best ways to preserve the peace of the country is to maintain a large, strong, and powerful navy. It enables us to be strong in diplomacy, and then to be strong in every position which we take with reference to others. It does not mean that the great United States is going to carry a chip, so to speak, upon her shoulder and invite struggle or war. It means simply that she proposes to keep pace with the other great powers with whom she has a right to be ranked in order that she may maintain her place and her influence. In a time like this it seems to me almost unnecessary to urge upon the House a program for a large and strong navy. Yesterday in this room we heard the rumblings of war, intimations of that which may fall upon our country at any moment. The resolution which was passed, which received my vote, but a vote given with the deepest regret, may mean before 48 hours that our country is involved in war, and once the possibilities of this are opened up no human foresight can tell to what length the Nation may be drawn out. It may mean a conflict with Mexico; it may mean involvement with other powers. Surely it is a pusillanimous policy that prompts to a reduction of our naval strength and force. It is a weak-sighted philosophy that causes men to reason about peace, peace, when humanity remains the same, and nothing can ever disarm the nations until man shall be changed from within, so that a newer and better and stronger man shall be upon the face of the earth.

Pictures that one sees about him every day indicate all but too clearly, as the last speaker said, that beneath the veneer of civilization there is found the real raw animal, the brute man. Let anyone attempt to picture the scenes that occurred about the city of Torreon in Mexico, the brutal exhibit of the mad fury of the human race when it is let loose, and he can find no solution or consolation in the thought that men are very much better than they were years ago. I would like to lift my voice, humble though it may be and possibly without much influence in this House, in favor of increasing and strengthening the Navy of the United States far beyond its present strength. Every dollar spent in building up the Navy is a dollar spent by way of insurance of peace and the preservation of the dignity and the power of this great people.

Before resuming my place, I would like to say in connection with the resolution adopted by this House yesterday evening that I voted with great regret for it, because it seemed to justify the waiting policy of the President of these United States and his course in dealing with Mexico, which I can not approve; and it seemed to give to him unlimited power to exercise his thought and his judgment in handling the Army and the Navy of the United States. I listened to his message with the utmost intentness, and failed to find there those reasons which would prompt and help a vote in favor of clothing him with this power. I failed to find there a just and adequate statement of a cause for war, and for those reasons I would far rather have placed my vote upon the record as a negative vote than to have given the affirmative. But one moment, sir, and I am through. With the picture that was present to one's mind's eye, of the great fleet of this Nation flying toward Tampico and the possibility of the landing of our troops and our country being placed before the world after the deliverance of the ultimatum, which means only one thing, either apologize or fight, an American could not help but vote to stand publicly before the world in support of the President, while he might condemn privately and personally the conduct of his Mexican policy. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, may I ask unanimous consent to extend in the RECORD some remarks with reference to the repeal of the act of 1912 relating to the free passage of domestic commerce through the Panama Canal?

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Chairman, I yield 20 minutes to the gentleman from Louisiana [Mr. ESTOPINAL].

Mr. ESTOPINAL. Mr. Chairman, the gentlemen who signed the minority report have made a great effort to show that the Navy of the United States is superior to that of Germany. This they have labored very hard to prove by very ingenious arguments in the face of all the reports of all the naval experts of the great nations of the world to the contrary notwithstanding. These gentlemen have apparently convinced themselves of their contention, and I confess that I would be happy to be convinced myself; but I am not. The stern, irrefutable fact that all of the expert evidence is against them has convinced me that their figures are wrong. But that is beside the issue, for the real issue is for us to be prepared for any eventuality.

Preparation for war that may never come is an insurance that bears very lightly upon this country. It in nowise affects our progressive march; but, Mr. Chairman, if we should neglect it and through this condition of unpreparedness we are drawn into a conflict with any big country, tens of billions of dollars would not measure our financial losses, and the cause of peace would receive a setback from which it would take many, many decades to recover.

It is unthinkable that this country will ever wage a war for aggrandizement, but the world has not advanced to that sane position in civic righteousness as to give us sufficient confidence in all others to warrant disarmament. No one claims there is not danger of war; not even the most pronounced advocate of disarmament has gone that far in statement, so far as I know. Therefore we must be prepared, that the danger of aggression may be lessened. We must not shut our eyes to plain facts that indicate the danger and the contingencies which may involve this country if we are not in a state of thorough preparation, but which, if we are so well prepared as to make the danger too present—too real and too apparent—to any nation which might seek an adventure of that kind with us we may escape.

Therefore, Mr. Chairman, with the desire for peace as deep-seated as it is in me, ruling my sympathies and determining my actions, I must reject the theory that adequate preparation is opposed to peace. On the contrary, Mr. Chairman, I sincerely believe that the theory of preparation is opposed to war; that, as a necessary assurance against aggression, it composes our minds and confirms our peace proclivities. I believe that science is rapidly leading us toward the abolition of war and armament; that many who are within the sound of my voice will live to see conditions come about which will make war impossible; but until we shall have arrived at that stage of scien-

tific progress it would be dangerous—indeed, almost suicidal—for us to close our eyes to conditions which make the danger of war ever present. We must have an adequate Navy—one which will keep us on a footing with the great powers. We have assumed large responsibilities and we must have the means at hand to protect ourselves in the discharge of them. The American people are not opposed to the development of our Navy to a size and efficiency which will insure both protection and peace. To the contrary, Mr. Chairman, the average American citizen feels proud of our efficient Navy and feels secure in the conviction that no power on earth, single handed, would dare attack us. If the time ever comes when we shall have to spend, as some contend, a billion dollars a year on our Navy, we will have the wealth to enable us to do it and the disposition to accede to the demand if conditions such as we now see them to be shall require it. Such predictions frighten nobody.

While we would all prefer to see the relatively small expenditures which we are now making in the interest of national protection and, to my mind, in the interest of international peace, that are spent for armaments, spent more directly in the interest of social and industrial betterment, there is no such ever-present menace as the startling assertion, often repeated, that the large navy countries are staggering toward bankruptcy.

While it is true that we appropriated in 1886 only about $15,000,000 for our Naval Establishment, we have progressed in national wealth and in the employment of inherent energies so far since that time that it makes the expenditure of one hundred and forty millions per annum now a less tax on the people than fifteen millions in 1886.

In 1887 the people of this country had a total deposit in all the banking institutions of less than three and a third billion dollars—the savings of less than three and a half million depositors. In 1912 these deposits had mounted up to seventeen billions, and the depositors numbered ten millions. The appropriation for the Naval Establishment for 1912 was less than eight-tenths of 1 per cent of these deposits in banks, and the aggregate appropriations for the Naval Establishment for the entire period of 25 years—1887 to 1912—is less than 12 per cent of the gain in these deposits of 1912 over those of 1887.

Mr. Chairman, in 1887 we exported $716,000,000 worth of merchandise; in 1912 two and one-fourth billions. This gain in merchandise exported alone, for 1912 over that which we sent abroad in 1887, would pay our Navy cost for these 25 years. And, Mr. Chairman, our exports of farm products of $537,000,000 in 1887 increased to more than a billion in 1912. These farm exports alone would pay the Navy appropriations of 1912 eight times over.

In 1890 the value of our farms was but $16,000,000,000 as compared to forty-one billion in 1910. Our total Navy expenditures for this duodecennial period—1890–1910—was scarcely equal to 4 per cent of our gain in farm values. Mr. Chairman, do these figures spell decay?

But let us take a view of our liquid farm assets. In 1890 the value of our farm products totaled but two and one-half billion dollars as compared to eight and one-half billions in 1910. Last year it is estimated that our farm products amounted to nearly $10,000,000,000. Let us use the two decade years as comparison. The $6,000,000,000 in gain in the values of these farm products of 1910 over 1890 would pay our Navy expenditures from 1890 to 1910—20 years—six times over.

And, Mr. Chairman, manufacturing industries, both in wages paid and in value of products, doubled in these two decades.

A more impressive or more vivid exposition of national energy is that in the year 1887 our total postal revenues amounted to but $49,000,000, whereas in 1912 the total was two hundred and forty-seven million; that our public-school expenditures which in 1887 were $116,000,000, had mounted in 1911 to $447,000,000.

We can run the whole gamut of American energies and find such wonderful growth in every line of endeavor that it constitutes a complete negation of any such extravagant assertions, so far as they apply to this country.

Mr. Chairman, this measuring of Navy appropriations by the different features of our national activities is probably incomplete without some reference to their relation to our growth in total wealth. This grew from sixty-five billions in 1890 to eighty-eight and one-half billions in 1900, an increase of twenty-three and one-half billions, this increase alone being seven billions greater than our entire wealth in 1860. Provision was made for a special census, in 1905, on wealth, which showed that we had in four years gained more than $18,000,000,000, or at the rate of four and one-half billions a year. This annual gain alone in wealth is more than 30 times the amount we propose to expend in the bill we are discussing.

Mr. Chairman, in proportion to the interests which we have at stake in this country, and in view of our great increase in material wealth, we are making a very conservative, I may say insignificant, expenditure for armaments, as an insurance against possible aggression, however remote it may be or however improbable it may seem. And this expenditure puts not as much as a straw in the path of our progress toward a magnificent ultimate, the pounds of which we can now hardly realize. This expenditure would be insignificant in its effect even if every dollar we are appropriating should be spent in other countries; but practically all of it is spent among our own people, and goes right into the channels of financial and industrial activities. And, Mr. Chairman, there is an important phase of economics that is manifesting itself in the service of both the Army and Navy along with this growth of our expenditures in these two branches. It is preparing the young recruits for better citizenship when their terms of enlistment shall have expired, or for better soldiers and sailors if they continue in the service.

But, Mr. Chairman, reverting to this indictment against military preparation in which it is claimed that the civilized countries are "struggling toward bankruptcy," it is well for us to measure the progress of other countries as compared to their military burdens. Germany is held up to us as one of the great war nations in preparation for conflict, and comes naturally to mind when we hear and read the indictments of preparation for the contingency of war; for if the nations of the world are "struggling toward bankruptcy" with militarism "rampant," that country would be in the lead in this financial desolation. Let us look at Germany's progress in the arts of peace.

Dr. Karl Helffrich, a German writer and financier, published in a monograph some figures anent the silver jubilee of the German Emperor in 1913. I am indebted to the published brief comment from our Bureau of Foreign and Domestic Commerce for some of the showings made in that monograph. It discloses an almost unbelievable story of German progress and of rapid advance in prosperity.

The manufacturing industries of that country have increased their output at least threefold in the last 25 years. A notable increase is in steel production, which has risen from less than 1,000,000 tons in 1886 to more than fifteen millions in 1912, or more than 1,500 per cent.

The merchant marine of Germany, on January 1, 1886, showed only a million and a quarter net registered tons. In 1913 it showed more than 3,000,000 net registered tons, and of a kind and character for speed, stability, and efficiency that makes the increase all the more notable.

Mr. Chairman, it is generally conceded that when a people begin to show signs of decadence and a premonition of bankruptcy it first manifests itself in the decline of agriculture. Germany has to-day about the same area in cultivation that it had in 1886, and there are engaged in agricultural pursuits approximately the same number of persons. But the average productions of that country for the period of years—1883–1888—of the combined staple products, rye, wheat, barley, potatoes, and oats, of 40,000,000 tons, increased to 70,000,000 tons for the average yield during the period of years 1908 to 1912. A most astonishing exhibit, Mr. Chairman, of farming virility, which, when added to the equally remarkable gain in their manufacturing industries and in the expansion of their carrying trade, shows a people marvelously progressive and prosperous and far from the gloomy path that leads to bankruptcy. But before I leave this discussion of Germany's advance in agricultural efficiency I wish to call attention to her sugar-beet industry. I quote from the report I have mentioned:

> The per acre yield of sugar beets increased from 11.3 to 13.4 metric tons between 1888–89 and 1910–11, and the sugar value of each beet was made to grow. In 1888–89 the factories worked up 7,896,000 tons of beets into 991,000 tons of raw sugar, 7.97 pounds of beets being required to make 1 pound of sugar. In 1910–11, 15,749,000 tons of beets were worked up into 2,590,000 tons of sugar, thus requiring only 6.08 pounds of beets per pound of finished product.

To bolster up the calamity cry of "bankruptcy" I have seen the following quoted from the report of The Massachusetts Commission on the Cost of Living, made in 1910:

> This diversion of labor and capital from productive industry to waste and destruction, with the accompanying diminishing of the necessaries of life and an inability to supply the world's demands, inevitably resulted in an advance of the prices of the commodities of common consumption. * * * In weighing the causes which have contributed to increase the cost of living this commission is convinced that a most far-reaching influence in creating, fostering, and perpetuating high prices is militarism, with its incidents of war and its consequences in taxation. The debt piled up for war and waste remains a burden on the life of the world—a burden calling every year for a huge interest payment of more than a billion dollars taken from the earnings of the nations. This is supplemented annually by many other billions to maintain hugh armies and navies of men taken from industry, who are organized, trained, and maintained for the day when they will again be hurled at each other, to duplicate the destruction of the past and pile up new and heavier burdens upon the thrift and industry of the world.

This is a fair sample of the extravaganza of those who urge a small Navy.

But, Mr. Chairman, the facts which I have quoted regarding Germany, showing a remarkable growth not only in the amount of production but in the scientific advance which gets a 75 per cent increase in total productions from practically the same amount of land with the same amount of labor, is a complete denial of this statement by the Massachusetts commission on the cost of living.

The remarkable increase in manufactures and commerce and the disposition of the people in prosperity to adopt a higher scale of living is probably the real explanation of the advance in food prices.

But this progress in wealth and industry is not confined to "military" Germany alone, as there are other nations, pictured as "weighted down with armaments," which show an almost equal measure of advance in commerce and industry.

The total foreign commerce of the United Kingdom for 1902 was less than $4,000,000,000; in 1912 it has reached six billions, a gain of more than two billions in 10 years.

In 1902 her total gross steamship tonnage was 13,000,000 tons, represented by vessels averaging less than 1,500 gross tons each. In 1912 this steamship tonnage was nearly 18,000,000 tons gross, with the increased tonnage represented by vessels averaging over 2,000 tons gross, and in increased speed and mechanical equipment for loading and unloading they represent a capacity and efficiency that adds materially to the increase in tonnage.

France, in some respects the most prosperous nation in the world, had a total foreign commerce in 1902 of one thousand six hundred and sixty-eight millions; in 1912 it was two thousand eight hundred and fourteen millions.

Italy, with six hundred and twenty millions in 1902, had in 1912 one thousand one hundred and fifty-seven millions.

Russia increased from seven hundred and forty-one millions in 1902 to one thousand four hundred and seventeen millions in 1912.

Austria-Hungary, from seven hundred and thirty-seven millions to one thousand two hundred and seventy-six millions.

Japan, with two hundred and sixty-two millions in 1902 and five hundred and sixty-eight millions in 1912, showed the largest per cent of increase.

I have been unable to obtain the shipping data of these last-named countries, but they undoubtedly would show the same rapid increase as is shown by the figures of Germany and the United Kingdom.

Mr. Chairman, war is, of course, a great destroyer of life and property and in some ways retards progress and prosperity, but preparation does not indicate war. It may indicate peace; and in my judgment it does. But, as I have already said, yet say again to emphasize it, these figures totally disprove the charge that these preparations are a burden on the people to the extent that we have seen in writings and preachments and that have been cited in arguments on the floor of this House.

There has probably not been a year in the last decade—no; not in the last two decades—when there were not more than three times as many idle men tramping the streets of our cities and along the railroads of this country, marauding and destroying, than were enlisted in the Army and the Navy. Before we decry the Army and the Navy for taking men out of the productive channels of life, and thus causing the high cost of living, we should try to solve the problem of voluntary and involuntary idleness of these three times as many that stagnate in cities and tramp the country and the several times as many more that are idle at home during certain seasons of the year. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. WILLIAMS having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On April 15, 1914:

H. R. 13765. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1915, and for other purposes.

On April 16, 1914:

H. R. 12169. An act providing for an additional appropriation for a public building in the city of Monroe, N. C.

On April 18, 1914:

H. R. 4544. An act to reserve certain lands and to incorporate the same and make them a part of the Caribou National Forest Reserve.

On April 16, 1914:

S. 135. An act for the relief of Severin and Berthe L. Evensen, dependent parents of Sigurd Evensen;

S. 1884. An act for the relief of Phoebe W. Chase; and

S. 4943. An act to amend section 1 of an act of Congress approved April 9, 1912 (37 Stats., p. 80), entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes.

On April 17, 1914:

S. 54. An act for the relief of George W. Hoyt.

On April 18, 1914:

S. 75. An act for the relief of Theresa A. Murray;

S. 175. An act for the relief of Lawson Reno, collector second district of Kentucky; and

S. 3610. An act for the relief of C. E. Moore.

On April 20, 1914:

S. 1829. An act for the relief of W. D. McLean, alias Donald McLean.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. PADGETT. Mr. Chairman, I yield half a minute to the gentleman from New Jersey to make a request.

Mr. McCOY. Mr. Chairman, I ask leave to extend my remarks in the RECORD by including therein an address by the Secretary of Commerce delivered at the University of California March 23, 1914.

The CHAIRMAN (Mr. PAGE of North Carolina). The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD by inserting an address delivered by the Secretary of Commerce. Is there objection? [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Chairman, I yield 20 minutes to the gentleman from Virginia [Mr. JONES].

Mr. JONES. Mr. Chairman, there are two items in this bill to which I object, and when it is read for amendment under the five-minute rule I shall move that they be stricken out. I now desire to submit some facts and figures relating to these items and to state, as fully as I may in the time allowed me, why I regard these proposed expenditures as most unwise, if not wholly indefensible. I also desire, if allowed the time, to submit some remarks relative to the comparative cost of building ships of war in Government navy yards and building these ships by contract in private yards.

The items to which I now particularly desire to direct the attention of the House are to be found on page 22 of the bill, the one making available an unobligated balance, not exceeding $148,000, of an appropriation heretofore made for marine barracks at Boston for building a slip and equipment, and the other appropriating $200,000 for building slips and equipment at the Philadelphia or League Island Navy Yard. It is stated in the report which accompanies this bill that these appropriations are asked to enable "the Boston and Philadelphia Navy Yards to construct the vessels awarded to these yards as a result of competitive bidding between private shipbuilding plants and other navy yards."

The naval appropriation bill approved March 4, 1913, provided for the construction of one transport, to cost, exclusive of armor and armament, not to exceed $1,850,000, and one supply ship, to cost, exclusive of armor and armament, not to exceed $1,425,000.

When these ships were authorized it was not contemplated that they would be built at either the Boston or the League Island Navy Yard. Neither of these yards has had any experience in this class of work. The last ship built at the Boston yard, 10 years ago, was the small steel sailing training vessel called the *Cumberland*, of 1,800 tons displacement. The construction of such a vessel as that is a very simple matter compared to that of the supply ship of about 8,500 tons displacement which the Secretary of the Navy now proposes to have built at that yard. The Philadelphia yard, to which has been awarded the building of the transport, has never built a modern ship of any class, and neither of them can ever build either of these ships unless Congress votes the money to equip it with the requisite building ways and cranes to enable it to undertake the work.

The Secretary of the Navy invited the private shipbuilding concerns of the country to bid on these ships and directed the navy yards to furnish estimates showing at what cost they could be built by the Government. The bids of the private and the estimates of the public yards were submitted on the 20th of December last. They are embraced in a statement furnished by Rear Admiral Griffin, Chief of the Bureau of Steam Engineering, and are to be found on pages 329 and 330 of the hearings before the Committee on Naval Affairs. I shall incorporate them in my remarks.

Statement furnished by Rear Admiral Griffin, Chief of the Bureau of Steam Engineering, before House Committee on Naval Affairs.

SUPPLY SHIP "NO. 1."

[Bids opened Dec. 20, 1913.]

Item and division.	Navy yards.						
	Boston.	Charleston.	Mare Island.	New York.	Norfolk.	Portsmouth.	Puget Sound.
Labor:							
Hull	$245,179.00	$447,661.00	$364,625	$534,440	$407,640	$422,642	$376,173
Machinery	110,060.38	162,167.96	151,715	145,046	179,610	174,533	160,502
Material:							
Hull	295,327.00	293,987.00	337,735	309,246	277,640	323,329	304,878
Machinery	212,325.96	236,217.74	236,585	224,197	232,400	297,886	206,542
Indirect:							
Hull	135,671.00	145,363.00	153,587	170,748	159,445	117,261	167,862
Machinery	47,785.92	63,010.62	67,988	45,896	73,570	60,184	70,956
Total:							
Hull	676,177.00	887,011.00	855,947	1,014,434	844,725	863,212	848,913
Machinery	370,172.26	461,396.32	456,288	415,139	485,580	532,603	438,000
Total yard estimate	1,046,349.26	1,348,407.32	1,312,235	1,429,573	1,330,305	1,395,815	1,286,913
Yard estimates for drafting:							
Bureau of Construction and Repair	[1]25,300.00	12,500.00	None.	None.	45,800	[1]20,500	11,070
Bureau of Steam Engineering	[1]7,840.00	None.	None.	None.	None.	[1]15,000	12,000
Total estimates	[1]33,140.00	12,500.00	None.	None.	45,800	[1]35,500	23,070

[1]Not included in total estimate submitted by yard.

TRANSPORT "NO. 1."

Item and division.	Navy yards.					
	Mare Island.	New York.	Norfolk.	Portsmouth.	Puget Sound.	Philadelphia.
Labor:						
Hull	$448,830	$744,258	$543,800	$587,131	$493,896	$379,094.00
Machinery	155,228	162,594	187,015	184,640	184,281	150,235.18
Material:						
Hull	427,931	453,547	380,250	449,326	390,693	419,682.00
Machinery	259,059	241,265	261,700	329,206	218,893	216,164.04
Indirect:						
Hull	190,492	242,748	212,130	162,945	219,202	135,862.00
Machinery	70,335	50,318	76,137	63,180	81,826	48,532.77
Total:						
Hull	1,067,253	1,440,553	1,136,180	1,199,402	1,103,791	934,638.00
Machinery	484,622	454,177	524,852	577,026	485,000	414,931.99
Total (yard estimate)	1,551,875	1,894,730	1,661,032	1,776,428	1,588,791	1,349,569.99
Yard estimates for drafting:						
Bureau of Construction and Repair	None.	None.	51,000	[1]28,900	14,000	43,000.00
Bureau of Steam Engineering	None.	None.	None.	[1]15,000	15,000	12,500.00
Total estimate	None.	None.	51,000	[1]43,900	29,000	[2]55,500.00

[1]Not included in total estimate submitted by yard.

[2]Includes also reporting weights, mold loft work, and inclining experiments.

[Bids opened Dec. 20, 1913.]

TRANSPORT "NO. 1."

Class 1: Hull and machinery in accordance with department's plans and specifications.
Class 2: Hull and equipment per department's plans and specifications, with machinery of type proposed by bidders.

Bidder.	Class.	Time.	Speed.	Price.
		Months.	*Knots.*	
New York Shipbuilding Co.	1	24	14	$1,752,000
Fore River Shipbuilding Co.	1	24	14	1,804,000
Seattle Construction & Dry Dock Co.	1	24	14	1,931,100
Newport News Shipbuilding & Dry Dock Co.	1	24	14	1,730,000 [1] 1,725,000
Do	2	24	14	1,700,000 [1] 1,695,000
The Wm. Cramp & Sons Ship & Engine Building Co.	1	24	14	1,832,000 [1] 1,825,400

SUPPLY SHIP "NO. 1."

New York Shipbuilding Co.	1	24	14	$1,399,500
Fore River Shipbuilding Co.	1	24	14	1,419,000
Seattle Construction & Dry Dock Co.	1	21	14	1,404,000
Newport News Shipbuilding & Dry Dock Co.	1	22	14	1,350,000 [1] 1,345,000
Do	2	22	14	1,320,000 [1] 1,315,000
The Wm. Cramp & Sons Ship & Engine Building Co.	1	24	14	1,401,000 [1] 1,394,900

[1]If tried at Lewes, Del.

Whilst the figures in this table show that the Newport News Shipbuilding & Dry Dock Co. was the lowest bidder on each of these ships, they also show that the estimate of the Boston yard, which was only requested to estimate on one ship, was much lower on the supply ship, and that of the League Island yard, also requested to estimate on only one ship, was much lower on the transport. They further show that the Boston yard estimate is $265,586 below that of the Mare Island yard, which, of all the Government yards, is the only one, as I am informed, that has had experience in this class of work. The colliers *Prometheus* and *Jupiter* were built at the Mare Island yard, and there are now under construction at that yard two other fuel ships, the *Kanawha* and *Maumee;* and therefore it is safe to affirm that the estimates submitted by it are more to be relied upon than are those of a yard which has never built a ship of this size or type. The estimate of the New York Navy Yard was $1,429,573, or just $383,224 more than that of the Boston yard; and surely its large experience in building battleships should enable it to estimate more accurately than a yard laboring under the many disadvantages of the Boston yard.

A comparison of the estimates submitted by these three navy yards is quite instructive. Take, for instance, those of Mare Island and Boston. The former estimated the cost of work in the hull division at $855,947, the latter at $676,177, a difference of $179,770 in favor of the inexperienced yard. For machinery the Mare Island estimate was $456,288 and the Boston $370,172, a difference of $86,116 in favor of the Boston yard. The entire difference, as I have shown, being $265,886.

The estimate of the Philadelphia yard for the transport was $1,349,569.99, whilst the figures of the Mare Island estimates were $1,557,875, and those of the New York yard $1,894,730. In other words, the League Island yard, that has never built a ship and is not now equipped to do so, estimated it could build this ship for $202,306 less than Mare Island could and $545,161 less than the New York yard could.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. JONES. I have such little time I can scarcely yield.

Mr. MOORE. The gentleman has referred to the estimates of cost at the Philadelphia yard and says he can not account for the low bid. I merely want to make the statement——

Mr. JONES. I can not yield to the gentleman to make a statement in my time. I am very sorry I can not do so.

Mr. MOORE. There are reasons for it—the matter of labor, fuel, and transportation.

Mr. JONES. I can not yield in my time.

These were the first or original estimates. They were so manifestly erroneous that they were promptly rejected by the Navy Department and returned for revision. When they came back the Boston yard estimate of $1,046,349 for the supply ship had been increased to $1,163,413, and that of the Philadelphia yard for the transport from $1,349,569.99 to $1,458,304.99, or considerably more than $100,000 for each ship.

But even more astonishing is the difference in the cost of labor as shown by the estimates of the Boston yard and those of Mare Island. The original estimates show a difference of $161,000 in favor of the Boston yard, and the revised estimates a difference of $86,000, or 31 per cent less in the case of the original estimates and 16 per cent less after the Boston yard had revised and raised its estimates. These wide discrepancies are not to be accounted for upon the theory that wages are higher at Mare Island than at Boston, for from the best information I have been able to obtain the average wage at the former yard does not exceed the average wage at the latter by 5 per cent, if at all.

But, Mr. Chairman, it is a fact which I do not believe will be disputed that higher wages are paid at the Boston yard than are paid at any other shipbuilding yard on the Atlantic coast, and yet the revised estimate of this yard was $266,000, or 25 per cent less than that of the New York yard. The revised estimate of the League Island yard was $390,000, or something over 25 per cent less than the estimate of the New York yard.

These facts alone are sufficient to convince any reasonable man that it is not possible for the supply ship to be built at Boston or the transport at Philadelphia for anything approaching the sums estimated by those yards, respectively. If the estimates of the New York and Mare Islands yards are worthy of serious attention, then certainly no reliance whatever can be placed on the estimates of either the League Island Navy Yard or the Boston Navy Yard. If the estimates of the Boston and Philadelphia yards are even approximately correct, then it is certainly true that no more shipbuilding should be done at either the New York or the Mare Island—particularly the New York—Navy Yard.

There are many convincing reasons why the Government should not undertake to have its ships built at either Boston or Philadelphia, particularly at Boston.

The climate of Boston is such that work such as is required in building the hull of a ship can not be economically done during at least five months in the year. There are no successful shipbuilding establishments in that vicinity. The Fore River Shipbuilding Co. at Quincy can scarcely be called "successful," for it has passed through several reorganizations and has never, as I am informed, paid a dividend, and the Bath Iron Works owe their success entirely to the fact that they specialize in torpedo boats, for which they get a good price. The successful shipyards are located on the Delaware, on Hampton Roads, and at San Francisco, and of these the most successful are in mild climates. It is absurd to say that shipbuilding can be done as economically at Boston as at other yards more favorably situated and which enjoy a mild climate, as do the navy yards at Norfolk and Mare Island, Cal.

That these two ships which the Secretary of the Navy has directed shall be built, the one at Boston and the other at Philadelphia, can not be constructed within the revised estimates is, I believe, the consensus of opinion of all disinterested naval officers who are qualified to speak upon the subject.

As a matter of fact, as I am reliably informed, the revised estimates of Boston and League Island Navy Yards were submitted to a board of naval officers selected because of their special knowledge of the cost of the construction of naval ships. This board, after the most careful and exhaustive study of the revised estimates, as I am also reliably informed, came to the conclusion, and so reported to the Secretary of the Navy, that neither ship could be built in either yard for a sum as low as the bid of the Newport News Shipbuilding & Dry Dock Co., which company, as I have said, was the lowest private bidder for both ships. And yet, notwithstanding that the estimates of cost of the Boston and League Island Navy Yards for these ships were far less, as I have shown, than those of the New York and Mare Island Navy Yards, which have had considerable experience in building large naval vessels, and notwithstanding that a board composed of naval officers possessing special knowledge of the cost of building ships for the Navy, in fact, expert advisers of the Secretary of the Navy advised against it, the building of this supply ship has been given to the Boston Navy Yard and that of the transport to the Philadelphia Navy Yard. It surely must have required the strongest and most persuasive arguments to have overcome considerations of such convincing force as these. But this is not all to be said upon this subject.

Mr. CALDER. Mr. Chairman, will the gentleman yield?

Mr. JONES. I can not yield, as I have only a few minutes.

The sum of $348,000 is asked for in this bill to equip these navy yards with the necessary building ways and cranes to enable them to begin the construction of these two ships, and this sum, it must not be forgotten, is not included in their "estimated" cost. Even if this money is appropriated to construct these building ways and cranes asked for, it will require from 8 to 10 months to complete them, and to that extent will delay the completion of the ships. It may, therefore, be conservatively affirmed that if the building of these ships is undertaken at the Boston and League Island Navy Yards they will not be completed within the next three years, and that their cost to the Government will be several hundred thousand dollars more than it would cost to build them by contract. This will mean that they will not be completed within the life of this administration. When then the judgment of the Naval Board has been justified, upon whom will fall the just criticism sure to follow?

Naval Constructor Baxter, stationed at the Boston Navy Yard, is authority for the statement, according to the Boston Transcript, that the work on the keel of the new supply ship will not be begun before next fall, and that the work will take three years.

It is now more than 13 months since Congress ordered the construction of these ships, the intent evidently being that the effectiveness of our Navy should be increased by the addition of these auxiliaries at the earliest practicable date. It is quite obvious that in ordering these vessels to be built at the Boston and Philadelphia Navy Yards this manifest intent of Congress has been lost sight of. If there does not exist that urgent need for the building of these ships which was represented to be the case when Congress was asked to make provision for their construction, then it is clear to my mind that they should not be constructed at all. If there is urgent need for these vessels, then they should be constructed within a reasonable period.

When the Navy Department called for bids from private shipbuilding yards for the construction of these ships the circular contained the positive statement that no bid would be considered which did not involve a delivery of the vessels within 24 months from the date of the contract. Time was then regarded as of the very essence of the contract. It was to be a 24 and not a 36 months' job.

Mr. Chairman, in view of such an array of facts as these, I submit that it would be an act of supreme folly for Congress to expend the sums asked for in this bill to equip the Boston and Philadelphia Navy Yards to build large naval vessels. I am not unmindful of the powerful political influences which have been brought to bear in favor of these yards, but the building of these ships is purely a business proposition and one that should not be influenced by the importunities of the heads of great municipalities, such as Boston and Philadelphia, and the chief executives of such great Commonwealths as Massachusetts and Pennsylvania, even when supported by the pleadings of the entire representations in Congress of those communities.

I hold in my hands a large number of clippings from Boston newspapers showing the desperate efforts resorted to in order to secure the building of the supply ship at the Boston Navy Yard. On the 17th of February the Navy Department announced that the supply ship would be built at Boston. On the 13th of February, just four days before this decision was reached, the Washington correspondent of the Boston Herald wrote his paper in part as follows:

HERALD BUREAU,
Washington, February 13.

The contract for the new naval supply ship may go to the Newport News Shipbuilding Co. Secretary Daniels was all but ready to announce the award this afternoon to that company, which was the lowest private bidder. News of this reached the Capitol from a thoroughly reliable source.

Representative MURRAY heard what was in prospect. He called Democrats of the Bay State delegation together and all except Representative GILMORE descended upon the Navy Department. The Representatives were terribly in earnest, especially after their conversation with Secretary Daniels verified the report. They told him in very positive terms that the award of this contract South, when the Boston yard had been the lowest bidder, would be outrageous. It would be taken

up in the Senate and House. Congressmen from Massachusetts would demand to know why this had been done.

* * * * * * *

Secretary Daniels said the experts of the department were opposed to having the vessel built at the Boston yard, because they thought a year would be required to equip the yard to build the ship, causing undesirable delay, and also that the vessel could not be built at the Boston yard within the available funds.

A Washington special to the Boston Advertiser, under date of February 17, had this to say of the efforts of Gov. Walsh and the Massachusetts Representatives in Congress:

The governor in the afternoon had a conference with the Secretary of the Navy, and the announcement that the contract had been awarded to Boston followed. It is believed that the representations of the governor had the effect of swaying the mind of the Secretary from awarding the contract elsewhere. It is believed that it came hard for the Secretary to make the decision he did, but with the governor of Massachusetts intervening the Secretary found the forces arrayed against him too much to overcome.

The Massachusetts men in Congress are jubilant, especially Congressman MURRAY, in whose district the navy yard is and but for whose timely discovery that it was planned to award the contract elsewhere than to Boston the announcement to-day would have been different. He aroused the delegation and the governor, and the wires became too hot for the Secretary to handle in a manner to suit himself.

The Boston Record of February 18 had this to say in respect to the award of the supply ship:

The Navy supply ship is to be built here, after all the effort expended in behalf of that purpose, and in due time everyone here will know what a supply ship is, though few do now. It may never be decided whether the chief credit for bringing the work here should go to Gov. Walsh, Mayor Curley, or Congressman MURRAY, all of whom have claims, or whether some silent influence turned the trick; but it is enough to know that Boston wins while Norfolk weeps; that the South-in-the-saddle graciously stooped to greet New England, and that hereafter the sound of the builders will echo through Charlestown and convert the water front thereof into a busy and prosperous place.

These are but three of the many Boston newspaper expressions as to the political influences exerted in favor of having the supply ship built at Boston. It is the consensus of Boston newspaper opinion that the building of this ship would not have gone to the Boston yard but for the exertion of political influence too strong to be resisted. [Applause.]

That navy-yard-built ships cost very much more than ships built by private contract has been very completely demonstrated by an experience extending over a period of many years at the two large Government navy yards best fitted for efficient and economical construction.

To substantiate this I refer to the statement of Admiral Watt, Chief Constructor of the Unitel States Navy. This statement is set forth in the CONGRESSIONAL RECORD of February 26, 1913, at page 4131, and is as follows:

Navy-yard built.	Cost about.	More than.
Connecticut	$374,000	Louisiana, a sister vessel built by contract.
Florida	2,269,000	Utah, a sister vessel built by contract.
Jupiter	590,000	Cyclops, a sister vessel built by contract.
New York	1,463,000	Texas, a sister vessel building by contract.
Cincinnati	770,000	Formal proposals received for their construction.
Raleigh	714,000	
Maine	780,000	Limit of cost inside which it is estimated that vessels could have been contracted for.
Texas	449,000	
Vestal	250,000	The average of informal estimates received from three shipbuilding companies. (See p. 359, Secretary of the Navy's hearing, Jan. 12, 1911.)
Prometheus	140,000	
Total	7,799,000	

This tabular statement shows that the nine ships built in the navy yards at New York and Mare Island and one ship built at Norfolk cost $7,799,000 more than they would have cost if built at private yards.

At this rate our new Navy would have cost the American people $70,000,000 more to construct in navy yards than by private contract.

The waste of money shown by Admiral Watt's figures is sufficiently great. As a matter of fact, the actual waste is much greater.

In the case of the *New York*, now nearing completion at the New York Navy Yard, the cost to the Government in the way of indirect expenditures, payments on account of leave, holiday, and disability, and payments made to employees in the classified service for drafting, accounting, and clerical work, not a dollar of which is included in the "limit of cost" of this ship, has aggregated a sum in excess of a million and a half dollars. Under the system of accounting now employed at navy yards this immense expenditure must be excluded from the "limit of cost" of the *New York*. I hold in my hand a letter just received from the Secretary of the Navy which gives these expenditures in detail. It reads as follows:

NAVY DEPARTMENT,
Washington, April 13, 1914.

Subject: Cost of battleship *New York*.

MY DEAR MR. JONES:

1. Referring to your letter of the 6th instant requesting the cost to the Government of the battleship *New York*, including indirect expenses, such as leave, holiday, disability, clerks, and draftsmen, there is given below such of the data requested as has been furnished to date by the navy yard, New York, of the cost of the *New York*, exclusive of armor and armament:

	Hull.	Machinery.	Total.
Labor:			
Expended to Mar. 1, 1914	$1,825,308.66	$634,735.19	$2,460,043.85
Estimated to complete	77,508.60	36,343.44	113,852.04
Material:			
Expended to Mar. 1, 1914	1,535,685.51	808,024.60	2,343,710.11
Estimated to complete	118,714.00	356,474.00	475,188.00
Indirect:			
Expended to Mar. 1, 1914	615,447.12	202,269.30	817,716.42
Estimated to complete	26,120.40	11,593.56	37,713.96
Leave [1]			174,911.73
Holiday [1]			177,227.40
Disability [1]			40,079.04
Classified employees employed in construction of New York but charged to current appropriations (estimate of commandant)			287,070.00
Leave and holiday of classified employees employed in construction of the New York (estimate of commandant)			28,930.00
Cost to Government of hull and machinery by reason of construction in navy yard, according to returns received from New York			6,956,442.55

[1] Resulting from construction of New York and charged against appropriation "Increase of the Navy; Construction and Machinery."

2. Attention is invited to the fact that the above total cost to the Government of the *New York* is subject to modification, as the final actual cost of work covered by the estimates to complete may be either more or less than the estimates mentioned above.

3. The above statement of total cost to the Government of the construction in the navy yard, New York, includes expenditures for indirect charges under the existing system of bookkeeping; also expenditures for leave, holiday, and disability which have resulted by reason of the construction of the *New York*. Such expenditures are lodged against the appropriation "Increase of the Navy; Construction and Machinery," which appropriation covers the cost of hull and machinery of the *New York*, but are excluded from the "limit of cost" of the ship by the phraseology of the appropriation act of March 4, 1911.

4. The above total cost to the Government of the *New York* includes also the charges for classified employees while engaged in drafting, accounting, and clerical work for the *New York*. In accordance with statute law such charges are covered by the annual working appropriations, and therefore are not included in the "limit of cost" of the vessel, although such expenditures result from the construction of the vessels.

5. The commandant of the navy yard, New York, reports that the total expenditures to March 1, 1914, on battleship *New York*, together with the small estimated amounts to complete the vessel, indicates a performance lower than the original estimates by $413,750.50 under hull, and $245,884.91 under machinery, or a total of $659,635.41.

Sincerely, yours,

JOSEPHUS DANIELS.

Hon. WILLIAM A. JONES, M. C.,
United States House of Representatives, Washington, D. C.

It seems from this letter that the actual cost to the Government of the *New York*, built at a public yard, is $6,956,442.55, as against the contract price of the *Texas*, the sister ship of the *New York*, built by the Newport News Shipbuilding & Dry Dock Co., for the sum of $5,830,000. In addition to the contract price of the *Texas*, there was something paid for extra work; but, with these amounts added, the contract-built ship *Texas* cost the Government more than a million dollars less than the Government-built ship *New York*.

It can not be denied that the items set forth in Secretary Daniels's letter are part of the cost of building a ship. It ought not to be denied that Congress is entitled to full and exact information of the actual out-of-pocket cost of building a ship in a navy yard. The present system of cost keeping does not give this information. As I have pointed out, Admiral Watt, Chief of the Bureau of Construction and Repair, states that necessary items of cost do not appear in the official figures of ship costs. The items to which I have referred show that the costs thus omitted are very considerable.

Congress should compel a system of cost keeping which would continuously and succinctly keep before it the actual cost of public works proceeding under its authorization.

In the annual report of the Paymaster General of the Navy for the year 1912, at page 12, that officer says:

The pay of clerical, drafting, and messenger services at navy yards and stations should be included in the cost of work. This is not done at the present time and leads to criticism of the accounting system.

In the report of the Paymaster General of the Navy for the fiscal year of 1913 that officer says:

Consolidation of all appropriations will undoubtedly simplify accounting and facilitate the Navy's business generally. A great shipbuilding establishment would find its operations most seriously inter-

fered with, if not rendered unprofitable, were it obliged to divide its efforts, expenses, and materials under several hundred arbitrary accounting heads corresponding to the number of naval appropriation accounts. The present plan is so completely fallacious that it is to be wondered at that of the many efficient business men in Congress none have demanded that a consolidation of appropriations be effected.

The following quotation from my report for the year 1911, slightly modified, states the logical considerations which call for a consolidation of appropriations:

"The naval appropriations at the present time are very complex, and many of them carry identical clauses. Their consolidation would simplify all business transactions connected with purchases, permit more accurate cost accounting, facilitate the reporting of expenditures, and result in an economical distribution of funds by administrative authority at the time the necessity for a particular expenditure becomes apparent."

If the actual additional cost involved in these uncharged items, which the Government pays out of other appropriations, be added to the official cost of the 10 ships mentioned in Admiral Watt's tabular statement, it would be found that those vessels actually cost the Government approximately $10,000,000 more than they could have been built for under private contract.

The Navy Department fully recognizes the much higher cost of ships built in navy yards. That department is now requesting an appropriation for the construction of two battleships, eight destroyers, and three submarines. The department by letter of February 13, 1913, transmitted to the chairman of the House Committee on Naval Affairs an estimate of the comparative cost of the construction of these vessels. These estimates, exclusive of armor and armament, showed that the vessels could be built in private yards for $25,600,000, while in navy yards the cost would be $32,003,000, or about 28 per cent more than the cost under private contract. This comparative statement will be found at page 849 of the recent hearings before the Committee on Naval Affairs.

While it is clearly established that the initial cost of navy yard built ships has been and is now much greater than contract-built ships, statements have appeared in the press, upon the apparent authority of the Secretary of the Navy, that navy yard built ships are, nevertheless, superior on account of requiring less expenditure for repairs than corresponding contract-built ships. Evidently these reports have been based on the testimony of the Secretary of the Navy in the hearings before the Committee on Labor. In the printed report of these hearings between February 27 and March 21, 1914, page 35, the following appears:

Secretary DANIELS. * * * We find when we build a ship that the repairs in the years to come are not so much as in the private-yard-built vessel, as a rule.

Mr. MACDONALD. It is cheaper in the long run, although the initial cost may be greater?

Secretary DANIELS. I think so.

As the statement is an important one, if true, I have taken occasion to get the reported cost of repairs on four large battleships. Two, the *Connecticut* and *Florida*, built at the New York Navy Yard, and two, the *Louisiana* and *Utah*, built under contract with private yards. This information was obtained upon application to the Navy Department, and is contained in a letter from Admiral Watt, chief constructor, which I shall now read:

NAVY DEPARTMENT,
BUREAU OF CONSTRUCTION AND REPAIR,
Washington, D. C., April 1, 1914.

Subject: Cost of repairs on battleships *Connecticut, Louisiana, Utah,* and *Florida*.

MY DEAR MR. JONES: 1. In reply to your letter of even date, requesting a statement of total amounts spent for repairs to date on battleships *Connecticut, Louisiana, Utah,* and *Florida*, there is given below a statement showing expenditures on these vessels to March 1, 1914, for repairs and alterations:

Fiscal years.	Connecticut.	Louisiana.	Florida.	Utah.
1906	$236.97	$5,748.39	.....	.....
1907	54,960.29	105,404.49	.....	.....
1908	140,482.70	66,691.43	.....	.....
1909	198,292.56	125,556.53	.....	.....
1910	197,843.82	205,839.54	.....	.....
1911	70,531.18	53,849.20	$185.44	.....
1912	57,258.78	80,476.70	16,473.29	$18,605.90
1913	70,980.28	211,799.83	31,476.11	62,824.12
1914 (to Mar. 1, 1914)	127,017.48	29,549.59	103,040.84	13,933.01
Total	917,610.06	885,915.75	151,175.68	95,363.03

Sincerely, yours,

R. M. WATT,
Chief Constructor, United States Navy,
Chief of Bureau.

Hon. W. A. JONES, M. C.,
House of Representatives, Washington, D. C.

These vessels were made the subject of comparison because each of the Navy-built ships has a sister contract-built ship. They were the only ships which could be properly compared. The *Connecticut* was built at the New York Navy Yard, while the *Louisiana*, her sister ship, was built at the works of the Newport News Shipbuilding & Dry Dock Co.

The cost of repairs on the *Connecticut* up to March 1, 1914, amounted to $31,000 more than the cost of repairs on the *Louisiana* up to the same date.

The battleship *Florida* was built at the New York Navy Yard, while the *Utah*, her sister ship, was built at the works of the New York Shipbuilding Co.

The cost of repairs on the *Florida* up to March 1, 1914, amounted to $55,000 more than the cost of repairs on the *Utah*.

By referring to Admiral Watt's letter it will be found that the cost of repairs was greater on the *Connecticut* than on the *Louisiana* until 1913, when for the first time the cost of the *Louisiana* repairs exceeded those on the *Connecticut*.

During the fiscal year ending March 1, 1914, the expenditures on the *Connecticut* were greater than on the *Louisiana*, resulting in an excess of total cost of repair on the *Connecticut* above indicated.

In the case of the *Florida* and *Utah*, in 1912 and 1913 the repair cost on the *Utah* was larger than on the *Florida*. In 1914 the repair cost on the *Utah* was very much less than on the *Florida*, resulting in an excess total cost of repair on the *Florida* above indicated.

Applying the reasoning of the Secretary of the Navy to the actual facts, it might be claimed that the contract-built ships were superior to the navy-yard built ships. I make no such claim. It is obvious, from the above figures, that when extensive repairs are made to a ship the cost of repair will show temporarily a higher relative expenditure.

The unrepaired sister ship, doubtless equally in need of repairs, would on this showing seem to be the better vessel; but when she in turn is repaired the relative equality of the vessels becomes apparent. It may be that the private yards and the navy yards build equally good ships. It may be that there is essentially no difference in quality between them. But I believe that it is unquestionable that the private contractor is required to do much more expensive work. It is very certain that the inspection of ships built in navy yards is by no means as rigid as in private yards, and Admiral Watt so stated before the Committee on Naval Affairs on February 6, 1912.

If navy-yard built ships cost more and are no better, why should Congress spend these large additional sums for only partially equipping two more yards?

The navy yards are a source of large expense to the Government. Up to a certain point this expense is justifiable and ought to be incurred. It is advisable that the Government should keep itself informed as to the cost of shipbuilding from time to time, and for that reason perhaps some extravagance is justified. It is essential that a number of naval stations should be available for the extraordinary repair incident to war. But adequate facilities for efficient execution of repair work, of supreme importance in time of war, are not assured by elaborate preparations for construction, nor can construction work be economically done with the equipment which is essential for repair. New construction and performance of repairs are separate and distinct.

Naval stations strategically placed should be kept available for repair service.

The building of an adequate navy has involved, and will involve, large expenditures. In order to get the best return possible, Congress must buy its ships in the lowest home market. If it is cheaper to build ships by private contract, let them be built by private contract.

If the United States could without expense to the people maintain five navy yards, each of which would be superior to the New York Navy Yard, and each of which would be in instant readiness to meet the demands of war, surely no voice would be raised in Congress against the project.

The United States to-day possesses precisely that resource. I refer to the five great yards—the Newport News Shipbuilding & Dry Dock Co., the New York Shipbuilding Co., Cramps, the Fore River Co., and the Union Iron Works.

When, under a Democratic administration, we set out to build our new Navy, only one of these yards—Cramps—could undertake the building of a ship of even the earlier types. Even that company was not equipped to build a modern dreadnaught.

Congress adopted the policy of building ships by contract.

The Newport News Shipbuilding Co. built its large plant; the New York Shipbuilding Co. built its plant; the Fore River Co. built its plant; Cramps and the Union Iron Works greatly extended their plants.

To-day these plants could, under forced construction, turn out a dozen dreadnaughts in 36 months.

We call these "private yards." In time of war every one of them would be a navy yard.

Not only have these private naval yards been constructed and maintained without cost to the Government, but, as I have pointed out, the ships which have been built at these private yards have cost something like $70,000,000 less than they would have cost in navy yards. That vast sum was well worth saving. The United States has not had to spend one dollar in plant cost, not one dollar for repair or maintenance, and yet in these private navy yards it has every emergency advantage which it would have if they were publicly owned.

A wise policy called these yards into existence; an unwise policy may drive them out of existence.

The building of warships is the very highest development of ship construction. These five great yards are built and equipped for this class of work. Yards so equipped can not build the smaller vessels of the merchant marine to advantage, and if they could, the market for such vessels is very limited.

If the United States undertakes to build its own ships to the exclusion of private yards, there can be but one result. No private yard can stand against the vast resources of the Nation. But such a policy would be highly disastrous. The people would not long endure the tremendous cost of construction, upkeep, and maintenance of the necessary Government yards. Many people believe that our Navy is costing us too much now. What will they believe when an unwise policy has greatly increased the cost?

The question of building up navy yards is a very serious one. It has been tried before, and the Nation has refused to countenance the enormous expense that it has involved.

If we are going to try it again, let us at least carefully consider the propriety of that course before committing ourselves to a program of extravagance. When I voted for the naval appropriation bill of 1913, by which these ships were authorized, I did so because it was represented that the ships were necessary. I did so with no thought that I was thereby committing myself to the policy of building two shipyards in which to build two ships. It now appears either that the ships are unnecessary or that the national safety which they were designed to promote is secondary to a desire to build yards.

Mr. Chairman, I am not in favor of the policy of building more navy yards in which to lose more money and, incidentally, cripple, if not destroy, the private shipyards, which are now efficiently maintained, and which without cost to the Nation are always available for its service in peace or war.

Gentlemen may urge that these appropriations for the Boston and Philadelphia Navy Yards are essential in order that these yards when placed in readiness for work will give employment to those seeking work.

I am interested in a matter of nearer consequence. I think it is more important that men be given work to-day than that they be given work a year hence, when it is to be hoped that the need will be less. I have pointed out that the Newport News Shipbuilding & Dry Dock Co. was the lowest bidder on these two ships. One thousand men have been laid off at Newport News because the lowest responsible bidder did not get the work. These men wish to know whether it is just to deprive them of work to-day in order that men in Philadelphia and in Boston may get work 12 months hence.

During the two-month period following the opening of the bids, while the department had the award of the two ships under consideration, the Newport News Co., at considerable expense, held its working force together, so as to be prepared to build the ships within the two-year period imposed by the Secretary of the Navy.

When the department indicated its purpose to construct these ships at the navy yards the Newport News Co. began to cut down its force, and to-day a thousand idle men are asking why the department found it necessary to deprive them of their employment in order to give employment to some other workmen at some other place at some time in the future.

I believe that the present industrial depression is merely temporary. What is to be gained by increasing the number of unemployed in order that work may be available when the period of depression has passed?

If the navy yards fail to complete these ships within 24 months, or within 36 months, they incur no penalty.

If the vessels are destroyed or injured by fire or other casualty while building at the navy yard, the loss falls on the Government; if the same casualty occurs at Newport News, the Newport News Co. must stand the loss.

If navy-yard vessels do not meet the requirements of the contract plans and specifications, the Government must keep the inferior ships it has constructed. If the Newport News Co. builds an inferior ship, the Government is under no obligation to accept it.

To the successful and prompt completion of these vessels the Newport News Co. pledged all its resources, and in addition thereto filed a bond for a large amount. Its personnel pledged its ability and its status in the commercial world. Against all these guaranties the Boston and Philadelphia yards offer mere estimates, which are discredited by their own revision and by the estimates of other navy yards which speak from experience. Finally, the Boston and Philadelphia estimates are also discredited by the advisers upon whom Congress calls for advice and recommendations when appropriating for ships.

More than this, the Boston and Philadelphia estimates are discredited by the Navy Department.

While the Secretary of the Navy had all these bids and estimates under advisement the Navy Department informed Congress that the new ships for which it sought appropriation this year would cost 28 per cent more if constructed in navy yards than in private yards.

Five days later the Secretary of the Navy announced his determination to build the supply ship at the Boston yard and the transport at the Philadelphia yard, with the full knowledge that it would require $348,000, in addition to the estimated cost of the ships, to equip the yards to begin the work on them, besides involving a year's delay in their completion.

Newport News is a small city of only about 30,000 inhabitants, of whom some 6,500 are given employment by the Newport News Shipbuilding & Dry Dock Co. When a thousand men lose employment in large cities such as Boston and Philadelphia it is scarcely felt, but when the same thing occurs in a small city like Newport News it not only entails hardship upon the individuals directly concerned, but is followed by business depression which most disastrously affects the entire community.

The people of Newport News, knowing that the great shipbuilding concern, in which they feel so intense and just a pride, was the lowest responsible bidder for these two ships; knowing upon the authority of the best naval experts in ship construction that they can not be built at a cost anywhere approaching the estimates of the Boston and Philadelphia Navy Yards; knowing that no Government yard, with experience as its guide, is willing to undertake to build either of them for any sum approaching the estimates of these two wholly inexperienced yards; and knowing that heavy expenditures of public moneys must be made upon these yards, even before the keels of these two ships can be laid, feel that a great wrong has been done, not only to the Newport News Shipbuilding & Dry Dock Co. but to their entire community.

Personally I can not but feel, in view of all the circumstances surrounding the awarding of these ships, that the Newport News Shipbuilding & Dry Dock Co. has not received a square deal, and that the Government will eventually be the loser thereby of several hundred thousand dollars, probably as much as a million dollars. For these reasons I indulge the hope that the items to which I have alluded may be stricken from this bill.

Mr. PADGETT. Mr. Chairman, I will ask the gentleman from Massachusetts [Mr. ROBERTS] to use some of his time.

Mr. ROBERTS of Massachusetts. Mr. Chairman, I yield 30 minutes to the gentleman from Minnesota [Mr. MILLER].

PHILIPPINE FACTS RELATING TO THE INDEPENDENCE THEORY.

Mr. MILLER. Mr. Chairman, it would give me great pleasure on this occasion to speak of the many admirable traits and capabilities of the Filipino people, but I must restrict myself to political questions, and in their consideration something akin to a critical attitude must of necessity be assumed. I desire to present at this time some of the facts and conditions discovered by me on a trip of investigation recently made through the islands. It was my purpose in making that trip to secure first-hand and authentic information respecting those matters essentially interrelated with independence. The conclusions herein expressed were formed only after a most thorough and complete investigation, extending over all the Provinces, practically all of the wild tribes, involving a journey in the islands of more than 8,000 miles.

I assume that all those who advocate Philippine independence do so upon the theory that the withdrawal of American sovereignty shall be followed by the establishment in the Philippines of popular self-government embodying representative institutions. Should it be the desire of the Filipinos, a desire sanctioned by our acquiescence, to establish a monarchical form of government, I believe such a government could be established, and that when established it would be reasonably well conducted; but, so far as I have observed, no American has

suggested such a form of government. Filipinos have not mentioned it, and the American people would never consent to it. I have no doubt we are all agreed that however efficient such a government might be, this is altogether too late a day in human progress for its institution. It would be a sorry spectacle in the history of nations for a monarchy now to be established, even though limited by a constitution, with the cooperation and support of the first great Republic of the world. So our attention well can be focused upon the single question whether the Filipinos are able to establish and maintain representative self-government.

The capacity of a people to govern themselves depends upon the racial elements composing the people and upon certain traits of character and conduct inseparable from their very nature. Alien and warring elements prevent unity of thought and purpose, and defeat supremacy of the right which is fundamentally essential to the success of free government.

By reason of many conditions, any one of which is controlling, representative self-government in the islands is absolutely impossible and independence from the United States unthinkable. The people occupying the Philippine Islands do not as yet constitute a homogenous nation. At times we hear it said that the Filipinos are wild and naked beings, savage as primitive man. Then again we hear it said they are refined and cultured, advanced in civilization. Neither estimate is correct if applied to all the people; both are correct if applied to some. There are many wild tribes hardly if at all outside the realm of savagery. There are many Filipinos educated and cultured, refined in human qualities. Then there are many, many more occupying various grades of development between these extremes. Truth is, there are more kinds of humanity, more different grades of human development to be found in the Philippine Islands than in any other single region of the earth's surface.

These differences are due, with few exceptions, to the varying opportunities for civilization and development enjoyed by the people in different parts of the islands. It is not wide of the mark to say that the different grades of development measure the extent to which Spain actually occupied the different parts of the country. The Spanish Government claimed sovereignty over the entire archipelago, but to claim sovereignty and to exercise it are two very different things. At no time during the four centuries of her rule did Spain actually occupy and control more than one-half of the territory in the islands. At times she exercised temporary dominion over some areas, more or less affecting the people, later to withdraw when pressure came. In certain regions Spanish power was entrenched, and there the highest civilization is found.

The aborigines of the islands were the Negritos, ethnologically an offshoot of the Negro race. Then came the Malay invasion from the direction of Borneo, Sumatra, and the Straits. The Malays drove the Negritos into inaccessible spots, and there we find them to-day. A few thousand in this mountain region, a few thousand in that, not above 40,000 in all, wild, timid, diminutive creatures who preserve their existence by keeping off the enemy with poisoned arrows.

Another Malay invasion followed after several centuries, and these newcomers drove those who had preceded them into the mountains and remote regions. Those thus driven back constitute for the most part the wild tribes of to-day. Spain never extended her dominion into or over these regions, contenting herself with the subjugation of the peoples living on the plains and along the seacoast. Centuries before Magellan sighted the Philippines fanatical Mohammedans moved eastward through Polynesia, across Borneo, and into the southern islands of the Philippines. They were missionaries, and spread the faith which ever since has been the dominant, controlling factor in the lives of these people. Thus, ethnologically, nearly all the peoples in the Philippines are Malays, and the presence to-day of radically different tribes, different languages, different manners and customs is due to centuries of isolation and different external influences to which the various sections have been subjected. These elements have never been molded together into one people, cemented into one nationality, with a common language, common religion, common customs, common institutions, and common aspirations. A mere crowd of people do not make a nation. Common racial origin does not unite into a single nationality. If it did, Germans, English, Scandinavians, and Americans would be but one nation. There must be homogeneity in national characteristics.

The island of Luzon, the largest and most populous of the group, in about the center of which is the city of Manila, naturally shows the most marked development in civilization and industrial progress, and yet the north third of the island is occupied exclusively by wild men, of whom they are several distinct powerful tribes. During all these centuries this land to the north has been as isolated from the land of the Christians as though the two had been in opposite hemispheres.

In a political consideration of the inhabitants of the islands sharp distinction must be drawn between the Christian people and the wild tribes, and these two great classes must be treated separately.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. MILLER. Yes, sir.

Mr. YOUNG of North Dakota. Do any of these northern tribes that the gentleman speaks of use poisoned arrows at this time?

Mr. MILLER. Only the Negritos to any considerable extent; but I must add that some of the wild Tingians, farther to the north, have been found to do so, but to a less extent.

Of the 8,000,000 people in the islands about 6,800,000 are Christian, and constitute the people we generally have in mind when we speak of the Filipinos. Little has been said about the wild tribes, because until recent years little has been known about them. We see now, however, that they occupy a very large place in the Philippine problem.

The Christian inhabitants consist of several well-defined groups. They are often spoken of as tribes; but I do not think that term should be applied to any of the Christian people. In the island of Luzon, the largest and most populous of the islands, there are several of these different groups. Beginning farthest to the north we find the Cagayans; then the Ilocanos along the west shore between the mountains and the China Sea; then the Pangasinans, the Zambalans, the Pampangans, the Tagalogs, and the Bicols. Then a little farther south we find the middle islands occupied by the Vizsayans, the most numerous of all. Each of these groups speaks a different language, wholly unintelligible to the members of any other group, each has certain customs and characteristics peculiar to itself, and each has a certain tribal pride and patriotism.

True, indeed, these groups have a similar religion, dress alike, and possess many common customs, but they are kept separate by lacking a common language. Some of them also are more aggressive than others, and there results certain jealousies, unimportant in many, but serious in certain quarters. The big branches of the Filipino people are the Ilocanos, industrious and aggressive; the Tagalogs, independent and warlike; the Vizsayans, rapidly developing. The Vizsayans number three and a quarter millions, and are more numerous than the Tagalogs and Ilocanos combined. The Tagalogs have heretofore been the dominant branch, and their nature demands this place. With Democratic success in America, the possibility of independence suddenly appeared before the islands. Immediately certain Tagalog leaders held secret meetings, determined if independence should come to hold its destinies in their hands. I am strongly of the opinion, based upon mature consideration, that the Vizsayans would not submit to Tagalog supremacy. The attitude toward each other of these two all-powerful tribes would be one of the gravest dangers confronting an infant Filipino republic. While no Malay people have ever yet welded themselves together into a single nation, the situation in the Philippines is not without hope.

During the 15 years of American occupation marked progress has been made in welding these elements together. We have given them for the first time popular education. As learning advances among a people, superstition, local prejudice, petty partisanship, false ideals, and intolerance retreat and disappear. Such has been the recent history of the Filipinos, but the process has only fairly started. You can not make over a people in a single night. You can not change character by a mere change of sovereignty. The process is evolution, not edict or resolution. A common language will not have been attained before at least another generation, and even then the melting into a nation will be far from complete.

Then, Mr. Chairman, for a people to be completely self-governing they must possess a governmental consciousness or an appreciation of the responsibilities of popular government. The lack of this consciousness and the lack of this sense of responsibility impressed me more than any other one thing I found in the islands. It must be understood that now I am speaking of the great mass of the people, not of the educated leaders. Nor am I speaking of the permanent character of the people. I am calling attention to the state of political evolution they are in to-day and probably will be in for another generation or two.

Capacity in a people to organize and maintain self-government is only attained after centuries of history. When once attained it never departs. It becomes physically interwoven with every fiber and every tissue. It is an inseparable part of every human being. It is as much a part of his make-up as is the capacity

to breathe, to acquire a trade, or to follow the outward customs of his people. Place Teutons or Celts wheresoever you will, on the bosom of America, in the wilds of Alaska, in the jungles of Africa, and immediately, by habit, they will organize and maintain self-government. When they do this they give expression to a capacity resulting from centuries of evolution.

This truth has been admirably expressed and its concrete application most pertinently and forcibly made by one of the most distinguished men now living, the President of the United States, Woodrow Wilson. In his work on Constitutional Government in the United States, written in the recent year of 1907, he says, beginning on page 52:

> Self-government is not a mere form of institutions, to be had when desired, if only proper pains be taken. It is a form of character. It follows upon the long discipline which gives a people self-possession, self-mastery, the habit of order and peace and common counsel, and a reverence for law which will not fail when they themselves become the makers of law—the steadiness and self-control of political maturity. And these things can not be had without long discipline.
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> The distinction is of vital concern to us in respect of practical choices of policy which we must make, and make very soon. We have dependencies to deal with and must deal with them in the true spirit of our own institutions. We can give the Filipinos constitutional government, a government which they may count upon to be just, a government based upon some clear and equitable understanding, intended for their good and not for our aggrandizement; but we must ourselves for the present supply that government. It would, it is true, be an unprecedented operation, reversing the process of Runnymede, but America has before this shown the world enlightened processes of politics that were without precedent. It would have been within the choice of John to summon his barons to Runnymede and of his own initiative enter into a constitutional understanding with them; and it is within our choice to do a similar thing at once wise and generous, in the government of the Philippine Islands. But we can not give them self-government. Self-government is not a thing that can be "given" to any people, because it is a form of character and not a form of constitution. No people can be "given" the self-control of maturity. Only a long apprenticeship of obedience can secure them the precious possession, a thing no more to be bought than given. They can not be presented with the character of a community, but it may confidently be hoped that they will become a community under the wholesome and salutary influences of just laws and a sympathetic administration; that they will after a while understand and master themselves, if in the meantime they are understood and served in good conscience by those set over them in authority.

Every lesson in government learned by the Filipinos under Spanish rule it is necessary that they unlearn. During four centuries they had witnessed government take the form of legalized graft; they had observed in the possession of office but an opportunity to advance selfish motives; they had been taught that it is the right of a few to govern and the duty of the rest to obey. It has been necessary that they learn new ideals of government, acquire new standards of citizenship.

In general, it can be said a Filipino does not have proper respect or consideration for another's views and rights. There is intolerance of opposition and a marked tendency to force others into agreement. Many persons are shocked at the treatment Filipinos accorded those of their people who would not join in the insurrections of 1899. It is apparent that the acts employed, however unspeakable in their cruelty, were plainly and openly thought proper, as the object was to coerce all to the insurrection cause. The recent ludicrous act of their legislature in writing into law the political platform of the present dominant party springs from the same trait. This becomes serious politically, because in representative self-government the majority must not abuse its power, nor must it overlook the rights of the minority. Reversing the picture, this characteristic inclines the minority to refuse its acquiescence in the decision of the ballot and to resort to a contest of force. The world to-day is witnessing too many awful spectacles of government where this trait abounds.

This misconception of the obligations and responsibilities of citizenship in a representative self-government was never better illustrated than in the famous speech made by a prominent Filipino to the Taft party in 1905. He said:

> If the Philippine Archipelago has a governable popular mass called upon to obey and a directing class charged with the duty of governing, it is in condition to govern itself. These factors, not counting incidental ones, are the only two by which to determine the political capacity of a country—an entity that knows how to govern, the directing class, and an entity that knows how to obey, the popular masses.

The Filipino has not yet learned that the ballot is a sacred institution and that upon its purity depends the existence of free government. When we established elections in the islands we did not for a moment imagine those elections would be carried on without some fraud, but no one was prepared for the chicanery, trickery, and double-crossing rascality that has characterized much of the balloting down to date. The qualifications for voting are very mild, and yet only about 15 per cent of the adult male population actually votes. Of those voting upward of 70 per cent are illiterate, it being necessary that their votes be marked for them. The percentage of literate voters in the last election to the whole population was but 1.47. There results work of a monstrously fraudulent character, involving candidates, judges, and voters. A very large number of elections are contested, and the evidence submitted in these contests can well make the Filipino's best friend pause and reflect. Were it not for the strong arm of America extending over this land, protecting the weak, enforcing the right, and preserving peace, many of these elections would be settled by the power of the lion's might.

Again, Filipino officials have not shown honesty and capacity in handling public funds. At one time in the Provinces we filled the office of treasurer with Filipinos, but the result was most unfortunate. The Filipino had not yet forgotten his Spanish lesson and was unable to keep public funds sacred from private use.

In recent days when funds have been apportioned among municipalities for public works, the officials of these municipalities all being Filipinos, many instances have occurred where the funds were used up in salaries and not a peso remained for the work. These items do not indicate unregenerate rascality; not at all. They indicate an undeveloped sense of the sacredness of public trust, of the responsibility of public service.

The passionate orator who declaimed before the Taft party upon the capacity of the Filipinos for self-government because there existed a class willing to govern and a class willing to be governed, made himself ludicrous in our sight; yet in his statement is contained an important fact. Because of ignorance and indifference the great mass of Filipinos have no well-defined political ideas, but they have leaders of learning, skill, and industry. These leaders are not full-blood Filipinos. It is safe to say that practically every Filipino in public life to-day is a mestizo, either Chinese mestizo or Spanish mestizo. These men are leaders because of superior ability, and they constitute a distinct class. Should independence be granted, this class doubtless would became "the entity that knows how to govern—the directing class." Should that event occur, "the entity that knows how to obey, the popular masses," would not, in my opinion, be allowed real participation in the government. They would not have the capacity to do so and complete subservience would result.

Amid such conditions a monarch could live, but what a farce would representative self-government become!

I made a special effort to ascertain if the Filipino people want independence. Full opportunity was taken to acquire the information. All the political leaders, of every shade of opinion, expressed a desire for independence. Throughout the Christian Provinces, wherever I went, I was met by speeches asking for independence. The voices of these people who addressed me united into one big chorus, asking "independence."

I resolved to find out if these speeches expressed the views and wishes of all the people. It must be said they did express the views and wishes of most of the political leaders, professional men, many of the business men, and most of the educated men. While many leading business men in public expressed the opinion that the Filipinos can handle independence, yet full information convinces me that if they really thought independence soon to come they would be filled with most profound alarm.

I find, however, that very few Filipinos have any comprehension of the burdens, responsibilities, or danger entailed by independence. Some of the leading Filipinos, it is true, thought independence could be handled in other respects but were afraid they never could successfully maintain international relations. To their mind this constituted an insurmountable barrier.

When I got away from the more highly educated and leading class and mingled with taos, or common people, I discovered some remarkable things. This class constitutes over 80 per cent of the population. It is ignorant, easily led, patient, and peaceful. I found some of them talking for independence. I asked them what they thought this independence was. Some replied, if they had their independence, they would not have to pay any more taxes; others thought independence meant they would not have to pay their debts, they would all be free from past troubles. I found practically no one of this class who had anything like a correct idea of what independence is; but by far the majority of this tao class—and that means a majority of living Christian Filipinos—have no ideas whatever regarding independence, and many have never heard of it. To illustrate this fact, let me cite one incident: Iloilo is the second largest city in the islands. It is a flourishing, progressive city. It has always been one of the independencia immediatista centers of the islands. As a visitor I was beautifully entertained. There were many cries for independence. Determined to meet and talk with the common people, I cut loose from the arranged program, and one morning started at 6 o'clock, with an interpreter, for the country. Selecting a good place on the main road, we set

up camp under a big mango tree. All passers-by were invited to sit down and smoke. We soon had a large crowd. They did not have the remotest idea who I was. After asking them about their work, their crops, and their general prosperity, I asked them what they thought of independence. I asked them all, going from man to man, and of that entire crowd not one had ever heard of independence, had not the remotest idea of what it was. All, save just one. He said he had heard of this thing called independence. One day he was in Santa Barbara, and a man was making a speech in the plaza. This man told them they needed independence and ought to have it. "Well," I asked, "what do you think?" After hesitating a moment, he replied: "Crops are good this year, and I don't believe we need independence."

One day I was in the far-away country of Davao, among a wild people called Bagobos. I had summoned the headmen of the tribe, and we sat beneath a great tree in the forest. Here were famous fighting men, renowned through the tribe. Here were aged counselors, whose wisdom was respected. Here were young chiefs, eager to earn renown. All bore themselves with great dignity, clad in beautiful garments iridescent with beads of a thousand colors. I asked them what they thought about independence. No one had ever heard of it, or of anything like it, save two or three who lived together near the coast. They said there came to them one day a man who said he was a Filipino and who told them they needed independence. "What is this independence?" they inquired. Whereupon the Filipino replied, "Independence is like this: Now, when you want to grow a crop of rice, you cut down the trees and the brush. Then you dig up the soil. Then you set out the rice plants, care for them till they ripen; then you gather the rice. When you want another crop, you do all this over again. Now, if you had indepedence, all you would need to do is to prepare your ground. Then Osmena would come, scatter a handful of rice over the *earth. Instantly* there would spring up a great crop of ripened rice, one that would never disappear, and all you would need to do is to pick the rice on forever." Then, naturally, I asked, "What do you think about that?" "We did not believe him," was the short, sharp reply.

In point of efficiency the Filipinos could not and would not maintain a government comparable with that we have established. They need the constant spur and direction that comes from American intelligence to transform their agricultural processes from that primitive character employed by primeval man to present-century methods. To do this, governmental direction is fundamentally essential. The produce of the soil can be multiplied many times by the application of new methods, the growing of new crops, and the prosperity of the people vastly augmented.

There has been established in the islands under American direction a splendid public-school system, one more perfectly adapted to the needs of the people than any other I have ever seen. This has been supported most generously and enthusiastically by the Filipinos, to their everlasting credit. I noted that wherever these schools were under immediate American supervision, the actual teaching being done by Filipinos, they were progressive and efficient, but wherever that supervision did not exist they were extremely poor and inefficient. I have no doubt but that if American direction were generally removed from the schools, the decline would be quick and appalling.

No work in the islands has been more superb or more vital than that of the Bureau of Public Health. Time was when full 50,000 each year fell a prey to smallpox. Now the disease is almost unknown. Time was when unnumbered hordes died from beriberi. Now that disease is checked, soon to be eliminated. Time was when the unspeakable horror of cholera and plague ravaged and depopulated. To-day it is practically unknown. Modern science applied with American vigor has made this disease-ridden region sanitary and healthful. But most of the work has been done in the face of native opposition. While in many regions a sanitary consciousness has been developed, and many Filipinos are now loyal to the cause of health rules and sanitation, yet if left to themselves, everyone knows this splendid health service would be vitally crippled, if not absolutely destroyed. The marked progress of Filipinos in recent years in health matters indicates that if the present forces be continued, in time they can reasonably care for themselves, but that time is far from being present.

The CHAIRMAN (Mr. JOHNSON of Kentucky). The time of the gentleman has expired.

Mr. ROBERTS of Massachusetts. Mr. Chairman, I will yield 15 minutes more to the gentleman.

The CHAIRMAN. The gentleman from Minnesota is recognized for 15 minutes more.

Mr. YOUNG of North Dakota. I think he ought to have time in which to complete his address. It is very interesting.

Mr. MILLER. Passing over many minor questions, there remains the great problem of the wild tribes. To my mind that is by far the biggest thing in the way of independence. Gentlemen may speak lightly of it and throw it aside, but it will not down. It can not be disposed of in that way. It stands before us, big and stubborn.

In the first place, the Filipinos know comparatively nothing about the wild tribes of the islands. What they do have in mind is mostly erroneous. After visiting certain wild tribes I have returned to Christian country and been appalled as some leading, first-class Filipino would tell me confidently what those tribes thought and what they wanted. He believed what he said, but in every detail it was squarely contrary to the facts. My eyes had seen and my ears had heard the truth. It is apparent the Filipinos do not consider the wild tribes as constituting a governmental problem. After an honest effort to get their point of view I am driven to the conclusion that the Filipinos generally believe they could and would, in case of independence, dispose of the wild tribes by placing a government over them, opening up their lands to Filipino colonization and quite speedily eliminating them. What would follow the attempt to carry out such a program makes one shudder to his very soul. Every Filipino who spoke to me on the subject, and they were many, informed me that the wild men and the Moros desired the independence of the islands and preferred Filipino to American rule. How squarely opposed this is to the truth will soon be disclosed. It is to be noted that heretofore the Government of the wild tribes and the Moros has been almost exclusively in the hands of Americans, which accounts for the fact that the Filipinos are completely ignorant respecting them.

Go with me to the great and beautiful mountains of northern Luzon, the home of the Igorrotes and wild men. This is sacred ground. Not only is here the home of 400,000 people now living, but in those valleys and about those mountain tops reside the spirits of departed ancestors back through all the ages. This is the land of the bold and fearless head-hunter. These fighting men are the most superb physical specimens to be found in the Orient. The bracing air of their mountain home, the vigorous exercise of their mountain climbing, make them strong of heart and strong of arm. They are more numerous than were the Indians at any time within the confines of the United States. They are compact and people the entire region. This is their country, their fatherland. Spain never could force her sovereignty over this area. No Filipino ever had the hardihood to attempt to disturb them. Then came the American. Courageous, self-reliant men were sent to organize a government and to stop the awful slaughter incident to head-hunting. These men had to show by their personal courage and strength that they were fit to be the apos, the rulers, of these people. Witness the transformation. These hordes, whose religion and whose pastime had been head-hunting, have ceased the slaughter and developed a consciousness that head-hunting is wrong. Their wondrous energy is now turned to building trails, better houses, systems of irrigation, and other public works. Their appreciation of what the Americans have done it is their constant joy to express, and their loyalty to the American Government is full-hearted and complete. [Applause.] As I entered their land I crossed two mountain ranges and was among the heights of a third when a typhoon struck us with wind and rain. Urging my horse along the trail as rapidly as I could, I suddenly found myself in the midst of an Igorrote village. I stopped. There before me across the trail arose an arch of bamboo and palm, gracefully erected, covered with orchids and beautiful plants. At the top floated the American flag. From out a thatched-roofed hut, somewhat larger than the rest, a schoolhouse, hurried more than 100 Igorrote children, and in the shelter of a spreading palm lifted up their childish voices and sang "The Star-Spangled Banner." [Applause.] It was the first time I had heard our national anthem anywhere in the islands.

At Bontoc, the governmental center of the Mountain Province, were gathered many thousand wild people to meet me. They came with their old men, their fighting men, their sisters, and their wives. And especially came the chiefs, representing 200,000 people. After a marvelous canyo, lasting two days, I took these chiefs or headmen, 125, into a lengthy conference. I asked them one by one if they desired the Americans to leave and the Filipinos to govern them. It was a novel proposition. They had never thought of such a thing. But they soon talked with striking emphasis. With explosive language and many gestures they recounted what the Americans had done for their people, and they asked that the Americans never leave, that their government continue on forever. Then, with grim vigor that sprang from conscious power, they declared that never, never would they permit a Filipino to rule over them.

I talked with these men one by one, and after a time those who were through gathered at one side. Soon they were talking loudly and angrily. There was distinct commotion. Suddenly two or three powerful headmen rushed over to the governor and demanded what this Americano meant by telling them the Americans were going to leave. If they were going to leave, when were they going and when were the Filipinos going to try to come in there to be their Apos. They wanted to know now if these things were going to be, as their people would have something to say about it. The situation was rather tense, and I saw instantly that something had to be done. So I called them all back, told them the Americans had not decided to leave, that I asked the question because a Filipino told me the mountain people wanted the Americans to leave and the Filipinos to be their Apos. They all insisted upon telling me over again how much they wanted the Americans to stay, and enlarged on what they would do to the Filipinos should they come there to govern them.

I held similar meetings with headmen at Benaue and Quiangan, and with exactly similar results. During the two weeks I rode through this region I talked with practically every headman of these powerful tribes, and without exception met with the same determined attitude. Do not minimize what this means. These people can deliver the goods. In the twinkling of an eye 50,000 fighting men will gather at their chieftain's call. They are men mighty in battle. They will never submit to Filipino rule, but can and will, in the defense of their valleys and their homes, beat back all the armies a Filipino nation can send against them.

But if these people were not able to make good their threats, not able to beat back the advancing Filipino, what have you to say, you whose first political tenet is that there should be no government except with the consent of the governed; what have you to say about forcing upon these multitudes of people a government they are ready to shed their blood to prevent?

Now, go with me a thousand miles to the south into the land of the Moros. Here is a people more warlike, more fanatical, more invincible than the wild men of the north. When knighthood was in flower and our Christian fathers with the cross upon their standards struggled with matchless courage but ineffectual strength to drive the Moslem from the Holy Land, there journeyed Saracen missionaries through the Straits Settlements, Sumatra, and Borneo, into the southern group of the Philippine Archipelago. They taught the faith of Islam and prayed to Mohammed. They taught that the Koran was the true guide to faith and the true rule of conduct. Their hearers gripped their teachings into their souls, and ever since their Mohammedan faith has been the vital, ruling fact in their lives. Bold and fearless, bloodthirsty and fanatical, they proved irresistible in conflict. Spain was never able to secure more than a precarious foothold in their land. Many a gallant Spanish army withered and wasted before their whirlwind attack. They were fierce pirates and roamed the seas. The traveler to-day beholds among the Christian islands, even up to the very door of Manila, ruins of forts erected by the Spanish, a refuge and a protection from the Moro hordes. Up to the very time an American army first sailed for the Philippines the Moros in their fleet boats skimmed the seas of the north, plundered and devastated whole villages and provinces, taking back multitudes of captives to become slaves. They have ever been the hereditary enemies of the Filipinos, hating and despising them with all their fanatical hearts. They hold the Filipinos to be their enemies by heredity, their mortal foes in religion. You and I agree this should not be so, but it is so. It is to them the great thing in life. I have heard Filipinos say the Moros would welcome Filipino rule. Misguided, mistaken souls! Oh, if their eyes could but see, their ears but hear the truth!

To the traveler these people possess a wondrous fascination. In the fierceness of their spirit, the cruelty of their customs, the dignity of their bearing, the brilliant color of their Arabian-like dress, and with the ever-present turban on their heads, they move before the western eye like a panorama from the Arabian Nights.

I journeyed first to the great island of Mindanao and into the region of Lake Lanao, a magnificent lake of clear, cool water, 2,000 feet above the sea, crowned by a circle of noble mountains. These Moros are the most intelligent and powerful of them all, though less fanatical than their Sulu brethren. I met their people and conferred with their datus or chiefs at three different places. The principal meeting was at Dansalan. Here were datus and sultans representing all the Lanao Moros. Here was the wise and powerful Amai Manabilang, the most highly respected of them all. Here was Amai Sankakala, clad in pure white, in token of his recent pilgrimage to Mecca. Here was the black-garbed, fierce-looking datu who ruled the restless hordes far beyond that majestic mountain to the south. Here were old datus, young datus, fighting chiefs, and chiefs willing to fight, all clad in their gorgeous apparel. He who is chief among them, by custom, talks first. Up rose Amai Manabilang and addressed me as follows:

Your coming is nothing but pleasure, a joy like a large crystal—bright and beautiful. The vision is like a stream of clear water running pure and clean to the sea. This joy is the same as if our father and mother had arrived here to-day. America has been a father and mother to us. When the Americans came, they arrived bringing much better conditions. It was not like the Spanish Government that forced everything and took everything. We ask that the Americans will always be our father and our mother and that the American Government will always be over us. When the Americans first came we thought they were like the Spanish, so we fought them. But you were too strong for us, and then we thought it wise to make peace. We were surprised and made happy when we found your Government is just and fair. Your orders are for the betterment of our people. We ask that you not interfere with our religion. The Koran was given by God for people to live according to the ways of God. Its teachings are just and fair, and so are your laws. All are for the betterment of man. God gave us the Koran and you give us laws, and in the combination of these two you will find everything man needs.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBERTS of Massachusetts. Mr. Chairman, I yield to the gentleman an additional 10 minutes.

The CHAIRMAN. The gentleman from Minnesota is recognized for an additional 10 minutes. [Applause.]

Mr. MILLER. A strange moment in human history! A thrilling sight for American eyes! Back in the distant past, in the early hours of Europe's history, the Mohammedan host threatened all Christendom. Approaching from Africa, on the west through Spain, on the east across the Bosphorus, all Europe shook with the struggle. On the field of Tours and before the walls of Vienna the Saracen advance was stopped forever and Christianity saved to the world. Twelve centuries have passed. The principles of Christianity have perfected human government, solved the problem of civil institutions. Christian institutions have marched westward around the globe. The greatest Nation of all times, the most humane of all governments, has pushed the forces of Christian civilization westward till they have reached the land of the Mohammedan. There in Moroland, underneath the American flag, I beheld the cross and the crescent at peace, united for the well-being of a race. [Applause.]

All those Moro chieftains expressed similar sentiments, in figurative language and with feeling most intense. At length I asked them what they would do if the Americans left and Filipinos came to govern them. At the suggestion of a Filipino government there was a distinct commotion. Their figures became tense, their eyes flashed, they shifted about, fierce sounds came from their lips. Then Amai Manabilang rose to his full height, all eyes turned upon him. Folding his arms, he looked me steadfastly in the eye, then smiled as he said, "You Americans are our friends. If the Filipinos come to govern us, you take good seats on these hills and watch what we do to them." There was a general shout of approval.

Journeying to the distant Cotabato country, I found the Moros at the place of that name violent in their anti-Filipino feeling. They elaborated at great length upon the reasons why they could not and would not submit to Filipino rule. One big fellow, fierce in every expression, demanded to know if the Filipinos were coming to try to govern them. I said, "Some of them want to." "If they do," he shouted, "you go out on that island over there in the Celebes Sea, where you won't get hurt, and watch what a Moro does with a Filipino."

Going up the Cotabato River into the interior of Mindanao, I came to the region ruled over by Datu Piang, the most powerful Moro living. As our little boat curved in to his landing we were greeted by a full congressional salute, fired from Spanish cannon he had captured in years long gone by. He and his datus expressed great liking for the American Government, but grew violent at the suggestion of Filipino rule. There was once a Filipino president in the Moro country. It was in the days of the insurrection. Some Filipinos gathered at Cotabato one day, selected a president, and started a government. The next morning at dawn Moros seized the president, took him to the bank of the great river, and made him kneel. A barong flashed for an instant and the president's head rolled into the river. At Piangs the Moro, a datu, who did the physical act of decapitation was pointed out to me. I asked him what he would do if the Filipinos should come to govern the Moros. He was a sour-looking chap. He made a face and said, "I'm getting old; but I did it once, and think I can do it again."

So it was everywhere—in far-away Davao, in Zamboanga, Basilan, Siasi, Bongao. At Jolo I had a strange experience. The island of that name is the one hostile spot at the present hour. The inhabitants are the very fiercest of fanatics, and among them are many outlaws. This island is the home of the

Sultan of Sulu. At the meeting of datus and chiefs I was surprised at the talk they gave me. They said they had the same kind of skin the Filipinos had, and that perhaps they could get along all right with a Filipino government. But there was every evidence of a lack of frankness. All the expressions were strained and wholly unlike the way Moros talk. They did not respond to my questions. After some four hours I told them they were not talking frankly with me and it was useless to confer further. I dismissed the meeting. Toward evening of that same day a big Moro datu, all dressed in white, came to me and asked if I would go to the Sultan's house outside the city wall. Of course I would. To my surprise, I found all the datus there. They said they had not talked straight to me in the morning and were sore distressed. With the utmost earnestness and vehemence they then expressed the most violent antipathy toward the Filipinos. When asked what would happen if the Filipinos should try to rule, one datu replied, "This island will then be full of Filipinos, all slaves of the Moros." I inquired why it was they talked so differently in the morning. The Sultan replied that a few weeks prior there had come to them a Filipino who told them I would soon visit them, and when I came I wanted and expected them to say they had a skin similar to that of the Filipinos and could get along all right under a government of the Filipinos.

There is but one conclusion here. The Moros will never submit to Filipino rule. It will be war to the death, and there are those who predict a conquest by the Moros, not of the Moros. These people are developing under American government. They ask a continuance of that government, and it would be repugnant to them to the last degree to impose Filipino rule over them. Is their future to be ignored? Are their highest wishes to have no consideration? In this connection I must speak of a matter of gravest moment. We have of late induced these Moros to disarm. We have taken from them their means of defense under promise that we will protect them. What becomes of our plighted word, our sacred honor, our plain duty, if, having made them helpless for the time, we turn their ancient foes, fully armed and equipped, upon them?

But let us turn from these Moros, who love to fight and can hold their own, to a weak and defenseless people, the wild people of Bukidnon. Their country in the northern part of Mindanao is cut off from the sea by a narrow strip inhabited and controlled by Filipinos. The Filipinos here are a bad lot. They are certainly below the average of Filipino people. For years and years they lived on the work of the wild Bukidnons. They looked upon him as their legitimate prey; they robbed him of his hemp, and they robbed him of his stock; they made him virtually a slave.

Just one illustration: A wild man came down to the port of Agusan. He had hemp to sell. A Filipino told him he needed a partner, one to sell what he raised. He prevailed upon the Bukidnon to affix his mark to what he said was a contract of partnership. Three years passed. All that time the wild man had continuously brought down hemp and produce for his partner to sell; but he never received any payment. Then he asked for some money. The Filipino indignantly replied he had nothing coming, and showed the wild man that instead of a contract partnership he had signed a deed to all his property—all his land, all his hemp, all his carabao. And the Filipino officials refused him any relief.

In despair the Bukidnons fled to the hills and the trees, leaving their country, the most beautiful in all the Philippines, almost depopulated. Then came the Americans, three years ago. They held back the rapacious Christiano; they protected the wild man, got him to come down from the trees and the mountains and to build beautiful villages on that wonderful plateau. The transformation was instant and marvelous. Fields are being cultivated, rice, corn, coffee, pineapple, and cocoa berry are being produced in large quantities. Model villages, clean and sanitary as Spotless Town, have appeared. The public school has started the great work of public education. As I rode on horseback through this Province, along splendid trails built by them, saw the industry, the prosperity, beheld this peaceful, patient, helpless people, and realized what American justice had brought to them the American flag had for me an added glory.

At Tangkulan were gathered the headmen of the tribe. Some had ridden their little ponies more than a hundred miles to attend. I no sooner entered their midst than I noted they were under great emotion. I soon learned the cause. The angry Filipinos on the coast, now deprived of their prey, had of late exultingly told the Bukidnons that there would soon be independence, the Americans were going to leave, and then for them to watch out! They would be in Filipino hands forever!

The first to speak was a young man, in full vigor. He said he had heard the Americans were going to leave and let the Filipinos rule. He had talked it over with his people. The young men had decided to fight, while the old men, women, and children took to the mountains.

Another man, apparently of great influence, said he and his people had talked this over carefully. They had decided that they themselves would kill all their women and children, and the men would die fighting. At the end he said, "If they get us, we may as well be dead."

Thus they talked, all the representatives of these 60,000 people. The last to speak was an old man, most famous among them all. He had journeyed far to meet the American representative. He made a venerable appearance as he rose to speak. He recited the wrongs of his people, how they had suffered from the Filipinos, how discouraged and afraid they had lived in the trees and the hills; then how prosperous the times, how happy their lives, since their friends the Americans had come:

I am old and my days are few. Soon I must leave, but my people! Better that you cut their throats and leave them dead than turn them over to Filipinos.

With tears streaming down his face he knelt and begged that I take home to America, to the great people there, his one prayer, that never, never shall the American Government withdraw its protecting arm from his helpless people.

Gentlemen, that message I convey to you now.

There are many other wild tribes which I visited, notably the Negritos, the Bagobos, the Subanos, the Manobos, the Tagbanuas, and the Mangyans, but the tale as to them is but a repetition of that which has been told. These people occupy half the entire area of the archipelago. They are human beings. They have rights, if any human beings have rights. Filipino rule would mean bloodshed and injury. It would undoubtedly mean the abuse and annihilation of the weaker of these tribes. These tribes are violently opposed to that rule. If consent of the governed is to be our guide, we must apply it here as elsewhere.

Independent, representative self-government in the Philippine Islands is an impossibility now. This is not the opinion of a single observer. It is the unanimous verdict of all, both Democrats and Republicans, who have themselves seen conditions. There are many Filipinos to-day as elegant, refined, and capable of governing themselves as any people on earth, but not so the big majority. Great progress has been made, yet the stages of evolution are many, and but few have been reached. I have great faith in the Filipino race. I think they should have full opportunity to develop a distinct nationality, and when developed I believe it will play its full part in the promotion of human welfare. But now thought should be turned from independence to the economic development of their country, the fusion into a nationality, the growth of a governmental consciousness, the production of Filipino leaders and broad-minded statesmen. Above all things, the Filipinos need a native who will tell them the truth about themselves; a statesman who sees the real needs of his people and directs their energies accordingly.

The duty of America is clear and certain. Our purpose toward these islands was nobly conceived and has been well advanced. We have started a work, it must be finished. The honor of America is at stake. The capacity of America is at stake. The eyes of the world are upon our work. Let that work be carried on, as it has been begun, with fidelity to ideals and with unflinching courage. [Loud applause.]

Mr. ROBERTS of Massachusetts. Mr. Chairman, I yield one minute to the gentleman from Maine [Mr. HINDS].

Mr. HINDS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Without objection, the request of the gentleman from Maine will be granted. [After a pause.] No objection is heard.

Mr. ROBERTS of Massachusetts. Mr. Chairman, I will ask the gentleman from Missouri [Mr. HENSLEY] to use some of his time.

Mr. CALLAWAY. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The point of no quorum is made. The Chair will count. [After counting.] Forty-two gentlemen are present, not a quorum. The Clerk will call the roll.

The roll was called, and the following-named Members failed to answer to their names:

Ainey	Campbell	Clayton	Dies
Anthony	Candler	Connelly, Kans.	Difenderfer
Avis	Cantrill	Connolly, Iowa.	Dooling
Barchfeld	Carew	Conry	Doremus
Barnhart	Carlin	Copley	Driscoll
Bartlett	Carter	Crisp	Evans
Brodbeck	Clancy	Crosser	Fairchild
Burke, Pa.	Clark, Fla.	Dale	Fields

Finley	Helvering	Madden	Smith, Md.
FitzHenry	Houston	Maher	Smith, N. Y.
Flood, Va.	Hoxworth	Manahan	Sparkman
Frear	Hughes, W. Va.	Martin	Stanley
Gilmore	Johnson, S. C.	Merritt	Stout
Gittins	Kent	Moss, W. Va.	Talcott, N. Y.
Godwin, N. C.	Key, Ohio	Murdock	Tavenner
Goodwin, Ark.	Kiess, Pa.	Neeley, Kans.	Taylor, Ala.
Graham, Pa.	Knowland, J. R.	Norton	Temple
Green, Iowa	Korbly	O'Brien	Thomson, Ill.
Gudger	Lafferty	O'Leary	Walsh
Guernsey	Langham	Patton, Pa.	Whitacre
Hamill	Lee, Ga.	Plumley	White
Hamlin	L'Engle	Post	Willis
Hardwick	Levy	Powers	Wilson, Fla.
Haugen	Lindquist	Rainey	Wilson, N. Y.
Hawley	Loft	Riordan	Woodruff
Hay	McGuire, Okla.	Rucker	
Hayes	McKenzie	Sinnott	

The committee rose; and Mr. POU, as Speaker pro tempore, having assumed the chair, Mr. JOHNSON of Kentucky, chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the naval appropriation bill and finding itself without a quorum, he had caused the roll to be called, whereupon 326 Members had answered to their names, and he presented therewith a list of absentees.

The SPEAKER pro tempore. A quorum having been disclosed, the House automatically resolves itself into Committee of the Whole House on the state of the Union.

The committee resumed its sitting.

The CHAIRMAN. The gentleman from Missouri [Mr. HENSLEY] has the floor.

Mr. HENSLEY. Mr. Chairman, the subject upon which I propose to address you is exceedingly important. I can not help but believe, gentlemen, that it is sufficiently important to warrant me in asking you to give me a patient hearing. In my remarks I am going to proceed upon the theory that one Member has as much patriotism, as much genuine love for country, and is as zealous to do his whole duty as another Member; that each Member will consider and seriously go into the facts which I may be able to submit and will vote upon this important question fearlessly and honestly as representatives of the American people should do. We are right in the position we take or we are wrong. We therefore ask you, as we feel we have a right to ask you, for a patient hearing upon the subject. If we are unable to convince you of the justice, of the wisdom, and of the patriotism of our position, then we say to you vote with the chairman of this committee; but if we are able to show you beyond any question that we have due regard for the national defense and that there is no earthly need for building more battleships at this time; that it means a criminal waste of the public funds; in other words, if we show you that we have an "efficient Navy" at the present time, or if, on the other hand, we show you that in order to increase the efficiency of our Navy, if that is our purpose, we should make provision for arming and manning the ships which we already have constructed and lying idle, instead of authorizing additional battleships, then we hope to have your support. The rule, however, is universal that the burden of proof always devolves upon the proponents of a proposition. If that rule were employed in this case, those who insist upon more battleships would see their cause falling hopelessly to the ground, without a single prop upon which to rest it. We are reversing this rule and are assuming the burden, and are going to convince you, if you will go into the question carefully, that we do not need additional battleships at this time.

The advocates of naval extension have submitted no facts or substantial reason why we should have additional battleships now. The bald statement that we need four additional battleships comes from the general board, a self-constituted body within the department which assumes to tell Congress what should be done. These technical gentlemen admitted when before our committee that they view the question wholly and solely from a military standpoint. I do not wonder at this, nor do I blame them for it. From early life they have been engaged in this business, so that they are unable to take any other view of it. But let me say this to you, my friends: You can not point to a single instance in history where the military arm of the Government has not at all times been reaching out after additional power, but may God save the country when the military reaches the ascendancy and the people become subservient to that influence. [Applause.]

The general board recommended four additional battleships. Are we going to follow the general board? They either know the needs of the Navy or they do not. The committee is following the board just halfway in recommending two battleships. The committee believes just one-half of what the general board says. I say to you the architect may know the way in which the building should be constructed, but I reserve the right to say whether or not I need the building in the first place and how much I propose to spend upon it in the second place.

In assuming the burden of proof in this matter, which we should not be compelled to do, I shall in support of my position quote alternately from the highest naval authorities in the Navy Department as well as the highest authority on naval matters in this House, the present chairman of the committee on Naval Affairs. Mr. Chairman, I desire to say that I do not approach the discussion of this question as a partisan or as a member of any political party, but I approach its consideration as an American citizen and as one who claims the proud distinction of that title.

Appreciating the importance of the subject and fully realizing the gravity of the situation, I believe that not only should the American people sustain the Government in its entirety and submit to the necessary tax burden, but they should also be ready at all times to respond to a call to arms when the Nation is in peril, in order to preserve intact and unsullied every principle and right which were vouchsafed to us by our fathers for the benefit and enjoyment of our children and our children's children.

During the consideration of the naval appropriation bill on March 31, 1910, the gentleman from Tennessee [Mr. PADGETT] so completely and so forcefully expressed his views, and I find them so thoroughly in accord with and so clearly expressive of my position, that I desire now to quote, as follows:

> I come as a friend of the Navy. I come cherishing for the history and the traditions of the Navy the most exalted respect. I would write upon every battleship "My battleship," and proclaim a personal interest in every effort and in every interest that affects the American Navy. I believe that at the water's edge politics should cease and patriotism be supreme. And yet, with this feeling with which I come, I do not claim to be, if I may use the word, a "navomaniac." I believe that there are other interests of the Government. I believe that there are other duties of the Government to perform. I believe that there are other functions resting upon Congress which are as important, which are as essential, some of which are as much needed and present to the consideration of Congress as urgent an appeal and as strong a demand as every consideration which may be presented in behalf of the Navy. And while I would accord to the Navy every consideration which a just and proper and reasonable regard for the interests of the people upon the broadest and most exalted plane would require, yet I would not have it displace and drive away these other important interests. The public welfare demands that these other important matters should receive attention and consideration at the hands of this Congress.

The gentleman from Tennessee was then ranking minority member on the committee of which he is now chairman. The bill at that time authorized the construction of two battleships, but he was urging Congress to authorize one.

I would not for one moment insinuate or presume to question the sincerity or the motives which prompt Members of this House in providing appropriations for naval extensions, yet at the same time I can not refrain now, as I pointed out in my former speech on the naval appropriation bill in 1913, that the metropolitan press of the country, when we reach the consideration of the naval bill, begins a systematic campaign for naval extensions, and as soon as the bill is passed they cease their efforts and you hear nothing further about the impending peril which is about to befall our country until the next appropriation bill is reached. In this connection I again desire to quote from the gentleman from Tennessee [Mr. PADGETT], and remember now this is what the present chairman of the Committee on Naval Affairs said on March 31, 1910:

> Another thought to which I wish to call the attention of Members is the fact that every year as we approach the consideration of the naval appropriation bill, with the regularity and the unerring certainty of the dogwood blossom, there is started a newspaper propaganda of impending peril and conflict and disaster with Japan or some other power.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Texas?

Mr. HENSLEY. Certainly.

Mr. CALLAWAY. I will ask the gentleman if this year we have not an impending peril that is well timed for the consideration of this naval appropriation bill?

Mr. HENSLEY. Yes. I will say to the gentleman from Texas that something like a month ago I was at the Navy Department having a talk with the Secretary of the Navy, and on that occasion I told him that beyond any sort of question, in my judgment, our Navy people would do that which would bring on trouble between this country and Mexico. I told him that I was as certain of that as I was of anything that had not already happened; that if it were possible they would precipitate trouble between this country and Mexico. He dissented. He did not believe that I was right. I am reminded now of the fact that I made that prediction. You gentlemen,

since my friend has asked the question, can judge for yourselves, from the reports coming from the reporters who are on board the battleships that are now speeding toward Tampico, as to the anxiety of the naval officers to get into Mexico. They are anxious for it, my friends, beyond any sort of question. The whole trouble has been brought upon us by circumstances which no doubt every Member in this presence regrets sincerely.

Mr. CALLAWAY. I will ask the gentleman further if it is not a fact that a naval officer's action practically has got us into this position?

Mr. HENSLEY. That goes without saying. Of course it was the duty of Congress to stand by the Chief Executive of this Nation in a crisis of this kind. But I say, and I have no doubt every Member who has studied the question seriously must believe, that a great Nation like ours is in a tremendously embarrassing position when it is placed in the attitude of allowing a naval officer to issue an ultimatum which practically means a declaration of war should the other interested nation refuse to comply with the terms of the same.

Mr. BURNETT and MR. GREENE of Vermont rose.

The CHAIRMAN. Does the gentleman from Missouri yield?

Mr. HENSLEY. I will yield to the gentleman from Alabama.

Mr. BURNETT. I believe the gentleman was reading from the speech of the present chairman of the Committee on Naval Affairs as to the existence of a newspaper propaganda a few years ago, when he was in the minority?

Mr. HENSLEY. Yes. He was the ranking member of the Democratic minority on the committee at that time, and his voice was then heard here in this House thundering against these increases.

Mr. BURNETT. I will ask the gentleman further if that same newspaper propaganda is not still in existence?

Mr. HENSLEY. There is no question about it. I have a magazine here in my hand, the Scientific American, with articles written by men in the Navy Department, arguing for naval extension. They are even going so far as to send out over the country from time to time rear admirals retired, who are disseminating the spirit of militarism. We have something more than 150 rear admirals on the retired list with only 25 on the active list. Over $1,000,000 annually is paid out to rear admirals retired, all busy at all times in society and campaigning for increases.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Vermont?

Mr. HENSLEY. Certainly.

Mr. GREENE of Vermont. Did I understand by the gentleman's reply a few moments ago that a naval officer in any sense exceeded his authority or went beyond what was expected of him under the regulations of the Navy?

Mr. HENSLEY. You will have to consult the regulations.

Mr. GREENE of Vermont. That is the reason I asked the question. The gentleman's statement ought not to be made unless he has consulted the regulations.

Mr. BARTON. Mr. Chairman, will the gentleman yield?

Mr. HENSLEY. Yes.

Mr. BARTON. I will ask the gentleman if that is not the very matter that is pending before Congress to-day—the question of the President supporting the admiral's declaration and we supporting the President?

Mr. HENSLEY. Yes. There is no question about that, and we all regret that the admiral assumed that authority.

Mr. Chairman, I desire to impress upon the Members of the House, as the gentleman from Tennessee [Mr. PADGETT] did on that occasion, the fact that this agitation shifts according to the convenience of the situation. A few years ago it was Germany that was the great bugaboo. Then, when it served the purpose, it was shifted to Japan.

Mr. Chairman, what are the facts? We are told by experts in the Navy Department that we need four battleships each year. Why do we need additional battleships? These same experts confessed to our committee that neither Great Britain, Germany, nor any of the other European countries would think of sending as much as 50 per cent of her naval strength against us in time of war.

Mr. CALLAWAY. Is that the statement of the gentleman from Tennessee [Mr. PADGETT]?

Mr. HENSLEY. No; that is not the statement of the gentleman from Tennessee. I wish to say here and now that in the consideration of this bill we should take into account the many battleships we now have at Tampico and those that are hurrying down there, and we should also take into consideration the battleships that we have now that are not manned and officered and prepared to go down there. If all this array of battleships will not impress that half-blood Indian who holds sway down in Mexico, then I presume the contention of the gentlemen on the other side that we should authorize on paper the building of two new battleships will absolutely repress and control him.

Mr. BURNETT. Is it not a fact that the Mexican Government has only two battleships, and each one is a muzzle-loader?

Mr. HENSLEY. Yes; that is my understanding, and the *Dolphin* could blow their fleet out of water.

Mr. BUCHANAN of Illinois. Does not the gentleman think we could take some of our old, obsolete ships, so called, like the *Tallahassee*, and destroy the Huerta forces?

Mr. HENSLEY. There is no question about that, my friends. There is no use getting excited over a proposition like that.

Mr. Chairman, if we waive the fact that over 20,000,000 of the best citizens of our land are German descendants, and that the great body of our people are of English descent; if we do not consider the intermingling of the blood of all the great nations of the world which has produced such a splendid type of manhood; if we do not even consider the commercial relations which exist between all these countries, but proceed upon the theory that the actions of these great nations, and our Nation included, are not based upon civilization, fair and honest conduct between countries; in other words, that there is no civilization, that it is only a thin veneer and means nothing; if we should not consider any of these facts, but take into consideration only the physical facts, as a military nation would, even then I ask you why should we continue increasing our Navy by building dreadnaughts and larger dreadnaughts all the time? If we need additional battleships, certainly provision should be made for their proper equipment, so that they can be put into active service in case of war.

And I want to say right here and now that some gentlemen have said that we need additional battleships—that we need four additional battleships—but that the condition of the Treasury is such that more than two battleships should not be authorized now. I say to you that I repudiate a statement of that character. If this great Nation of ours, whose citizens love the Stars and Stripes and who are ready to go to war and suffer even death to prevent it from being dragged in the mire—if this great Nation needs 10 battleships, we are not so poor but that we could authorize them. [Applause.] But if we do not need one battleship, then why authorize it? That is the proposition that confronts you.

What is the situation with reference to England and Germany? Their navies, we all know, are intended especially for use in the North Sea and not intended for use against us. The efficiency of the Navy is ascertained by making a detailed comparison; and, having done this, I say to you that we have the second greatest navy afloat to-day, I care not what the Navy League and the jingo press of the country may say to the contrary. If you will consider the facts, I will convince you of the correctness of that statement. What was the opinion of the ranking minority member of the Committee on Naval Affairs on March 31, 1910? The gentleman from Tennessee [Mr. PADGETT] stated his opinion as follows:

> I stand here to say that, taking the American Navy to-day in the tonnage, in the character of its ships, in the size and the character of the guns on those ships, it is to-day the second naval power in the world, and is only excelled by the English Navy.

The Navy people seemed to be horrified and much perturbed when a few weeks ago we declared, after having carefully gone into all the facts, that we are the second naval power in the world. We knew whereof we spoke. Why should the Navy people be so horrified and distressed over the fact that our Navy is superior to the navy of Germany and of all the other nations of the world, excepting Great Britain? I can see nothing in that to distress or to disturb them. The gentleman from Tennessee [Mr. PADGETT] has very properly and vigorously protested against the spirit which would seek to undermine and destroy international confidence for the purpose of furthering the military spirit of our Government, as follows:

> I desire here and now in behalf of the American people, as far as I am able to speak for them and in my own behalf as a Member of Congress, to enter a solemn and a vigorous protest against the spirit that would seek to undermine and destroy international confidence in order to further a naval hysteria in this country. I believe that friendship and cordiality and good-fellowship between nations should be emphasized and should be encouraged, and that the American Congress should set the stamp of its disapproval and repudiation upon the theory or the policy that it is built upon, fostered, and encouraged by a propaganda that has for its basis the undermining of international confidence, good will, and good-fellowship.

Mr. HARRISON. Will the gentleman yield?

Mr. HENSLEY. Yes.

Mr. HARRISON. I desire to know whether or not the chairman of the Naval Affairs Committee has changed his opinion since he uttered those words.

Mr. HENSLEY. He evidently has. If you were present and heard his speech on Saturday afternoon, you must have heard him severely criticize the minority members who signed the minority report for the position we take now upon the proposition.

Mr. BURNETT. In the same connection I should like to ask whether there have been such changes in conditions as would warrant that sudden change in the opinion of the chairman of the Committee on Naval Affairs.

Mr. HENSLEY. I will say to the gentleman that I will get to that, but I might say that in his comparison of our Navy with the Navy of Germany he carried us to 1917, at which time he says our Navy will be superior to the Navy of Germany. Continuing, the gentleman from Tennessee said:

> Standing before you this afternoon and measuring my words with the facts before me, and, in my judgment, I can substantiate them and make them good, I say there is no necessity, either from the standpoint of our domestic conditions or our international relations, for the construction each year of two battleships. The construction of one battleship will not only maintain the efficiency and the adequacy of the American Navy, but it will add a proper increase to the development of the American Navy.
>
> Now, that raises a clear-cut and well-defined issue; and I am prepared to meet that issue. In meeting it, permit me to say that I do not seek to appeal to your fear, to excite passion, or to arouse misgivings, but I desire to submit to your impartial judgment, to your intelligent reason, to your highest and best conceptions of patriotism, as it may effect our relations and conditions here and abroad.

These were the sentiments so aptly, so well expressed by the gentleman from Tennessee [Mr. PADGETT] in 1910, when the Democrats were in the minority in this House and when he was the ranking minority member of the Committee on Naval Affairs. Mr. Chairman, I say here and now, that if the gentleman remains in Congress 50 years longer he will never be able to excel the speech to which I refer for clearness of thought, for good sense, and for statesmanship. Proud must have been his people who help to bear the tax burden, those people from old Tennessee, the land of "Hickory" Jackson, when they read this speech, which in its every line breathed patriotism and in its entirety evidenced a deep sense of responsibility consonant with the heart throbs of the plain people of our whole country. [Applause.]

The gentleman from Tennessee then quotes from the 1905 annual report of the Secretary of the Navy, who says that from indications at that time our Navy would seem sufficient to provide for any contingencies within the limit of probabilities. He then quotes from President Roosevelt's annual messages to Congress in 1905 and 1906 in support of his contention. And then commenting upon these documents, he says:

> I have called your attention, if you please, to these declarations of the Secretary of the Navy and the President of the United States, and I ask you to remember and to note that in his message to Congress President Roosevelt says: "I do not ask that the number of units shall be increased." What was the number of units at that time? It was 27 battleships. What is it to-day? It is 33.

I ask what is the number of units to-day? It is 39; and the 6 which we have added since that time are more powerful than any other vessel afloat, as for instance, the last two battleships authorized—the *Pennsylvania* and *No. 39*—each have a displacement of 31,400 tons, and the largest vessel in the American Navy at the time of the authorization of these two ships was the *Wyoming*, which had a displacement of 26,000 tons, so that each of these two vessels exceeds the largest vessel of its class in tonnage 5,400. At the time of the authorization of these vessels the largest battleship in the Germany Navy had a tonnage of 24,305, or 6,694 tons less than each of the two ships to which I refer. When we authorized the last two ships, the largest battleship in the English Navy had a tonnage of 23,000, or 8,400 tons less than the *Pennsylvania* and *No. 39*. So you can see how we are leading the way, setting the pace, for the great nations of the world in armament, the taxpayers bearing the burden and the great supply companies and the personnel of the Navy Department reaping the rewards. I know this is not popular with certain people, but I am appealing to the hearts and to the minds of the patriots of this country and not to those who have a special interest in the subject. I can imagine that the gentleman from Tennessee [Mr. PADGETT], when he delivered this great speech to which I am calling attention, must have been assailed by the jingo press and by these special interests then as I am assailed now.

Now, again reverting to the speech of the gentleman from Tennessee [Mr. PADGETT], Mr. Hinshaw, of Nebraska, propounded the following question:

> Are there not certain accessories belonging to the battleship that help constitute the unit?
>
> Mr. PADGETT. Yes; we need colliers, and I stand for colliers. I am insisting to-day that the American Navy is top-heavy in battleships and deficient in colliers and in docks and accessories that go with the battleships.

I now submit, as I have heretofore contended, that we should make provision for these necessary auxiliaries. To simply increase the number of battleships to whatever extent imaginable, without making provision for necessary auxiliaries, would not promote the efficiency of the Navy. We could provide the necessary auxiliaries for our present ships for the cost of one additional battleship, which will be ineffective without them. If it is efficiency that we want, then submarines and other craft such as airships should be provided. In this connection, I desire to read a brief statement made by Admiral Dewey in 1900, after having witnessed an exhibition down on the Potomac, as to the value of submarines, as follows:

> Gentlemen, I saw the operation of the boat down off Mount Vernon the other day. Several members of this committee were there. I think we were all very much impressed with its performance. My aid, Lieut. Caldwell, was on board. He could tell, if necessary, what was done from the inside. The boat did everything that the owners proposed to do. I said then, and I have said since, that if they had had two of those things in Manila I never could have held it with the squadron I had. The moral effect—to my mind it is infinitely superior to torpedoes or anything of the kind. With these craft moving under the water it would wear people out. With two of these in Galveston all the navies of the world could not blockade that place.

Now, let me say right here that if you will observe the newspaper reports from London, you will find that Great Britain is leaning toward submarines. They are making vast extensions in that direction, and are devoting a great deal more of their time and funds toward providing air craft. In this country it seems that the proposition uppermost in the minds of the Navy Department is more battleships and better personnel legislation.

Mr. CLINE. Will the gentleman yield for a question?

Mr. HENSLEY. Certainly.

Mr. CLINE. I heard the gentleman from Missouri use the term "efficient navy." I do not understand just what he means by that. Will he kindly make a short explanation?

Mr. HENSLEY. Efficiency of the Navy, as I see it, is gotten at by measuring our Navy with the other navies of the world. And when you measure them and compare them as carefully as did my friend from Mississippi [Mr. WITHERSPOON] on last Saturday, you can see beyond question that we have the second greatest navy afloat.

Mr. CLINE. I want to inquire whether the amount of coast line that we have is taken into consideration in constructing a navy, or whether we lay the basis of an efficient navy on the ground of what the other nations have?

Mr. HENSLEY. Our isolation is an asset instead of a liability. The technical men of the Navy Department stated to our committee that Great Britain would not think of sending as much as 50 per cent of her navy against us in time of war. Neither would any other European country. And then, further, with reference to the coast line, I would much prefer to use as my authority the present chairman of the Naval Affairs Committee, as he expressed himself in his speech on this point in 1910, which I shall quote later on in my remarks.

Mr. SLAYDEN. Will the gentleman yield for a question?

Mr. HENSLEY. Yes, sir.

Mr. SLAYDEN. No doubt the gentleman is familiar with the document, and I want to ask him if anywhere in his speech he refers to the statement made by Winston Churchill, First Lord of the British Admiralty, in introducing the naval budget in Parliament, as to the tendency to decrease the size of the great ships of that navy and to increase the number of submarines?

Mr. HENSLEY. I will say to my friend from Texas that I am very sorry, indeed, that I could not incorporate into my speech, though I read it very carefully, the speech made by the Hon. Winston Churchill to which he refers.

Col. Goethals, who appeared before our committee during the last Congress, had this to say as to the value of submarines:

> No hostile fleet would come within 500 miles of Panama if it were protected by submarines and torpedoes.

The other day I heard the chairman of the Naval Affairs Committee criticize us for using that language in our report because it does not appear in the record. Let me say to you—perhaps you do not know—that all the hearings had before our committee are sent to the Navy Department, where they are gone over, and a great many things said before our committee are never found in the report submitted to this Congress.

I have an instance in my report where an admiral before our committee was giving his testimony, and I undertook to develop the fact that preparedness very often causes nations, as well as individuals, to be aggressive and to stir up strife and conflict. This admiral, defending it from a national standpoint, said that he could see no objection to the individual carrying weapons. A member of the committee, when I made mention of the fact, said he had told the admiral that that should come out of the hearings.

But, my friends, I have as proof that it is in the hearings the fact that I submitted the identical question to the Secretary of the Navy and asked him if he subscribed to that sort of sentiment as expressed by the Admiral, and he said he did not subscribe to it. What I am getting at is the mental attitude of these gentlemen who are put into the school at Annapolis when mere boys, who are trained along certain lines; they can not see anything except from a military standpoint; they can not see as we do when we are looking at things with the welfare of the whole country in mind.

Mr. CALLAWAY. Will the gentleman yield?

Mr. HENSLEY. Yes.

Mr. CALLAWAY. What does the gentleman think about the perverted judgment of a man who will imagine that it would not lead to disturbance and strife for people in civil life to go armed with a pistol, dirk knives, and brass knuckles?

Mr. HENSLEY. Oh, that question answers itself.

Mr. CALLAWAY. If his judgment is so bad about ordinary people in civil life, does the gentleman think we ought to take his judgment as to how we should equip ourselves as a Nation?

Mr. HENSLEY. There is no sort of question about it—we ought not. The fact is we need these men who have been carefully trained by the Government at a tremendous expense; we need them in the service, not out of the service, as a great many have succeeded in getting out. We need them not to tell us what we should do about increasing our equipment, but we need them as naval officers and not as statesmen.

Mr. CALLAWAY. Is it not a fact that we are following the advice of these fellows who, as shown by the statement the gentleman has made, have this perverted judgment in building up the Navy and equipping the Army?

Mr. HENSLEY. They are doing that all the time.

Mr. CALLAWAY. Is it not a fact that we are about to declare war, following the punctilio of one of these men so easily agitated?

Mr. CONRY. Will the gentleman yield?

Mr. HENSLEY. Yes.

Mr. CONRY. Does not the gentleman think that when Members are legislating for the Nation, with respect to the welfare of the Navy, the advice and suggestion of these men should be carefully considered and weighed? Does not the gentleman think that the advice of these men who have served in actual service in the Navy should be carefully considered and weighed with a view to the adoption of a policy in respect to the government of the Navy?

Mr. HENSLEY. There is no question but that we should avail ourselves of every bit of information they possess. There is no sort of question when they suggest things to this Congress that appeal to the committee—in other words, when they make out a case showing the need of an additional battleship for the defense of this country we should respond. But I say to you when the board known as the General Board sets itself up in the department and assumes to direct and control the action of Congress we should decline to follow them.

Mr. BARTON. Will the gentleman yield?

Mr. HENSLEY. Yes.

Mr. BARTON. Before the gentleman goes away from the subject—he has stated that the testimony of these different people is taken before his committee?

Mr. HENSLEY. That is true.

Mr. BARTON. These hearings are sent to the different men that you have had before you for revision before it is printed?

Mr. HENSLEY. That is also true.

Mr. BARTON. To cut out subject matter as well as to revise?

Mr. HENSLEY. They revise it and go over it all.

Mr. PADGETT. If the gentleman will allow me, they revise the hearings, but they cut out nothing that is substantial unless by the consent of the committee. If it is a matter that ought not, by consideration of public policy, to be published, it is cut out.

Mr. BARTON. Who is the judge of that?

Mr. PADGETT. They revise their remarks as we would revise ours here.

Mr. BARTON. Is the matter to be cut out submitted to the entire committee?

Mr. HENSLEY. No; it is not. Now I can not yield any further.

Mr. SAUNDERS. I would like to ask the gentleman one question in that connection. Do I understand that when you have before you witnesses with a view of securing from them information that will be of service to you and the House——

Mr. WITHERSPOON. If the gentleman will permit me, I would like to correct him. It is a rule not to permit any Member of Congress to call one of these officers a witness.

Mr. SAUNDERS. Why not? What do they call them?

Mr. WITHERSPOON. I do not know; but it is very improper.

Mr. SAUNDERS. Does the gentleman say that when you have one of these men before you investigating matters that you are interested in you can not call him a witness?

Mr. HENSLEY. If you had seen the performance that we had one morning in our committee room you would have thought that it was a criminal offense to so refer to them.

Mr. SAUNDERS. Well, I will refer to him as a witness and proceed with my question. Does the gentleman say that when he has one of these men before him as a witness, seeking to elicit information that would be of service to the committee and to us in this House, and after you have secured the information that he is permitted to eliminate such portions as he may choose to cut out and thus rob this House of the very information we are seeking to secure?

Mr. HENSLEY. They absolutely censor and go over it.

Mr. POU. But that can only be done with the consent of the committee.

Mr. SAUNDERS. If that is the rule we are in a bad situation.

Mr. HENSLEY. I have never been called upon to assent to any such thing. Now, I can not yield any more; I must hurry on.

Mr. O'SHAUNESSY. Mr. Chairman, I think it is hardly fair for the gentleman to hurry on when such a matter of moment is under consideration. I think it is due to the America Congress to know about this. Let us know how they characterize themselves—although I differ with the gentleman's views on the naval bill.

Mr. HENSLEY. I do not want the gentleman to take up too much of my time.

Mr. O'SHAUNESSY. I would like to extend the time for the gentleman for half an hour.

Mr. HENSLEY. But the gentleman can not do that.

Mr. O'SHAUNESSY. While I am on my feet I desire to ask the gentleman a question.

Mr. HENSLEY. Very well.

Mr. O'SHAUNESSY. Is it not a fact that minorities have a license in criticizing, and when minorities become majorities they have a new sense of responsibility, and would not that account for the attitude of the chairman of the Committee on Naval Affairs to-day?

Mr. HENSLEY. Let me say in reply to that question that I can conceive that perhaps one might change his judgment as respects a policy governing a situation, but I can not conceive how a man can face about and change a statement of absolute fact. [Applause.] That is the proposition.

Mr. FARR. Mr. Chairman, I would like to ask the gentleman a question.

Mr. HENSLEY. I will not have time to yield.

Mr. FARR. It will be only a sentence or two.

Mr. HENSLEY. Very well.

Mr. FARR. Should not the gentleman now, as a member of the Committee on Naval Affairs, in fairness to his colleagues upon that committee and to the chairman of that committee, permit the chairman to make an explanation?

Mr. HENSLEY. Oh, no; he can make that in his own time.

Now, as I was saying, the cost of submarines is infinitesimal as compared with the cost of building and the upkeep of a battleship, while the fighting value is admitted by everyone. A modern battleship costs approximately $15,000,000 to $20,000,000, and costs about $1,000,000 annually for its upkeep. It, of course, requires tons of armor plate to build a battleship. It is stated that we are now paying the Armor Plate Trust from $160 to $180 per ton more than it would cost the Government to manufacture armor plate, allowing for all overhead charges, interest on the investment, and so forth. This explains why the Navy League and the beneficiary interests, who pretend to possess such a patriotic interest in our national defense, are asking for additional battleships instead of submarines and other necessary auxiliaries, which would really promote the efficiency of the Navy.

Now, I desire to quote further from the speech of the gentleman from Tennessee [Mr. PADGETT]:

> So that in every phase of the question that looks to the fighting efficiency, in the guns and in the ships and in the size of the ships—because we have two of 26,000 tons and the largest that Japan is building is 21,000 tons—so that in any aspect of the case in which you may consider it, you can divide the American fleet by two, and either half of it is larger and more efficient in fighting capacity than the Japanese Navy.
>
> Now, my countrymen, I appeal to your patriotism and your sense of fairness. Is it right, is it patriotic, that we should use such a nightmare to stimulate the growth of naval hysteria in this country in order to foster the propaganda that I believe is set afoot and maintained by

the beneficiary interests in this country that profit out of the spending of thirty or forty million dollars a year out of the naval program of this country?

We are therefore submitting, as we have in the past, to this tremendous gouge by the great corporations. The gentleman from Tennessee, in 1910, complained severely about this propaganda that has for its purpose the agitation and promotion of a naval hysteria, as he denominated it; and well might we complain to-day because of this situation. It is even more severe to-day than it was in 1910, as the stakes they are playing for are very much larger. A few months ago the country witnessed a spectacle wherein the people of Massachusetts, through the public utilities commission, determined to investigate a great railroad property, and a great newspaper in that vicinity thundered against any investigation. On the first movement the investigators discovered that two gentlemen, legislative reporters on two large papers, were in the secret employ of the railroad. Further investigation disclosed the fact that one of the professors of law in Harvard University was in the secret employ of this railroad company at $10,000 per year, engaged in molding public opinion favorable to the railroad. I do not say that the space in the metropolitan press that is being used all the time for extensions and increased armaments is paid for, as I do not know. I would like to know, I will say; but I do join with the gentleman from Tennessee [Mr. PADGETT] in declaring that when the Congress of the United States responds to such pressure by increases it brings about a very dangerous condition and is calculated to stir up our people and to be thoroughly misunderstood by the other nations of the world.

Now, quoting again from the gentleman from Tennessee [Mr. PADGETT]——

Mr. CALLAWAY. Is he a witness? [Laguhter.]

Mr. HENSLEY. No; he was the ranking minority member of the committee at the time he made this speech.

Mr. PADGETT said:

As I said, a few years ago Germany was worked for all it was worth. I remember a very amusing incident that happened. I will not call names, but one of the admirals came before our committee and asked that the doors might be closed, that the stenographers might be excluded, and that he might speak to the committee in executive session. This was some years ago, and he proceeded with bated breath to tell us of the nearness of impending disaster and conflict with Germany, and he dilated upon that question at length, and I sat and listened to it for quite a while, and after he had proceeded for some time, I could not escape the temptation, and when I had the opportunity I said to him, "Admiral, do you think this will take place and they will catch us before we can get home"? He smiled.

And, then, the gentleman from Tennessee calls attention to the fact that the distinguished gentleman from Alabama [Mr. HOBSON] had on the floor of the House a few days prior thereto predicted that five years from that time Germany's navy would be two and one-half times as strong as the Navy of the United States, and after making comparison in the number and caliber of the guns, he says:

I desire to call your attention to this fact: I said that Germany had 30 first-class battleships, and when I am giving those numbers with reference to all of these nations, I speak of those built and building. Of these 30 first-class battleships, 10 of them have not a single big gun upon them. Ten of them are carrying 9-inch guns, so that in the analysis of fighting power Germany has 20 first-class battleships carrying big guns and the United States has 33.

As to the program of the Germans, the gentleman from Tennessee said:

The Reichstag a few years ago fixed by law a definite program authorizing the construction of 16 battleships between 1907 and 1917. Up to the present time, of those 16 she has 8 building that constitute a part of her 30, so that in 1917, if she builds the other 8, she will have 38 battleships, and if we only build 1 a year from now until 1917, added to the 33 we have got, we will have 40 first-class battleships as against her 38.

I need not call your attention to the newspaper reports from Tokyo, which show clearly what has taken place over there in the last few months with reference to authorizing the increase the naval department of that country is insisting upon. The people have rebelled and are refusing the increases demanded by the navy people.

In Germany they even prosecuted and convicted numbers of persons who were engaged in stirring up strife between different countries in order to bring about increases. and I say here and now that these same influences are present here all of the time pressing home to this Congress the need for extension in armament, stirring up this country in order to bring about increases. There is no sort of question about that.

As previously stated, the appropriation bill under discussion in 1910 provided for two battleships instead of one, and in the next session of Congress there were authorized two battleships instead of one, and Germany has not varied from the program which she laid down, and, continuing, with reference to Germany, the gentleman from Tennessee said:

I say to you if you will analyze the situation you will see that in order to bring herself up to where she is she has loaded down her people and her country with debt, and yet there are some in this country who would imitate the policy and pursue the same conduct and load down the people of the United States with a military debt and a military burden. I stand here and protest against it.

Where is the gentleman from Tennessee who was then ranking minority member on the Committee on Naval Affairs? His voice to-day ringing out in this historic Hall, appealing with the same clearness, with the same earnestness, with the same patriotism as he did on the 31st of March, 1910, would be worth many votes, and his people would again rejoice not only in his consistency, but over his persistent efforts to serve the whole people.

Protesting further against the naval policy, the gentleman from Tennessee quotes from Secretary of Agriculture Wilson as follows:

A 40-acre farm of irrigated land comfortably supports a family of five. It costs $55,000 to make a 12-inch gun. The money that goes to pay for this gun would reclaim 1,571 acres of land, providing homes for 196 people. When all the guns on all the battleships are shot at one time, the Government blows in noise and smoke $150,000. This would reclaim more than 4,000 acres of land, giving homes to more than 500 farmers and their families. The money consumed in powder is lost to all future. The farmer who buys the reclaimed land must pay the Government back in 10 years, so it does not cost the Government anything to build up the country by helping the farmer. We should make more homes and not so many fighting machines.

At this juncture the gentleman from Alabama [Mr. HOBSON] interrupted the gentleman from Tennessee, as follows:

Mr. HOBSON. Does the gentleman think that these homes for American citizens and the internal industries could be propertly developed without some reasonable guaranty of continuing protection and peace?

Mr. PADGETT. I think we have got abundant guaranty of protection. I am not scared.

Mr. TALBOTT. It depends altogether on how far they are from the coast.

Mr. PADGETT. I am not scared. They are not coming in your day or mine, or in the day of your children and my children, within gunshot of this coast.

Mr. BURNETT. May I not suggest that the gentleman has probably got scared since that time.

Mr. HENSLEY. I wish you could all know the conditions just as they exist, and I wish the American people knew the conditions, and if the Navy Department were wise they would understand full well that the true friends of this Nation and of the Navy Department are the men who stand with me, because if the American people get on to the true conditions as they are in that department they will spew it out, repudiate it, and not stand for it.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. HENSLEY. Certainly.

Mr. CALLAWAY. I want to ask how it comes that the chairman of this committee and the gentleman from Alabama [Mr. HOBSON] are so close together now, when they were so wide apart then?

Mr. HENSLEY. I do not know. I have some newspaper clippings here that I would like to submit, to show you the efforts of the Navy people—the functions that are pulled off here so frequently—and how some Members, not because it is Mr. So-and-so, but because he is a Member of Congress and a member of this committee, are sandwiched in between admirals and rear admirals at this continuous round of banquets. Oh, you may say that does not amount to anything. A Member told me only a few days ago that not many years ago, when he first entered this Chamber, there was stationed out in Statutory Hall a man—the representative of the railway companies—who issued passes to Members of this House, and not one word of complaint was heard from the American people upon that subject. Let me ask the Members here to-day how long would the American people stand for a condition of that kind at this time? And they will not stand for these conditions any longer when they are apprised fully of the facts involved.

In 1912 I pointed out the shortage in officers to man the ships we already have. Admiral Blue, in his annual report for the fiscal year 1913, has the following to say in that connection:

By acts governing the appointment of midshipmen to the Naval Academy and permitting a limited number of enlisted men to be commissioned each year, Congress has already provided for the number of commissioned officers of the line. This number will reach a maximum in 1923, when there will be approximately 2,700 officers on the list. A careful estimate made of the number of officers required for the fighting ships already provided for shows that the above number is not sufficient to man the fighting ships in time of war, to say nothing of the auxiliaries required.

The gentleman from Tennessee on that question said:

We have at the present time 2,824 naval officers of all grades. We have an authorized enlistment of 42,000 enlisted men. You will find in the hearings of Capt. Usher, who appeared before the committee on behalf of the Bureau of Navigation, in answer to my question, a tabulated statement showing the number of men necessary and required to man our present complement of ships on a peace basis and on a war basis. On a peace basis it requires 3,652 officers and 60,902 men, or, if you please, a shortage of 828 officers and 18,902 men. On a war basis, to fit out and man the ships we now have, it would require 3,890

officers and 72,281 men, or we are short 1,066 officers and 30,281 men for the proper manning of the ships that we now have.

Mr. BURNETT. May I ask the gentleman when was that?

Mr. HENSLEY. I am quoting from the——

Mr. BURNETT. I understand; but I saw a statement recently in the press, that purported to come from the Secretary of the Navy, in which he said that all of these deficits were being filled and that there were a whole lot of fellows on the waiting list just tumbling over each other to get in and enlist, and I want to know whether there is still a shortage of men to man the ships we have already got and sufficient officers to officer the ships. I want to know whether that is so or not.

Mr. HENSLEY. I will say to the gentleman just a few moments ago I read the statement of Admiral Blue upon that point.

Mr. BURNETT. Then that newspaper statement is not true?

Mr. HENSLEY. It is like the statement made here awhile back that we did not have enough rounds of ammunition to start a war with any country, and you remember the speech of the chairman of the Committee on Military Affairs, in which he said we had sufficient ammunition.

Mr. CALLAWAY. I will say to the gentleman I saw in the Washington Post day before yesterday an account of a number of battleships left at the ports because they did not have the men to man them.

Mr. HENSLEY. Yes; in New York.

Continuing, Mr. PADGETT quotes from Admiral Pillsbury, Chief of the Bureau of Navigation, in his annual report in 1908, in which he said that on an average it requires six years to train a man-of-war's man, or, in other words, that it takes twice as long to train and to qualify a man to operate the ship as it does to build the battleship; and in this connection he again quotes from President Roosevelt as follows:

No fighting ship of the first class should ever be laid up save for necessary repairs and her crew should be kept constantly exercised on the high seas, so that she may stand at the highest point of perfection. To put a new and untrained crew upon the most powerful battleship and send it out to meet a formidable enemy is not only to invite, but to insure, disaster and disgrace. To improvise crews at the outbreak of a war, so far as the serious fighting craft are concerned, is absolutely hopeless. If the officers and men are not thoroughly skilled in and have not been thoroughly trained to their duties, it would be far better to keep the ships in port during hostilities than to send them against a formidable opponent, for the result could only be that they would be either sunk or captured.

Mr. HOBSON. May I ask the gentleman if he believes that the authority he has quoted in the present case, if he were present, would advocate the building of less than two ships because of the lack of complement for our naval vessels?

Mr. PADGETT. I believe that since committing himself in two annual messages, to which I have called the attention of this committee, in which he says one was sufficient, that the gentleman from Alabama has inoculated him with that mysterious influence that has gotten him to be so enthusiastically in favor of an excessive naval program that I doubt if he would stand by what he said in his calm moments.

In this connection I desire to ask the gentleman from Tennessee [Mr. PADGETT] what "mysterious influence" has inoculated him?

Mr. CALLAWAY. What is it that did the inoculating?

Mr. HENSLEY. Mr. HOBSON did the inoculating then; I do not know who has been doing the inoculating since. [Applause.] I would like the gentleman from Tennessee to explain what mysterious influence has been wielded upon him that has brought him over to the position he now takes upon this subject.

Mr. Chairman, I wish I had the time to make the careful, detailed comparison of the ships and of the guns upon the ships as was done by my friend, Judge WITHERSPOON, of Mississippi, but I have not the time. Mr. Chairman, I hope to get great pleasure later in life out of things incident to my service in Congress. Chief among them are friendships formed while here, and among all the friendships formed here I count as one of the rarest and sweetest the friendship for and my association with one whom I regard among the ablest and most patriotic, as well as the purest in mind and soul—Judge WITHERSPOON, of Mississippi. [Applause.]

Mr. Chairman, it is claimed that our ships become obsolete in 20 years, and that, therefore, it is necessary to have additional battleships to replace them. We submit that even if ships become antiquated in 20 years that they are not useless. They can be equipped with the most modern armament and made as effective as when first launched. On that point I again desire to quote from the present authority in this House on naval affairs, the gentleman from Tennessee, Mr. PADGETT:

Speaking about ships becoming obsolete, I want to call your attention to a fact that may perhaps be somewhat misapprehended. It is said that the life of a battleship is 20 years. In one sense and to a limited degree that is correct, but the hull of a ship is preserved indefinitely. Admiral Dewey said it would be as good in a hundred years, perhaps, as when it was made. It is the machinery on a ship that becomes worn out and antiquated. It is the guns on the ship that become obsolete by improvement in other guns; but when that machinery is taken out and up-to-date machinery put in, when the old guns are taken out and up-to-date guns replace them, that battleship is approximately as good and as effective as when it was first launched.

[Applause.]

In comparing the United States Navy with the German Navy the gentleman from Tennessee [Mr. PADGETT] very properly said:

Of battleships completed and provided for, the United States has 48 ships, with a tonnage of 688,341 tons; Germany has 46 ships, with a tonnage of 664,334 tons, showing that not only in the completed ships, but in the ships built and building, in the ships that constitute the fighting power and efficiency of the two Navies, the United States is ahead.

When you consider the amount of money we have spent upon our Navy to say that our Navy is inferior to the navy of Germany is preferring a charge of more seriousness against that department than I care to make; a charge which, if true, should be explained to the American people and the reasons given, so that we all may see and understand why it is true, where the people's money has gone and no results obtained with it. I do not care to make a charge of that character. We have spent in the last 13 years $400,000,000 more than Germany, and during this time $143,000,000 more than Germany and Japan combined. In the last 10 or 12 years we have spent something over $1,000,000,000 more than Japan, and yet some people try to frighten us about the strength of Japan. One billion dollars upon the basis of 100,000,000 population in our country represents $10 for each man, woman, and child. It represents to the State of Missouri $30,000,000 to $40,000,000; it represents to each congressional district of 200,000 population $2,000,000, and that is the amount we have expended upon our Navy in excess of the amount expended by Japan in the last 10 years. In the last 15 years we have increased the expenditures in the Navy Department 400 per cent. According to these figures, if we can judge the future by the past, we will in the next 15 years be appropriating $500,000,000 to this department alone. I am advised by the chairman of the Committee on Appropriations that this Congress will appropriate an amount which will represent $12 to every man, woman, and child in our Nation. Think of it. Sixty dollars to every family in this country. What do you suppose would happen in this fair land of ours if we levied and collected our taxes directly and the head of each family should be called upon by a Federal tax collector on the first of the year to pay $12 for each member of his family to support the Federal Government? Think of it, my friends. Ten to twelve times as much as it costs the average citizen to support his State government, and yet he comes in contact with the State government, aside from the postal branch of the Federal Government, fifty times where he touches the Federal Government once. It costs more to run the Federal Government than it costs to run all the 48 State governments combined, with their universities, normal schools, public-school system, courts of every description and kind, courthouses, poorhouses, and every other kind of State institution, and yet we are increasing these appropriations, increasing the burden which has already become galling to the American people. In this connection I desire to quote from the very able speech of Senator ASHURST, February 9, during consideration of fortifications bill in the Senate:

Mr. ASHURST. As I was saying, Mr. President, 65 cents out of every dollar which is raised by the Federal Government is used to pay the expenses of wars of the past and wars that we think, or pretend we think, may come in the future. In addition to that, a close and searching analysis of the facts will disclose that since the foundation of the Federal Government, in 1789, since its first day's existence as a Federal Government, for every dollar this Government has paid out to promote the arts of peace, the arts of agriculture, and those things whereby nations are subsisted—for every dollar we have paid out to promote the art of construction we have paid out $700 to pay the expenses of wars of aggression and defense.

We are appropriating this year, in round numbers, $25,000,000 for agriculture. The naval appropriation bill carries this year approximately $140,000,000, which means that every time we appropriate $1 for agriculture we appropriate $5.60 for the Navy.

The gentleman from Tennessee, in the great speech to which I have referred, declared that the Army and the Navy, the whole military establishment of the Government, in the last 27 years prior to 1910, had cost the taxpayers of this country the enormous sum of over $3,000,000,000, while the sum appropriated for agriculture during the same period was ridiculously small; and in that connection he further said:

Ah, my countrymen, I come to you again and look you in the face with all the patriotism of which an American citizen is possessed, so far as I am concerned, and I appeal to your judgment, to your patriotism, and I ask you, Is it not time to call a halt in this mad hysteria of naval development and apply something toward the development of the internal affairs and the internal improvements of our country?

A noble expression well expressed. What would you say if the same gentleman now came before this House and made a

speech of this character? Why, gentlemen, there would not be any doubt as to the result.

Now, let me ask the gentleman from Tennessee—and I ask it in all candor and with the kindest feeling possessing me—what has brought about the change in your position? What do you see now that makes it necessary for us to increase our armaments five or six times as rapidly as we were increasing them only a few years ago? What "mysterious influence" has inoculated you?

With reference to the amount carried in the naval appropriation bill at that time, he asked:

Can we justify it either upon reason or upon sound public policy?

Mr. HOBSON. I will ask the gentleman simply, in conclusion on that point, if, with the deterioration of our fleet, he would regard a one-battleship policy as adequate for the defense of the United States in all its oceans and with all of its world responsibilities?

Mr. PADGETT. I have stated and restated that more than one battleship was extravagant, and that one would not only maintain the efficiency of our Navy but would provide every proper and reasonable increase. Now, Mr. Chairman, another thought. It is said that a big Navy is the best guaranty of peace. That is the popular slogan of those who are proclaiming for this great Navy. I want to say, as I said at the outset, that I stand for an adequate Navy, responsive to domestic and foreign requirements. I believe that such a Navy is proper; but I want to say that an excessive Navy, built responsive to an excited sentiment, built responsive to a naval hysteria, is not a guaranty of peace, but is a hazard to the welfare of the American people.

[Applause.]

Continuing, the gentleman from Tennessee said:

I want to say, further, that an excessive Navy built under the stimulus of agitation, fostered and encouraged by the beneficiaries of such a policy, is a menace to the peace of the world. I want to call attention, if you please, to another statement which I believe is axiomatic, and that is that excessive preparations for war lead to war. That is a sequence, and a necessary sequence, to a spirit of militarism. As a nation thinks, so it acts. We become like the ideals we create. A war spirit begets war.

Gentlemen, you can take the hearings and you will find where admirals have stated that a nation will be aggressive toward another nation in proportion to her state of preparedness.

In this connection I desire to quote from the hearings before our committee, as follows:

Mr. WITHERSPOON. Do nations fight to maintain their rights without any reference to whether they are as powerful or less powerful?

Admiral VREELAND. I think the aggressor is generally the more powerful nation, because he thinks there is something to gain by warring, and the other party to the contest is forced into it.

Mr. WITHERSPOON. The aggressor, according to your idea, would go into war because he thought that he could win in the war; is that your idea?

Admiral VREELAND. He would not become the aggressor if he were sure of defeat.

Mr. ROBERTS of Massachusetts. What about Spain?

Mr. HENSLEY. I will say that if the battleship *Maine* had not been lying in the harbor of Habana we never would have had a war with Spain and we would never have sacrificed 10,000 citizens on the altar of battle. Now, the gentleman from Tennessee goes a little further. He quotes some Scripture. Mr. HOBSON had previously quoted some Scripture, and the chairman quotes Scripture, as follows:

Be not deceived. Whatsoever a man sows that he shall reap. If you sow unto the spirit, of the spirit ye shall reap life. If you sow unto the flesh, of the flesh you shall reap corruption. If you sow righteousness, ye shall reap manhood. If you sow the seeds of war, ye will reap bloodshed and slaughter.

And, continuing, he said:

This, the twentieth century, is not the age of war. It is the age of arbitration and of judicial consideration and judicial determination of questions. I want to lay down another proposition that I believe will find a lodgment in the judgment and in the intelligence of every man who hears me, and it is this: That the construction of each new battleship in excess of proper requirements increases suspicion of our actions and tends to destroy international confidence in the sincerity of our peaceful professions. It does not consist for us to hold ourselves out to the world continually proclaiming that we are the exemplars of peace and arbitration and judicial determination of questions, and at the same time be preparing all the while the implements of war and destruction.

I would rather go out of Congress if one can not stand upon that principle, the principle announced in that one sentence. I do not care what it means to me in that regard; I am going to be fearless and do what I conceive to be right in spite of results. Now a little further I want to call attention to this.

Mr. PADGETT further said:

I want to call attention to this: Our position, separate and apart from all the other countries, relieves us from territorial entanglements and political complications. We have no international skeletons in our closets; we have no ancient enemies. We covet no nation's territory; no nation would lay violent hands on ours. I shall not enlarge upon these. Other gentlemen have referred to the magnitude of our country and the vastness of our wealth and our resources as elements of weakness and as liabilities. I state that the vastness of our country is an asset and not a liability to the American people. "No pent-up Utica contracts our powers." Our civilization and our destiny and our manhood are not bottomed on battleships and big guns. They rest on the integrity of our conduct, the righteousness of our demands, and the justice of our cause.

Mr. Chairman, I declare that for the actual and proper defense of a nation, for the maintenance and preservation of the dignity of any country, we should look at all times to the state of her intellectual development, to the state of her civilization, to her commercial relations, and more especially to the peace and contentment of the whole people, for safety and security. Show me a country possessing these qualifications and I will show you a people patriotic, I will show you a people who revere the flag, and a nation more secure from foreign attack than any nation can possibly be which has her people bowed down with tax burden on account of her tremendous armaments. [Applause.]

Gentlemen, I say that we should study this question. I am going to make this statement to you: That if this case were brought before a jury, who, with uplifted hands toward high Heaven, would take a solemn oath to return a true verdict upon all the testimony adduced, Judge WITHERSPOON, Mr. GRAY, Mr. BUCHANAN, and I, opposing a score or more other Members of this House, could get a unanimous verdict against the authorization of two battleships. Then why should not we as Members of Congress insist upon some reason upon which to base the proposed authorization? Gentlemen, do not deceive yourselves. Ultimately the burden falls upon the men who toil in the mines, in the factories, and upon the farms; and I appeal to you to study it seriously, not as politicians but as patriots; study it as the gentleman from Tennessee must have studied it before he delivered this great speech in 1910, and then register your vote in the interests of the people and of posterity. Gentlemen, I thank you. [Loud applause.]

Mr. PADGETT. Mr. Chairman, I yield 45 minutes to the gentleman from Illinois [Mr. WILLIAMS].

The CHAIRMAN. The gentleman from Illinois [Mr. WILLIAMS] is recognized for 45 minutes.

Mr. WILLIAMS. Mr. Chairman, I do not believe that any Member of the House has given the subject matter of the Navy and its needs more sincere, careful, and unbiased consideration than I have. When I became a member of the Committee on Naval Affairs I approached the subject in the attitude of a juror who knew but little about the case and had neither formed nor expressed an opinion as to its merits. My opinions, based upon all the facts available, may be erroneous, but I have reached conclusions satisfactory to myself and beg to submit the considerations on which my judgment is based.

This bill carries with it an appropriation of $139,964,333.61. This comprises the second largest appropriation made by the Government where no returns are realized, as in case of the Post Office appropriation, which is recompensed by postal receipts. The pension appropriation carries with it a larger expenditure, but in the case of pensions the Bureau of Pensions operates as a clearing house, and money expended in the payment of pensions merely changes hands and does not represent an actual loss or waste of money. But the money appropriated and expended in the maintenance of the Navy represents an actual waste, a depletion, which can not be recompensed and is justified only by the law of emergency. It will therefore be conceded that no more money should be appropriated for this purpose than is necessary.

There is one proposition on which we are all agreed, and that is we must have a Navy, and there must be some expenditure for that purpose. The point of difference is reached when we undertake to determine the extent of the Navy and the amount of the expenditure. We are all agreed on a further proposition, that we should have an adequate Navy—a relative term which can only be defined or understood in the light of many conditions and circumstances. First, our isolation and want of direct contiguity with the naval powers which are the sources of danger or apprehension is an important factor. Second, the extent and character of foreign navies with which we would have to contend in battle in case of hostilities with foreign powers. These are the two principal factors which must be considered in the determination of what is an adequate navy. The Navy, like the Army, is an arm of the Government established and maintained for the common defense. The preamble to the Constitution declares one of the purposes of Government is "to provide for the common defense," and Congress is empowered by the Constitution to provide for the common defense, and to this end is authorized "to raise and support armies" and "to provide and maintain a navy."

Now, if anyone shall contend that the constitutional purpose in maintaining a navy is for other than the common defense, that the Constitution authorizes the maintenance of a navy for the purpose of aggressive warfare, conquest, and subjugation, right here is where we part company and find no common ground upon which to stand. I know it will be said that even in the defense of life, property, and national honor the Navy

and Army must become aggressive. That fact does not militate against my contention, which only involves the means employed and the mode of defense. Of course, a navy that would be sufficient for the common defense might not be adequate for aggressive war in foreign waters, and a navy that would enable us to go prowling about the world, seeking whom we might devour, would be more than adequate for the common defense. If we may be agreed that the constitutional limitation and purposes of a navy is that of defensive warfare, then we have advanced one step in our effort to determine what is meant by the term "adequate navy."

I assume that all men, and particularly every Member of this House, favors such a naval program as will enable us to cope successfully with any naval power with which we may be forced into combat in the defense of life, property, and national honor. We may well differ as to the extent of our Navy for the purposes just indicated, and I confess that when I reach the comparative stage, and undertake to offset or counterbalance ship against ship, gun against gun, and man against man, in the light of our isolation, inaccessibility to attack, and numerous other conditions which only the mind can conjecture, and which may or may not exist at the time of actual hostilities, I become confused and frankly admit that there is no rule by which the adequacy of any navy can be determined with any precision, accuracy, or certainty, and I have reached the deliberate conclusion that the only safe course to pursue is to maintain a navy of sufficient size to deter the enemy from making war upon us, and of sufficient strength to cope successfully with any fleet that may be sent against us. Counting battleships is like counting witnesses in a lawsuit. The preponderance of evidence does not depend upon the number of witnesses that may testify in the case, but upon the weight of their testimony. So, too, with battleships and guns. One or two battleships, more or less, may, but in all probability will not, determine the issue of any war. The preponderance will not depend on the exact number of ships, the number of guns, but upon the weight of the armament and the accuracy of the aim and the effectiveness of the shot.

We commenced the building of our new Navy 30 years ago. In that time we have expended $1,937,993,292.21. We may not always have expended the money judiciously; we may have been the victims of the Armor Trust, the Steel Trust, the Powder Trust, and other pet progeny of the Republican Party; but notwithstanding this, our appropriations have been so wisely made that we have a Navy third only to England and not greatly inferior to Germany. Experts tell us that Germany has a superior navy. Maybe Germany can outcount us as to fighting craft, the number of her guns, her enlisted men, as naval computations are made, but how about the man behind the gun? No nation on earth can outcount us there. No element in warfare, no single unit of strength in a navy, can offset this factor in an engagement.

My esteemed friend, Judge WITHERSPOON, has the happy faculty of computing and comparing the relative strength of the German and American Navies in the matter of tonnage, armor, and armament, and has entirely satisfied himself that our Navy is not inferior to that of Germany either in the number of ships, the tonnage, the armor, the armament, or other elements of strength. But I am not convinced, either by his logic, his adroitness, nor his plausibility, that he can with any degree of certainty compare the strength of any two navies so dissimilarly situated and which may be equal in a general way and arrive at any kind of a result that would be at all reliable or practical in case of actual hostilities.

Experts tell us that the only practical way to determine the relative strength of two navies is by the tonnage. This is evidently on the assumption that each nation adopts the latest and most improved methods of construction; that the armor plate used by different nations is made by the same process and is of the same resistive power; that guns are of the same capacity and effectiveness, vessels of the same speed, and that the men behind the guns are of the same courage, skill, and accuracy of aim. I can not wholly agree with this theory. Tonnage is an important factor, but will not alone determine the superiority of any one navy over that of another. The German tonnage may be greater than ours, but it seems to be satisfactorily, if not conclusively, shown by the figures of the gentleman from Mississippi that the guns on the German ships are not greatly superior to ours, and I doubt whether there are any gunners on earth who are equal in marksmanship to the American gunners. I do not say this from a sense of unduly exalted pride or overwrought patriotism. Marksmanship is indigenous to our soil, is bred in the bone of the native American, whose ancestor penetrated the forest, defended against the savage, and supplied his table with wild game. [Applause.] But the strength of a navy can be measured only by the units of strength that can be brought into action. What per cent of Germany's navy do you suppose could be rendered operative against the American Navy, engaged in a defensive war in our own waters? I go further than my friend from Mississippi and contend that our Navy is superior to that of Germany in this that a greater per cent of the fighting units of our Navy can be brought into action and utilized in defensive or aggressive warfare on either coast of America with the completion of the Panama Canal than can possibly be brought into action against us by the German Navy. But assuming this to be true, does it afford any reason or argument why we should rest on our oars and let Germany and the other powers forge ahead until they become admittedly superior to us and we become relegated to the rear with obsolete ships and an antiquated Navy? Does it not rather argue that we should continue a conservative building program and keep at least in sight of the procession?

It has cost fabulous sums of money to reach our place, third only to England, among the naval powers of the world. Our people have looked on with wonder and pride, never complaining, never halting the procession. We have marched forward with steady step, prosecuting a naval program which has made the American flag honored and respected around the globe. Shall we turn laggard now? Shall we quit the pace and permit our Navy to retrograde and deteriorate in the face of a naval stimulus among the naval powers unequaled before? Or shall we continue to pursue our moderate and conservative naval program and continue to maintain an adequate and well-proportioned Navy sufficient to defend American policies, protect our citizens, and uphold the honor and dignity of the Nation?

Judge WITHERSPOON used the *Oregon* as a subject for his discussion. If I understood him correctly, and I have read his remarks in the CONGRESSIONAL RECORD, he takes the position that the *Oregon* is about the greatest battleship on earth, and I understood him to say that the *Oregon* could sink any six of the German battleships. I believe he stated in effect, if not in express language, what I have just said. Some one asked him if the guns on the *Oregon* were equal to the guns on a modern battleship. He assumed they were, but stated the reason they did not penetrate armor plate to the same extent was that they were tested with only half the charge of powder. The fact is that the guns on the *Oregon* were made before the day of smokeless powder, and I understand the fact to be that if you would put in one of the guns on the *Oregon* one-half of the charge you would put in a gun on a modern dreadnaught you would blow it into a million pieces. And then the question was asked him if the *Oregon* and other ships of that class could be manned with modern guns, and he said they could. He was then asked why it was not done, and he replied that the fact it was not done proved to his mind that there was an attempt made to raid the Treasury. I understand the fact to be that to change the armament would require the entire overhauling of a ship, and then they could be equipped with a very few guns, and not a sufficient number to make them serviceable in the first line of battle.

Mr. WITHERSPOON. Will the gentleman yield?

Mr. WILLIAMS. I will.

Mr. WITHERSPOON. I understand you to say now that to put modern guns of the best kind on those old ships would require an entire change in the ships?

Mr. WILLIAMS. I understand so.

Mr. WITHERSPOON. If that be true, I will ask you why you voted for the appropriation in this bill to replace inferior guns with better guns, and why every appropriation bill for the last three years has carried large amounts of money for that very purpose?

Mr. WILLIAMS. I can only answer as to the present appropriation bill. We have these old ships, like the *Oregon* and the *Indiana* and the *Massachusetts*, on our hands. They are useful for some purposes, if only coast and harbor defense, and so long as they are required to be maintained, officered, and manned at large expense, I believe in keeping them as serviceable as they can be made by reasonable repairs.

Mr. WITHERSPOON. Will the gentleman yield again?

Mr. WILLIAMS. Yes, sir.

Mr. WITHERSPOON. If you are right in your contention that these old vessels can not have the best guns put upon them, I will ask you if you justify the expenditure of nearly $6,000,000 between the year 1906 and the year 1911 to reconstruct those ships?

Mr. WILLIAMS. I know nothing about the overhauling of those ships during these years. I was neither a Member of Congress nor a member of the committee, and I want to say

further that the gentleman misconstrues, unintentionally of course, my statement when he says I took the position that you can not put good guns on those ships. If I have not said it, I was about to say when I was interrupted that you can not put guns on those ships in sufficient number. You have not the space or room for sufficient guns to make them serviceable in the first line of battle.

Mr. WITHERSPOON. Will the gentleman yield again?

Mr. WILLIAMS. Yes, sir.

Mr. WITHERSPOON. You say you can not put them on in sufficient number. Each one of those ships is armed with four 13-inch guns. Do you contend you can not replace those with four 13-inch guns of the very highest modern ship?

Mr. WILLIAMS. I understand that it is impracticable to do so, and I understand further that a ship armed with only four guns would not have any business in the front line of battle among modern dreadnaughts with their full complement and equipment of guns, such as they are manned with to-day. There is one other reason why the *Oregon* and ships of that class can not be said to be as serviceable, by any means, as the gentleman indicated in his argument, and that is that they are not armored as ships to-day are armored. I understand that they are armored amidships only, and that they can not stand in front of a modern dreadnaught and modern guns. I am no naval expert, and of course I rely upon others for my information, but I have not lost confidence in mankind yet to that extent where I do not accept the statements of naval experts and give them some value. I do not wholly reject them, as does my friend from Mississippi, Judge WITHERSPOON, and my friend from Missouri [Mr. HENSLEY].

Mr. O'HAIR. Will the gentleman yield?

Mr. WILLIAMS. Yes, sir.

Mr. O'HAIR. Do you say that our Navy is third in rank?

Mr. WILLIAMS. Yes, sir. I think the naval world concedes that?

Mr. O'HAIR. Which navy stands second?

Mr. WILLIAMS. Germany.

Mr. O'HAIR. You said that Germany outranks the United State in effectiveness, size, and everything that goes to count in making a navy.

Mr. WILLIAMS. I think, including all the units and elements of strength which go to determine the efficiency of a navy, it must be admitted that the German Navy is superior to ours.

Mr. O'HAIR. Well, you referred to Judge WITHERSPOON'S comparison of the efficiency of the guns; do you mean the size of the boats, or tonnage of the boats, taken in connection with the effectiveness of our guns? Have we better guns than Germany?

Mr. WILLIAMS. I mean all elements of strength that go to constitute a navy, not only the tonnage but the armor, the armament, and the man behind the gun.

Mr. O'HAIR. I want to ask you another question. What is the matter with these old ships, like the *Oregon* and the *Indiana?* Are they of any account at all?

Mr. WILLIAMS. Yes.

Mr. O'HAIR. What are they good for?

Mr. WILLIAMS. They are good for coast and harbor defense, and some of the more recent ones are serviceable in what we call the second line of battle.

Mr. O'HAIR. Is that because they will not shoot so far?

Mr. WILLIAMS. It is because they have old guns which are not constructed for the use of smokeless powder, and these ships, as I have already stated, have fewer guns. I will answer the gentleman further in this way. There has been the same improvement in shipbuilding and navy building as there has been in every other field of human endeavor, and there is a vast difference between the modern battleship and one of the *Oregon* class in armor, armament, speed, and in every element of strength and effectiveness. There is no comparison between them.

Mr. CARY. A point of order, Mr. Speaker.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Wisconsin?

Mr. CARY. I wish to make a point of order. This is a very important question, and I make the point of order that there is no quorum present.

The SPEAKER. A quorum is present.

Mr. MANN. Let him finish, and then we can take a recess.

Mr. CARY. I think that is all right.

The CHAIRMAN. The Chair will count. [After counting.] Forty-seven gentlemen are present—not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	FitzHenry	Kindel	Plumley
Aiken	Frear	Knowland, J. R.	Porter
Ainey	Gard	Konop	Post
Anderson	Gardner	Korbly	Powers
Bartholdt	Gilmore	L'Engle	Rainey
Booher	Goldfogle	Lenroot	Riordan
Brodbeck	Goodwin, Ark.	Lever	Rucker
Broussard	Graham, Pa.	Levy	Rupley
Brown, W. Va.	Green, Iowa	Lewis, Md.	Scully
Brumbaugh	Griest	Lindquist	Sells
Burke, Pa.	Gudger	McDermott	Shackleford
Campbell	Guernsey	McGuire, Okla.	Sherwood
Candler, Miss.	Hamill	McKenzie	Slayden
Carew	Hamlin	Maher	Smith, Md.
Carlin	Hardwick	Manahan	Smith, Minn.
Clancy	Hart	Martin	Sparkman
Connolly, Iowa	Hay	Merritt	Stanley
Copley	Helgesen	Miller	Stevens, N. H.
Covington	Hinds	Mondell	Stout
Crisp	Hobson	Morin	Taylor, Ala.
Crosser	Houston	Morrison	Temple
Dale	Hoxworth	Moss, W. Va.	Thacher
Davis	Hughes, W. Va.	Neeley, Kans.	Towner
Difenderfer	Hulings	Neely, W. Va.	Walsh
Dooling	Humphrey, Wash.	Norton	Watson
Doremus	Humphreys, Miss.	O'Brien	Webb
Driscoll	Jones	Oglesby	Whaley
Eagle	Kahn	Palmer	White
Fairchild	Keating	Patten, N. Y.	Wilson, Fla.
Fields	Kelley, Mich.	Patton, Pa.	Wilson, N. Y.
Finley	Key, Ohio	Peters, Mass.	Winslow
Fitzgerald	Kiess, Pa.	Platt	

The committee rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the naval appropriation bill and finding itself without a quorum, he had caused the roll to be called, whereupon 306 Members had answered to their names, and he presented therewith a list of absentees.

The SPEAKER. A quorum is present.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I understand it is not probable that the Senate will conclude the consideration of the resolution relating to our status with Mexico until a late hour to-night or to-morrow. I therefore desire to ask unanimous consent, inasmuch as to-morrow is Calendar Wednesday and might interfere with the resolution if it comes back, that when the gentleman from Illinois [Mr. WILLIAMS] finishes his address and the gentleman from Michigan [Mr. SAMUEL W. SMITH] finishes his address following it—I understand he wishes to occupy a few minutes—the House stand in recess until 10 o'clock to-morrow morning.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that at the conclusion of the speeches by the gentleman from Illinois [Mr. WILLIAMS] and the gentleman from Michigan [Mr. SAMUEL W. SMITH] the House stand in recess until 10 o'clock to-morrow morning.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. The Committee of the Whole House on the state of the Union was seeking to get a quorum, and the committee has not decided to rise. It seems to me this is an informal way of doing business.

The SPEAKER. It is. The rule is that under circumstances like that the House goes immediately back into committee; but the Chair thought that under the circumstances existing at this time an exception ought to be made.

Mr. MURDOCK. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama about the rule. To-morrow is Calendar Wednesday. Your rule protects Calendar Wednesday. What about a recess to Calendar Wednesday?

The SPEAKER. The Chair will answer that question.

Mr. MURDOCK. The rule says that a recess on Calendar Wednesday shall not be in order.

The SPEAKER. That is so.

Mr. MURDOCK. If we recess until Calendar Wednesday, do we not eliminate that rule?

The SPEAKER. The House can take a recess until Calendar Wednesday.

Mr. MANN. I take it that if the House meets at 10 o'clock to-morrow, the gentleman from Alabama [Mr. UNDERWOOD] will make a motion to protect Calendar Wednesday.

Mr. UNDERWOOD. I understand the gentleman from Illinois [Mr. MANN] does not desire Calendar Wednesday to be interfered with to-morrow unless it is done after it is reached.

Mr. MANN. I do not desire to prevent the consideration of this resolution that is pending in the Senate. On the other

hand, I do not like to lose Calendar Wednesday unless it is necessary.

Mr. MURDOCK. Calendar Wednesday could be disposed of by a two-thirds vote?

Mr. MANN. It could be.

Mr. UNDERWOOD. I understand it could be disposed of by unanimous consent, and unless it is necessary for the consideration of this Mexican resolution, I will say to the gentleman that before 12 o'clock arrives I shall move to adjourn, so that we can reassemble on Calendar Wednesday. Of course, if it is necessary to consider the Mexican resolution, we will do so.

The SPEAKER. Is there objection to the request of the gentleman from Alabama that when the gentleman from Illinois [Mr. WILLIAMS] finishes his speech, and the gentleman from Michigan [Mr. SAMUEL W. SMITH] closes, the House take a recess until 10 o'clock a. m. to-morrow?

There was no objection.

NAVAL APPROPRIATION BILL.

The SPEAKER. The committee will resume its sitting.

Accordingly the House again resolved itself into Committee of the Whole House on the state of the Union, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The gentleman from Illinois [Mr. WILLIAMS] will continue.

Mr. WILLIAMS. Mr. Chairman, since I was interrupted I have been informed that just now the American Navy is off the coast of Tampico and Vera Cruz, and that our marines have landed and that the American flag now floats in triumph over the scene where recently it was so ruthlessly insulted. [Applause.] Whether it means actual war I do not know, but this I do know, that if war is prevented it will be because of the prompt action of our very effective Navy.

I deprecate the view taken by Judge WITHERSPOON and others, who look with so much disfavor and even suspicion upon the recommendations of the General Board, who favor a building program which will not only maintain but augment our Navy and keep it at least third in rank among the navies of the world. I do not believe the distinguished gentlemen who compose this board are in any degree influenced or controlled by the selfish greed of armor-plate factories and supply concerns which may profit by naval construction. I do not agree, however, with the recommendations made by the General Board. I think the naval program outlined is entirely too big and contemplates too extensive a naval establishment. I believe that the board is actuated by a sense of mistaken pride, natural, perhaps, to men bred in the profession. Environment and education are important factors in every man's life, and it is excusable, if not laudable, on the part of Navy men, whose whole lives have been spent in naval atmosphere, to entertain high conceptions and ideals of the Navy and dream of the most majestic navy afloat. With all due regard to the integrity and patriotism of these men, they are not unbiased jurors, and are not the most competent to determine the extent of our Navy nor what the annual increase should be. We may not all agree as to the motives which prompt and influence the recommendations made, but we can agree that it would be unwise to turn over the purse strings to them or blindly follow their advice. I do, however, concur in the good judgment and conservative recommendations of Secretary Daniels, which have the sanction and approval of President Wilson.

While with America's wonderful resources and productive capacity we could in a decade overreach the naval powers of the world in naval construction and possibly thereby compel other nations to discontinue their mad rush for naval supremacy, such a course from our standpoint is unnecessary and uncalled for. The wiser, the safer, and the better course is to pursue our conservative program, continue to maintain the distance of intervening seas between us and the source of possible attack, rely in a large measure upon our inaccessibility to the naval powers of the world, maintain amicable relations with the nations of the earth, avoid entangling alliances and foreign complications, produce that the world may feed at our doors, promote the arts of science and of peace, and we will find a comparatively small Navy adequate and sufficient for every purpose. By this I do not mean that I would take any backward step, that I would cease our naval activities and call a halt in the increase of our Navy, but I do mean that I would not become a party and join in the mad race for naval supremacy that seems to actuate and move the rest of the world to-day. It would, to my view and way of thinking, be suicidal to cease our building program and, single handed and alone, declare a naval holiday. This is a day of progress, improvement, advancement, and achievement in every department of art, science, business, and field of human endeavor, and this progress is as pronounced in the matter of naval construction, armor, armament, equipment, and other naval appliances as in any department of the world's activities; and if we should cease building operations and naval increase it would be but a question of months, not years, until we would become relegated to an inferior rank among naval powers and would be unable to cope on equal terms with any respectable naval power. In this day of naval bases, wireless communication, aerial navigation, and fast seagoing craft, which eliminate time and distance and bring the ports of the world into direct touch and physical communication, we must not count too much on our inaccessibility.

We hear much complaint about the growing increase in expenditures for the Navy, and comparisons are made between the appropriations of 10 and 20 years ago and the present time. We are told that the appropriations have within one or two decades doubled, trebled, and even quadrupled, and great stress is laid upon the comparison of our expenditures and that of other countries. We are told that we have expended so many million dollars annually in excess of other nations in maintenance of our Naval Establishment, and the naval expenditures of this country and those of Japan are compared with great relish and the results urged as arguments why we should terminate our naval activities. I am not disposed to question these figures, but I do question the conclusions which gentlemen seek to draw from them.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. Yes.

Mr. HARDY. Does the gentleman call it terminating naval building activity if we are continually building battleships, authorizing one each year, when it takes four years to build one? If you authorize one a year and keep four on the stocks building, is that terminating naval activity?

Mr. WILLIAMS. No; I would not call it ceasing naval activity, but it would be quite a material letting up. Last year, I understand, only one was authorized.

Mr. HARDY. We are building four now, are we not?

Mr. WILLIAMS. There are four in process of construction.

Mr. HARDY. If we build two a year, we will be at work on eight continuously, will we not?

Mr. WILLIAMS. Somewhere about that number.

Mr. HARDY. And if we are continually working on four a year, the gentleman calls that ceasing building activity?

Mr. WILLIAMS. No; I am not what you call a big-navy man. I have given serious consideration to this question. I am inclined to believe—and the whole country believes—in prosecuting a conservative program. The question I have given most serious consideration is, Will one battleship maintain our relative rank among the navies of the world or shall we be compelled to construct two? Between these two propositions I halted for some time, and finally voted with the committee in supporting the recommendation of the Secretary of the Navy for two battleships.

Mr. HENSLEY. Does the gentleman say that he so voted in the committee?

Mr. WILLIAMS. I know what the gentleman alludes to. I made a motion to substitute one battleship for two. My motion was lost, and then I voted for two, and I am now supporting two.

Mr. HENSLEY. The gentleman said a moment ago that he voted to support the policy of the Secretary of the Navy before the committee.

Mr. WILLIAMS. I did.

Mr. HENSLEY. But after his proposal was turned down.

Mr. WILLIAMS. The Spanish-American War stimulated naval construction in the United States and gave an impetus to the increase of our Navy far in excess of anything which had characterized our naval program prior to that war. We must not overlook the fact that the greater part of our expenditures for naval increase have been in the construction of modern battleships, which in armor, armament, and equipment compare favorably with any ships afloat. A comparison, however, of expenditures in the United States with those of other countries is by no means fair. The cost of labor enters into every enterprise and project of man, and our Government has been as liberal, or more so, than any private concern in the matter of wages and the hours of labor, and it is not strange to say that labor and all the products of labor which go into the maintenance of navy yards and naval stations and naval construction, not excepting the pay of our entire personnel, is far greater in proportion than that of any country with whom these comparisons have been made. This point was so ably and forcibly presented by the chairman of the committee [Mr. PADGETT] in his splendid address in opening the debate last Friday that I do

not feel the need of extended elaboration. Suffice it to say that the enlisted men in the American Navy are better fed, better clothed, better cared for, and better paid, 8 and 10 times to 1, with a corresponding cost, than the conscripted subjects in either the German or Japanese Navies, with which countries the minority have made their comparison; and in every department of the Navy there is a wide difference, which accounts in a large measure for our excess expenditures. But it must be remembered that only about one-fourth of our annual expenditures goes to the increase of the Navy. Three-fourths of our annual appropriation is expended for other purposes than the increase of the Navy, and includes the duplication of expenses several times in the maintenance of useless navy yards and naval stations. A comparison of the expenditures for new construction and Navy increase between the United States and other naval powers for one year will illustrate the proportion that is expended by the United States in the matter of Navy increase. For the year 1913, for new construction, England expended $78,000,000; Russia, $58,000,000; Germany, $53,000,000; France, $44,000,000; and the United States expended $35,000,000.

Mr. REED. Will the gentleman yield?

Mr. WILLIAMS. Yes.

Mr. REED. Has the gentleman anything in his speech that would indicate what yard he refers to on the Atlantic seaboard as useless?

Mr. WILLIAMS. I only have my individual views, which I do not presume the gentleman cares to have at this time. I will say that the Secretary of the Navy promised the Committee on Naval Affairs that he would investigate this question, the duplication of charges resulting from too many navy yards, and make a report to the next session of Congress, and he may at that time recommend that useless navy yards be discontinued. This comparison for the year 1913 fairly illustrates the difference in expenditures between this and other naval powers, and shows very forcibly what a small proportion of our appropriations go for new construction and what a large proportion is expended for other purposes, including the upkeep of useless establishments.

It is true that our appropriations have multiplied in recent years, but so have our resources and our responsibilities. We are from time to time giving the Monroe doctrine a broader and more comprehensive interpretation. Foreign countries, which look with longing eyes to the colonization and commercial exploitation of American shores, are becoming restive, impatient, and even petulant over what appears to them to be a strained construction of a doctrine inimical to their political and commerical interests. While the Monroe doctrine has become fixed and vital as a foreign policy, and will be adhered to and enforced under any and all conditions, it is one source of irritation which may some time be resented by some nation which feels itself aggrieved by exclusion from American shores and the colonization of American territory, if we shall be found unprepared to defend our position. I am no alarmist; I do not predict hostilities with any nation across the seas; I do not fear either the probability or the result of foreign war. The dream of the distinguished Senator from my State who saw in his delirium phantom ships conveying myriads of yellow men to the Pacific coast, the blockading of our ports, the seizing of mountain passes, and our futile efforts to dislodge the invader, has no terrors for me.

If we preserve domestic tranquillity, no invader or foreign foe will in a thousand years maintain a hostile army over night on American soil. Foreign fleets may sink our Navy and destroy our commerce on the high seas, blockade our ports, and bombard our coast cities, but no foreign enemy will be so desperate or foolhardy as to attempt to either land or to sustain an army on the domain of Uncle Sam. This is not the source of our fears. Our danger lies, if danger there be, in the enforcement of the Monroe doctrine in Mexico, Central and South America, gratuitous responsibilities in the Philippines, the maintenance of the open door to China, and the extension of our Pacific trade and commerce.

Mr. FESS. Will the gentleman yield?

Mr. WILLIAMS. Yes.

Mr. FESS. Does the gentleman have any knowledge of the attitude of the South American countries toward the Monroe doctrine?

Mr. WILLIAMS. I have the information that they do not take kindly to it, and do not accept our protection with good grace.

Mr. FESS. Is there any danger to the United States in that situation?

Mr. WILLIAMS. I think so; I think the enforcement of the Monroe doctrine is the greatest source of danger to our Nation; it bodes trouble always.

Mr. FESS. Is it a sufficient reason in the gentleman's mind for us to surrender it?

Mr. WILLIAMS. I would not surrender the Monroe doctrine. I am in favor of maintaining it, and maintaining a navy sufficient to enforce it.

The preservation and enforcement of these rights lies in the efficiency and readiness of our Navy. So long as we maintain a navy of sufficient size, state of preparedness, and efficiency to stand as a warning to the nations of the earth, and as a protection against hostile fleets invading our waters and approaching our shores we need have no fear of foreign war. A navy just big enough to make us saucy, and yet not big enough to deter the enemy and stay the hand of the foreign jingo, would be a menace, and invite rather than avert war. Just how big a navy will answer this purpose I do not know; but this I do know, that we do not require as great a navy as if we were in close touch and physical contact with foreign powers, with no expanse of sea or ocean intervening. If we will but recognize that the Philippines have attained their majority, and give them their time, stand them up before the world clothed in the habiliments of free government, and thereafter stay at home and mind our own business, so far as the conquest and acquisition of foreign territory is concerned, it will not be a difficult or burdensome undertaking to maintain a navy adequate not only to deter the enemy and avert war, but to successfully defend against any attack that may be made upon us.

We have such a navy now. There is not a navy in the wide world to-day that can spare from her own waters and send to our shores a fleet able to cope with us. I trust the art of diplomacy can be relied upon in the future as in the past to play one nation against another and insure complications abroad that will deny to any nation the possibility of sparing enough of her ships to give us a breakfast appetizer. This point is well illustrated in the statement made by Admiral Vreeland in the committee hearings, where he said that no European nation could spare 50 per cent of her fleet and send them here to attack us. If the opinion of Admiral Vreeland is not at fault, and the art of diplomacy shall not fail us, we to-day stand invulnerable against the world. We have a magnificent navy. No man can review our assembled fleet, with its massive armament, its splendid equipment, and its magnificent personnel, without a sense of pride, an upheaval of emotion, a buoyancy of hope, and an inspiration of patriotism that can only animate the heart of a true American. [Applause.]

In the defense of American policies, the protection of American citizens, and the upholding of the honor and dignity of our Nation, with the inspiration and hope that attends a righteous cause, the American Navy stands to-day the superior of any navy on the face of the earth. Shall we maintain it at its present high standard and relative state of efficiency, or shall we, by a system of parsimony and false economy, humiliate our pride and sacrifice our prestige? For my part, I prefer to be in a position that will command respect in every port and compel princes, powers, and potentates—yea, dictators—to salute the flag. [Applause.]

I have given much thought and attention as a member of the committee to prevailing conditions in our Naval Establishment, and I find much that needs reform. We are maintaining on the Atlantic coast 7 navy yards and, including naval stations, coaling and training stations, 14 separate and district establishments. The expenditure for the maintenance and upkeep of all these establishments is enormous, and can be materially reduced by abandoning several useless yards on the Atlantic coast which have been established and operated for political purposes. Gentlemen who oppose this bill can find abundant food for thought in the matter of the maintenance and operation of these useless stations, and can more wisely and to better advantage employ their talent in an effort to limit the number and the unnecessary expenditure of public moneys in this direction than by attacking the increase of the Navy and its maintenance to a point of efficiency and adequacy. It would be a waste of time to indulge an argument here and wholly superfluous to state that a duplication of naval establishments multiplies overhead charges and necessitates a duplication of machinery, apparatus, equipment, dry docks, and cranes, which could be easily avoided if these various yards were consolidated. A majority of the yards on the Atlantic coast ought to be abandoned and the rest developed to the highest capacity and state of efficiency. The temporary cost of such improvement could be easily repaid by the sale of those abandoned and more than recompensed by the increased efficiency and saving that would result from the utilization of the plants at their full capacity at all seasons of the year.

I want to call the attention of the committee to this fact: That in case of threatened hostilities the nation contemplating war with the United States, in estimating costs and speculating as to the outcome, will not count our navy yards and our naval stations, but will, before throwing down the gantlet and declaring war, count the number and strength of our battleships and auxiliary craft with which they would have to contend in battle. Surplus and useless naval stations and navy yards are no guarantor or insurer of peace, but efficient battleships and trained seamen are. In case of actual conflict it is not the naval stations upon which we can rely for victory, but it is the superdreadnaught and auxiliary craft, which grapple on the main with the enemy in a life-and-death struggle for victory or defeat. Navy yards are established, naval stations maintained, and coaling stations operated, not because they are of any use in battle, but because they are necessary as a means by which we can provide the instruments of attack and defense in case of hostilities. Armor plants, gun factories, and powder mills are not maintained because they within themselves afford any defense, but because they afford the means which will render our ships upon the sea effective in battle. Dry docks and cranes and other apparatus and equipment are of no consequence in themselves, except that they enable us to construct, repair, and equip the fleet of battleships, cruisers, torpedo boats, destroyers, and submarines, colliers, and other attendant and auxiliary craft, which compose the fighting strength of our Navy.

Navy yards are only the incidents, the means to the end. The fighting ship, the instrument that must engage the enemy, is the principal thing for which the whole naval expenditure is made and the Naval Establishment maintained, and this—the increase of the Navy—strange to say, is the object of attack from those who oppose this bill. I am surprised that men informed and patriotic at heart will attack that part of this bill which provides for so conservative and moderate an increase of the Navy which calls for an expenditure of $36,456,734 for battleships and auxiliary craft, and shut their eyes to expenditure in excess of $103,000,000 proposed by this bill, in large part for the maintenance, upkeep, and operation of numerous useless navy yards and naval stations, which can not be justified from any economical standpoint.

The only answer that I have heard advanced in favor of so many stations is that in case of hostilities these stations would be accessible and afford ready means and opportunity for quick repairs to disabled ships. Has it occurred to those who advance this argument that it means that many more places which would in time of war have to be fortified and defended; that it would necessitate the division and scattering of our coast-defense vessels in order to prevent the enemy from occupying and availing themselves of these very facilities, whereas if our stations and navy yards were concentrated, say, to not exceed three on the Atlantic coast, our whole resources and every means of defense could be concentrated and strengthened manyfold?

And when I realize how helpless we have been in times of peace as well as of war in the hands of the Armor-plate Trust and the Powder Trust and the gun factories, with which we have been compelled to deal for want of our own facilities, I am surprised that gentlemen on the floor who find so much time to attack the essential features of our Naval Establishment, overlook the high-handed robbery, the shameful exploitation of our resources by these concerns, which not only practice their extortion in time of emergency, during the Spanish-American War, but pursue their merciless greed and advantage in time of peace. If gentlemen are in good faith, if sincere in their apparent zeal for the betterment of our Navy and the protection of our revenues, if not actuated by motives of political preferment or party advantage, why make the very substance, the ultimate aim of our Navy, the object of their attack? Why not employ their talents and their great energy in the direction of the reforms which I have indicated?

I can hardly believe that the gentlemen who oppose the provision of this bill authorizing two battleships are altogether sincere in their contention that we ought to authorize none. It is difficult for me to persuade myself to believe that sensible, patriotic men want to stop short and stagnate our whole naval institution while the rest of the world goes forward in leaps and bounds. It is a mistake to say that America sets the gait in naval construction and that other nations are merely engaged in a struggle to keep pace with us. Other nations may profit by American enterprise, skill, and ingenuity, may utilize our experience, and imitate our example in naval construction, but not because we do these things, not because they feel impelled by any sense of insecurity occasioned by our progress and development in these lines, but because they are eager to appropriate and avail themselves of every advantage in the wild scramble and mad rivalry between European nations in the matter of navy increase. [Applause.]

Mr. Chairman, I repeat in conclusion that we should have a Navy sufficient to deter others from making war upon us, and sufficient to successfully cope with the enemy and defend against any hostile attack. Our Navy has attained too high a state of efficiency and has cost too much money to justify us in letting it deteriorate or become relatively less efficient. Naval men tell us that battleships and other fighting craft become antiquated and are useful only for coast and harbor defense after 20 years. This being true, and I assume it is, our existing Navy will deteriorate at the rate of 5 per cent a year, and at a much greater rate except for annual repairs, and each year become less efficient until at the expiration of 20 years, unsupported by the new type of fleet, it will cease to be effective for any practical purpose. The only wise course to pursue is to offset the deterioration by the construction from year to year of new battleships of the dreadnaught type and the usual complement of auxiliary craft, that we may not stand still, that we may not lag behind in the procession, and that we may maintain our relative rank among the naval powers and the relative efficiency of our Navy. By this means only can we maintain an adequate Navy and reap the full benefit of our large expenditures heretofore made, and avail ourselves of the full effect and efficiency of our present adequate Navy, the efficiency and adequacy of which will continue and be maintained only by the adoption and adherence to a progressive building program.

The recommendation made by the Secretary of the Navy has the sanction and approval of the President. The naval program outlined is a conservative one. To conform to it will maintain our rank among the naval powers; to stop short will speedily relegate us to the rear. Advance or retreat—which shall be the policy pursued by Congress?

Within recent months the pride of every American has been humiliated, his resentment aroused, and his patriotism stirred by the indignities and insults heaped upon us by the de facto government of Mexico. However much we deprecate war and hope for peace, let us maintain a Navy that will render the dictum of Congress and the ultimatum of the President the supreme law of the Western Hemisphere. [Loud applause.]

Mr. ROBERTS of Massachusetts. Mr. Chairman, I yield to the gentleman from Michigan [Mr. SAMUEL W. SMITH].

Mr. SAMUEL W. SMITH. Mr. Chairman, willing as I am to concede the good intentions and honesty of purpose of the President in connection with the Mexican situation and the many opportunities he has for knowing the same much better than I do, yet I frankly state that from the beginning of his administration I have felt and thought that he ought to recognize Huerta.

I believe if this had been done we would be relieved of our present difficulties in Mexico. When the embargo was raised it was of great aid and comfort to Carranza and Villa. From a moral or any other standpoint, what better are they than Huerta?

I want to bring to your attention an able, clear, and convincing statement upon this subject by one who for many years has been a close friend of the President, and who is credited with doing as much, if not more, than any one person in making Mr. Wilson governor of New Jersey and President. In addition, he is one of the ablest of thinkers and writers. Such being the case, what he has to say is of added significance and weight. I refer to the article in the April number of the North American Review, by George Harvey:

"WE APPEAL TO THE PRESIDENT TO SAVE MEXICO; TO SAVE HIS PARTY; TO SAVE HIMSELF.

"[By the Editor.]

"'The large thing to do is the only thing we can afford to do—a voluntary withdrawal from a position everywhere questioned and misunderstood. We ought to reverse our action without raising the question whether we were right or wrong, and so once more deserve our reputation for generosity and the redemption of every obligation without quibble or hesitation.'

"Those words, Mr. President, spoken by you as the head of the Nation to the Congress of the United States upon the first day of your second year in office were more than worthy, more than courageous; they were noble. They breathed the sense of national honor; they were shot through with patriotic feeling; they evinced the power of personal greatness to acknowledge and repair a fault. And they will serve the purpose for which they were uttered—never fear!

"Pending the accomplishment of that great triumph which is to be yours, may we not ask you to perform the more pressing duty of turning your eyes upon the stricken people of bleeding Mexico, and consider—consider in candor and with the deep

solicitude which we know you feel—whether you may not apply those words to them. Is not our attitude toward them also 'everywhere questioned and misunderstood'? We think and presently shall try to convince your mind that it is. If we shall succeed in that endeavor, is not 'the large thing to do the only thing we can afford to do' a reversal of our action 'without raising the question whether we were right or wrong, and so once more deserve our reputation for generosity and the redemption of every obligation without quibble or hesitation'?

"Four months have elapsed since we raised the questions—

"What legal or moral right has a President of the United States to say who shall or shall not be President of Mexico? and

"Did not President Wilson embed himself in a practically inextricable position when he demanded the retirement of Huerta?

and the only answers forthcoming are to be found in a consensus of the world's opinion and in a hopelessly tangled diplomatic situation surcharged with peril. But no! That is not strictly accurate. You answered the first question, Mr. President, when you recognized the Huerta of Peru, and you answered the second when you urged so impressively upon the Congress, as a primary reason for repudiating a pledge of your own party platform, the necessity of mollifying foreign powers.

"The partisan attacks to which you are now being increasingly subjected constitute, we suspect, the least of your anxieties. Senators and Representatives who demand 'action' which would lead to armed intervention may reflect the opinion of their own restricted constituencies, but they wholly misinterpret the wish of the country. Never was a war so unpopular, so hateful in the eyes of the people, as would be a war now with distracted Mexico. Whether avoidance thus far is fairly attributable to your sagacity and forbearance, or to mere good fortune, or to both, matters not at all; the country is grateful, sir, deeply grateful, to you for sparing them the calamity which, unhappily, so many are coming to regard as inevitable.

"Nor does one whit of justice lie in the strident criticisms of your course as 'inert' and 'lifeless.' You have done all that lay within your power to do in furtherance of the success of your program. Never before to our knowledge, while their countries were at peace and resolved to continue in amicable relationship, has one President declared war upon another President. Yet that is what you did without a quiver of hesitation. And you did not stop there. You certainly struck deep and hard in those days early in November when the following declaration was served upon Huerta, as coming from the President of the United States:

"Primero: Que el primero magistrado considera que el reciente golpe de estado fue una contravencion directa de la seguridades que el, Huerta, había dado á su gobierno.

"Segundo: Que á menos de que el, Huerta, voluntariamente y obrando como por propio inspiracion se retire luego del poder y abandone todo idea de controlar la organizacion del gobierno y el curso de los negocios, el primer magistrado se verá en la necessidad de entrevenir en los terminos de un ultimatum que al ser rechazada le obligará á proponer al congreso de su pais que se tomen medidas practicas de la mas seria naturaleza.

"Tercero: Que el gobierno del primero magistrado desea sinceramente de evitar las medidas extremas tanto por el bien de Mexico como por el bien de la paz de America, y esta por el mismo dispuesto á hacer algo rasonable á fin de no herir los sentimientos de dignidad de Huerta y para darle la proteccion personal que necessitaré.

"Cuarto: Que por tal motivo, propone el siguiente curso que se escoja alguno persona ó pequeño groupo de personas que en lo menos possible hayan estado ligados con los recientos perturbaciones politicos (por ejemplo, personas de edad maduro retirados de la politica que goza de le confianza general del publico), al fin de que constituye un gobierno constitucional y hagan los arreglos necessarios para elecciones generales en las que se elijan un nuevo congreso y un nuevo jefe del ejecutivo, para que asi el queda establicido sobre una base constitucional.

"Quinto: Que hace absolutamente necessario una acción semejante al fin de que merezca la aprobacion del primero magistrado, pues su gobierno esta firme y irevocablemente resuelto, por un medio ú otro, á cortar de rais toda ayuda el, Huerta, crea encontrar en el estranjero, si es que insiste en su proposito de permanecer en el poder, siendo ademas un hecho que solamente por algunas dias mas podra el, Huerta, tener la libertad de escojer el camino que desea seguir. Su retiro y una libertad absoluto de accion de reabilitar el poder constitucional será el unico que el primero magistrado acepte. Este gobierno no podra urgir con demasiado vehemencia el que haga su eleccion, ya que es inevitable, con todo sabiduria ye en plena consideracion de las teribles consequencias que traeran su vacilacion ó rehuso.

"Sexto: Que el, proposito de substituir á Blanquet ó cualquiero otro representante del gobierno de Huerta y de su golpe de estado conduceria á una irritacion mayor de parte del primero magistrado y la inevitable ruptura definitiva, asi como tambien daría el mismo resultado el pretender llevar al poder á los supuestos escogidos en las ultimas elecciones, sea para presidente ó miembro del congreso.

"Or, as retranslated:

"First. That the first magistrate is of the opinion that the recent coup d'état was a direct violation of the assurances which Huerta gave his Government.

"Second. That unless Huerta, voluntarily and on his own initiative, retires at once from power and abandons every idea of controlling the organization of the government and the conduct of negotiations, the first magistrate will find himself under the necessity of intervening by means of an ultimatum, and if this is not accepted he will be obliged to propose to the Congress of his country the adoption of practical measures of a most serious nature.

"Third. That the Government of the first magistrate sincerely desires to avoid extreme measures, as much for the sake of Mexico as for the sake of peace in America, and is of itself disposed to act reasonably in order not to wound Huerta's sense of dignity, and at the same time to give Huerta the personal protection he might need.

"Fourth. That with this purpose in view it proposes the following: That there be selected some person or small group of persons which to the least possible extent shall have been connected with the recent political disturbances—for example, men of mature age who have retired from the field of politics and who enjoy the confidence of the people—who shall form a constitutional government and make whatever arrangements may be necessary for a general election. In these election there shall be selected a new congress and a new chief executive, to the end that the government be established on a constitutional basis.

"Fifth. That such a course is absolutely necessary to the end that he—the chief executive—merit the approval of the first magistrate, for the reason that the government of the chief magistrate has firmly and irrevocably decided, by one method or another, to eliminate completely all assistance that Huerta believes he may receive from foreign sources if he persists in his proposal to remain in power, it being a further fact that only for a few days longer will he—Huerta—be free to select the course he chooses to follow. His withdrawal and consequent absolute liberty of action in the reestablishment of constitutional power alone will be accepted by the chief magistrate. This Government can not urge with too much insistence, now that the outcome is inevitable, that Huerta reach his decision wisely and at the same time give full consideration to the terrible consequences which will follow his vacillation or refusal.

"Sixth. That the proposal to substitute Blanquet or any other representative of the government of Huerta or anyone connected with his coup d'état will conduce to further irritation on the part of the first magistrate and inevitable and definite rupture. The same result will follow any effort to place in power the candidates chosen at the last election, be it for president or members of congress.

"And when the old Indian coolly ignored this demand you did not shrink from inviting the criticism of your own countrymen by lifting the embargo upon guns which, like those in the Philippines, may at no distant day be turned upon our own soldiers. No, Mr. President, it is not from lack of energy or resolution that your attempt to apply political eugenics to Mexico in a schoolmasterful way has failed. It is from the fatal defect within the policy itself—the futile threat which, as we declared in November, 'instead of eliminating Huerta from power, riveted him in his place, there to remain, in all probability until he shall be expelled by force of arms.' This judgment, based upon certain logic, has now found general acceptance, and it is to that most important fact, Mr. President, that we would direct your attention.

"No writer has made it so clear as you that 'the only force' that can control a President in shaping his course with respect to large matters of public policy is 'the force of public opinion.' But public opinion is no less subject to change than individual judgment, and, if it is to be accepted as a true guide, it must be examined and interpreted at frequent intervals. When, in November, we urged upon you manful reversal of a policy which we then believed to be and which has since proved to have been untenable, we did not assume to reflect the common view. We could not but feel that much of the seeming approval was no more than natural and praiseworthy restraint; but there were few evidences to that effect, and you were quite justified in assuming that your attitude had won general commendation. The newspaper press in particular was notably insistent and steadfast in support of your determination to drive Huerta from his position of authority. But is it so now? Let us mark the indications afforded by our leading journals. We quote:

"From the Washington Post:

"The people of the United States have, during the past 10 months, given to the President and his Secretary of State a most remarkable proof of their confidence in their sincerity of purpose. The more remarkable inasmuch as many of them have failed to see that the rights of our citizens were as fully protected as desired, or that 'the watching and waiting' policy was either beneficial to Mexico, to the United States, or fair to the citizens or subjects of foreign nations.

"That it has not brought peace or happiness to the people of Mexico must be admitted.

"That it has been productive of immense losses to American, British, German, French, and Spanish investors is apparent to all.

"That it has advanced the peace interests of the world is exceedingly doubtful.

"That it was and is producing friction in our foreign relations would seem to be as clear as diplomatic secrecy will permit the public to judge.

"From the New Orleans Picayune:

"Strong as has been President Wilson's policy with respect to matters of domestic concern, it must be admitted with regret that his attitude toward Mexico has been extremely weak and vacillating. Americans have been told to leave the country, as their Government either could not or would not protect them. Foreigners, both American and Europeans, have been maltreated and their property seized or pillaged, yet nothing has been done other than the presentation of feeble protests.

"As a result of this course foreign governments have lost all confidence in our ability to control the Mexican situation, and as they have no reason to expect anything from the revolutionists, they are quietly financing Huerta in the belief that he is the only man in Mexico capable of maintaining at least a show of order.

"Whether or not it be a fact that foreign governments are 'quietly financing' Huerta, there can be no question that he is well supplied with means.

"From the San Francisco Argonaut:

"That President Wilson still hopes for the establishment of peace and order in Mexico in the spirit of her parchment constitution is simply evidence of the failure of a man of academic mind to distinguish between fact and theory. So long as Mr. Wilson shall maintain his present views and his present course of action Mexico must suffer under that combination of cruelties and terrors so forcibly described in a letter from the City of Mexico printed in last week's Argonaut. One well-intentioned but unfortunately misinformed and curiously stubborn man is practically holding Mexico prostrate, to be scorched and flayed. It is truly a terrible responsibility.

"These are strong words from a journal accustomed to weigh its utterances; we dislike to print them, but how else can public opinion be revealed?

"From the Boston Transcript:

"We have tried 'watchful waiting,' only to abandon it in favor of the even more mischievous policy of pouring oil on the flames of civil war. Some of the bullets that pierced Benton's body may have been supplied to Villa from this country in consequence of the raising of the embargo on arms. To 'watchful waiting' bloody blundering has succeeded.

"From the Boston Herald:

"One way out of this calamitous course remains—with honor. There is still a chance to avert war. It is to recognize Huerta, and further than that to strengthen his hand. We should renew the embargo on arms to the bandits.

"It may be that this step would come too late; that our policy has so weakened Huerta that he can no longer restore order. But he deserves the chance. He has clearly established his claim as the de facto ruler of Mexico. And until we have given him the opportunity we are not justified in making the sacrifice that armed intervention would entail.

"From the Manchester Union:

"Conditions south of the Rio Grande are certainly no better, and probably much worse to-day than they were at the beginning of the Wilson administration—and Heaven knows they were bad enough then. The policy of 'watchful waiting' has been, to put it brutally, a policy of idleness.

"Huerta, in an interview, declares that the present situation in Mexico is due to the United States, and, in a sense, he is right.

"From the Burlington Free Press:

"Having failed to recognize the established Government in the capital of Mexico and thus waived the right to hold Huerta's administration responsible for the protection of Americans in all Mexican territory, the Wilson administration seems to have made the further mistake of recognizing in effect and aiding a rebel leader, in the person of Villa, even more bloodthirsty than Huerta was in connection with the overthrow of Madero.

"Here, too, the precedents are strongly against the Wilson administration, and in view of Mr. Wilson's recent utterances in defense or palliation of Villa, who has killed Americans as well as British, it is not strange that Dr. Moore declined to allow his prestige as an international authority to suffer further from the smashing of precedents.

"If President Wilson should undertake to follow the intervention of which he has already been guilty and which was in reality an act of war, by sending a military force into Mexican territory and thus instituting armed intervention, he will find it difficult to vindicate his course in the eyes of the nations as well as of the American people.

"From the Brooklyn Eagle:

"The policy of the administration, so far as it is generally understood, contemplates the scheme of Mexico working out her own destiny as a result of her present internal warfare, so that constitutional government will be restored, at least so far as it ever existed in the republic south of the Rio Grande. Those who adhere to this policy, however, say frankly they see no hope whatever that Mexico, through the agency of Villa, Carranza, Zapata, or any of the other revolutionary and bandit leaders, can restore constitutional government. Many of them admit that Huerta might have done so with the aid of the United States, or at least might have succeeded in pacifying Mexico, even if he only brought about a restoration of the practical despotism that existed under Porfirio Diaz.

"From the St. Johnsbury Caledonian, the leading weekly newspaper of Vermont:

"Defeated in his whole program to date, President Wilson should adopt another and recognize the Huerta government in Mexico the same as he recognized the new revolutionary government in Peru. Such a change in tactics may prevent a war with Mexico, and President Wilson, if he desires to save the country from one of its most serious blunders, will make it. The question now is not, is Huerta big enough to control Mexico, but is President Wilson big enough to acknowledge his mistake and save his country from the terrible misfortune it is now facing?

"From the New York Mail:

"While the Wilson Government has recognized the brutal dictatorship of Yuan Shi-Kai in the pretended Chinese Republic, it has refused to recognize the Huerta Government in Mexico, accepted by all other important nations, and has plainly encouraged the murderous and looting forces of the rebels, led by notorious and savage bandits, in a hopeless and shameful chaos of destruction that means the complete devastation of a rich and neighboring country or American armed intervention.

"The dignity and authority of the United States as the protagonist of the American republics has been openly insulted and mocked in Mexico by the grafters of the south and the cutthroats of the north, and our national prestige in Latin America has been seriously damaged.

"Meantime the Wilson administration has made the United States responsible for Mexican conditions that must go from bad to worse until, apparently, the horrors and losses must end in bloody intervention.

"From the Sioux City Journal:

"The weak point of the administration has been found in its foreign policy. The Mexican situation has proved an unworkable puzzle. There is a prevailing impression that President Wilson and Secretary Bryan have not made the most of their opportunities diplomatically.

"The great European powers, following precedent which represents demonstrated expediency, promptly recognized the Huerta Government as the de facto Government. Mr. Bryan at once took the rôle of a diplomatic white blackbird when he refused to recognize that Government or even to deal in regular form with it. The worst of his demand that Gen. Huerta abdicate was not its grotesqueness. It virtually invited all disaffected rebel and bandit elements in the north and elsewhere to assert themselves. It crippled the central Government by injuring its credit, which was otherwise sufficient to raise ample funds in Europe. When bandit forces, thus encouraged and energized, had coalesced, the removal of the embargo furnished them with arms, ammunition, and supplies of all kinds, for which they were able to raise money by wholesale confiscation and robbery.

"But right at this point startling outrages force upon the world's attention the fact that the rebel government, both in its personnel and in its methods of gaining and of using power, is incomparably worse than the worst that has been imputed to the central Government, of which Gen. Huerta is still de facto head after a year of rule. Disavowing intervention, we have thus in effect intervened against the actually existent central Government. Thereby we have paralyzed its power and responsibility in northern Mexico, and yet no tolerable governmental power or responsibility has been substituted for it there with which we ourselves and other civilized nations can deal. At the same time neither we ourselves step in nor permit other nations to step in to vindicate foreign rights. Mr. Bryan simply started wrong and has been going wrong.

"From the Louisville Courier-Journal:

"War is what we shall get, sooner or later, for the folly of clinging to the Monroe doctrine and assuming police supervision of Latin America in behalf of Christendom. President Wilson may succeed in avoiding it this time, but war we shall have sooner or later, in Mexico or elsewhere in Latin America, and the harvest of blood and tears will have been earned by the sowing of folly.

"Surely Don Quixote, astride of Rozinante, with the barber's bowl on his head for a helmet, was never a more ridiculous figure than this country cuts at the present juncture.

"From the Hartford Courant:

"By the simple recognition of the Huerta government, which, under all the rules and practices of intelligent diplomacy, is fully entitled to recognition, there would be no need of sending any American Army into Mexico. President Wilson is not so stupid as not to see this. President Wilson is a man of acute and most alert intelligence, and he is not above learning by his own blunders, as is shown by his promptness in giving official recognition to the revolutionary governments just set up in Peru and Haiti.

"But he is morally obstinate—obstinate by nature and obstinate by years of autocratic rule in the schoolroom; and in addition to this he fears that his prestige, which has been carefully built up all through the country by his unlimited newspaper admirers, would be impaired by the frank confession that his much-vaunted Mexican policy has been one continuous blunder from the outset.

"The election of a new Congress in November of this year, a piece of work in which he has already taken the directing hand, also makes it especially inopportune, from his party point of view, to admit a change of mind in regard to our relations with Mexico; yet it is only by such a change of mind and of policy, to which his own nature, habits, and special political interests of the moment are strongly opposed, that he can really and truly do the thing that is required in order to keep our troops out of Mexico.

"This is why we say that President Wilson needs to begin all over again in the treatment of Mexico. It has taken him a long time to find out the kind of men with whom he has been sympathizing and upon whom he has been depending for the political regeneration of that country. He violated all the rules and usages governing such matters by undertaking to say for Mexico what kind of a government Mexico should have, and his undertaking has broken down. He can send American troops into Mexico or he can give due recognition to the existing Huerta government. There are the alternatives. But President Wilson can not truly be said to be 'trying' to avert armed intervention in Mexico unless he first tries the old and reputable and peaceful method of recognizing and giving the moral support of the United States to the de facto government of that country.

"From the Chicago Inter-Ocean:

"There is no disguising the fact that Mr. Wilson's 'watchful waiting' policy has proved a dismal failure. Good intentions remain the only excuse for this refusal to accept accomplished facts when Madero fell.

"Mr. Moore wanted Huerta accepted as de facto ruler of Mexico not because he approved Huerta, but as the strongest man in sight, and on the ground that the manner in which Mexicans see fit to change their rulers is none of our business. It is perhaps still possible to take that course. It is plain that Carranza and Villa will not do. Huerta may be a poor stick from idealistic viewpoints, but what more capable Mexican is in sight?

"Mr. Wilson has demanded and has been given a free hand. His dealings with Mexico have brought the country to the point where it may be compelled, against its will, to armed intervention, that it may preserve its self-respect. Has President Wilson the moral courage to change his policy and bring the Nation out of the difficult and dangerous position into which he has led it?

"From the Detroit Free Press:

"The Nation stands on the brink of an imbroglio with the whole or a part of Mexico. It is not the doing of the American people. It is the result of a wholly unfeasible policy, persisted in against all logic—a policy which breaks every canon of tried diplomacy and common sense. The Nation has not desired war; it does not want it now. If forced into a conflict it will make the fight because it finds itself in a position where no other course is compatible with honor and self-respect and duty to citizens abroad.

"Columns of like editorial comment are before our eyes—all of the same tenor. The excerpts presented have been selected from representative journals of various sections, of whose intelligence, patriotism, and sincerity there can be no question. Even the New York World, whose faithfulness you surely must appreciate, finds room upon its editorial page for the following communication:

"Notwithstanding our strong official opposition to Huerta, that has prevented him from obtaining funds or augmenting his army, and your

repeated assertions that he was on his last legs, he seems to have proved that he is the strongest leader in Mexico to-day, and that, had he been granted recognition in April last, his country would have been peaceful long since, at least would have been free from the armed bands of such assassins and robbers as Villa, Castillo, Zapata, and others. I do not mention Carranza, as he is apparently only a figurehead, with sufficient sense to keep him from coming in contact with Villa.

"It seems to me plain that those who have advocated recognition for Huerta are not clamorous for war, as you intimate, but firmly believe that such a step would have prevented any cause for intervention by having brought peace to Mexico and saved thousands of lives and millions of dollars' worth of property. Although our official treatment of Huerta has been such as to perfectly warrant him in ignoring completely any demands or requests made to him, he has invariably given courteous attention to all representatives from our unofficial chargé d'affaires and acted promptly on all our complaints.

"Kindly note this: If we do not recognize Huerta and assist him in bringing his country out of anarchy—though very late for such a step and now attended with much greater difficulties than at an earlier date—intervention must surely take place, for even should we willingly continue our 'watchful waiting' and look on quietly at a terrible state of affairs, other nations will not agree to hold aloof for a much longer period.

"And the New York Times, speaking from its sense of fairness, says of Huerta that he 'has treated foreign residents, including Americans, well; has submitted to peculiar and unprecedented relations with the United States with remarkable self-control; has treated the American President's personal representative, Mr. Lind, with courtesy, while he has listened with good grace to suggestions made by Mr. O'Shaughnessy, our chargé at the capital, and frequently acted upon them.' And adds frankly:

"There is no doubt that he has gained a large measure of respect from many persons in this country who profess to believe that he is the only man in sight who can be looked to to restore order.

"So, too, the New York Evening Post is driven grudgingly to the conclusion that your Mexican policy, 'as a whole, and up to the present, can not be called a success in the sense that it has achieved the result desired'; and the conservative Philadelphia Public Ledger says with striking emphasis:

"We ought to reverse our action. We ought to redeem our obligation without hesitation or quibble, an obligation which we have assumed, and rightly assumed, but in the fulfillment of which we have been strangely lacking. It makes no difference whether the administration was right or wrong when its Mexican policy was adopted. The large thing to do is the only thing we can afford to do, and largeness in the circumstances consists in the capacity to adopt a program de novo, to sweep out of the way regard for petty consistency, to acknowledge whatever errors there may have been in former policy, to break the shackles of accepted precedent and move untrammeled toward a complete solution of the problem.

"That is the largeness which the Nation expects of the President. Public opinion senses the imminent peril of intervention and the necessity for action. It does not presume to dictate what policy the administration should adopt, although the recommendatory attitude of the press is almost unanimously in favor of a Pan American concert, but it does insist that the pilot put his hands to the wheel and give positive direction to a forward movement, that the fine skill which has guided the process of the repeal of the canal-tolls exemption be exercised now in extricating the Nation from the lamentable shallowness of purpose into which it has been permitted to drift.

"And what says the man in the street? We, better, perhaps, than those who convey only pleasing information, could tell you, but let him speak for himself through the newspapers. We find as a result of the most cursory examination:

"In letters to the New York Herald:

"When an individual * * * realizes he has made a mistake he will, if he is big, acknowledge and correct it. Should not a nation be as big as an individual?

"President Wilson has withheld recognition from the only government that exists in Mexico, believing the forces in opposition would be able to accomplish Huerta's early overthrow, and that in these forces lay Mexico's best hope for peace.

"Events have proved the policy of the United States to be wrong. Huerta, whose government is just as constitutional as that of Peru, which the President hastened to recognize, has lasted for more than a year. The 'constitutionalist' cause has produced nothing better than a Villa.

"Hasn't the time come for the President to realize and rectify his mistake, not in the interest of Huerta, but as a right due to the American people? * * *

"Recognition of the Huerta government seems to me the only possible way for us to escape the armed intervention that neither the President nor anybody else in this country wants.

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"There is very much to commend in President Wilson's address to Congress yesterday. Who can question the wisdom of this:

"'The large thing to do is the only thing we can afford to do, a voluntary withdrawal from a position everywhere questioned.'

"President Wilson may well ponder these words from his own mouth. They apply directly and forcefully to his own Mexican policy.

"If he is able to do the 'large thing' and voluntarily withdraws from his mistaken attitude, which is responsible for all our troubles, this Nation may yet see a 'way out' from its unfortunate Mexican entanglements. I fear there is no such 'way out' unless the President does follow the excellent advice he yesterday gave to Congress.

"In a letter to the New York Tribune:

"There seem to be but two alternatives—immediate intervention or immediate recognition of Huerta, far preferably the latter. The world has always recognized that moral courage is far greater than physical courage. Is President Wilson great enough and strong enough to say to Huerta: 'I have opposed you from the beginning because I thought I was right and that you were wrong. I now realize that I have been wrong, and I am going to give you a chance to prove that you are right and can bring peace to Mexico. I am therefore willing to recognize your government with the understanding that you will bring peace to your country within the next three months. If you fail to accomplish this, I shall recommend immediate intervention to Congress. The present conditions can not continue; they are intolerable.' If Woodrow Wilson is a big enough man to do this, our people and the nations of the world will acclaim him the greatest man in the world. I can see no alternative.

"In a letter to the Philadelphia Public Ledger:

"The writer during his vacation in the past summer met some intelligent American people who had large property interests in Mexico, and for his own enlightenment inquired as to their opinion relative to conditions in that country.

"They advised him that they thought the only salvation of Mexico could come from within, and that Huerta, backed up by his government, was the only person qualified to thoroughly police the place.

"That the only bar to such action on the part of Huerta was the opposition stand taken by the Government of the United States.

"That this Government stood alone among the nations in its Mexican policy.

"That recognition by this country of the Federal government of Mexico would enable the latter to borrow, probably in London, possibly in the United States, all the funds required to maintain order, and to call a halt to the acts of outrageous brutality now being committed, and to the great loss of property belonging to American and British subjects residing in Mexico.

"In letters to the New York Sun:

"If our President, who has proved himself in some ways in this first year of his incumbency a very great President, could persuade himself that the whole world is not in the wrong—that he is like the Irishman who informed his drill sergeant, who told him that he was out of step, not at all, that he was in step and that all the rest of the company were out of step; if he could be made to believe that he and his friends may possibly be wrong, since the whole world of Europe and America thinks concerning the advisability of Huerta's recognition exactly the reverse of his thinking; if he would come out frankly and answer that upon misinformation furnished him at the outset concerning Gen. Huerta's resources and personality he declined to recognize him, but that now he perceives his mistake and will recognize him—then the President at one bound would become the most popular man in the United States, war would be averted, and the whole problem solved.

"It is the belief of those who have studied the situation and are on the ground that Huerta, if as well backed by this country as the so-called Constitutionalists have been, would make good in short order and restore peace and prosperity to distracted Mexico.

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"It has been said that most of Mexico is against Huerta. This is erroneous. If this were true, when the rebels attack a town they should be able to take it without much trouble, since the inhabitants of same would attack the Federals from the rear. Whenever the rebels, or bandits, assault a town the inhabitants join in the defense of the town. This is the most eloquent proof that Mexico as a country is in favor of President Huerta.

"From the foregoing it can be seen that Huerta, far from being a traitor, is a great patriot, that he is the de facto and the de jure President of Mexico, and that the Mexican people at large support him heartily. The foreign powers, with the exception of this country and maybe one or two of minor importance, recognizing these incontrovertible facts, have recognized Huerta as the de facto and the de jure provisional President of Mexico. The United States ought to follow suit and vindicate herself by acknowledging her misconception of the facts. This acknowledgment would have no savor of humiliation, for 'to err is human,' and to make amends is manly and holy. This nonrecognition policy on the part of the Wilson administration on the reported ground that it would be immoral to grant recognition is tantamount to saying that all the other Governments that have recognized Huerta are immoral, which would be a reflection on all the civilized world.

"In view of the above, it is to be hoped that the American Government will come to the conclusion which I stated above, namely, that it has misconceived the facts, and that it must vindicate itself by recognizing the Huerta administration forthwith.

"The extraordinary characteristic of this galaxy of editorial and individual pronouncements is its unanimity. There may have appeared somewhere a word of approval of 'watchful waiting' since the embargo was lifted, but if so, despite our painstaking reading of many American newspapers, we have not seen it—not one word. Taking into further consideration the rapidly increasing disposition of Senators and Representatives, who are most sensitive to the views of their constituents upon the eve of an election, what are we to infer? In your truly eloquent message to the Congress, delivered in person on August 27, you attributed the Mexican Government's rejection of your proposals to your belief that 'the authorities had been grossly misinformed and misled upon two points.' First, they did not 'realize the spirit' of 'friendship' and 'determination' of the American people; and, secondly, 'they did not believe that the present administration spoke, through Mr. Lind, for the people of the United States.' Consequently you added in perfectly good faith, and we believe with full warrant as of the moment, 'so long as the misunderstanding continues we can only await the time of their awakening to a realization of the actual facts.' You concluded, if our memory is not at fault, with the comforting assurance that 'the steady pressure of moral force will before many days (after August 27, 1913) break the barriers of pride and prejudice down and we shall triumph as Mexico's friends sooner than we could triumph as her enemies,' etc.

"But that is beside the point. The question is, Does the present administration now speak, through Mr. Lind or anybody else, for the people of the United States? In view of the indi-

cations of the certain trend, if not, indeed, the definite formulation of public opinion, is there not room for doubt and occasion for very grave reflection?

"You spoke, Mr. President, in your latest message of the difficulties which you are now experiencing in dealing with foreign Governments, especially with respect to 'matters of even greater delicacy and nearer consequence' than the canal-tolls dispute, and you pleaded with the Congress to empower you to adopt conciliatory measures. It is clear, therefore, that you attach particular importance to foreign public opinion at this crucial time. What, then, is the consensus of that judgment upon your Mexican policy?

"The most consistent friends of America among the public journals of England are the London Times and the Spectator. Both have deplored from the beginning your refusal to recognize the de facto Government. While hoping for the best, the Times still can not escape the conclusion that you have 'assumed responsibilities that may well lead to armed intervention'; and the Spectator says:

"We can foresee nothing but bitter and cruel mortification as the result of Mr. Wilson's policy of 'watchful waiting,' while that policy means watching and waiting on such fiendish villainies. So far the effects of Mr. Wilson's policy have been the very nemesis of pacifism. Gen. Huerta, as the de facto ruler of Mexico, at least had a better chance than anyone else of producing order. But that was not enough for Mr. Wilson. With admirable yet fatal motives he looked for personal perfection in a land where it does not exist, at all events in public life. By gradual stages he has been driven into a corner, and has at last come to the point of recognizing anarchy in preference to recognizing Gen. Huerta. By a very different route from that of a professed man of iron and blood he has arrived for all practical purposes at a purely cynical policy. He has removed the prohibition on the traffic in arms across the United States frontier, and now looks on 'watchfully' while American citizens and British subjects are killed and trains are sent full tilt into burning tunnels. This terrible state of affairs is the result of the primary error of supposing that you can dictate to a proud and independent country and at the same time really respect its independence. 'Things are what they are, and the consequences will be what they will be. Why, then, should we desire to be deceived?' The alternatives are to recognize whatever president has at the moment climbed to power, and to act as though Mexico were no longer an independent country. One or the other it must be. The latter policy has always meant a great campaign and a military occupation, although Mr. Wilson has steadily refused to see what he did not wish to believe.

"The conservative Morning Post pronounces your position 'absolutely unintelligible' and possessing 'all the appearance of encouragement to anarchy, civil war, and murder of foreign residents in Mexico.' We quote briefly from the leading journals of other countries:

"From the Economiste Française, of Paris:

"The United States have as President to-day a doctrinaire, very eager for the people's good. Mr. Woodrow Wilson is a university professor and the author of some interesting books. He consequently has the advantages and disadvantages pertaining to a life long devoted to learning and teaching. His mentality is elevated, but rigidly unadaptive; his honesty is above suspicion. He is, however, deficient in experience. He considers himself called upon to regenerate the public morals not only of the United States but also of other countries. He says he will not permit Mexico to initiate such and such a governmental solution of the deadlock or put forward such and such a candidate for the presidency. But neither Mexico nor the nations of Europe can possibly submit to these North American injunctions. Mexico is an independent State, and it is desirable she should remain so.

"From the Novoye Vremya, of St. Petersburg:

"The fact that all European, South American, and Asiatic countries have long recognized the government of Huerta can be considered as the best proof that Huerta has ably conducted the governmental affairs of Mexico. Only the United States has assumed a peculiar position. While refusing to recognize Huerta, it has until now confined itself to the energetic support of the rebels concentrated in the north with money, men, and ammunition. The message of President Wilson reveals the game of the United States. It not only demands that an armistice should be concluded with the revolutionists, but even insists categorically that Huerta should not be a candidate for president in the coming election. It is not in vain that the western European press permitted themselves to express the supposition that the United States openly take the side of Mexican anarchy.

"From the Berliner Tageblatt:

"Every Mexican knows very well that the policy of the United States in regard to Mexican affairs aims at establishing a protectorate, more or less disguised, over their Republic, because it separates the United States from the partially subjugated Republics situated north of Panama. Huerta is not a particularly attractive individual, but it is nevertheless true that this 'immoral' man against whom the ex-professor of Princeton contemplates the mobilization of an army is exactly the man that Mexico at this juncture needs. He would have established the order which has so long been disturbed, if he had been permitted to do so. The dictator is fully aware of the peril to which he and his country are exposed from the United States. He has merely persistently faced this peril without paying any attention to the clamor that rises on the other side of the Rio Grande. That he has so far succeeded in his plans to a certain point is proved by the check administered to the tragicomic mission of Lind. * * * At present the submission of Huerta is a thing inconceivable. It appears more probable that he will let Uncle Sam bite the sour fruit of failure.

"From the Boersen Courier, of Berlin:

"The sly and undecided policy of the United States has made American diplomacy the laughingstock of the world. The Government at Washington is aiming in an underhand way at stripping Mexico of her political independence, but above all at establishing in that country the economic supremacy of the United States. If that Government had desired nothing more than the reestablishment of peace, it would have recognized Huerta long ago.

"From the Imparcial, of Madrid:

"We have every reason for deeply distrusting the United States. We have already frequently pointed out how the northern Republic is attempting to take Mexico in her net.

"Is it not now quite clear, Mr. President, that your attitude toward Mexico is 'a position questioned and misunderstood' in Europe?

"In your speech at Mobile you emphasized our friendliness for the South American Republics. 'We must prove ourselves,' you declared, 'their friends and champions upon terms of equality and honor. We must show ourselves their friends by comprehending their interest, whether it squares with our interest or not.' What has been the effect upon these Republics of your Mexican policy? What signified the 'Vivas Huerta!' with which Mr. Roosevelt was greeted in Chile? What says the press of South America? We quote:

"From the powerful Prensa, of Buenos Ayres:

"All that Wilson has said in his address to the Congress at Washington has merely served to fortify the position taken by Huerta. The policy of Mr. Wilson has only one tendency, and that is to unite the Latin-American States in spite of Uncle Sam and make such a hostile federation a reality instead of the political dream which it has hitherto been:

"From the Voz de Oriente, of Lima:

"Far from mending, the situation in Mexico is growing more complicated and dangerous. This condition of things results in a large measure from the attitude of the Government at Washington in refusing to recognize Huerta, while Wilson sympathizes with the rebels and even gives them his support. This is the cause of the movement among the students in Mexico City. These youngsters have made a grand manifestation against the Yankees before the palace of the governor when they carried flags bearing the inscription 'Death to the Yankees!' The irritation exhibited by the Mexicans is amply justified.

"From the Prensa, of Lima:

"The President's declaration that he could not recognize Huerta's government because it was founded upon treason is extremely interesting. But nothing can justify the intervention of one State in the affairs of another. At least there ought to be some explanation of the motive which urges North America to favor, by opposing Huerta, the interests of Carranza's insurgents who have raised the ensign of an independent Mexico.

"From the Revista de Yucatan, of Merida:

"President Wilson and his Secretary of State appear each to be one of three things—either they are the romanticists of diplomacy, or the ignoramuses of diplomacy, or the hypocrites of diplomacy. In whichever of these characters we regard them they are hurtful to the country they govern and to the nations with which they deal, for nothing can be more pernicious in political life than romanticism which engenders your dreamers, your fanatics, extravagant theorists, and your Utopians, who do not see the reality of things, who do not perceive the world in which they live and attempt to go beyond the law of nature. The ignoramus is one destitute of science or letters. * * * The hypocrite is just what the word imports—he is a man who blazons abroad as his own the virtues he does not possess.

"From El Imparcial (anti-Huerta), of Mexico:

"It is difficult to believe that the Yankee Government is authorizing the sale of arms to the bandits of Villa, who pillage, burn, and murder throughout the country. How can the rulers of a cultivated people under guidance of a willful and obstinate leader suffer themselves to be guilty of complicity with such a band of plunderers? It once appeared impossible that President Wilson should be a man destitute alike of conscience and a sense of shame. If the American people approve of this astounding measure taken by their President, they will deserve the contempt of all honorable nations.

"From the Pais (pro-Huerta), of Mexico:

"The only thing which President Wilson will have done is to bring into greater prominence the personality of Huerta, who, thanks to the intrigues of the North Americans, represents to-day upon our new continent the soul of the Latin race.

"Can there be any doubt, Mr. President, that your course has served only to intensify the distrust and dislike of the very peoples whose good will you courted and whose 'friend and champion' you sincerely wish to become? Is not here again, where least of all we desire it, questioning and misunderstanding?

"It is not necessary to point the direction of the sympathies of Japan, with whom we would maintain amicable relations; it is not necessary to record the unanimous judgment of all foreign residents of Mexico nor to recount the prayers of our own countrymen who feel that they have been abandoned; these are only too unhappily familiar.

"What to do? Why, Mr. President, there is but one thing to do. There never has been but one thing to do. That is to put under your feet the solid precedent that was established by this Nation at the beginning of its career and that has been heeded by all other powers in this particular instance—extend to the de facto government of Mexico official recognition. We pass no criticism upon your refusal to take this logical and sensible action originally. You erred, of course, as all the world now concludes, and as you yourself confessed

when you acknowledged the validity of the 'usurping' Governments of Peru and Hayti; but it was an excusable, possibly even a justifiable, error, because it sprang from the best of intentions. What we do ask is that you do not persist in a course which leads straightway to the undoing of all your good works, through the certain defeat of your party and the execration that just as surely will be visited upon yourself if, as a consequence of sheer obduracy, this country shall be dragged into a hateful war. It may or may not be a correct assumption that Huerta, unhampered, could have pacified his country, but there is and can be absolutely no question that you deprived him of the means of effective striving.

"Grant that Huerta is a bad man. Is he not, nevertheless, the best? Has he not proved himself, in contrast with Villa, Carranza, and Zapata? Surely in recent years no ruler's ability has been put so severely to test. Consider what he has done single handed and alone. Confronted at the outset by a hostile Congress, such as he well knew had achieved the downfall of Madero, surrounded by a Cabinet of intriguers, refused recognition by the United States, branded rightfully or wrongfully, but without adduced evidence, as an accessory to assassination, deprived of the opportunity to borrow moneys through the desire of foreign Governments to curry favor with the nation which is now more commonly than before referred to throughout Latin America as 'the big bully,' cajoled, threatened, cut off from aid wherever possible, while simultaneously the hordes of opposing bandits and desperadoes were being supplied, furtively at first and then openly, with arms and ammunition, and now, at the end of 13 months, he is conceded to be more strongly intrenched than ever. It is an amazing personal record, Mr. President, worthy surely of admiration, and remarkable especially for the consistent dignity, courtesy, and consideration exhibited by the old Indian himself in his dealings with an administration which has been—shall we frankly admit—not invariably tactful, and perhaps upon occasion slightly dictatorial.

"It is not too late. It is never too late to do the right thing. Moreover, the change in conditions affords you full warrant for reversing your position. While you had faith in the sincerity and high purpose of the rebel leaders, there appeared at least a semblance of reason for taking their part, but now that they have dropped the mask and stand revealed in their true light as murdering marauders, their last claim upon your consideration has disappeared. You gave them their chance, at great risk to your own reputation, when you opened the doors for the delivery of arms, and they have shown their appreciation by ignoring your wishes, flouting your authority, and making you appear before the world as a virtual ally of a dastardly bandit. While Huerta has been earning your respect, Villa has been abusing your confidence. Clearly, the withdrawal of aid from the rebels now would be regarded everywhere not only as fully justified, but as a fitting response to the demands of humanity and civilization.

"But what, you may ask, is to be gained by recognizing Huerta at this late day? And we answer, everything. He may not be able under any circumstances to pacify Mexico, but all there, whose lives and properties are at stake, agree that he is, rightfully or wrongfully, Mexico's only hope. He is ours, too, and yours, because he has come to be the only force capable of maintaining order, and so possibly of averting the dreaded intervention, which continuance of the existing chaos is certain in time to produce. Practicability, no less than theory and tradition, calls for upholding of the de facto government.

"There are other reasons, Mr. President, more personal to yourself. You have no base now from which to act; no avenue through which to communicate; no way of meeting the just demands of foreign powers, except, as in the case of England, by proffering special favors. And you are under suspicion. The mere fact that your policy is 'unintelligible' has given rise to a growing conviction, especially in South America, as evidenced above, that it is insincere and is deliberately designed to engender war and conquest. You no longer have at your back the mighty force of public opinion, as we have shown. Abroad, as you must realize, the common attitude toward your watchful waiting is quite frankly contemptuous; at home it is one of grave doubt and grave anxiety. To speak plainly, Mr. President, the feeling is growing stronger daily that your persistence in a course which in common with everybody else you must know to be wrong is attributable to no kind of reasoning whatsoever, but to your own stubborn pride. For your own sake, then, if for no other cause, it is of the utmost importance that, if there must be war, it shall come as an inevitable consequence, as demonstrably unpreventable by any conceivable means, and in strict conformity with the customs and precedents fixed by international usage.

"Is it not clear, Mr. President, that this condition can never be realized until the only government, however discreditable, that does exist, and the only really strong man, however disreputable, who has appeared, shall have been accorded the full opportunity which so many believe they could utilize even now with ultimate effectiveness? It is the only way, sir, the only way out; the only way to save Mexico, to save your party, and to save yourself. It is, too, 'the large thing to do,' the 'only thing' you 'can afford to do' to escape from a position 'everywhere questioned and misunderstood.'

"We implore you, Mr. President, to take to heart your own splendid words: 'We ought to reverse our action without raising the question whether we were right or wrong,' and then do it 'without quibble or hesitation,' and win for your country just honor and for yourself the fine renown which the world invariably accords a noble act nobly done."

Mr. Chairman, the President appeared before a joint session of Congress yesterday, and as a result of the message he delivered the House passed the following:

House joint resolution (No. 251) justifying the employment by the President of the armed forces of the United States in enforcing certain demands made upon Victoriano Huerta.

Resolved, etc., That the President of the United States is justified in the employment of armed forces of the United States to enforce the demands made upon Victoriano Huerta for unequivocal amends to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

I voted for the same, not because it is entirely to my liking but because I felt it was my duty in this trying hour of the Nation to stand by the President.

I believe I express the feelings of many of my colleagues when I say that he never yet has appeared before a joint session of Congress but what we have wanted to ask him some question or questions, and yesterday was no exception. I for one, and I know that many others felt the same way, wished that the President had given the Congress and the country further information respecting the Mexican situation. A few days ago the President issued an ultimatum to Huerta that he must fire 21 guns by 6 o'clock Sunday evening. What was Huerta's reply? And what harm could come if the President had set forth this reply, if any was made, in his message? I say in a spirit of the utmost kindness that I think the President would be all the stronger if he would take Congress more into his confidence upon these questions of such vital importance, especially the Members of his own party, but as we were appealed to upon the ground, and very truly, that this ought not to be a partisan question, I can not understand why Republicans also should not enjoy the confidence of the President in matters of this kind.

Let us fervently hope that Huerta will salute the flag by the firing of 21 guns, that war, with all its awful consequences, may be averted. [Applause.]

Mr. ROBERTS of Massachusetts. I yield to the gentleman from Pennsylvania [Mr. KREIDER].

Mr. KREIDER. Mr. Chairman, it seems to me that if there was ever a time when the American people should realize the serious errors they made in the fall of 1912, and repent in sackcloth and ashes, now is that time. They are certainly paying the penalty of their mistake.

When Woodrow Wilson was inaugurated President of the United States on the 4th of March, 1913, he enjoyed the confidence and well wishes of the American people to an extent that no other President ever enjoyed when inaugurated. At that time the country was enjoying an era of prosperity such as this or no other country had enjoyed before, and by many it was supposed that this prosperity could not be arrested, no matter what legislation was passed at Washington. We were then at peace with all the world, and no one had the remotest idea that in this era of advanced civilization this condition could or would be changed; but these conditions are changed to-day. We have had the President of the United States appear before us on a number of occasions, and in the last personally delivered message he informs us of the unhappy position of this Government in its relation to Mexico, and we must conclude that his policy of "watchful waiting" referred to in a previous message has been a failure. He informed us of the insults heaped upon our citizens, our sailors, our officials, and our flag, and of his efforts and demands that the dignity and respect for our citizens and our country may be maintained. The President comes to Congress and asks that the course he now purposes to pursue may have the approval and support of the Congress. In his address he said:

The Government can, I earnestly hope, in no circumstance be forced into war with the people of Mexico.

Let us hope that this may be so. The approval and support the President asked for were given by the House in the form of this resolution:

Resolved, etc., That the President of the United States is justified in employment of armed forces of the United States to enforce the demands made upon Victoriano Huerta for unequivocal demands to the Government of the United States for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

This resolution was supported by both Democrats and Republicans from a patriotic motive. Many of us voted for this resolution not because we approved the "watchful-waiting" policy, but because it seemed the only thing to do. Certain demands were made by Admiral Mayo, which were not complied with. The President had made those demands his own. The finest vessels of our Navy had been ordered to Mexican waters to enforce this demand and the defeat of this resolution would have meant the return in humiliation of those vessels, and the President would have been humiliated and discredited and his power and influence would have been impaired.

To many of us, it was not now a question of whether the President of the United States exercised the greatest wisdom in making the demand his own, but we were confronted with the fact that he had done so and felt it our duty to sustain him, and let us all hope that by doing so it will not bring war, but may be the means of avoiding war. Many of us feel that the conditions were brought about by our "watchful-waiting" policy and our moral support of the so-called constitutionalists, who have conducted a campaign of plunder, rapine, and murder, and who have not had—if the reports can be believed—the same regard for American citizenship as they had for the citizenship of other countries. I am one of those who believe that American citizens should stand for something, and I am glad the Government has at least concluded to defend and protect the citizens of the United States and the flag, and let us hope that the same protection may be afforded to all citizens wherever they may be, those who may be in northern and southern Mexico, as well as those in Central Mexico. Had our Government seen fit to demand of the revolutionists that those in authority would be held personally accountable, many of the murders of American citizens could have been prevented, but I desire to call your attention to other legislation of the Democratic Party.

Mr. Chairman, we have now had a little over one year of Democratic rule. On the 7th day of April, 1913, Congress was called into extra session by the President. It will be recalled that during the campaign of 1912 the issues most discussed by our Democratic friends was that of tariff reform and the high cost of living. The charge being made over and over again and again that the tariff was the cause of the high cost of living, and the Republican Party was severely censured and not only accused of robbing the public, but of every other crime that the Democratic orators thought would make votes for them.

PARTY PLEDGES VIOLATED.

The Democratic Party in its platform at Baltimore pledged its unqualified support of the civil service as well as the exemption from tolls of our coastwise ships passing through the Panama Canal and a number of other measures, all of which it is impossible for me to even touch upon. The measure which our Democratic friends laid most stress upon and considered of the most vital importance was that of tariff reform, and primarily for this purpose the President called the extra session of Congress. Immediately after the assembling of Congress President Wilson assumed control of both the Senate and the House of Representatives and, in due course of time, there was written upon the statute books the Underwood tariff bill. This bill, as we all know, was passed by the use of the party lash, public patronage, and the Democratic caucus. While I am thoroughly opposed to this method of legislation and can not condemn it in terms too severe, yet, after all, the effect of the legislation is the all-important proposition to consider; and let me here incidentally call your attention to the fact that in this very first bill the Democratic Party pledge to uphold and support the civil service was violated in that it does not provide that the appointments for carrying into effect the provisions of the bill shall be made from the civil-service lists, which consist of experienced persons, all of whom have passed satisfactory examinations, but in the bill they provided that the appointments may be given to political followers whose only recommendation and qualification is party loyalty, who may or may not have the necessary ability to perform the duties imposed upon them, and are certainly without experience. The Democratic Party not only violated this pledge in this law, but in a number of laws that were passed later was this pledge repeatedly violated.

CURRENCY BILL.

The next important legislation enacted was the currency law, and this bill we hope will be workable and an improvement over our present system, but if so it is a question how much credit should be given our Democratic friends. The bill as it passed the House was positively unworkable and would not and could not be put in force in that shape. The Senate after prolonged debate amended it by striking out all after the enacting clause and presented an entirely new bill, which was largely copied from the Aldrich bill. Its foundation, its framework, and in almost all of its vital parts it is a transposition from the Aldrich bill and an adaptation from the report of the Monetary Commission. At the instance of Mr. Bryan and the fiat money men many unsound provisions were first in the bill, but most of them were taken out before it became a law, largely due to Senator ROOT'S criticism and enlightened public opinion. Some of its most valuable features were finally taken from the report of the Monetary Commission, which the Baltimore convention had thoroughly condemned. Let us hope that this law will prove an improvement over our present system when it is finally put into effect.

I have not time to refer to all the unfortunate and absurd legislation enacted. I shall not even dwell upon the appropriation of $35,000,000 for the building of a railroad in the frozen and frigid North on the glaciers of Alaska, except to say that this appropriation is over $1,000 for every white man, woman, and child of the mixed population of all nationalities, many, if not a majority, of whom are not even citizens of the United States, and to say that this is only the beginning and will require not less than three times this amount before the work contemplated is completed, if it ever will be.

PANAMA TOLLS.

I shall not now refer to the reasons why President Wilson has reversed himself as well as the Baltimore platform on the proposition of the Panama Canal tolls. You will remember, before the election in all of his public utterances, the President insisted we must have free passage through the Panama Canal for American merchant vessels, giving a number of reasons and thoroughly approving without reserve this enacted legislation. Now he comes to Congress and asks us to repeal that law, and says:

Reverse your action without raising a question whether we are right or wrong. For—

He says—

I shall not know how to deal with other measures of even greater delicacy and nearer consequences if you do not grant it to me in ungrudging measure.

I shall refrain to dwell on this subject at this time.

TARIFF LEGISLATION.

Let us take up the subject that is perhaps of "nearer consequence" to most of us. Let us see whether the Underwood tariff bill has been the cure-all it was promised it would be. Let us see what the effect of this legislation has been. Has it resulted in increased opportunity for the wage earners? Has it reduced the high cost of living? Oh, I know when I touch on this subject that I shall be classed as a "calamity howler." We are told that to refer to these conditions will injure business, yet it is a fact that the Democratic Party, through its platform, through its press, and through its orators, has for 16 years in continuous unbroken chorus howled "calamity." Their tales of woe make the lamentations of Job sound like words of praise. They condemned the tariff laws enacted by the Republican Party as the most iniquitous and obnoxious pieces of legislation ever written upon the statute books. Yet, during all the years they were in force we enjoyed the greatest prosperity of any country on the face of the earth and in the history of the world. Their calamity howling did no harm, because everyone was prospering; but finally, through persistent yet inconsistent effort, they raised a doubt in the minds of some whether after all they should not be given an opportunity to put their theory into practice, and to-day, amid the gloom of the family circle of the unemployed and silence of closing mills and dying fires for the first time in 20 years, they preach prosperity. They tell us there is no business depression and then with true Democratic consistency say times are getting better.

The mills and factories, they say, will soon start and again employ at least some of the men that were laid off. I need not call your attention to the number of men out of employment and the many crippled industries. You know these things only too well, but I do want to call your attention to the fact that in the fall of 1912 we tried to explain to our people the fallacy of the Democratic "tariff-for-revenue-only" policy, and we predicted what would happen if such a policy were enacted into

law. We stated then that under such a policy industrial prosperity would be wrecked and that the balance of trade with foreign countries which has been in our favor for these many years of prosperity would be reversed; that we would not only lose the revenue with which to support the Government, but that when the time was here to settle the bill immense quantities of gold would have to be sent abroad to square the account. But our Democratic friends denied this and told us that under their policy they would open to us the markets of the world and that the balance of trade would continue to be in our favor. I ask where is the market that was opened to us in return for our market which we have surrendered? Where is the country that has reduced their tariff so that we could exploit their countries and possess their markets? I know and have heard of none. Canada, Germany, France, all of Continental Europe, South American countries, and all other countries have maintained their tariff. None have made concessions. What is the result? I shall quote from the statistics of December, 1913, which are the last that seem to be available. During the month of December, 1913, when the new tariff law was in effect for about two months, we lost in revenue to the Government about $6,000,000 as compared with December, 1912. During the same corresponding months our sales abroad decreased $17,000,000; our purchases abroad increased $29,000,000. So that this changed the balance of trade to the extent of $46,000,000, and if this single month be an index it would seem that for 1914 the balance of trade will be against us. For many years, under the Republican administration, the balance has been $500,000,000 in our favor. This seems to be the Democratic way of capturing the foreign markets. The President very kindly told us that what the American producer needed was to have his "wits sharpened" by competition with the rest of the world. We are now trying it, and I find that some of us are not only having our "wits sharpened," but our "appetites" as well. If there ever existed in any civilized country an aggregation of learned scholarly dreamers and theorists, then those responsible for the enactment of the Underwood tariff bill can certainly claim that distinction.

What else did the tariff bill do? The Daily Iron Trade, of Cleveland, Ohio, under date of February 12, 1914, in a telegram sent to Hon. W. E. HUMPHREYS, among other things, says:

> We feel that it is no exaggeration to definitely state that fully 50 per cent of men employed one year ago in the iron, steel, and machinery trade of the United States are now idle.

This means that over 1,000,000 men are now idle in these industries alone. Over $2,000,000 in wages are wiped out every day. An annual pay roll of over $700,000,000 is gone in these industries alone. If my source of information is correct, and I think it is, 270,000 miners are now idle that were earning $12,000,000 per month a year ago; 75,000 men are idle in the automobile industry. The wage earners of the Nation for the month of January, 1914, have earned $4,000,000 per day less than they did in January, 1912, all the result of one year of Democracy and the "New Freedom." Is it any surprise to you that the railroads have been obliged to take off trains? Do you know that for every day the present tariff law has been on the statute books the Nation has gone in debt? Do you know that for every day the law has been in force the business of the Nation has decreased more than $10,000,000, and that for every day the law has been on the statute books over 10,000 men have been forced into idleness? Our Democratic friends, however, deny that these conditions are due to the tariff. They say they are due to natural causes. If this be so, then how unfortunate it is that these conditions always follow the enactment of the Democratic "tariff for revenue only" laws. Does the sun refuse to shine, does the rain cease to fall, do the seasons refuse to come and go, do we fail to have seedtime and harvest, does the earth lose its fertility, all because the Democratic Party is in power? If all this is simply "just happening," without any cause, it is indeed very unfortunate for our Democratic friends.

HIGH COST OF LIVING.

But how about the reduction of the high cost of living? We were promised that if the Democratic Party was put in power they would reduce the cost of living. They have reduced the tariff, which, according to their theories, was the cause of the high cost of living. They made the tariff to conform to the doctrine of the "New Freedom." They placed shoes on the free list. What is the result? Do you buy your shoes for less money? Wool went on the free list on December 1, 1913. Are you buying your clothes for less? They greatly reduced the duty on oats. How much less do you pay for your breakfast foods made from this cereal? They placed wheat and flour on the free list. How much less do you pay for your bread? They placed cattle and meats on the free list. How much has it reduced the cost of your beefsteak? So I might go on and name almost innumerable articles. They reduced the duty on barley 15 cents per bushel, and if it be true that the tariff is a tax and this reduction is reflected in the price of the product, then they have taken 15 cents per bushel from the price of barley that the honest tillers of the soil have been heretofore receiving on 90,000,000 bushels of barley raised in the United States, amounting to $13,500,000, and have given the largest portion of it to the millionaire brewers of the country. They have taken from the revenues of the Government over $400,000 on the almost 3,000,000 bushels of barley we have imported and have also given this to the millionaire brewers. Oh, yes; they say, "Give us time." Well, they have had time enough to produce the results I have called your attention to.

The truth is, when they promised to reduce the cost of living and at the same time increase the wages they were either dishonest or insane, perhaps both. If you will remember that 90 per cent of the value, if traced to its very foundation, of all things you eat and wear is labor cost, you will readily understand that the price of the product can not be greatly reduced without reducing the price of labor. I believe that the Democratic Party will succeed in reducing the high cost of living. We have now taken the first step, and when a sufficient number of men are idle and the wage earners are so impoverished that they do not have the price with which to buy the necessaries of life, then the market will be glutted and the prices will be reduced correspondingly.

BUYING ABROAD.

Again, one of the strong points of our Democratic friends during the last campaign and during the debate on the floor of the House, which they persistently emphasized, was that they were the friends of the people, and that the people are entitled to buy what they need in the entire markets of the world at the lowest possible price. They claim that the tariff is a tax, and that we have no right to burden the people and levy this tax. Yet, in the next breath, they claim to be the friends of the wage earners and insist that wages must be maintained. If you will bear in mind, as I have stated before, that 90 per cent of the value of these articles is labor, you will recognize at once that it is an impossible proposition, when we buy our manufactured products in foreign countries cheaper than we do here. It is because the price of labor is cheaper, and if we buy in foreign countries it is a self-evident fact that the labor to manufacture these articles is not needed in this country until the price of labor reaches such a level which makes the production of the article possible here so it can be sold at the same price. In other words, we are importing foreign labor based on its market value in foreign countries, and for all practical purposes we might as well import the laborers themselves. Just as soon as anyone can convince me that I can buy a foreign-made article without robbing the American workman of the amount of labor and wages contained in the article I will advocate free trade.

Therefore, I don't agree that it should be our privilege to buy foreign-made goods just because they are a little cheaper. Of course it is a self-evident fact that the majority of the people in the United States do not believe in the principles of the Democratic Party, and the party in power is not a majority party. They have come into power because of the split in the ranks of the Republican Party, and I believe that at no distant day we shall see the Republican Party reunited.

THE PROGRESSIVES.

The Progressives are protectionists. Their candidate for President in the last campaign declared if Wilson should be elected and a Democratic tariff law placed upon the statute books it would bring upon the country the greatest industrial disaster in the history of this Nation. The experience of the last few months has largely demonstrated the correctness of his prophecy. The Progressives believe in the great principles of the Republican Party. They are as proud as we are of its traditions, its memories, and its mighty achievements. We are all proud of its glorious history. They are proud of our great leaders, Lincoln, Grant, Harrison, Garfield, Blaine, and McKinley. They believe in the teachings of these great men as we believe in them. They believe in the principles for which these men fought. The rank and file of the Progressive Party are now and always have been Republicans, and their difference with the Republican Party has been one of method and procedure rather than that of principle and policy. With the great issue of protection I feel sure that the Progressives will again proudly take their places under the banner of the grand old party. Most of them are under that banner now and had left the Republican Party only because of personal admiration for Col. Roose-

velt and because they did not honestly believe that he received a square deal in Chicago.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14034) making appropriations for the naval service for the fiscal year ending June 30, 1915, and for other purposes, and had come to resolution thereon.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 10138. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

PORTO RICO (H. DOC. NO. 915).

The SPEAKER laid before the House the following message from the President, which, with the accompanying documents, was ordered to be printed and referred to the Committee on Insular Affairs:

To the Senate and House of Representatives:

As required by section 32 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith certified copies of franchises granted by the Executive Council of Porto Rico, which are described in the accompanying letter from the Secretary of War transmitting them to me. Such of these as relate to railroad, street railway, telegraph, and telephone franchises, privileges, or concessions have been approved by me, as required by the joint resolution of May 1, 1900 (31 Stat., 715).

WOODROW WILSON.

THE WHITE HOUSE, *April 21, 1914.*

RECESS.

The SPEAKER. Under the order heretofore made, the House stands in recess until 10 o'clock a. m. to-morrow.

Accordingly (at 5 o'clock and 42 minutes p. m.) the House took a recess until Wednesday, April 22, 1914, at 10 o'clock a. m.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting report of the board of officers of the Corps of Engineers of the United States Army, appointed April 12, 1913, upon the most practicable and effective measures for prevention of damage by flood to works constructed for the improvement of navigation; of interference with interstate commerce, and other disastrous results thereof (H. Doc. No. 914), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. McGILLICUDDY, from the Committee on the Judiciary, to which was referred the bill (H. R. 15222) to provide compensation for employees of the United States suffering injuries or occupational diseases in the course of their employment, and for other purposes, reported the same with amendment, accompanied by a report (No. 561), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURKE of South Dakota, from the Committee on Indian Affairs, to which was referred the bill (H. R. 2156) to authorize the payment of certain claims for damages sustained by prairie fire on the Rosebud Indian Reservation, in South Dakota, reported the same with amendment, accompanied by a report (No. 562), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GARRETT of Texas, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 232) authorizing the Secretary of War to transfer from stock on hand for use of the Army to the State of Texas for the use of the Agricultural and Mechanical College of said State 95 wall tents, reported the same without amendment, accompanied by a report (No. 563), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. REILLY of Connecticut: A bill (H. R. 15874) amending section 2 of an act entitled "An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. ADAMSON: A bill (H. R. 15875) to provide for recognizing the services of certain officers of the Army and Navy, late members of the Isthmian Canal Commission, to extend to them the thanks of Congress, to authorize their promotion, and for other purposes; to the Committee on Military Affairs.

By Mr. LONERGAN: Resolution (H. Res. 485) directing the Secretary of the Navy to furnish to the House of Representatives copies of all regulations and orders pertaining to the inspection of food supplies for the Navy in time of war; to the Committee on Naval Affairs.

Also, resolution (H. Res. 486) directing the Secretary of War to furnish to the House of Representatives copies of all regulations and orders pertaining to the inspection of food supplies for the Army in time of war; to the Committee on Military Affairs.

By Mr. MURDOCK: Resolution (H. Res. 487) authorizing the printing of 2,000 copies of soil survey of Lehigh County, Pa.; to the Committee on Printing.

By Mr. BRYAN: Resolution (H. Res. 488) requesting the Secretary of the Treasury to submit to the House of Representatives facts in his possession as to the rule applied by the Auditor for the Post Office Department in the Treasury Department as to leaves of absence and sick leaves granted to employees in his department, etc.; to the Committee on Expenditures in the Treasury Department.

By Mr. HENRY: Joint resolution (H. J. Res. 252) for the appointment of a joint committee to investigate the methods and practices in the transaction of business on cotton exchanges and grain exchanges, and for other purposes; to the Committee on Rules.

By Mr. GARDNER: Memorial from the Massachusetts Legislature opposing the illiteracy test in the Burnett-Dillingham immigration bill; to the Committee on Immigration and Naturalization.

By Mr. MITCHELL: Memorial from the Massachusetts Legislature opposing the illiteracy test in the Burnett-Dillingham immigration bill; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 15876) granting an increase of pension to Catharine Twehus; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 15877) granting an increase of pension to David Lewis; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 15878) granting a pension to Harry M. Batty; to the Committee on Pensions.

By Mr. DECKER: A bill (H. R. 15879) granting a pension to Winny F. Collier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15880) granting a pension to William Lloyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15881) granting an increase of pension to John Oyler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15882) granting an increase of pension to William E. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15883) for the relief of Peter V. Shell; to the Committee on Military Affairs.

Also, a bill (H. R. 15884) for the relief of Albert Sparlin; to the Committee on Military Affairs.

By Mr. DERSHEM: A bill (H. R. 15885) granting a pension to Sarah J. Harbeson; to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 15886) granting an increase of pension to Caroline Oaks; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 15887) granting an increase of pension to George W. Bransford; to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 15888) granting a pension to Randolph Howerton; to the Committee on Pensions.

By Mr. GOEKE: A bill (H. R. 15889) granting an increase of pension to George F. Fellers; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 15890) granting a pension to Walter Haldeman; to the Committee on Invalid Pensions.

By Mr. HART: A bill (H. R. 15891) for the relief of Arthur Charles Tipton; to the Committee on Military Affairs.

Also, a bill (H. R. 15892) granting an increase of pension to Joseph E. Layton; to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 15893) for the relief of George P. Chandler; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 15894) granting an increase of pension to William Ragan; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 15895) granting an increase of pension to Cornelius Meek; to the Committee on Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 15896) granting an increase of pension to William Satow; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 15897) granting an increase of pension to Mary A. Wall; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 15898) granting an increase of pension to Alletha Stewart; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 15899) granting an increase of pension to James A. Wise; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 15900) granting a pension to William Miles; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 15901) granting an increase of pension to Sylvanis Davis; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of D. G. Saad and Saleem Risk, of Birmingham, Ala., relative to naturalization of Syrians; to the Committee on Immigration and Naturalization.

Also (by request), petition of the First Baptist Church of Perry, Mich., against polygamy in the United States; to the Committee on the Judiciary.

By Mr. ALEXANDER: Petition of sundry citizens of Hamilton, Mo., against Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Hamilton, Mo., favoring House bill 12928, relative to Sunday hours for postal employees; to the Committee on the Post Office and Post Roads.

Also, petitions of 14 churches representing 3,427 members, and petitions of 834 citizens, all of the third congressional district of Missouri, in favor of the Sheppard-Hobson resolution for national prohibition; to the Committee on the Judiciary.

By Mr. BAKER: Petition of sundry citizens of Ocean City and Smithfield, and the Methodist Episcopal Church of Delanco, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BALTZ: Petitions of sundry citizens of the twenty-second Illinois district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petition of sundry citizens of Carnegie, Pa., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BARTHOLDT: Petition of 1,686 mothers and daughters of citizens of New York City and vicinity, against national prohibition; to the Committee on the Judiciary.

Also, Petitions of the Bauer Bros. Brokerage Co., the Handlan-Buck Manufacturing Co., the William Bollwerk Painting Co., the Greeley Printery, the Capen Belting & Rubber Co., the Union Rubber & Supply Co., the G. Hartmann Contracting Co., the Reliance Machine & Tool Works, the Heine Safety Boiler Co., the Wagner Electric Manufacturing Co., the Toorlicht-Duncker Carpet Co., the Hargadine-McKittrick Carpet Co., the Woodward & Tiernan Printing Co., Messrs. Klipstein & Rathmann, and Otto Eick, all of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

Also, petitions of the St. Louis Epworth League Union, the Maple Avenue Church Mission Society, the Third United Presbyterian Church, the Woman's Foreign Missionary Society of Chauteau Place Methodist Episcopal Church, the Victor Mission Church, the Zion Methodist Episcopal Church, the Gibson Heights United Presbyterian Church, and other citizens, all of St. Louis, Mo., in favor of national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petition of the New York Child Labor Committee, favoring appropriation for the Children's Bureau; to the Committee on Appropriations.

Also, petition of Charles B. Towns, of New York City, relative to House bill 6282, to regulate sale of drugs, etc.; to the Committee on Ways and Means.

Also, petition of Miss Mabel Boardman, of Washington, D. C., favoring House joint resolution 244, to authorize the President to grant leave of absence to an officer of the Corps of Engineers for purpose of accepting an appointment under the Government of China on works of conservation and public improvement; to the Committee on Military Affairs.

Also, petition of Paul Stopps, of New York City, relative to widows and orphans' pension bill; to the Committee on Pensions.

Also, petition of Smith & Holden, the American Cranberry Exchange, the New York Branch of National League of Commission Merchants, and C. H. & C. W. Kimball, all of New York City, N. Y., relative to a standard barrel; to the Committee on Coinage, Weights, and Measures.

Also, petition of the A. Huppel's Sons, the De La Vergne Machine Co., the Piel Bros., and sundry citizens, all of New York City, N. Y.; also the Northeastern Saengerbund of America, of Philadelphia, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. BURKE of Pennsylvania: Petitions of various banks of the State of Pennsylvania, relative to amending the income-tax law; to the Committee on Ways and Means.

Also, petitions of the Pennsylvania Bottlers' Protective Association and various voters of the thirty-first congressional district of Pennsylvania, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Swedish-American Benevolent Association of McKeesport, Pa., favoring bill for erection of a memorial to John Ericsson; to the Committee on the Library.

Also, petitions of sundry citizens of North Manchester, Ind., favoring passage of House bill 13131, relative to ex-prisoners of war; to the Committee on Claims.

By Mr. BURKE of South Dakota: Petition of Hope Chapel, Local No. 3, Federal Employees and Clerks Union of America, of Ethan, S. Dak., against the Moss-Fletcher bill, relative to rural credits; to the Committee on Banking and Currency.

Also, petitions of sundry citizens of the State of South Dakota, favoring amendment abolishing polygamy in the United States; to the Committee on the Judiciary.

By Mr. BUTLER: Petitions of sundry citizens and the Christian Endeavor Society of Garrettford Baptist Church, 300 citizens of Avondale, 125 citizens of Ridley Park, 100 citizens of Mount Holly Springs, 275 citizens of Honey Brook, 66 citizens of Oxford, 44 citizens of Malvern, 52 citizens of Crum Lynne, 50 citizens of Chester, 100 citizens of Thorndale, 198 citizens of Moore, 20 citizens of New London, 50 citizens of Russellville, 3,283 citizens of Coatesville, 150 citizens of Lansdowne, 173 citizens of Nottingham, 75 citizens of Morton, 46 citizens of Cochranville, 41 citizens of Pomeroy, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BYRNES of South Carolina: Petitions of the South Carolina International Sunday School Association, 50 citizens of Edgefield, 98 citizens of Allendale, 300 citizens of Aiken, 635 citizens of Johnston, and 150 citizens of Beaufort, all in the State of South Carolina, favoring national prohibition; to the Committee on the Judiciary.

By Mr. CALDER: Petition of sundry citizens of Kings County, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Brooklyn, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of 108 citizens of the sixth congressional district of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. CARY: Petition of T. W. Mason and Robert Kruecke, of Milwaukee, Wis., against national prohibition; to the Committee on the Judiciary.

By Mr. CLARK of Florida: Petition of E. P. Eddy and 14 other socialists, of Clay County, Fla., favoring Government ownership of the mines in Colorado; to the Committee on Mines and Mining.

By Mr. CRAMTON: Petitions of A. F. Kowalski and 171 other voters of Huron County, Jacob Vossen and 143 other

voters of St. Clair County, and J. J. Middlestadt and 90 other voters of Macomb County, all in the State of Michigan, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DALE: Petition of John Bender, of Brooklyn, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of 715 voters of the fourth New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DANFORTH: Petition of 1,500 voters of the thirty-ninth New York congressional district, against national prohibition; to the Committee on the Judiciary.

Also, petition of H. A. Beardsley and 11 others, of Portageville, N. Y., favoring proposed advance of 5 per cent in railroad freight rates; to the Committee on Interstate and Foreign Commerce.

Also, petitions of sundry citizens of Dansville, Rush, Hilton, Hamlin, Brockport, Lima, Cuylerville, Medina, Rochester, and Clarkson, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DAVENPORT: Petitions of sundry citizens of Chelsea, Muskogee, and Tulsa, all in the State of Oklahoma, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DAVIS: Petition of the St. Paul (Minn.) Association of Credit Men, favoring House bill 4322, relative to 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, petition of Duluth (Minn.) Typographical Union, No. 136, favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

By Mr. DONOHOE: Petition of 845 citizens of Philadelphia, protesting against nation-wide prohibtiion; to the Committee on the Judiciary.

By Mr. DONOVAN: Petition of Danbury Typographical Union, No. 143, favoring passage of Bartlett-Bacon bill (H. R. 1873); to the Committee on the Judiciary.

Also, petitions of 30 citizens of Brookfield Center, Conn., and 308 citizens of Danbury, Conn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DUNN: Petition or 1,232 citizens of Monroe County, N. Y., against constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of 45 citizens of Rochester, N. Y., and 1 citizen of Irondequoit, N. Y., against the passage of the resolution providing for national prohibition; to the Committee on the Judiciary.

Also, petition of Rochester (N. Y.) Temperance Federation, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce, Rochester, N. Y., against a further extension of the parcel-post system at this time; to the Committee on the Post Office and Post Roads.

By Mr. DYER: Petition of the F. W. Brockman Commission Co., of St. Louis, Mo., relative to a standard cranberry barrel; to the Committee on Coinage, Weights, and Measures.

By Mr. EAGLE: Petitions of sundry citizens of the eighth congressional district of Texas, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. FLOYD of Arkansas: Petition of Mount Paran Church and 14 citizens of Keese, 35 citizens of Berryville, 200 citizens of Harrison, and 250 citizens of Springdale, all in the State of Arkansas, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FOWLER: Petition of Antoch (Ill.) Baptist Church and 16 citizens of Mill Shoals, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GARDNER: Petition of 22 citizens of Haverhill, Mass., protesting against the passage of the Sunday observance bill; to the Committee on the District of Columbia.

Also, memorial of D. B. Cook, of Danvers, Mass., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GARNER: Petition of sundry citizens of Port Aransas, Tex., protesting against passage of the Sunday observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Port Aransas, Tex., favoring passage of House bill 12028, retaining section 6, relative to Sunday work in post offices; to the Committee on the Post Office and Post Roads.

Also, petition of 75 citizens of Alice, Jim Wells County, Tex., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GOOD: Petition of 114 citizens of Coggon, Iowa, and 43 citizens of Walker, Iowa, favoring national prohibition; to the Committee on the Judiciary.

By Mr. GRIEST: Petition of sundry citizens of Lancaster, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAMMOND: Petition of 5 citizens of Wabasha, Minn., against national prohibition; to the Committee on the Judiciary.

Also, petition of 8 citizens of Amboy, Minn., protesting against the enactment of a bill to close barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

Also, petition of 8 citizens of Amboy, Minn., favoring the passage of a bill to amend the postal and civil-service laws; to the Committee on the Post Office and Post Roads.

Also, resolutions of the First Baptist Church of Pipestone, the Seventh-day Adventist Church of Pipestone, and the Woman's Christian Temperance Union of Madelia, all in the State of Minnesota, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HELVERING: Petition of 600 citizens of Washington, Kans., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HELGESEN: Petition of 130 citizens of Amenia, 613 citizens of Grand Forks, 100 citizens of Gilby, 45 citizens of Portland, 155 citizens of Hope, 100 citizens of Walhalla, 50 citizens of Cogswell, 100 citizens of St. Thomas, 50 citizens of Loma, 30 citizens of Manfred, 50 citizens of Hensel, 90 citizens of Hamilton, 150 citizens of Wyndmere, 11 citizens of Napoleon, 100 citizens of Starkweather, 30 citizens of Mayville, 45 citizens of Sheldon, 630 citizens of Devils Lake, 50 citizens of Galesburg, 120 citizens of Clifford, 45 citizens of Grafton, 30 citizens of Hillsboro, 250 citizens of Fargo, 100 citizens of Emerado, 50 citizens of Wheatland, 25 citizens of Forman, 24 citizens of Grandin, 35 citizens of Addison, 30 citizens of Johnstown, 200 citizens of Hunter, 100 citizens of Lisbon, sundry citizens of Oriska, and the Presbytery of Pembina, all in the State of North Dakota, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HULINGS: Petition of C. A. Gilliland, of Oil City, Pa., against national prohibition; to the Committee on the Judiciary.

Also, petitions of Mrs. Myrtle Frye, representing the Sharpsville Methodist, Presbyterian, Baptist, and Brethren Churches, representing 457 people; F. F. Phillips, representing the Sheffield Methodist Episcopal congregation, representing 425 people; Mrs. H. L. Ford, representing the Woman's Christian Temperance Union of Barnes, representing 40 people; Rev. H. J. Stewart representing the First Baptist Church of Warren, representing 285 people; Mrs. John Prather, representing the Woman's Christian Temperance Union of Rocky Grove, representing 50 people; Charles A. Randall, representing the Farmers' Institute held at Tionesta, February 21, 1914; C. E. Mathews, representing the Presbyterian Sunday School of Clarington, representing 100 people; Oscar W. Nordstrom, representing the Young People's Society of the Swedish Congregational Church, of Ridgway, representing 48 people; Fremont Kerrick, representing the Church of Christ of Ridgway, representing 76 people; C. R. Slade, representing the Free Methodist Church of Ridgway; and William S. Wenck, representing the Baptist Sunday School of Ridgway, representing 70 people, all in the State of Pennsylvania, favoring national prohibition amendment; to the Committee on the Judiciary.

Also, petition of 651 citizens of Warren County, Pa., in favor of the national prohibition amendment; to the Committee on the Judiciary.

By Mr. KAHN: Petition of the Merchants' Exchange, of San Francisco, Cal., favoring House bill 12743, to authorize the Secretary of the Treasury to cause to be erected a suitable building or buildings for marine-hospital purposes on the present marine-hospital site at San Francisco, Cal., and to remove all or any of the present structures on said site; to the Committee on Public Buildings and Grounds.

By Mr. KEISTER: Petition of 401 citizens of West Newton, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KELLY of Pennsylvania: Petition of 674 citizens of McKeesport, Pa., and 438 citizens of Wilkinsburg, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Iowa: Petition of sundry citizens of the first district of Iowa, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the first congressional district of Iowa, against national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of Dr. B. U. Richards, of Pawtucket, R. I., against the Nelson amendment

to Harrison antinarcotic bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Crouse-Hinds Co., of Syracuse, N. Y., favoring House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

Also, petition of the Roger Williams Baptist Church, of Providence, R. I., and 692 voters of Woonsocket, R. I., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 30 citizens of Woonsocket, R. I., against national prohibition; to the Committee on the Judiciary.

Also, memorials of E. R. Bullock, of Pawtucket; Rev. Matthias S. Kaufman, of Central Falls; Emmanuel Bible Class of Woodlawn Baptist Sunday School, of Pawtucket; Central Falls Congregational Sunday School; Men's Forum of Central Falls Congregational Church; Chepachet Baptist Sunday School; Rev. Myron E. Genter, of Providence, all in the State of Rhode Island, favoring passage of national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of Thomas H. Handy, of Manville, R. I., and 20 citizens of Smithfield and Greenville, R. I., favoring national prohibition; to the Committee on the Judiciary.

Also, memorials of Rev. W. B. Barr, of Central Falls; Edmands Prohibition Alliance, of Providence; Woodlawn Baptist Church; B. D. Sweet, of Providence; Limerock Baptist Church; First Baptist Church of Woonsocket; Robert Cushman, of Pawtucket; Park Place Congregational Church, of Pawtucket; Harlan L. Bromley, of Providence, all in the State of Rhode Island, favoring nation-wide prohibition; to the Committee on the Judiciary.

By Mr. KINDEL: Petition of 40 citizens of New Haven, 600 citizens of Fort Collins, 38 citizens of Loveland, 253 citizens of Denver, 256 citizens of Boulder County, 20 citizens of Mead, and 200 citizens of Longmont, all in the State of Colorado, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LANGHAM: Petition of 542 citizens of Punxsutawney, 200 citizens of Miola, 220 citizens of Apollo, 500 citizens of Armstrong County, the Second United Presbyterian Church of Indiana, and sundry citizens of Indiana County, all in the State of Pennsylvania, favoring passage of national prohibition; to the Committee on the Judiciary.

By Mr. LESHER: Petition of 506 citizens of Watsontown, 300 citizens of Northumberland, and 160 citizens of Montandon, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LIEB: Petitions of Edward Elmendorf, Emil Weber, Joseph Schentrup, George Herscher, Dick Johnson, Daniel E. Stahl, Claude Tulley, William Mobys, Milton Henry, Rubie Bickel, Fred Tessler, Henry Andreae, Christ Campbell, Henry Reese, Henry Baer, T. F. Petterson, William Puth, Henry Egli, Conrad Werner, jr., and Conrad Werner, sr., all of Evansville, Ind., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LOFT: Petition of 1,287 voters of the thirteenth congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of 76 citizens of Warehouse Point, Conn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAPES: Petition of 20 citizens of Grand Rapids, Mich., favoring House bill 12740, the machinsts' wage bill; to the Committee on Labor.

Also, petition of 256 citizens of Kent City, Mich., and 80 citizens of Byron Center, Mich., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Ottawa and Kent Counties, Mich., against national prohibition; to the Committee on the Judiciary.

By Mr. MERRITT: Petition of sundry citizens of the thirty-first congressional district, New York, against national prohibition; to the Committee on the Judiciary.

By Mr. MITCHELL: Petitions of sundry citizens of Boston, Thomas Street Swedish Methodist Episcopal Church, of Worcester; the Loyal Temperance Legion of the Woman's Christian Temperance Union, of Worcester; and sundry citizens of Worcester, all in the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Norfolk, Mass., and Harlan F. Woodbury, of Natick, Mass., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MOORE: Petition of sundry citizens of Philadelphia, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. MORGAN of Oklahoma: Resolutions of the Presbyterian Christian Endeavor, of Alva; the United Brethren Church of Dacoma; the Alva Friends Sunday School, of Alva; the Britton Methodist Episcopal Church, of Britton; the First Presbyterian Church of Woodward; the Methodist Episcopal Church of Shattuck; the Olivet Baptist Church, of Oklahoma City, all in the State of Oklahoma, and representing 1,050 people, favoring the adoption of a constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of Michael Young and 84 other citizens of Ellis and Beaver Counties; J. H. Dufriend and 26 other citizens of the city of Thomas; Mack Heatt and 28 other citizens of the city of Alva; L. L. Combs and 69 other citizens of Roger Mills County; Fred J. Fash and 25 other citizens of the city of Alva; and J. B. Morgan and 24 other citizens of the city of Garber, all in the State of Oklahoma, favoring the adoption of constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. MORIN (by request): Petitions of the J. B. Shannon Hardware Co. and 50 other business firms of Philadelphia, favoring passage of volunteer officers' retired list bill; to the Committee on Military Affairs.

By Mr. MOSS of Indiana: Petition of Rev. T. F. Chilton and 80 members of the Presbyterian Church of Eugene and Cayuga, Vermilion County, Ind., in favor of House joint resolution 168, for nation-wide prohibition; to the Committee on the Judiciary.

By Mr. NELSON: Petitions of 3,168 citizens of the third congressional district of Wisconsin, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 166 citizens of Dodgeville, Wis., and 90 citizens of Black Earth, Wis., favoring national prohibition; to the Committee on the Judiciary.

By Mr. O'LEARY: Petitions of various voters of the fourth congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the board of managers of the associated charities of Washington, D. C., relative to loan-shark law; to the Committee on the District of Columbia.

Also, petition of sundry citizens of New York State, against national prohibition; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petition of H. M. Drew, George H. Gueldaud, and 41 citizens of Providence, R. I., and 400 citizens of Central Falls, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PADGETT: Papers to accompany a bill (H. R. 15898) granting increase of pension to Alletha Stewart; to the Committee on Invalid Pensions.

By Mr. PAIGE of Massachusetts: Petition of sundry citizens of the State of Massachusetts, protesting against passage of the Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of sundry citizens of the State of Massachusetts, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Leominster, Mass., favoring passage of House bill 12928 retaining section 6, relative to Sunday work in post offices; to the Committee on the Post Office and Post Roads.

By Mr. PATTEN of New York: Petition of 1,430 citizens of the eighteenth New York congressional district, against national prohibition; to the Committee on the Judiciary.

By Mr. PETERSON: Petitions of sundry citizens of the State of Indiana, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. POST: Petition of 83 citizens of Piqua, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of 136 citizens of Catawba, 275 of Bradford, and 768 of Miami County, all in the State of Florida, favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Petition from sundry citizens of Placerville, Cal., favoring House bill 12928, a bill to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition by sundry citizens of Placerville, Cal., protesting against the passage of House bill 7826, being the Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. REED: Petitions of Frank R. Fister, C. E. Johnson, John J. Herney, Henri Provost, Frank F. Reed, and N. J. Pichette, all from Manchester, N. H., opposing national prohibition of liquor traffic; to the Committee on the Judiciary.

Also, petitions of Eugene Quirin, John P. Teehan, Frank McMan, Benj. McLaughlin, Fred Basset, and James Clifford, all from Manchester N. H., opposing national prohibition of liquor traffic; to the Committee on the Judiciary.

By Mr. REILLY of Connecticut: Petition of the Socialist Party of New Haven, Conn., protesting against war with Mexico; to the Committee on Military Affairs.

By Mr. ROBERTS of Massachusetts: Petition of 102 citizens of Massachusetts, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Massachusetts, against national prohibition; to the Committee on the Judiciary.

By Mr. RUSSELL: Petition of 33 citizens of Cape Girardeau, Mo., against national prohibition; to the Committee on the Judiciary.

Also, petition of 50 citizens of Naylor, 200 citizens of Jamesport, 100 citizens of Poplar Bluff, 400 citizens of Dexter, 851 citizens of Willow Springs, 145 citizens of Charleston, 70 citizens of Parma, 200 citizens of Jackson, 300 citizens of Cape Girardeau County, and churches of Rock Hill, Blodgett, McClurg, Pontiac, Fisk, Aid, Sabella, and Wayne County, all in the State of Missouri, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SCULLY: Petition of sundry citizens of Monmouth County and Long Branch, N. J., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Newark Photo-Engravers' Union, of Newark, N. J., favoring the Bartlett-Bacon bill (H. R. 1873); to the Committee on the Judiciary.

Also, petition of Northeastern Saengerbund of America, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. SELDOMRIDGE: Petition of sundry citizens of Colorado Springs, Colo., favoring House bill 12928, relative to Sunday laws for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Colorado Springs, Colo., against Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petition of the Socialist Party of Morgan County, Colo., against 1-cent postage; to the Committee on the Post Office and Post Roads.

By Mr. J. M. C. SMITH: Petitions of 574 citizens of Battle Creek, 500 citizens of Marshall, and 1,425 citizens of Kalamazoo (city and county), all in the State of Michigan, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. STAFFORD: Petition of 9,807 citizens of the fifth congressional district of Wisconsin, against national prohibition; to the Committee on the Judiciary.

By Mr. STONE: Petition of 252 citizens of Peoria, 150 citizens of Manlius, 75 citizens of Tiskilwa, 150 citizens of Wyanet, 70 citizens of Lamoille, and 16 citizens of Hanna City, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SUTHERLAND: Papers to accompany a bill (H. R. 15901) granting an increase in pension to Sylvanus Davis; to the Committee on Invalid Pensions.

By Mr. TOWNER: Petition of 3 churches of Tingley, Iowa, representing 600 people, and the Christian Church of Clio, Iowa, representing 130 people, favoring the enactment of national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of 15 citizens of Afton and Gravity, Iowa, favoring the enactment of House bill 12928, to amend the postal and civil-service laws; to the Committee on the Post Office and Post Roads.

Also, petition of 15 citizens of Afton and Gravity, Iowa, protesting against the passage of House bill 7826, being the Sunday-observance bill; to the Committee on the District of Columbia.

By Mr. TUTTLE: Petition of 95 citizens of Plainfield, N. J., and 56 citizens; the Village Improvement Society, the Christian Endeavor Society, the Epworth League, and the Presbyterian Church of Succasunna, N. J., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the board of trade of cities of Newark and Elizabeth, N. J., protesting against assignment to any banking district other than New York; to the Committee on Banking and Currency.

Also, petition of various voters of the fifth congressional district of New Jersey, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. UNDERHILL: Petition of 770 citizens of the thirty-seventh New York congressional district, against national prohibition; to the Committee on the Judiciary.

By Mr. VOLLMER: Petition of James Paulista and 2,500 other citizens of the second congressional district of Iowa, protesting against national prohibition (H. J. Res. 168); to the Committee on the Judiciary.

Also, petition of Shelby Norman Post, No. 231, Grand Army of the Republic, of Muscatine, Iowa, protesting against any change in the flag; to the Committee on the Judiciary.

Also, petition of William Northrup and other citizens of Iowa, protesting against any change in the flag; to the Committee on the Judiciary.

By Mr. WILSON of New York: Petition of 1,650 citizens of the third New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Central Labor Union of Brooklyn, N. Y., favoring House bill 13769, relative to administration of savings by the postal-bank service; to the Committee on the Post Office and Post Roads.

By Mr. WOODRUFF: Petition of sundry citizens of Presque Isle and Bay Counties, Mich., against national prohibition; to the Committee on the Judiciary.

By Mr. WOODS: Petitions signed by sundry citizens of the tenth congressional district of Iowa, favoring national prohibition; to the Committee on the Judiciary.

Also, resolutions signed by officers of various churches and young people's associations of the tenth congressional district of Iowa, favoring national prohibition; to the Committee on the Judiciary.

Also, petition signed by sundry voters of the tenth congressional district of Iowa, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the tenth congressional district of Iowa, against national prohibition; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, *April 22, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee with sad and anxious hearts. We present ourselves in Thy presence imploring the Divine favor and blessing. We bow before Thee in humble confession of our sins. Our personal sins and our national sins are before Thee. We have come short of Thy glory. O Lord our God, our chief need is Thy forgiveness and Thy favor. We pray Thee to stay the hand of cruel war. Thou hast taught us in Thy Word, Blessed are the peacemakers, for they shall inherit the earth; and in the changeless order of Thy providence nothing can be more sure than that righteousness exalteth a nation. Breathe upon us of the spirit of Thy Son. For His name's sake. Amen.

The Vice President being absent, the President pro tempore (Mr. CLARKE of Arkansas) took the chair.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the amendments of the Senate to the joint resolution (H. J. Res. 251) justifying the employment by the President of armed forces of the United States in enforcing certain demands made upon Victoriano Huerta.

The message also announced that the House had passed the following bills, each with amendments, in which it requested the concurrence of the Senate:

S. 657. An act to authorize the reservation of public lands for country parks and community centers within reclamation projects in the State of Montana, and for other purposes; and

S. 3403. An act to abolish the office of receiver of public moneys at Springfield, Mo., and for other purposes.

The message further announced that the House had passed the following bills:

S. 656. An act granting to the trustees of the diocese of Montana of the Protestant Episcopal Church, for the benefit of "Christ Church On-the-Hill," at Poplar, Mont., lots 5, 6, and 7, in block 30, town site of Poplar, State of Montana; and

S. 4980. An act to amend an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes," approved March 9, 1914.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1657. An act providing for second homestead and desert-land entries;

H. R. 9829. An act authorizing the Secretary of the Interior to sell certain unused remnant lands to the Board of County Commissioners of Caddo County, Okla., for fairground and park purposes;

H. R. 10845. An act to authorize the Secretary of the Interior to expend the proceeds arising from the sale and disposition of

surplus agricultural lands and timber on surplus timberlands of the Spokane Indian Reservation, Wash.;

H. R. 12463. An act to authorize the withdrawal of lands on the Queniult Reservation, in the State of Washington, for lighthouse purposes; and

H. R. 14242. An act to increase the limit of cost for the erection and completion of the United States Federal building at Harrisburg, Pa.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the President pro tempore.

H. R. 10138. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. J. Res. 251. Joint resolution justifying the employment by the President of the armed forces of the United States.

PETITIONS AND MEMORIALS.

Mr. SMITH of Michigan presented a petition of Major John C. Durst Camp, No. 40, United Spanish War Veterans, of Lansing, Mich, praying for the enactment of legislation granting pensions to widows and minor children of soldiers and sailors who served in the Spanish-American War, which was referred to the Committee on Pensions.

He also presented memorials of Local Lodge No. 63, Brotherhood of Railway Clerks, of Muskegon, Mich., and of 1,736 citizens of the State of Michigan, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRADLEY presented a petition of 61 citizens of Henry County, Ky., and a petition of 95 citizens of Camden, N. J., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented a petition of Rumford Grange, Patrons of Husbandry, of Rumford, Me., and a petition of sundry citizens of Augusta, Me., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SUTHERLAND presented a petition of the boards of directors of sundry banks of Salt Lake City, Utah, praying for the adoption of an amendment to the income-tax law to provide a method of information at the source, which was referred to the Committee on Finance.

Mr. BRANDEGEE presented a petition of the Woman's Christian Temperance Union of Bridgeport, Conn., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Central Labor Union of Meriden, Conn., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of Typographical Union No. 143, of Danbury, Conn., praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, which was referred to the Committee on the Judiciary.

Mr. TOWNSEND. I present memorials signed by 12,247 citizens of Michigan, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors. I ask that the memorials may be received and referred to the Committee on the Judiciary.

The PRESIDENT pro tempore. The memorials will be referred to the Committee on the Judiciary.

Mr. THOMPSON presented a petition of the congregation of the Reformed Presbyterian Church of Eskridge, Kans., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. OLIVER presented a memorial of the Socialist Party of Reading, Pa., remonstrating against intervention in Mexico, which was referred to the Committee on Foreign Relations.

Mr. PAGE presented a petition of the congregation of the Methodist Episcopal Church of Woodstock, Vt., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. SHIVELY presented a petition of sundry citizens of Indianapolis, Ind., and a petition of the Woman's Alliance of All Souls Unitarian Church, of Indianapolis, Ind., praying for an appropriation of $165,000 for the maintenance of the Children's Bureau, which were referred to the Committee on Appropriations.

He also presented petitions of sundry citizens of Madison, Velperi, North Vernon, and Hayden, all in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the city council of Fort Wayne, Ind., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. CLAPP presented a petition of Merwin M. Carlton Post, No. 5, Army of the Philippines, Cuba, and Porto Rico, of St. Paul, Minn., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of sundry citizens of Cloquet, Minn., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. McLEAN presented a petition of sundry citizens of South Manchester, Conn., praying for an appropriation for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on Foreign Relations.

He also presented a memorial of Abraham Lincoln Camp, No. 2, Sons of Veterans, of Stamford, Conn., remonstrating against any change being made in the American flag, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of South Manchester, Conn., praying for the repeal of the exemption clause of the Panama Canal act, which was referred to the Committee on Interoceanic Canals.

He also presented a memorial of the Central Labor Union, of Meriden, Conn., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

Mr. BURLEIGH presented petitions of sundry citizens of the State of Maine, praying for national prohibiton, which were referred to the Committee on the Judiciary.

He also presented a petition of the Business Men's Association, of Wiscasset, Me., praying for the enactment of legislation to provide for the publicity of prices of drugs, etc., which was referred to the Committee on Manufactures.

Mr. HITCHCOCK presented a memorial of the Chamber of Commerce of North Platte, Nebr., remonstrating against submitting the controversy of irrigation claims in Colorado to legislative construction, which was referred to the Committee on Public Lands.

Mr. CLARK of Wyoming presented a petition of Local Union No. 2671, United Mine Workers of America, of Gebo, Wyo., praying for an investigation of the mines where Government fuel supply is purchased, which was referred to the Committee on Naval Affairs.

Mr. SHEPPARD presented a petition of sundry citizens of Elgin and Houston, in the State of Texas, praying for the enactment of legislation to provide a compensatory time privilege to employees of the Post Office Department, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Elgin and Houston, in the State of Texas, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Gainesville, Tex., praying for national censorship of motion pictures, which was referred to the Committee on Education and Labor.

Mr. SHEPPARD. I send to the desk a telegram which I ask may be read for the information of the Senate.

The PRESIDENT pro tempore. The telegram will be read.

The Secretary read as follows:

OMAHA, NEBR., *April 20, 1914.*

HON. MORRIS SHEPPARD,
United States Senate, Washington, D. C.:

Following copy of telegram from Dallas, Tex., just received, which explains itself: "Capt. Stewart and I have the Woodmen of the World regiment we advised with you about thoroughly organized. Complement of officers complete. Selected company commanders. Have complete list of their prospective enlisted men and the entire regiment at war strength could be mobilized and ready for service in one week should eventualities require same. You may proffer our services to President Wilson, through Senator SHEPPARD immediately, should war emanate. Senator CULBERSON is here and will cooperate. Letter follows, signed by Capt. James E. Brown, as commander in chief of the Uniform Rank, Woodmen of the World." I hereby tender to the United States Government, through you, as many regiments as can be mobilized. While hoping war with Mexico may be averted, in the event war is declared would like for Texas regiment to be first to cross the Rio Grande to wipe out insult to our flag.

W. A. FRASER,
Sovereign Commander Woodmen of the World and General Commanding Uniform Rank, Woodmen of the World.

Mr. PENROSE presented memorials of sundry citizens of Pennsylvania, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Shickshinny, Pa., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of the State of Pennsylvania, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Malvern, the congregation of the Seventh-day Adventist Church of Reading, and of sundry citizens of Reading and Birdsboro, all in the State of Pennsylvania, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of the general committee of District Grand Lodge, No. 1, Independent Order Free Sons of Israel, of New York City, N. Y., remonstrating against the enactment of legislation to provide an educational test for immigrants to this country, which was ordered to lie on the table.

He also presented memorials of the Bourse of Philadelphia, Pa., remonstrating against the enactment of legislation to further regulate trusts, which were referred to the Committee on Interstate Commerce.

He also presented memorials of Anthony Wayne Branch, John Adams Branch, and Thomas Jefferson Branch, American Continental League, of Philadelphia, Pa., remonstrating against the repeal of the exemption clause of the Panama Canal act, which were referred to the Committee on Interoceanic Canals.

He also presented a petition of sundry citizens of Philadelphia, Pa., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented petitions of sundry citizens of Philadelphia, Pa., praying for the enactment of legislation to create a Civil War volunteer officers' retired list, which were referred to the Committee on Military Affairs.

He also presented a petition of the Maritime Exchange, of Philadelphia, Pa., praying for the enactment of legislation to upbuild the Revenue-Cutter Service, which was referred to the Committee on Commerce.

He also presented a memorial of General Lafayette Branch, American Continental League, of Philadelphia, Pa., and a memorial of Liberty Bell Branch, American Continental League, of Philadelphia, Pa., remonstrating against an appropriation for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which were referred to the Committee on Foreign Relations.

He also presented petitions of Local Unions Nos. 526 and 1428, United Mine Workers of America, of Scranton; of Local Union No. 49, Feeders and Assistants' Union, of Scranton; of Local Union No. 218, Brotherhood of Painters, Decorators, and Paperhangers, of Scranton; of Local Union No. 161, Brotherhood of Stationary Firemen, of Scranton; and of Local Union No. 380, International Association of Machinists, of Scranton, all in the State of Pennsylvania, praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, and for other purposes, which were referred to the Committee on the Judiciary.

He also presented a memorial of the board of directors of the Chamber of Commerce of Philadelphia, Pa., remonstrating against Government ownership of telegraph and telephone lines, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by the Morocco Manufacturers' National Association, of Philadelphia, Pa., favoring the granting by the Interstate Commerce Commission of the increase in rates asked for by the eastern railroads, which were referred to the Committee on Interstate Commerce.

UNION PACIFIC RAILROAD.

Mr. THOMAS. Mr. President, on Monday last I read a letter from Mr. W. S. McCarthy, manager of the Salt Lake Traffic Bureau, referring to a contemplated payment of a dividend previously declared by the Union Pacific Railroad to its common-stock holders. I am in receipt of a letter from Judge R. S. Lovett, the chairman of the executive board of the Union Pacific Railroad Co., referring to that subject, and I think it is due to Judge Lovett that this letter should be read into the RECORD, after which I shall make a brief comment upon one or two of its statements.

The PRESIDENT pro tempore. It can not be read at the desk. That is not the order of business under which the Senate is working at this time.

Mr. THOMAS. I thought it was.

The PRESIDENT pro tempore. Petitions and memorials are in order.

Mr. THOMAS. I will present it later, Mr. President.

The PRESIDENT pro tempore. If there is no objection, it can be read now. The Chair hears no objection, and the Secretary will read it.

Mr. THOMAS. I thank the President pro tempore.

Mr. BRANDEGEE. What is the document? I did not hear it.

Mr. THOMAS. It is a letter from Judge Robert S. Lovett, chairman of the executive board of the Union Pacific Railway, referring to a letter of Mr. McCarthy, of Salt Lake City, which I read last Monday morning, and I think it is only fair——

Mr. BRANDEGEE. What is the nature of it? What is it about?

Mr. THOMAS. It has reference to the dividend which has been declared but not yet paid to Union Pacific holders of Union Pacific common stock.

Mr. BRANDEGEE. I do not think such long papers ought to be read into the RECORD unless Senators themselves are willing to read them.

Mr. THOMAS. I will read it.

The PRESIDENT pro tempore. Unanimous consent has been given that the Secretary shall read the letter.

Mr. BRANDEGEE. I object.

The PRESIDENT pro tempore. Unanimous consent was given before the Senator rose.

Mr. BRANDEGEE. If the Chair holds that the objection is too late, of course I am helpless.

The PRESIDENT pro tempore. Of course the Chair would not take advantage of the Senator if he intended to object. The Chair will entertain the objection.

Mr. BRANDEGEE. I rose to find out what the paper was, and as soon as I found what it was I objected.

Mr. THOMAS. I will read the letter.

Mr. OVERMAN. Mr. President, I rise to a point of order. The Chair asked if there was objection, and there being no objection to reading the letter the Secretary has to read it.

The PRESIDENT pro tempore. The question of reading the paper must be submitted to the Senate. A majority vote will decide it.

Mr. OVERMAN. I understand there is no objection to the paper going into the RECORD.

The PRESIDENT pro tempore. The Chair understood the Senator from Connecticut to object to its going into the RECORD. That was a part of his objection.

Mr. BRANDEGEE. I objected to the Secretary reading it. If the Senate want it printed in the RECORD, that is their business. I object.

Mr. OVERMAN. The Senator objects to the paper going into the RECORD at all?

Mr. BRANDEGEE. No; I can not object to the Senator reading it or to any Senator reading any article he thinks of importance enough to stand up and read himself.

Mr. THOMAS. I want to say to the Senator from Connecticut that I should have read it immediately without sending it to the Secretary's desk except that I am suffering from a severe headache, and I thought I might be relieved to that extent.

Mr. BRANDEGEE. Of course, I do not want to ask the Senator to read it if he does not feel well, but I am going to object to making the RECORD an omnium gatherum for all sorts of general miscellaneous information.

Mr. THOMAS. Will the Senator permit me to read only that part which I deem pertinent to what I wish to say, and then incorporate it into the RECORD?

Mr. BRANDEGEE. Certainly. I want to relieve the Senator.

Mr. THOMAS. I thank the Senator very much in view of my physical condition.

Mr. BRANDEGEE. All right.

Mr. THOMAS. The part of the letter which I will read is as follows:

It is true that in 1901 the Union Pacific Railroad Co. issued $100,000,000, face value, of bonds, known as its first-lien 4 per cent convertible gold bonds, convertible at the option of the holders into common stock at par until May 1, 1906, and that part of this issue, namely, about $42,000,000, was used for the acquisition of $75,000,000, par value, of Southern Pacific Co. stock. The fundamental error upon which Mr. McCarthy's entire criticism is constructed is that these bonds are still outstanding. The fact is that they were all retired in 1906; $99,450,000 of the bonds were converted into an equal amount of common stock and the remaining $550,000 were called for redemption and paid. The cause of this misunderstanding is probably that the company has now outstanding part of an entirely different issue of convertible bonds made in 1907, known as its "20-year 4 per cent convertible gold bonds," of which some $73,000,000, face value, were originally issued and all but $26,835,000 of which have been converted into common stock.

Another part of the letter is as follows:

It would be manifestly unfair to the stockholders and disadvantageous to the company to redeem any of the outstanding funded indebtedness at a premium. Many of the outstanding bond issues, including all those bearing a high rate of interest, are not subject to redemption, and these can be retired, if at all, only by the payment of an unreasonably high premium. Those issues which are subject to redemption are redeemable only at specified prices in excess of par. The bonds which are expressly subject to redemption are all bonds bearing rates of interest lower than the rate at which railroad bonds can now be sold. The retirement of bonds under such circumstances would involve an unjustifiable waste of surplus and great injustice to stockholders.

Mr. President, I have but very little familiarity with railroad finance and methods of stock and bond issues and their exchange for each other, but, as far as I am capable of judging, the situation of affairs as outlined by the chairman of the executive committee seems graver from the public viewpoint than it was represented to be by Mr. McCarthy. A bond issue of $100,000,000 authorized by the Legislature of Utah to be used for the purchase for a control of the Southern Pacific Railroad Co. was so used. By subsequent judicial decree the purchase by the Union Pacific Co. of the Southern Pacific interest was formally set aside as unlawful, and the interest of the Union Pacific in the Southern Pacific Co. was required to be sold. This interest was disposed of partly by sale and partly by exchange for the stock of the Baltimore & Ohio Railroad.

Now, it appears, Mr. President, that this bond issue, the proceeds of which are represented by this subsequent sale of the Southern Pacific interest, has been converted into common stock, and thereby made a perpetual capital liability against the Union Pacific Railroad Co. Mr. McCarthy's criticism was that the proceeds of the sale of this Southern Pacific stock should go to liquidating the bond issue the proceeds of which had been used for the purpose originally of acquiring that interest, but it seems——

Mr. KENYON. I would like to hear the Senator very much. I ask for order in the Chamber.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. THOMAS. It now appears that at some time this bond issue was exchanged for common stock. Hence the position of the company is that in utilizing this fund for the payment of a dividend it is acting upon absolutely legitimate lines, and no doubt it is, but the criticism which Mr. McCarthy makes is more than emphasized by the situation of affairs as revealed by this letter. It is worse than the charge made by Mr. McCarthy, as the Senator from Utah [Mr. SMOOT] suggests to me, because here is a perpetual, continual liability represented by $100,000,000 of capital stock which has but one excuse for its existence, and that is their exchange for $100,000,000 bond issue, the purpose of which by the court has been declared to be unlawful. So it seems to me that the criticism made by Mr. McCarthy is more than justified.

Now, a single word with reference to the extract I read from the latter part of this letter. It has reference to what Judge Lovett declares to be an unfairness to the stockholders and a disadvantage to the company to redeem any of the outstanding bonds with this money at a premium. Instead of being an injustice to the stockholders and a disadvantage to the company, I assert, Mr. President, that it would be a distinct advantage to the stockholders and a distinct benefit to the company by thus retiring $100,000,000 of its capital liability instead of dividing the fund among the stockholders, to say nothing of its resulting benefit to the communities served by the company. Suppose the premium is paid. When that is contrasted with the annual interest charge of these bonds the ultimate benefit is distinctly to the advantage of the company, to the benefit of the stockholders, and, what is of far greater importance, to the benefit and advantage of the patrons of the road, upon whose custom and business the road is dependent for its prosperity and its dividends.

Mr. President, I do not care to take up the time of the Senate in further criticism of this matter. I want to add that my criticism is entirely impersonal. I have the highest respect for Judge Lovett, whom I never met, but who has won his present prominent position as head of one of the greatest railroad systems in the world by the sheer force of merit and ability. I have no doubt that the Union Pacific's method of finance has been along the line recognized as proper and legitimate, but these methods are the basis of much just public complaint and which make the people look askance at railroad requests for permission to increase their charges for the transportation of freight, the withholding of which is said to be working so much injustice to them.

Mr. SUTHERLAND. Mr. President——

Mr. THOMAS. Just a moment. Mr. President, I think that Mr. McCarthy is entitled to the thanks of the American public for calling our attention to this matter and giving us an opportunity to bring the attention of the country to it through the columns of the CONGRESSIONAL RECORD. Now I yield to the Senator from Utah.

Mr. SUTHERLAND. Can the Senator from Colorado tell us what the outstanding bonds of the Union Pacific Railway Co. amount to?

Mr. THOMAS. I think that this letter contains in part the information. I have the information, but not with me. I will try to give it to the Senator from Utah in full later.

Mr. WARREN. I understand the Senator asks to print the letter in full, does he not?

Mr. THOMAS. I understood the Senator from Connecticut was willing that the letter should be printed in the RECORD.

Mr. BRANDEGEE. I said I did not want to compel the Senator, who was not feeling well, to read the letter.

Mr. THOMAS. I wish to express my thanks to the Senator from Connecticut for his courtesy.

Mr. BRANDEGEE. But I mean to reassert my objection whenever these long documents are attempted to be printed in the RECORD. Anything that is not worth being read here is not worth being printed.

The letter referred to is as follows:

UNION PACIFIC RAILROAD CO.,
EXECUTIVE COMMITTEE,
165 Broadway, New York, April 18, 1914.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

DEAR SIR: Referring to your remarks in the Senate on Monday, based upon letters of Mr. W. S. McCarthy to you, dated April 1 and April 4, 1914, concerning the extra dividend recently declared by this company upon its common stock.

Mr. McCarthy's denunciation of the action of this company is based primarily upon an absolutely erroneous understanding of the facts, and, secondarily, upon an entire ignorance or disregard of the principles of law and accounting affecting the declaration of dividends. Such uninformed criticism I should ordinarily ignore, but when made in the United States Senate I do not feel at liberty to permit the grave injustice involved therein to be suffered by the company without protest.

It is true that in 1901 the Union Pacific Railroad Co. issued $100,000,000, face value, of bonds known as its first lien 4 per cent convertible gold bonds, convertible at the option of the holders into common stock at par until May 1, 1906, and that part of this issue, namely, about $42,000,000 was used for the acquisition of $75,000,000, par value, of Southern Pacific Co. stock. The fundamental error upon which Mr. McCarthy's entire criticism is constructed is that these bonds are still outstanding. The fact is that they were all retired in 1906. Ninety-nine million four hundred and fifty thousand dollars of the bonds were converted into an equal amount of common stock and the remaining $550,000 were called for redemption and paid. The cause of this misunderstanding is probably that the company has now outstanding part of an entirely different issue of convertible bonds made in 1907, known as its "20-year 4 per cent convertible gold bonds," of which some $73,000,000, face value, were originally issued, and all but $26,835,000 of which have been converted into common stock.

The extra dividend declaration was not a consequence of the decree in the Government suit requiring the company to dispose of its holding of Southern Pacific Co. stock. The dividend consists of $3 in cash, $12, par value, in Baltimore & Ohio preferred stock, and $22.50, par value, in Baltimore & Ohio common stock upon each share of Union Pacific common stock outstanding at the close of the books on March 2. It was determined at the same time to reduce the regular common-stock dividend rate to 8 per cent after the payment of the extra dividend. This extra dividend is merely a partial distribution of accumulated surplus profits. The board of directors ordered that the amount of cash and Baltimore & Ohio stock distributed pursuant to the dividend should be charged to profit and loss account. The Union Pacific System on June 30, 1913, had unappropriated accumulated surplus profits, appearing as a credit balance to its profit and loss account, of $151,153,386. This balance of accumulated profits is derived in part from net operating revenues, in part from income from investments and miscellaneous income, in part from a profit of some $58,000,000 realized on the sale of Northern Securities, Northern Pacific, and Great Northern stocks in 1905 and subsequent years in excess of cost, and from other profits of a miscellaneous character. The existence of so large an accumulated surplus is, of course, the result of the practice which the company has followed of not distributing each year in regular dividends the entire surplus income or other profit realized during the year. The aggregate equivalent of this extra dividend might have been paid out in regular dividends during past years by an increase of the rate of the regular common-stock dividend.

Upon the common stock outstanding on March 2, 1914, the dividend involves about $74,000,000 in cash and Baltimore & Ohio stock, taking the Baltimore & Ohio stock at $80 per share for the preferred and $92 for the common, its prevailing market value at the time of the dividend declaration. As this dividend does not result in the appropriation of one-half the accumulated surplus profits, it is obvious that a dividend of this amount might have been declared at any time during several years past. There has been more or less agitation for years, as is well known, for a distribution of the company's accumulated profits.

Having accumulated surplus profits sufficient for the payment of this dividend, it was immaterial from a legal or accounting standpoint whether the dividend should be paid in cash or in property. The company had ample cash resources to have enabled it to pay the dividend entirely in cash. But for various reasons of policy it was thought preferable to retain the cash resources and disburse the greater part of the dividend in Baltimore & Ohio stock.

Under the law as long settled any excess of assets over capital stock and liabilities constitutes profit available for dividends. It is quite immaterial what funds or other assets are distributed as a dividend if the amount does not exceed the amount of profit available for dividends. In selecting Baltimore & Ohio stock for this dividend the board of directors thought their action, in view of the very considerable propor-

tion of the entire stock of the Baltimore & Ohio held by this company, would be entirely consistent with the policy of the Government and receive general commendation.

The company held $28,480,000 of Baltimore & Ohio preferred and $53,607,800 of Baltimore & Ohio common. About one-half of this stock, namely, $21,273,600 of the preferred and $21,273,600 of the common stock, was acquired in July, 1913, under the decree in the Government suit in exchange for $38,202,400 of Southern Pacific stock. The remainder of the Baltimore & Ohio stock had been owned since 1906, when it was purchased as a part of the reinvestment of funds realized from the sale of a large amount of Northern Securities, Northern Pacific, and Great Northern stocks theretofore owned. The balance of the Southern Pacific stock remaining after the exchange of a part of the holding for Baltimore & Ohio stock, as above stated, was disposed of under the decree of the court for cash, realizing some $80,000,000. Neither the Baltimore & Ohio stock nor the cash realized upon the disposition of the Southern Pacific stock has affected the profit and loss account up to the present time, for the exact amount of profit realized from the Southern Pacific stock transaction has not yet been ascertained, and therefore has not been credited to profit and loss. The balance to the credit of profit and loss at the time of the declaration of the dividend is therefore precisely what it was on June 30, 1913, before any of the Southern Pacific stock was sold or exchanged, subject only to some additional credits to profit and loss representing current surplus income between June 30, 1913, and the date of the dividend.

Mr. McCarthy overlooks the fact that every dividend payment must, under the law and under correct principles of corporate accounting, leave assets sufficient to represent the entire outstanding capital stock and to pay off all liabilities of whatever character. It is fundamental that dividends which impair the capital stock are unlawful and render the directors personally liable. The result of this principle is that even if Mr. McCarthy were correct in his belief that the $100,000,000 of bonds issued in 1901 were still outstanding, it would be absolutely immaterial upon the question of the right to pay this or any other dividend whether the $100,000,000 of bonds continued outstanding or were redeemed before the dividend was paid. The balance sheet of the Union Pacific system as of June 30, 1913, showed total assets of $902,713,934, and total liabilities (including capital stock and $50,344,886 of reserve funds) of $751,560,547. The surplus assets were therefore over $151,000,000, corresponding, of course, with accumulated surplus appearing as the credit balance of the profit and loss account.

It seems to be implied in Mr McCarthy's letters that the regular dividend payments of 10 per cent per annum made in recent years on the Union Pacific common stock are from the operation of the railroads it owns. The Union Pacific has not paid and could not pay a regular dividend upon its common stock at the rate of 10 per cent per annum from its railroad-operating revenue alone. That rate has been made possible only by reason of the large amount of income received by way of dividends and interest on stocks and bonds held as investments. The income realized exclusively from interest and dividends upon investments and sources other than from operation of its railroads has amounted since, and including the fiscal year 1907, to the following sums:

1907. Income other than from its railroads (equivalent to 5.87 per cent on common stock)	$11,587,018
1908. Income other than from its railroads (equivalent to 8.19 per cent on common stock)	16,782,457
1909. Income other than from its railroads (equivalent to 8.9 per cent on common stock)	18,110,481
1910. Income other than from its railroads (equivalent to 9.01 per cent on common stock)	19,890,469
1911. Income other than from its railroads (equivalent to 8.49 per cent on common stock)	18,658,168
1912. Income other than from its railroads (equivalent to 8.63 per cent on common stock)	18,949,098
1913. Income other than from its railroads (equivalent to 8.23 per cent on common stock)	19,207,971

Thus, since the fiscal year 1907, during which the 10 per cent dividend rate was established, the company could have paid more than 8 per cent without using a dollar from its railroad operations.

Furthermore, a large part of the additional common and preferred stock of this company issued since the reorganization was issued, dollar for dollar, in exchange for securities of the Oregon Short Line Railroad Co. and the Oregon Railroad & Navigation Co., then outstanding in the hands of the public, and resulted in bringing the properties of those companies into the exclusive ownership of the Union Pacific Railroad Co. The balance of the additional stock issues by this company does not equal the actual expenditures made since the reorganization for construction of new lines, double-tracking, and other additions and betterments. The aggregate interest paid on funded debt of the system in the hands of the public is now about $14,200,000 per annum, and there has been no year since 1907 when the dividends and interest realized from investment securities have not exceeded the entire annual interest payment on the funded debt.

It would be manifestly unfair to the stockholders and disadvantageous to the company to redeem any of the outstanding funded indebtedness at a premium. Many of the outstanding bond issues, including all those bearing a high rate of interest, are not subject to redemption, and these can be retired, if at all, only by the payment of an unreasonably high premium. Those issues which are subject to redemption are redeemable only at specified prices in excess of par. The bonds which are expressly subject to redemption are all bonds bearing rates of interest lower than the rate at which railroad bonds can now be sold. The retirement of bonds under such circumstances would involve an unjustifiable waste of surplus and great injustice to stockholders.

The suggestion might be made that the capital stock should be reduced. Such action could not be effected under the statutes governing this corporation except by vote of the requisite majority of the stockholders, and would involve the pro rata surrender of stock by every stockholder, over 23,000 in number. Obviously no stockholder would give the necessary assent unless he were to receive his proportionate share of the entire present surplus in addition to the par amount of the stock surrendered by him for reduction. Even these terms would probably be thought by most stockholders unjust to them and an unwise weakening of the company.

The litigation pending in the courts of this State with reference to the extra dividend does not attack the legality of the dividend from any standpoint, but is litigation brought in behalf of preferred stockholders seeking an adjudication which will relieve them from the 4 per cent dividend limitation in the charter and enable them to share with the common stockholders in any distribution of accumulated surplus profits. I believe that all the figures and statements mentioned herein relating to matters up to June 30, 1913, can be verified from the records of the Interstate Commerce Commission.

The Union Pacific has been at all times honestly and conservatively financed. Such an attack as that of Mr. McCarthy, especially when given sanction and authority by quotation in the United States Senate, is not merely an abstract injustice but operates to the actual injury of the company's reputation for honest financing and its credit among the security holders and financial public here and abroad, upon whose confidence the company's ability to improve its properties and build new lines is dependent. I earnestly hope, therefore, that you will to the extent of your ability correct the injustice to which you have unintentionally contributed.

Respectfully, yours, R. S. LOVETT.

Mr. SUTHERLAND. Mr. President, I wish to ask the Senator from Colorado another question. As I understand—I want to see whether or not my understanding is correct—the Union Pacific Railroad Co. owns a considerable number of shares of the Southern Pacific Railway Co. stock, which it was ordered to dispose of?

Mr. THOMAS. Yes, sir.

Mr. SUTHERLAND. It disposed of that stock in the Southern Pacific by an exchange for Baltimore & Ohio Railroad stock?

Mr. THOMAS. In part.

Mr. SUTHERLAND. In part; and I understand that the distribution to its stockholders consisted of this Baltimore & Ohio stock——

Mr. THOMAS. In part.

Mr. SUTHERLAND. And some cash?

Mr. THOMAS. Yes, sir.

Mr. SUTHERLAND. The cash, as I am informed, amounting to about six or seven million dollars, and the remainder of the $79,000,000 distributed consisted of Baltimore & Ohio stock?

Mr. THOMAS. The cash is $3 a share, as Mr. Lovett says in his letter. The total amount of it is probably stated with correctness by the Senator from Utah.

Mr. SUTHERLAND. Approximately it is six or seven million dollars in cash and seventy-odd million dollars in Baltimore & Ohio stock.

Mr. CLAPP. Mr. President——

Mr. THOMAS. I now yield to the Senator from Minnesota.

Mr. CLAPP. I supposed the Senator from Colorado was through.

Mr. THOMAS. I thought the Senator from Minnesota wished to ask me a question. I yield the floor to him.

Mr. CLAPP. Mr. President, I want to be recognized and to call the attention of the Senator from Connecticut [Mr. BRANDEGEE] to the suggestion—I am heartily in accord with his purpose—that it is utterly useless to undertake the task he is undertaking, because every single time objection is made it has to yield to the personal equation. There is but one thing that will stop the filling up of our RECORD, and that is for each Senator, acting for himself, to refrain from making these requests.

Mr. WEST. I think that is right.

Mr. BRANDEGEE. I am very glad that the Senator suggests that degree of self-control and moderation. I have tried not to lay myself liable to making a garbage heap of the CONGRESSIONAL RECORD, which I think should be an official report of what is said and done on this floor and not a receptacle for the surplus material that can be scissored out of all the mess of printed publications that are doing so much damage in this country.

ARMY APPROPRIATIONS.

Mr. LEA of Tennessee. At the request of the senior Senator from Oregon [Mr. CHAMBERLAIN], I move to take up the conference report on the Army appropriation bill.

The PRESIDENT pro tempore. That motion is not in order at this time.

Mr. LEA of Tennessee. I did not understand the ruling of the Chair.

The PRESIDENT pro tempore. The Chair ruled that the conference report to which the Senator from Tennessee referred could not be taken up at this time.

Mr. LEA of Tennessee. I understand this is a matter of privilege.

The PRESIDENT pro tempore. It is a matter of privilege only as to presentation.

Mr. LEA of Tennessee. The conference report has been presented heretofore, and I supposed it would be in order to move its consideration at this time.

REPORTS OF COMMITTEES.

Mr. THOMPSON, from the Committee on Indian Affairs, to which was referred the bill (S. 5036) authorizing the Shoshone Tribe of Indians, residing on the Wind River Reservation in Wyoming, to submit claims to the Court of Claims, reported it with an amendment and submitted a report (No. 439) thereon.

Mr. STERLING, from the Committee on Public Lands, to which was referred the bill (S. 586) providing for homestead and desert land entries for such persons as shall have lost, forfeited, or abandoned their former entries, reported it with an amendment and submitted a report (No. 441) thereon.

IMPORTATION OF CONVICT-MADE GOODS.

Mr. REED. On March 2 I reported from the Committee on Manufactures the bill (S. 4161) to prohibit the importation and entry of goods, wares, and merchandise made in whole or in part by convict, pauper, or detained labor, or made in whole or in part from materials which have been made in whole or in part or in any manner manipulated by convict or prison labor, and at that time I submitted a report (No. 306) thereon. I now ask leave to submit a supplemental report to accompany the bill, and ask that it may be printed as part 2 of the original report.

The PRESIDENT pro tempore. Without objection, the report will be received and printed.

MISSISSIPPI RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13985) to authorize the construction of a bridge across the Mississippi River at or near the city of Baton Rouge, La., and I submit a report (No. 440) thereon. I ask unanimous consent for the present consideration of the bill.

Mr. GALLINGER. Let the bill go to the calendar.

The PRESIDENT pro tempore. Objection being made, the bill will be placed on the calendar.

REVISION OF THE PRINTING LAWS.

Mr. FLETCHER. The Committee on Printing, to which was referred the bill (S. 825) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications, having had the same under consideration, I am directed by that committee to submit a report (No. 438) accompanied by a bill (S. 5340) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications in lieu of the bill heretofore referred to that committee.

The bill provides for a complete revision of the printing laws and reforms in the methods of printing and distribution of Government publications, and proposes economies in the Government printing estimated at $860,000 per annum. The committee has been at work on the bill for a number of months and considers it means important legislation calling for early action.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. SMOOT. Mr. President, I merely desire to make a brief statement in relation to the bill just reported from the Committee on Printing by the Senator from Florida [Mr. FLETCHER]. I have not had the time to look up the precedents to see whether such a thing has ever been done before in the Senate of the United States. The bill, in my opinion, should have been reported as a substitute for Senate bill 825 instead of in lieu thereof. The chairman of the committee reports from the committee a bill without a number in lieu of a bill heretofore referred to the committee.

Mr. GALLINGER. A bill with a number.

Mr. SMOOT. Yes; a bill with a number. I am not going to object to-day to the consideration of the bill, and perhaps will not do so at any time. I have been very deeply interested in this question, and from the work I have done upon the subject matter I know as well as any man can know that the printing laws ought to be codified and revised. We have had the subject matter up for nearly six years, and this bill, in substance—of course amendments have been made to it—passed this body a year or two ago, but it failed in the other House because of the fact that they had no time in which to discuss it before adjournment. This procedure may be regular; it may be allowed under the rule, but a new question is presented, which has just come to my attention, and I have not yet had time to look into it. The first clause of Rule XXV provides:

> The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise.

I do not know whether the words "or otherwise" have ever been ruled upon in this body as to what is their real meaning. I suppose they cover action taken by committees other than in reporting bills. In this case there was a bill referred to the Committee on Printing, and the Senator from Florida now reports from that committee an original bill in lieu of the bill previously referred to it. So that it appears that the bill now reported by the Senator from Florida has never been to the committee. Of course if the Senator desires to introduce a new bill word for word and eliminate the bill that was introduced by me, being Senate bill No. 825, so that my name will not be connected with it at all, the proper procedure, it seems to me, would have been to introduce this bill to-day, have it referred to the committee, and on to-morrow report it out regularly and have it take a regular number.

But I am not going to ask for a ruling on the question. I do not care how we get the legislation if we can only get it, and I know that the legislation is necessary in order to save a great deal of waste that is going on through our present printing laws.

Mr. FLETCHER. Mr. President, I am surprised the Senator from Utah has never known of a procedure of this kind; I am surprised that any question is suggested even as to the regularity of this procedure. A bill was introduced in the Senate by the Senator from Utah known as Senate bill 825. That bill, like the bill reported by the committee, follows the general lines of a bill which passed the Senate a year or more ago, as the Senator has said. That bill was referred to the Committee on Printing, and the Committee on Printing, instead of reporting it back with numerous amendments, or instead of reporting a substitute, having been already at work on the bill itself and having the right to pursue its work in framing the bill, takes the bill introduced by the Senator from Utah into consideration, uses it, gets the benefit of it, and then recommend the reporting back of a bill in lieu of the one introduced by the Senator from Utah.

That effectively disposes of that bill and brings before the Senate a new bill in the form of a substitute, the committee bill, in lieu of the bill which was referred to the committee in due course. That procedure is perfectly proper. The committee reports "not otherwise," but reports a bill; it reports by bill; it reports its own bill in lieu of the bill which had been referred to it. That is proper under Rule XXV, to which the Senator has referred, which reads:

> The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise.

The committee in this instance reports by bill; it reports on Senate bill 825 by bill, by reporting its own bill.

The precedents on the subject are perfectly plain and complete. If the Senator will take the trouble to look at the "Style Book for Bills and Resolutions," revised in November, 1910, page 11, he will see:

> SUBSTITUTE BILL OR JOINT RESOLUTION REPORTED FROM A COMMITTEE.
>
> NOTE.—Use the words "in lieu of" in preference to the words "as a substitute for."

We are told here by the authority on the subject that we are to use the words "in lieu of" instead of the words "as a substitute for."

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Utah?

Mr. FLETCHER. In a moment. For instance, reading further from the style book it is stated:

> Mr. Kean, from the Committee on Foreign Relations, reported, in lieu of S. 35, 36, and 37—
>
> In lieu of three bills—
>
> the following bill, which was read twice and placed on the calendar.

That is the procedure under the authority adopted by the Senate.

Then, in Gilfry's Precedents of the United States Senate, page 483, I find this:

> 5. Reporting a new bill in lieu of an original.
>
> (Standing and select committees, to whom have been committed bills or certain subject matters, frequently report new bills in lieu of original bills, or, in compliance with an order of the Senate, an entirely original bill.)

Then it recites the following example:

> A SENATOR. Mr. President——
>
> The PRESIDING OFFICER. The Senator from——
>
> The SENATOR. I am directed by the committee to whom was referred (cite number and title)—
>
> Precisely as has been done in this instance—
>
> to report a new bill and ask that the same be read the first and second times and placed on the calendar.
>
> The PRESIDING OFFICER. The Senator from ———, from the Committee on ———, reports the following bill, which will be read by the clerk.
>
> (The Secretary reads the title of the new bill.)
>
> The PRESIDING OFFICER. First reading of the bill. This bill will be considered as having been read the second time and will be placed on the calendar.

That is the precedent; there is nothing irregular about this report at all. The bill which the Senator introduced has been considered by the committee, and instead of reporting it with amendments or reporting a substitute for it the committee reports an original bill in lieu of it. It is perfectly regular and in accordance with the precedents of the Senate.

Mr. SMOOT. Mr. President, my only purpose in calling the attention of the Senate to this matter is that this is a committee report. It has no number. It never has been given a number, and I do not know whether under the rules a committee report of a bill receives the number following that of the last bill introduced by an individual Senator or not.

Mr. FLETCHER. It takes a number now.

Mr. SMOOT. I will ask the Senator what number it will take.

Mr. FLETCHER. It takes a number in the regular order, precisely as if it were introduced this morning. Senate bill No. 825 should be indefinitely postponed. I desire to have it acted upon in that way. This bill is reported in lieu of Senate bill 825.

The PRESIDENT pro tempore. The present occupant of the chair is wholly unable to draw any distinction in parliamentary meaning between a bill introduced in lieu of another and a bill introduced as a substitute for another. The Chair assumes that there is some technical distinction between the two terms, but it does not occur to the Chair at this time. As the discussion is purely academic at this point, the Chair will announce that its being continued further will depend upon unanimous consent.

Mr. SMOOT. Just one word and then I shall have finished.

I think myself the Chair is right in the statement just made. If this bill had been reported to the Senate from the committee as a substitute, it would have been Senate bill 825, and it would go to the calendar as Senate bill 825. When it was reported to the Senate it would have been considered as Senate bill 825, and considered as a substitute, and would have carried that number. That is the only difference between the Senator and myself.

Mr. FLETCHER. It is largely a question of style. The authority is that the way we have followed is the preferable one.

The PRESIDENT pro tempore. The Chair was diverted by the discussion and enlightened as well and omitted to cause the bill reported from the Committee on Printing to be considered, read the first and second times, and placed on the calendar. That will be done, unless there is objection.

COLORADO VOLUNTARY CAVALRY REGIMENT.

Mr. SHAFROTH. Mr. President, I should like to have read the dispatch which I send to the desk.

The PRESIDENT pro tempore. The Senator from Colorado asks that a telegram sent up by him may be read. Unless there is objection, that will be done. The Chair hears none. The Secretary will read the telegram.

The Secretary read as follows:

[Telegram.]

DENVER, COLO., *April 21, 1914.*

United States Senator JOHN F. SHAFROTH,
Washington, D. C.:

The United Spanish War Veteran Voluntary Cavalry Regiment of Colorado is fully organized and ready for the field on short notice. If you will use your influence to help us get out as one of the first voluntary cavalry regiments, all men in the regiment will appreciate it.

Lieut. Col. JAMES BULGER,
Savoy Hotel.

Mr. SMOOT. I think telegrams of that kind ought to go to the Secretary of War. There is no use in sending them to the Senate.

Mr. SHAFROTH. I would suggest that the telegram be referred to the Committee on Military Affairs.

Mr. PENROSE. Anyone of us could introduce a dozen or a hundred such telegrams——

Mr. SHAFROTH. That may be.

Mr. PENROSE. If we desired to exploit the gallantry of regiments and volunteer companies and fire companies in our different States. I have communications from a number of fire companies that want to enlist which I could present to the Senate.

Mr. SHAFROTH. The Senator has taken more time than was taken in the reading of the dispatch.

Mr. PENROSE. It is beneath the dignity of the Senate, and an infliction upon the business and the patience of the Senate.

Mr. SHAFROTH. It does not impeach the dignity of the Senate to have volunteer service tendered by men who have already fought in the service of the United States.

Mr. KENYON. Mr. President, in view of the telegram from Colorado just read, I should like to have placed in the RECORD the telegram which I send to the desk.

The PRESIDENT pro tempore. In the absence of objection the telegram will be read.

The Secretary read as follows:

ALBIA, IOWA, *April 21, 1914.*

WILLIAM S. KENYON,
Senate, Washington, D. C.:

Striking miners, their wives and children, murdered by coal company guards at Ludlow, Colo. Miners tent colony burned to ground. Five men, four women, and at least five children killed. In name of humanity and for preservation of our American liberties we urge and demand as American citizens that the Federal Government protect our fellow mine workers and their families in Colorado. This butchery instigated by the moneyed power operating in Colorado is a disgrace to our American civilization.

W. H. RODGERS,
President Iowa Miners.
JOHN GAY,
Secretary-Treasurer Iowa Miners.

Mr. CLARK of Wyoming. Mr. President, I should like to ask the Senator from Iowa a question in regard to this particular matter, if the Senator will yield.

Mr. KENYON. Certainly.

Mr. CLARK of Wyoming. I wish to say to the Senator that within the last 24 hours I have received from the local unions in my own State a number of telegrams in regard to this very subject matter. I have been somewhat at a loss as to what course to pursue or what to do with the telegrams. I should like to ask the Senator if he has any particular course in view in dealing with this particular matter? If so, I should be very glad to join the Senator in it.

Mr. KENYON. Mr. President, I have been in the same troubled condition of mind that the Senator from Wyoming is in relation to this matter. I do not see what we can do; but I felt that inasmuch as these telegrams were presented as to the patriotism of Colorado, I ought to call attention to the fact that there were some matters in their own State needing attention. I also call the attention of the Senator to the article in the New York Times of this morning in reference to this very matter. The condition seems to be perfectly horrible, but I am at a loss to know what we can do.

I wish there were something we could do. The House has made an investigation. There is no need for the Senate to duplicate the investigation. Another significant fact is that one of these concerns, the Colorado Fuel & Iron Co., or the company controlling it, has certain of its bonds on deposit with the General Education Board of the Rockefeller Foundation, with which the Department of Agriculture of our Government seems to have been in partnership for some little time.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. KENYON. I think I have said all I care to say.

Mr. THOMAS. I merely wish to say, inasmuch as it concerns the State which I in part represent here, that for the last two or three days and again this morning I have been in receipt of telegrams of similar import. I have also read the article in the New York Times this morning to which the Senator from Iowa now has reference. If half the things therein narrated are true—and I am not disposed to doubt them—the conditions are horrible, and they seem to parallel some of the atrocities that are reported from Mexico.

Since the receipt of these telegrams both my colleague and myself have been deeply stirred and very much concerned; and we have consulted with a view of ascertaining whether it were possible, through Federal agencies, to do anything in that direction. But we perceive no avenue for Federal activity or interference.

Mr. WARREN. Mr. President, will the Senator permit a question?

Mr. THOMAS. Certainly.

Mr. WARREN. I wish to say that I, too, have received a great many telegrams of the same nature, from Wyoming and from Colorado. While I am speaking on the subject, before I ask a question of the Senator from Colorado, I will say that I have also received several telegrams from those who wish to volunteer and go to war if we are to have war, among them prominent men of the States of Wyoming and Colorado.

Respecting the telegrams from mining men, I wish to ask if the executive of the State of Colorado is not in the city at the present time?

Mr. THOMAS. The chief executive of the State is here. My colleague and I have been in consultation with him this morning. After he fulfills his duties here this afternoon, he is to take the first train back to his home, and I sincerely pray that by his presence something may be done through State agencies for the amelioration, if it be possible, of this unfortunate situation.

Mr. WARREN. I will say to the Senator that I am holding all of those dispatches with the hope that I may get into com-

munication with the executive of Colorado, with the House committee now engaged in investigating the Colorado situation, and with representatives of the miners.

Mr. THOMAS. I shall endeavor to bring the governor in contact with the Senator some time this afternoon.

Mr. WARREN. The situation ought to be relieved, of course; and it must have prayerful and the earliest possible attention and relief.

Mr. THOMAS. Mr. President, I have not called this matter to the attention of the Senate, because I have feared that because of my somewhat meager information as to details I might possibly say something that would reflect grave injustice upon some man, some official, or some interest; and that I want to refrain from doing. The situation seems to be a horrible one.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. I do.

Mr. NORRIS. I should like to ask the Senator from Colorado, since I presume he has perhaps made more investigation than any of the rest of us in regard to that particular subject, whether the committee recently appointed by the House to investigate this matter reached any conclusions as to what the power of Congress was, and, if so, as to what ought to be done?

Mr. THOMAS. I have not been advised that they have reached a conclusion as to that point. I understand they have reached some conclusions of fact, but whether they have made an official report or not I do not know definitely. I think, however, they have not.

Mr. KENYON. Mr. President, I will say that they have not, or had not a couple of days ago.

Mr. THOMAS. I thank the Senator for the information, because it corresponds with my own impression.

Mr. NORRIS. It occurs to me that since the House committee have made what I presume is a full and complete investigation of the subject, it would be well in some way to call the attention of that committee to the subsequent events that have been transpiring, with a view of having them take the whole matter into consideration.

Mr. THOMAS. Mr. President, one Member of the Colorado delegation is a member of the committee which has charge of this investigation, and he also has been the recipient of a number of telegrams concerning the subject, so I am sure that he is giving it personal attention.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I do.

Mr. McCUMBER. I wish to know if these two telegrams, the one referred to by the Senator from Colorado and the other referred to by the Senator from Iowa, can not be used in some way to supplement each other. There seems to be a desire on the part of some of the young men there to satiate their thirst in Mexican gore; and there is also a demand for protection from certain citizens of Colorado, calling upon the strong arm of the Government. Is it not possible that the contingent that appeal here for some such work to do might satiate their thirst within the confines of Colorado?

Mr. THOMAS. Mr. President, I am too deeply impressed with the sober realities of existing conditions, both in Mexico and in my State, to make definite reply to the suggestion. Moreover, Mr. President, my heart is too full this morning of the human side of things. I fear, however, that the keen desire of so many young men to serve their country in the war now upon us will find full satisfaction before many more months have rolled around; and I also greatly fear that unless society can in some manner reconcile these terrible conflicts between capital and labor, Mexico is not the only country that will be torn by internecine strife. The conditions in my State are such as to fill me with apprehension for the immediate future.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. THOMAS. I do.

Mr. GALLINGER. I will ask the Senator if my recollection is at fault that these striking miners in Colorado in the first instance shot down a marshal and some other citizens of the State.

Mr. THOMAS. Mr. President, last February when I was in Colorado I was told that the number of homicides up to that time totaled 138. I have no doubt, Mr. President, the history of this unhappy strife is replete with many murders and many crimes. I do not know. I think when this committee investigation shall have been given to the public we will then be able to speak fairly and do injustice to no man, at least I hope so.

Mr. GALLINGER. If the Senator will permit me, I think we ought to remain calm until the investigation in another body is completed. It was only a little while ago that the same class of telegrams were coming here concerning the strike in Michigan, and an investigation was made. The miners have gone back to work and everything is at peace there, as I understand.

Mr. THOMAS. That is the reason why I have introduced no telegrams, but no man having possession of his faculties and actuated by the common instincts of humanity can read without emotion the incineration of women and children in their little cots and tents out upon the plains.

Mr. GALLINGER. Of course we all sympathize with the Senator in that feeling, yet, as I suggested——

Mr. THOMAS. We ought at least to have some human feeling concerning it.

Mr. GALLINGER. As I suggested, an investigation is in progress, and I really think we ought, so far as the Senate is concerned, to patiently await the conclusions the committee will reach. The debate this morning will be helpful, for the reason——

Mr. THOMAS. I think we should remain as calm as possible at all times, but war is war and suffering is suffering, whether it be within the limits of the United States or out of the limits of the United States, and when we consider that the suffering falls so frequently upon the innocent, what wonder, Mr. President, that we look upon the future with more or less foreboding. I am no pessimist; I am inclined to take an optimistic view of things; but I feel that many of the conditions which are prevalent in this country demand summary rectification. There should be less of feeling, less of passion, less of recrimination; there should be an earnest recognition of grave social maladjustments and a patriotic desire to meet upon some plane where one side shall not say, "I demand everything," and the other side shall not say, "I demand everything," but in the interests of society, for the future of our children and of our children's children, try to reach some broad plane of human activity where the poor man and the rich man may each enjoy the opportunities which we proclaim as the heritage of American institutions, whether all shall take advantage of them or not.

Mr. GALLINGER. Mr. President, I sympathize, as we all do, with the sentiments expressed by the Senator from Colorado. Yet the fact is that telegrams are coming here from the State of Iowa depicting a condition in the State of Colorado which is alarming. If those allegations are true, a distinguished committee of another body, I apprehend, largely in sympathy with the working people, is investigating this matter, and I do feel that we ought to possess ourselves patiently until that investigation is completed. I have no doubt that committee will report a remedy, if the conditions that are pictured here to-day actually exist.

Mr. THOMAS. I should not have mentioned the subject at all, had it not been intruded on the attention of the Senate. I want to add the further fact that these are new conditions, new tragedies which have occurred since the committee left the field of its examination and returned to Washington.

Mr. WEST. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Georgia?

Mr. THOMAS. I yield.

Mr. WEST. How can we act here without coming in conflict with State authority in Colorado?

Mr. THOMAS. I do not know, Mr. President. There are many difficulties which confront us here. I have no remedy to suggest from a Federal standpoint now.

Mr. McCUMBER. I perhaps did not put my proposition aptly so as to be understood by the Senator.

Mr. THOMAS. I fully understood it.

Mr. McCUMBER. Here are two telegrams, one of them coming ostensibly from a company of State militia seeking employment for service under the Government in foreign lands. Immediately follows a demand from citizens of that State for Federal aid to prevent crimes being committed in that State. I can not understand why the State company of militia that are seeking to be called into service, or any other company of the State, could not find employment in that State.

Mr. SHAFROTH. There are no State militia referred to here. It is a company that is not organized, but ready to be organized, and they simply tender their services. It seems to me that it is a proper matter for the United States Senate to consider.

Mr. GALLINGER. I will ask for the regular order.

Mr. McCUMBER. I understood that they were State troops.

Mr. THOMAS. My colleague has not fully answered the question of the Senator from North Dakota. The militia was mobilized several months ago. They had been, I understand, in control down there until recently, but they were withdrawn a couple of weeks ago, and this perhaps is one of the consequences.

Mr. GALLINGER. The regular order!

The PRESIDENT pro tempore. The regular order is demanded. If there are no further reports of committees, the introduction of bills is in order.

FOREST-PRODUCTS EXPOSITIONS.

Mr. RANSDELL. Mr. President, there has been pending on the calendar for some days a joint resolution reported favorably by the Committee on Agriculture and Forestry to appropriate $10,000 for the purpose of having the Secretary of Agriculture make an exhibit of forestry at a big exposition of forest products to be held at Chicago, Ill., April 30 to May 9, and in New York from May 21 to May 30. I am exceedingly anxious to call it up. It is a matter of very great importance to all the people of the United States who are interested in forest products, and unless we can act on it now it will be entirely too late.

Mr. GALLINGER. I will ask the Senator from Louisiana if he would not let the routine morning business be completed?

Mr. RANSDELL. I thought the routine morning business had been completed.

Mr. GALLINGER. I certainly will not object if the Senator will wait until after the routine morning business has been completed.

RADIUM-BEARING ORES.

Mr. BORAH. Mr. President, what has become of the special order?

The PRESIDENT pro tempore. The Chair is not advised.

Mr. LODGE. If the Chair will allow me, in the absence of the President pro tempore, the Senate has been making some new parliamentary law in regard to special orders. It has been held by the Senate on an appeal from a ruling of the Chair that a special order has not only privilege for the day fixed in the order but a continuing privilege for every day at the time fixed in the order. Under that ruling the special order, the radium bill, should appear before the Senate automatically at 1 o'clock. It got out of sight somehow yesterday. What I want to inquire, as a matter of order, is whether it is not only clothed with a continuing privilege to come up every day at 1 o'clock, but clothed with the privilege to come up some days at 5 minutes past 1, to come up every other day, and to come up when it feels like it, according to what its condition is.

Mr. BORAH. I do not know exactly what power it has to come up of itself, but under the rule which has been established by the Senate we have a right to call it up.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. The Chair will state the parliamentary condition as he is now advised about it. That particular bill was made a special order, and the ruling indicated by the Senator from Massachusetts was properly made. Since that time the Chair is advised that a motion was made to proceed to the consideration of some other bill, which had the effect of displacing it, and the Vice President, then presiding, sent the bill to the calendar under Rule VIII. That is an answer to the question of the Senator from Idaho.

Mr. BORAH. I do not understand that the Vice President ruled that it lost its place, but that it could recur to-day again like Banquo's ghost.

Mr. SMOOT. The Senator from Idaho is correct as to the original ruling of the Chair, but the Chair did decide afterwards that the ruling was an error, and therefore he changed the ruling by sending the bill to the calendar under Rule VIII.

Mr. BORAH. Then I am in error, and withdraw my request for its consideration.

Mr. WALSH. That disposition of the bill is quite objectionable to me, and I seize this opportunity to give notice that immediately upon the conclusion of the unfinished business I shall move that the Senate proceed to the consideration of Senate bill 4405.

Mr. GALLINGER. Regular order!

The PRESIDENT pro tempore. The regular order is the introduction of bills and joint resolutions. Are there further bills and joint resolutions? If not, concurrent and other resolutions are in order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 5335) granting an increase of pension to Peter Smith; and

A bill (S. 5336) granting an increase of pension to Theodore D. Swain; to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 5337) for the relief of the legal representatives of James M. Brabston and Roche H. Brabston; to the Committee on Claims.

By Mr. BRADLEY:

A bill (S. 5338) granting an increase of pension to Alexander Curd (with accompanying paper); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 5339) granting a pension to Charles E. Mann (with accompanying paper); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 5341) to provide for publication by national banking associations and savings banks and trust companies of the reports of resources and liabilities and dividends required to be made by them to the Comptroller of the Currency; to the Committee on Banking and Currency.

A bill (S. 5342) to correct the military record of John L. McGregor;

A bill (S. 5343) to correct the military record of Samuel Snyder;

A bill (S. 5344) to correct the military record of Adolph F. Hitchler;

A bill (S. 5345) authorizing the appointment of George R. Snowden on the retired list of the United States Army; and

A bill (S. 5346) to grant an honorable discharge to S. A. Moser; to the Committee on Military Affairs.

A bill (S. 5347) to correct the naval record of Charles R. Snyder; and

A bill (S. 5348) to remove from the record of John M. Reber, late second lieutenant in the United States Marine Corps, the charge of dismissal and grant him an honorable discharge; to the Committee on Naval Affairs.

A bill (S. 5349) for the relief of S. H. Evans; to the Committee on Post Offices and Post Roads.

A bill (S. 5350) to amend section 5 of the act of Congress entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States," enacted on the 29th day of June, 1906; to the Committee on Immigration.

A bill (S. 5351) for the relief of William A. Hutson; to the Committee on Claims.

A bill (S. 5352) granting a pension to Theodore S. Fenn;

A bill (S. 5353) granting an increase of pension to A. Y. Whitmoyer;

A bill (S. 5354) granting a pension to Moses P. Osborn;

A bill (S. 5355) granting an increase of pension to Hartman K. Wismer;

A bill (S. 5356) granting an increase of pension to John H. Seagrist;

A bill (S. 5357) granting an increase of pension to J. J. Kerr;

A bill (S. 5358) granting an increase of pension to Isaac Wolfe;

A bill (S. 5359) granting an increase of pension to Charles Breyer;

A bill (S. 5360) granting an increase of pension to Andrew Cramer;

A bill (S. 5361) granting an increase of pension to Charles Stackhouse;

A bill (S. 5362) granting a pension to Mrs. E. L. D. Palmer;

A bill (S. 5363) granting a pension to Mary E. Burg;

A bill (S. 5364) granting an increase of pension to James P. Hayman;

A bill (S. 5365) granting a pension to Joseph Frick;

A bill (S. 5366) to restore the name of Lewis H. Lee to the pension rolls (with accompanying paper);

A bill (S. 5367) granting an increase of pension to John H. Condon (with accompanying papers);

A bill (S. 5368) granting an increase of pension to Percy H. White (with accompanying papers);

A bill (S. 5369) granting an increase of pension to George D. Hamm (with accompanying papers);

A bill (S. 5370) granting an increase of pension to Samuel S. Feehrer (with accompanying paper);

A bill (S. 5371) granting an increase of pension to David Spealman (with accompanying papers);

A bill (S. 5372) granting an increase of pension to Julia Sitz (with accompanying papers);

A bill (S. 5373) granting an increase of pension to John M. Mishler (with accompanying papers); and

A bill (S. 5374) granting a pension to Mary C. Weirick (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 5375) granting an increase of pension to Ella P. Hines (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 5376) granting an increase of pension to James G. Smith (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMITH of South Carolina submitted an amendment proposing to increase the salary of the executive assistant in seed distribution, Bureau of Plant Industry, Department of Agriculture, from $2,500 to $2,750 per annum, intended to be proposed by him to the Agriculture appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to increase the salary of the secretary, Civil Service Commission, from $2,500 per annum to $3,500 per annum, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

PANAMA CANAL TOLLS.

Mr. JONES. I have an article here prepared by former United States District Judge George Donworth, of Seattle, Wash., discussing the legal proposition as to whether or not the exemption of coastwise shipping from the payment of tolls is a violation of the Hay-Pauncefote treaty. This is a very carefully prepared article and from a purely legal standpoint by a man whom I know to be a very able lawyer. I ask that it be printed in the RECORD.

Mr. BRANDEGEE. I think I must object to printed arguments being published in the RECORD. I have no objection to its being printed as a public document.

Mr. JONES. I desire to say to the Senator that this article will be put in the RECORD.

Mr. BRANDEGEE. I have no objection whatever to the Senator reading it into the RECORD, but I shall insist that all editorials and magazine articles and literature of that character shall not be stuffed into the RECORD, no matter which side they are on.

Mr. JONES. I will say to the Senator that this is not that kind of an article. It is not from a magazine or anything of the sort.

Mr. BRANDEGEE. I understand it is a perfectly legitimate legal opinion. There will be thousands of them, and they will be accessible to those who want them if printed as public documents.

The PRESIDENT pro tempore. The Senator can treat it as a petition or memorial and have it filed and take it up and read it if he sees fit at a future time. At this time it is out of order.

Mr. JONES. I shall take an opportune time in which to read it.

TREATY-MAKING POWER UNDER THE CONSTITUTION.

Mr. WORKS. I have here a very interesting and instructive article on the treaty-making power under the Constitution of the United States by Henry St. George Tucker, of Lexington, Va. I ask to have it printed as a public document, and for that purpose ask that it may be referred to the Committee on Printing.

The PRESIDENT pro tempore. That will be done unless there is objection. The Chair hears none.

THE PANAMA CANAL TOLLS.

Mr. GALLINGER. Mr. President, I want to call attention to the fact that some days ago I offered a resolution which went over. I desire to ask that it may go over until to-morrow without prejudice.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and Senate resolution 342 will go over without prejudice. The Chair hears none, and it is so ordered.

RELIEF OF AMERICAN CITIZENS IN MEXICO (H. DOC. NO. 916).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Appropriations and ordered to be printed:

To the Senate and House of Representatives:

In view of the exigency created by the existing situation in the Republic of Mexico I recommend the immediate passage by the Congress of an act appropriating $500,000, or so much thereof as may be necessary, to be placed at the disposal of the President for the purpose of providing means to bring to their homes in the United States American citizens now in Mexico.

WOODROW WILSON.

THE WHITE HOUSE, *April 22, 1914.*

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 1657. An act providing for second homestead and desert-land entries; and

H. R. 9829. An act authorizing the Secretary of the Interior to sell certain unused remnant lands to the board of county commissioners of Caddo County, Okla., for fairground and park purposes.

H. R. 10845. An act to authorize the Secretary of the Interior to expend the proceeds arising from the sale and disposition of surplus agricultural lands and timber on surplus timberlands of the Spokane Indian Reservation, Wash., was read twice by its title and, on motion of Mr. JONES, referred to the Committee on Indian Affairs.

H. R. 12463. An act to authorize the withdrawal of lands on the Quinaielt Reservation, in the State of Washington, for lighthouse purposes, was read twice by its title and, on motion of Mr. NELSON, referred to the Committee on Commerce.

H. R. 14242. An act to increase the limit of cost for the erection and completion of the United States Federal building at Harrisburg, Pa., was read twice by its title and referred to the Committee on Public Buildings and Grounds.

COLORADO VOLUNTARY CAVALRY REGIMENT.

Mr. REED. Mr. President, this morning the Senator from Colorado [Mr. SHAFROTH] sent to the desk a telegram which reads:

The United Spanish War Veteran Voluntary Cavalry Regiment of Colorado is fully organized and ready for the field on short notice. If you will use your influence to help us get out as one of the first voluntary cavalry regiments all men in the regiment will appreciate it.

Lieut. Col. JAMES BULGER.

When that telegram was read in the Senate the following colloquy occurred between the Senator from Pennsylvania [Mr. PENROSE] and the Senator from Colorado [Mr. SHAFROTH]:

Mr. PENROSE. Any of us could introduce a dozen or a hundred such telegrams——

Mr. SHAFROTH. That may be.

Mr. PENROSE. If we wanted to exploit the gallantry of regiments and volunteer companies and fire companies in our different States. I have communications from a lot of fire companies that want to enlist which I could present to the Senate.

Mr. SHAFROTH. The Senator has taken more time than the reading of the dispatch took.

Mr. PENROSE. It is beneath the dignity of the Senate, and an infliction upon the business of the Senate and the patience of the Senate.

Mr. SHAFROTH. It does not impeach the dignity of the Senate to have volunteer service tendered by men who have already fought in the service of the United States.

Mr. President, when the dignity of the Senate of the United States can be impaired, impeached, or insulted by the offer of American citizens to tender their lives in the service of their country, the Senate will have become a very different body than it is at present. "Impeach the dignity of the Senate" for American citizens to offer to leave their homes, to shoulder their guns, to march through torrid climes, to expose themselves to the ravages of disease, to brave death upon the battle field, to enter hospitals of pain, to submit themselves to the surgeon's knife, that the honor of our flag and the integrity of our Republic may be maintained!

That is a strange sentiment, Mr. President, to be uttered upon the floor of the Senate of the United States. I could understand an Army contractor who expects to grow wealthy by trading and trafficking in the human blood about to be poured forth in war, standing with a sneer upon his lips for the men who are going out to do the fighting, but I am unable to understand how a Senator of the United States can declare that the dignity of the Senate of the United States "has been impeached" by this offer of loyal citizens to serve beneath the old battle flag of the Republic.

For my part I hope the telegrams will continue to come. I hope that the loyal hearts and loyal souls of American citizens will still continue to lay before the Senate of the United States and the House of Representatives the tender of their services, their fortunes, and their lives; I regret that upon the Senate records there is to be found what can not be regarded as other than an insult and sneer at these men who have offered their services. They are, Mr. President, the same kind of men who in every crisis in American history have given their lives to preserve our country.

I have no doubt when Washington first set up the banner of liberty in this country there were those who sneered at the men in homespun and coonskin caps and buckskin habiliments who were marching out to die that this country might be free. I have no doubt as those men passed along the street it was beneath the dignity of some men to stand and even salute them as they passed. I have no doubt that in the War of 1812 we had then men who regarded it as beneath the dignity of an American gentleman to recognize the valor of an American Volunteer soldier. I have no doubt that in the war of sixty-one and in the war we once had with Mexico there were men who thought that the soldier really offended against their dignity when he marched by and let his shadow fall athwart their greatness. But so far as I am concerned a sentiment of the kind expressed here to-day shall not be uttered in the Senate of the United States unless my protest follows.

Mr. PENROSE. Mr. President, I have listened with a sense of philosophical complacency to the mock heroics and cheap demagoguery which we have just heard in this body. I make due allowances for the nervous tension which gentlemen have been under through the night session until 4 o'clock this morning, and therefore I do not look for the clearest intellectual processes to-day. I can understand the extraordinary bravery which suddenly exhibits itself after a year and a half of patient "watchful waiting," during which women have been assaulted, American citizens have been murdered, and American property despoiled, without the slightest evidence of sympathy from our Secretary of State or from the national administration or, so far as I know, from the Senator from Missouri [Mr. REED], or from any other Senator on the Democratic side of the Chamber. Now that some 15 battleships have been concentrated upon a defenseless port and their enormous artillery has been trained upon a naked and distressed people it is fitting that the kind of bravery that seems to fill the breast of the Senator from Missouri should suddenly find voice.

When the cheap effort was made to exploit not even a militia company, but a volunteer cavalry troop, from the State of Colorado, I detected, Mr. President, at once an effort of the Democracy to make paltry political capital out of a wicked and unnecessary war, and I thought that at the very first evidence of such intention I would scotch it and call the attention of the country to it. I said it was against the dignity of the Senate; and so it was, because anything that is impertinent or not pertinent to our duties and jurisdiction is against the dignity of the Senate, and communications such as this should have been referred to the War Department for such examination as they might deem fit and proper. Perhaps this gallant company might require a physical examination; perhaps their avoirdupois, the extent of their girth, the shortness of their wind, might disqualify many of them from marching over the torrid plains of Mexico and might render them better fitted for those more elevated climatic conditions where they could cope with the anarchy and the homicides which prevail more immediately in their midst and have shocked the whole country.

The Senator from Missouri exhibits remarkable bravery. Fifteen million unprotected Mexicans, torn by strife, with enough troubles to excite our sympathy rather than our bloodthirsty and revengeful passions, have aroused him to a military ardor which tempts me to hope, but not believe, that he may be enlisted and found in the front rank of the combatants.

Mr. President, I believe that there never was a war entered into by any civilized nation which has been the culmination of more incompetent and ignorant management of diplomatic affairs than is the war in which our Government finds itself to-day. We have sunk to a depth which has invited the contempt of every civilized nation in the world, a contempt for the management of our State Department, and for even the management and conduct of the great Executive office of the Presidency. Americans can not go abroad under any foreign flag without a feeling of shame at the depths to which we have permitted our country to sink, and it will require more than the mock heroics, several thousand miles from the scene of trouble, even if it be in the precincts of this Chamber, to restore American self-respect and the respect which once attached to us on the part of every foreign nation.

To-day, in Mexico, the American citizen is hated and despised, and naturally so, because our Government has treated with absolute indifference his murder and his spoliation. I suggest that the Senator from Missouri drop his mock heroic attitude, that he prayerfully consider the condition into which his party has fallen, and endeavor to cooperate with this side of the Chamber in correcting at the earliest possible moment the dreadful errors and mistakes which ignorance, incompetence, and lack of patriotism have brought the country.

Mr. REED and Mr. SHAFROTH addressed the Chair.

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. REED. Mr. President, it may be, as the Senator from Pennsylvania insinuates, that the volunteers of Colorado need a physical examination, but I apprehend that their patriotism would stand a better test in any examination than would that of the Senator from Pennsylvania.

The Senator from Pennsylvania is tracking history. Once before we had a war with Mexico, and at that time we had "tories" in Congress. There was one who said that if he "were a Mexican, as he was an American," he would "welcome the American troops with bloody hands to hospitable graves." The electorate of his State buried the author of that statement in a political grave that was disgraced by even his political corpse.

The Senator from Pennsylvania upbraids the President and the Secretary of State and he upbraids me—and I feel honored by being placed in that company—because, he says, that "for some months violence and murder have gone unchecked in Mexico." Now that a step has been taken, we find the Senator is the first to raise his voice and protest against the very thing he said should have occurred months ago.

We will upon this side of the Chamber join the Republican side in defense of our flag; we will, upon this side of the Chamber, join the Republican side in emulation and generous rivalry in all patriotic enterprises, but there is no man on this side who will join the Senator from Pennsylvania in insulting men who offer their services to their country.

Mr. President, of course, in the opinion of the Senator, it is "cheap demagoguery" to stand and protest that a tender of body and limb and life to the country "should not be met with a sneer or turned aside with an insult." Of course that is "cheap demagoguery"; but to utter the insult when safe within the confines of the Senate Chamber, when protected by senatorial privilege, is the highest type of courage and the supremest manifestation of patriotism! That is not demagoguery. Ah, no, Mr. President, demagoguery at least yields some recognition to the decencies of life. It is only when a man has lost all sense of the decencies of life that he can insult the brave who offer their services in defense of their country.

Mr. SHAFROTH. Mr. President——

The PRESIDENT pro tempore. The Chair desires to make an announcement at this time. There is nothing before the Senate to which the debate that is now going on is relevant, and the Chair feels that he has been at fault in allowing the debate thus far to proceed without unanimous consent.

Mr. SHAFROTH. I desire to say a few words.

The PRESIDENT pro tempore. If the Senator will forbear for a moment, the Chair will recognize him. The Chair feels that after having recognized the Senator from Colorado, and that Senator shall have concluded his remarks, the debate should not proceed further without unanimous consent. The Chair feels that he is responsible for the situation that has been brought about, in view of the fact that he is not enforcing the rules of the Senate.

Mr. SHAFROTH. I will state, Mr. President——

Mr. PENROSE. Mr. President, the Senator from Colorado is only speaking by unanimous consent, as I understand.

The PRESIDENT pro tempore. That is true, although formal unanimous consent has not been given as yet.

Mr. PENROSE. I wish to ask unanimous consent to say a few words myself after the Senator from Colorado concludes.

The PRESIDENT pro tempore. The Senator from Colorado will proceed, and the Chair will be governed by conditions as they appear after the Senator from Colorado shall have concluded.

Mr. SHAFROTH. Mr. President, the situation is that I presented a telegram, which came from members of an organization in the State of Colorado that has seen service in the Spanish-American War. It was a manifestation of patriotism which I felt would be of service if it were read to the Senate of the United States. It was then that the Senator from Pennsylvania [Mr. PENROSE] rose and made his sarcastic remarks with respect to the matter. I answered him in simply a word, and expected the matter to be no longer before the Senate; but since he has made the statement which he did make a few moments ago, it seems to me that there ought to be some response to his observations.

The Senator from Pennsylvania referred to the fact that this was "a wicked and an unnecessary war." Those were the words that he used with relation to the resolution which passed during last night's session; and yet, Mr. President, we find upon examining the RECORD of the proceedings of the Senate on yesterday, that the Senator from Pennsylvania not only voted for the passage of that resolution which backs the President of the United States in the action that he had taken at that

time and which he is taking now, but the Senator voted for still more radical action upon the part of the President of the United States in advocating the Lodge amendment offered to the joint resolution. Thus the attitude which the Senator places himself in is that while he is talking about "a wicked and an unnecessary war" we find that his very record of less than 10 hours ago was to the effect of approving that very action upon the part of the President, and not only that, but of approving the still more radical action which was proposed by another Senator in the form of a substitute.

Mr. President, it seems to me when a Senator rises here and refers to the incident of the presentation of a simple telegram—which I supposed would meet with no opposition whatever and would not be criticized in the slightest degree—and goes into the question and talks about the United States Government training the guns of 15 battleships upon a defenseless city, that in view of the record which was made by him not more than 10 hours ago, he has developed an inconsistency and has taken a position of which he himself should be ashamed.

We are in a condition, Mr. President, that calls for patriotism, and when these men, knowing the sacrifice that they might have to make, volunteered their services to the Union, it seems to me that everyone in this body should respect them and should commend them. Making slurring remarks about the "watchful waiting" policy of the United States in this matter, the object of which was to avoid war and to avoid bloodshed, and referring to those matters in connection with a little telegram, it seems to me, is unworthy of the Senator from Pennsylvania.

Mr. PENROSE. Mr. President——

The PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. PENROSE. Mr. President, I think my position is entirely logical, and far more logical than that of the majority in this Chamber. On August 21, 1913, I offered a resolution, which I will ask the Secretary to read.

The PRESIDENT pro tempore. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Resolved, That the Senate recognizes that it has been the policy of the United States to maintain the Monroe doctrine throughout the Western Hemisphere, and that the United States acknowledges its responsibility under he Monroe doctrine; that there exists in the Republic of Mexico a condition of internal warfare and lawlessness, and that a continuation of these present conditions, accompanied by the destruction of property, may involve international complications and intervention by European nations.

Resolved, That it is believed by the Senate that it is the first duty of the Government of the United States to protect the lives and property of its citizens at home and abroad, and that such protection in the Republic of Mexico will lessen the prevailing lawlessness and destruction of lives and property, and the danger and complications that might arise from European intervention in the Republic of Mexico.

Resolved, That in the opinion of the Senate it is not the policy of the Government of the United States to recognize, aid, or assist any faction or factions in the Republic of Mexico.

Resolved, That the President of the United States be requested to take such steps as are necessary to place a sufficient number of troops, as a constabulary, in the Republic of Mexico wherever and at such points as in his opinion they may be needed properly to police and to protect American citizens and their property; and it is hereby declared that such employment of troops for the protection of the lives and property of American citizens is not made with any intent that such policing and protection shall be construed as an act of hostility or unfriendliness toward the Mexican nation.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from Idaho?

Mr. PENROSE. For what purpose?

Mr. BORAH. I wish to ask a question as to the parliamentary situation.

Mr. PENROSE. I yield to the Senator.

Mr. BORAH. I understand, Mr. President, that this debate is proceeding by unanimous consent.

The PRESIDENT pro tempore. The Chair will state the parliamentary situation. The Chair permitted the Senator from Missouri [Mr. REED] to proceed without knowing just exactly what was the particular matter to which he wished to address himself——

Mr. PENROSE. I am raising a question of personal privilege now.

Mr. BORAH. I am not going to object.

The PRESIDENT pro tempore. The Senator from Missouri [Mr. REED] said things that more or less involved the attitude of the Senator from Pennsylvania [Mr. PENROSE], and the Chair thought that it was nothing more than fair that the Senator from Pennsylvania should be permitted an opportunity to make a reply. The Chair was the offender, and in order to correct that mistake he made or the error into which he had fallen, the Chair announced that after the Senator from Missouri and the Senator from Colorado [Mr. SHAFROTH], who had some relation to the question, had been heard he would not recognize other Senators unless by unanimous consent.

Mr. BORAH. Mr. President, I am not going to object at this time, but I give notice that when the Senator from Pennsylvania concludes I shall object to any further debate.

The PRESIDENT pro tempore. The Chair will take the sense of the Senate about it at the proper time. The Senator from Pennsylvania will proceed.

Mr. PENROSE. Mr. President, I will be very brief. I hesitated yesterday to take the time of the Senate in debating the resolution justifying the President in his course, because I did not want to take up the time of the Senate and was willing to have the resolution passed as promptly as possible; but the uncalled-for provocation which I have had has given me the opportunity to say a few words, and I am very glad to take advantage of that opportunity.

I offered that resolution which I have had read, Mr. President, on August 21, 1913. I never could get action on it, never could get the committee to consider it, and never could get any intimation from the chairman of the committee as to whether anything would be done for the relief of the situation, either through this resolution or through some other resolution. Later on I submitted an amendment to the deficiency appropriation bill, then pending in the House of Representatives, appropriating $25,000,000 for the purpose of protecting American lives and property and the lives and property of foreigners in the Republic of Mexico. No action was taken upon that resolution by the majority in this body. In the meanwhile the son-in-law of the lieutenant governor of Pennsylvania was being held up by the Villa forces and threatened with execution unless he submitted to blackmail, and a large number of other Pennsylvanians were despoiled in their property and jeopardized in their lives. For a long time I was utterly unable to get even a sympathetic audience at the Department of State. Finally, after consultation with the then chairman of the Committee on Foreign Relations and some of my colleagues on this side of the Chamber, I was able to get the State Department to send a telegram to Carranza or to any other person claiming civil or military authority, advising them that they would be held personally responsible for any injury visited upon the Pennsylvanians in whom I was interested; but this was obtained only after the most urgent solicitation and the greatest effort.

From that time on it has been well known that there has been a contemptuous indifference exhibited toward Americans who have been assaulted or despoiled. The subject has not seemed in any way to interest the officials at present in charge of the American Government. Millions of dollars have been lost and, as the Senate knows, scores of lives have been sacrificed in this policy of "watchful waiting." It is almost incredible. I doubt whether in the history of civilization there has been exhibited such a callous indifference to a country's own citizens as has been shown by the American Government during the last year.

These facts are gradually becoming known to the American people. What more brutal exhibition ever was witnessed than the order calmly given by the Department of State to Americans in the Republic of Mexico that they should leave there on the first steamer, abandoning all their property, their relatives, their business ties and connections, and the environments of a lifetime, they being there with as much right as they had to be anywhere else, and properly looking to the United States for protection? The utmost callous indifference was exhibited, as thousands of business men in the United States know who have visited Washington and called at the White House and at the State Department and have gone away, many of them who were earnest supporters of the Democratic Party in the last election, vowing that never again would they by vote or influence support a party which exhibited such indifference to the fate of Americans in an adjoining Republic. They have been to see me and have talked to me and explained matters; but it has not been until recently that the newspapers of the country have seemed to awake to the situation or take the proper view of it. Now they have; and it remains to be seen whether this difficulty into which we have gotten shall be managed with sober common sense and without a display of blatant fervor and an effort to secure a meretricious glory which the experience of the past does not justify. I hope, with the cooperation of the Republicans, good sense in dealing with these complications will ultimately prevail.

Could there have been a worse record exhibited on the page of history than was made by the majority in the Senate yesterday in the CONGRESSIONAL RECORD, when we saw the majority in this Chamber deliberately vote down an amendment which declared that the intervention of the President was to be justified to protect American citizens? The majority deliberately

voted down that amendment to the resolution. The punctilio over the flag apparently was the paramount issue involved. The destruction and spoliation of all that the flag represented and waved over and symbolized and was meant to protect apparently did not appeal to the gentlemen of the majority. As one Senator said in the debate, the questions of life and property were insignificant and unworthy of consideration.

I do not agree with this view, Mr. President. No one has a higher respect or a more fervent loyalty than I have for the flag of our country. No one has been more loyal in helping the veterans and soldiers of our wars. No one admires and respects more highly the devoted chivalry which would lead the young men of the land to enlist in any war in which the country might be engaged. On this occasion, however, we are not supposed to be in war. The intention to be in war has been disavowed. It is supposed to be a continuation of the policy of "watchful waiting" with a little ammunition thrown in. If we are not in a state of war and not even in a state of effective blockade, whence the need of exploiting this extraordinary gallantry on the part of the cavalry of Denver, Colo.?

FOREST-PRODUCTS EXPOSITIONS.

Mr. RANSDELL. Mr. President, I renew the request I made a while ago and ask that we immediately consider House joint resolution 204, to appropriate $10,000 to enable the Agricultural Department to make exhibits at the forestry expositions to be held in Chicago and New York. The matter is of immense importance to every portion of the United States which has any forests, and I hope there will be no objection.

The PRESIDENT pro tempore. The Senator from Louisiana asks unanimous consent for the present consideration of the joint resolution to which he has referred. Is there objection?

Mr. SMOOT. Mr. President, I will say to the Senator from Louisiana that there are two Senators who desire to be in the Chamber at the time the joint resolution is considered. Again I want to say that if we ever intend to get bills acted upon that are on the calendar, of just as much importance as the joint resolution for which the Senator has asked immediate consideration, we shall have to take them up in regular order. For that reason I object to the consideration of the joint resolution at this time.

The PRESIDENT pro tempore. Objection is made.

ARMY APPROPRIATIONS—CONFERENCE REPORT.

Mr. LEA of Tennessee. I renew my request that the conference report on the Army appropriation bill may be taken from the table and considered.

The PRESIDENT pro tempore. The Chair calls attention to Rule XXVII, in explanation of the suggestion he made to the Senator from Tennessee when the matter was originally presented:

> The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing—

Then the rule proceeds—

> and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

The presentation of the report of a committee of conference is a privileged matter. Whether or not the Senate will proceed to its consideration is not a privileged matter except as it may be made so by vote.

Mr. LEA of Tennessee. I understood that was the ruling of the Chair.

The PRESIDENT pro tempore. The Senator from Tennessee moves to proceed to the consideration of the conference report on a bill the title of which will be stated by the Secretary.

The SECRETARY. House bill 13453, making appropriations for the support of the Army for the fiscal year ending June 30, 1915.

The motion was agreed to, and the Senate proceeded to consider the conference report.

Mr. LEA of Tennessee. Mr. President, the report has been printed, and I do not think it is necessary to have it read. I will make a brief statement in regard to it on behalf of the Senator from Oregon [Mr. CHAMBERLAIN].

The amount of the Army bill as passed by the House was $94,190,577.16. The Senate has receded from certain amendments and the House has receded from some others, but there are several items which are now in disagreement, which are as follows:

Amendment No. 24. Pay of enlisted men	$1,221,758
Amendment No. 113. Subsistence of the Army	662,475
Amendment No. 121. Regular supplies	455,000
Amendment No. 123. Horses for Cavalry, etc	65,285
Amendment No. 137. Clothing, camp and garrison equipage	800,000
Amendment No. 161. Field artillery for Organized Militia	1,350,000
Amendment No. 164. Ammunition for field artillery for Organized Militia	2,000,000
Total	6,554,518

This makes a total increase by the Senate of $6,554,518, which is now in disagreement between the two Houses. The agreement on different items would increase the amount of the appropriation by $985,023.34. It is now my purpose to ask that the Senate adopt the conference report on the items in agreement, and I will then ask that the Senate insist upon its amendments in the case of the items still in disagreement, and ask for a further conference.

Mr. GALLINGER. I venture to ask the Senator from Tennessee how many items there are in disagreement. Are they the items the Senator has enumerated?

Mr. LEA of Tennessee. There are seven that are in disagreement, making a total increase in the appropriation of six and a half million dollars in round figures.

I ask for the adoption of the conference report.

The PRESIDENT pro tempore. The question is on agreeing to the partial report made by the committee of conference. Of course the whole report of the committee, as made up at the present time, will be involved in the motion.

The report was agreed to.

Mr. LEA of Tennessee. I move that the Senate further insist upon its amendments still in disagreement and ask for a further conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed as the conferees on the part of the Senate Mr. CHAMBERLAIN, Mr. LEA of Tennessee, and Mr. DU PONT.

The PRESIDENT pro tempore. The calendar under Rule VIII is in order.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 54 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 23, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 22, 1914.*

(Continuation of the legislative day of April 21, 1914.)

The recess having expired at 10 o'clock a. m., the House was called to order by the Speaker.

SWEARING IN OF A MEMBER.

Mr. BROWNING. Mr. Speaker, Mr. Dow H. DRUKKER, the newly elected Member from the seventh district of New Jersey, is present, and I ask unanimous consent that he may be sworn in at once. There is no question in respect to his election and there is no contest.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. DRUKKER appeared at the bar of the House and took the oath of office.

RECESS.

Mr. UNDERWOOD. Mr. Speaker, it is necessary to wait for a message from the Senate. I do not think it is advisable to take up any intervening business. I therefore ask unanimous consent that the House stand in recess for 10 minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the House stand in recess for 10 minutes. Is there objection?

There was no objection; accordingly (10 o'clock and 3 minutes a. m.) the House stood in recess for 10 minutes.

AFTER RECESS.

At 10.13 o'clock a. m., the recess having expired, the House was called to order by the Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed, with amendments, joint resolution (H. J. Res. 251) justifying the employment by the President of the armed forces of the United States in enforcing certain demands against Victoriano Huerta, requested a conference with the House of Representatives on the said joint resolution and amendments, and had appointed Mr. SHIVELY, Mr. CLARKE of Arkansas, and Mr. LODGE as the conferees on the part of the Senate.

MEXICO.

Mr. FLOOD of Virginia. Mr. Speaker, I call up House joint resolution 251, justifying the employment by the President of the armed forces of the United States in enforcing demands against Victoriano Huerta, and ask that it be laid before the House.

The SPEAKER laid before the House House joint resolution 251 with Senate amendments thereto.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read the Senate amendments, as follows:

Strike out lines 1 to 8, inclusive, and insert:

"In view of the facts presented by the President of the United States in his address delivered to the Congress in joint session on the 20th day of April, 1914, with regard to certain affronts and indignities committed against the United States in Mexico: Be it

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is justified in the employment of the armed forces of the United States to enforce his demand for unequivocal amends for certain affronts and indignities committed against the United States.

"*Be it further resolved*, That the United States disclaims any hostility to the Mexican people or any purpose to make war upon Mexico."

Mr. FLOOD of Virginia. Mr. Speaker, I move that the House concur in the Senate amendments. I will ask the gentleman from Illinois [Mr. MANN] if he cares to discuss this motion?

Mr. MANN. I would like to have a minute or two.

Mr. MADDEN. Mr. Speaker, I would like to have a little time on this, say, five minutes.

Mr. FLOOD of Virginia. Mr. Speaker, I will say to the gentleman that it is my purpose to move the previous question in a very few minutes?

Mr. MURDOCK. Why not do it now?

Mr. MANN. Our friend from Kansas wants to cut off debate, as usual.

Mr. FLOOD of Virginia. Mr. Speaker, I am willing to yield as much time as will be consumed on this side to the gentleman from Illinois, but I can not consent to yield any more time.

Mr. MADDEN. Mr. Speaker, does the gentleman mean to say that he does not want to yield any time to anybody except to the gentleman from Illinois [Mr. MANN]?

Mr. FLOOD of Virginia. The gentleman from Illinois [Mr. MANN] will control the time on that side.

Mr. MURDOCK. Mr. Speaker, is it in order for me to move the previous question?

Mr. MANN. It would not be in order, Mr. Speaker. The gentleman from Kansas has not the floor.

The SPEAKER. The gentleman from Virginia has the floor.

Mr. UNDERWOOD. Mr. Speaker, I think it is apparent that now is not the time when we ought to engage in any discussion of this matter. I suggest to both sides of the House that we are in a situation in Mexico where it is not wise for us to discuss the matter further; but if agreeable to the gentleman from Virginia [Mr. FLOOD] I will ask unanimous consent that there be 20 minutes of debate on this resolution—10 minutes to be controlled by the gentleman from Virginia [Mr. FLOOD] and 10 minutes by the gentleman from Illinois [Mr. MANN].

Mr. MANN. Oh, we want more time than that.

Mr. McKENZIE rose.

The SPEAKER. For what purpose does the gentleman from Illinois [Mr. McKENZIE] rise?

Mr. McKENZIE. Mr. Speaker, reserving the right to object, I hope that the gentleman who has control of this resolution will move the previous question at the earliest practical moment.

Mr. MURDOCK. Why not do it now?

Mr. McKENZIE. The time for talking has gone by.

Mr. MANN. Then why is the gentleman talking?

Mr. FLOOD of Virginia. Mr. Speaker, when I introduced the original resolution on last Monday I believed it was in the proper form to carry out the purposes outlined in the address of the President, which had just been delivered to the Congress, and I believe so now. The resolution in that form had the approval of the President. It subsequently received the approval of the Committee on Foreign Affairs and of this House by a vote of 337 to 37. [Applause.]

The Senate changed the form but not the substance of that resolution.

The House resolution justified the President in the employment of armed forces of the United States to enforce the demands for amends made upon Victoriano Huerta for affronts and indignities committed against this Government by Gen. Huerta and his representatives.

The Senate amendments contain a preamble referring to the facts presented by the President in his address, and resolves that he is justified in the employment of the armed forces of the United States to enforce his demands for amends for affronts and indignities committed against the United States, the affronts and indignities being those referred to in the President's address and which were committed by Victoriano Huerta and his representatives.

The original resolution made it clear that this country was not hostile to the Mexican people, and did not desire to make war with Mexico; the Senate amendment states this in so many words.

The substance of this resolution is therefore unchanged.

In this momentous hour and in the circumstances confronting this country, prompt action justifying and approving the course of the President is of the utmost importance, and it would be childish to quibble over the words of the resolution when the substance is the same. [Applause.] And this is the view of the President. [Applause.]

I fear an attempt has been made by gentlemen on the other side to make partisan capital of the present unfortunate situation between this country and Mexico. I hope gentlemen have exhausted their misguided efforts in that direction and that Democrats, Republicans, and Progressives alike will to-day give their approval to the Chief Executive of the Nation without a single dissent. [Applause.]

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. FLOOD of Virginia. I will.

Mr. MANN. Is it the intention of the gentleman to yield any more time?

Mr. FLOOD of Virginia. It is not.

Mr. MANN. The gentleman intends to move the previous question at the end of the five minutes?

Mr. FLOOD of Virginia. I do.

Mr. MANN. Mr. Speaker, I think I never have indulged in partisanship in this House on any affair touching our relations with foreign countries. This side of the House, in my opinion, has been extremely patient and loyal to the President during the last year and more, while the Mexican difficulties were under attempted solution. We have refrained from criticism of a policy which we did not believe in. Now the gentleman charges us with partisanship because we are opposed, at least some of us, to involving the country in a war out of which there can come no glory to the American people or to the American flag. The partisanship lies on the other side of the House, where, regardless of their beliefs, without regard to the facts, without consideration of the questions involved, they simply act as they are ordered to do by the President. I do not believe that we ought to engage in a war with Mexico at this time for the reasons which have been suggested by the President. I do not believe we are to gain glory for ourselves or glory for our flag. Take the resolution which is pending. It declares that it is not the intention to make war upon Mexico—a falsehood upon its face, which will be construed by the world as another American hypocritical pretension that while we actually engage in war we disclaim the responsibility for war. Mr. Speaker, if we pass the resolution we have entered upon war. Already we have fired upon and killed Mexican citizens. Already we have involved ourselves in a war in a way with Mexico. I believe that we ought to be patient enough to endeavor to secure peace. [Applause on the Republican side.] Gentlemen on the other side have frequently said that there could be no war with Mexico. I have believed that the watchful waiting policy of the President in the end was likely to involve us in war, but I have hoped and prayed and still hope that there may be a chance to prevent war. It is easy for gentlemen here in their seats, safe and secure from personal assault or danger, to talk about the glory of the flag and about war, but war is a reality. We, a great, powerful Nation, knowing the result of a war with Mexico, knowing that in the end we will succeed in the war, therefore should be more cautious about producing war, and I have been surprised that gentlemen in the House talk peace and vote for war. We only passed the Hensley resolution recently in the interest of peace, and before the ink is fairly dry upon the paper, without just reason, without sufficient negotiations, we propose to enter upon a bloody war, and the blood will rest upon your heads, not upon mine. [Applause on the Republican side.]

Mr. FLOOD of Virginia. Mr. Speaker, for weeks Members on that side of the House have made speeches the effect of which would be to bring on war. The gentleman from Illinois never chided those gentlemen. As to who has appealed to partisanship on this question and has undertaken to make party capital out of it, I will let the country judge. [Applause.]

In the bitterness of the debate the President has been assailed and his motives impugned, but when the air clears these criticisms will be remembered only to the detriment of those who made them, and the President's patriotic action in this matter will add to his fame and to the honor and glory of his country. [Applause on the Democratic side.]

The President has come to the Congress in a crisis that affects the welfare of our people, the honor of the flag and of our uniform, and the glory of our country, and asks the united support of the legislative branch of the Government. Let him have it, so that the world may know that the American people to a man are standing behind their President. Let party be

forgotten when the war banner may have to be unfurled. [Applause.]

The SPEAKER. The gentleman from Virginia moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on concurring in the Senate amendments.

The question was taken, and the Senate amendments to the joint resolution were concurred in.

On motion of Mr. FLOOD of Virginia, a motion to reconsider the vote by which the amendments were concurred in was laid on the table.

ORDER OF BUSINESS.

Mr. UNDERWOOD. Mr. Speaker, I desire to move to adjourn so we may take up Calendar Wednesday at 12 o'clock. I understand the Speaker desires to wait in order to sign——

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Can the Speaker sign an enrolled bill before it is messaged to the Senate?

The SPEAKER. The Chair did not understand the gentleman.

Mr. MANN. Can the Speaker sign an enrolled bill before it has been messaged to the Senate that the House concurred in the Senate amendments?

The SPEAKER. The Chair never heard any question of that; never thought of it.

Mr. MANN. Nobody ever thought of it before?

Mr. UNDERWOOD. Mr. Speaker, I take it there is nothing in the rules that prevents a message to the Senate and an enrolled bill going to the Senate, both at the same time.

Mr. MANN. Well, there is a report of the Joint Committee on Enrolled Bills before an enrolled bill can be signed. The Joint Committee on Enrolled Bills, constituted partly of Senators, can not find a bill truly enrolled until the Senate is informed by the House that it has concurred in the Senate amendment. However, I have no objection——

The SPEAKER. The Chair has no doubt but that the gentleman from Illinois [Mr. MANN] is technically correct.

Mr. MANN. There will be no trouble in signing the enrolled resolution on Calendar Wednesday.

The SPEAKER. As to enrolled bills and resolutions, the Chair knows that it is not his business to attend to the enrolling, but when the Clerk sends one up here in proper form the Chair signs it.

Mr. MANN. It has to have a certificate with it.

The SPEAKER. It has to have a certificate with it.

Mr. MANN. The Speaker has the right to sign it on Calendar Wednesday.

ADJOURNMENT.

Mr. UNDERWOOD. I will say to the gentleman from Illinois [Mr. MANN], if he desires to raise any question about the matter, I am willing to move to adjourn, as the Speaker can sign the bill at 12 o'clock.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 30 minutes a. m.) the House adjourned until 12 o'clock noon.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 22, 1914.*

The House met at 12 o'clock noon.

The Rev. William Couden, of Indianapolis, Ind., offered the following prayer:

O God, our help in ages past, our hope in years to come, look Thou upon us from Thy sapphire throne, consider our needs and weakness and continue to claim us as Thine forever. Leave us not, neither forsake us, O God of our salvation. Guide our Nation in the new experience that opens before us. Comfort those upon whom the cost of honor and justice falls most heavily. And in whatever we do help us as a people to identify ourselves completely with Thy truth and Thy love as revealed unto us in Jesus Christ. Amen.

The Journal of the proceedings of Tuesday, April 21, 1914, was read and approved.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 251. Joint resolution justifying the employment by the President of the armed forces of the United States.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill and joint resolution:

H. R. 10138. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. J. Res. 251. Joint resolution justifying the employment by the President of the armed forces of the United States.

LEAVE OF ABSENCE.

Mr. RAGSDALE. Mr. Speaker, I ask unanimous consent for leave of absence for my colleague, Mr. FINLEY, for 10 days, on account of important business.

The SPEAKER. The gentleman from South Carolina asks unanimous consent for leave of absence for his colleague, Mr. FINLEY. Is there objection?

There was no objection.

MINE STRIKE IN COLORADO.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that I be permitted to address the House for 10 minutes.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent to address the House for 10 minutes. Is there objection?

Mr. MANN. On what subject?

Mr. FOSTER. On the subject of the mine strike in Colorado.

Mr. MANN. Will there be any other requests to speak on the same subject?

Mr. FOSTER. Not that I know of.

Mr. MADDEN. Has it any connection with the investigation that the gentleman's committee has made?

Mr. FOSTER. Partly so. It is not a report.

Mr. MADDEN. Has the committee made its report?

Mr. FOSTER. No.

Mr. MURDOCK. There was a very serious affair out there yesterday. Is the gentleman going to address himself to that?

Mr. FOSTER. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Illinois will proceed.

Mr. FOSTER. Mr. Speaker, this House authorized the Committee on Mines and Mining to proceed to Colorado to investigate a strike which had been in existence there since the 23d of last September. After spending four weeks in the State of Colorado investigating the causes of that strike, we came back to Washington and have had the testimony printed and are now waiting for briefs to be filed. After returning to the city of Washington the hearings on that strike have been printed, and the committee is now awaiting, as I said, the time for the attorneys, both for the operators and the miners, to file their briefs, so that we may make a report to the House. Therefore I do not care at this time to express any opinion upon that strike. But I did desire at this time, in view of what took place there on last Monday, to say a word to you on the conditions that exist in the southern Colorado coal fields at this time.

On last Monday there occurred a battle between the strikers and the militia out at a place called Ludlow, where there are several hundred miners located in a tent colony. As you may know, when these strikers left the coal camps they were compelled to go to some place to live with their families. Upon nearly all this property owned by the mining company there is not a single, solitary house within those camps that a miner is permitted to own or permitted to rent, except by the consent of the company, and when the miners quit the employ of the company they were then compelled to move out to some other place. They did so, and organized this colony at Ludlow, which they occupied up until last Monday, when this battle came on, as described in the daily press and in telegrams that have come to me from that section of the State.

I am informed that the battle raged for 14 hours, and during that time the tent colony was fired on. In it were men, women, and children. The women, many of them, escaped to seek refuge in a place not far distant from the camp, in a gully, as we call it, or in an arroyo, as they call it in Colorado. Some of them took refuge in trenches that were dug for their protection in this colony, and when the tents all took fire there were 4 women and 11 children, as reported, who lost their lives through asphyxiation down in those trenches where they had gone for protection from the firing of the guns.

I do not know, nor is it known, now how many women and children other than those that have been discovered lost their lives in that tent colony when the fire took place, nor how many have been killed. But by the press dispatches of this morning,

in view of the fact that in Vera Cruz, in a foreign country, there occurred yesterday a battle which has startled our people, where 4 marines were killed and 21 injured, I call your attention to the fact that within our own borders in the United States, where these helpless women and children have been fired upon, there should have occurred the death of at least 4 women and 11 children, so far known. I regret, my friends, that in the State of Colorado—a State which its citizens should be proud of, a State which all the people should be proud of—there should occur these disturbances which produced the death of those innocent women and children of that Commonwealth.

A short time ago, at another station not far from Ludlow, there occurred at what was called the Forbes tent colony a murder, and then to restore order, as was declared, the State Militia of Colorado went there and tore down the tents of these striking miners. Those tents were not as we understand tents to be generally, but they were those people's homes, and the State militia piled them up there and compelled those people to seek other quarters, God only knows where.

Has it come to pass in this country of ours, my friends, that we shall be called upon to read in the daily press of the firing of State militia upon the innocent women and children of that community? I have here many telegrams and a good deal of literature showing this to be the case in the State of Colorado. I regret, my friends, that such should be the case, and I hope that when this report shall have been made we may be able to solve in some way the problem of these industrial disturbances that cause loss of life and loss of money to our people.

Mr. CAMPBELL. Will the gentleman yield for a question?

Mr. FOSTER. Yes.

Mr. CAMPBELL. Has the gentleman from Illinois any suggestion to make as to how we can avert further disasters of the kind to which he has referred?

Mr. FOSTER. I will say in answer to the gentleman that of course I realize that the Federal Government is limited in reference to matters within the States; and yet there might come a time when the constitutional rights of the citizens of a State, which are guaranteed to everyone, should be preserved by the Federal Government.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. FOSTER. Yes.

Mr. COOPER. Is it or is it not a fact that some of these men in those tents, who are now striking miners, went there originally some years ago as strikebreakers?

Mr. FOSTER. In answer to the gentleman's question, I will say that 10 years ago there occurred a strike in the coal fields of Colorado. Large numbers of men were imported from other sections of the country to take the places of the strikers, and many of those men who were strikebreakers 10 years ago are the strikers of to-day. That is true. So I call the attention of the House to the enormity of this condition which exists in a sister State. May we not learn that human rights are above property rights, and that we may be able to settle these troubles that arise between employer and employee in a peaceful way, doing justice to both sides.

Mr. CULLOP. Will the gentleman yield there?

Mr. FOSTER. Yes.

Mr. CULLOP. Thus far the gentleman has not stated any cause for the battle on Monday. Which side opened the firing?

Mr. FOSTER. I will say to the gentleman from Indiana that I am not prepared to tell you who opened fire in this particular battle. The miners claim that the militia of the State of Colorado undertook—that they did try and that it was their intention—to drive the striking miners out of the State, and one of the ways in which they proposed to do that was by firing upon the tent colony, destroying it, and compelling those people to leave that section of the country, as they did in the Forbes tent colony. The militia claim that the strikers fired upon them. I am unprepared to tell you this morning all the facts in the case, as to just the particular way in which this battle was brought on.

Mr. CULLOP. Then, as I understand, the gentleman is not able to state now which side opened fire?

Mr. FOSTER. No; but we do know from other reports coming from that section of the country that those soldiers did fire upon this tent colony, and this tent colony was consumed by fire, and there went out the lives of 4 women and 11 innocent children, besides the number of mine strikers and militia who have been killed.

The SPEAKER. The time of the gentleman has expired.

Mr. AUSTIN. Does the gentleman desire any more time?

Mr. FOSTER. I ask for two minutes more.

The SPEAKER. The gentleman from Illinois asks unanimous consent for two minutes. Is there objection?

There was no objection.

Mr. AVIS. Mr. Speaker——

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from West Virginia?

Mr. FOSTER. I do.

Mr. AVIS. I want to ask whether this committee, under the authority heretofore given, would have the right to investigate this trouble and make a report to this House and recommend some action?

Mr. FOSTER. I think possibly the committee has that right.

Mr. AVIS. If it has not that right, does not the gentleman think it would be wise to ask the House for it?

Mr. FOSTER. In view of all that has occurred there, I think it wise that this battle should be investigated—that we should know the facts in the case, if it is possible to find out.

Mr. FESS. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. FESS. The gentleman referred to the authority of the Federal Government. The Federal Constitution guarantees to each State a republican form of government. Does the gentleman mean that there is not a republican form of government in Colorado?

Mr. FOSTER. I beg to state to my friend from Ohio that I would not like to give an opinion upon that question at this time. In view of not having made our report, I would not like to express an opinion; but in view of the enormity of the trouble that has occurred out there in the last few days, I felt it my duty to say this to the House of Representatives and to the country in order that it might awaken some feeling somewhere, so that this industrial disturbance might be stopped and the loss of life might cease.

Mr. KINDEL. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. KINDEL. I will ask the gentleman how he got his information in this matter.

Mr. FOSTER. I will say to my friend from Colorado that I have information from the head officials of the miners. I have also information through another source—from a bulletin coming from the press in that State; for instance, from the Pueblo Chieftian, which is a leading newspaper of that section of the country.

Mr. KINDEL. The reason I ask is that the reports I saw yesterday in the Washington papers stated that there were 13 killed—11 strikers, 1 militiaman, and 1 noncombatant.

Mr. FOSTER. I think there were more than that. We do not know yet exactly how many men have been killed in the tent colony at Ludlow—how many women and children have been suffocated and burned there. When we think of such occurrences it is enough to awaken in us a pity and shame that in this fair land of ours that such should be the case. Whichever side may be to blame, it should not exist. We boast of our civilization, and yet there seems to be no way to settle these disputes without loss of life and destruction of property. Let us all do what we can to bring about a better feeling and a closer relation of both employer and employee, that when differences do come that they may be settled peacefully.

Mr. TAYLOR of Colorado. Will the gentleman submit to another question?

Mr. FOSTER. Yes.

Mr. TAYLOR of Colorado. Does not the gentleman think it would be best for the committee to investigate this matter definitely, and after the committee have gotten the facts in some other way than by telegram, and by actual investigation, either by going out there or by some other definite and reliable method, then report to the House on the matter?

Mr. FOSTER. The committee will endeavor to report these disturbances to the House in so far as they are able to secure the facts.

The SPEAKER. The time of the gentleman has again expired.

Mr. FOSTER. I ask for three minutes more.

The SPEAKER. The gentleman from Illinois asks for three minutes. Is there objection?

There was no objection.

Mr. FOSTER. In view of my connection with this investigation I felt that I ought to come to the House and relate these circumstances, so that my statement may go into the RECORD and the attention of the House be called to it, and, if possible, the attention of the country be brought to view the enormity of this condition.

Mr. GARNER. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. GARNER. I do not know that the gentleman wishes to express an opinion at this time, before he makes his report, but I should like to know whether he believes the militia are act-

ing impartially in the enforcement of the law and the protection of life in that country?

Mr. FOSTER. I will give the gentleman this illustration, which is undisputed. I would not mention it except that it has been undisputed. A man who was a mine guard previous to the militia being called into the strike region of Colorado testified on the witness stand in the city of Denver—and he was at the time dressed in the uniform of a State militiaman—that he was a mine guard, belonging to Troop B, of Denver, and being paid at the rate of $3 a day by the mine operators, and was also drawing a salary from the State as a militiaman. You can draw your own conclusions whether that man was an impartial militiaman or not.

Mr. AVIS. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. AVIS. I want to ask the gentleman if he thinks there is anything the House can do at this time without investigation or formal report upon that matter?

Mr. FOSTER. I think not, unless Congress should see fit—and I am not saying whether or not the President or whether or not Congress should have the right—to call upon the governor of the State of Colorado to preserve order and protect the lives of innocent people.

Mr. COOPER. Is the gentleman prepared to say about what proportion of the militia—what number of them in that vicinity—were in the employ of the mine operators or receiving pay from the mine operators?

Mr. FOSTER. I can not; it was testified to by men not now in the militia or in the employ of the mine operators that that was the case. I mention this one case because it was undisputed.

Mr. COOPER. He was in uniform when he testified?

Mr. FOSTER. He was in uniform when he testified.

Mr. PLATT. Was the man an officer and responsible, or was it under orders?

Mr. FOSTER. I am not sure; I can not answer positively.

Mr. PLATT. It makes all the difference in the world.

Mr. FOSTER. He may have been a petty officer, but my recollection is he was a private.

The SPEAKER. The time of the gentleman from Illinois has again expired.

Mr. FOSTER. I ask for two minutes more.

The SPEAKER. The gentleman from Illinois asks that his time be extended two minutes. Is there objection?

There was no objection.

Mr. CRAMTON. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. CRAMTON. Is the chairman of the Committee on Mines and Mining in a position to give any opinion as to the probable time when a report will be made on the Colorado and Michigan investigations?

Mr. FOSTER. I do not know anything about the Michigan investigation. The gentleman from Colorado, the chairman of the subcommittee, might be able to tell the gentleman something about the Michigan investigation. Let me say that it was agreed between the attorneys for the miners and the operators before we left Denver, Colo., that after all the testimony had been printed they should have 20 days in which to file briefs before the report was made. So that we are anxiously waiting and hoping that we may be able to make a report soon to this House. I can not tell what the report is going to be, because I do not know. The committee has not taken up the matter, but we hope to make a report at the earliest possible date after the attorneys file their briefs.

Mr. CRAMTON. If the gentleman will permit, I asked the question because the gentleman is chairman of the full committee, and if I may be permitted I should like to express the hope that inasmuch as the investigation was by reason of very serious charges affecting the good name of the State, and the investigation has been completed, it seems to me that it is only fair to the State and the people and its officials that the report should be made as promptly as possible.

Mr. FOSTER. I have no doubt it will be made as soon as we are able to do it. We are dealing with attorneys out there who desire time to file briefs, and we gave them the time.

Under leave to extend my remarks I am printing some press notices and telegrams which have been forwarded to me.

[From the Washington Times, April 22, 1914.]

THIRTY-THREE DEAD IN LUDLOW MINE BATTLE.

DENVER, *April 22.*

Details of the 14-hour battle at Ludlow were revealed in dispatches from Trinidad and official reports to Acting Gov. Fitzgerald from militiamen in the field to-day.

Thirty-three known dead, more than two-thirds of whom are women and children; a score missing; and more than a score wounded—this is the toll of the battle.

With arms ready, both sides to-day awaited a resumption of the blood-letting. Several companies of militia, recruited from mine guards employed by the coal operators, are encamped at Ludlow, and to-day are preparing for a machine-gun sortie from their position along the Colorado and Southern railroad. On the surrounding hills, sheltered by rocks and bowlders, 400 strikers awaited their coming.

John McLennan, district president of the United Miners, to-day telegraphed the Red Cross from Trinidad to be ready to render aid.

[From the Washington Post, April 22, 1914.]

TWENTY-SIX MINE WAR TOLL—FOUR WOMEN AND 13 CHILDREN PERISH IN FIRE—DEATH LIST MAY REACH 50—NEW BATTLE BETWEEN MINERS AND TROOPS IS FEARED—FAMILIES OF STRIKERS, HIDDEN IN TRENCHES DURING 14 HOURS' FIGHTING AT LUDLOW CAMP MONDAY, VICTIMS OF BLAZE AS MACHINE GUNS RAKE COLONY—SPECIAL SESSION OF LEGISLATURE MAY BE CALLED TO DEAL WITH SITUATION.

TRINADAD, COLO., *April 21.*

With 7 identified dead in Trinidad morgues and a list of 18 missing and reported dead, the toll of yesterday's battle between State troops and strikers at and near Ludlow probably will exceed 25. Among those reported missing are 4 women and 13 children, who are believed to have been suffocated by the fire that destroyed the strikers' tents at the close of yesterday's fight. Earlier in the day they had hidden in trenches in the colony to escape the rifle and machine gun fire that raked the tents. The list of known injured consists of three soldiers, who were brought to Trinidad to-night

TRINIDAD HORROR-STRICKEN.

Trinidad is horror-stricken to-night by reports of the number of women, children, and noncombatants who lost their lives in yesterday's fight and in the fire that followed.

"It is horrible," said John McLennan, president of district 15, United Mine Workers of America, who is in charge at local headquarters.

"They were trapped without a chance of escape."

"The bodies of 2 women and 10 children were seen in one trench," it was announced at the Ludlow military camp to-night. "God only knows how many yet will be found."

BLAMES STRIKERS FOR BATTLE.

Maj. Hamrock to-night reiterated the statement that the fighting was precipitated by a band of Greek strikers under Louis Tikas, who opened fire upon military tents at Ludlow. The soldiers were driven out of their camps by bullets, according to the officer.

The union officials issued no statement.

More than 200 women and children refugees from the burned colony are to-night being cared for in Trinidad.

FEAR NEW ATTACK.

A force of armed strikers estimated at 600 or more is intrenched in the hills north and east of the ruins of the tents. Two hundred militiamen under Maj. Hamrock, Capt. Carson, and Lieuts Linderfelt, Lawrence, and Chase are stationed in and about Ludlow.

Militiamen and strikers to-day professed fear of an attack should they appear to search for bodies among the ruins of the colony. Undertakers with a flag of truce left to-night to search for bodies.

A new supply of ammunition is said to have been received by both militiamen and strikers during the day. Extra sentries have been posted on both sides. The troops are said to be preparing to move on the men in the hills. The troops are in possession of four machine guns. The problem of food and water has become a serious one on both sides.

LIST OF KNOWN DEAD.

Besides those mentioned, others known to be dead are:

A. Martin, private, Company A, Denver; two foreign-born strikers, a brewery worker of Trinidad, Frank Snyder, aged 12, son of a striker, of Ludlow, and James Fyter.

Among those missing and reported dead are Charles Costa, a striker, of Ludlow, Mrs. Charles Costa and two children, Mrs. Frank Pedrino and two children, Mrs. Nick Melasovitch and seven children, and Mrs. Chevez and two children.

[From the Washington Star, April 21, 1914.]

TEN MEN KILLED IN MILITIA CLASH—NUMBER OF WOUNDED IN BATTLE WITH STRIKERS IN COLORADO UNKNOWN—SCENE OF DESOLATION AT THE LUDLOW COLONY—TWO SMALL CHILDREN REPORTED TO HAVE PERISHED IN BLAZE—QUIET NOW PREVAILS.

TRINIDAD, COLO., *April 21.*

Hundreds of armed strikers who yesterday fought for 14 hours with State troops in the Ludlow district had disappeared this morning and quiet prevailed in and about the strikers' demolished tent colony. The militiamen who opposed the strikers were in possession of the railroad tracks from the steel bridge to a point near the burned colony. Reenforcements from Lamar and Walsenburg swelled the number of soldiers on the grounds to 160.

The list of identified dead was increased to five, and it seemed certain that at least as many more fell in yesterday's fighting. The number of wounded is unknown.

The identified dead:

A. Martin, private, Company A, First Regiment, Denver.
Louis Tikas, leader of the Greek strikers, Ludlow colony.
Edward Fyler, secretary of the Ludlow Union.
Charles Costa, Aguilar Union leader.
Frank Snyder, aged 12.

An unconfirmed report was that two small children perished in the blaze that razed the colony at 9 o'clock last night, and the bodies of other strikers are said to be still lying on the field of battle.

DESOLATE SCENE PRESENTED.

The Ludlow colony presented a scene of death and desolation to-day, only four or five of the tents remaining standing. Soldiers declare that quantities of ammunition were exploded by the blaze that swept the colony during the night.

An unidentified man driving a horse attached to a light buggy dashed from the tents waving a white flag just after the fire started. When ordered to halt, he is said to have opened fire with a revolver and was killed by a return volley from the militia.

Yesterday's battle centered about the big trestle of the Colorado & Southeastern Railroad, and several dead were said to be lying along the tracks, behind which the strikers took refuge.

Throughout the day and intermittently during the night the fighting raged over an area of approximately 3 square miles, bounded on the west by Berwind and Hastings, on the east by Barnes Station, on the

north by the Ludlow tent colony, and on the south by Rameyville. The battle field was completely isolated by the cutting of telegraph and telephone wires.

The fighting began early yesterday, when a militia detachment under Lieut. Linderfelt started to investigate the cause of firing near Cedar Hill. As the day progressed word of the clash reached officials, and a relief expedition consisting of 50 members of the newly organized Trinidad militia company was sent on a special train manned by J. H. Abrams, superintendent of the Colorado & Southeastern, with Master Mechanic Roach as engineer and Dispatcher Willis as fireman.

FOUND STRIKERS BARRICADED.

They detrained south of Ludlow and found the strikers barricaded in the pumping station. At dusk the strikers retreated along a gully back of the blazing tent colony, followed by the militia, who swept the valley with machine guns.

Maj. P. J. Hamrock spent the night strengthening the position of his men. A request was sent to Denver for additional supplies of ammunition.

With the arrival of Walsenburg and Lamar militia to-day Maj. Hamrock had approximately 175 men opposed to strikers variously estimated at from 400 to 800.

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DENVER, COLO., *April 21, 1914.*

Hon. M. D. FOSTER,
House of Representatives, Washington, D. C.:

Striking miners and families shot and burned to death at Ludlow, Colo. Mine guards with machine guns riddled tents of striking miners and set fire to tent colony. Four men, three women, and seven children murdered. State not only failed to protect, but allows uniforms and ammunition of the Commonwealth to destroy the lives of the workers and their families. We shall be compelled to call on volunteers in the name of humanity to defend these helpless people unless something is done.

E. L. DOYLE, *Secretary-Treasurer.*

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DENVER, COLO., *April 21, 1914.*

Hon. M. D. FOSTER, M. C.,
The Driscoll Hotel, Washington, D. C.:

We believe that yesterday's occurrences at Ludlow warrant further rigid congressional investigation here. We are informed that yesterday's battle occurred at Ludlow Station and tent colony, where many children, women, and union leaders, without warning, were mowed down by machine guns operating under orders of Linderfelt. If reports to us are confirmed, the facts, more than anything else which has preceded, should result in immediate Federal action and remedial legislation. The situation justifies a special presidential message to Congress.

E. P. COSTIGAN,
JAMES M. BREWSTER,
Counsel for Striking Miners before Congressional Committee.

—

TRINIDAD, COLO., *April 21, 1914.*

Congressman M. D. FOSTER,
Washington, D. C.:

Gunmen employed by mine owners caught helpless, unarmed, striking miners of Ludlow in trap yesterday morning. Burned tented city and shot down men, women, and children. No mercy was shown to either sex. Red Cross Society and society women of Trinidad doing all they can to relieve suffering and aid us, but situation is critical. Men, women, and children still in trap, and mine guards wearing uniforms of State are raking their ranks with eight machine guns.

JOHN MCLENNAN,
President District 15, United Mine Workers of America.

—

Telegram to Alva A. Swain, connected with the Chieftain, of Pueblo:

PUEBLO, COLO., *April 21, 1914.*

Latest and what seems to be reliable reports confirm story that Louie Greek started fight. Maj. Hamlock received letter from woman saying her husband was being held in camp and wanted to go back work. Said her husband wanted Louie Greek to see Maj. Hamlock; went to depot to see Louie, as Louie would not come to camp. Louie said no such man in camp. While talking, body of armed Greeks left tent colony in full view of Louie and Hamlock and marched off to one side. Hamlock said to Louie that did not look good. Louie said he would go over tell them to disarm and march back. Instead, went over and took charge of men; first firing came from Greeks directed at small squad men watering horses. Martin fell at first shot. This started whole fight. Seems to be no question about ammunition in tent of Lawson. Have had no denial of this yet from union officials. Said by some militia started fire; this they stoutly deny, and from what we gather of the fierceness of the fight they did not get close enough to do so. Some reports are fire was started by explosion of ammunition in Lawson tent. Others are that the inhabitants in hurry to get out upset stoves or lamps. This seems most likely, as firing on tent colony until after exit of most people not enough to explode stored ammunition. Lives lost in tent colony due to women and children hiding in caves that had been dug for protection, and hence could not be found by militia to be rescued. Two privates did rescue some women and children. Stories of this work proves them to be heroes. Naturally all blame is placed on militia, but this does not seem reasonable, for there were but small number of militia and large number of strikers. Reported to-night strikers from Fremont would march to Ludlow to aid those there. Also strikers from northern territory would come down to help. Militiaman wounded was refused admission to sisters' hospital, Trinidad, because they feared to have soldiers in building. All quiet at this hour—Trinidad, also Ludlow. Machine guns were not taken to Ludlow until afternoon, when Linderfelt continued call for reenforcements; caused number men to leave Trinidad, taking number of field arms with them. Rumors of all kinds are coming in, but statements herein are as near correct as we can gather and by carefully checking up each rumor. Trinidad just informs me things quiet there to-night. Meeting of citizens was held in Trinidad Commerce Club this evening and the men pledged their support to sheriff to maintain order. Situation, I am advised, more intense than when strike first called. If further information wanted to-morrow advise. Use Postal wires when possible. Report, which is neither confirmed or denied, is that Lawson is now camped with strikers in the hills.

FRED MARVIN,
Editor Pueblo Chieftain, Pueblo, Colo.

—

DENVER, COLO., *April 21, 1914.*

Ludlow tent colony, which housed 1,200 Colorado striking coal miners, burned to ground after four men, three women, and seven children were murdered. One hundred and fifty gunmen in militiamen's uniform and with State equipment have, with six machine guns, kept up constant attack on men, women, and children since daybreak Monday morning. Indications are that mine guards intend to murder all strikers who refuse to go to work at company's terms. One boy, 11, murdered when he ran to get drink of water for mother, who had lain in cellar. Four other children, 7 to 11, driven back by bullets of uniformed gunmen into blazing tents, burned to death. Gunmen guard all roads. Passengers on trains say 15 to 20 men and women are lying on prairies in ruins of tent colony. Society women offer to nurse injured men, women, and babes, but are refused. Score more women and children probably smothered or murdered in most terrible massacre in American industrial history. Water supply cut off early Monday. Women and babes forced to lie in ditches and cellars 24 hours without food or water. Murderous guards are keeping up attack on men and all may be slaughtered. Will you, for God's sake and in the name of humanity, call upon all your citizenship to demand of the President of the United States and both Houses of Congress that they leave Mexico alone and come into Colorado to relieve these miners, their wives and children, who are being slaughtered by the dozen by murderous mine guards.

(Signed) E. L. DOYLE,
Secretary-Treasurer,
District 15, United Mine Workers of America.

Mr. CAMPBELL. Mr. Speaker, I ask unanimous consent to address the House for five minutes on this same subject.

Mr. SELDOMRIDGE. Mr. Speaker, I would like unanimous consent to address the House for five minutes at the conclusion of the remarks of the gentleman from Kansas.

The SPEAKER. The Chair will put these one at a time. The gentleman from Kansas asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. MOORE. Mr. Speaker, I make the same request, to follow the gentleman from Colorado.

The SPEAKER. The gentleman from Colorado [Mr. SELDOMRIDGE] asks unanimous consent to address the House for five minutes at the conclusion of the remarks of the gentleman from Kansas. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to address the House for five minutes at the conclusion of the remarks of the gentleman from Colorado. Is there objection?

There was no objection.

Mr. KINDEL. Mr. Speaker, I ask unanimous consent to address the House for five minutes at the conclusion of the remarks of the gentleman from Pennsylvania.

The SPEAKER. The gentleman from Colorado [Mr. KINDEL] asks unanimous consent to address the House for five minutes at the conclusion of the remarks of the gentleman from Pennsylvania. Is there objection? [After a pause.] The Chair hears no objection.

Mr. AUSTIN. Mr. Speaker, I ask permission to print in the RECORD telegrams from one of the officials of the United Mine Workers and the Trinidad Advertiser in reference to the sad and deplorable affair in Colorado on last Monday.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to print certain telegrams in the RECORD. Is there objection?

There was no objection.

The telegrams are as follows:

DENVER, COLO., *April 21, 1914.*

Hon. RICHARD W. AUSTIN,
House of Representatives, Washington, D. C.:

Striking miners and families shot and burned to death at Ludlow, Colo. Mine guards with machine guns riddled tents of striking miners and set fire to tent colony. Four men, three women, and seven children murdered. State not only fails to protect but allows uniforms and ammunition of the Commonwealth to destroy the lives of the workers and their families. We shall be compelled to call on volunteers in the name of humanity to defend these helpless people unless something is done.

E. L. DOYLE,
Secretary-Treasurer United Mine Workers of America.

—

TRINIDAD, COLO., *April 21, 1914.*

R. W. AUSTIN, M. C.,
Washington, D. C.:

Reports as sent out by United Mine Workers' officials as to battle Monday absolutely without foundation of fact. The death of 11 children, 2 women, and others was the fault of John R. Lawson. These women and children were held in tent colony and used as a defense, and fire was started in colony by the strikers themselves. In Lawson's tent was more than 20,000 rounds of cartridges and quantity of dynamite, which was the direct cause of burning of colony. Fight caused by attack on militia by Louie the Greek and followers. Lawson had prevailed on governor to take troops from district, and as soon as movement was

complete battle was begun. Trinidad is victim of betrayal, and strikers trying to make capital out of defeat. Strikers numbered 400 in battle, while only 79 militia were engaged. We deplore the result, but it was inevitable, as it was planned by the leaders of the United Mine Workers of America, and in their defeat they are now trying to make capital out of the fact that they sacrificed the lives of women and children.

TRINIDAD ADVERTISER.

Mr. CAMPBELL. Mr. Speaker, the country has been shocked by the atrocious conditions that exist in the coal-mining districts of Colorado. During the period the unfortunate conditions have existed there I have been in receipt almost daily of appeals for the protection of the constitutional rights of citizens in that State. I had hoped when the gentleman from Illinois [Mr. FOSTER], chairman of the investigating committee, took the floor this morning that he would make some suggestion that might be pursued by the Federal authorities to guarantee the constitutional rights of the miners. I now ask the gentleman from Illinois, as chairman of that committee, who is familiar with the conditions there, if he will not offer a resolution in this House directing the President of the United States to take such steps as may be necessary to protect citizens in the State of Colorado within that mining district, who are now without protection? If State authority is powerless, and it appears to be, the Federal authority should act through the Executive. I am fearing the attorneys for the miners are perhaps overlooking the constitutional rights of their clients.

Mr. MADDEN. Will the gentleman yield?

Mr. CAMPBELL. Yes.

Mr. MADDEN. Does the gentleman from Kansas think the State authorities are unequal to the occasion?

Mr. CAMPBELL. It seems so. In any event, the lives and liberties of people, the right to the protection of the tents which they call their homes, have been ignored. They have not had the protection that we have boasted surrounds every man in the Republic, and, being denied this protection, it seems to me that some steps should now be taken, not by the way of investigation, for we have had investigation enough, but by proper Executive action that will result in giving the people affected all the guaranties of the Constitution.

Mr. FORDNEY. Will the gentleman yield?

Mr. CAMPBELL. Yes.

Mr FORDNEY. Has the gentleman any information as to whether the militia or the miners are responsible for this riot? I would like to know which side is responsible.

Mr. CAMPBELL. I do not know who is primarily responsible for the trouble.

Mr. FORDNEY. Until the information is given, does not the gentleman think it wise that some one should get definite information before ordering the Federal Government to take action?

Mr. CAMPBELL. We have had complaints of these conditions for months. We authorized an investigation by a committee of this House. That committee has made its investigation, and so far we are not informed as to who is in the right or who is in the wrong with regard to each particular incident that results seriously.

Mr. FORDNEY. They have not investigated this incident.

Mr. CAMPBELL. They have not investigated this particular one, but they have investigated the conditions there, made up of other incidents similar to this, running through a long period of time, but have not reported.

Mr. GARNER. Mr. Speaker, the gentleman ought not to complain of the Executive, when the committee of the House of Representatives has not made its report. If the committee has not made its report and we think they are negligent, it is our business to instruct them to make the report.

Mr. CAMPBELL. Mr. Speaker, I am asking the gentleman from Illinois [Mr. FOSTER], chairman of the committee, if he will not, with the information that he has, if it is justified, appeal to the executive authorities to take such steps as are necessary to protect the constitutional rights of these citizens.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. Yes.

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. CAMPBELL. Mr. Speaker, I ask unanimous consent to proceed for two minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, I will say this to the gentleman: That, so far as I am concerned, I have endeavored as best I could to get this matter before the House at as early a date as it is possible to do, but the gentleman realizes that the printing of a large amount of testimony and the filing of briefs take some little time. The committee has done the very best that it could. I want to say to the gentleman that, so far as I am individually concerned, I expect to urge such action to be taken, if necessary, by the Federal authorities as will give protection, in so far as we are able to do it, to these unfortunate, innocent, and helpless people.

Mr. CAMPBELL. Mr. Speaker, I appreciate that the gentleman from Illinois [Mr. FOSTER], as chairman of that committee, and that the committee itself have been doing everything within their power, and I made the suggestion I have now made in the hope that the gentleman from Illinois and his committee might feel justified in offering the sort of resolution to which I have referred, even before the report is made. Will the gentleman under the circumstances make the request to the Executive I have suggested?

Mr. FOSTER. Mr. Speaker, I will say to the gentleman that I appreciate his position just as much as anyone in this House, and I want to assure him that, so far as I am concerned, I shall do everything that is possible, and I believe the committee feel the same way about it.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. Certainly.

Mr. COOPER. With the gentleman's permission, I desire to ask the gentleman from Illinois one question. Until the gentleman's committee submits a report to this House, does the gentleman from Illinois doubt the committee's authority to continue its investigation?

Mr. FOSTER. I think the committee has that authority.

Mr. COOPER. Very well. Then, is not this killing of 11 women and 2 children, the killing of miners and the killing of militiamen in what was a serious battle, worthy of the immediate and searching attention of the committee?

Mr. FOSTER. Mr. Speaker, I agree with the gentleman from Wisconsin that that is true.

The SPEAKER. The time of the gentleman from Kansas has again expired.

Mr. SELDOMRIDGE. Mr. Speaker, as a Representative from the State of Colorado, I deeply deplore the recital which has been made to the House this morning by the chairman of the Committee on Mines and Mining concerning the riot which took place in the southern Colorado coal fields last Monday. It is the outgrowth of a condition which has been growing more acute and difficult for the past six months. Our State, unfortunately, has passed through several periods of industrial disturbance, and we have a record of controversies between the forces of capital and labor which has made a deep and lasting impression upon the minds of our citizens. There does not seem to be any power resident in the legislative bodies of this country, either Federal or State, to bring about the settlement of these disputes through process of law without resort to bloodshed and riot. During the time of the great Cripple Creek strike there were conditions unparalleled in the history of industrial warfare in this country. The constitutional rights of citizens were usurped and invaded. Many citizens were taken from their homes, placed in railroad cars, and deported from the State by action of the military authorities. The delays and intricacies of legal procedure were invoked against them, and there seemed to be an absolute paralysis of every form of judicial process that is ordinarily available to the individual to secure his rights. Our State has been left with a legacy of debt and an experience which has made her recognized in the Nation as having been the theater of most cruel and deplorable industrial disputes.

One of the difficulties confronting the State when her military power is invoked is that which arises from the condition of the State treasury. The militia can not be put into the field until the governor is provided with means necessary to support and equip it. He is therefore obliged to make some arrangement with the banking and moneyed interests of the State to secure funds in order to meet these expenses.

The result is that while the armed forces of the State are called out to preserve law and order, and to see that individual rights and property are respected, they are looked upon indirectly as the employed agents and allies of one of the parties to the dispute. This trouble all arises, in my judgment, from the fact that when you employ an armed force to preserve law and order in an industrial dispute you immediately provoke conditions such as have arisen in Colorado and elsewhere, especially where such a force is maintained through agencies more or less in sympathy with one of the parties to the controversy. I am not so much concerned for the present, although I deeply deplore and regret the occurrence of last Monday, as I am for the future, because this dispute, which in the beginning only affected a limited number of corporations and their employees, is spreading out and reaching into every community and hamlet in the State; men's passions are being aroused, and there is an alignment throughout the State on one side or the

other of this controversy. I am informed by telegraphic messages to-day that armed men are being sent into the region where rioting has occurred, and that serious trouble involving a further loss of life is threatened. I hope that the committee authorized by the House will not merely devote itself to a recital of facts in this controversy, but that it will present to Congress some legislative remedy that will give to the people of this country relief from strike conditions, which rest most heavily and severely upon those who are disinterested and have no direct connection with these unfortunate controversies.

Mr. MADDEN. Will the gentleman yield to a question?

Mr. SELDOMRIDGE. Yes.

Mr. MADDEN. The gentleman has made a very startling statement. Does the gentleman want to leave the impression on the House and the country that the governor of the State of Colorado sends the militia with the end in view of taking either one side or the other of the controversy, instead of the preservation of the law?

Mr. SELDOMRIDGE. I do not, Mr. Speaker; and I want to say this——

Mr. MADDEN. That is the only deduction that can be made from the gentleman's statement.

Mr. SELDOMRIDGE (continuing). That the governor of the State, when appealed to by the citizens of the State whose property is in danger or whose lives are in jeopardy, must recognize the power that rests with himself and call out the militia. When the civil authorities say that they can not control the situation and that they must have the militia, the governor is bound to recognize the plea. When he looks into the treasury of the State and finds himself unable to secure funds there to pay the militia, feed, clothe, and equip it, and when he is obliged to intercede with the clearing houses of the State to find the money to pay these expenses, does the gentleman believe that men sent into the field under those conditions would be able to exercise that same independence of action that they could if the obligation on the part of the State to private moneyed interests did not exist?

Mr. MADDEN. Why does not the governor call the legislature in special session and make an appropriation to cover the needs of the case?

The SPEAKER. The time of the gentleman has expired.

Mr. GORMAN. Mr. Speaker, I ask unanimous consent that the gentleman may have his time extended for five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Colorado may have his time extended for five minutes. Is there objection?

Mr. SELDOMRIDGE. I do not desire any further time, Mr. Speaker. I believe I have said all I desire to say.

Mr. MADDEN. Well, in order to answer a question.

Mr. SELDOMRIDGE. I will be glad to answer any questions.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. The gentleman stated a very extraordinary situation as existing in Colorado. I would like to ask the gentleman from Colorado why it is that the governor of the State does not call the legislature in special session, when an extraordinary situation like this exists, for the purpose of making appropriations that will enable him to perform his duty?

Mr. SELDOMRIDGE. I presume, Mr. Speaker, that the committee of investigation, having had the governor before it, would have asked him that question. I am not in any position to answer for him. I am simply stating to the House the condition which exists in Colorado and giving my conclusions from the facts as I know them in reference to the resources available for the pay and compensation of the militia.

Mr. GORMAN. Does the gentleman happen to know what security the governor pledges for these loans he makes?

Mr. SELDOMRIDGE. The auditor of state issues certificates of indebtedness upon vouchers approved by the military board, of which the governor is an ex officio member. The governor is charged by the constitution which he is sworn to support to maintain and enforce the laws of the State and to protect the lives and property of her citizens. He is authorized to call out the militia when a state of insurrection exists, and the constitution provides for the issuance of these certificates of indebtedness, which are not a lien on the State treasury until the legislature has provided for their payment, either by direct appropriation, if there be money available, or through the sale of bonds. It will thus be evident that they are not securities of a class that will find ready sale in financial markets and are only evidences of indebtedness constituting no legal claim against the State government until the legislature has recognized them as above indicated. It will thus be understood why the governor is obliged, if he acts under constitutional authority, to look to private sources for means whereby he can hypothecate these certificates. It is true that he could call the legislature together and request it to assume the responsibility of providing funds for immediate use. But conditions develop very suddenly, and the executive is confronted sometimes with situations which will not permit of delay, and the constitution of the State has recognized the probability of sudden emergencies requiring executive action by providing the means above indicated for meeting these extraordinary conditions.

Mr. MADDEN. That is due to the fact that they have had a very bad government in Colorado and an extravagant expenditure of public funds which made it necessary to overtax the people of Colorado until they are overloaded with indebtedness so nobody wants to buy their paper. Is not that true?

Mr. SELDOMRIDGE. The people of Colorado, Mr. Speaker, are suffering, in my judgment, from the fact that the representatives of the people, both in the State and the Federal branches of the Government, have not given the people some remedy by which these disputes may be settled without bloodshed and riot. [Applause.]

Mr. Speaker, in closing let me say that Colorado is not alone in her suffering. The same conditions that exist in her borders to-day may arise in other States to-morrow. We can not build up our industrial system or enlarge our commercial activities on lines which recognize physical force as the only effective remedy in the settlement of disputes between the employer and the employee. There must be found some peaceful and accepted agency which will operate to adjust these controversies. With all our boasted civilization, with all the advantages of free government, and with our recognized adherence to the religion of Jesus Christ, with the Golden Rule as its greatest principle controlling the relation of man with man, must we confess that we are unable to find any means available either in society or government that will provide for a just and equitable settlement of industrial disputes or must we still leave these controversies to be fought out on lines of selfishness and cruelty? Colorado is a magnificent State. Her natural resources are unlimited in value and variety; her people are patriotic and intelligent. They are devoted to building up communities of culture and good order. They have overcome many obstacles in the way of material development, and they have reached out to secure for themselves every advantage of free and popular government. May the day soon come when the clouds of industrial conflict which now darken and obscure her sky and which have brought so much of havoc and devastation in their course will pass away and allow the light and blessing of industrial peace and contentment to abide in every portion of our beloved Commonwealth.

Mr. MOORE. Mr. Speaker, I arise to pay tribute to the heroism of George Poinsett, of Philadelphia, a seaman on the *Florida*, who went to his death yesterday under orders to take the customhouse at Vera Cruz, Mexico. [Applause.] The bulletin just issued by the Navy Department announcing the death of Poinsett and three others is meager as to details, but we are led to believe that they were fired upon by the Mexican troops while defending their position. I shall attach to these remarks the full statement authorized this morning by the Navy Department with respect to the deaths and casualties resulting from this first clash of arms between the forces of the United States and Mexico. It is not my purpose now to dwell upon the causes leading up to this unfortunate condition presaging war. That matter was disposed of by the President of the United States, and Congress has voted to sustain this action.

Whether we have entered upon this war wisely or unwisely we have at least demonstrated our wisdom as a nation in being prepared for war. In such a crisis we must look to our Army and to our Navy; to our battleships and to our guns; to our navy yards and to our recruiting stations. These we must have and maintain in times of peace as in times of war.

Deploring war, as we do, we must yet find the men to go to war when our safety, our dignity, or our honor as a people are at stake. We must have a Dewey for Manila, a Sampson, a Schley, and a Hobson for Santiago [applause], but in addition to these, farther along in the ranks, we must have a Worth Bagley, the ensign—first to fall in the Spanish-American war—and a George Poinsett, the seaman, to sacrifice his life for us if need be.

This, Mr. Speaker, is my reason for paying tribute to the young Philadelphian who was of the first four to fall yesterday in the service of his country in a war the consequences of which we can not see.

Mr. Speaker, what manner of man was this George Poinsett? He had not yet reached the age of maturity; he had gone but 10 days beyond his twentieth birthday. This was the American seaman, the American patriot, who, when this great Congress of

the United States was deliberating upon a message of the President and every nation of the world was watching the outcome of that deliberation with the keenest interest, went forward, under orders, representative of our country, and in defense of our flag, to lay down his promising young life.

George Poinsett, Philadelphian, enlisted as an apprentice seaman at the age of 17 years, thus responded to the call of duty. It was a manifestation, Mr. Speaker, of that spirit of patriotism and loyalty which has always typified the youth of this country when honor is at stake and duty calls. George Poinsett would have been entitled to an honorable discharge after faithful service in the Navy in June of next year.

The discharge has come prematurely, but with higher honor than any formal certificate. It involves alike the pain and the glory of martial life.

A father, who nearly three years ago yielded to his boy's desire to serve his country, has been bereft of a loved one, but the Nation has added the name of that son to its roll of heroes. [Applause.]

Mr. Speaker, of John F. Schumacher, coxswain, of Brooklyn; of George Poinsett, seaman, of Philadelphia; of Daniel Aloysius Haggerty, private in the Marine Corps, of Cambridge, Mass.; and of another hero killed in the service whose name has not yet been ascertained; and of those who were with them in this first letting of the blood of war, may we not say as Tennyson said of the Light Brigade—

Theirs not to make reply,
Theirs not to reason why,
Theirs but to do and die.

[Long applause.]

Mr. Speaker, the Navy Department Bulletin No. 9, to which I referred, is as follows:

BULLETIN No. 9.

NAVY DEPARTMENT.

The news dispatches give the following as among those killed and injured at Vera Cruz:

KILLED.

Coxswain John F. Schumacher, of the *Florida;* home address, 161 Harmon Street, Brooklyn, N. Y.; born December 5, 1880; next of kin, Isabella McKinnon, mother, same address; enlisted November, 1907; reenlisted 1910; recently transferred from the *Wheeling* to the *Florida.*

George Poinsett, seaman; next of kin, William Poinsett, father, 5321 North Twelfth Street, Philadelphia, Pa.; enlisted, Philadelphia, 1911; attached to *Florida.*

Daniel Aloysius Haggerty, private, Marine Corps, Eighth Company, Second Regiment, advance base; next of kin, Michael Haggerty, 16 Harding Street, Cambridge, Mass.; enlisted July 4, 1906; last recorded as attached to the *Utah.*

WOUNDED.

Charles J. Leahy, ordinary seaman, assigned to the *Florida;* home address, 332 East Ninetieth Street, New York City; next of kin, Nellie Leahy, mother, same address; enlisted 1912.

Nathan Schwartz, ordinary seaman; home address, 223 East Fourth Street, New York City; next of kin, Harry Schwartz, brother, same address; enlisted September, 1912, and serving his first duty at sea.

C. D. Cameron, ordinary seaman; home address, 108 Doscher Street, Brooklyn, N. Y.; next of kin, Donald Cameron, father, same address. Cameron was assigned to the *Florida;* enlisted June 3, 1913.

John F. Place, seaman; home address, 134 Wakeman Avenue, Newark, N. J.; next of kin, Anna Place, same address; enlisted 1911; assigned to the *Florida.*

Edward A. Gisburne, electrician, third class; home address, 54 Summer Street, Quincy, Mass.; next of kin, John R. Gisburne, grandfather, 1932 Seventeenth Street, Washington, D. C.; enlisted 1910.

No information has been received at the Navy Department to verify this list, and the department has no knowledge at 11.30 of its accuracy.

Mr. MONDELL. Mr. Speaker, the deplorable occurrences in southern Colorado to which the gentleman from Illinois [Mr. FOSTER] has called our attention present a situation which appeals very strongly to our sympathies and to our sense of justice. The newspaper reports and dispatches vary in their statement of what occurrred at Ludlow and as to the number of persons killed or injured; but this, at least, is certain, that a considerable number of defenseless women and children lost their lives under circumstances most frightful and appalling. It is important that we shall know, and know quickly, who is responsible for this frightful occurrence, to the end that justice may be done and such heart-rending occurrences may be prevented in the future. Our hearts go out in sympathy to those who have lost wives and children, and our duty is to do everything within our power to remedy conditions which make such awful tragedies possible. I hope that the committee presided over by the gentleman from Illinois [Mr. FOSTER], which recently investigated matters in this district, may give prompt consideration to this awful tragedy and promptly take or recommend to the House such action as may be proper. I shall place in the RECORD four telegrams I have received in regard to this lamentable occurrence:

CHEYENNE, WYO., *April 21, 1914.*

Hon. FRANK W. MONDELL,
2011 Park Road, Washington, D. C.:

Six men and 6 women and more than 15 children murdered by coal-company gunmen at Ludlow, Colo., strike field yesterday. Thugs uniformed as State militiamen. Union labor of Wyoming demands Federal protection of the defenseless strikers and families of Colorado. Please urge this protection at once.

WYOMING WEEKLY LABOR JOURNAL,
By H. R. SCHNEIDER.

CHEYENNE, WYO., *April 21, 1914.*

Hon. FRANK W. MONDELL,
2011 Park Road, Washington, D. C.:

Following telegram received from Colorado striking miners: "Wives and children murdered by coal-company guards at Ludlow, Colo. Tent colony burned to ground. Five men, four women, and at least five children killed."

In the name of humanity we demand that the Federal Government protect the miners of Colorado and their wives and children.

JAMES MORGAN,
Secretary Wyoming Union Miners.

CAMBRIA, WYO., *April 21, 1914.*

Hon. FRANK W. MONDELL,
Washington, D. C.:

We demand protection for the miners, their wives, and families in Colorado. Fourteen miners, women, and children killed by mine guards at Ludlow, Colo., yesterday.

This by order of Local Union No. 2532, United Mine Workers of America.

JOHN R. JONES,
Financial Secretary.

KIRBY, WYO., *April 21, 1914.*

Hon. F. W. MONDELL,
Member of Congress, Washington, D. C.:

The miners of subdistrict No. 1 of district No. 22 request you to use your influence to afford protection for the striking miners and their families in Colorado against the mine guards and hired thugs there.

GEO. FRISKEL,
Board Member of Subdistrict No. 1, District 22.

Mr. CRAMTON. Mr. Speaker——

The SPEAKER. The gentleman from Colorado [Mr. KINDEL] is recognized for five minutes.

Mr. HOBSON. Mr. Speaker [applause], I ask unanimous consent to address the House for five minutes apropos of the death of these privates.

The SPEAKER. The gentleman from Alabama asks unanimous consent to address the House for five minutes after Mr. KINDEL has his five minutes. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I would like to include a request for three minutes on a similar subject.

The SPEAKER. Is there objection to the gentleman from Alabama [Mr. HOBSON] addressing the House for five minutes after the gentleman from Colorado [Mr. KINDEL] concludes?

Mr. MANN. Reserving the right to object, I shall not object to these requests, and yet it seems to me in course of time we ought to reach the regular order of business.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOBSON]? [After a pause.] The Chair hears none. Is there objection to the request of the gentleman from Michigan [Mr. CRAMTON]? [After a pause.] The Chair hears none. The gentleman from Colorado is recognized for five minutes.

The SPEAKER. The gentleman from Colorado is recognized for five minutes.

Mr. KINDEL. Mr. Speaker, I am grieved to learn what has happened in Colorado and to have to come up here before you to launder our linen, so to speak. I have been a resident of the State of Colorado since 1877. I have been in the manufacturing business since 1878. I know much of the industrial conditions prevailing in our State. We brought about woman suffrage in 1893; we have acquired the initiative and referendum and recall; we have a Democratic governor, State, city, and county officers, and we have a Democratic set of Congressmen and Senators, a Democratic Congress, and a Democratic President.

Mr. MANN. That will soon be over. [Laughter.]

Mr. KINDEL. That will soon be over if we do not improve conditions.

The question at issue in Colorado is not the question of wage, because the mine owners are paying higher wages than anywhere east of the one hundred and fifth meridian. There is only one State—the State of Wyoming—that is paying higher wages than we are.

Now, I am not here to defend the mine owners. They have done many things in the past that they should be ashamed of. But since we have a Democratic governor and have a Democratic force in control the question with me is why we do not make them enforce the law and get things right? Our State is practically bankrupt. And why? First, I contend that the labor condition is one of the serious things, inasmuch as the labor unions will make you employ a union force, and to-day if you want to operate a mine you have got to have every man join a union, pay $10 initiation and $1 per month at the end of the month to the treasurer of the union, or you can not

operate. It is not a question of wage, but a question of unionism.

I heard the interrogations that were put to Mr. Rockefeller, jr., the other day before the congressional investigating committee. I never met him before, but I was much impressed by what he had to say, namely, that he was for organization of both employers and employees, but he objected to outsiders—the Western Federation of Miners—controlling the people working within his mines.

This killing of men and destruction of property has been going on for the past six months, and our Colorado governor has very reluctantly sent the militia down in the southern coal fields of Colorado to restore order. I asked the gentleman from Illinois, chairman of the congressional investigating committee [Mr. FOSTER], when making his statement a few minutes ago, how he got his information on the killing of women and children on Monday last in Colorado, because I had not heard anything beyond what I saw in the newspapers, of which the following is an account:

[From the New York Times, Wednesday, April 22, 1914.]

45 DEAD, 20 HURT, SCORE MISSING, IN STRIKE WAR—WOMEN AND CHILDREN ROASTED IN PITS OF TENT COLONY AS FLAMES DESTROY IT—HID FROM HAIL OF BULLETS—MINERS' STORE OF AMMUNITION AND DYNAMITE EXPLODED. SCATTERING DEATH AND RUIN—TO RESUME BATTLE TO-DAY—MEN FROM OTHER UNION CAMPS JOIN FIGHTERS IN HILLS TO AVENGE THEIR SLAIN—MILITIA TROOP HEMMED IN—DECISIVE ENGAGEMENT PLANNED BY THE SOLDIERS, WHO ARE PREPARING A MACHINE-GUN SORTIE.

TRINIDAD, COLO., *April 21.*

Forty-five dead, more than two-thirds of them women and children, a score missing, and more than a score wounded is the result known to-night of the 14-hour battle which raged with uninterrupted fury yesterday between State troops and striking coal miners in the Ludlow district on the property of the Colorado Fuel & Iron Co., the Rockefeller holdings.

The Ludlow camp is a mass of charred débris, and buried beneath it is a story of horror unparalleled in the history of industrial warfare. In the holes which had been dug for their protection against the rifles' fire the women and children died like trapped rats when the flames swept over them. One pit, uncovered this afternoon, disclosed the bodies of 10 children and 2 women. Further exploration was forbidden by the position of the camp, which lies directly between the militia and the strikers' positions.

TO RESUME BATTLE AT DAWN.

With arms ready, both sides after a day of ominous quiet, now await the coming of dawn, when, it is predicted, the battle will be resumed with greater bloodshed than that which has occurred. The militia, which yesterday drove the strikers from their tent colony and, it is charged, fired it, involving thereby the greatest loss of lives, are preparing for a machine-gun sortie at daybreak from their position along the Colorado & Southern Railroad tracks at each side of the Ludlow Station.

On the surrounding hills, sheltered by rocks and bowlders, 400 strikers await their coming, while their ranks are being swelled by grim-faced men who tramped overland in the dark, carrying guns and ammunition from the neighboring union camps.

Italian, Greek, and Austrian miners have appealed to their consular representatives for protection, and John McLennan, president of the local union district, wired the Red Cross in Denver to-day to be prepared to render aid.

On the outcome of the engagement to-morrow may depend the fate of the strike. Both sides face it as a battle to the death, with no thought of quarter asked or received. At a late hour it was said here that the battle could only be averted by the arrival of overwhelming reenforcements for the troops of Denver.

No train service through the war zone is permitted. A command of the troops is hemmed in on all sides by the strikers' lines, which extend back 3 miles. Through this cordon only the dead wagon is allowed to pass.

In Trinidad the situation is no less acute. Men throng the streets about the union headquarters and demand guns with which to work vengeance upon the militia, whom they hold responsible for the destruction of their homes and the death of their women and children.

BATTLE OVER 3-MILE AREA.

Throughout the day yesterday and intermittently during the night the fighting raged over an area of approximately 3 square miles, bounded on the west by Berwind and Hastings, on the east by Barnes Station, on the north by the Ludlow tent colony, and on the south by Rameyville. The battle field was completely isolated by the cutting of telegraph and telephone wires.

Within the doomed camp last night explosions of cartridges which had been stored there by the miners added to the horror of the flames which swept over it amid a hail of lead with which the soldiers raked the tents.

An unidentified man driving a horse attached to a light buggy dashed from the tents waving a white flag, just after the fire started. When ordered to halt he opened fire with a revolver and was killed by a return volley from the militia.

Terrified by the bullets which whistled through the blazing canvases above their heads, the women and children apparently more afraid of the lead than the flames, remained huddled in their pits until the smoke and heat carried death to them.

Some braver than the rest ran into the open and dashed aimlessly among the 200 tents, which by that time had become so many torches which swirled their fire and sparks and lighted the scene with ghastly brilliancy.

STORE OF DYNAMITE BLOWS UP.

Two women dashed toward the militia position.

"Dynamite," they screamed.

An instant later the ammunition remaining in the camp exploded, sending a shower of lead in all directions.

A 7-year-old girl dashed from under a blazing tent and heard the scream of bullets about her ears. Insane from fright, she ran into a tent again and fell into the hole with the remainder of her family to die with them. The child is said to have been a daughter of Charles Costa, a union leader at Aguilar, who perished with his wife and another child.

Instances of individual heroism were numerous. James Fyler, financial secretary of the Trinidad local union and a witness in the recent congressional investigation, died with a bullet in his forehead, as he was attempting to rescue his wife from the flames.

A bystander, Premo Larsie, 18, son of Louis Larsie, a Trinidad brewery worker, was among the first to fall. On his way from Ludlow to Hastings to visit a friend he paused to witness the encounter, which had just started. A bullet struck him in the head.

Lewis Tikas, leader of the Greek colony and one of the most prominent organizers in the district, was shot as he attempted to lead a group of women away from the camp in the direction of an arroyo which offered shelter. According to witnesses of his death, Tikas threw up his arms to show that he carried no weapons. The troopers yelled at him to run, and shot him as he fled.

In an effort to rescue his sister from danger, Frank Snyder, 10 years old, son of William Snyder, a striker, met death in the colony later in the afternoon. The girl ventured from the pit where the family had taken refuge. The boy jumped out to draw her back and a bullet struck him in the back of the head, killing him instantly.

When it appeared that no more men remained in the colony, the militia ceased its fire and went to the work of rescue. Women ran from the burning tents, some with their clothing afire, carrying their babies in their arms. Many, in order to save the babies at their breasts, were forced to abandon their older children to their fate. Among these was Mrs. Marcelina Pedragon. With her light skirt ablaze in several places she carried her youngest child to the open, but left two others behind. Hope for them has been abandoned.

Trembling, hysterical, some apparently dazed, the women were escorted by the troops to the Ludlow, where they were held until this morning, when a Colorado & Southern train brought them into Trinidad. In the haste of departure families became separated. Efforts to unite them by the United Mine Workers in many instances proved in vain.

The camp was abandoned to its fate following the departure of the women, and for hours the light of the fire lit the sky a bright red. By its light the strikers retreated to the arroyas back of the colony and to the surrounding hills. The camp fell at 8.30, just 14 hours after the fight commenced.

DENIES SOLDIERS FIRED THE CAMP.

Maj. Harock denied to-night that his men had started the conflagration.

"It started spontaneously, apparently, from the west end of the camp and spread through the flimsy structures like wildfire. When that occurred, my men were at quite a distance and could have had nothing whatsoever to do with it."

He placed the responsibility for the opening of the engagement upon the strikers, who, he said, fired first upon the militia encampment from the hills. This was denied at union headquarters, where it was said the militia opened hostilities with the machine guns.

The first wagonload of five bodies was brought in late this afternoon and a second wagonload is expected to-night. Among the bodies is that of Private Martin, of Company A. Officers of the militia charge that, though merely wounded in the neck, Martin, who lay where the strikers subsequently passed by him, was shot in the side of the head and through the mouth as he lay wounded on the ground. The charge is denied by officials of the union.

Trinidad is horror-stricken by reports of the number of women, children, and noncombatants who lost their lives in the fight and in the fire that followed.

"It is horrible," said John McLennan, president of District No. 15 of the United Mine Workers of America, who is in charge at local headquarters. "They were trapped without a chance of escape. The bodies of 2 women and 10 children were seen in one trench, it was announced at the Ludlow military camp to-night. God only knows how many yet will be found."

More than 200 women and children refugees from the burned colony are being cared for in Trinidad. The hall of the Trinidad Trades Assembly has been turned into a temporary dormitory and hospital. Many are suffering from burns and injuries. Food and bedding is being provided by the union.

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TWENTY-SIX BODIES RECOVERED.

DENVER, *April 21.*

Representatives of the American Red Cross in Trinidad reported to Dr. S. P. Morris, director of the Red Cross, in Denver to-night that 26 bodies of strikers already had been recovered by the Red Cross at Ludlow.

Three hundred strikers fully armed to-night marched from Fremont County tent colonies to Ludlow to aid their fellows in their fight against the militia, according to a statement given out at union headquarters here. Men of the Leyden colony near Denver are making ready to go to Trinidad, it is reported.

E. F. Doyle, secretary and treasurer of District 15, United Mine Workers of America, sent the following telegram to-day to President Wilson, Colorado's Senators and Representatives, and members of the House committee which investigated the Colorado strike:

"Striking miners and families shot and burned to death at Ludlow, Colo. Mine guards with machine guns riddled tents of striking miners and set fire to tent colony. Four men, three women and seven children murdered. State not only fails to protest, but uses uniforms and ammunition of the Commonwealth to destroy the lives of the workers and their families. We shall be compelled to call on volunteers in the name of humanity to defend these helpless persons unless something is done. Tent colony burned to the ground."

A message also was sent to John P. White, international president of the union, asking him to urge President Wilson "to use his power to protect helpless men, women, and children from being slaughtered in southern Colorado."

In addition, messages were sent to 500 editors throughout the country and to the local unions in Colorado.

There will have to be some relief somehow. The people of Colorado are in an awful strait. The situation not only affects all the mines but every business of every kind. And on top of all this we have been cursed with railroad discrimination of every kind and character as no other State in the Union has. We have had woolen mills, cotton mills, and all other manner of mills fall by the wayside, and now dismantled, all because of

the discriminations in transportation rates and arbitrary and unjust demands of labor unions. And not only suffered by discrimination by the railroads but by our governmental parcels post as well. [Laughter.] To-day if you want to ship a 20-pound package from Washington to Colorado you find that you can not do it by parcel post because of the prohibitory rate of $2.01, as against $1.25 by express. It is a great question to go into, and I do not want to do so now, in the limited time allotted me, except to touch on the influences that are hurting my State and section. The people of Colorado, as a rule, are praying for peace and a square deal, and if the miners or the labor "skates" will keep away it will improve matters in Colorado. I understand, by the way, that Mother Jones is going to be here to-morrow. She is the woman who in open meeting in Denver said she was going to hang me [laughter] because I, forsooth, had the courage to say what I thought of her and her kind. If the good people of Colorado would but assert themselves, you will find our State is the equal of any in the Union in the matter of sunshine, scenery, and resources. What is wanted most is men. Therefore I conclude with Holland's famous lines:

God give us men. The time demands
Strong minds, great hearts, true faith, and willing hands;
Men whom the lust of office does not kill;
Men whom the spoils of office can not buy;
Men who possess opinions and a will;
Men who have honor; men who will not lie;
Men who can stand before a demagogue
And dam his treacherous flatteries without winking;
Tall men, sun-crowned, who live above the fog
In public duty and in private thinking.

The SPEAKER. The time of the gentleman has expired.

Mr. SELDOMRIDGE. Mr. Speaker, I would like to ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. KINDEL. Mr. Speaker, may I have the same permission?

The SPEAKER. The gentleman from Colorado [Mr. KINDEL] also asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] is recognized for five minutes. [Applause.]

Mr. HOBSON. Mr. Speaker, I desire simply to add my word of tribute to the memory of the men, the plain privates, who fell yesterday—the first bloodshed in this trouble.

I had the honor of serving with the plain private for 18 years. I remember well how I was first impressed as to the character and spirit of the plain private. It was on a cruise. A gale had been blowing for 48 hours and the sea was running high. The midshipmen on deck were sent over the masthead. They were all seasick, and it was thought that it would help them out to give them a little exercise, so the officer of the deck ordered them over the masthead. He did not think to warn them not to come down on the lee side, which you should never do in a gale of wind. You ought to go up on the weather side and come down on the weather side. But the order was given for the midshipmen to go over the masthead. They promptly did so, and half of them had not gotten over the crosstrees when, as the ship lurched, one of them—a nephew of Admiral Schley, a classmate of mine—lost his hold and fell. He struck the topsail yard and went overboard. A heavy sea was running. Promptly the lifeboat was called away. The crew responded. They were scarcely half lowered when the sea, which was running very heavy, threw the boat keel up and down, hurling the crew into the sea.

There was but little chance of launching a boat and but little chance of a boat living in such a sea. But the second lifeboat was called away. I never forgot the promptness, the agility, even the light-hearted way in which the second boat crew manned their boat and put off into the sea to try to save their comrades, knowing full well how meager were their own chances of ever getting back.

I have seen seamen, plain seamen, jump overboard to save a comrade, so many of them that the officer of the deck had to order that no more should go overboard—a superfluity exposing their own lives to try to save a comrade.

That was my first introduction to the spirit of this plain private. And remember, gentlemen, they are really nothing but boys. The average age in the fleet that is off the coast of Mexico to-day is 21 years.

Perhaps I ought to give another, a personal tribute to this plain private. A matter came up—a little incident; a little expedition—in my day. Being a naval constructor, knowing how to build ships, I naturally knew how to sink ships. The question of sinking a ship came up, and naturally I wanted to be associated with it. Seven men were wanted, and Admiral Sampson issued a call for seven men. The call was issued by signal from the flagship, and more than a thousand responded. [Applause.]

The main trouble I had from that time to the time we started in was in refusing the appeals of men—some who had been my old shipmates, pleading with me on personal grounds, others on other grounds, all begging me to let them go in. Yes, young Poinsett and his comrades, who so gladly gave up their young lives yesterday, make me think of those seven men as they lay with me on the deck as the ship was slowly sinking. Only two torpedoes went off. We had 10, but the wiring and the batteries connected with the others had been broken and cut away and crushed before the time came to fire them. Only two went off. So we went down slowly right under the muzzles of their cannon. The original plan was that after firing the torpedoes we would quickly get away from the ship in the lifeboat and thus try to escape; but the lifeboat was shot away, and I changed my plan entirely, but did not explain it to them.

Well do I remember those seven men there. Shell followed shell, tearing everything to pieces above us, below us, on both sides of us. My men would say, "Now, can we be off?" I would say, "No; no man move until further orders." When the boiler went up they said, "Can we go?" I said, "No man will move until further orders." At last the ship gave a lurch, just before she was going down, and heaved as though she would turn over on us, and we heard the gurgling and the rushing sound of the whirlpool approaching, and they said, "Can we get off now?" And I said, "No; stay with me." And they stayed with me, gentlemen, every last one of them, and went down with me, no man knowing whether he would ever come up again. [Applause.]

Now, I have another little memory—an aftermath thought that comes up. By 11 o'clock that day we were in the Morro. All the men were in one cell—seven men in one dark cell. I knew it was a question of their health, and I called upon the commandant to let one of them come to me for instructions about taking care of their health. They sent Charette. After he got his instructions he put his heels together and saluted and said, "Sir, the men asked me to bring you a message." It looked as though they were getting ready to execute us. Everything looked that way. There was that one chance to send me a message. What do you suppose that message was?

I will not describe how we had stayed in the water after we came up, clinging to the edges of an old raft, with our bodies submerged, hiding as the Spaniards in launches closed in around us. My men knew they would kill us if they discovered us. For hours we remained. Again and again the men wanted to dive and swim away, each one for himself, but I would not consent, but just told them to stand by me, and they stayed. Now, you would think that a man once going through an experience like that would never want to go into it again. The message they sent to me was this—I can see Charette, with his heels together, as he said: "Sir, the men asked me to tell you that they would go in with you again to-night." [Applause.]

Gentlemen, we have just taken great responsibility upon us here in this Congress. I know the responsibility weighs heavily upon each one of you; but I want to tell you from my own personal knowledge that the confidence you have placed in the plain private, who represents the plain, average American citizen, out there at the front, where the drum is beating, the flag is flying, and the thunder is in the air—the confidence, however great, you have placed in them and in the officers that command them, will not be misplaced. [Applause.]

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman from Alabama [Mr. HOBSON] yield for a question?

The SPEAKER. The gentleman's time has expired.

Mr. CRAMTON rose.

The SPEAKER. The gentleman from Michigan [Mr. CRAMTON] is recognized for three minutes.

Mr. CRAMTON. Mr. Speaker, on the eve of this great crisis, and following the eloquent tributes that have been paid here by the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Alabama [Mr. HOBSON] to the men who must bear the burden of war, I think it is only right that they should be followed in the RECORD by a tribute from Edgar A. Guest, Michigan's "Poet of Sentiment," to another class who must likewise bear its burdens—the mothers and wives. I read:

MOTHERS AND WIVES.

[By Edgar A. Guest.]

Mothers and wives, 'tis the call to arms
That the bugler yonder prepares to sound;
We stand on the brink of war's alarms,
And your men may lie on a blood-stained ground.
The drums may play and the flags may fly,
And our boys may don the brown and blue,
And the call that summons brave men to die
Is the call for glorious women, too.

Mothers and wives, if the summons comes,
You, as ever since war has been,
Must hear with courage the rolling drums
And dry your tears when the flags are seen.

For never has hero fought and died
Who has braver been than the mother who
Buckled his saber at his side
And sent him forward to dare and do.

Mothers and wives, should the call ring out,
It is you must answer your country's cry;
You must furnish brave hearts and stout
For the firing line where the heroes die.

And never a corpse on the field of strife
Should be honored more in his country's sight
Than the noble mother or noble wife
Who sent him forth in the cause of right.

Mothers and wives, 'tis the call for men
To give their strength and to give their lives;
But well we know such a summons then
Is the call for mothers and loyal wives.

For you must give us the strength we need;
You must give us the boys in blue;
For never a boy or a man shall bleed
But a mother or wife shall suffer, too.

LAWS RELATING TO THE JUDICIARY.

The SPEAKER. This is Calendar Wednesday, and the unfinished business is the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Missouri [Mr. RUSSELL] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, with Mr. RUSSELL in the chair.

The Clerk proceeded with the reading of the bill and read to the end of line 15, page 51.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the further first reading of the bill be dispensed with.

Mr. BARTLETT. Reserving the right to object for a moment, I desire to ask if the further reading of the bill is dispensed with the gentleman from Louisiana intends to proceed with general debate, and after general debate is finished to proceed with the reading of the bill under the five-minute rule for amendment?

Mr. MANN. If the first reading is dispensed with, I shall raise the question of consideration in committee. If the bill should be considered in committee, there would be general debate, and after that the reading of the bill under the five-minute rule.

Mr. BARTLETT. If the committee votes to consider the bill, I will ask the gentleman from Louisiana if he proposes to proceed with the consideration of the bill?

Mr. WATKINS. If the gentleman from Illinois will give his reasons for not considering the bill, I may be able to answer.

Mr. MANN. I do not expect to give any reasons.

Mr. MURDOCK. Mr. Chairman, inasmuch as so much of the bill has been read, would not the easiest way be to proceed with it?

Mr. MANN. You are no further along after you finish the first reading than when you began. It has to be read again for amendment, and following the first reading is general debate.

Mr. MURDOCK. Then it will be read again under the five-minute rule.

Mr. MANN. Yes; the bill is read the first time for the information of the committee, and any member of the Committee of the Whole is within his rights in calling for the first reading of the bill.

Mr. BARTLETT. And any member of the committee is within the exercise of his rights if he calls for the enforcement of any rule of the House.

Mr. MANN. Certainly; and I have no criticism to make of the gentleman. I only raised the question to see whether the committee was willing to dispense with the further reading.

Mr. BARTLETT. I have no desire for the further continuation of the reading, and especially as it casts a burden upon the clerks who have to read it. It is an important bill, and I have never concealed my purpose in calling for the reading. I will say that I did not know that this bill was on the calendar until last Wednesday.

Mr. MANN. It was not on the calendar until Wednesday.

Mr. BARTLETT. I am opposed to some legislation that is on the calendar for consideration. I did not want to consider it last Wednesday, and I do not want it considered at all if I can prevent it. I think I am justified in exercising every reasonable and proper method to defeat it, and without concurrence with the gentleman from Louisiana or without his knowledge or without any knowledge that the bill was on the calendar, I took advantage of the situation. Now, as far as I am concerned, Mr. Chairman, I do not desire to burden the reading clerks, nor do I wish to take up the attention of the House in reading the bill, and I have no objection.

The CHAIRMAN. Is there objection to dispensing with the further first reading of the bill?

Mr. WATKINS. Mr. Chairman, if it is proper for me to answer the question of the gentleman from Georgia as to whether or not if the further reading of the bill is dispensed with we will proceed with its further consideration, I am not prepared to answer it until I know the reasons that the gentleman from Illinois has for the postponement or against the consideration of the bill. I do not know what he is going to offer against the consideration. If I knew where he places his objection then I would be prepared to answer the gentleman from Georgia. Until I know the basis I can not answer the question.

The CHAIRMAN. The question is on the request of the gentleman from Illinois for unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Chairman, I raise the question of consideration of the bill.

Mr. HAY. Mr. Chairman, I make the point of order that the gentleman from Illinois can not raise the question of consideration in Committee of the Whole House on the state of the Union.

The CHAIRMAN. The gentleman from Virginia makes the point of order that the gentleman from Illinois can not raise the question of consideration in committee. Does the gentleman from Virginia want to be heard?

Mr. HAY. Mr. Chairman, it is a very plain proposition that you can not raise it, because the consideration can only be raised in the House. The House has considered the bill and gone into Committee of the Whole on it. If you can raise the question of consideration in Committee of the Whole on a bill which the House has already agreed to consider, then that gives the Committee of the Whole greater powers than the House has.

Mr. BARTLETT. Mr. Chairman, I think the gentleman from Virginia [Mr. HAY] is correct on this proposition. As I remember, it is claimed that there was a ruling by Speaker Cannon on the subject, but I have not been able to find it. The House, Mr. Chairman, can refuse to consider any proposition before it, even though it be of the highest privilege, like an election case. But the question of consideration can not be raised in the House when a motion is made to go into Committee of the Whole House on the state of the Union for the consideration of a bill. If the Chair will examine the Manual, section 763, he will find that it is analogous to the rule I intend to invoke, where it says, in effect, that when a proposition is made to go into Committee of the Whole House on the state of the Union and some one raises the question of consideration on the bill, the rulings have been uniform that that question of consideration can not be entertained for the reason that the motion to go into Committee of the Whole House on the state of the Union when voted upon is itself a determination of the House to consider or not consider the bill. The rulings upon that question, Mr. Chairman, will be found in volume 5, Hinds' Precedents, section 4973, 4974, 4975, 4976.

One of the instances I recall was when I raised the question of consideration upon the banking and currency bill and the gentleman from Pennsylvania, Mr. Dalzell, was in the chair. He would not entertain the question whether the House would consider it, but put the question whether the House would go into Committee of the Whole House on the state of the Union. His opinion will be found in section 4976 of Hinds' Precedents. A number of instances will be found, one where Mr. Bland made a motion to go into Committee of the Whole House on the state of the Union to consider the silver coinage bill, and Mr. Hendricks, of New York, raised the question of consideration. Speaker Crisp ruled that the question of consideration was not one to be taken up by the House when it could be solved by the simple vote on a motion to go into Committee of the Whole House on the state of the Union, because the one dispensed with the other, and both amounted to the same thing. If the House votes to go into Committee of the Whole House, that is a vote to consider the bill. If it votes not to go into the Committee of the Whole House, it votes not to consider the bill. I take it there can be no question about that.

Now, the bill having gotten into Committee of the Whole, the question of consideration can not be raised in Committee of the Whole by analogy for the same reason that it could not be considered in the House upon a motion to go into Committee of the Whole. Why? The House can refuse to consider the bill

by simply agreeing to a motion that the committee rise and report the bill to the House for disposition or, if the bill has not been completed, that the committee do simply rise. If we decide that in the affirmative by voting it up, we do not consider the bill any further, except by direction of the House. If we vote it down, the House then determines to go on and consider the bill, so that the rules and the precedents upon the rules are analogous.

But we are here upon a Calendar Wednesday, Mr. Chairman. Calendar Wednesday was obtained for the special purpose of considering bills; and because we have bound ourselves to consider bills on Calendar Wednesday, and because we say that when a bill is reached which is required to be considered in the Committee of the Whole House on the state of the Union or in the Committee of the Whole, therefore we have put ourselves in the position where we can not raise the question of consideration. We have done it with our eyes open. Calendar Wednesday was insisted upon, advocated, clamored for, in order to dispose of the business on the calendar, and because no other means could be secured, and we hedged it around by certain restrictions and certain privileges, so as to make it almost sacred, and I believed it is called sacred Calendar Wednesday.

Mr. SAUNDERS. Holy Wednesday.

Mr. BARTLETT. Yes; holy Wednesday. Now, Mr. Chairman, the committee can rise if it votes to do so, or if it wishes to continue the consideration of this bill it can vote down the motion that the committee do now rise, and that is a decision of the question whether the committee will consider the bill or go further with it. I do not know of any rule or precedent other than the decision of Speaker Cannon which authorizes the raising of the question of consideration against a bill in Committee of the Whole.

The CHAIRMAN. Will the gentleman from Georgia permit the Chair to ask him a question?

Mr. BARTLETT. Most assuredly.

The CHAIRMAN. Does the gentleman understand that there is any time at which the question of consideration can be raised on Calendar Wednesday in a case like this; and if so, when?

Mr. BARTLETT. If that is the rule, we made it; and we might as well stand by it.

The CHAIRMAN. Does the gentleman think the question of consideration can be raised in the House before the House automatically goes into the committee?

Mr. BARTLETT. I doubt very much whether it can. I would not like to give the Chair a definite opinion on that.

The CHAIRMAN. The Chair is of the impression that a majority ought to be able to determine in some way whether they will take up a bill or not, either in the House or in committee.

Mr. BARTLETT. Certainly this House could by a two-thirds vote dispense with the consideration of this bill on Calendar Wednesday, and the rules have provided for dispensing with Calendar Wednesday. I do not mean that you could dispense with a particular bill. But I say the House is not powerless to refuse to consider a bill on Calendar Wednesday. The House, by the vote prescribed in the rule, a two-thirds vote, can dispense with Calendar Wednesday and so dispense with the consideration of this bill. If this bill is going to take up all day and the House does not want to consider it, it can, by the proper vote, dispense with it. So the House has only fixed a different rule as to how we shall refuse to consider bills on Calendar Wednesday. It has fixed a different majority. If we are not satisfied with the rule we have adopted in reference to Calendar Wednesday, let us change the rule. We made the rule for the purpose of considering bills. So far as I am concerned I do not see any difference between the proposition to vote down a motion to go into Committee of the Whole, which is a determination of the question of consideration, and voting in Committee of the Whole that the committee rise and report progress.

The CHAIRMAN. The Chair will ask the gentleman a question there: If the motion is made now that the committee rise and go back into the House, and that motion is carried, then, as soon as we go back into the House, are we not in exactly the same place where we started, and does not the House automatically go back into Committee of the Whole?

Mr. BARTLETT. If that is the rule, I do not undertake to decide that. That has been the practice. I understand that what the Chair means is that the House having automatically resolved itself into the Committee of the Whole on Calendar Wednesday, if the motion should be carried that the committee rise and report to the House that it had come to no resolution on the bill, then, unless there was some method by which the bill could lose its place on the calendar, by unanimous consent or in some other method, the House would automatically go back into Committee of the Whole and continue the consideration of the bill. Suppose that is the condition. We have made it by this rule, and it seems better to follow a bad rule than to make one without authority of the House. That is my position.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed, with amendments, bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 7138. An act to provide for raising the volunteer forces of the United States in time of actual or threatened war.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13453) making appropriations for the support of the Army for the fiscal year ending June 30, 1915.

The message also announced that the Senate had further insisted upon its amendments to the bill (H. R. 13453) making appropriations for the support of the Army for the fiscal year ending June 30, 1915, numbered 24, 113, 121, 123, 137, 161, and 164, disagreed to by the House of Representatives, and asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHAMBERLAIN, Mr. LEA of Tennessee, and Mr. DU PONT as the conferees on the part of the Senate.

The message also announced that the Vice President had appointed Mr. PAGE and Mr. LANE members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of the Interior.

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

LAWS RELATING TO THE JUDICIARY.

The committee resumed its session.

Mr. MURDOCK. Mr. Chairman, I have a single suggestion that I want to make to the Chairman before he rules. One week ago the gentleman from Missouri [Mr. ALEXANDER] was in the chair as Speaker pro tempore, and the point of order was made against the question of consideration raised on this bill in the House, and he ruled that the question of consideration could not be raised in the House on Calendar Wednesday. Now we are in Committee of the Whole, and the question of consideration is raised, and the point of order is made against it. I want to call the attention of the Chairman to the rule of consideration. It is found in Rule XVI, clause 3, and it says:

When any motion or proposition is made the question "Will the House now consider it?" shall not be put unless demanded by a Member.

That is, the question is not "Will the Committee of the Whole now consider the bill?" but "Will the House now consider the bill?"

I know the embarrassment of the Chair in regard to Calendar Wednesday, and the fact that the House automatically resolves itself into the Committee of the Whole House on the state of the Union would seem to preclude the question of consideration in the House; but the same rule which provides for Calendar Wednesday provides that a two-thirds majority of the House may dispense with Calendar Wednesday.

Now, if it is not in order to raise the question of consideration in the House on Calendar Wednesday, how would it be possible to get a vote of two-thirds of the Members in the House to dispense with Calendar Wednesday? It seems to me there must be within the bounds of the Speaker's right to rule power to give the House opportunity to act in the consideration of all matters in order on Calendar Wednesday. However, the idea I want to convey to the Chair is this, that if he follows the ruling of Speaker Cannon that in the Committee of the Whole on Calendar Wednesday it is possible to raise the question of consideration, we deprive the House of the opportunity to have a roll call on the question of consideration. We have the opportunity for a roll call in the House, but not in the committee. If, then, it is in order to raise the question of consideration in the House, we can put the House on record in these matters. If the ruling of the Chair to-day is that of Speaker Cannon, that the question of consideration is in order in the Committee of the Whole, we can not have a roll call, and I think that is of moment for the Chair to have this in mind before he rules.

Mr. MANN. Mr. Chairman, the point just made by the gentleman from Kansas [Mr. MURDOCK] that the form of the question is, "Will the House now consider the bill?" emphasizing the word "House," is not tenable at all, because the rules provide that the rules of procedure in the House shall be observed in Committees of the Whole, so far as they may be applicable. The form being stated, "Will the House now consider the bill?" does not make any difference. The question is whether this rule in reference to consideration is applicable in Committee of the Whole.

Let us see what the situation is.

Mr. MURDOCK. Mr. Chairman, before the gentleman goes into that next heading, will he yield?

Mr. MANN. Certainly.

Mr. MURDOCK. If what the gentleman says is true about the House and the Committee of the Whole being identical, so far as the rules are concerned——

Mr. MANN. But I did not say that.

Mr. MURDOCK. Did not the gentleman virtually say that?

Mr. MANN. Oh, no.

Mr. MURDOCK. That the rules of the House applied to the Committee of the Whole?

Mr. MANN. So far as they are applicable. We do not have a roll call in Committee of the Whole, and we can not have a motion to recommit in Committee of the Whole.

Mr. MURDOCK. And we can not adjourn.

Mr. MANN. We can not adjourn in Committee of the Whole. There are a number of things that we can not do in Committee of the Whole; but so far as the form of the question is concerned, using the word "House," that does not, in my judgment, amount to anything, because if the rule is applicable at all, it is applicable in Committee of the Whole, and the form would be, "Will the committee now consider the bill?"

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. BARTLETT. I am not speaking now with reference to Calendar Wednesday; but would not the voting down of the motion that the committee do now rise be a determination ordinarily without reference to Calendar Wednesday that the committee desired to consider the bill?

Mr. MANN. Undoubtedly. What is the situation? Ordinarily you can not raise the question of consideration in Committee of the Whole, either in Committee of the Whole House on the state of the Union or in Committee of the Whole which is considering Private Calendar bills. You can not raise it on the Private Calendar, because a motion is in order to take up one bill as against another bill, and the committee has control of the question. If it has more than two bills on the calendar, it can take up whichever it desires on motion, and if it has only one it can rise if it does not want to consider it. Ordinarily the motion is not applicable in Committee of the Whole House on the state of the Union, because ordinarily you do not get into that committee at all except by motion, and the rulings have been practically consistent that having the right to vote down the motion, if the House votes the motion through, you can not raise the identical question as soon as you get into the committee, because that would be a waste of time.

If this bill had been a House bill, called up by the gentleman from Louisiana, you could raise the question of consideration upon it in the House at once. The rules do not contemplate that a Union Calendar bill has any greater rights on Calendar Wednesday than a House bill. Ordinarily on a call of committees you could not consider a Union Calendar bill at all. This is a Union Calendar bill. Under the old rules it would not have been taken up on a call of committees, but when Calendar Wednesday was established there was authority given on the call of committees, in addition to considering House bills, to consider Union Calendar bills by merely calling them up. If it were a House bill, you could raise the question of consideration and decline to consider the bill, but it is a Union Calendar bill.

When that rule was established there was nothing said in the rule as to whether it required a motion to go into Committee of the Whole House on the state of the Union or whether that would be done by declaration of the Speaker resolving the House into the Committee of the Whole House on the state of the Union and calling a Chairman to the chair. I shall not undertake to say which would be the proper procedure. Personally I was inclined to think, in the first place, that the proper thing to do was to have a motion to that effect, but such a motion might be used for filibustering purposes on a roll call, and the Speaker, Mr. Cannon, held that under the rules the House would automatically resolve itself into the Committee of the Whole House on the state of the Union without a motion. You could not, therefore, defeat a motion and refuse to go into Committee of the Whole. The House resolves itself into Committee of the Whole. This very question, as I recall it—and I have not read the proceedings in reference to it, and I do not speak with accuracy—was raised at the time before the Speaker made his ruling. What would be the effect, if you have an automatic resolving of the House into Committee of the Whole, on the question of consideration? You can not vote down a motion, because none is made; and is the House to be left in a position where it can not refuse to consider a bill? The Speaker, as I recall, at that time declared that that was something which could be done in the Committee of the Whole.

Mr. BARTLETT. Mr. Chairman, may I interrupt the gentleman? I understood such a decision had been made, but I have not been able to find it.

Mr. MANN. I know that such a decision was made.

Mr. HAY. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. HAY. If the Chair should hold that it is in order to raise the question of consideration in the committee, and the question was raised, and the committee refused to consider the bill, then the only thing for the committee to do would be to rise.

Mr. MANN. I think so.

Mr. HAY. Suppose the gentleman from Louisiana [Mr. WATKINS], chairman of the Committee on Revision of the Laws, upon which the call of committees rests, were again to call up this same bill, how could we prevent the House resolving itself into the Committee of the Whole House for the consideration of the same bill?

Mr. MANN. I do not think he could call up the same bill again.

Mr. HAY. Why not?

Mr. MANN. For the same reason that when the House raises a question of consideration on a House bill and the House declines to consider it, and the gentleman's committee still has the call, he can not again call up that bill.

Mr. HAY. I understand that; but that is in the House and this is in the committee.

Mr. MANN. That is true.

Mr. HAY. When we get back into the House the action of the committee surely will not control the House.

Mr. MANN. I think it will control the House.

Mr. SHERLEY. That is something I wanted to suggest to the gentleman—whether the House would have such knowledge of the action of the committee as to warrant it in refusing recognition to a Member to go back into committee for the consideration of the same bill.

Mr. MANN. I will not undertake to cross that bridge. I do not undertake to say that the House could not reject the action of the committee. That is another proposition; but unless the House rejects the action of the committee by a direct vote in the House, then I think the House is bound by the action of the committee.

Mr. SHERLEY. How could the House pass upon it if, under the rule, you automatically go back into the committee upon motion being made and if the motion be in order? The trouble is the House has gotten itself into the condition by a wrong ruling in the first place.

Mr. MANN. I think not. If the committee refuses to consider the bill and reports it back to the House, I am not sure a motion would not be in order then to consider the bill; but in the absence of such a motion being made in the House and carried in the House, I do not think the same bill could be called up again because the committee has reported to the House that the committee had declined to consider the bill.

Mr. SHERLEY. I think the whole trouble was in ever proceeding on the theory that a question of consideration could not be raised before going into the Committee of the Whole House on the state of the Union in the first instance on Calendar Wednesday.

Mr. MANN. But the only way you can do that is by motion, and the Speaker pro tempore [Mr. ALEXANDER] has ruled on this bill that you could not raise the question of consideration in the House. Now, let us see where we would leave ourselves. If you say that you can not raise the question of consideration in the House, and you can not as long as you have an automatic resolving of the House into the Committee of the Whole, and if you add to that that you can not raise the question of consideration in the committee——

Mr. BARTLETT. The gentleman could not raise the question in the House upon any bill, regardless of Calendar Wednesday,

where a motion was made to go into the Committee of the Whole to consider it, could he?

Mr. MANN. The gentleman has stated that, and so have I, and so has everybody else, I guess. There is no controversy about that. That has been stated here before. Now, see where we would leave ourselves. Here is a bill, taking an actual case, 198 pages long, with several hundred amendments to it. Everybody knows if anyone wanted to filibuster, or particularly if a minority wanted a filibuster on a bill of this kind, it would be impossible on Calendar Wednesdays to finish it in months. It could not be finished at this session of Congress if this session should extend to September or October. Now, can it be possible that it will be held by Members of the House that the committee shall be left in the position where it must proceed with the consideration of a bill which it does wish to consider, and which a minority of the House wants to use solely for the purpose, I will assume—not in this case, but in another case—for the purpose of preventing other bills from coming before the House? That would be to kill Calendar Wednesday just as dead as though it were not in existence.

Mr. LLOYD. Mr. Chairman, I regret very much that anybody should undertake to delay consideration of this bill as is being done. If we had gone ahead with a reasonable consideration of the bill on last Calendar Wednesday, and were now at work under the five-minute rule, as we might be, and as we ought to be, this bill should be finished within a reasonable time. This is one of the most important bills that will be before this House. There are no politics in it of any kind, there is no reason why anybody should oppose its consideration, and apparently the only reason that anybody opposes the consideration of this bill at this time is because they do not wish some other bill to be considered, and the longer we delay in having these preliminary discussions about consideration and about the rules the longer it will take to consider this bill finally. If we were at work right now, as we ought to be, under the five-minute rule, we would soon get through with this bill, notwithstanding it is 198 pages long, because the probabilities are the Clerk would read along page after page and there would be but few amendments.

Mr. MANN. Will the gentleman yield for a question?

Mr. LLOYD. Yes.

Mr. MANN. Does the gentleman recall the two codification bills we passed, the criminal code and the judicial title?

Mr. LLOYD. Yes.

Mr. MANN. Does the gentleman recall how long we were considering those?

Mr. LLOYD. On those two bills I think we were nearly two weeks.

Mr. MANN. Nearly two weeks; we were more than two months, and never finished either one.

Mr. LLOYD. I am not sure about the time, but my recollection is it was not more than two weeks—that is, 12 days.

Mr. MANN. The gentleman says 2 weeks and then 12 days. Two weeks and 12 days are different, but we never finished either one of them in committee.

Mr. BRYAN. Twelve days of Calendar Wednesdays would be three months, so it would take all summer.

Mr. LLOYD. This bill can not take that long. There is nothing in this bill except the judiciary——

Mr. MANN. There was nothing in the criminal code except the codification and nothing in the judicial title except——

Mr. LLOYD. Nothing in the criminal code except everything affecting criminality connected with the statutes of the United States. Here is nothing except the judiciary and its method of procedure.

Mr. MANN. The judicial title covered that. That was a codification of the laws we had passed in relation to the courts. That was one we had up here for weeks and weeks, and the question of consideration was threatened to be raised several times. Mr. Moon of Pennsylvania asked and beseeched each time, hoping that he would get along, but he never finished the bill in the House——

Mr. LLOYD. The chairman of the committee informs me we considered the judicial code for four Wednesdays.

Mr. SHERLEY. I think the gentleman is mistaken about that.

Mr. MANN. We considered it more than any four Wednesdays.

Mr. SHERLEY. I was a member of the joint committee that put both of those laws on the statute books. I have no objection to the consideration of this bill, but in my judgment it is impossible to ever get a codification bill through if it is not considered by the House and Senate practically at the same time in the two years of a Congress.

That was the history of this House four or five years, and because it was the history the House and the Senate created a joint committee that worked together in reporting such bills. These bills were reported in the House and in the Senate at the same time, and practically taken up and considered in the House and the Senate at the same time, so as to leave only a question of conference between the two bodies, because prior to that we had found that the delay in passing any one of the bills through one body was so great as to bring it at a time not only in the life of the session, but in the life of a Congress, as to make it impracticable to pass it in the other House and put it on the statute books.

Mr. LLOYD. I do not see as that makes any particular difference, because you have to take the time to consider it in the House and in the Senate, and whether they consider it concurrently or not is a different proposition.

Mr. SHERLEY. No; it is not, and for this reason: The Senate will never get hold of this bill until after it has passed through the House. Then it is necessary for the Senate Committee on Revision, if that committee does its work at all well, to give it days and days of arduous work. I know this, because I, as a member of the committee, came here to work when Congress was not in session, and to do that work efficiently it means practically to exclude consideration of everything else by the man who is working on it. By the time the Judiciary Committee would be in a position to report the bill the House has passed, the Congress would be at an end.

Mr. LLOYD. That may be true as to this bill.

Mr. MANN. The gentleman from Kentucky will recall, and I think the gentleman from Missouri [Mr. LLOYD] as well, that both of the other codifications were passed by passing the Senate bill under suspension of the rules.

Mr. SHERLEY. I think the gentleman is mistaken, because I went into conference on the penal-code bill, and it became a law——

Mr. MANN. I will tell the gentleman how it happened. After we had considered this codification bill on Calendar Wednesday in the Committee of the Whole for a long time, toward the very close of the session the Senate bill came over here from the Senate. The motion to suspend the rules was made, I know, because I drew the motion to suspend the rules and pass the Senate bill with an amendment striking out all after the enacting clause and inserting the bill of the House, and then asked for a conference. That was the way it was passed.

Mr. SHERLEY. My memory is, but I will not be certain about it, that the penal-code bill was gotten up under a special order of the House—not on Calendar Wednesday at all—which made it a standing order, and it was considered from time to time and got both through the House and through the Senate. It then went into conference, and I recall there was quite a conflict as to the conference report, which had been practically agreed to in conference, when a certain Senator made the statement that he would not permit the bill to come up if one provision was not eliminated. We afterwards eliminated that provision in conference and then passed the bill a few hours before the adjournment of the Congress.

Mr. MANN. It was done by moving to suspend the rules, take the bill from the Speaker's table, strike out all after the enacting clause, and insert the House bill. Then a conference was asked.

Mr. SHERLEY. I think that was practically after we finished the House bill.

Mr. MANN. It was before we finished it.

Mr. SHERLEY. But this is the point that I think this committee ought to understand: It is absolutely impossible, in my judgment—and I speak because, perhaps, I have had more experience than any present Member of this Congress touching codification—to ever get a bill properly before this House and then have it properly considered independently in the Senate and passed.

Now, the gentleman says this bill is a simple codification. If it is a simple codification, we are wasting our time, because it deals with a lot of matters that ought to be more than codified. The judicial code and the penal code were not only a codification, but were properly made new law.

Mr. LLOYD. There are changes in existing statutes provided for in this particular bill. I appreciate all that is said with reference to the difficulty of getting a bill like this through. I have had considerable experience with revision myself. A number of years ago we had a revision of the Alaskan Code. The law used to be that the laws of Oregon should be the laws of Alaska so far as they were applicable, and the revision committee—this particular committee—undertook to revise the law and to designate which laws were applicable and to make such amendments as were necessary

to make the laws applicable—a very difficult task. Now, the consideration of that bill took some three weeks in the House. It included both the civil and criminal statutes.

Mr. MANN. That was all done at night sessions.

Mr. LLOYD. Not all of it. We did both. We had day sessions as well as night sessions.

Mr. MANN. I think the gentleman was mistaken.

Mr. LLOYD. Hon. Vespasian Warner was chairman of the committee, and I do not do anybody any harm when I say that he and I were responsible mainly for the work that was done at that time.

Mr. WATKINS. Mr. Chairman, the House of Representatives and this Committee of the Whole would be placed in a ridiculous light before the country to say that after this bill has been under consideration in the Committee of the Whole for two Calendar Wednesdays, and until this late in the day, now we should not consider it because of the fact that the time when it should have been considered—that is, the question raised—should have been in the House of Representatives. In other words, Mr. Chairman, whether we go into consideration of this bill in the Committee of the Whole to determine that question in the Committee of the Whole, or whether we determine it in the House, is already a settled question. We are already considering the bill. We have already used hours and hours in its consideration. We have not voted on any proposition in the bill, it is true; but if it were an appropriation bill, which was large enough to take several hours or days to read, or any other measure that would take this length of time that has been taken by this bill, and it should be thought that it should be brought before the House, how would it be an economy of time, as argued by the gentlemen on the other side, to wait until the bill has been partially or nearly read in this House? How could it be an economy of time to stop in the midst of the proceedings and raise a question as to consideration?

The CHAIRMAN. Will the gentleman yield to the Chair?

Mr. WATKINS. Certainly.

The CHAIRMAN. The Chair understands the question of consideration can not be raised until the bill has been read the first time, or the reading waived.

Mr. WATKINS. Then, if that is the case, Mr. Chairman, the proper procedure would be that the Committee of the Whole should not determine the question as to whether we shall consider the bill or not, but is a question that is left to the House, because the Committee of the Whole is under the province, jurisdiction, and control of the House of Representatives.

It is not a question for the Committee of the Whole to determine whether or not, on a bill which comes from the House of Representatives and as to which the House of Representatives has delegated the authority to the committee to proceed with the bill, to take away from the House of Representatives the right to control the management and order of its affairs—to take it out of the House and control it by the committee.

Mr. Chairman, if it is a fact that the Committee of the Whole could prevent the consideration of a bill, the House of Representatives would be deprived of the right to say what should be the course of its proceedings and how the proceedings in the House of Representatives should be controlled. This is strictly and purely a question for the House to consider, and not a question for the committee to consider.

It may be that the proper course to be pursued would be for this committee to rise for the purpose of submitting this question to the House of Representatives. It is not a fact that every time the committee rises we cease entirely the consideration of a bill which has been before the House. Many times when the committee rises and makes a report upon the progress of a measure before the House it is perfectly proper; but it is not proper for the House, under the rules, to prevent the subject from originally being considered. But if it is not possible to regulate the order of its consideration after the bill is read by the House, it is certainly the province of the House to control the order of its procedure.

Why, even in any parliamentary body where we may be proceeding, and where the rules are not specifically stated, we are governed by Jefferson's Manual. The rule is provided that in cases which are not covered specifically by the rules we should be governed by Jefferson's Manual. We know that in most meetings and conventions and assemblies and other bodies when committees are appointed those committees are expected to report back their proceedings to the body by which they were appointed.

The duty of proceeding with the consideration of this bill has been delegated by the House to the committee, and the only proper thing under the circumstances would be for the committee to rise and report to the House the fact that they were ready to proceed with the consideration of the bill and ask if it is the pleasure of the House for the consideration of the bill to be proceeded with.

Mr. SAUNDERS. Mr. Chairman, this is a very interesting question of order, but it seems to me that there are certain fundamental principles involved that forbid the conclusion that this motion can be made in Committee of the Whole. The rules very distinctly provide that the rules of the House shall be operative in the Committee of the Whole so far as they may be applicable to the conditions there prevailing. The extent of their use depends upon the precedents, and the construction of the Chairman, when dealing with novel situations.

Why is it that the question of consideration may not be raised in the House against this particular bill? The answer given is that the rule forbids it.

In effect this amounts to saying that a rule which forbids the question of consideration to be raised in the House operates to afford this right to a subordinate creation of the House. Such an interpretation presents a rather anomalous situation. We create a body of rules for the House and provide that these rules may be used in committee to the extent that they may be applicable. But this is the first time that the contention has been distinctly presented that a rule which forbids the exercise of a right to the Members of the House, operates ex necessitate rei to afford that right to the members of the Committee of the Whole. It strikes me that this is rather illogical.

The CHAIRMAN. The Chair would like to ask the gentleman a question, so that he can enlighten the committee. Does the gentleman from Virginia believe that this question could properly have been raised in the House before it automatically resolved itself into Committee of the Whole House on the state of the Union?

Mr. SAUNDERS. Without going into the reason for the ruling, or giving my approval to the same, I understand that a ruling has been made to the effect that this particular bill, owing to the particular calendar from which it has come, is automatically taken into the Committee of the Whole, to the exclusion of a question of consideration in the House. But it does not follow therefore that the question of consideration can be raised in the Committee of the Whole. Merely because the rule, as interpreted, forbids a Member to raise the question of consideration in the House, affords no reason for the conclusion or deduction that it thereby affords authority to raise this question in a subsequent session of this committee. The right to raise the question of consideration is a right under the rules. Hence it is perfectly competent for the rules to provide that as to bills coming from a certain calendar the question of consideration shall not be raised at all, either in the House, or in the committee.

The CHAIRMAN. Then does the gentleman think that, under the rules as they are, that question can not be raised at all?

Mr. SAUNDERS. That seems to me to be the logical situation, having in mind the antecedent ruling with respect to bills from the Union Calendar.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield to me before he goes further?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Kansas?

Mr. SAUNDERS. Yes.

Mr. MURDOCK. If what the gentleman says is true about the question of consideration, how would the gentleman from Virginia—and I have great respect for his parliamentary knowledge—dispense with the Calendar Wednesday? What would be the proceeding?

Mr. SAUNDERS. By a motion to that effect.

Mr. MURDOCK. That is provided for in the rules of the House?

Mr. SAUNDERS. Yes.

Mr. MURDOCK. But it is no more in the rules of the House than is this question of consideration.

Mr. SAUNDERS. Certainly not.

Mr. MURDOCK. Then why does the gentleman contend that that question can not be raised?

Mr. SAUNDERS. I have stated that having in mind an antecedent decision which stands unreversed it is conceded that this question could not be raised in the House as to this bill; but I have stated further that because the rule so interpreted, deprives the Members of the House of a right, it does not follow that the same rule affords this right to the members of the Committee of the Whole. Hence there is no ground for believing that this right exists in the Committee of the Whole. I do not agree with the propriety of the original ruling, but that decision is not necessarily in issue. Admitting its authority, of the decision, it does not carry with it the conclusion drawn by the gentleman from Illinois.

I wish to call the attention of the Chairman to another matter in this connection, and that is that the House is not helpless in respect to the consideration of this or any bill. The same rule that allows the House to dispense with Calendar Wednesday, may be invoked to dispense with the consideration of some particular bill on Calendar Wednesday.

The CHAIRMAN. By a two-thirds vote?

Mr. SAUNDERS. Yes; by a two-thirds vote, so that the House, and not the Committee of the Whole is vested with full authority to determine whether it will, or will not, consider this bill, or any other bill from the Union Calendar. When we get back into the House under the familiar motion to rise, then the appropriate motion may be made in this connection by any Member. If he wishes to displace this bill, he need only make the motion to dispense with the same, and if the necessary votes are forthcoming, the bill will be displaced.

This motion will raise the question of consideration and the mere fact that a two-thirds vote will be required, need not concern the House, nor the Chair, for we are interpreting, not making rules. This is merely a question of what the law is; and if the rule chooses to provide—and it appears to have so provided, as a result of the decision to which I have referred—that so far as this particular bill is concerned, the question of consideration must be sustained by a two-thirds vote, we need not concern ourselves with the conclusion, if it is fairly deduced from the rule. We are not here to make rules. We are concerned to provide a body of precedents that will make the rules coherent and effective.

The CHAIRMAN. Does the gentleman from Virginia construe this rule to mean that we could dispense with a single bill on the calendar?

Mr. SAUNDERS. Undoubtedly. Why not? There is nothing in the rule that militates against that view.

The CHAIRMAN. The rule is as follows:

On Wednesday of each week no business shall be in order except as provided by paragraph 4 of this rule, unless the House, by a two-thirds vote, on motion to dispense therewith, shall otherwise determine.

Mr. SAUNDERS. In other words, to dispense with Calendar Wednesday, or some particular business which at that time is before the House. Now why is that an unreasonable interpretation?

The CHAIRMAN. The Chair is not certain but that that rule applies to the entire day.

Mr. SAUNDERS. I admit that it does apply to the entire day, and if it does apply to the entire day, then in conformity with a very familiar illustration, what is broad enough to apply to and include the whole may be construed to apply to something that is included in and therefore less than the whole. The business that may be transacted on Calendar Wednesday is less than the day itself, and if this House is competent to set aside so solemn a thing as holy Wednesday, by a two-thirds vote, then it is a simple conclusion, it seems to me, that that same House is clothed by virtue of that authority with the power to displace some particular bill business that two-thirds of the House is indisposed to consider.

Mr. MADDEN. Will the gentleman yield for an interruption?

Mr. SAUNDERS. Yes.

Mr. MADDEN. Would the gentleman's argument lead to the conclusion that if Calendar Wednesday was dispensed with to meet the present case, the pending bill would then take its place on the calendar on the succeeding Calendar Wednesday?

Mr. SAUNDERS. There has been so much refinement in the rulings in connection with Calendar Wednesday, that I do not desire to go a bit further, and undertake to make anticipatory rulings. I wish to plant myself squarely on solid ground in this connection, and am trying to point out that as it is admitted that we can dispense with the whole day by a two-thirds vote, the same rule which affords this authority will enable us to get rid of any encumbering legislation that we do not care to consider.

Mr. MADDEN. Would that dispose of the legislation entirely for the session of Congress?

Mr. SAUNDERS. We can dispose of the whole day. Therefore we can dispose of a fragment of the business, and thereby reach that business in which the House is more immediately interested.

The CHAIRMAN. The gentleman admits, I think, that on Calendar Wednesday the question of consideration could be raised in the House against a bill that is on the House Calendar.

Mr. SAUNDERS. Yes.

The CHAIRMAN. And the House by a majority vote could determine not to consider it.

Mr. SAUNDERS. Yes.

The CHAIRMAN. Now, even admitting that the gentleman is right, that you can dispose of a part of the calendar, should there be any distinction in requiring a two-thirds vote to determine not to consider a bill on the Union Calendar and a majority vote for a bill on the House Calendar?

Mr. SAUNDERS. Well, your honor—and in view of your title I may very properly address the present Chairman as "your honor"—in the interpretation of a law it sometimes becomes necessary to make distinctions that probably were not in the mind of the lawmakers at the time the law was enacted. Having found ourselves in this connection unable to raise and determine the question of consideration by a majority vote, the rule as interpreted, forbidding it, but still wishing to find somewhere in the rule the right given to raise the question of consideration, we find it in the right to dispense with the consideration of any bill from the Union Calendar by a two-thirds vote. Thus interpreted the rule preserves the right to continue Calendar Wednesday, and at the same time by a two-thirds vote reject consideration of an undesirable bill. Thus Calendar Wednesday will be preserved, and business will go forward. At the same time we will escape the anomalous situation of depriving the House of the right of consideration, and giving it to a committee.

The CHAIRMAN. The Chair finds this reference here:

No preference to bills on the House Calendar over bills on the Union Calendar.

Mr. SAUNDERS. Certainly.

The CHAIRMAN. Now, if the gentleman is correct in his reasoning, you could raise the question of consideration and defeat the consideration of a bill on the House Calendar by a majority vote.

Mr. SAUNDERS. Yes.

The CHAIRMAN. But you could not defeat the consideration of a bill on the Union Calendar except by a two-thirds vote, and there would be a discrimination.

Mr. SAUNDERS. But observe that we are driven to that conclusion by reason of the fact that a distinction has been created by the antecedent ruling to which reference has been made. It is this ruling that has made the original distinction. I am not making the distinction. The ruling heretofore made that the question of consideration can not be raised against bills coming from the Union Calendar, but that the House must automatically go into the Committee of the Whole, is the cause of our present predicament. That decision has made a distinction between the two classes of bills. One may be voted down by a majority vote, the other is automatically taken into the Committee of the Whole. This basic decision compels the conclusion that the question of consideration may not be raised at all against bills coming from the Union Calendar, save by the motion to dispense with the offending bill. I am not attacking that ruling at present. It is not necessary to do so; but the decision having made the distinction, I am trying to go forward in a logical way, to the conclusions that flow therefrom, and derive the necessary authority from the rule to preserve some particular Calendar Wednesday, and at the same time enable the House to displace some objectionable bill.

In this connection I do not think you ought to lose sight of the fact that the Chair is making another distinction should it hold that the question of consideration can be raised in Committee of the Whole. Such a conclusion is contrary to the fundamental relationship between the Committee of the Whole, and the House, the creator, and the thing created. It is in contravention of the antecedent practice of this House, to clothe the Committee of the Whole, with any such power. Such a ruling will give the Committee of the Whole, with respect to bills coming from the Union Calendar, a power which it does not enjoy with respect to other bills that are committed to its consideration.

Mr. LLOYD. Will the gentleman yield for a question?

Mr. SAUNDERS. Yes.

Mr. LLOYD. What is the distinction that the gentleman makes in the effect that would result? You raise the question of consideration. You take a vote, and in that way you dispense with the bill if you do not wish to consider it.

Mr. SAUNDERS. Yes.

Mr. LLOYD. But instead of that you say we may make a different motion, which would have the same effect. That motion would be to dispense with the consideration of this particular bill.

Mr. SAUNDERS. The difference is that one requires a majority vote, and the other a two-thirds vote, that is all.

Mr. LLOYD. But the effect of it is exactly the same.

Mr. SAUNDERS. The effect is the same. We all agree to that. The difference is in the route by which you arrive at your result.

Mr. LLOYD. What I am getting at is this: If you can not do the one, how can you do the other?

Mr. SAUNDERS. There is no difficulty whatever in that query. The rules expressly provide that you can do the one, and we are limited as to the other by the effect of the ruling that I have cited.

Mr. LLOYD. I do not think the rule specifically provides for it. You may by deduction reach the conclusion, but the rule itself has no provision.

Mr. SAUNDERS. The gentleman might make that criticism with respect to the interpretation of any rule. I say the rule provides for this motion because in plain language it says that with respect to business that is before the House it shall be carried on, unless by a two-thirds vote on a motion to dispense therewith, the House shall otherwise determine. The rule says that, and to say that this language applies only to Calendar Wednesday is giving a narrow and unreasonable effect to the language used. In other words you claim that these broad terms, allow us to dispense with the whole day, by a two-thirds vote but forbid us by a like vote from removing from consideration a single piece of legislation proper to be considered on that day.

Mr. FESS. Will the gentleman yield?

Mr. SAUNDERS. Yes.

Mr. FESS. The question of consideration requires a majority vote?

Mr. SAUNDERS. Yes.

Mr. FESS. To dispense with Calendar Wednesday would require a two-thirds vote, would it not?

Mr. SAUNDERS. Yes.

Mr. FESS. Then if you can raise the question of consideration in Committee of the Whole, which I do not think we can, is not that equivalent to suspending the rules and Calendar Wednesday?

Mr. SAUNDERS. That is the logical deduction from allowing this question to be raised in the Committee of the Whole, and therefore the illustration furnishes an additional reason why the point of order should be sustained.

Mr. FESS. The consideration of the question requires but a majority vote in the House, and if it was made in the committee it should require a two-thirds vote since it works a change of the rules.

Mr. SAUNDERS. I do not know that I exactly catch the full meaning of the gentleman's question.

Mr. FESS. If we could raise the question of consideration in Committee of the Whole and the committee negatively acted upon it, it would operate to suspend the rules for Calendar Wednesday which had required the House automatically to go into Committee of the Whole. Thereby would we not have a rule for a question of consideration to be determined at one time by a majority and at another time by two-thirds vote?

Mr. SAUNDERS. I understand the gentleman's proposition and will amplify it a little. The gentleman contends that as the rule provides that this bill shall be automatically considered in Committee of the Whole, we are considering it in Committee of the Whole by virtue of the rule. Hence if the Committee of the Whole is now allowed to dispense with consideration by a majority vote we are setting aside a rule of the House, which is in effect a suspension of the rules, and requires a two-thirds vote. I think the gentleman's argument has force in it. The rule having sent the bill to us for consideration, of course if we undertake to say by a mere matter of a majority vote in the committee that we will not consider this subject matter, we have set aside the operative effect of a rule of the House, of a rule under which we are acting, and which is therefore the charter of our authority to act.

Mr. GARNER. Will the gentleman from Virginia yield?

Mr. SAUNDERS. Yes.

Mr. GARNER. Suppose the Chair should hold that a majority vote of the committee could refuse to consider this bill and the committee rose and went back into the House. Suppose the Speaker held that it took a two-thirds vote to carry out the wishes of the committee and failed to get the two-thirds vote, we would immediately go into Committee of the Whole and be in the anomalous position of being in committee and refusing to consider the bill. The result of that would be that we would go right around in a circle.

Mr. WATKINS. The Committee of the Whole having been appointed by the House to do a certain piece of work, having objected to that, would not it feel constrained to be governed, if not by a parliamentary standard, would not they be constrained to follow the instructions of the House and pass to some other legislation?

Mr. SAUNDERS. That was not the gentleman's question.

Mr. GARNER. If the Chair should rule that it only took a majority in committee to refuse to consider the bill and it went back into the House and it took a two-thirds vote to confirm the action of the committee, you would have the anomalous position of a two-thirds vote in the House and only a majority vote in the committee refusing to go on with the bill. It shows from a logical standpoint, in my judgment, that the Chair ought not to hold that the Committee of the Whole can refuse to consider a bill after the House has sent it there.

Mr. FESS. Will the gentleman yield?

Mr. SAUNDERS. Yes.

Mr. FESS. On House bills you go into Committee of the Whole by motion.

Mr. SAUNDERS. Yes, by vote on a motion.

Mr. FESS. A vote to go into Committee of the Whole is a vote to consider the bill.

Mr. SAUNDERS. That point was presented by the gentleman from Georgia, and in my judgment it was well taken.

Mr. FESS. And it requires a majority vote?

Mr. SAUNDERS. Yes.

Mr. FESS. On bills on the Union Calendar you do not go into Committee of the Whole by motion?

Mr. SAUNDERS. No, automatically.

Mr. FESS. Therefore if in Committee of the Whole you can raise the question of consideration where we have gone into Committee of the Whole automatically to consider a bill, and you raise the question of consideration and refuse to consider it, do not you suspend the rules of the House?

Mr. SAUNDERS. That is the same proposition the gentleman presented before.

Mr. MURDOCK. The gentleman means to say, as I understand, that a majority of the Committee of the Whole, where a quorum is 100, suspends the rules of the House where it takes a two-thirds vote of the House and where the quorum is 217.

Mr. SAUNDERS. That is the same proposition that the gentleman presented a few moments ago.

Mr. FESS. One other question and I am done. Do not the rules of the House applicable to the Committee of the Whole specify the motions that can be made in Committee of the Whole?

Mr. SAUNDERS. I do not recall any body of motions that is provided for in terms. The rules say that the rules of the House shall be used in the Committee of the Whole so far as applicable. It is a question of interpretation whether they are applicable, or not. For instance, you can not move in the Committee of the Whole to lay an appeal from the ruling of the Chairman on the table. There is no reason for this, but it is stated as a general proposition that you can not make the motion to lay on the table, in the Committee of the Whole.

Mr. FESS. This is a conclusion to which I come, that, unless specified either expressly or inferentially, in Committee of the Whole you can not make use of any motion except those that are clearly necessary for the consideration of the bill.

Mr. SAUNDERS. That is the same thought that I endeavored to present in an earlier portion of my remarks, namely that in determining whether a thing is applicable in Committee of the Whole, you must take some rule that is applicable in the House, and then determine whether it is operative and applicable in the committee. But this rule has been held to deprive the Members of the House of the right to raise the question of consideration to this bill, while affording this right to members of the committee. This I say, is an illogical conclusion.

Mr. FESS. So do I.

Mr. ADAMSON. Suppose we follow that through. Those rules do not clothe the Committee of the Whole House on the state of the Union with power to do something which the House itself can not do under the rules.

Mr. SAUNDERS. That is the very argument I have been seeking to present, and it is the same thought presented a moment ago by the gentleman from Ohio [Mr. FESS].

Mr. HAY. What would be the result if the Chairman holds this to be in order and the question is taken on the motion to consider? What is going to prevent the gentleman from Louisiana [Mr. WATKINS] from calling up this bill and going back into the Committee of the Whole when we get back into the House?

Mr. SAUNDERS. Nothing. When we get back into the House, we will automatically, unless we get rid of this bill by a two-thirds vote, go back into the Committee of the Whole, and then when we get back into the Committee of the Whole the question of consideration will have to be raised again. Having been originally made in the Committee of the Whole, it could be renewed in the Committee of the Whole. This course will not be in contravention of any action taken by the House. The House has not acted. It has merely been notified by the committee that it will not consider the bill. Thereupon the gentleman from Louisiana can call up the same bill and

automatically we will go back into Committee of the Whole. Hence we are in a position that in order to get rid of this bill, we must make the motion to dispense with the same and sustain that motion by a two-thirds vote. Why take such a view as this, instead of the more natural view, that consideration can not be raised in the Committee of the Whole. This does not tie our hands. We can go back into the House, and make the motion to dispense.

It is suggested to me by the gentleman from Georgia [Mr. BARTLETT] that this ruling to which so much reference has been made has not been produced. I have not undertaken to consider that ruling, or to argue with respect to its propriety. While the suggestion of the gentleman from Georgia emphasizes the propriety of sustaining the point of order raised by the gentleman from Virginia [Mr. HAY] it is not necessary in this connection to address ourselves to that supposed decision. I am taking it for granted that it existed, but the limits of the same, and the extent thereof, and the circumstances under which it was made, would be very important matter, if it was necessary to determine whether or not that decision ought to stand. That inquiry, however, is not necessary in this connection.

Mr. Chairman, I would have finished my remarks long ago but for suggestions and inquiries that have been made from the floor, and which required, and properly so, some discussion and consideration. I wish to emphasize, in conclusion, the proposition that when the objection is made that we are creating distinctions—and that is the only objection that has been made with respect to the proposition that the motion to dispense could be applied to this bill—you should bear in mind that the distinction has already been created by the ruling that the question of consideration can not be raised in the House against bills from the Union Calendar. Now that this distinction has been created you should not create a new distinction by conferring upon the members of the Committee of the Whole the right to raise the question of consideration as to bills of this class. This is at variance with the established practice of the House. The committee is but an arm of the House, and when we provide material for its consideration it matters not whether this is done by virtue of an automatic operation of the rules, or by a vote of the House, it is beyond the authority of the committee to say that it will not proceed to deal with this material. Such action on its part, is a contempt of the authority of the body which creates it. The thing created, raises its puny arm against its creator. The point of order of the gentleman from Virginia should be sustained.

Mr. MANN. Mr. Chairman, just one moment. The gentleman from Virginia [Mr. SAUNDERS] raises a new question as to how far the House by a two-thirds vote can suspend with Calendar Wednesday. He says we can dispense with consideration of any bill by a two-thirds vote. If that should be the ruling, I would not say that it were an absurd ruling; but it would have an absurd effect, because under that provision, if a majority of the House did not want to consider a bill, it would still be without power to refuse to do so, and would inevitably lead to a minority of the House forcing a majority of the House to waste time on a bill that it had no intention of considering. The rule is:

> On Wednesday of each week no business shall be in order, except as provided by paragraph 4 of this rule, unless the House by a two-thirds vote on motion to dispense therewith shall otherwise determine.

The term "therewith" applies to something. To what does it apply? There are two things in this language, to either one of which the term "therewith" might apply. One is "business" and one is paragraph 4 of this rule. The gentleman from Virginia [Mr. SAUNDERS] contends, in effect, that the term "therewith" applies to "business," and that the rule would say:

> On Wednesday of each week no business shall be in order unless the House by two-thirds vote on motion to dispense therewith shall otherwise determine.

But the ruling has always been, and everyone else has understood, that the term "therewith" applied to the language in paragraph 4 of this rule as though it read, "and unless the House by a two-thirds vote dispenses with paragraph 4 of this rule, the business shall proceed," and so forth.

Paragraph 4 is the one that provides for Calendar Wednesday. On a number of occasions the question has been raised as to whether the House on Calendar Wednesday, by motion, might proceed with the consideration of other business temporarily for an hour or until a certain bill was dispensed with; and, while I think there has been no ruling on the subject, it has been stated from the chair, both by the present Speaker and the former Speaker, that that could not be done—that the House on Wednesday had the right at any time when in the House to dispense with further proceedings under the Calendar Wednesday rule—that is, paragraph 4 of Rule XXIV—and when dispensed with that ended Calendar Wednesday for that day.

Now, the gentleman from Virginia [Mr. SAUNDERS] contends that the House may have a roll call on each bill that is called up on Wednesday to see whether or not it would dispense with these proceedings, and that it takes a two-thirds vote to carry that. That is not raising the question of consideration, and there is nothing in the rules to warrant a ruling to the effect that by a two-thirds vote in the House you can dispense with any particular bill on Calendar Wednesday. Of course, such an arbitrary ruling might be made. If it shall be made, I am perfectly willing to bow to it. It would not, however, be following the rules, it would be an absolutely arbitrary ruling, and it would not protect the House, and what we are seeking to do is to have a ruling which gives to the House, resolved into the Committee of the Whole House, or other way, the power to say whether it will proceed with the consideration of a particular bill. There is no other proposition which can be presented to the House where it has not the power to determine whether it will proceed. The very language of the rule says that "any bill or proposition" coming before the House, and, in effect, says you can raise the question of consideration. Now it is urged that the House place itself in a position where upon a Union Calendar bill it is without power to protect itself from having its time wasted in the consideration of a bill where perhaps a majority of the House has already determined that they will vote against the bill and do not desire to take the time of weeks or months for the consideration of a bill which has no chance of being passed by a majority of the House. That is the reason we have the right to raise the question of consideration on ordinary bills. A Member has the right to call up a bill, and if the House should determine it will not pass the bill, what is the use of wasting time on it? Now, I do not make these remarks about this bill. I would be willing now to vote to pass the bill under suspension. I have no opposition to the present bill. I do not profess to know just what is in it, and I never expect to learn just what is in it. I know two things. I know that it has been considered by the committee that it will waste the time of Calendar Wednesdays from now until probably the end of the session, and whether it passes now or later, it has no more chance of becoming a law in this Congress than a snowflake has to last forever in the nether regions.

The CHAIRMAN. The Chair would like to state, in the first place, that he believes that there ought to be some opportunity at some time for either the House or the committee to determine the question of consideration of any bill, and by a majority vote. The Chair has great respect for the opinion of the gentleman from Virginia [Mr. SAUNDERS], but he can not agree with him that this rule is intended to enable the House to dispense with a part of Calendar Wednesday. As the Chair reads the rule and construes it, he is persuaded to believe that it means to dispense with the entire business of the day, or none. There are several reasons; among them there are several decisions of the Speakers of the House that there shall be no preference between House bills and Union Calendar bills upon the calendar on Wednesday. While it is admitted and has frequently been ruled that a majority vote on a House Calendar bill will prevent its consideration, and the argument is made which, if correct, would require a two-thirds vote to dispense with one that was on the Union Calendar, so there would be a distinction. Now, if this were an original proposition, the Chair is disposed to believe that he would have held that under Rule III that the consideration could have been raised before the House resolved itself into the Committee of the Whole House. The Chair knows that question may be raised where a motion is made to go into the Committee of the Whole House to consider a bill. The rule reads this way:

> When any motion or proposition is made, the question, Will the House now consider it? will not be put, unless demanded by a Member.

It says "any motion or proposition." The Chair is inclined to believe that this was intended to cover cases of this sort. When a bill is called it is a proposition, it would seem to the Chair, to go into the Committee of the Whole to consider the bill, not a motion, because you automatically go into the Committee of the Whole House to consider a bill on the calendar, if on the Union Calendar, as this bill was. If it were an original proposition, he would feel disposed to hold that at that time the question of consideration might have been raised in the House. But the Chair is impressed with the belief that there ought to be some time when a majority of the House or the Committee of the Whole House can determine whether or not it will consider a bill. In view of the ruling of Speaker Cannon and Speaker pro tempore Mr. ALEXANDER, who, in this very case, decided when the motion was made raising the question of con-

sideration that it could not be raised at that time. I think the opportunity to raise the question should now be permitted. Speaker Cannon decided that after you go into the Committee of the Whole House in a matter exactly like this——

Mr. BARTLETT. May I ask the Chair a question?

The CHAIRMAN. Certainly.

Mr. BARTLETT. Suppose it was not Calendar Wednesday and a motion was made to go into the Committee of the Whole House on the state of the Union to consider an appropriation bill; could you raise the question of consideration on that sort of a proposition?

The CHAIRMAN. A vote upon the motion would then determine the question of whether you would consider that bill or not.

Mr. SAUNDERS. Mr. Chairman, I am not undertaking to argue against the ruling of the Chair, but if the Chair will permit I desire to say, as I understand the Chair, it is that the fundamental trouble here is an erroneous opinion heretofore delivered. Now the fact that that opinion was an error in respect to taking away the rights of the House with respect to raising the question of consideration can not affect a proper determination of the balance of the law as it stands. But for that ruling we would not be in this kind of difficulty of interpretation, but now an erroneous ruling ought not to affect a proper interpretation of what is left.

The CHAIRMAN. The Chair does not feel disposed to overrule the decisions of Speaker Cannon and the decision of the Acting Speaker, Mr. ALEXANDER, in this very case. Something has been said about not finding the decision rendered by Mr. Speaker Cannon, and the parliamentary clerk advises the Chair that he has not found the actual decision. But there are a number of references to it that the Chair thinks are just as forceful. Here is a brief statement made in argument by the gentleman from New York [Mr. FITZGERALD] upon that question to Speaker Cannon while he occupied the chair. Referring to that decision having been made by him—and certainly it must have been perfectly understood by the Speaker at that time that he had made that decision—he said:

> Not only that, Mr. Speaker, but early in the operation of this day under the rule, when the Chair held that a bill on the Union Calendar did not require a formal motion to go into Committee of the Whole House on the state of the Union, but the House went automatically into the Committee of the Whole House, it was held that after the House had resolved itself into the Committee of the Whole House on the state of the Union the question of consideration could be raised.

Now, that was an argument made by the gentleman from New York [Mr. FITZGERALD] to Speaker Cannon, referring to a former decision that he had made. So the Chair thinks there is no question but the ruling of Mr. Speaker Cannon was that way, and certainly Speaker pro tempore ALEXANDER, temporarily presiding here in this very matter, ruled that the question could not be raised in the House. The Chair does not feel disposed, in the brief time that he occupies the chair, to overrule these precedents. Therefore, the Chair overrules the point of order.

Mr. MANN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point that there is no quorum. The Chair will count. [After counting.] One hundred and seven Members are present, a quorum. The question is, Shall the bill before the House be now considered?

Mr. MURDOCK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MURDOCK. Is it not a good plan to observe the form of the rule there?

The CHAIRMAN. Has the gentleman from Kansas the rule before him?

Mr. MURDOCK. I refer to clause 3 of Rule XVI.

Mr. MANN. It is, "Will the committee now consider?"

Mr. MURDOCK. I think we ought to follow the rule, which is, "Shall the House now consider it?"

The CHAIRMAN. It is simply a question of using the word "House" instead of "committee."

Mr. MURDOCK. Yes; that is my proposition.

The CHAIRMAN. The Chair understands that all the rules of the House apply to the Committee of the Whole House where they are applicable.

Mr. FESS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. FESS. Can you now apply subsidiary motions as to this motion in the Committee of the Whole, such as laying the matter on the table, and so forth?

The CHAIRMAN. The Chair decides the question of consideration can now be raised.

Mr. FESS. In other words, you are not now, in Committee of the Whole, on the same basis as you would be on if you were in the House?

The CHAIRMAN. No. You can not under the rule. As many as favor the proposition of the consideration of this bill will say "aye," and those who are of the contrary opinion will say "no."

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BARTLETT. Division, Mr. Chairman. First, however, a parliamentary inquiry.

Mr. SAUNDERS. Has not that got to be taken by tellers, under the rule?

Mr. BARTLETT. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. The question, as I understand it, is that those who are in favor of considering the bill will answer "aye"?

Mr. MANN. Yes.

Mr. BARTLETT. The question was not so put.

Mr. WATKINS. Mr. Chairman, I am very sure that the membership did not understand.

The CHAIRMAN. The Chair is informed it does not require a vote by tellers. Therefore the Chair will state the question again. The question is now whether this bill will be considered. Those who favor that will vote in the affirmative and those opposed will vote in the negative.

Mr. SAUNDERS. Has it not, under the rules of the House, got to be taken by tellers?

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. WATKINS. Division, Mr. Chairman.

The committee divided; and there were—ayes 40, noes 62.

Mr. WATKINS. I ask for tellers, Mr. Chairman.

Tellers were ordered.

Mr. WATKINS and Mr. MANN took their places as tellers.

The committee again divided; and the tellers reported—ayes 46, noes 59.

The CHAIRMAN. The noes have it, and the committee refuses to consider the bill.

Mr. WATKINS. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Alabama [Mr. WATKINS] moves that the committee do now rise.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. MURDOCK. Let us have a division on that, Mr. Chairman.

Mr. MANN. No; let us sit here. There is nothing we can do.

The CHAIRMAN. Division is called for.

Mr. MANN. Let them have the responsibility.

Mr. WATKINS. Mr. Chairman, I move that the committee do now rise.

Mr. MURDOCK. That is passed.

Mr. BARTLETT. It is not passed yet. It was voted down.

The committee divided; and there were—ayes 73, noes 3.

So the motion to rise was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15578, and had determined to refuse to further consider the same.

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports that that committee, having under consideration the bill H. R. 15578, had determined to consider it no further.

Mr. BARTLETT. Mr. Speaker, I make a point of order.

Mr. WATKINS. Mr. Speaker, on the call of committees, I desire to call up the bill H. R. 15578.

Mr. BARTLETT. Mr. Speaker, I make a point of order. That the Committee of the Whole House on the state of the Union in consideration of the bill just reported had no authority to refuse to consider the bill, and that the report which they made is one that the House should not receive.

Mr. MANN. Well, Mr. Speaker, to add to the gayety of the situation, I move that the House direct the Committee of the Whole House on the state of the Union to proceed with the consideration of the bill, whatever the number of it is. Let us have it all decided at once.

Mr. BARTLETT. I raised a point of order.

Mr. MANN. I have made a motion. I hope that somebody will make a point of order on the motion, so that the Chair will have a chance to rule on it.

Mr. BARTLETT. Mr. Speaker, I made the point of order in all seriousness and good faith that the report made by the Chairman of the Committee of the Whole House on the state of the Union, to the effect that that committee had had under consideration this bill—the number I do not recollect now—and had directed him to make a report stating that the committee had decided not to consider the bill—I make a point of order that that is not a report which the House can receive, because the Committee of the Whole House on the state of the Union had no power or authority to take any such action—to refuse to consider the bill.

The SPEAKER. The Chair wishes the gentleman would state that point over again.

Mr. BARTLETT. Yes, sir. I make the point of order upon the report made by the Chairman of the Committee of the Whole House on the state of the Union, which had under consideration the bill whose number I have forgotten, but which I will supply, which the Committee of the Whole House on the state of the Union was considering, to the effect that that committee had decided not to consider the bill upon the question of consideration being raised, and that that report is not one such as the House could receive, because the Committee of the Whole House on the state of the Union, in the consideration of that bill, had no authority to consider that question, and its action in that regard was ultra vires.

Mr. SAUNDERS. Mr. Speaker, I do not propose to occupy but little of your time, because you were in the Chamber and heard the argument, when this matter was up for consideration in the Committee of the Whole. I desire, however, to call your attention to one proposition in support of the point of order made by the gentleman from Virginia [Mr. HAY].

If it is considered that the Committee of the Whole had authority to refuse to consider at its last session this particular bill, and to bring the same back into the House, then we are confronted with this situation: If you receive that report, then we are still under the call of committees, and the gentleman from Louisiana [Mr. WATKINS] can certainly call up the same bill. We are now not in Committee of the Whole, but in the House. The action of the Committee of the Whole can not limit the right of the gentleman from Louisiana, to call up this bill in the House. When he does this, as he will have the right to do, then we will automatically go back into Committee of the Whole, and should the committee again refuse to consider the bill, another motion will bring us back into the House. This shows what a vicious circle was started, when the ruling was made that the Committee of the Whole, with reference to this bill, had the authority to do, what it has undertaken to do.

The SPEAKER. The Chair would like to ask the gentleman a question. What would be the use of refusing to consider the bill any further if you immediately went back into the committee to consider it again?

Mr. SAUNDERS. There would be none. That is the very argument that I am making, Mr. Speaker. A little section of the House has undertaken to do something that the House has not done, and can not do. A section created under the rules of the House, a committee formed to deal with matters committed to its consideration, has undertaken to refuse to act upon a matter solemnly referred to its attention by the automatic operation of the rules of the House. It has made a report of its refusal to do business, to the House. We are now dealing with this matter in the House. The House is certainly not bound by the refusal of the committee to act upon material that was referred to its consideration by virtue of and pursuant to the rules of this body. The gentleman from Louisiana [Mr. WATKINS] can now call up the same bill. He has the right to do this, and the moment that he calls up this bill, just as would be the case with respect to any other bill from the Union Calendar, the rules of the House automatically operate to carry us back into Committee of the Whole.

The query propounded by the Chair to me very sufficiently shows, I think, the sufficiency of the point of order raised by the gentleman from Virginia [Mr. HAY], and that is that a committee can not exercise authority forbidden to the House of Representatives, and refuse to deal with matter referred to its disposition, to be either voted up, or down after the consideration provided for by the rules.

Mr. UNDERWOOD. Mr. Speaker——

Mr. WATKINS. Mr. Speaker, I yielded the floor only to let the gentleman from Georgia [Mr. BARTLETT] make a point of order.

Mr. MANN. The gentleman from Louisiana [Mr. WATKINS] is not entitled to the floor any more. He is out of this. [Laughter.] His committee has already had the call for two days. He can not call up a bill.

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. What is the exact matter before the House?

The SPEAKER. The exact matter is the point of order made by the gentleman from Georgia [Mr. BARTLETT]——

Mr. MANN. And the motion that I made.

The SPEAKER. The Chair will recognize the gentleman to make his motion.

Mr. MURDOCK. The point of order of the gentleman from Georgia is against what? That is what I would like to know.

The SPEAKER. He raised the point of order that the Committee of the Whole was acting ultra vires when it made this report.

Mr. UNDERWOOD. Mr. Speaker, I desire to address myself to the point of order.

The SPEAKER. The Chair will be glad to hear the gentleman.

Mr. UNDERWOOD. Mr. Speaker, it is of the utmost importance that in every parliamentary body there should always be the opportunity for a majority of the members to determine in the beginning whether or not they desire to consider or not consider a piece of legislation. If a majority of this House has not the opportunity to determine whether that majority wishes to consider a piece of legislation, then you would be in the anomalous condition where some Member of the House could enforce the consideration of a bill or resolution against the will of the majority and make them wait impatiently until the time came around when they could vote on its final disposition.

Now, no such condition should or could properly exist in a parliamentary body. Of course, in the House there is always an opportunity for the House to raise the question of consideration. On an ordinary bill it is made by a motion; on an appropriation bill it has been held that the motion to go into Committee of the Whole House on the state of the Union raises the question of consideration, and therefore it is not necessary to make the direct motion for consideration. But we have adopted a rule in reference to Wednesday by which the House automatically takes a bill and goes into the committee without a vote. If that rule is lived up to, there is no opportunity in the House, after the chairman of a committee calls up a bill, for the House to determine whether or not it desires to consider the bill before it resolves itself into the Committee of the Whole House on the state of the Union.

Now, the Committee of the Whole House on the state of the Union is merely a fiction, adopted for convenience to limit debate in certain ways and to prevent the necessity of numerous roll calls. That is its purpose; but, as a matter of fact, the Committee of the Whole House on the state of the Union is the House of Representatives; and although you can not call the roll in the Committee of the Whole House on the state of the Union, the action of that committee voices the sentiment of the House. I think it is very clear, although there may be no direct ruling, that the House, either in the House or in the Committee of the Whole, should properly have the right to determine whether it will consider a piece of legislation—in the inception of that legislation, rather than in its final conclusion—and that it ought not to be left within the power of one man to force this House to consider a bill to its final conclusion when the sentiment of the House, expressed either in the House or in the Committee of the Whole, is against it. Therefore I think the logic of the situation and the logic of the rules must lead us to the conclusion, first, that this House shall have an opportunity to express itself; second, that if it has no opportunity in the House before going into the committee to express itself, the right to express itself must be given to it after it arrives in the Committee of the Whole House on the state of the Union.

Now, my friend from Virginia [Mr. SAUNDERS] calls the attention of the Speaker to the fact that possibly after the Committee of the Whole House on the state of the Union had refused to consider a bill, and it came back into the House, the chairman of the committee having charge of the bill might move that the House resolve itself into the Committee of the Whole on this same bill again, or ask that it automatically resolve itself into the Committee of the Whole. I say that that is no different from the conditions in the House. If a bill is on the calendar and I move that it be taken up, or if it comes before the House in its regular order, to be considered in the House, and some gentleman on the floor does not desire its consideration, he can raise the question of consideration, and if the House votes it down, it goes back to the calendar. Now, there is nothing to prevent that bill coming up again the first time

that the man in charge of it can bring it up. He may bring it up in 10 minutes if he gets the opportunity, or he can bring it up the next week, and again the question of consideration may be raised. So that there is nothing in the rules of the House that would prevent that. It might be difficult to reach it again, but there is nothing in these rules that prevents it. I think the whole thing applies itself to common sense. When the House had refused by a majority vote to consider a bill, I do not think any Member on the floor of the House would attempt again immediately to get the bill before the House, to have it voted down again, and I do not assume that any chairman of a committee would do so foolish a thing as again to ask the House to consider a bill when the House, in the only legitimate way in which it could express itself, had refused to consider the bill, unless there was a change of circumstances and conditions which might warrant him to believe that the sentiment in the House had changed. Therefore I think, for the orderly disposition of business, and in order that this House may have an opportunity at all times to express itself as to whether or not it proposes to consider a measure in its inception, the correct ruling should be to conform to the ruling that has just been made by the gentleman from Missouri [Mr. RUSSELL], who occupied the chair in the Committee of the Whole.

Mr. SAUNDERS. If the Chair will permit me a word, I wish to point out what I think is a very material flaw in the gentleman's logic. The gentleman from Alabama has undertaken to argue that the rule is one way, because in his judgment it ought to be that way. The argument that he offers in that connection is, as I have suggested, imperfect by reason of the fact that the position which he takes does not give the House any opportunity to raise the question of consideration. He argues that the House ought to have this opportunity; but according to his own contention the House is never afforded the opportunity of raising the question of consideration. It is raised in a committee, where a quorum is 100. It is never raised in the House, where the quorum is a majority of the elected members of this body.

Mr. UNDERWOOD. If the gentleman from Virginia will allow me——

Mr. SAUNDERS. Certainly.

Mr. UNDERWOOD. I stated that I regarded the Committee of the Whole House on the state of the Union as only a fiction, only a representative of the House itself.

Mr. SAUNDERS. Yes, but the gentleman can not take that view and maintain it.

Mr. UNDERWOOD. Oh, yes, I can.

Mr. SAUNDERS. He can not, for the simple reason that we have created a whole body of parliamentary law applicable in the House, that does not operate in the Committee of the Whole. Moreover we have expressly provided that a quorum of the Committee of the Whole is 100, and not a majority of the Members of this House. So you can not regard the Committee of the Whole as being in any real sense the House. It is an arm of the House. It is not the House, or the equivalent of the House.

Mr. ADAMSON. Will the gentleman yield a moment?

Mr. SAUNDERS. Yes.

Mr. ADAMSON. I suggest to the gentleman what a ridiculous fix that might get us into. There are 435 Members of the House; 100 Members make a quorum of the Committee of the Whole. One hundred Members may have voted down the consideration of a bill, but when it gets back automatically into the Committee of the Whole again that 100 Members may have gone to the baseball game, and another hundred Members may have come in, and they may reverse the action of the first 100. That may be repeated many times. There may be four full committees with entirely different personnel, and 35 to spare. That is not the action of the House at all.

Mr. SAUNDERS. That is logically true, and that punctures the suggestion of the gentleman from Alabama. The gentleman from Alabama is seeking to give the House what he says the House ought to have, namely the right at some time to raise the question of consideration. The decision that has been so often cited holds that this question of consideration can not be raised in the House. Now the gentleman from Alabama seeks to give this right to the House by giving it to the committee. The right of consideration in the committee is an entirely different proposition from the right of consideration in the House. Consideration can be refused in the Committee of the Whole by 51, a majority of a quorum, when, if the motion was made in the House, the House might overwhelmingly vote the other way.

Mr. MURDOCK and Mr. MANN rose.

Mr. SAUNDERS. I yield to the gentleman from Kansas [Mr. MURDOCK].

The SPEAKER. The Chair will recognize the gentleman from Illinois [Mr. MANN] in a moment.

Mr. MURDOCK. In addition to what the gentleman says, I wish he would point out to the Speaker that in Committee of the Whole there is no record vote, while in the House there is, which is a material fact.

Mr. SAUNDERS. Certainly. It is not material that the right of consideration be given to the Committee of the Whole, which is as I have said, merely an arm of the House. It differs from any other committee only in the fact that the quorum is larger, and the powers given broader. It merely considers and reports. The raison d'etre of a committee is to consider what is sent to it. As has been heretofore pointed out, all the strained construction that the Chair is asked to place upon our rules, is due to the effort to maintain a decision that was not originally sound. The gentleman from Missouri [Mr. RUSSELL] frankly said if he had been in the chair at the time he would have rendered a different decision. Now because that decision is in the way of the question of consideration in the House, it does not follow that other and more violent decisions ought to be rendered. The law as it is ought to be interpreted. New law ought not to be made merely to meet a situation created by an erroneous decision that ought to be overruled.

Mr. MANN. Mr. Speaker, I do not see any difficulty about this situation at all. The rules of a parliamentary body must be founded on common sense and with a view to the carrying on of business. I always apply myself, as far as I can in the consideration of a question, to what is the common-sense proposition involved. It has already been ruled that you can not raise the question of consideration on this bill in the House. It has also been ruled in committee that you can raise it in committee. I think both of these rulings are correct and must be sustained by the Speaker. But the action of the committee is not and never is final. The action of the Committee of the Whole House is reported to the House itself, and while the form of the motion is that the House resolve itself into Committee of the Whole House, and so forth, and it is the House that is sitting as a Committee of the Whole House, still the rights in the two bodies are somewhat different, and especially in the fact that the Committee of the Whole does not entertain a roll call upon propositions while the roll call is in order in the House. The committee getting the bill reports backs the bill with recommendations. It agrees to amendments in the committee and recommends those amendments to the House. It agrees to a favorable report on the passage of the bill and recommends the passage of the bill in the House; or it may agree to an adverse report in the committee and recommend that the bill be laid on the table or that the enacting clause be stricken out. The committee takes no final action as to any matter reported back to the House. I think it is perfectly clear that when the committee has reported back a bill recommending that in committee the committee has decided not to consider the bill referred to it, that that is subject to the approval or disapproval of the House, and that it is now in order for the Speaker to put to the House the question whether the House agrees to the recommendation of the committee in regard to this bill.

The committee has recommended that the bill be not considered in Committee of the Whole. That is, at the best of it, a recommendation, and that lets us out of what would be an embarrassing position. We can not well sustain ourselves and say that the House can not control the action of the committee and direct that a bill be considered in the committee. It might easily happen that some day the House might resolve itself into Committee of the Whole with only a few Members present, go into committee with only a few Members present, possibly Members who had been notified in advance to be present for the purpose of voting in the committee not to consider a bill. The bill might be reported back to the House and the House agree to the recommendation that the bill be not considered. If the House disagrees to the recommendation, I think the logic would be that you follow the same policy you follow when it reports a bill adversely and the House disagrees to the recommendation—it goes back to the committee, and the committee will resume and proceed with the consideration of the bill.

I think that now the Speaker should put to the House the question whether the House will agree to the recommendation of the committee on this bill.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. MANN. Yes.

Mr. GARRETT of Texas. I understand the position of the gentleman from Illinois to be that it is now in order for the House to take up the question as to whether or not it will concur in the report of the committee to not further consider the bill.

Mr. MANN. I think that is the proper proceeding.

Mr. GARRETT of Texas. If the House should vote in favor of the motion, would not that be equivalent to postponing the bill indefinitely?

Mr. MANN. It would be equivalent to putting the bill on the calendar, like every other bill, to be taken up when it is reached in regular order. It would not make any difference between this bill and any other bill.

Mr. BARTLETT. Mr. Speaker, there are precedents where reports of the Committee of the Whole House on the state of the Union have been resisted upon the ground that it was in excess of the authority of the committee. I refer the Speaker to the Manual, section 328:

But a committee may not report a recommendation which, if carried into effect, would change a rule of the House. When a report is ruled out as an excess of the committee's power the accompanying bill stands recommitted.

So that, Mr. Speaker, under that authority, which will be found in the fourth volume of Hinds' Precedents, section 4907, and on page 121 of the Manual, the Speaker must decide whether or not the Committee of the Whole, in directing the Chairman to make that report, will be accepted, or whether the Committee of the Whole House on the state of the Union had the power to make it. The Chair correctly stated the proposition that the question is whether or not the Committee of the Whole House on the state of the Union has acted ultra vires in reporting that the bill be not further considered, which contravenes the rules of the House. The Committee of the Whole House on the state of the Union can not authorize a Chairman to report a bill with a recommendation which is in excess of the powers of the committee to consider. If the House went into Committee of the Whole for the purpose of considering certain bills, it could not take up other bills and report them. If it went into Committee of the Whole for doing certain work and had gone beyond that and had done other work and reported it out, it is beyond the power of the committee. So the whole question comes right now for the decision of the Speaker whether or not the Committee of the Whole House on the state of the Union exceeded its authority when it entertained a motion not to consider the bill that was pending before it, which had been committed to it by direction of the House to be considered under the rules of the House. The question is whether the Committee of the Whole, a mere branch of the House, is greater in power than the House itself.

It has been said, and said correctly, that the House itself can not entertain a question of consideration when a motion is made to go into the Committee of the Whole, and it is immaterial whether that arises on Wednesday or any other day, the rule is the same. If it rises on any other day than Wednesday, you can not entertain the question of consideration, because the motion to go into Committee of the Whole House on the state of the Union is a motion to consider. I will refer the Speaker to the authorities and precedents which I called the attention of the Chair to in committee.

The uniform decision is that when a motion is made to go into Committee of the Whole House on the state of the Union to consider a bill that that is equivalent to the question of consideration. And before the establishment of Calendar Wednesday you could not raise the question of consideration. I learned that early in my congressional career, for I raised that question myself on a bill on a motion to go into Committee of the Whole House on the state of the Union, and the chairman, Mr. Dalzell, ruled that raising the question of consideration was not allowable.

Mr. MADDEN. Will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. MADDEN. The gentleman does not contend that the Committee of the Whole House on the state of the Union would not have power to report a bill for the adoption of the House or recommend its enactment or that it would exceed its power if it reported against the adoption of a bill?

Mr. BARTLETT. I do not contend that the Committee of the Whole House on the state of the Union would not have the power to do anything in recommending the position of a bill provided it did not violate the rules of the House.

Mr. MADDEN. The gentleman admits those two propositions now whether or not it is equally within the power of the committee to report to the House that it thinks it unwise to further consider a bill.

Mr. BARTLETT. Mr. Speaker, I do not think the committee has a right to do that, because the committee can not consider the question raised, or have the question of consideration raised before it. That is the whole argument I have made here.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. FESS. The position of the Chairman in making the ruling was that the House should have a chance to consider the question.

Mr. BARTLETT. Yes.

Mr. FESS. And if not given in the House, it ought to be given in the committee. That same position was approved by the gentleman from Alabama [Mr. UNDERWOOD]. This is the question I desire to ask. The question of consideration is never raised in order to have a bill considered. It is always raised by those who do not want to consider the bill. The question used to be put in the negative form, objecting to the consideration of the bill. In every single organization the matter will be considered, unless some one raises the question of consideration. I do not understand the force of such reasoning, that it must be in the House or it must be in the Committee of the Whole, because we have the right to have it considered. It always will be considered, unless some one raises the question of consideration.

The SPEAKER. The Chair is ready to rule.

Mr. BARTLETT. Mr. Speaker, just one word. I intended to call the attention of the Chair to a ruling that when the committee had exceeded its authority——

The SPEAKER. Oh, there is no question about that. The committee can not exceed its authority. The question is whether it did or not.

Mr. SHERLEY. Mr. Speaker, I would like to be heard for a moment, if the Chair will indulge me.

The SPEAKER. The Chair will hear the gentleman.

Mr. SHERLEY. Mr. Speaker, I think the whole trouble is due to the fact that we are trying to abide by a wrong decision made in the House. I appreciate that gentlemen frequently do not have time to fully examine questions, and with a proper respect for the learning and ability of the gentleman from Missouri, Mr. ALEXANDER, I think his decision was wrong when he held that you could not in the House on Calendar Wednesday raise the question of consideration on a bill. A two-thirds vote to dispense with Calendar Wednesday was fixed in the rule for the purpose of preventing the crowding in of other business as against matters that would be reached on that calendar, but it was not for the purpose of compelling the House always to consider a particular bill on the calendar, and the common-sense thing to do would be to let the House determine on Calendar Wednesday whether it will consider a bill on that calendar by raising the question of consideration. To have a Committee of the Whole, which is created for the purpose in this instance of considering a particular bill, determine that it will not do the very thing that the House has created it to do, is to bring about a condition in parliamentary law contrary to all reasoning. The House ought to have the opportunity to arrive at its will, and that opportunity ought to be had by reversing the decision rendered by Speaker pro tempore ALEXANDER that you could not raise the question of consideration on Calendar Wednesday as to a bill on the Union Calendar.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield for an observation?

Mr. SHERLEY. Certainly.

Mr. GARRETT of Tennessee. It is in order on Calendar Wednesday to call up bills from either the House Calendar or the Union Calendar.

Mr. SHERLEY. Yes.

Mr. GARRETT of Tennessee. Would anyone say, if a bill were called up from the House Calendar, that the question of consideration could not be raised upon that bill?

Mr. SHERLEY. I do not think one could successfully say that.

Mr. GARRETT of Tennessee. That being true, the only reason the House goes into the Committee of the Whole House automatically—and I am making these observations in sustaining the idea of the gentleman from Kentucky [Mr. SHERLEY], and with his indulgence—without a motion is because the rule says that bills on the Union Calendar shall be considered in Committee of the Whole. The Speaker has held that the House resolves itself automatically into the Committee of the Whole House on the state of the Union; that it is not necessary to make a motion. If it were necessary to make a motion, of course, then the question of consideration need not be raised, because that would be determined, as it is in the case of privileged bills, by the motion to go into the committee; but inas-

much as under the rule the House resolves itself automatically into the committee, it does seem to me that there ought to be some opportunity at that time for raising the question of consideration.

Mr. UNDERWOOD. Mr. Speaker, with the indulgence of the gentleman from Kentucky [Mr. SHERLEY], I should like to ask the gentleman from Tennessee a question. Does not the gentleman from Tennessee, in making this argument, overlook the fact that the purpose of the rule in preventing a motion to go into the Committee of the Whole and requiring the House to automatically resolve itself into the Committee of the Whole House on the state of the Union was to prevent the question of consideration until we arrived in committee?

Mr. GARRETT of Tennessee. I do not think so.

Mr. UNDERWOOD. It is for no other purpose. The very purpose was to prevent a roll call at that time.

Mr. GARRETT of Tennessee. In the first place, let me say to the gentleman that the rule does not say that the House shall automatically resolve itself into the Committee of the Whole House on the state of the Union. The rule says that on Calendar Wednesday only certain business shall be in order, and then it says that bills may be called up from either the House Calendar or the Union Calendar and that bills on the Union Calendar shall be considered in the Committee of the Whole House on the state of the Union. The rule does not say that the House shall automatically resolve itself into the committee, but the Chair in the past has held that inasmuch as no other business is in order, except the business therein specified, and inasmuch as the rule provides that business on the Union Calendar shall be considered in the Committee of the Whole House on the state of the Union, that therefore automatically the House should resolve itself into the committee in order to save the loss of time.

Mr. SHERLEY. Mr. Speaker, it is right there that the vice of the whole thing lies, and it lies in the assumption that the only thing that is in order on Calendar Wednesday is a particular bill, whereas the purpose of Calendar Wednesday was not to compel the consideration of a particular bill, but to compel the consideration of that calendar and to prevent the disregard of that calendar except by a two-thirds vote, and the House ought to have the right, by raising the question of consideration, to determine what bill it desires to call up for consideration. And to then go to the absurdity, for that is the way it strikes me, because the ruling was that you could not have consideration in the House in the first instance, that then the committee, which is the creature of the House, created for the specific purpose of considering a bill, can deny the very purpose of its creation, is to make the creature greater than the creator.

Mr. SAUNDERS. If the gentleman will permit, in other words, it is a question of going back and overruling an improper decision rather than proceeding to strain the rules further in order to get a further confusion.

Mr. SHERLEY. In my judgment, what we ought to do is to hold that the motion raising consideration in the committee was not in order, and then the committee should rise and should report the bill, and then the question of consideration in the House on Calendar Wednesday could be raised in accordance with natural parliamentary law.

Mr. GARRETT of Tennessee Mr. Speaker, just one further observation I desire to make in connection with the suggestion offered by the gentleman from Illinois [Mr. MANN] and that is that it would be next in order, and it would be the duty of the Speaker to put the question to the House whether it would sustain the action of the Committee of the Whole. Now, it is true that is a course to reach the end, but the gentleman from Illinois suggested, and we all agree with him, that he desired and we all desired to follow a common-sense method in reaching results through the rules of the House, but now I submit to the Speaker that that after all is not a common-sense method. What have we under that sort of practice? We have a provision in the House by a ruling of the Speaker pro tempore a few days ago to be followed that in the House the question of consideration can not be raised. Then you go into the Committee of the Whole House and raise the question. Then when you go back into the House the question indirectly is raised by the Speaker putting the proposition, Will the House sustain the action of the Committee of the Whole?—so that you go through two processes of reaching a result which by a simple application of common sense should be reached in the first instance on raising the question of consideration when the matter is originally called up?

Mr. MANN. Mr. Speaker, you can not raise the question of consideration in the House on a Union Calendar bill unless you have a motion to go into the Committee of the Whole House. That motion was dispensed with because it was thought to be a time saver. It is not often the question of consideration is raised, and if you had to make a motion to go into the Committee of the Whole House every time it would make quite a difference. Now, you can accomplish the whole purpose just as easily by reporting what the committee has recommended and submitting it to the House.

Mr. WATKINS. Mr. Speaker, I have not changed the views which I expressed when we were in the Committee of the Whole, and I regret very much, indeed, I am not able to agree with the gentlemen who have submitted the proposition to the Speaker that the ruling of the Committee of the Whole was ultra vires. In my opinion, from a hasty and cursory examination which I could make of this question, I am not satisfied that the proceeding was wrong. I am satisfied in the first place, from the rulings in this House, that the honorable gentleman from Missouri [Mr. ALEXANDER], who was in the chair, and ruled as Acting Speaker that the bill was to be referred to the Committee of the Whole House automatically, without any motion, without any power on the part of the House, acted exactly in conformity with the rules of the House. After the bill had gone to the Committee of the Whole, and that committee being under the supervision of the House, or a creature of the House, that that committee had the right to submit the question to the House as to whether or not they should proceed with the consideration of the bill which was then on the calendar. From my understanding of the rule, all the committee did was—it simply said that it was authorized, or instructed, or empowered by the House to proceed with the consideration of this bill, and, by referring it back, declined to go any further with it, and therefore referred it back to the authority from which it received it.

I agree entirely with the gentleman from Illinois, except on one proposition. He expresses the view that the Speaker should submit the question to the House as to whether or not the bill should be proceeded with or considered in the Committee of the Whole, as indicated by the committee—whether the Speaker should or should not do that on his own part or his own motion. Under my view of the matter—and let me give that for what it is worth, not claiming to be a parliamentarian, but believing the situation is justified, and with due deference to the suggestion made by the gentleman from Alabama, in which he seemed to condemn the very course which I am about to take—it was my intention to make a motion to the effect that we now go back into the Committee of the Whole for the further consideration of this bill that is upon the calendar for the purpose of getting a vote in the House upon that proposition. It is a fact that for the present that bill is eliminated from the Committee of the Whole. The same question which would have arisen when we first began to consider the bill when it was in the Committee of the Whole does not now arise. Then the Speaker held that we would automatically go back into the Committee of the Whole for the further consideration of the bill which was being considered by the Committee of the Whole, and which bill was regularly upon the calendar. Now it is out of the Committee of the Whole, referred back to the House, and, with all due deference to the minority leader and the views expressed by others, for the purpose of having the Speaker secure a ruling I shall ask the privilege of moving to go back into the Committee of the Whole for the further consideration of the bill for the purpose of letting the House vote upon that question.

Mr. MAPES. Mr. Speaker——

The SPEAKER. The Chair is ready to rule.

Mr. MAPES. May I call the Speaker's attention to just one point which has not been brought out in the discussion thus far?

The SPEAKER. Yes.

Mr. MAPES. I hesitate to break in on the discussion of this point of order, Mr. Speaker, but it seems to me that the rights of the standing committees and the integrity of Calendar Wednesday are so much involved that I wish to call the Speaker's attention to the rule applying to Calendar Wednesday, which provides that each committee when named may call up for consideration any bill reported by it on a previous day and on the House Calendar. I submit the proposition to the Speaker and ask if it is not the right of the standing committee reporting this bill to have it considered under the rules of the House, and, having that right, is it not the duty of the House to vote it up or vote it down before they dispose of it? Is not the House obliged to consider it?

The SPEAKER. I think the gentleman has the ordinary call of committees and this Calendar Wednesday call mixed up.

Mr. MAPES. And in that connection, if the Speaker will bear with me further for a moment, just to make myself clear, I want to call attention to section 3142 of Hinds' Precedents, which says:

The right of a committee to report at any time carries with it the right to have the matter reported considered.

Section 3145 says:

A bill reported by a committee under its right to report at any time remains privileged for consideration until disposed of.

I am only reading the headings.

The SPEAKER. The gentleman is not talking about Calendar Wednesday, or the man who wrote that book was not.

Mr. MAPES. But if the House can prevent the consideration of any bill reported by a standing committee, does it not destroy the integrity of Calendar Wednesday, and does it not prevent the standing committees of the House from their right to have a bill considered? As said in Hinds' Precedents, "the right of a committee to report carries with it the right to have the matter reported considered." That is the point which I desired to call to the Speaker's attention, because it seemed to me it should be considered in connection with the point of order.

The SPEAKER. The Chair thinks not.

Mr. COOPER. Mr. Speaker, I have a suggestion to make on this point of order. Paragraph 4 of Rule XXIV, relating to Calendar Wednesday, says:

After the unfinished business has been disposed of the Speaker shall call each standing committee in regular order and then select committees, and each committee, when named, may call up for consideration any bill reported by it on a previous day and on the House Calendar. * * *

The SPEAKER. That does not apply to Calendar Wednesday?

Mr. COOPER. I was reading paragraph 4 of Rule XXIV, and this paragraph 4 is expressly made to apply to Calendar Wednesday by paragraph 7 of the same rule, which paragraph 7 provides that—

On Wednesday of each week no business shall be in order except as provided by paragraph 4 of this rule.

Observe that language: "No business is in order on Wednesday except as provided by paragraph 4."

And paragraph 4, which I have read, provides that a committee, when reached on the call of committees, shall have the right to call up any bill previously reported by it and on the House Calendar. And paragraph 7 provides that no business shall be in order on Wednesday except such bills so reported by and called up by committees on that day unless the House, by a two-thirds vote, shall dispense with Calendar Wednesday itself.

Now, Mr. Speaker, if it is to be held that the House by a mere majority vote can refuse consideration when a committee calls up a bill on Calendar Wednesday, it would be in absolute violation of paragraphs 4 and 7, for those paragraphs plainly declare that nothing but bills called up by committees shall be in order on Calendar Wednesday, unless by a two-thirds vote the House shall dispense with Calendar Wednesday itself. This clearly means that every bill so called up on that day by a committee shall be considered unless Calendar Wednesday shall be set aside by a two-thirds vote of the House.

Mr. MURDOCK. Will the gentleman yield?

Mr. COOPER. Yes.

Mr. MURDOCK. But the other ruling will mean that a majority of the Committee of the Whole can nullify the rule.

Mr. COOPER. Not at all. The Committee of the Whole can not do that. Paragraph 4 provides that on Calendar Wednesday, when the Speaker calls the roll of committees, any committee when reached may call up any bill previously reported by it and on the House Calendar; and paragraph 7 provides that on that day no business shall be in order except as provided by paragraph 4——

Mr. BARTLETT. May I interrupt the gentleman?

Mr. COOPER. Certainly.

Mr. BARTLETT. I think the gentleman's position is eminently correct. Under rules adopted for the Committee of the Whole, and which we are now considering, you would not on Calendar Wednesday permit the House, by a majority vote, to dispense with the business, but you would permit the Committee of the Whole House on the state of the Union, with only a hundred Members, to dispense with all the business?

Mr. COOPER. Yes; but, in my judgment, the Committee of the Whole has no such power.

Mr. POU. And I would like to ask if it does not give the right to one man to abrogate Calendar Wednesday?

Mr. BARTLETT. I think so.

Mr. MANN. Will the gentleman from Wisconsin [Mr. COOPER] yield?

Mr. COOPER. Yes.

Mr. MANN. The rule does not say the House shall consider the bill. The rule says the committee may call up the bill for consideration, but the question of consideration can be raised on any particular bill, as it is sometimes raised. The House then can choose to go ahead. Of course, if the House should refuse to consider any bill on the calendar, why, Calendar Wednesday might run out; but that would be a very asinine performance.

Mr. COOPER. In reply to the gentleman from Illinois it is sufficient to say that the question of consideration can be raised in the House on any day, except on the call of committees on Calendar Wednesday. Calendar Wednesday was made expressly for the purpose of giving to any committee, when called by the Speaker, the power to call up any bill which it sees fit to call up, and paragraph 7 declares that no business shall be in order on that day except a bill so called up by a committee, unless the House not by a mere majority shall refuse consideration, but unless the House by a two-thirds vote shall dispense with Calendar Wednesday.

Mr. CARTER. Will the gentleman yield, Mr. Speaker?

Mr. GARRETT of Tennessee. Will the gentleman yield to a question?

Mr. COOPER. Yes.

Mr. GARRETT of Tennessee. Let me ask the gentleman this question: Does he think that it is sound parliamentary philosophy that the House or any other legislative body should have a rule which would so bind it as that a simple committee of that House could compel it, against the wish of a great majority, to consider a bill?

Mr. COOPER. The gentleman from Tennessee is too good a lawyer to put that question. The question is not what the rule ought to be, but what it is. It would require an amendment of paragraphs 4 and 7 of Rule XXIV to enable the House to refuse consideration on Calendar Wednesday. That is the exact point. The gentleman from Tennessee speaks of a simple committee compelling consideration of a bill. But it is not a simple committee which compels consideration of a bill on Calendar Wednesday. It is the rule which compels this, unless Calendar Wednesday itself is duly dispensed with. That is the precise reason why the rule establishing Calendar Wednesday was adopted.

Paragraph 7 provides that on Wednesday no other business shall be in order except as provided in paragraph 4; and the only business provided for in paragraph 4 is bills called up by committees on the call of committees. Under the rule, therefore, it is plain that such bills are the only business in order on Calendar Wednesday and must be considered unless Calendar Wednesday itself is, by a two-thirds vote, set aside by the House.

The SPEAKER. The Chair is ready to rule. There are several questions involved in this matter, and the Chair will try to straighten them all out.

Until the Calendar Wednesday rule was made it was the privilege of any Member of the House to raise the question of consideration on any bill, resolution, or proposition. Speaker Reed once said that the purpose of all rules was to expedite business and not retard it. That is the correct light in which to examine them all.

The House has the right to do as it pleases about any bill, and should have a chance to express its opinion. If it does not want to consider it, it has a perfect right to say that it will not consider it. That is no abridgement of anybody's privilege. It is to maintain the integrity of the House. The gentleman from Kentucky [Mr. SHERLEY] has a very terse and luminous way of stating things, and on the 14th day of December, 1910, he delivered these remarks:

Mr. Speaker, if the Chair will permit me, it seems to me that the surest way to determine every debatable proposition is by answering the question, What ruling gives the House the greatest freedom? Now, the purpose of Calendar Wednesday was not to guarantee that certain committees should have certain bills considered, but that they should have an opportunity to present bills that they had reported, and then the House should have the right to say whether it would consider them or not—

And so forth. Now, until the Calendar Wednesday rule, as I said, was adopted, you could raise the question of consideration on any legislative proposition. Most of the men who have participated in this long debate here to-day—and the Speaker remained in the Chamber and heard every word—were here when this Calendar Wednesday rule was adopted, and we know precisely why it was adopted. In those same remarks the gentleman from Kentucky [Mr. SHERLEY] stated this:

The abuse that Calendar Wednesday was meant to cure was the constant feeding into the House of matters that had privilege and prevented the calling of the calendar; but it was not meant, by making a call of the calendar peremptory on certain days, to compel the House necessarily to consider matters on the calendar, but simply to give the House opportunity to consider them.

That is the exact truth about this, and the complaints that led to the adoption of Calendar Wednesday were precisely what

the gentleman from Kentucky says they were—that committees went to work and reported bills and never got any chance to call them up. The call of the committees has been a part of the House proceedings, I suppose, from the beginning; anyhow, antedating any of us. But they fell into the habit of crowding privileged matters in here, sometimes on purpose and sometimes in the ordinary course of business, so that Members could not get their bills up at all, and therefore we established Calendar Wednesday. Nobody has any disposition to overthrow it. I know that the Chair has none.

The reading of that Calendar Wednesday rule is peculiar. It provides:

> On a call of committees under this rule bills may be called up from either the House or the Union Calendar, excepting bills which are privileged under the rules.

That last clause was put in there to prevent any of the big committees having jurisdiction of appropriations, revenue bills, and so forth, from crowding in on Calendar Wednesday. They have to stand aside on Wednesday and let somebody else have the right of way. The rule provides further:

> But bills called up from the Union Calendar shall be considered in Committee of the Whole House on the state of the Union.

Now, I differ with these gentlemen and I agree with Speaker Cannon and the temporary Speaker, Mr. ALEXANDER. I do not believe that any other reasonable construction can be put upon that clause except that it meant an automatic going into Committee of the Whole House on the state of the Union; and the reason why that was done was to prevent filibustering on going into the Committee of the Whole House on the state of the Union. I know that that is so, because I was here, and while I was not on the Committee on Rules, I participated in the establishment of that rule.

There must be some place, somewhere—there ought to be, at least—to raise the question of consideration; and failing to be able to raise the question of consideration in the House in the first instance on bills on the Union Calendar on Wednesday, it ought to be permitted to be raised in committee. As to the suggestion that somebody made—that 51 members in Committee of the Whole could upset the proceedings—the Chair is inclined to believe with the gentleman from Illinois [Mr. MANN] that when a report like this is brought in it ought to be ratified by the House.

The Chair does not believe that the committee is acting ultra vires when it reports to the House that it will not consider this bill any more on this occasion. The Committee of the Whole House on the state of the Union had its origin in England, and its history, which need not be stated here, is a very interesting one. It is simply a committee of the House, that is all it is; just like the Committee on Ways and Means, the Committee on Appropriations, and so forth, except that 100 Members make a quorum, and 51 are a majority of a quorum. The Committee of the Whole House on the state of the Union has the right to make its recommendations to the House. Of course, as the gentleman from Georgia [Mr. BARTLETT] suggested, it might make some recommendation which was beyond its power. Now, if anyone does not like this Calendar Wednesday rule, the right thing to do is to offer an amendment to it. That is easy enough to do.

In the first place, the Chair sustains the ruling of Speaker Cannon and of temporary Speaker ALEXANDER, and he sustains the contention that you may raise the question of consideration on Calendar Wednesday—on no other day—in the Committee of the Whole House on the state of the Union. On every other day you have the opportunity to raise it in the first instance in the House. The motion to go into the committee raises the question on every other day.

Secondly, the Chair thinks that in this case the motion ought to be put to the House, which is the greater body and the controlling body, as it takes 217 to make a quorum in the House, just as the House votes on the recommendation of the Committee of the Whole House on the state of the Union when the committee reports back a bill with the recommendation that it lie on the table, or with the recommendation that the bill do not pass, or with the recommendation that the enacting clause be stricken out, or that everything after the enacting clause be stricken out. The committee has the right to report any one of those recommendations.

Therefore the question is on agreeing to the recommendation of the Committee of the Whole House on the state of the Union——

Mr. WATKINS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WATKINS. Before that question is put, I would like to have a quorum here to vote on it.

The SPEAKER. The gentleman will have the opportunity to raise that question in a moment.

Mr. FITZGERALD. Mr. Speaker, I move to dispense——

Mr. MANN. Oh, let us vote on this. We can go into the gentleman's matter afterwards.

Mr. FITZGERALD. Well, I will wait.

The SPEAKER. The question is on agreeing to the recommendation of the Committee of the Whole House on the state of the Union.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

Mr. GARRETT of Tennessee. I ask that the question be stated again.

The SPEAKER. The question is whether the House will agree to the recommendation of the Committee of the Whole House on the state of the Union not to consider the bill any further at this time.

Mr. WATKINS. What does a vote "aye" mean?

The SPEAKER. A vote "aye" means that the House will not consider it any more on this particular Calendar Wednesday, and if that motion prevails, the bill goes back to its place on the calendar. The Clerk will call the roll.

The question was taken; and there were—yeas 115, nays 167, answered "present" 2, not voting 149, as follows:

YEAS—115.

Anderson	Fordney	Kettner	Scott
Austin	Foster	Kinkaid, Nebr.	Seldomridge
Avis	Fowler	Konop	Shreve
Barton	Frear	Kreider	Sinnott
Beakes	French	Lafferty	Sloan
Bell, Cal.	Gardner	La Follette	Smith, Idaho
Borchers	Good	Lenroot	Smith, J. M. C.
Britten	Graham, Pa.	Lewis, Pa.	Smith, Minn.
Browne, Wis.	Greene, Mass.	Lindbergh	Smith, Saml. W.
Browning	Greene, Vt.	McKenzie	Smith, Tex.
Bryan	Hamilton, Mich.	McLaughlin	Stafford
Burke, S. Dak.	Hamilton, N. Y.	MacDonald	Steenerson
Butler	Hayden	Madden	Stevens, Minn.
Campbell	Hayes	Mapes	Sutherland
Cary	Helvering	Morgan, Okla.	Switzer
Chandler, N. Y.	Hinebaugh	Morin	Talcott, N. Y.
Connelly, Kans.	Howell	Moss, Ind.	Tavenner
Cox	Hulings	Mott	Temple
Cramton	Humphrey, Wash.	Murdock	Thomson, Ill.
Curry	Igoe	Murray, Okla.	Towner
Danforth	Jacoway	Nolan, J. I.	Volstead
Davis	Johnson, Utah.	O'Leary	Walters
Dershem	Kahn	O'Shaunessy	Weaver
Dooling	Keating	Paige, Mass.	Willis
Doolittle	Keister	Parker	Winslow
Esch	Kelley, Mich.	Peters, Me.	Woodruff
Falconer	Kelly, Pa.	Roberts, Nev.	Woods
Farr	Kennedy, Iowa	Rogers	Young, N. Dak.
Fitzgerald	Kennedy, R. I.	Rupley	

NAYS—167.

Abercrombie	Deitrick	Harrison	Rauch
Adamson	Dent	Hay	Rayburn
Allen	Dickinson	Helm	Reed
Ansberry	Dies	Henry	Reilly, Conn.
Ashbrook	Dillon	Hensley	Rothermel
Aswell	Donohoe	Hill	Rouse
Bailey	Donovan	Holland	Rubey
Baker	Doughton	Hughes, Ga.	Russell
Baltz	Dupré	Hull	Sabath
Barkley	Dyer	Johnson, S. C.	Scully
Bartlett	Eagan	Kennedy, Conn.	Shackleford
Beall, Tex.	Eagle	Key, Ohio	Sharp
Bell, Ga.	Edwards	Kindel	Sherley
Blackmon	Estopinal	Kinkead, N. J.	Sherwood
Booher	Evans	Kirkpatrick	Sims
Bowdle	Faison	Lazaro	Slayden
Brockson	Fergusson	Lee, Pa.	Smith, N. Y.
Brown, N. Y.	Ferris	Lieb	Stedman
Brown, W. Va.	Fess	Lloyd	Stephens, Miss.
Bruckner	Fields	Logue	Stevens, N. H.
Brumbaugh	FitzHenry	Lonergan	Stone
Buchanan, Ill.	Flood, Va.	McAndrews	Stringer
Buchanan, Tex.	Francis	McClellan	Sumners
Bulkley	Gallagher	McDermott	Talbott, Md.
Byrnes, S. C.	Gallivan	McKellar	Taylor, Ark.
Byrns, Tenn.	Garner	Maguire, Nebr.	Taylor, Colo.
Callaway	Garrett, Tenn.	Mitchell	Taylor, N. Y.
Cantrill	Garrett, Tex.	Montague	Ten Eyck
Caraway	George	Moon	Thacher
Carr	Gillett	Moore	Thomas
Carter	Gittins	Murray, Mass.	Thompson, Okla.
Casey	Glass	Neely, W. Va.	Townsend
Church	Goeke	O'Brien	Tribble
Clancy	Goldfogle	Oldfield	Vaughan
Clark, Fla.	Gordon	Padgett	Vollmer
Claypool	Gorman	Page, N. C.	Walker
Cline	Goulden	Park	Watkins
Collier	Graham, Ill.	Peters, Mass.	Williams
Conry	Gregg	Phelan	Wingo
Cooper	Griffin	Pou	Witherspoon
Cullop	Hammond	Quin	Young, Tex.
Decker	Hardy	Raker	

ANSWERED "PRESENT"—2.

Gray Mann

NOT VOTING—149.

Adair	Fairchild	L'Engle	Prouty
Aiken	Finley	Lesher	Ragsdale
Ainey	Floyd, Ark.	Lever	Rainey
Alexander	Gard	Levy	Reilly, Wis.
Anthony	Gerry	Lewis, Md.	Riordan
Barchfeld	Gilmore	Lindquist	Roberts, Mass.
Barnhart	Godwin, N. C.	Linthicum	Rucker
Bartholdt	Goodwin, Ark.	Lobeck	Saunders
Bathrick	Green, Iowa	Loft	Sells
Borland	Griest	McCoy	Sisson
Brodbeck	Gudger	McGillicuddy	Slemp
Broussard	Guernsey	McGuire, Okla.	Small
Burgess	Hamill	Mahan	Smith, Md.
Burke, Pa.	Hamlin	Maher	Sparkman
Burke, Wis.	Hardwick	Manahan	Stanley
Burnett	Hart	Martin	Stephens, Cal.
Calder	Haugen	Merritt	Stephens, Nebr.
Candler, Miss.	Hawley	Metz	Stephens, Tex.
Cantor	Heflin	Miller	Stout
Carew	Helgesen	Mondell	Taggart
Carlin	Hinds	Morgan, La.	Taylor, Ala.
Clayton	Hobson	Morrison	Treadway
Coady	Houston	Moss, W. Va.	Tuttle
Connolly, Iowa	Howard	Neeley, Kans.	Underhill
Copley	Hoxworth	Nelson	Underwood
Covington	Hughes, W. Va.	Norton	Vare
Crisp	Humphreys, Miss	Oglesby	Wallin
Crosser	Johnson, Ky.	O'Hair	Walsh
Dale	Johnson, Wash.	Palmer	Watson
Davenport	Jones	Patten, N. Y.	Webb
Difenderfer	Kent	Patton, Pa.	Whaley
Dixon	Kiess, Pa.	Payne	Whitacre
Doremus	Kitchin	Peterson	White
Driscoll	Knowland, J. R.	Platt	Wilson, Fla.
Drukker	Korbly	Plumley	Wilson, N. Y.
Dunn	Langham	Porter	
Edmonds	Langley	Post	
Elder	Lee, Ga.	Powers	

So the recommendation of the committee was rejected.

The following pairs were announced:

For the session:

Mr. METZ with Mr. WALLIN.

Mr. HOBSON with Mr. FAIRCHILD.

Until further notice:

Mr. ADAIR with Mr. AINEY.

Mr. AIKEN with Mr. BARCHFELD.

Mr. ALEXANDER with Mr. BARTHOLDT.

Mr. BARNHART with Mr. ANTHONY.

Mr. BATHRICK with Mr. BURKE of Pennsylvania.

Mr. BURGESS with Mr. CALDER.

Mr. BURNETT with Mr. COPLEY.

Mr. CANDLER of Mississippi with Mr. DRUKKER.

Mr. CARLIN with Mr. GREEN of Iowa.

Mr. CLAYTON with Mr. DUNN.

Mr. CONNOLLY of Iowa with Mr. GRIEST.

Mr. COVINGTON with Mr. HINDS.

Mr. DAVENPORT with Mr. JOHNSON of Washington.

Mr. DIFENDERFER with Mr. KIESS of Pennsylvania.

Mr. DIXON with Mr. LANGHAM.

Mr. DRISCOLL with Mr. LANGLEY.

Mr. FINLEY with Mr. LINDQUIST.

Mr. GODWIN of North Carolina with Mr. MANAHAN.

Mr. HEFLIN with Mr. MCGUIRE of Oklahoma.

Mr. HOWARD with Mr. MARTIN.

Mr. HUMPHREYS of Mississippi with Mr. MERRITT.

Mr. KITCHIN with Mr. MILLER.

Mr. LEE of Georgia wih Mr. HAWLEY.

Mr. LEVER with Mr. HAUGEN.

Mr. LINTHICUM with Mr. MOSS of West Virginia.

Mr. MCCOY with Mr. MONDELL.

Mr. MORRISON with Mr. NELSON.

Mr. NEELEY of Kansas with Mr. PATTON of Pennsylvania.

Mr. PALMER with Mr. PAYNE.

Mr. PATTEN of New York with Mr. PLATT.

Mr. SISSON with Mr. ROBERTS of Massachusetts.

Mr. SMALL with Mr. STEPHENS of California.

Mr. STEPHENS of Nebraska with Mr. SELLS.

Mr. TUTTLE with Mr. PLUMLEY.

Mr. WATSON with Mr. TREADWAY.

Mr. WEBB with Mr. PROUTY.

Mr. WILSON of Florida with Mr. POWERS.

Mr. GLASS with Mr. SLEMP.

Mr. HOUSTON with Mr. J. R. KNOWLAND.

Mr. RAINEY with Mr. PORTER.

Mr. GUDGER with Mr. GUERNSEY.

Mr. TAYLOR of Alabama with Mr. HUGHES of West Virginia.

Mr. HARDWICK with Mr. EDWARDS.

Mr. MCKELLAR with Mr. NORTON, commencing April 8, ending April 25.

Mr. MANN. Mr. Speaker, I voted "aye." I have a pair with the gentleman from Alabama, Mr. UNDERWOOD, and I withdraw my vote and answer "present."

The result of the vote was then announced as above recorded.

Mr. FITZGERALD. Mr. Speaker, I move to dispense with further proceedings in order under the rule to-day.

The SPEAKER. The gentleman from New York moves to dispense with further proceedings under the rule of Calendar Wednesday.

Mr. WATKINS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WATKINS. The House has agreed to proceed with the consideration of the bill on the calendar, and if the business to-day is further dispensed with, will that bill be called up next Wednesday? I do not want to lose my place on the calendar. I want the House to have an opportunity to so further consider the bill as to retain its place.

Mr. MANN. Mr. Speaker, it seems to me that under the circumstances, as a matter of precedent, we ought to go back into Committee of the Whole on the bill.

Mr. WATKINS. I think it is safer to go back automatically.

The SPEAKER. The Chair is inclined to that view of the matter.

Mr. FITZGERALD. Mr. Speaker, if I may make a statement, the purpose of my making the motion was that there is a message on the Speaker's table from the President of the United States, asking an immediate appropriation of $500,000 for the purpose of transporting American citizens in Mexico to their homes.

Mr. WATKINS. My purpose is to have the committee rise in a few moments.

Mr. FITZGERALD. I will withdraw my motion to dispense with further proceedings.

The SPEAKER. The House will resolve itself into Committee of the Whole House for the further consideration of the bill H. R. 15578.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. RUSSELL in the chair.

Mr. WATKINS. Mr. Chairman, I would like to make an inquiry. I would like to know if we can arrange about the distribution of time for general debate.

Mr. MANN. We can not arrange for that now.

Mr. MURDOCK. The bill has had its first reading?

Mr. WATKINS. Yes. Mr. Chairman, I have an hour, and without consuming any time just now I will reserve what time I am entitled to, and move that the committee do now rise for the purpose of considering other important legislation.

Mr. MANN. The gentleman can not make that motion.

The CHAIRMAN. What is the gentleman's point?

Mr. MANN. The gentleman from Louisiana moved that the committee rise for the purpose of considering "other important legislation."

Mr. WATKINS. I simply made that as a statement and not as a part of my motion. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, and had come to no resolution thereon.

Mr. FITZGERALD. Mr. Speaker, I move to dispense with further business under the Calendar Wednesday rule for to-day.

The question was taken, and two-thirds having voted in favor thereof, the motion was agreed to.

RELIEF OF AMERICANS IN MEXICO (H. DOC. NO. 916).

The SPEAKER laid before the House the following message from the President of the United States, which was ordered printed and referred to the Committee on Appropriations.

To the Senate and House of Representatives:

In view of the exigency created by the existing situation in the Republic of Mexico, I recommend the immediate passage by the Congress of an act appropriating $500,000, or so much thereof as may be necessary, to be placed at the disposal of the President for the purpose of providing means to bring to their homes in the United States American citizens now in Mexico.

WOODROW WILSON.

THE WHITE HOUSE, *April 22, 1914.*

DANIEL ALOYSIUS HAGGERTY.

Mr. DEITRICK. Mr. Speaker, it is perhaps known to all the Members of Congress that in the fighting at Vera Cruz, Mexico,

yesterday 4 United States marines were killed and about 20 wounded.

I am deeply grieved to announce that a young man, Daniel Aloysius Haggerty, of Cambridge, Mass., my home city, was the first to give his life in our attempt to compel due and proper respect for our country's flag on the part of the Provisional President of Mexico and his subordinates.

Mr. Haggerty was a well-trained marine with a splendid record in the service, which he entered in 1906. He had a high sense of personal honor and he fully realized the seriousness of the duties devolving upon a soldier in the defense of his country's honor. He was selected as one specially fitted for signal duty and met his death while performing this duty in an extremely dangerous and exposed position. He had just stepped out upon the roof of the Terminal Hotel, in Vera Cruz, when a bullet fired from a machine gun in the hands of the Mexicans, who were posted on the top of an old lighthouse tower, pierced his brain.

We might pause and contemplate that his death is another striking example of the patriotism of the citizens of Massachusetts, who are ever willing to make every sacrifice, even to the giving of their lives, when their country's honor is at stake. It was in Massachusetts, at Lexington, only a few miles from Cambridge, where the first American blood was shed in the War of the Revolution. On their way there the British troops marched through Cambridge. Many of them and some Americans lost their lives there. It was in Cambridge that Washington took command of the American Army. From Cambridge came the first company of volunteers, newly organized, for the Civil War.

Mr. LEE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. DEITRICK. Certainly.

Mr. LEE of Pennsylvania. Mr. Speaker, I wish to state to the gentleman that the first defenders came from Pennsylvania.

Mr. DEITRICK. That may be true; but the first volunteer company came from Cambridge, Mass. The Sixth Massachusetts Infantry was unquestionably the first Union volunteer regiment to reach Washington fully armed and equipped. Cambridge contributed her full quota of men in the Spanish War and in the Philippine insurrection, and now it is Cambridge that gives the first life required in the defense of the American flag in the present difficulty in Mexico.

I hold in my hand a telegram from Mr. Michael Haggerty, the young man's father, and it brings home to me, knowing how this loss must be felt, as I do, the grim realities of what this matter means. [Applause.]

RELIEF OF AMERICAN CITIZENS IN MEXICO.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 15906) providing an appropriation for the relief and transportation of American citizens in Mexico.

Be it enacted, etc., That for the relief of American citizens in Mexico, including transportation to their homes in the United States, there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $500,000, to be expended at the discretion of the President.

The SPEAKER. I there objection to the present consideration of the bill?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, this bill conforms to the request of the President. I do not know that there is anything further to be said. Everybody understands the situation in Mexico and the necessity for providing the necessary funds for the transportation of American citizens.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SEAMEN'S BILL.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD on the seamen's bill now pending before the House.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD on the seamen's bill. Is there objection?

There was no objection.

MINE STRIKE IN COLORADO.

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by quoting a telegram I have just received in respect to the mining trouble in Colorado.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing a telegram he has just received in respect to the mining trouble in Colorado. Is there objection?

There was no objection.

The telegram referred to is as follows:

COLUMBUS, OHIO, *April 22, 1914.*

FRANK B. WILLIS,
House of Representatives, Washington, D. C.:

We petition you to use your influence in Congress to protect the miners and their wives and children from the onslaught of paid hirelings in Colorado. We believe that the Huertas should be driven out of America as well as Mexico.

Respectfully,

JOHN MOORE,
President Ohio Miners.
G. W. SAVAGE,
Secretary-Treasurer Ohio Miners.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to place in the RECORD, in connection with the discussion had this morning on the very lamentable occurrences at Ludlow, Colo., some telegrams which I have received and some remarks relative to the matter.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to extend his remarks in the RECORD by printing some telegrams on the Ludlow occurrences and some remarks in respect thereto. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, are the telegrams very numerous?

Mr. MONDELL. There are three short telegrams.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

Mr. BRYAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a telegram sent to the congressional delegation from the State of Washington with reference to the Colorado matter and the loss of lives there.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD by printing a telegram about the Colorado mining trouble. Is there objection?

There was no objection.

The telegram referred to is as follows:

SEATTLE, WASH., *April 21, 1914.*

Congressman J. W. BRYAN, or J. A. FALCONER, or W. L. LA FOLLETTE, or W. E. HUMPHREY, or ALBERT JOHNSON, *Washington, D. C.:*

We have received information from Colorado that the miners' tent colony at Ludlow has been burned to the ground and five striking miners, four women, and at least five children have been brutally killed. We, the executive board of District No. 10, United Mine Workers, representing the 6,000 mine workers of the State of Washington, register our indignant protest that a condition can be tolerated in this country which menaces not only our liberty but our homes and our very lives to an infinitely greater degree than has been occasioned by the overt action on the part of the authorities in Mexico; and we demand for our people in Colorado at least the same measure of protection that is being so vigorously demanded in Mexico, believing, as we do, that the Government should give its first consideration to that protection of the lives and liberty of our people that is guaranteed them in such unmistakable terms in the Constitution of these United States.

MARTIN J. FLYZIK, *President.*
WM. SHORT, *Secretary.*
E. NEWSHAM, *Vice President.*
ROBERT H. HARLIN,
International Board Member.

GEORGE POINSETT.

Mr. KELLY of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in reference to George Poinsett, of Philadelphia, who was killed at Vera Cruz, Mexico, and in respect to similar occurrences in other wars where citizens of the State of Pennsylvania lost their lives.

The SPEAKER. Is there objection?

There was no objection.

Mr. KELLY of Pennsylvania. Mr. Speaker, in the list of the American dead, as the toll of the first battle against Huerta's régime in Mexico yesterday, the name of a Pennsylvania boy stands at the head. George Poinsett, seaman, who was 20 years of age only a few days ago, was among the first Americans to give up their lives in the Battle of Vera Cruz. He was a Philadelphia boy and had enlisted in 1911, and had been assigned to the *Florida*.

The news of this morning's papers is not surprising to those who know the annals of Pennsylvania and the patriotic devotion of her citizens in every crisis of American history. Pennsylvania blood was the first shed in the strife of the sixties. When Lincoln had issued his first call for troops, Gov. Curtin telegraphed the call over the State, and so prompt was the response that five Pennsylvania companies claimed the proud badge of "First Defenders." When these troops passed through Baltimore they were mobbed and the first bloodshed of the war occurred in the injury of Nick Biddle, a Pennsylvanian, with those volunteers. It was the day following that a Massachusetts regiment was attacked in the streets of Baltimore.

Gov. Curtin said in a special message at the close of the war that "the resources of Pennsylvania, whether men or money, have neither been withheld nor squandered." The State furnished 270 regiments and several unattached companies, in all 387,284 men. Every regiment had its battle flag, with its name and the coat of arms of Pennsylvania. Most of these have been returned, tattered and torn, and the citizen who wishes to know something of the spirit of the State in days of storm and stress need only pay a visit to the State library at Harrisburg, where the emblems of a State's patriotism may be seen by all.

The history of Pennsylvania is the history of American patriotism. There has been a ready response from the Keystone State to every call of the country in time of need. In the War of the Revolution its soldiers were in the forefront of every battle of the eight years' struggle for freedom.

When the War of 1812 broke out Pennsylvania responded with three times as many troops as were required. It was the spirit of seventy-six again, and Gov. Snyder in his message to the general assembly expressed it as follows:

> The sword of the Nation, which for 30 years has rusted in its scabbard, has been drawn to maintain the independence which it so gloriously achieved. In the war of the Republic our fathers went forth, as it were, with a sling and a stone and smote the enemy. Since that period our country has been abundantly blessed and her resources greatly multiplied. Millions of her sons have grown to manhood and, inheriting the principles of their fathers, are determined to preserve the precious heritage which was purchased by their blood and won by their valor.

The same spirit was shown by Pennsylvania during the Mexican War of 1848. The State was asked for six regiments. It furnished nine, but they could not all be mustered into service. Pennsylvanians distinguished themselves for bravery in every battle, leading the van at Vera Cruz, Cerra Gordo, and Mexico City. In the Capitol Park at Harrisburg is a marble shaft erected by the State in honor of the valor of these Pennsylvania soldiers.

When the War with Spain became a fact, Pennsylvania well lived up to the patriotic record of the past, and more men volunteered in answer to the call of McKinley than were required.

It was a Pennsylvanian, John Peter Muhlenberg, who, when preaching in Woodstock, Va., one Sunday morning at the outbreak of the Revolutionary War, tore off his ministerial gown and displayed the full uniform of an American colonel. He read his commission in the Army, and almost every man in his congregation enlisted under him. A statue in his honor occupies one of the places allotted to Pennsylvania in Statuary Hall of this Capitol.

It was a Pennsylvanian, John Hazelwood, who commanded the American fleet in the Delaware River and threatened the defeat of the British early in the Revolutionary War. Lord Howe promised him a rich reward if he would withdraw his ships, but his answer was: "I will defend the fleet until the last man is killed."

It was a Pennsylvanian, Maj. Miller, who captured a battery which made the victory of Lundys Lane in the War of 1812 an accomplished fact. It was a Pennsylvanian, Capt. Dobbins, who made possible the victory of Lake Erie in that war and the sending of Commodore Perry's famous message, "We have met the enemy and they are ours."

It was a Pennsylvania, George Meade, who commanded the Union forces at Gettysburg and won the battle which marked the turning point in that great conflict.

Volumes would not contain the names of the Pennsylvanians who have lead the way in every crisis time in American history, offering up their lives and all that life held dear for their country in its time of peril. Impossible to tell of Molly Pitcher, of Cumberland County, who took her wounded husband's place at the cannon in the Battle of Monmouth, or Betsy Ross, of Philadelphia, who made the first starry banner, or Stephen Decatur, greatest of naval commanders, or Mad Anthony Wayne, hero of scores of battles. Their places and that of all the others are secure in American history and their deeds are imperishable.

Now, in this new crisis, when Americans are facing death in a conflict which may mean a long and bloody war, it is not surprising that a Pennsylvania boy was in the forefront of the first struggle, and his name heads the list of the first sacrifices. Pennsylvania has the same devotion to the flag as of old, and no partisan feeling or difference of opinion as to policy will weigh for a moment when the honor of the Nation and the safety of American citizens are at stake. President Wilson need but indicate his desire for the help of Pennsylvanians and the response will be as prompt and ready as in other days. There is but one feeling and that a desire to stand behind him, as he represents the Nation and the flag. Now that the die is cast, Pennsylvania stands at attention and asks the desire of the Commander in Chief of the Army and Navy of the United States.

CONFERENCE REPORT—ARMY APPROPRIATION BILL.

Mr. HAY. Mr. Speaker, I call up the conference report on the bill H. R. 13453, the Army appropriation bill, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Virginia calls up the conference report on the Army appropriation bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report is as follows:

CONFERENCE REPORT (NO. 556).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13453) making appropriations for the support of the Army for the fiscal year ending June 30, 1915, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 5, 13, 14, 20, 28, 29, 30, 31, 64, 65, 66, 90, 103, 105, 107, 108, 143, 144, 145, 153, 154, 155, 157, 158, 162, 163, and 165.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 19, 21, 22, 23, 25, 26, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 67, 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 88, 89, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101, 102, 104, 106, 110, 111, 112, 114, 115, 116, 117, 118, 119, 120, 122, 125, 126, 128, 129, 130, 132, 133, 135, 136, 138, 139, 140, 141, 142, 146, 147, 148, 150, 151, 152, 156, and 160, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$11,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following:

"Washington-Alaska military cable and telegraph system: For defraying the cost of such extensions and betterments of the Washington-Alaska military cable and telegraph system as may be approved by the Secretary of War, to be available until the close of the fiscal year 1915, from the receipts of the Washington-Alaska military cable and telegraph system which have been covered into the Treasury of the United States, the extent of such extensions and betterments and the cost thereof to be reported to Congress by the Secretary of War, $50,000."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: Omit the language stricken out by said amendment; in line 9 of said amendment omit the word "hereafter," and on page 6, line 24 of the bill, strike out the word "hereafter"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$950,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "Additional pay while on foreign service, $9,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the words "twenty per cent" and insert in lieu thereof "$200 each per annum"; and in line 13 of the same amendment, after the word "may" and the comma, insert the words "in case of vacancy and"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "*Provided*, That hereafter whenever the number of officers holding permanent appointments in any staff corps or staff department of the Army, except the Quartermaster Corps, shall have been reduced below four and a vacancy shall occur in an office above the grade of colonel in said corps or department, any

officer of the Army with rank above that of major who shall have served creditably for not less than four years by detail in said corps or department under the provisions of section 26 of the act of Congress approved February 2, 1901, shall, in addition to officers otherwise eligible, be eligible for appointment to fill said vacancy: *Provided further*, That hereafter whenever the President shall deem it inadvisable to reappoint, at the end of a four-year term, any officer who, under the provisions of section 26 of the act approved February 2, 1901, or acts amendatory thereof, has been appointed for such a term, in any staff corps or staff department, to an office with rank above that of colonel, but whose commission in the lower grade held by him in said staff corps or staff department at the time of his appointment under said act to an office of higher grade has been vacated, the President may, by and with the advice and consent of the Senate, appoint said officer to be an officer of the grade that he would have held, and to occupy the relative position that he would have occupied, in said staff corps or staff department if he had not been appointed to said office with rank above that of colonel; and if under the operation of this proviso the number of officers of any particular grade in any staff corps or staff department shall at any time exceed the number authorized by law other than this act, no vacancy occurring in said grade shall be filled until after the total number of officers therein shall have been reduced below the number so authorized: *And provided further*, That after September 1, 1914, in time of peace, whenever any officer holding a permanent commission in the line of the Army, with rank of colonel, lieutenant colonel, or major, shall not have been actually present for duty for at least two years of the last preceding six years with a command composed of not less than two troops, batteries, or companies of that branch of the Army in which he shall hold said commission, such officer shall not be detached nor permitted to remain detached from such command for duty of any kind except as hereinafter specifically provided; and all pay and allowances shall be forfeited by any superior for any period during which, by his order or his permission, or by reason of his failure or neglect to issue or cause to be issued the proper order or instructions at the proper time, any officer shall be detached or permitted to remain detached in violation of any of the terms of this act; but nothing in this act shall be held to apply in the case of any officer for such period as shall be actually necessary for him, after having been relieved from detached service, to join the organization or command to which he shall belong in that branch in which he shall hold a permanent commission; nor shall anything in this act be held to apply to the detachment or detail of officers for duty in connection with the construction of the Panama Canal until after such canal shall have been formally opened, or in connection with the Alaska Road Commission or the Alaska Railroad or the Bureau of Insular Affairs; and nothing in this act shall prevent the redetail of officers above the grade of major to fill vacancies in the various staff corps and departments as provided for by section 26 of the act of Congress approved February 2, 1901: *Provided further*, That whenever the service record of any field officer is to be ascertained for the purposes of this act, all duty actually performed by him during the last preceding six years, in a grade below that of major, in connection with any statutory organization of that branch of the Army in which he shall hold a permanent commission, or as a staff officer of any coast-defense or coast-artillery district, shall be credited to him as actual presence for duty with a command composed as hereinbefore prescribed: *And provided further*, That temporary duty of any kind hereafter performed with United States troops in the field for a period or periods the aggregate of which shall not exceed 60 days in any one calendar year, and duty hereafter performed in command of United States Army mine planter by an officer assigned to a company from which this detachment is drawn, and duty hereafter performed in command of a machine-gun platoon or a machine-gun unit, by any officer who, before assignment to such duty, shall have been regularly assigned to, and shall have entered upon duty with, an organization or a command the detachment of certain officers from which is prohibited by the act of Congress approved August 24, 1912, or by this act, shall, for the purposes of said acts, hereafter be counted as actual presence for duty with such organization or command."

And the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For expenses of courts-martial, courts of inquiry, military commissions, and compensation of reporters and witnesses attending the same, and expenses of taking depositions and securing other evidence for use before the same, $40,000."

And the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: in lieu of the sum proposed by said amendment insert "$175,000"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: Strike out the amended paragraphs; and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment and add the following: "or horse races; but nothing in this proviso shall be held to apply to the officers, enlisted men, and horses of any troop, battery, or company which shall, by order or permission of the Secretary of War, and within the limits of the United States, attend any horse show or any State, county, or municipal fair, celebration, or exhibition"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In lieu of the matter proposed in said amendment insert the following: "That not exceeding the sum of $6,000 of this appropriation may be expended, in the discretion of the Secretary of War, for the construction of a rostrum in the national cemetery in the Presidio of San Francisco, Cal.: *Provided further*, That not exceeding the sum of $60,000 of this appropriation may be expended, in the discretion of the Secretary of War, for the construction of a library building for the Army Service Schools at Fort Leavenworth: *And provided further*"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$485,000"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: ": *Provided*, That the accounting officers of the Treasury are authorized and directed to allow and credit in the accounts of First Lieut. Robert L. Weeks, United States Army, the sum of $1,340, disallowed against him on the books of the Treasury in accordance with a ruling of the Comptroller of the Treasury dated March 14, 1913; and that hereafter any officer of the Army and member of said Board of Road Commissioners who is living with his family while serving as a member of said board within the limits of the Territory of Alaska, and not stationed at a military post, shall be entitled to receive a per diem commutation fixed by the board in lieu of 'actual living expenses,' as now provided by law; and this provision shall embrace the time during which any member of said board shall have failed in the past to receive any allowance for expense of living by reason of the decision of the Comptroller of the Treasury above referred to, to the effect that said allowance could not be made to an officer living with his family"; and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: Omit the words inserted by said amendment, and on page 43, line 4, of the bill strike out the words "and materials therefor"; and the Senate agree to the same.

Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "$450,000: *Provided*, That existing written agreements involving the purchase of patented articles, patents for which have not expired, may be carried out"; and the Senate agree to the same.

On the amendments of the Senate numbered 24, 113, 121, 123, 137, 161, and 164 the committee of conference have been unable to agree.

JAMES HAY,
S. H. DENT, Jr.,
JULIUS KAHN,
Managers on the part of the House.
GEO. E. CHAMBERLAIN,
LUKE LEA,
H. A. DU PONT,
Managers on the part of the Senate.

The Clerk read the statement, as follows:

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE.

A statement on the part of the managers of the House on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13453) making appropriations for the support of the Army for the fiscal year ending June 30, 1915:

Senate amendments 6, 7, 8, 11, 12, 21, 22, 23, 25, 26, 32, 33, 34, 35, 36, 37, 39, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 67, 68, 69, 70, 71, 72, 73, 74, 75, 78, 79, 80, 81, 82, 83, 84, 85, 86, 89, 91, 92, 94, 95, 96, 97, 99, 100, 101, 102, 104, 106, 112, 114, 116, 117, 118, 119, 122, 125, 126, 128, 132, 135, 136, 138, 142, 146, 150, 151, 152, 156, 160 are amendments changing language and punctuation which do not involve increases in appropriations, and the House recedes.

Senate amendment 1 restores to the bill the $25 per month compensation to chief clerk of War College, which went out on a point of order, and the House recedes.

Senate amendments 2, 3, 4, and 5 changed the language of the item for contingencies, military information section, General Staff Corps, and increased the appropriation by $2,500; the Senate receded from 2, 3, and 5 and the House receded with an amendment on 4 making the amount $11,000 instead of $12,500.

Senate amendment 9 inserted the words "stationery, ice, and potable water for office use when necessary," and the House recedes.

Senate amendment 10 inserted the words "payment for which may be made in advance," referring to professional and technical newspapers and periodicals, and the House recedes.

Senate amendment 13 increased the item for the Signal Service of the Army $50,000, and the Senate recedes.

Senate amendment 14 provided that $300,000 instead of $250,000 be used for purchase of aeroplanes, etc., and the Senate recedes.

Senate amendment 15 makes immediately available $50,000 for purchase of aeroplanes, etc., and the House recedes.

Senate amendment 16 provides that property returns of the Signal Corps shall be rendered semiannually or more often, and the House recedes.

Senate amendment 17 provides that all moneys arising from the disposition of Signal Corps supplies and equipment shall constitute one fund and be available during the fiscal year following for the replacement of supplies and equipment, and the House recedes.

Senate amendment 18 provides for defraying the cost of the Washington-Alaska military cable and telegraph system and appropriates $135,000 therefor, and the House recedes with an amendment providing for $50,000, the same amount which was appropriated for this purpose last year.

Senate amendment 19 provides for signaling equipment for coast-defense posts and appropriates $12,000 therefor, and the House recedes.

Senate amendment 20 raises the appropriation for pay of officers of the line $89,100, and the Senate recedes.

Senate amendment 27 provides for the suspension of a sentence of dishonorable discharge, and that the authorized strength of the Army shall be exclusive of soldiers under sentence of confinement and dishonorable discharge, and the House recedes with an amendment striking out the word "hereafter" in line 1, page 9, and the same word on line 24 of page 9.

Senate amendment 28 increases the appropriation for Corps of Engineers by $15,312, and the Senate recedes.

Senate amendment 29 increases the appropriation for the Ordnance Department by $4,536, and the Senate recedes.

Senate amendment 30 increases the number of master signal electricians by one, and the Senate recedes.

Senate amendment 31 increases the appropriation $900, and the Senate recedes.

Senate amendment 38 increases the appropriation for the Hospital Corps by $47,288, and the House recedes with an amendment reducing the increase by $22,288.

Senate amendments 40, 41, 42, and 43 relate to the pay of clerks, messengers, and laborers at headquarters of territorial departments, districts, etc., and, together with Senate amendment 44, reduce the number and pay of these clerks, etc., and the House recedes.

Senate amendment 45 provides for additional pay of these employees while on foreign services $9,000, and the House recedes.

Senate amendment 46 provides that on and after July 1, 1914, the pay of clerks and messengers at these headquarters, who are citizens of the United States, shall be increased 20 per cent while serving in the Philippine Islands, and that Filipino clerks may be employed at not to exceed $500 per annum, and the House recedes with an amendment which provides that the increase shall be $200 each per annum, and that Filipino clerks may be employed only in cases of vacancies.

Senate amendments 64 and 65 appropriate a lump sum for dental surgeons in place of the number provided for in the House provision, and the Senate recedes.

Senate amendment 66 appropriates a lump sum for contract surgeons in place of the number provided for in the House provision, and the Senate recedes.

Senate amendment 76 provides for the appointment of heads of staff corps and departments and enlarges the power of the President, giving him a wider field for selection; this amendment also provides for a change in what is known as the detached service or manchu law, and the House recedes with an amendment which provides when the number of officers holding permanent appointments in any staff corps or department of the Army shall have been reduced below four, and a vacancy occurs in the office in the corps above that of colonel, any officer of the Army with rank above that of major who shall have served creditably for not less than four years by detail in said corps under the provisions of the act of February 2, 1901, shall be eligible for appointment to fill such vacancy; and with regard to the provisions of said amendment dealing with detached service it is provided that the detached-service law of 1912 be extended to field officers.

Senate amendment 77 strikes out the provision in the bill providing that hereafter any retired officer of the Army shall not receive any part of the appropriation for retired officers who shall act as agent or employee of any firm, company, corporation, or individual engaged in manufacturing for or selling to the Government any article or articles either directly or indirectly, and the House recedes.

Senate amendment 87 inserts the words "and expenses of taking depositions and securing other evidence for use before" courts-martial, and the House recedes with an amendment restoring the word "attending" struck out by the Senate and inserting after that the words "the same."

Senate amendment 88 reduces the amount to be paid the officer in charge of public buildings and grounds at Washington, D. C., from $1,000 to $500, and the House recedes.

Senate amendment 90 provides for an increase of $50,000 in the appropriation for commutation of quarters, and the Senate recedes.

Senate amendment 98 provides for an increase of $36,000 for pay to officers required to be mounted and who furnish their own mounts, and the House recedes with an amendment which cuts down the increase allowed by the Senate $11,000.

Senate amendment 103 increases the item for pay of the officers of the Porto Rico regiment $44,600, and the Senate recedes.

Senate amendment 105 increases the item for such officers for length of service by $11,690, and the Senate recedes.

Senate amendment 107 increases the pay of enlisted men of this regiment by $59,580, and the Senate recedes.

Senate amendment 108 increases the amount of pay for length of service of such men by $5,000, and the Senate recedes.

Senate amendment 109 provides for making the Porto Rico regiment a full regiment of Infantry, and the House recedes with an amendment striking out both the Senate and House provisions.

Senate amendment 110 provides for the expenditure of $25,000 out of the appropriation for encampment and maneuvers, Organized Militia, for the improvement either of the Tullahoma or Anniston maneuver grounds, as the Secretary of War may direct, and the House recedes.

Senate amendment 111 strikes out the House provision making it necessary to submit estimates to Congress as to the expenditure of money for the Organized Militia, and the House recedes.

Senate amendment 115 provides that the officers and enlisted men of the Army shall be permitted to purchase subsistence supplies from the Navy and Marine Corps at the same price as is charged to the officers and enlisted men of the Navy and Marine Corps, and the House recedes.

Senate amendment 120 provides for the purchase and issue of instruments, etc., to the officers' schools, but does not increase the appropriation, and the House recedes.

Senate amendment 124 strikes out the House provision that no part of any appropriation shall be expended for horse shows, and the House recedes with an amendment which restores the language of the House bill and adds the following: "or horse races, but nothing in this proviso shall be held to apply to the officers, enlisted men, and horses of any troop, battery, or company which shall, by order or permission of the Secretary of War and within the limits of the United States, attend any horse show or any State, county, or municipal fair, celebration, or exhibition."

Senate amendments 126 and 128 transpose the amount appropriated from one part of the paragraph to another, and the House recedes.

Senate amendment 127 provides that $6,000 of the appropriation for barracks and quarters be expended for the construction of a rostrum in the Presidio of San Francisco and that $60,000 be appropriated for a library building at Fort Leavenworth, and the House recedes with an amendment providing that $60,000 for the library building shall, in the discretion of the Secretary of War, be expended out of the sum appropriated for barracks and quarters.

Senate amendment 129 provides that private mounts of officers in excess of the authorized mounts may be shipped on Government bill of lading, and this amendment also provides that $75,000 of the appropriation for the transportation of the Army shall be available for additional pay to employees on harbor boats in lieu of subsistence, and the House recedes.

Senate amendment 130 increases the appropriation for the transportation of the Army and its supplies by $100,000, and the House recedes.

Senate amendment 131 increases the appropriation for roads, walks, wharves, and drainage by $20,000, and the House recedes with an amendment which reduces the increase by $10,000.

Senate amendment 133 inserts the words "construction and repair" before the word "maintenance," and the House recedes.

Senate amendment 134 provides for the modification of the organization of the Alaska Road Board and authorizes it to expend other moneys besides the sum appropriated in this bill, and authorizes the accounting officers of the Treasury to allow and credit in the accounts of First Lieut. Robert L. Weeks $1,340 disallowed against him, and also fixes hereafter the allowances for an officer living with his family while serving as a member of said board in Alaska, and the House recedes with an amendment striking out all of the amendment of the Senate referring to the reorganization of the board and the expenditure of any money except that appropriated in this bill.

Senate amendments 135 and 136 transpose the amount appropriated from one part of the paragraph to another, and the House recedes.

Senate amendment 139 strikes out $3,600 for rent of quartermaster storehouse, and the House recedes.

Senate amendment 140 reduces the total for rent of quarters for officers, etc., by $3,600, and the House recedes.

Senate amendment 141 increases the amount for claims for damages to and loss of private property by $1,437.34, and the House recedes.

Senate amendment 143 inserts the words "printing and binding" in the item for medical and hospital department, and the Senate recedes.

Senate amendment 144 increases the appropriation for the medical and hospital department by $50,000, and the Senate recedes.

Senate amendment 145 provides for the removal of the Surgeon General's library to the Library of Congress, and the Senate recedes.

Senate amendment 147 provides for the settlement of accounts between the Engineer Department and other departments and bureaus of the Government, and the House recedes.

Senate amendment 148 increases the appropriation for ordnance service, $50,000, and the House recedes.

Senate amendment 149 provides for the purchase of material for small-arms ammunition, and the Senate recedes.

Senate amendment 153 transposes the amount appropriated to the middle of the paragraph, and the Senate recedes.

Senate amendment 154 increases the appropriation for small-arms ammunition $75,000, and the Senate recedes.

Senate amendment 155 inserts the words "and purchase of materials therefor" $750,000 in the item for manufacture of ammunition, and the Senate recedes.

Senate amendment 157 transposes the amount appropriated from one part of the paragraph to another, and the Senate recedes.

Senate amendment 158 inserts the words "and purchase of materials therefor" in the item of manufacture of arms, and the Senate recedes.

Senate amendment 159 increases the appropriation for manufacture of arms by $50,000, and the Senate recedes.

Senate amendments 162 and 163 insert the words "and the purchase of materials therefor" in the items of ammunition for field artillery and for field artillery, Organized Militia, and the Senate recedes.

Senate amendment 165 provides for the purchase and erection of a monument on the grave of Gen. Henry W. Lawton, and the Senate recedes.

On the amendments of the Senate 24, 113, 121, 123, 137, 161, and 164 the committee on conference has been unable to agree.

Senate amendment 24 increases the amount of pay of enlisted men by $1,221,762.

Senate amendment 113 increases the amount for subsistence of the Army by $662,475.

Senate amendment 121 increases the amount for regular supplies by $455,000.

Senate amendment 123 increases the amount for horses for Cavalry, etc., by $65,285.

Senate amendment 137 increases the amount for clothing, camp and garrison equipage, by $800,000.

Senate amendment 161 increases the amount for field artillery, Organized Militia, by $1,350,000.

Senate amendment 164 increases the amount for ammunition for field artillery $2,000,000.

These seven items aggregate $6,554,522, the amount in disagreement between the two Houses.

The Senate receded from amounts aggregating $709,006.

The House receded from amounts aggregating $223,437.34.

JAMES HAY.
S. H. DENT, Jr.
JULIUS KAHN.

The SPEAKER. The question is on agreeing to the conference report.

Mr. MANN. Mr. Speaker, will the gentleman from Virginia yield for a question?

Mr. HAY. I will; yes.

Mr. MANN. I did not know the conference report was coming up to-day until recently. What was done with the amendment with reference to moving the Surgeon General's library?

Mr. HAY. The Senate receded.

Mr. MANN. What was done in reference to the amendment in regard to the Alaskan cable?

Mr. HAY. The amount of $50,000 was appropriated, the same as last year.

Mr. MANN. The Senate added an item of $135,000.

Mr. HAY. They receded from $85,000, and $50,000 was appropriated.

Mr. MANN. That is the same as in the current law.

Mr. HAY. That is the same as in the current law.

Mr. MANN. Has the gentleman ever yet been able to ascertain what it cost to maintain the Alaskan cable?

Mr. HAY. I have not, but I have been able to ascertain it will cost much more to maintain it than we will receive from it.

Mr. MANN. Well, of course——

Mr. HAY. I mean by that that we will pay out more than we will receive in payment for the use which is made of it by the public.

Mr. MANN. Of course there is not charged to the Alaska cable the cost of its operation; a very large share of the cost of maintenance is charged to the Regular Army.

Mr. HAY. Yes; that is true, of course, but we have to pay the money and it does not make any difference where it is charged.

Mr. MANN. I know we have to pay the money, and the fact it is not charged there makes it much more difficult to ascertain how much that is. I do not think anybody has ever been able to discover what the expense of maintenance and operation of the Alaskan cable is. Of course we know the signal office has discovered enough to know that they want to get rid of it, because it is very uncomfortable for them to maintain it where it costs so much money.

Mr. HAY. A very great burden upon them, and I do not blame them, when, as a matter of fact, it is mostly used by the public and not by the Army.

Mr. MANN. Why is it not just as much needed for the benefit of the Army now as it was when it was put there?

Mr. HAY. I suppose there is just as much need.

Mr. MANN. I will say frankly the signal-service office says there is no need of it now for the Army. I do not see any great difference myself between when it was put there and now.

Mr. HAY. There is no great difference, but the reason why it was put there by the Army was because they saw a way by which they could get the means to put it there. The reason given was that we had forts in Alaska.

Mr. MANN. I agree with the gentleman; the reasons given for putting it there, however, were quite different. The reasons given were that we had troops up there and we had to have a cable so as to have close connection with them.

Mr. HAY. I may say to the gentleman the War Department this year tried to get the Post Office Department to take this cable over, and made no estimate for that item. The Post Office Department would not take the cable over, so when the Army

bill went to the Senate they sent up a supplemental estimate and the Senate put in $135,000, and we agreed on $50,000.

Mr. MANN. If the gentleman will permit, I do not know whether I am opposed to Government ownership or not. A great many things I think the Government ought to own, some I doubt the practicability of, but I advise all of those who are closely or fully committed to Government ownership to examine into the ownership of the Alaskan cable, which after it has been constructed and is in operation the War Department seeks to get rid of because it can not afford to maintain and operate it; and the Post Office Department does not want to take it, because it believes that it will be operated at a loss.

Mr. HAY. That is true.

Mr. KAHN. Will the gentleman yield?

Mr. HAY. I yield.

Mr. KAHN. As a matter of fact, the amount that was recommended by the department to the Senate was materially increased, because, as I understood it, they contemplated laying more cable. So, evidently the cables are needed in Alaska. The House bill had no provision whatever for this item when it went to the Senate.

Mr. MANN. Will the gentleman yield?

Mr. HAY. Certainly.

Mr. MANN. Does the gentleman believe there is any place in the country where, if the people could get something constructed without expense to them, but at the expense of the Government, they would not ask to have the thing constructed if it was of any benefit to them at all?

Mr. KAHN. I rather guess any section of the country would be glad to have the Government lay cables or construct roads or anything that the Government might be inclined to construct; and yet the fact that the Signal Corps of the Army has asked for additional money to lay more cables would indicate to me that they wanted them for the Army.

Mr. MANN. I think the gentleman is mistaken. I do not think they have asked for more money to construct an additional cable.

Mr. HAY. They asked for $496,000, a part of which was to be used in laying down a new cable, and then other items of expense which made up their whole estimate of $496,000.

Mr. MANN. I have the items here, and there is not anything in them, as I see it, in reference to the construction of new cable.

Mr. HAY. I can only say to the gentleman that the War Department sent me as chairman of the Committee on Military Affairs a statement including an item for the laying down of a new cable. Whether that has been printed or not I do not know.

Mr. MANN. I have it right in my hand.

Mr. HAY. I do not think the item——

Mr. MANN. This was sent to the Committee on Appropriations. I think a similar one was sent to the gentleman's committee.

Mr. HAY. I do not know where it went. What I am talking about is the typewritten statement. I have never seen it in print. But the reason was that the old cable had worn out and would not last, and they wanted a new one.

Mr. MANN. I do not know. The items making up the $496,754.39—and I suppose that is very accurate—are as follows:

Cost of enlisted men, including all additional pay, clothing, and rations, $210,264.38; pay of six officers, $21,513.24; cost of Quartermaster Corps of transportation, supplies, and personnel, $56,976.77; cable ship *Burnside*, $105,000; salaries, rents, and incidentals, $54,258.21; supplies, $15,741.79; repairs on cable ship *Burnside*, $30,000; and commutation of quarters to officers and fuel and light, $3,000.

The total is the amount that I gave. Now, they ask for an appropriation, if I recall rightly, for that in order that it might not be charged to the regular appropriation. They do not know and do not pretend to know how much of this is really chargeable to the Alaskan cable, because it is not practicable to tell.

Mr. HAY. Mr. Speaker, I desire to state that the conferees of the two Houses disagreed upon seven amendments, all of which amendments referred to increase of appropriations. One of them was as to the number of enlisted men to be provided for, another was for the subsistence of those enlisted men. One was for the supplies of the Army. One was for the clothing and camp and garrison equipage for the Army, and one was for horses—an increased appropriation for the purchase of horses. One was an increase of appropriation for the purchase of ammunition for field artillery and one was for the purchase of field artillery.

Mr. Speaker, had it not been for the fact that we are now practically in a state of war, I should have asked the House to insist upon the disagreement and to insist that we should not recede from the amendments of the Senate. But under the existing circumstances and conditions I propose to move to concur in the Senate amendments when the proper time comes to make that motion. And I take it that now is the proper time.

Mr. MANN. No. You have not disposed of the conference report.

Mr. HAY. As soon as the conference report is agreed to I will make the motion. And in the meantime, I yield five minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. MANN. Will the gentleman allow me to ask him one question?

Mr. HAY. Certainly.

Mr. MANN. What is the difference?

Mr. HAY. Six million five hundred thousand dollars.

Mr. MANN. On the seven items?

Mr. HAY. On the seven items.

Mr. MANN. Does the gentleman from Kentucky desire to address the House on the conference report or on these seven amendments?

Mr. SHERLEY. On the conference report.

Mr. Speaker, the conference report as agreed to by the conferees has a provision in it which prohibits the redetail of officers below the grade of lieutenant colonel, as I recall it.

Mr. HAY. For field officers.

Mr. SHERLEY. Yes, for field officers. Now, I am heartily in favor of that provision in its general aspect, but I do not believe that it ought to apply to the Ordnance Department, because of the peculiar character of the work now being performed in that corps by officers below the grade of lieutenant colonel. The work of those officers is of a highly technical character. They are practically specialists in the supervising of the manufacture of matériel, the making of powder and ammunition, and the building of guns. It would very seriously cripple the work of that department if they were required to have a field service—if men of the grade of major were required to have a field service before they could be redetailed to their work in the Ordnance Department. But, appreciating that we are in a position to-day in the House where it is important that this bill should become a law, and believing that the defeat of the conference report would perhaps result in considerable delay in the final passage of the bill, I shall not now oppose an adoption of the report. It is my understanding, after talking with the gentleman from Virginia [Mr. HAY], that a bill will be brought on the floor of the House shortly which will present this exception, which I think ought to be made in favor of the Ordnance Department; in other words, to permit the redetail of officers above the grade of captain, so as to include the redetail of majors as well as lieutenant colonels and those of a higher rank.

I simply felt that it was proper to make this statement so that it might not be considered that the action taken on the conference report now was to foreclose this matter.

Mr. KAHN. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. KAHN. I agree with what the gentleman says about the officers in the Ordnance Department. The chairman of the committee [Mr. HAY] called my attention to the attitude of the gentleman from Kentucky, and I agree with the chairman of the committee that a bill should be brought in to straighten out that matter.

Mr. SHERLEY. The only reason why I have taken occasion to say anything—because I am usually more than willing to follow the judgment of the gentleman from Virginia—is that as chairman of the subcommittee on fortifications I have had very intimate acquaintanceship with the work that is done by the Ordnance Department and the effect that this would have upon the efficiency of that corps. I do not desire to further delay the House, but I felt that it was proper that this statement should be made; and with the understanding I have stated, I shall not oppose the adoption of the conference report.

Mr. HAY. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. KAHN].

The SPEAKER. The gentleman from California [Mr. KAHN] is recognized for five minutes.

Mr. KAHN. Mr. Speaker, during the 10 years that I have been a member of the Committee on Military Affairs of this House I have always believed in proper expenditures for the maintenance of an adequate military force. I have never cared for it to be an unnecessarily large force, but I have always maintained that it should be an efficient force, and I think we can safely say that the Army of the United States to-day is better prepared for any possible emergency than it has been at any previous time in the history of the country. [Applause.] We have a greater reserve of clothing, medical stores, small arms, and ammunition than ever before. That is as it should be.

The large appropriations that have been asked for by the War Department for the coming fiscal year might have been cut very materially in a number of the items that were disagreed to by the House conferees and the taxpayers of the country could have been saved what we considered unnecessary expenditures. The Army has been increased during the past year. Under the law of 1901 the President has the right to recruit and enlist men in the Army to the number of a hundred thousand. Up to a year ago the number of men in the Army had been less than 80,000. As I now recall the number was 77,500. I believe that number to be sufficient in time of peace. But during the present administration that number has been increased to about 85,000 men. A deficiency estimate of appropriation quite recently has been sent to Congress aggregating about $3,500,000 to pay for the services of the additional men, their subsistence, their clothing, and their transportation.

Mr. Speaker, I have on a number of occasions criticized the present administration's policies. I believed and still believe the criticisms were justified. But I believe we have now reached a condition in the affairs of our country when I consider it a patriotic duty to vote for such appropriations as will enable the administration to carry out its program in regard to Mexico. Two hundred thousand dollars of the amount for Cavalry horses in this bill is made immediately available, and we have been told the War Department requires that money immediately for the purchase of necessary Cavalry horses. I therefore hope that this conference report will be adopted unanimously, in order that the administration and the War Department may be able to carry out their military plans.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from California yield to the gentleman from Wisconsin?

Mr. KAHN. Yes.

Mr. STAFFORD. The chairman of the committee referred to the amendments that were disagreed to, but which he is going to move to agree to, as providing for an increase of the Army. Can the gentleman state the number of men that will be provided for if the amendment is adopted?

Mr. KAHN. The increase provided for in the present bill will take care of approximately 85,000 men.

Mr. HAY. Exclusive of the Philippine Scouts?

Mr. KAHN. Yes, of course; exclusive of Philippine Scouts.

Mr. MANN. Mr. Speaker——

Mr. HAY. I yield to the gentleman from Illinois.

Mr. MANN. Everybody wants to know what will be the procedure in case we get involved in more or less of a war—a real war—with Mexico, in regard to appropriations, and especially as related to the continuance of the session. I take it that the distinguished gentleman from Virginia, the able and accomplished chairman of the Committee on Military Affairs, which has control of appropriations, has been consulted by the administration to the extent of having knowledge as to what is likely to be the procedure, whether they will come in and ask for additional appropriations?

Mr. HAY. I will state to the gentleman that I have not been consulted by the administration, because, as I understand, the administration has not yet concluded that there is going to be war.

Mr. MANN. I take it that the administration has concluded that there is a liability of war.

Mr. HAY. That may be.

Mr. MANN. I should suppose that the administration for some time past has figured that there was a possibility of war.

Mr. HAY. Oh, yes.

Mr. MANN. I think no other reason could be given for the increase in the Army unless it was because of the ease of getting men to enlist in these hard times.

Mr. HAY. There has been no trouble in getting men to enlist, but not on account of hard times.

Mr. MANN. There was trouble in getting them to enlist in good times.

Mr. HAY. There is no more now than at any other time. As to when the administration is going to declare war, I have no more information than has the gentleman. If what he wants to know is how many soldiers——

Mr. MANN. I mean, what will be the procedure? Of course, the making of the annual appropriations for the military establishment is done through the military appropriation bill. We make other appropriations through the Committee on Appropriations in the deficiency bill. What I would like to know is, if the gentleman can inform us, if occasion arises, will we appropriate the money at once or will we have to stay here?

Mr. HAY. I think we can appropriate it and we will not have to stay here, although I have not been consulted in any way about it. I take it that before the volunteers can be called out there will have to be a declaration of war. The President will have to be authorized by Congress to call out the volunteers. How many he will call out I do not know.

Mr. MANN. Does the gentleman recall what procedure we adopted in 1898?

Mr. HAY. Yes.

Mr. MANN. The $50,000,000 appropriation had nothing to do with this.

Mr. HAY. No; the Committee on Military Affairs made all the appropriations for the Army proper—for the Volunteers, Regulars, supplies, subsistence, camp equipage, and horses, and all the various things that go to make up the needs of the Army. My recollection is that we made the appropriations and adjourned very soon thereafter. We adjourned in July, as I remember.

Mr. MANN. Yes; we adjourned in the first part of July.

Mr. HAY. We made all the necessary appropriations for the troops in the Philippines, which had then been acquired, and for all the other troops then in the field for the balance of that fiscal year, and adjourned. I do not take it that it would be necessary for us to remain here, if we do have war, and make appropriations by piecemeal, because I presume the President would call out troops enough to meet the situation. I think, as a matter of fact, the War College has worked out a plan and knows how many men it will require to take care of the situation if war should be determined upon.

Mr. MANN. They may have to learn it by experience.

Mr. HAY. Yes; but I think they have worked out a plan.

Mr. KAHN. Let me say that as far as volunteers are concerned there is a bill now pending for volunteers.

Mr. HAY. Mr. Speaker, I now yield to the gentleman from Ohio.

Mr. GORDON. I want to ask the chairman of the committee if in case Mexico declares war against the United States a declaration of war by Congress would be necessary?

Mr. HAY. I think so. Spain declared war against the United States first.

Mr. STAFFORD. As to the increase suggested by the Senate and approved of by the chairman of the committee, were those recommendations submitted to the committee when the House was in consideration of the bill providing for an increase of a standing Army to 85,000 men?

Mr. HAY. The estimate was for 85,000 men; yes.

Mr. STAFFORD. And there has been no provision arranged for in expectation of difficulties in Mexico?

Mr. HAY. No increase over the estimates made by the War Department.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

Mr. HAY. Certainly.

Mr. FOSTER. Amendment 27 remains in the bill?

Mr. HAY. Yes.

Mr. FOSTER. As I understand, it provides where a court-martial has taken place and a sentence of confinement has been passed, the guilty man may be paroled and may go back to his command. Does this provide that if he is sentenced for two years in confinement he must serve those extra two years and then the time remaining of enlistment in order to receive an honorable discharge?

Mr. HAY. Yes.

Mr. FOSTER. So that all this does is to permit the man to receive an honorable discharge by serving such time with the company instead of having a dishonorable discharge?

Mr. HAY. Yes. It is for the purpose of rehabilitating a man who has been charged with desertion and has been found guilty.

Mr. FOSTER. Does not the gentleman think this ought to go a little further and that, notwithstanding a great many of these offenses, he might be placed back in the Army?

Mr. HAY. He may be.

Mr. FOSTER. I understand—and serve his time to the end of his enlistment without having to serve additional time?

Mr. HAY. The gentleman will observe that we have provided that this be tried for only one year.

Mr. FOSTER. Yes.

Mr. HAY. We did that for the purpose of seeing how it is going to work; and if it works as the War Department thinks it will, it will be made permanent law; but if it does not, it may be modified.

Mr. FOSTER. Mr. Speaker, I am very much in favor of that provision, because I think it is a splendid thing that there should be a parole instead of putting these young men in prison and dishonorably discharging them, and I want to compliment the committee for agreeing to such a provision.

Mr. HAY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. HAY, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

Mr. HAY. Mr. Speaker, I now move to concur in the seven Senate amendments to which the conferees have not yet agreed. The Clerk has the numbers.

The SPEAKER. The Clerk will report them, one at a time.

The Clerk read as follows:

Senate amendment No. 24: Page 6, line 15, strike out the figures "$16,949,126" and insert the figures "$18,170,884."

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield?

Mr. HAY. Yes.

Mr. FITZGERALD. Mr. Speaker, if I understand the statement correctly, these amendments involve about six and a half million dollars?

Mr. HAY. Yes.

Mr. FITZGERALD. And it is the gentleman's purpose to move to concur in all of them?

Mr. HAY. In all of them; for the reason that we are now in a condition almost of war, and if this money is not appropriated upon this bill, it will have to be appropriated on some other bill.

Mr. FITZGERALD. I understand. What I wish to obtain some information about, if the gentleman will permit, is this: The amounts involved in these amendments would have provided for an army of 85,000 men?

Mr. HAY. Exclusive of the Philippine Scouts.

Mr. FITZGERALD. What is the Army at present?

Mr. HAY. At present it is about 85,000 men.

Mr. FITZGERALD. What was it when the appropriations for the current year were made?

Mr. HAY. The department estimated for the current year for 77,500 men.

Mr. FITZGERALD. That is since the 1st of last July?

Mr. HAY. Yes. The department estimated for this current year for 77,500 men, and I will say that the House and Senate gave the department every dollar it asked for. We did not cut the pay of the Army below the estimates. But before the fiscal year began, as I understand it, the President issued an order increasing the Army, and in the last three months the Army has been increased up to 85,000 men, which has resulted in a deficiency of about $2,000,000 for pay and subsistence.

Mr. FITZGERALD. The gentleman means in the last six months?

Mr. HAY. In this current year; yes.

Mr. FITZGERALD. These appropriations will provide for 85,000 men in the Regular Army?

Mr. HAY. Yes.

Mr. FITZGERALD. Of course in our present condition the situation is such that no one can tell what will be required, but was it the purpose to increase the Regular Army permanently over what it had been during the last year of the Republican administration?

Mr. HAY. I do not know what the purpose was, but the order was issued.

Mr. KAHN. Mr. Speaker, will the gentleman yield——

Mr. FITZGERALD. There has been some discussion as to whether we should not recruit the Regular Army nearer to the 100,000 limitation because of the number of men which were supposed to be desirable to have outside of what we refer to as continental United States.

Mr. HAY. I will state to the gentleman that when the Secretary of War came before the Committee on Military Affairs to explain the bill which is now under consideration he stated that it was necessary to have 85,000 men, and upon being questioned he stated how many men he wanted to put in Panama, how many in Honolulu, and how many in the Philippine Islands.

Mr. FITZGERALD. That was on a peace basis.

Mr. HAY. That was on a peace basis. That accounted for 35,000 men, and the committee thought that if they put those 35,000 men on those stations abroad, that with 77,500 men that would leave 42,000 men for the United States, and we thought that was sufficient, and therefore we cut down the estimate made by the Secretary from 85,000 to 77,500, the same as was made for the last year, and the Senate put up the appropriation to meet the estimate made by the Secretary of War; and when we had this conference on this bill we were not then advised of the fact that we were going to a war with Mexico, and we refused to agree to the Senate amendment, and I was strongly of the opinion, and am now, that there should be a provision put into this appropriation bill saying that only the amount of money appropriated by the bill should be spent for the men that we provided for and no more. And we have a precedent for that. Before the Spanish War the authorized strength of the Army was 30,000 men, but the Army bill always carried a provision that not more than 25,000 men should be paid out of the money provided.

Mr. FITZGERALD. Practically a limitation upon the appropriation?

Mr. HAY. A limitation upon the appropriation; and in time of peace I should be in favor of that now, so as to avoid increasing the Army beyond what is actually needed.

Mr. FITZGERALD. There has come within a short time certain urgent deficiencies estimated for the Army, aggregating, I think, three and one-half million dollars, some of it due to present conditions in Mexico, some of it due to increase in number of enlisted men in the Army. What I was seeking to have was the opinion of the gentleman from Virginia and of his committee as to whether it was believed to be necessary, in case these difficulties pass over, that the enlisted strength of the Army should be maintained at 85,000 men. That will add, it is said, about $8,000,000, but it will probably cost about $10,000,000 annually for the additional 8,000 men.

Mr. HAY. As I understand the position of the War Department, it is that they consider these men necessary. That is their contention.

Mr. FITZGERALD. Of course the War Department, in my experience and the experience of the gentleman from Virginia and the gentleman from California, regardless of politics, is interested in having the largest possible military establishment, because the larger the establishment the greater the opportunities for the officers, and Congress has always had a restraining hand upon that natural enthusiasm and interest of the professional military man.

Mr. HAY. And that was the reason why the Committee on Military Affairs cut down the appropriation to what they did.

Mr. FITZGERALD. How much will this bill carry over the current law if these amendments are concurred in?

Mr. HAY. It would carry about $7,000,000 over the current law.

Mr. FITZGERALD. Making——

Mr. HAY. One hundred and one million dollars and some hundred thousand.

Mr. FITZGERALD. I understand the gentleman from Virginia to express the opinion that so far as he and his committee are concerned it is not believed that under ordinary circumstances it is necessary to expend annually that much money for the maintenance of the Army?

Mr. HAY. That is my opinion; yes.

Mr. MANN. Will the gentleman yield five minutes to me?

Mr. HAY. I yield five minutes to the gentleman from Illinois.

Mr. MANN. I do not know whether I will occupy that much time or not.

Mr. Speaker, the item under consideration is the item providing for pay of enlisted men of all grades, including recruits. The House passed the item with an appropriation of $16,949,126. The Senate increased the amount to $18,170,884, and this bill passed the Senate last month.

Mr. HAY. Passed the House last month?

Mr. MANN. Passed the Senate last month. The gentleman from Virginia [Mr. HAY], whom I regard as a very able chairman of the Committee on Military Affairs, informs us that he now moves to concur in the Senate amendments because of the situation that has occurred in the last few days. But the situation that had occurred a month ago caused the Senate to increase this amount to the amount that it is now proposed to agree to, and that amount only paid for the men now enlisted in the Army. No increase over the number that were then in the Army and are now in the Army. If the gentleman from Virginia had insisted upon reducing the amount provided by the Senate amendment, he would have insisted upon appropriating a less amount than would be sufficient to pay for the men now enlisted in the Army and a month ago in the Army.

Mr. HAY. Will the gentleman permit me? The gentleman does not seem to understand.

Mr. MANN. Do not tell me that. I do understand. Will the gentleman make his point?

Mr. HAY. I say you do not seem to understand that men go out of the Army every day.

Mr. MANN. Of course I know that.

Mr. HAY. The gentleman is misleading the House.

Mr. MANN. I am not misleading the House.

Mr. HAY. The gentleman states that we were not willing to appropriate for men who are now in the Army. Now, if we appropriated, say, for 77,500 men for the next current year, the Army could be reduced from its present number of 85,000 by stopping recruiting for one month. That would do it. And

every man that is in the Army now would be paid according to his contract.

Mr. MANN. The answer which the gentleman from Virginia makes is entirely fallacious. We appropriated last year for this number of men in the Army, about 77,000 of them. They have increased the number to 85,000, without any appropriation.

Mr. HAY. But that is no answer to what I said.

Mr. MANN. Yes; it is.

Mr. HAY. Oh, no; it is not.

Mr. MANN. And they were paid for, too.

Mr. HAY. The gentleman does not understand the proposition.

Mr. MANN. I understand it better than the gentleman does.

Mr. HAY. The gentleman thinks he understands every proposition better than anybody else does.

Mr. MANN. When some cheap fellow gets up in the House that is always the answer he makes to me. I am used to that. I did not say anything about what the gentleman was willing or unwilling to appropriate. I said, and I say now, the appropriation which the gentleman proposed to make would not have provided the pay for the Army as it stands, and as it stood a month ago. The Army has been increased to 85,000, whereas the current appropriation only contemplated an Army of 77,000 men. The gentleman gives an excuse, which is probably a valid one, that he proposes to take the Senate amendment on account of conditions arising during the last few days. But the conditions which caused the Senate to increase the amount were in existence when the Senate increased the amount. The Army had been increased to 85,000, and one of two conclusions is inevitable—either that the sum proposed by the House for the next year would have been too small or else the Secretary of War was not already warranted in increasing the Army by seven or eight thousand without receiving any appropriation by Congress. He had the appropriation of last year. He increased the Army. I am not endeavoring to criticize him. I have no desire to criticize the Committee on Military Affairs, but there is the situation. The President had the power to increase the Army, and he increased the Army to 85,000.

Mr. KAHN. Will the gentleman yield for a moment? I can throw a little light on the proposition so far as the matter before the Committee on Military Affairs of the House is concerned. Gen. Aleshire, when he was before the committee, stated that the appropriation they were asking for was for 80,117 men. That is practically the amount that the Committee on Military Affairs of the House allowed. They did not ask for 85,000 men before the House Committee on Military Affairs. The figures stated by Gen. Aleshire were 80,117 men.

Mr. MANN. At what time was Gen. Aleshire before the committee?

Mr. KAHN. We started on our hearings in December.

Mr. MANN. But between December and the time the bill passed the Senate and the time they appeared before the Senate committee the Army has been increased to about 85,000 men. I have no desire to criticize the increase. I rather think the situation warranted an increase, and I think also that everything that has warranted an increase has not occurred within the last three days nor since the trouble arose at Tampico.

Mr. HAY. Mr. Speaker, I want to put myself straight with the House. I think I know something about the Army.

The gentleman from Illinois [Mr. MANN] makes the statement that if the Army has been increased to 85,000 during the present current year, if we do not appropriate the amount that was estimated for by the War Department and the amount that was appropriated by the Senate, we will not have money enough for the Army next year, and that the House in cutting down the estimate of the War Department did not provide money enough for the Army as it now is. Mr. Speaker, that statement is misleading.

Mr. MANN. Mr. Speaker, if the gentleman will permit, I did not make the first part of that statement. I made the last part.

Mr. HAY. If the gentleman did not make the first part of that statement, he made something very similar to it. I so understood it.

Mr. MANN. I beg the gentleman's pardon. That is the way the gentleman confused the situation a while ago.

Mr. HAY. I will be glad to have the gentleman state it.

Mr. MANN. What I stated was that the appropriation made by the House would not be sufficient to provide for the Army as it now is.

Mr. HAY. That is just what I tried to say.

Mr. MANN. The gentleman does not deny that.

Mr. HAY. The gentleman says that the appropriation provided by the House would not pay and maintain the Army as it now is for the next fiscal year. I thought I stated that, and that is what I understood the gentleman to say.

That is true; and we did not desire to make an appropriation for an army of 85,000 men, which they now have. Our purpose was to appropriate for an army of 77,500 men, and in doing that we would not have interfered in any wise with the contract of any soldier who is now in the Army, because the terms of enlistment of men in the Army terminate every day, every week, every month, and by stopping recruiting for 30 days before the beginning of the fiscal year the Army would be reduced to 77,500 men, and the money which was provided for in the House bill would have been amply sufficient to pay for the 77,500 men who ought to be in the Army during the next fiscal year.

I have no criticism to make of the administration or of the Secretary of War for increasing the Army. It is a right which the President has. But I do maintain that the legislative branch of this Government has always exercised the right to hold the purse strings, and particularly to hold them over appropriations for the Army; and it ought to be shown beyond peradventure in times of peace that the number of men which are estimated for by the War Department are absolutely necessary for the uses and necessities of the country, and we ought not to appropriate any more money than is necessary. And the Committee on Military Affairs, in acting upon these estimates sent to us by the War Department, acted upon that assumption, that we were appropriating for an army on a peace basis, and that 77,500 men were ample for all the uses and necessities of this country during a time of peace.

Now we are confronted with a different condition of affairs, and I do not believe it would be the part of wisdom or the part of patriotism for us to haggle about appropriations for the necessary number of men in the condition which now confronts us.

Mr. Speaker, if it is in order, I move to concur in all the Senate amendments in one motion. I ask unanimous consent to move to concur in all the Senate amendments.

The SPEAKER. The gentleman from Virginia asks unanimous consent to move to concur in all the Senate amendments.

Mr. MANN. I think we should have the numbers of those amendments.

The SPEAKER. The Clerk will read the numbers of the amendments.

The Clerk read as follows:

Senate amendments 24, 113, 121, 123, 137, 161, 164.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. STAFFORD. Reserving the right to object, I notice in one amendment just read there is no number—the fourth one, as to the increase in the amount of cavalry.

The SPEAKER. That is number 123, which the Clerk read among the others.

Mr. HAY. Mr. Speaker, I yield to the gentleman from West Virginia.

Mr. AVIS. Mr. Speaker, in looking over the hearings before the committee, I find some information that may refresh the memory of the gentleman from Virginia. As I understand it, for the fiscal year ending June 30, 1914, appropriations were made for 77,500 enlisted men of the Army.

Mr. HAY. For the fiscal year ending June 30, 1914.

Mr. AVIS. At the time of the hearings before the Committee on Military Affairs in January the number of enlisted men in the Army was 80,117. In that connection, I might refresh the recollection of some gentlemen by calling attention to the fact that General Orders, War Department, March 30, 1912, and its subsequent modifications by direction of the Secretary of War, provided for an authorized strength of 89,566 enlisted men, including the Military Academy, but excluding the Hospital Corps, Philippine Scouts, Quartermaster Corps, and that the Secretary of War asked for an appropriation based on an estimate of 85,000 enlisted men anticipated for the fiscal year ending June 30, 1915; that the amendment we now ask the House to concur in is based on the estimate made by the Secretary of War for 85,000 men, which is a less number than that provided for by the general orders of March 30, 1912.

Mr. HAY. I now yield to the gentleman from California.

Mr. KAHN. Mr. Speaker, the matter that has just been brought out is of vital importance to this House and the Congress. The Army during the past year has been increased by a considerable number of men, and, so far as I have been able to learn, not a single member of the Committee on Military Affairs of the House or of the Senate was consulted in regard to the matter. The Congress must furnish the money to pay these men. The wisdom of or the necessity for the increase I do not desire to discuss at this time. The President has the right to recruit the Army to the full extent of 100,000 men, but it is Congress that must furnish the money to pay and equip

them. I fully agree with the statement made by the chairman of the committee [Mr. HAY] that Congress should still hold its hands on the purse strings of the Nation. But I am convinced that it is our patriotic duty to vote for the increased amounts contained in the Senate amendments, in view of the situation regarding Mexico, and I hope that the motion of the gentleman from Virginia will prevail.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HAY. I move to concur in all the Senate amendments.

The motion was agreed to.

On motion of Mr. HAY, a motion to reconsider the vote whereby the Senate amendments were concurred in was laid on the table.

VOLUNTEER FORCES OF THE UNITED STATES.

Mr. HAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7138) to provide for raising volunteer forces of the United States in time of actual or threatened war, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will read the title of the bill.

The Clerk read as follows:

A bill (H. R. 7138) to provide for raising volunteer forces of the United States in time of actual or threatened war.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. HAY, Mr. DENT, and Mr. KAHN.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4980. An act to amend an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes," approved March 9, 1914.

ADJOURNMENT.

And then, on motion of Mr. UNDERWOOD (at 6 o'clock and 8 minutes p. m.), the House adjourned until to-morrow, Thursday, April 23, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BARNHART, from the Committee on Printing, to which was referred the bill (H. R. 15902) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications, reported the same without amendment, accompanied by a report (No. 564), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FRENCH, from the Committee on the Public Lands, to which was referred the bill (H. R. 15036) to provide for the disposition of the surface of lands withdrawn, classified, or reported as containing phosphate, nitrate, potash, oil, gas, or asphaltic minerals, reported the same with amendment, accompanied by a report (No. 565), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 7068) granting a pension to Emma L. Parker, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BARNHART: A bill (H. R. 15902) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications; to the Committee of the Whole House on the state of the Union.

By Mr. GEORGE: A bill (H. R. 15903) fixing the compensation of inspectors of customs, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLER: A bill (H. R. 15904) to create a bureau for the deaf and dumb in the Department of Labor and prescribing the duties thereof; to the Committee on Education.

Also, a bill (H. R. 15905) providing for the payment of assessments on Indian allotments benefited by the construction of ditch and drainage systems in the State of Minnesota; to the Committee on Indian Affairs.

By Mr. HAYDEN: A bill (H. R. 15907) authorizing the survey and sale of certain lands in Coconino County, Ariz., to the occupants thereof; to the Committee on the Public Lands.

By Mr. BARCHFELD: A bill (H. R. 15908) to promote the efficiency of the United States Marine Band, and fixing the pay and allowances of the members thereof; to the Committee on Naval Affairs.

By Mr. KEATING: Resolution (H. Res. 489) authorizing the printing of 1,000 copies of revised hearings pertaining to certain Indian wars as a House document; to the Committee on Printing.

By Mr. SUTHERLAND: Resolution (H. Res. 490) authorizing the printing of Public Health Service Bulletin No. 51, third edition, entitled "The Causation and Prevention of Typhoid Fever"; to the Committee on Printing.

By Mr. McLAUGHLIN: Resolution (H. Res. 491) requesting certain information from the President of the United States; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANSBERRY: A bill (H. R. 15909) to remove the charge of desertion from the military record of Jackson Brown; to the Committee on Military Affairs.

By Mr. BELL of Georgia: A bill (H. R. 15910) granting an increase of pension to Lucretia Corbin; to the Committee on Pensions.

Also, a bill (H. R. 15911) granting an increase of pension to Catherine G. Hicks; to the Committee on Pensions.

Also, a bill (H. R. 15912) granting an increase of pension to Laura A. Turner; to the Committee on Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 15913) granting a pension to Jennie Oliver; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 15914) granting a pension to George Herman; to the Committee on Pensions.

By Mr. CLARK of Florida: A bill (H. R. 15915) granting an increase of pension to Horatio P. Smith; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 15916) granting a pension to Sarah J. Harbeson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15917) granting a pension to Carrie Walker; to the Committee on Invalid Pensions.

By Mr. ESTOPINAL: A bill (H. R. 15918) for the relief of Georgeanna A. Brannan, dependent mother of John Douglas Malone; to the Committee on Claims.

By Mr. GITTINS: A bill (H. R. 15919) granting an increase of pension to John M. Starks; to the Committee on Invalid Pensions.

By Mr. GORMAN: A bill (H. R. 15920) granting an increase of pension to James Lewis; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 15921) granting an increase of pension to Elizabeth I. Pulsipher; to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 15922) granting an increase of pension to Francis O. Nash; to the Committee on Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 15923) granting a pension to W. W. Batterton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15924) granting an increase of pension to James Baker; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 15925) granting an increase of pension to Frederick C. Hammetter; to the Committee on Pensions.

By Mr. KENNEDY of Connecticut: A bill (H. R. 15926) granting a pension to Ruth A. Briton Ingraham; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 15927) granting a pension to Melvin P. Campbell; to the Committee on Pensions.

By Mr. MANAHAN: A bill (H. R. 15928) granting a pension to Wilmot Stevens; to the Committee on Invalid Pensions.

By Mr. MOON: A bill (H. R. 15929) for the relief of Samuel T. Baker; to the Committee on Military Affairs.

By Mr. MOSS of West Virginia: A bill (H. R. 15930) granting an increase of pension to Joseph C. Gluck; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 15931) granting an increase of pension to William H. Hampshire; to the Committee on Pensions.

By Mr. SELDOMRIDGE: A bill (H. R. 15932) to remove the charge of desertion from the military record of B. Frank Smythe, alias Martin M. Smith, and to grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. SMITH of Minnesota: A bill (H. R. 15933) granting an increase of pension to George W. Lavery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15934) for the relief of Mrs. Joseph Cameron; to the Committee on Claims.

By Mr. VOLLMER: A bill (H. R. 15935) granting a pension to Charlotte E. Coplan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15936) granting a pension to Virginia Dickinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15937) granting a pension to Amanda Grant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15938) granting a pension to Phoebe A. Ludwick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15939) granting a pension to J. A. McLoskey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15940) granting a pension to Michael McInery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15941) granting a pension to Carrie Record; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15942) granting a pension to Letta E. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15943) granting a pension to William M. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15944) granting an increase of pension to Otto Burkart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15945) granting an increase of pension to Lee Henning; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15946) granting an increase of pension to Benjamin Notley James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15947) granting an increase of pension to William H. McCune; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15948) granting an increase of pension to Samuel P. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15949) granting an increase of pension to Rufus W. Rosenberger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15950) granting an increase of pension to John A. Rowan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15951) granting an increase of pension to Ben van Steinburg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15952) granting an increase of pension to William P. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15953) for the relief of George Humphrey; to the Committee on Military Affairs.

Also, a bill (H. R. 15954) for the relief of Ella G. Richter; to the Committee on Military Affairs.

Also, a bill (H. R. 15955) for the relief of Charles W. Tappan; to the Committee on Military Affairs.

Also, a bill (H. R. 15956) for the relief of Charles Max Wittig; to the Committee on Claims.

By Mr. WINSLOW: A bill (H. R. 15957) granting an increase of pension to Imogene M. Draper; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Industrial Council, of Kansas City, Mo., protesting against national prohibition; to the Committee on the Judiciary.

Also (by request), memorial of the Bible College and Institute for Civic and Social Betterment, favoring the Smith-Hughes bill, relative to moral tone of moving pictures; to the Committee on Education.

Also (by request), memorial of citizens of Fort Worth, Tex., favoring censorship of motion pictures; to the Committee on Education.

Also (by request), memorial of citizens of Indiana and Michigan, protesting against practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. AINEY: Petition of 683 citizens of Bradford County, Pa., for national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of 170 citizens of Wayne County, Pa., for national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petitions of 1,330 citizens of Susquehanna County, and 60 citizens of Wyoming County, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of 119 citizens of Ashland County, Ohio, against prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of voters of Roaring Springs, Johnstown, Juniata, and Altoona, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of S. L. Buck, J. B. Black, A. B. Hoffman, C. L. Walter, Adam Beach, D. B. Snoberger, Lee Furry, L. B. Furry, C. E. Johnson, G. K. Beach, Ira L. Campbell, Irvin Furry, Sherman H. Baker, D. R. Reasy, S. B. Snoberger, B. N. Ebersole, J. H. Stuckey, Ray Mentzer, H. B. Ober, J. D. Metzger, D. C. Frederick, jr., and G. R. Campbell, all of New Enterprise, Pa., and J. F. Himes, of Saxton, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of I. J. Detwiler, W. E. Baker, A. T. Replogle, A. N. Walter, J. W. Baker, A. R. Mussellman, C. R. Holsinger, I. S. Baker, P. K. Brown, H. S. Stonerock, J. W. Reininger, and J. M. Woodcock, all of Waterside, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BAKER: Petition of citzens of Cumberland County, N. J., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BALTZ: Petition of temperance mass meeting at Nashville, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petition of Swedish-American Beneficial Society Redligheten, of Braddock, Pa., favoring erection of a memorial to John Ericsson; to the Committee on Appropriations.

By Mr. BARTHOLDT: Petition of Central Trades and Labor Union of St. Louis, Mo., representing 65,000 workingmen, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 1,768 citizens of the tenth congressional district of Missouri, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BATHRICK: Petitions of J. C. Wilkin, of Kent, Ohio, and 20 citizens of Warren, Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Smith & Holden, New York City, relative to a bill creating a standard barrel for fruits, etc.; to the Committee on Coinage, Weights, and Measures.

By Mr. BROWNE of Wisconsin: Petitions of 126 citizens of Waushara County, and 39 citizens of Clintonville, Wis., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of citizens of Wood and Marathon Counties, Wis., against national prohibition; to the Committee on the Judiciary.

By Mr. BROWNING: Petition of citizens of Merchantville, N. J., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 14 citizens of Westmont and Haddonfield, 19 of Elmer, and 34 of Collingswood, N. J., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Petitions of Charles Zoller Co., John Hoelzel, O. J. Gude Co., M. Diehl, Henry Gieseler, Michael Harlahan, Sam Jones, Arthur E. Noel, and Louis Baron, all of New York City, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of memorial committee of the Grand Army of the Republic, of New York, protesting against any change in the flag; to the Committee on the Judiciary.

Also, petitions of Josef Vogt and Socialist Party of The Bronx, N. Y., favoring investigation of mining troubles in Colorado; to the Committee on Rules.

Also, petition of Association of Master Plumbers of New York City, favoring passage of House bill 14288, relative to contracts for public buildings; to the Committee on Public Buildings and Grounds.

Also, memorial of Manhattan Camp, No. 1, Department of New York, United Spanish War Veterans, favoring passage of House bill 7374, widows' and orphans' pension bill; to the Committee on Pensions.

Also, petition of the American Society of Marine Draftsmen, relative to leave of absence of per diem employees of the United States classified service; to the Committee on Naval Affairs.

Also, petition of the Home Insurance Co., of New York City, favoring passage of bills for flood protection; to the Committee on Rivers and Harbors.

By Mr. CALDER: Petition of 999 voters of the sixth congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. CLARK of Florida: Papers to accompany bill granting an increase of pension to Horatio P. Smith; to the Committee on Invalid Pensions.

Also, petition of Methodist Episcopal Church, Coleman, Fla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. CONRY: Petitions of voters of the fifteenth congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. CURRY: Petitions by 9 citizens of the third California congressional district, against the adoption of House joint resolution 168 and Senate joint resolutions 88 and 50, relative to national prohibition; to the Committee on the Judiciary.

By Mr. DANFORTH: Petitions of Rev. R. E. Brown and 47 others; Rev. M. R. Webster; Rev. W. W. Dailey; Rev. G. B. F. Hallock; Men's Class of Second Baptist Church; C. A. McAlpine; Rev. E. S. Shepard; Rev. F. J. Tower; H. F. Beardsley and 8 others; Twelfth Ward Woman's Christian Temperance Union; Rev. J. M. Hutchinson; S. H. Hutchinson; B. E. Hodges; J. A. Gillies; Rev. A. N. Smith, of Advent Christian Church; L. G. Wetmore and 4 others; and W. R. Betteridge, all of Rochester, N. Y.; Rev. Silas Mosteller, of Industry; Rev. R. C. Hallock, of Scottsville; Rev. Benjamin Copeland, of Charlotte; B. H. Diver and Charles M. Diver, of West Henrietta; Walter Euler and 7 others, of Rush; Rev. W. B. Robinson, of Brockport; J. A. Fellows, of Henrietta; Rev. F. H. Dickerson, of North Chili; E. L. Rising, of Weedsport; M. L. Rising, of Weedsport; Rev. G. H. Hobart, of Morton, N. Y.; and National Temperance Society and Publication House, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of E. R. Hinkley and 8 others of Hunt, N. Y., favoring the proposed 5 per cent increase in freight rates; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLITTLE: Petitions of sundry citizens of the State of Kansas, favoring bureau of farm loans (H. R. 11755); to the Committee on Banking and Currency.

By Mr. DYER: Petitions of Richard Campbell, Bauer Bros. Baking Co., Trorlicht Duncker Carpet Co., Equitable Surety Co., St. Louis Wire & Iron Co., Standard Scale & Fixture Co., C. L. Holman, Automobile Gasoline Co., Woodward & Tiernan Printing Co., Laclede-Christy Clay Products Co., the Wesco Supply Co., Donk Bros. Coal & Coke Co., George J. Fritz Foundry & Machine Co., Uhlenhaut Bros. Wagon Co., Halsey Automobile Co., Herf & Frerichs Chemical Co., Geller-Ward-Hasner Hardware Co., Pfoertner-Lehmann Machine Co., Charles S. Ruckstuhl, D. G. Cook, A. & J. F. Lee, E. R. Hensel Steel & Copper Co., Ferd. Messmer Manufacturing Co., David Kreyling, Harry Cordes, eight citizens, George M. Farland, Charles P. Stanley Cigar Co., Handlan-Buck Manufacturing Co., Lyman T. Hay, Capen Belting & Rubber Co., Greeley Printery of St. Louis, the Dietrich Art Co., Heine Safety Boiler Co., Wagner Electric Manufacturing Co., Union Rubber & Supply Co., Reliance Machine & Tool Works, Buxton-Skinner Printing & Stationery Co., Byrnes Belting Co., and the Ruemmeli-Dawley Manufacturing Co., all of St. Louis, Mo., and also a petition signed by 450 citizens of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

Also, petition of members of Local No. 134, International Brotherhood of Electrical Workers, of Chicago, Ill., favoring passage of Bartlett-Bacon bill (H. R. 1873); to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Unions of Blythedale, Rutledge, and Pike County, Mo., Sunapee, N. H., and Ridgeway, Mo.; G. A. Barrett, Minneapolis, Minn.; Nellie G. Burger, president Missouri Woman's Christian Temperance Union; L. R. Woods, St. Louis, Mo.; the Methodist Missionary Society, Lexington, Mo.; Mrs. W. T. Bell, Lexington, Mo.; Mrs. F. P. Blaisdell, Epping, N. H.; the Woman's Christian Temperance Union of Ford City, Mo.; Mr. and Mrs. A. G. Diehl, Moberly, Mo.; the Woman's Christian Temperance Unions of Hurdland, Jamesport, and Mount Vernon, Mo.; Ben Franklin, Macon, Mo.; S. R. A. Guthrie and Ben Eli Guthrie, Macon, Mo.; C. G. Buster, Macon, Mo.; Earl Edwards, Macon, Mo.; the Woman's Christian Temperance Union of Liberal, Mo.; citizens of Clark, Mo.; citizens of Bellflower, Mo.; Swedish-Americans of Florence and Berry Counties, Mo.; the Woman's Christian Temperance Unions of Nichols, Campbell, and Lewistown, Mo.; the Euclid Avenue Baptist Church, St. Louis, Mo.; the Woman's Christian Temperance Union of Missouri; Mrs. T. B. Rauch, Morehouse, Mo.; Albert Skinner, Macon, Mo.; F. W. Gieselman Dry Goods Co., Macon, Mo.; the Men's Congregational Brotherhood of Holliston, Mass.; Andrew Robinson, Pierce City, Mo.; Lyra A. McCracken, Diamond, Mo.; the Woman's Christian Temperance Unions of Pattonburg and Louisiana, Mo.; Lucius L. Smith, Helena, Mo.; Charles Platz, Bethany, Mo.; the Woman's Christian Temperance Union of Holden, Mo.; 10 citizens of Chillicothe, Mo.; 25 citizens of Cyrene, Mo.; 25 citizens of Parma, Mo.; the Woman's Christian Temperance Union of Kansas City, Mo.; Nellie Bruff, Pierce City, Mo.; 10 citizens of Altamont, Mo.; the Woman's Christian Temperance Unions of Macon and Mount Vernon, Mo.; Mae Woods, Mount Vernon, Mo.; the Woman's Christian Temperance Unions of Sikeston, Mo., Taylorsville, Pa., and Hannibal, Mo.; Robinson Bros., Macon, Mo.; the Woman's Christian Temperance Union of St. Louis, Mo.; T. D. Kimball, Kirkwood, Mo.; C. A. May, St. Louis, Mo.; the Ladies' Mission, Lexington, Mo.; 6 citizens of Atlanta, Mo.; J. C. Brown, St. Louis, Mo.; and Reo Cater, Macon, Mo., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Harry F. Ewald, secretary St. Louis Iron & Machine Works, St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

By Mr. ESCH: Petitions of sundry citizens of Black River Falls, Wis., favoring passage of national prohibition; to the Committee on the Judiciary.

Also, memorial of United Commercial Travelers of America, favoring passage of Senate bill 1337, favoring creation of coast guards; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Petitions of 1,932 voters of the seventh New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. FRENCH: Petition for national farm-land bank bill, from citizens of Aberdeen, Idaho; to the Committee on Banking and Currency.

By Mr. GARNER: Memorial of Los Angeles Society for the Study and Prevention of Tuberculosis, favoring House bill 12864; to the Committee on Interstate and Foreign Commerce.

By Mr. GOULDEN: Petitions of 715 voters of the twenty-third New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GREENE of Vermont: Petition of Rev. Rufus C. Flagg and 2,805 other residents of the first congressional district of Vermont, for a national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. HAMMOND: Petitions of retail and wholesale tobacco dealers, merchants, druggists, etc., of the State of Minnesota, favoring the anticoupon bill; to the Committee on Ways and Means.

By Mr. HAYES: Petition of Circle No. 56, Ladies of the Grand Army of the Republic, Richmond, Cal., against change in United States flag; to the Committee on the Judiciary.

Also, petition of citizens of Mountain View, Cal., favoring amendment to postal and civil-service laws; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Mountain View and Arroyo Grande, Cal., against Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. IGOE: Petition of L. H. Grone, St. Louis Iron & Machine Works, and Joseph D. Bascom, all of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

Also, a petition signed by 3,392 citizens of the eleventh congressional district of Missouri, protesting against H. J. Res. 168, S. J. Res. 88, and S. J. Res. 50, or any similar prohibition measures; to the Committee on the Judiciary.

By Mr. KEISTER: Petitions of 1,963 citizens of Butler, 475 citizens of Monessen, 583 citizens of Vandergrift, 350 citizens of Portersville, 250 citizens of Harrisville, 40 citizens of Irwin, 58 citizens of Conoquenessing, 80 citizens of East Butler, 139 citizens of Bruin, 215 citizens of West Sunbury, 300 citizens of Chicora, 208 citizens of Valencia, 93 citizens of North Butler, 150 citizens of Evans City, 60 citizens of Branchton, 320 citizens of Middlesex, 115 citizens of Eau Claire, 125 citizens of East Unity, 200 citizens of Mars, 139 citizens of West Unity, 296 citizens of Hooker, congregation of the Petrolia Presbyterian Church, and citizens of Monessen, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of citizens of western Pennsylvania, against national prohibition; to the Committee on the Judiciary.

By Mr. KELLEY of Michigan: Petition of 12,313 citizens of Michigan, protesting against the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of 60 citizens of Ypsilanti, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Memorials of Calvary Baptist Church Brotherhood, of Providence; Albert E. Hayes, M. D., of Providence; Baraca Class of United Presbyterian Church, Central Falls; Pawtucket Woman's Club, of Pawtucket; all in the State of Rhode Island, favoring nation-wide prohibition; to the committee on the Judiciary.

Also, petitions of Roger Williams Baptist Church and First Presbyterian Church of Providence, First Baptist Sunday

School and First Presbyterian Church of Woonsocket, and voters of Cumberland, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENT: Petition of citizens of Chico and Humboldt County, Cal., against Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. KETTNER: Petition of Riverside (Cal.) Chamber of Commerce, favoring appropriation for Mojave River; to the Committee on Rivers and Harbors.

Also, petition of Chamber of Commerce of Riverside, Cal., favoring House bill 12292, the Federal child-labor bill; to the Committee on Labor.

By Mr. KIESS of Pennsylvania: Papers to accompany House bill 15858, for the relief of William Burnell; to the Committee on Invalid Pensions.

Also, petitions of citizens of the fifteenth congressional district of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEE of Georgia: Papers to accompany a bill for relief of Martin Ball; to the Committee on War Claims.

By Mr. LEVY: Petitions of Charles Zoller Co. and the O. J. Gude Co., New York, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Yale & Towne Manufacturing Co., of New York City, favoring passage of House bill 13305, relating to standardization of prices; to the Committee on Interstate and Foreign Commerce.

Also, petition of Association of Master Plumbers of New York City, favoring House bill 14288, relative to contracts for public buildings; to the Committee on Public Buildings and Grounds.

By Mr. LEWIS of Maryland: Petitions of members of the Socialist Party, Progressive Labor Lyceum of Baltimore, Md., protesting against conditions in the State of Colorado; to the Committee on the Judiciary.

By Mr. LIEB: Petitions of 399 members and others of the General Baptist Church, by Rev. W. T. Winstead, of Fort Branch; Oak Grove General Baptist Church, by Rev. U. O. Beadles, of Oakland City; General Baptist Church, by Rev. Clarence Alman, of Owensville; Bethlehem General Baptist Church, by Rev. A. D. Barker, of Fort Branch; Friendship General Baptist Church, by Rev. J. E. Stone, of Boonville; General Baptist Church, of Tennyson; Centenary General Baptist Church, by James R. Barnett, of Yankeetown; Wadesville General Baptist Church, by Rev. L. A. Stone, of Wadesville; Mount Pleasant General Baptist Church, by Rev. A. D. Baker, of Mount Vernon; Mount Olivet General Baptist Church, by Rev. Joseph J. Anderson, of Poseyville; Bethesda General Baptist Church, by Rev. George Leathers, of Mount Vernon; Old Union Baptist Church, by Rev. J. C. Cummins, of Mount Vernon; Christian Endeavor Society of Ebenezer Church; First Creek Association Church, of Mount Tabor; General Baptist Church, by Rev. J. C. Cummins, of Columbia; Flatcreek Church, by Rev. J. B. Hayden, of Pike County; Mount Zion General Baptist Church, by Rev. C. E. Barrett, of Winslow; Bethel Church, by Rev. Claud Neal, of Winslow; Pleasant Grove Church, by Rev. C. E. Barrett, of Velpen; General Baptist Church, by Rev. J. B. Hayden, of Winslow, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LLOYD: Petition of citizens of Clark County, Mo., and Newark, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. McGILLICUDDY: Petitions of Rumford Grange, No. 115, of Rumford; Mount Cutler Grange, No. 152; and Topsham Grange, No. 37, of Topsham, all of the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of citizens of Lewiston; Leeds Grange, No. 99, of Leeds; and Nelson Dingley Lodge, Independent Order of Good Templars, of Rockland, all of the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAGUIRE of Nebraska: Memorial of the Nazarene Sunday School, Lincoln, Nebr., favoring national prohibition; to the Committee on the Judiciary.

By Mr. METZ: Petition of 473 voters of the tenth New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MITCHELL: Petitions of officers of Local No. 92, B. I. L., thirteenth congressional district, and sundry citizens of the State of Massachusetts, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry voters of Holliston, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. NEELEY of Kansas: Petition of citizens of Reding and Claflin, Kans., against national prohibition; to the Committee on the Judiciary.

Also, petition of Local Unions Nos. 210 and 258, United Mine Workers of America, of Weir City, Kans., relative to strike situation in Colorado; to the Committee on the Judiciary.

By Mr. PLUMLEY: Petitions of 2,839 citizens of the second congressional district of Vermont; Walter C. Twing and 17 others, and 5 towns of Windsor County, Vt., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Waslin Grange, No. 268, Patrons of Husbandry, favoring passage of H. R. 11897, rural farm-credit bill; to the Committee on Banking and Currency.

Also, petition of Mrs. M. A. Twing and 9 others of the State of Vermont, protesting against Sunday-observance law; to the Committee on the District of Columbia.

Also, petition of Henry A. Daw, of Cabot, Vt., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. REED: Petitions of Charles H. Dancose, Aristoller Papanostasia, Edouard J. Grenier, Frank X. Laflamme, James W. Flaherty, H. C. Graupner, William Richardson, Charles B. Herrick, Arthur Provost, Anselme A. Provost, Joseph E. Provost, and Thomas Laughten, all of Manchester, N. H., opposing national prohibition of liquor traffic; to the Committee on the Judiciary.

By Mr. REILLY of Connecticut: Petitions of Hermanns-Soehne Maenner-Chor of New Haven and the Central Labor Union of Meriden, Conn., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. ROBERTS of Massachusetts: Petition of residents of Somerville, Mass., favoring the passage of House joint resolution 168, being an amendment to the Constitution to prohibit the manufacture and sale of intoxicating liquors and beverages; to the Committee on the Judiciary.

By Mr. ROGERS: Petitions of citizens of Lowell, Mass., protesting against the Sunday-observance bill; to the Committee on the District of Columbia.

By Mr. SCULLY: Petition of Newark (N. J.) Photo-engravers' Union, favoring passage of the Bartlett-Bacon bill (H. R. 1873); to the Committee on the Judiciary.

Also, petitions of citizens of Monmouth County, N. J., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Board of Trade of Perth Amboy, N. J., protesting against the assignment of Perth Amboy to any other reserve-bank district than New York; to the Committee on Banking and Currency.

By Mr. SELDOMRIDGE: Petition of the Woman's Christian Temperance Union and sundry voters of Delta, Colo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SWITZER: Petitions of 25 citizens of Crown City, 500 citizens of South Point, 900 citizens of Ironton, 23 citizens of Rutland Village, 57 citizens of Ironton, 1 citizen of Oak Hill, 1 citizen of Athens, 1 citizen of South Point, Germania Lodge, No. 135, 53 citizens of Nelsonville, 27 citizens of Jackson, 41 citizens of Wellston, 91 citizens of Gallipolis, 81 citizens of Portsmouth, 20 citizens of Jackson, 25 citizens of Glouster, and 723 citizens of Portsmouth, all in the State of Ohio, against the national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. TAVENNER: Petitions of citizens of the fourteenth Illinois congressional district, protesting against the passage of the Hobson, Sheppard, and Works resolutions; to the Committee on the Judiciary.

Also, petitions of citizens of the fourteenth Illinois congressional district, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Jean A. Pope, East Moline, Ill., favoring passage of the migratory-bird bill; to the Committee on Agriculture.

Also, petition of A. D. Sperry, of Rock Island, Ill., protesting against the Mississippi River being closed to shooting; to the Committee on Interstate and Foreign Commerce.

By Mr. TEN EYCK (by request): Petition of 150 citizens of the twenty-eighth congressional district of New York, against the Hobson, Sheppard, and Works resolutions relative to national prohibition; to the Committee on the Judiciary.

By Mr. THACHER: Petition of sundry citizens of Marthas Vineyard, favoring national prohibition; to the Committee on the Judiciary.

By Mr. VOLLMER: Petition of Young Men's Christian Associations and citizens of Iowa, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WALLIN: Petition of 353 voters in the thirtieth New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petitions of sundry citizens of North Dakota, favoring national prohibition; to the Committee on the Judiciary.

SENATE.

THURSDAY, *April 23, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the sad and tragic scenes of life have always driven us nearer to Thy side. In the midst of storm and stress we have found more need of God than we have realized, at least, in the joy and sunshine. We come to Thee to-day and lift our hearts for Thy blessing. We remember that there are those lying dead who have represented us, and others torn with bullets are suffering because of their devotion to their country and their obedience to the order and law of their land. We pray that they may realize our sympathy and care; that they may have the Divine favor. We pray that Thy favor and blessing may be vouchsafed to all in command and all in authority in this land; and that the time may come speedily when Mexico will again enjoy prosperity and order, when we shall have the blessing of peace. We ask for Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

HARBOR TONNAGE AND CONSTRUCTION OF LOCKS (S. DOC. NO. 470).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in partial response to a resolution of the 9th instant, a tabulated statement of the number of locks the Government has constructed, the location and cost of each, the number of men employed in operation during the fiscal year ended June 30, 1913, which, with the accompanying paper, was referred to the Committee on Commerce and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13453) making appropriations for the support of the Army for the fiscal year ending June 30, 1915, and recedes from its disagreement to the amendments of the Senate Nos. 24, 113, 121, 123, 137, 161, and 164, and agrees to the same.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HAY, Mr. DENT, and Mr. KAHN managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 4980) to amend an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes," approved March 9, 1914, and it was thereupon signed by the President pro tempore.

VOLUNTEER FORCES OF THE UNITED STATES.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HITCHCOCK. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. HITCHCOCK, Mr. LEA of Tennessee, and Mr. DU PONT conferees on the part of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Chamber of Commerce of the United States of America, praying for an appropriation for the maintenance of the Bureau of Foreign and Domestic Commerce in the Department of Commerce, which was referred to the Committee on Appropriations.

He also presented resolutions of the City Council of Cairo, Ill., extending thanks for an appropriation of $250,000 for the enlargement and improvement of the levee system at that place, which were referred to the Committee on Commerce.

He also presented petitions of sundry citizens of Newton, Shelby County, Miller, and Angola, all in the State of Indiana, and of sundry citizens of Bad Axe, Grand Rapids, Waldron, and Perry, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented memorials of Local Branch, American Continental League, of Providence, R. I.; of Irish Nationalists of Cincinnati, Ohio; and of the John Boyle O'Reilly Club, of Pueblo, Colo., remonstrating against the repeal of the exemption clause of the Panama Canal act, which were referred to the Committee on Interoceanic Canals.

He also presented a memorial of sundry citizens of Hellwig, N. Dak., and a memorial of sundry citizens of Philadelphia, Pa., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Ministerial Association of New Castle, Pa., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of Kauai, Hawaii, praying for an appropriation for the construction of a breakwater at Nawiliwili Harbor, island of Kauai, Territory of Hawaii, which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of South Manchester, Conn., and a petition of Sangus True Blue Loyal Orange Lodge, No. 149, of Lynn, Mass., praying for an appropriation for the celebration of the so-called "One hundred years of peace among English-speaking peoples," which was referred to the Committee on Foreign Relations.

He also presented a petition of Interdenominational Bible College and Institute for Civic and Social Betterment, of Washington, D. C., praying for the enactment of legislation to provide peace among English-speaking peoples," which were referred to the Committee on Education and Labor.

Mr. GALLINGER presented petitions of the congregations of sundry churches of Milton and Cornish, in the State of New Hampshire, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the New Hampshire Conference of Unitarian Sunday Schools, held at Concord, N. H., praying for the establishment and maintenance of peace between the United States and Mexico, which was referred to the Committee on Foreign Relations.

Mr. LODGE. I send to the desk a telegram in the nature of a petition, which I ask to have read.

There being no objection, the telegram was read, as follows:

BOSTON, MASS., *April 22, 1914.*

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.:

The Massachusetts Federation of Churches, believing that it speaks for the great body of the Christian people of Massachusetts, solemnly protests against a war with the Mexican people. Our churches believe that in whatever may be done in behalf of order in Mexico there should be no thought of aggression or selfish aggrandizement. They desire such policies as shall circumscribe to the utmost the exercise of force and shall advance the friendly and rational settlement of the present crisis. The United States, even under great provocation, must not forget its obligations as a leader in the sacred cause of international peace.

CHARLES F. RICE, *President.*
CHARLES CONKLIN, *Secretary.*

Mr. LODGE presented a memorial of sundry citizens of Worcester, Mass., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented resolutions adopted by the Board of Aldermen of Somerville, Mass., and resolutions adopted by the Board of Selectmen of Winthrop, Mass., favoring the enactment of legislation to provide for the retirement of superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. WORKS. I have received a number of telegrams from citizens of my State in the nature of petitions relative to the appropriation for the enforcement of the Federal migratory-bird law. I ask that the telegrams may be printed in the RECORD without reading and referred to the Committee on Appropriations.

There being no objection, the telegrams were referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, CAL., *April 22, 1914.*

Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.:

Federal bird law approved last October immense benefit to California already. Its strict enforcement by Federal officers only salvation. Our migratory game menaced by local destructive forces. We appreciate present emergency, but recommend appropriation of at least $100,000.

—

CALIFORNIA FISH AND GAME COMMISSION.
LOS ANGELES, CAL., *April 22, 1914.*

Senator J. D. WORKS,
Washington, D. C.:

Will you not use your influence to secure a $100,000 appropriation for the enforcement of the Federal migratory-bird bill? Without this money that splendid provision for the birds will become useless.

Mrs. E. H. HUSHER,
President Los Angeles Audubon Society.

LOS ANGELES, CAL., *April 22, 1914.*

Senator JOHN D. WORKS,
Washington, D. C.:

Will you not use your influence to secure a $100,000 appropriation for the enforcement of the Federal migratory-bird bill? Without this money that splendid provision for the birds will become useless.

Mrs. FRANCES H. WELDON,
Humane Commissioner, Los Angeles.

—

LOS ANGELES, CAL., *April 22, 1914.*

Senator JOHN D. WORKS,
Washington, D. C.:

Please work for a $100,000 appropriation for the enforcement of the Federal migratory-bird bill. This appropriation is very necessary.

Mrs. C. W. FOOTE,
5337 Montevista Street.

—

LOS ANGELES, CAL., *April 22, 1914.*

Senator JOHN D. WORKS,
Washington, D. C.:

Please work for a $100,000 appropriation for the enforcement of the Federal migratory-bird bill. This appropriation is very necessary.

Mrs. F. E. BICKNELL,
419 North Broadway.

—

SAN FRANCISCO, CAL., *April 22, 1914.*

Hon. JOHN D. WORKS,
Senate, Washington, D. C.:

Federal migratory-bird law, the most important and effective step ever taken for bird protection in the interest of agriculture and horticulture, is in jeopardy through possible failure of appropriation necessary for its enforcement. Strongly urge your active support of minimum appropriation of $50,000 for purpose stated.

C. E. GRUNSKY,
President California Academy of Science.

—

LOS ANGELES, CAL., *April 18, 1914.*

Senator JOHN D. WORKS,
Washington, D. C.:

The California Audubon Society urges you to use your influence to secure a $100,000 appropriation to enforce the Federal migratory-bird bill. In our estimation this is most important.

HARRIETT WILLIAMS MYERS,
Secretary.

—

BERKELEY, CAL., *April 21, 1914.*

Hon. JOHN D. WORKS,
Senate Chamber, Washington, D. C.:

California conservationists earnestly request $100,000 appropriation, enforcement Federal migratory-bird law. University of California says our game decreasing rapidly; 10 years will see extinction many species without enforcement Federal law. Measure popular in California; practically no opposition.

CALIFORNIA ASSOCIATED SOCIETIES FOR CONSERVATION,
WILLIAM S. BADE, *President.*
W. P. TAYLOR, *Secretary.*

Mr. WARREN. I have received numerous telegrams from members of certain societies and unions on the subject of troubles occasioned by strikes in mining districts. I ask that they may be severally noted and the signatures given and that they be referred to the Committee on Education and Labor.

There being no objection, the telegrams were noted and referred to the Committee on Education and Labor, as follows:

Telegram in nature of petition of Subdistrict No. 1 of District No. 22, United Mine Workers of America, of Kirby, Wyo.;

Telegram in nature of a petition from Wyoming Weekly Labor Journal;

Telegram in nature of a petition from Local Union No. 2532, United Mine Workers of America, of Cambria, Wyo.;

Telegram in nature of a petition from Local Union No. 2700, United Mine Workers of America, of Crosby, Wyo.; and a

Telegram in nature of a petition from Local Union No. 2742, United Mine Workers of America, of Carneyville, Wyo., all praying for Federal protection to striking miners and their families in Colorado.

Mr. WARREN. I also have certain telegrams and a letter from some of those who wish to participate in the defense of the country if their service is required. I ask that the letter and telegrams may be severally noted and referred to the Committee on Military Affairs.

There being no objection, the letter and telegrams were noted and referred to the Committee on Military Affairs, as follows:

A letter from H. Donzelmann, of Cheyenne, Wyo.

A telegram from Lieut. Col. James Bulger, of Denver, Colo.

A telegram from George W. Jones, formerly of Wyoming, of Kearsarge, Cal., each offering his services to the country.

Mr. ASHURST. I have a large number of telegraphic dispatches from various persons offering their service to the country provided they can secure commissions as captains, majors, and colonels. I shall not read these telegrams into the RECORD, but, under the head of "Petitions and memorials," upon which we are proceeding, I desire to read some telegrams just received from citizens of Arizona relating to another interesting subject. These gentlemen represent the various political parties that are contending for supremacy in Arizona.

The telegrams presented by Mr. ASHURST are as follows:

PHOENIX, ARIZ., *April 22, 1914.*

Hon. HENRY F. ASHURST,
Senate Chamber, Washington, D. C.:

Stand fast for free tolls and Arizona friends and others irrespective of party will back you. Arizonans are realizing what a big detriment repeal will mean to the shippers and consumers of the State.

M. L. BUCKLEY.
A. C. BAKER.
NEILL E. BAILEY.
JEROME E. CRINEHART.
ARTHUR B. LOGSDON.
GEORGE U. YOUNG, *Mayor, Phoenix.*
A. R. HIGGINBOTTOM.
J. L. LORENZO HUBBELL.

—

PHOENIX, ARIZ., *April 20, 1914.*

Hon. HENRY F. ASHURST,
Senate Chamber, Washington, D. C.:

Arizona has everything to lose and nothing to gain by repeal of free tolls. As one of your supporters, I urge you to stand fast for a free American canal for American coastwise shipping.

JOHN P. CONNY,
Florence, Ariz.

—

PHOENIX, ARIZ., *April 20, 1914.*

Hon. HENRY F. ASHURST,
Senate Chamber, Washington, D. C.:

I arrive in Washington Friday morning 7.30 with resolutions favoring free tolls from Maricopa County Commercial Club. Please arrange hearing for me before Senate Committee on Interoceanic Canals.

F. A. JONES.

Mr. MARTINE of New Jersey presented memorials of sundry citizens of Passaic, Hoboken, Newark, Orange, Netcong, Stanhope, Dover, Jersey City, Paterson, Harrison, East Newark, Elizabeth, Nutley, Irvington, Roselle, Roselle Park, East Orange, Dunellen, Lincoln, Plainfield, South River, Phillipsburg, Cape May, and Mount Hope, all in the State of New Jersey, remonstrating against the passage of certain resolutions now before Congress providing national prohibition of the manufacture, importation, and sale of alcoholic beverages, which were referred to the Committee on the Judiciary.

He also presented petitions from various organizations, churches, and sundry citizens of Princeton, Middlebush, Millstone, Bound Brook, East Millstone, Somerville, Mount Ephriam, Blackwood, Riverside, Glendora, Elmer, Plainfield, Dividing Creek, Bridgeton, Greenwich, Hackensack, Haddonfield, Westmont, East Side, Keyport, Essex, Irvington, Ocean City, Freehold, Roselle, Roselle Park, Mickleton, Monroeville, Pennsville, Oak Ridge, Smithville, Dover, Gladstone, Netcong, Stanhope, Flanders, Succasunna, Passaic, Paterson, Salem, Windsor, Merchantville, Vineland, Waldwick, Ridgewood, Hohokus, Wykoff, Jersey City, Manahawkin, Burlington, Shiloh, Hightstown, Bayonne, Almonesson, North Woodbury, Manasquan, Clinton, Hamden, Califon, Annandale, Three Bridges, Stanton, Pennsgrove, Pedricktown, Tuckerton, Cranford, Fairton, Westville, Newbold, South Bound Brook, Montclair, Long Branch, Arlington, Berlin, Columbus, Mount Holly, Matawan, Butler, Bloomingdale, and Flemington, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution providing for national prohibition of the manufacture, importation, or sale of alcoholic beverages, which were referred to the Committee on the Judiciary.

Mr. SHEPPARD. I present a telegraphic communication which I send to the desk and ask to have read.

There being no objection, the telegram was read, as follows:

DENISON, TEX., *April 20, 1914.*

Hon. MORRIS SHEPPARD,
Care United States Senate, Washington, D. C.:

Brotherhood Railroad Trainmen favors illiteracy test in immigration bill as passed by House and opposes amendment proposed by the railroads allowing Mexican laborers to come in, as such menace to workers here. Last year a million and a half aliens entered the country; that is more competition than we can endure. Urge your aid in this matter. Please present to Senate.

A. E. CRAWFORD,
Secretary Brotherhood of Railroad Trainmen Lodge No. 15.

Mr. JONES. I note that there are quite a number of telegrams being filed in the Senate from persons desiring commissions in the Army in connection with the trouble with Mexico. I have received a good many telegrams of that character, but I simply want to put on record the statement that instead of filing them in the Senate I have filed them with the Secretary of War, who will probably have charge of matters of that kind.

Mr. THOMAS. I should like to inquire of the Senator whether he has received a request from people who desire to enlist as privates?

Mr. JONES. I do not think so. I have received a number of applications asking to be given commissions of various kinds, but up to this time no one has telegraphed to me applying for the position of a common soldier.

Mr. THOMAS. I have not received any from my State to that effect.

Mr. JAMES. I ask the Senator if he believes the American people have grown so unpatriotic that there would not be plenty who would be willing to go to the front if necessary?

Mr. JONES. I have no doubt that when volunteers are called for they will respond.

Mr. JAMES. I do not think it tends to do any good to be casting reflections upon the people of the United States upon the theory that they are not willing to go without they are in command. I have not the slightest doubt that there are an abundance who will go whenever it is necessary, and go to the front as privates.

Mr. JONES. I hope the Senator did not understand that I made any reflection of that kind. I suggested nothing of the sort.

Mr. THOMAS. I meant no reflection at all upon anybody. I know when the time comes the man who carries the gun will be there, not only to carry the gun but to endure the sweat and the toil of conflict.

Mr. OLIVER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Pennsylvania?

Mr. JONES. I merely wish to say, in connection with this particular matter, that I did not suppose any discussion at all would arise from the statement I have made. I simply made the statement because it had occurred to me that the proper place to file these telegrams is in the War Department. I did not suppose that we would have anything to do with the assignment of commissions or anything of that sort. I merely wanted it to appear in the RECORD, so that when my people saw that other Senators had been presenting telegrams and applications of this kind in the Senate they would appreciate the reason why I had not presented them here but had sent them to the Secretary of War.

Mr. JAMES. The observation I made was simply for the purpose of expressing my belief that the patriotism of this country had not dwindled so much that the American people in an hour of peril to the flag or of danger to the country were unwilling to go except upon the condition that they were in command.

Mr. JONES. I have not suggested——

Mr. JAMES. The volunteer soldier still lives here, and there will be plenty of them when the time comes, when they are called upon.

Mr. JONES. I want to know whether the Senator intimates that anything I said suggested anything of that kind?

Mr. JAMES. I have not intimated it. I understood perfectly well that the Senator made no such intimation.

Mr. JONES. That is satisfactory.

Mr. JAMES. But the colloquies several times on the floor of the Senate were such that I thought it would not be out of the way for me to make the observation I did.

Mr. JONES. I am satisfied that nobody thinks the private citizens of this country will not volunteer whenever it is necessary, and in ample numbers.

I have another telegram, in the nature of a petition——

Mr. WEST. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Georgia?

Mr. JONES. Certainly.

Mr. WEST. It is really my humble opinion that all these telegrams ought to go to the Secretary of War without being incorporated into the RECORD.

Mr. JONES. That is the course I have been following. I want to say to the Senator——

Mr. SHIVELY. Mr. President——

Mr. JAMES. If the Senator will permit me, I want to make the statement that I have received a telegram from my home town—I have not presented it here—from a company of soldiers—privates, not asking to be officers—who are willing to go to the front, and they authorize me to say so.

Mr. JONES. Surely we will have such requests from all over the country.

Mr. OLIVER. Mr. President——

The PRESIDENT pro tempore. The Chair calls the attention of the Senate to the second paragraph of the second subdivision of Rule VII:

> It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill. It shall be the duty of the Chair to enforce this rule without any point of order hereunder being made by a Senator.

The Senator from Washington will present what he has risen to submit.

Mr. JONES. I have always felt a delicacy about presenting resolutions affecting the special conditions in any particular State, because I have felt that the Senators from that State could be entirely depended upon to take whatever steps might be necessary in that particular.

I have here a telegram, to which I have called the attention of the Senators from Colorado, who, I know, will do everything that they possibly can and everything that is consistent with the jurisdiction of the United States Government with reference to the conditions in that State. They, I know, deplore the conditions to which this telegram refers and will do all they can to remedy them, and I hope they will not take the reading of this telegram as a reflection on them.

This telegram comes from a large representative labor organization in my State, and I feel in justice to them that it should be read into the RECORD. I ask that it may be read.

The PRESIDENT pro tempore. Unless there is objection, it will be read as requested. The Chair hears none, and the Secretary will read.

The Secretary read as follows:

SEATTLE, WASH., *April 22, 1914.*

Senator WESLEY M. JONES,
Washington, D. C.:

Whereas press dispatches reveal outrages being perpetrated on United States citizens in Colorado infinitely greater than any reported from Mexico; and

Whereas the most cowardly deed of Huerta, of Mexico, fades into insignificance when compared to the inhuman brutality shown in the report of the finding of the charred bodies of 13 children in the ruins of the devastated tent colony of the miners of Ludlow, Colo.; and

Whereas nothing is more important than that the rights and privileges of American citizens be secured to them in their homes, and in the face of an invasion of these rights all foreign complications become relatively unimportant: Therefore be it

Resolved, That the Central Labor Council of Seattle and vicinity, representing 60,000 of the citizens of this city, in regular session assembled this 22d day of April, 1914, does hereby protest in the most vehement manner against the excesses of the Colorado Militia, and demand immediate intervention by the United States Government for the protection of the lives and property of American citizens and citizens of other countries menaced by the fiendish and atrocious conduct of the military establishment of the State of Colorado; and be it further

Resolved, That copies of these resolutions be sent to President Wilson and Senators POINDEXTER and JONES by wire, and that copies be sent the Representatives in Congress and to the press.

S. E. BAULT,
ROBERT H. HARLIN,
GEO. P. LISTMAN,
Committee.
R. LOEWE,
Secretary Central Labor Council.

Mr. SHERMAN. I have a telegram from the Chicago Association of Commerce, representing 4,000 members, in favor of the repeal of the law providing for the discrimination between the vessels of this and other nations in the use of the Panama Canal. I ask that the telegram may be printed in the RECORD without reading.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

CHICAGO, ILL., *April 13, 1914.*

Hon. L. Y. SHERMAN,
Senate, Washington, D. C.:

We have to-day telegraphed the President as follows:

"We wish to express heartily our appreciation of the efforts you are making to secure the repeal of the law providing for the discrimination between the vessels of this and other nations in the use of the Panama Canal. We are assured the official action of this association in favor of no discrimination expressed in resolutions adopted March 8, 1912, and reaffirmed in resolutions adopted March 13 last and transmitted to you, reflects the judgment of the 4,000 firms represented in our membership and, we believe, the sentiment of the Central West."

JOSEPH H. DEFREES,
President the Chicago Association of Commerce.

Mr. SHERMAN. I present a paper, being a copy of an official call for a woman's national good-roads congress at Chicago June 13 to 20, 1914. I ask that the paper may be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

OFFICIAL CALL FOR A WOMAN'S NATIONAL GOOD-ROADS CONGRESS AT CHICAGO, JUNE 13 TO 20, 1914.

A woman's national good-roads congress is hereby called by the International Good Roads and Automobile Association, the National Good Roads Association, the Illinois State Good Roads Association, and the Chicago Good Roads Association to meet at Chicago June 13 to 20, 1914, conjointly with the Congress of Woman's Achievements and Exposition of Science, Art, and Commerce at the Coliseum.

During this period the biennial convention of the General Federation of Women's Clubs will be in session, with many representative women in attendance from every State of the Union.

Every woman's club and every woman in any manner identified with or interested in this biennial is most cordially invited to become a delegate to this woman's national good-roads congress, and the more than 5,000 women who are members of our national and Illinois State good-roads associations are urged to aid in making this national congress the great success which its objects merit.

Good roads and streets bear such a vital relationship to the home, school, and church and all business activities as to constitute one of the most important economic and social problems of modern times—long neglected and now engrossing the attention of millions of people.

The National Goods Roads Association for 14 years has persistently and unceasingly urged the importance of this matter in every State and Territory, and held during this period more than 1,000 good-roads conventions.

At our Illinois State good-roads convention, held at the Auditorium Hotel, Chicago, on Lincoln's birthday, 1912, a resolution was unanimously adopted indorsing the calling of the first Illinois woman's State good-roads convention by the national and Illinois State good-roads associations, and such convention was held on April 3 and 4 at the Auditorium, and was one of the most successful ever held for any purpose. The presiding officers were Miss Jane Addams, Mrs. Francis D. Everett, Mrs. Minne Starr Grainger, Mrs. John O'Connor, Mrs. Orville T. Bright, and Dr. Sophronisba P. Breckenridge.

Among the more than 50 speakers at the six sessions were Mrs. Philip N. Moore, then president of the General Federation of Woman's Clubs; Mrs. Emmons Crocker, chairman conservational department of the General Federation; Mrs. Laura B. Evans, Mrs. John Worthy, Mrs. John Harvey Brown, Miss Florence King, Mrs. Robert L. McCall, Mrs. Katharine Waugh McCulloch, Miss Kate F. O'Connor, Miss Anna Nichols, Mrs. D. Harry Hammer, Miss Jessie I. Spafford, Mrs. Frederick K. Tracy, Mrs. F. H. Greene, Mrs. Minona S. Jones, Mrs. George H. Huntoon, Mrs. Myra Strawn Hartshorne, Mrs. H. M. Dunlap, Florence M. Holbrook, Mrs. Andrew P. Coon, Mrs. O. P. Bourland, Mrs. Belle Squire, as well as two of Illinois most talented women whose life work is finished—Mary Miller and Francis Squire Potter.

Addresses were also given by Col. William Jennings Bryan, United States Senator Lawrence Y. Sherman, Right Rev. Samuel Fallows, Dr. Jenkin Lloyd Jones, Dr. M. P. Boynton, Dr. S. T. Ford, Hon. Lynden Evans, and Congressman Frank Buchanan, Hon. Hugh S. Magill, Hon. Henry M. Dunlap, Judge Frank P. Sadler, Walter D. Moody, and Arthur C. Jackson.

The rapid development of the good-roads movement and recent legislation in this and other States is in no small measure owing to the far-reaching influence of this woman's convention.

With the wonderfully successful political activity of the women in Illinois and other States pointing unerringly to future achievements in every State, no time could be more opportune for representative women from every State convening in national congress to discuss the good-roads movement in all its phases.

The general federation biennial at San Francisco unanimously indorsed the good-roads movement, and the present president of the general federation, Mrs. Percy V. Pennybacker, in a notable address at the Fifth International Good Roads Congress pledged the hearty aid of the 1,000,000 members of the general federation to the cause of good roads, both in the Nation and in the several States.

This woman's congress will be asked to consider the best means of making the 1915 International Good Roads Congress, to be held during the opening week of the Panama-Pacific Exposition at San Francisco, of the greatest benefit to women the world over.

No name is nearer to the American heart than that of Abraham Lincoln, yet no adequate memorial of him exists. Perhaps nothing adequate can ever be produced, but the National Good Roads Association has repeatedly in convention indorsed the plan of its president to connect the capital of every State with the capital of every other State with a great Lincoln memorial road, to be built and maintained by the National Government, believing that such a road when so built by all the people would become in reality a truly national memorial; and to so build it that for a hundred years to come it may prove to millions of people a daily reminder of him whose greatest ambition was to serve his fellow men. This woman's congress will be asked for its indorsement, in the confident belief that the women of every State will prefer this great work to be truly representative of all the people rather than of a few private interests.

In furtherance of this great Lincoln memorial road the National Goods Roads Association plans to build upon the grounds of the Panama-Pacific Exposition an exact facsimile of the historic home of Lincoln, at Springfield.

In these efforts of our national association American women and patriotic citizens everywhere are invited to join at this woman's congress in perfecting all necessary plans.

The International Good Roads and Automobile Association. The National Good Roads Association. The Illinois State Good Roads Association. The Chicago Good Roads Association, Arthur C. Jackson, president; Maude E. Jones, secretary; Mrs. Edward L. Murfey, treasurer. The Woman's Pacific Coast Board of Control in the Woman's Tri-State Pacific Coast Good Roads Association, Balboa Building, San Francisco; Mrs. Augustus J. Fairbanks, president; Miss Margaret McGovern, secretary-treasurer. Woman's Association of Commerce, Miss Florence King, president; Dr. Anna R. Ranes, secretary.

Mr. SHERMAN. I wish to state further, Mr. President, that I have received communications from responsible authorities in the State of Illinois, tendering, in all, the services of four regiments, two of which are equipped and will be ready upon very short notice for service. In no instance have I presented, nor shall I present, any petitions or communications of this kind to the Senate. I have uniformly followed the course of transmitting such communications to the War Department, and shall do so in the future.

Mr. SHERMAN presented petitions of sundry citizens and church organizations in the State of Illinois, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Illinois, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURTON presented memorials of sundry citizens of Ohio, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Ohio, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 2452, United Mine Workers of America, of New Lexington, Ohio, praying for an investigation into existing conditions in the mining districts of Colorado, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Ohio, praying for an appropriation for the enforcement of the law relating to the protection of migratory birds, which was ordered to lie on the table.

Mr. ROBINSON presented a petition of sundry churches of the State of Arkansas, praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. BORAH. I present the petition of George D. Bisnett, of Los Angeles, Cal., relative to a compliance with the rules and regulations governing applications for lands for homesteading within forest reserves. Accompanying the petition are certain affidavits and exhibits. I ask that the petition may be referred to the Committee on Public Lands, and that the affidavits and exhibits accompanying it may also be referred to that committee.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SHAFROTH. Mr. President, relative to the statement that has been made, that privates have not offered to enlist, I want to notify the Senate that I have here a telegram in the nature of a request from a lady of Denver, Colo., tendering her services as a volunteer nurse. In addition to that, she offers to give $1,000 a month for the maintenance of the nurse service in the Army. So it seems that all who volunteer are not after commissions.

The PRESIDENT pro tempore. Does the Senator from Colorado desire that the telegram be read?

Mr. SHAFROTH. No. I ask that it may be incorporated in the RECORD, although I have practically stated the substance of it. It is from Mrs. J. J. Brown, of Denver, Colo.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

NEWPORT, R. I., *April 22, 1914*.

JOHN SHAFROTH,
United States Senate, Washington, D. C.:

If they are calling for volunteer nurses, please tender my services to War Department, with additional $1,000 per month for medical supplies. As you know, I have had lots of experience; so, if needed, can go immediately. Please answer at once.

MRS. J. J. BROWN,
Club Cottage, Newport, R. I.
(Formerly of Colorado.)

Mr. POMERENE presented memorials of sundry citizens of Dayton, Cleveland, Lancaster, Newcomerstown, and Youngstown, all in the State of Ohio, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Audubon Society of the Western Avenue Schools, of Mansfield, Ohio, and a petition of sundry school children of Minerva, Ohio, praying for an appropriation of $100,000 to enforce the so-called McLean law relating to migratory birds, which were ordered to lie on the table.

Mr. McLEAN presented a memorial of Morgan G. Bulkeley Camp, No. 54, Sons of Veterans, of Forestville, Conn., remonstrating against any change in the American flag, which was referred to the Committee on the Judiciary.

Mr. WEEKS presented a petition of the No License League, of Oak Bluffs, Mass., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. ROOT presented memorials of sundry citizens of New York, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of New York, praying for the adoption of certain amendments to the postal and civil service laws, which were referred to the Committee on Civil Service and Retrenchment.

Mr. PENROSE presented memorials of sundry citizens of the State of Pennsylvania, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. PAGE presented a petition of sundry citizens of Windham County, Vt., praying for the adoption of certain amendments to the postal and civil service law, which was referred to the Committee on Civil Service and Retrenchment.

STATUE OF ZACHARIAH CHANDLER.

Mr. SMITH of Michigan. Mr. President, out of order I desire to call up for consideration a concurrent resolution re-

ceived a few days ago from the House of Representatives relative to the acceptance of the statue of Zachariah Chandler. I request that it be again read to the Senate, after which I shall ask for immediate action upon it.

The PRESIDENT pro tempore. The Chair will call the attention of the Senator from Michigan to the fact that the request made by him can not be entertained except by unanimous consent.

Mr. SMITH of Michigan. I do not wish to interfere with the regular morning business, but I thought possibly the concurrent resolution could be considered at this time.

The PRESIDENT pro tempore. The provision of the rule relative to the matter is as follows:

Until the morning business shall have been concluded, and so announced from the Chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill, resolution, reprt of a committee, or other subject upon the calendar shall be entertained by the presiding officer, unless by unanimous consent.

Mr. SMITH of Michigan. I repeat, I do not desire to interfere with morning business——

Mr. SHIVELY. Regular order, Mr. President.

Mr. SMITH of Michigan. But I should like to have the concurrent resolution laid before the Senate when we reach that order.

The PRESIDENT pro tempore. Reports of committees are in order.

THE PANAMA CANAL (S. DOC. NO. 471).

Mr. LODGE. Mr. President, I ask to have printed as one document that portion of the message of President Roosevelt of December, 1903, and January, 1904—I have the last copy in the document room—covering the subject of the Panama Isthmus. It contains all the original documents, and I think it very important it should be accessible. Also an address by Mr. ROOT, then Secretary of State, delivered before the Union League Club of Chicago, on the ethics of the Panama question. Also an editorial by Mr. Roosevelt, published in the Outlook of October 7, 1911, on the right of the United States to dig the Panama Canal.

Mr. SHIVELY. I wish to inquire of the Senator if what he proposes to have printed covers all that President Roosevelt said in relation to the subject.

Mr. LODGE. It covers that portion of the annual message of December which relates to transactions in Panama, his message of January 4, which was devoted exclusively to it, and gives all the dispatches and papers, also an address by Mr. Secretary ROOT, as he was then, in regard to the ethics of the Panama question.

Mr. SHIVELY. I was only desirous, if there was to be a publication, that everything should be included which related to the matter.

Mr. LODGE. I endeavored to get everything. I will say to the Senator there is one other document that ought to be printed with this, and that is the letter of Secretary Hay to Gen. Reyes. There is no copy of that left in the document room.

Mr. SHIVELY. What was the date of that letter?

Mr. LODGE. It is printed in Foreign Relations of the United States for 1903, but at the time I had no means of obtaining it for printing, because I could not get a copy, or I should have had it included. I will endeavor to have it incorporated later.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

VOCATIONAL EDUCATION COMMISSION.

Mr. SMITH of Georgia. From the Committee on Education and Labor, to which was referred the joint resolution (S. J. Res. 142) authorizing the Vocational Education Commission to employ such stenographic and clerical assistance as may be necessary, and so forth, I report it with an amendment and I submit a report (No. 442) thereon.

The joint resolution simply proposes to correct a defect in a former resolution and to authorize the use of the appropriation for the clerical force. We were under the impression that the joint resolution would be held to have so provided as originally drawn, but the Comptroller of the Treasury insists that the force of clerks can not be paid under the original resolution. Therefore I ask unanimous consent for immediate action on the joint resolution.

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent for the present consideration of the joint resolution just reported by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. The amendment of the Committee on Education and Labor was, on page 1, line 7, after the word "assistants," to strike out the words "as may be necessary" and to insert "and to have printed such of the testimony taken before the commission and reports of the commission as the commission may deem advisable," so as to make the joint resolution read:

Resolved, etc., That the commission to consider the need and report a plan for national aid to vocational education provided for in the joint resolution approved January 20, 1914, is furthermore authorized to employ such stenographic and clerical assistants and to have printed such of the testimony taken before the commission and reports of the commission as the commission may deem advisable, the total expenditures of said commission not in any event to exceed the amount of $15,000 heretofore appropriated for the expenses of said commission.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

CLERK TO COMMITTEE ON INTEROCEANIC CANALS.

Mr. O'GORMAN, from the Committee on Interoceanic Canals, to which was referred the amendment submitted by himself on the 10th instant, relative to an increase in the salary of the assistant clerk to the Committee on Interoceanic Canals, reported favorably thereon and moved that it be referred to the Committee on Appropriations and printed, which was agreed to.

HOUSE BILL REFERRED.

H. R. 15906. An act providing an appropriation for the relief and transportation of American citizens in Mexico was read twice by its title and referred to the Committee on Appropriations.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 5377) authorizing the Secretary of War to donate to the town of Nottingham, N. H., condemned cannon and balls; to the Committee on Military Affairs.

A bill (S. 5378) granting an increase of pension to Charles H. Chambers (with accompanying papers); to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 5379) granting an increase of pension to Amanda M. Startsman; to the Committee on Pensions.

By Mr. GORE:

A bill (S. 5380) authorizing the Secretary of War to deliver to the city of Pittsburg, Okla., one condemned bronze or brass cannon; to the Committee on Military Affairs.

By Mr. OVERMAN:

A bill (S. 5381) granting a pension to Daniel W. Setzer; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 5382) to correct the military record of James Judd; to the Committee on Military Affairs.

By Mr. KENYON:

A bill (S. 5383) granting a pension to James W. Allen; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 5384) granting an increase of pension to Wealthy L. Kelsey (with accompanying papers); to the Committee on Pensions.

By Mr. REED:

A bill (S. 5385) granting a pension to J. W. Metler (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES submitted an amendment proposing to appropriate $2,500 for salary of assistant in charge at the Pacific Coast Fisheries Station, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. FLETCHER submitted three amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

Mr. SHIVELY submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

RELIEF OF AMERICAN CITIZENS IN MEXICO.

Mr. MARTIN of Virginia. From the Committee on Appropriations I report back favorably without amendment the bill (H. R. 15906) providing an appropriation for the relief and transportation of American citizens in Mexico. The bill proposes to appropriate $500,000 for the relief of American citizens in Mexico, including transportation to their homes in the United

States. I ask unanimous consent that the bill may be considered at this time.

The PRESIDENT pro tempore. The Senator from Virginia asks unanimous consent for the present consideration of the bill reported by him. Is there objection?

Mr. BORAH. Mr. President, a parliamentary inquiry. If unanimous consent is given, does that limit the debate on the bill to five minutes on the part of each Senator?

The PRESIDENT pro tempore. The Chair thinks not; it does not come up under the five-minute rule.

Mr. SMOOT. Mr. President, I desire to say that I am heartily in favor of the immediate passage of this bill. I would be in favor of it if it carried many, many times the amount it does.

No doubt the Senate is aware of the fact that I voted against House joint resolution 251, justifying the employment by the President of the armed forces of the United States in enforcing certain demands against Huerta. I want the Senate to understand that I did not vote against that joint resolution because I——

Mr. BORAH. Mr. President, has unanimous consent been given for the present consideration of the bill?

The PRESIDENT pro tempore. The Chair was about to call the attention of the Senator from Utah to this rule:

3. Until the morning business shall have been concluded, and so announced from the Chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar shall be entertained by the presiding officer unless by unanimous consent; and, if such consent be given, the motion shall not be subject to amendment, and shall be decided without debate upon the merits of the subject proposed to be taken up.

The question is whether or not the Senate will give unanimous consent to the motion to proceed to the consideration of the bill.

Mr. SMOOT. I thought unanimous consent had been granted.

The PRESIDENT pro tempore. No.

Mr. BORAH. Mr. President, as I understand the rule, then, this bill is not only not subject to amendment, but it must be passed without debate.

The PRESIDENT pro tempore. The question is as to whether unanimous consent shall be given to the motion made to proceed to the consideration of the bill. Unanimous consent has not been given.

Mr. MARTIN of Virginia. Mr. President, I asked unanimous consent for the present consideration of the bill.

The PRESIDENT pro tempore. It amounts to a motion to proceed to the consideration of the bill. Is there objection?

Mr. MARTIN of Virginia. I respectfully submit that a request for unanimous consent is very different from a motion to proceed to the consideration of a bill. I ask unanimous consent of the Senate to proceed now to the consideration of the House bill.

The PRESIDENT pro tempore. The Senator can make that request, and it is competent for the Senate to grant it. The Senator from Virginia asks unanimous consent for the present consideration of the House bill which has just been read. Is there objection? The Chair hears none.

The Secretary read the bill (H. R. 15906) providing an appropriation for the relief and transportation of American citizens in Mexico, and the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to appropriate $500,000, to be expended at the discretion of the President, for the relief of American citizens in Mexico, including transportation to their homes in the United States.

Mr. SMOOT. Mr. President, I will state that I thought unanimous consent had been granted, or I would not have asked recognition of the Chair. In this connection, Mr. President, I do not believe that I will speak more than five minutes. I do not expect to make any extended remarks at this time, but I did not have an opportunity, or, rather, I did not feel justified in taking the time of the Senate in the early hours of the morning when House joint resolution 251 was passed.

I was saying, when interrupted, Mr. President, that I voted against joint resolution 251 not because I was opposed in any way to upholding the honor and dignity of the United States flag but because I believed in my heart that the facts presented by the President of the United States in his address delivered to Congress in joint session on the 20th day of April, 1914, were not sufficient to justify a declaration of war against Mexico. Mr. President, I remember what has happened in Mexico affecting American life and property in the past; I could not help thinking of the thousands of citizens of my own State who had been driven from Mexico, many of them murdered and all their property destroyed, many of their women ravished and their children slaughtered, and that being the fact it was no more than my duty to support the amendment offered by way of substitute by the Senator from Massachusetts [Mr. LODGE] and oppose the resolution worded so it would not reflect upon Carranza and Villa.

I supported President Taft in his policy of nonintervention, and as soon as President Wilson was inaugurated as President of the United States, on, I believe, my first visit to him, I expressed my belief that the policy of nonintervention in Mexico was the proper policy to be followed by the Government of the United States. Months afterwards I also told President Wilson that I was in full accord with the policy which he had adopted in relation to nonintervention, and, notwithstanding the people of my State had suffered and millions of dollars worth of their property had been destroyed, I still would uphold him in nonintervention, because I would rather see all the property that they ever owned or ever would own destroyed than to see the lives of American soldiers sacrificed, as would be the case in a war with Mexico.

I had indulged the hope, Mr. President, that war with poor, distracted Mexico could have been prevented, but now that war is actually existing between Mexico and the United States I want the President of the United States and all of the people of this country to know that there is not a Senator in this body who will more strongly uphold the hand of the administration in enforcing order and law, and, if necessary, going to the utmost limit of the power of this Government in order to establish peace in that unhappy nation than myself.

I simply wanted to say this much this morning so that my position might be understood. We are now engaged in war. I am not going to discuss how it was brought about, and from now on, so long as we are at war with Mexico, so far as my vote shall count and so far as my influence can go, they will both be directed toward upholding the administration in its action in Mexican affairs.

The PRESIDENT pro tempore. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment.

Mr. BORAH. Mr. President, it occurs to me that at this time the situation with reference to Mexico has undergone such a change that we ought to take counsel and get our bearings as to what we are going to do. I feel, Mr. President, that if our citizens are to come out of Mexico, if we are to arrange to bring them out as a matter of necessity, we ought to declare our policy with reference to what this Government is going to do in the matter of further interfering with the internal affairs of Mexico.

I always sympathized with the President in his hesitancy in the recognition of Huerta. I felt that if we should ever recognize Huerta it should not be with any undue haste and only from absolute necessity. I therefore sympathized fully with the President so long as he stood upon that proposition, and that alone. When, however, the President practically announced that a certain individual could not be a candidate for the Presidency in Mexico, and that we would in effect censor the elections which were to be held in Mexico, he announced a policy the inevitable logic of which was war with Mexico unless that policy was afterwards to be modified. I thought then, and I think now, there is no escape from war unless we furnish the escape ourselves through a change of policy.

When we undertook to censor the internal conditions of that country, and to place ourselves in the position of determining what government consisted of in Mexico, it was necessary as a consequence of that that we must some time go there to carry out that program. The supposition was that with Huerta removed there was some other force or some other power which would take his place and establish law and order in Mexico, and establish such a government as the Republic of the United States could afford to acknowledge and recognize. Now, however, that hope seems no longer to invite our confidence. That supposition would seem no longer to exist, certainly if it exists it is without foundation in fact. We are at armed conflict with Huerta and all the forces Huerta represents, which are supposed to be from ten to twelve millions of the people who live in Mexico; and this morning we are advised that we are at war with Carranza, or are to be at war with Carranza, unless we change our program. So the inevitable logic of this program is that we are upon this occasion at war with Mexico, and in all probability before another 48 hours shall have passed we will be at war with united Mexico. It therefore devolves upon us as a Congress to determine, not whether or not we shall require amends from an individual or a usurper in Mexico for an insult to the flag, but whether or not we as a Congress are ready to recognize the fact that we are at war and are pre-

pared to carry on war with Mexico. While I was willing to take the judgment of the President so long as he was doing those things which he had a right as an Executive to do even without our authority, when it comes to carrying on war I feel the Congress, the war-declaring power, should be heard.

There can be no doubt of the situation. No one doubts what the forces of Huerta will do, and I apprehend no one can doubt what the forces behind Carranza will do. If we continue to encroach upon the sovereignty of Mexico and to attack the people of Mexico, we must no longer expect to contend with the divided forces of Mexico, but we must expect to contend with the united forces of Mexico.

Is the Congress of the United States ready or prepared to remain silent while this war is being carried on in this way? I do not stop to discuss the wisdom or the unwisdom of any act or acts which have led us to this condition. I do not stop either to criticize or to eulogize. I simply call your attention to a condition which confronts us, and that is open war with the Republic to the south.

Mr. President, for myself I do not want to see war. I think when this bill passes it ought to be declared as the policy of the Congress of the United States that the Republic of the United States will withdraw as an interfering power in Mexico, will withdraw as an interfering power in Nicaragua, will withdraw as an interfering power in Honduras, and say to the Republics of Central America, "We will respect the integrity of your Governments, and we will approach your borders only when asked to do so by yourselves, and then only in a most friendly manner. We recognize and will respect the autonomy of your States; we will never come to you except as an older brother."

It is said that the United States to-day is the most unpopular member of the family of nations, and it is attempted to be said in these days that it is so by reason of the fact that we disregard our treaty obligations. That is not the reason. The reason is that we have an utter incapacity to attend to our own business and to leave the internal concerns of other Governments to the people within those Governments. Do the people of the United States understand to-day that the only Government in Nicaragua is the Government which the United States provides? Do the people understand that if the marines were withdrawn from the white house at Managua the Government which exists there would dissolve like mist before the sun? Do the people understand that we are sustaining there by force a Government which is in contravention of the wishes of 80 per cent of the people of Nicaragua?

The reason why we are unpopular and suspected is because, while protesting friendliness to these smaller nations, we are in subtle and devious ways constantly encroaching upon and ingratiating ourselves into their affairs, with the ultimate object, as the world believes, of taking possession of them and controlling their sovereignty.

For myself, therefore, I want to see the Congress of the United States declare its policy with reference to Central America. I took the liberty of saying the other day that, in my judgment, if the flag of the United States ever went up in Mexico it never would come down. I do not modify my views this morning in the least as to that proposition. I would regard it a national disaster; I would regard it a national crime; yet, in my humble judgment, if we go to war against the united forces of Mexico we will be in contention with them until such time that we will lose the habit of coming out. Crowding in behind our army of intervention will go the American citizen and American capital, and conditions will arise which will make it all but impossible to come out. I understand, of course, that there are those who will criticize me for saying this, but there is no reason why we should add to our other sins that of deception.

I do not mean by this to impeach at all the integrity of the President or challenge the sincerity of his views as expressed at Mobile. I have no doubt that the President expressed his honest conviction when he said we wanted no more territory; but that is a declaration we have been making from the time Thomas Jefferson purchased Louisiana, when he believed it was in contravention of the Constitution of the United States to do so; that is what we said while taking New Mexico and California, Hawaii, Porto Rico, and the Philippines. Neither the President of the United States nor any other individual can control the logic of events nor measure the consequences or curtail the results of war, and the policy which we are pursuing—not only this administration, but the preceding one—will inevitably lead to the United States taking every foot of land from here to Panama as time goes on. I repeat that I would regard it as a national crime and a national calamity to do so.

Let me read to you the statement of one whom you will deem wiser and more conservative than myself upon this question—Norman Angell, the author of The Great Illusion, one of the world-famed advocates of international peace, a gentleman of recognized conservatism and of great ability. An article in the Evening Post a day or two ago quoted him as follows:

> Norman Angell, * * * one of the foremost champions of world peace, asserted to-day that once intervention began in Mexico we could only expect that political momentum would sweep us along until we reached the Panama Canal.

Mr. President, had my interview appeared after this statement I would have been charged, not with radicalism, not with being a western jingo, but with plagiarism.

> That destiny would mean, said Mr. Angell, the absorption of from twenty to twenty-five million alien people not of our language, laws, or civilization, and the lamentable result would be that this country would have an "Irish question."

Again, he says:

> We can not take sides in Mexican politics, and assume that one party, like the constitutionalists, are the good people and the other party are the bad people. Even if it were possible to balance rights and wrongs, all the evidence goes to show that one party is very little better fitted than another party permanently to maintain good government and order in the Anglo-Saxon sense. If we intervened in Mexico, that intervention must have some meaning and some permanent result. Merely to push our way to Mexico City, make a proclamation, establish a Mexican party in power, and withdraw, would be to expose ourselves to the risk of having the imbroglio just as bad a year or five years hence.

In other words, when we have disposed of Huerta, when we have established ourselves in Mexico, who is going to take the place of Huerta? Where is the power to establish law and order in Mexico? If lives are to be protected and property shielded, who is going to do it? Can you not see without question that there is no power to do it other than the United States itself if we interfere at all in the matter?

Will we trust the lives of our citizens to Carranza and Villa, with the contending forces of the Huertistas against them, in the future? Will they be any safer, or will there be any more peace and quiet in that Republic with one force out contending against the one that is in, than with the force which is now in being contended against by the force which is out?

We ought to say to Mexico: "We will withdraw from interference in your governmental affairs. You can elect whom you will as your President. You can hold your elections as you desire. You can establish such government as in the wisdom of your people you choose to establish. We recognize your right to work out your salvation as the other people of the earth have worked out their salvation; and when you have done so, be your civilization and your form of government up to our standard or lower, we will recognize what you have done."

It is not for us to censure them. There are conditions in some parts of the United States at this very moment which might not make Mexico envious of ourselves.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. In that connection I wish to call the attention of the Senator to the fact that conditions in Mexico now are normal. With the exception of the reign of Diaz—for that is what it was—this has been practically the condition of Mexico since 1810.

Mr. BORAH. I agree with the Senator; and it will be the condition until 2010, the way things are now being conducted.

This writer further says:

> If we go into Mexico, we shall stay there—

He must have been a "western jingo"—

> and the political momentum of the thing—the fact that when one gets started full swing along a certain political road it is impossible to stop even if we wish—will carry us through to the Panama Canal, because our entrance into Mexico will not endear the United States to Spanish-Americans, and we shall find the American flag insulted, American citizens assaulted, and American property destroyed in Nicaragua, San Salvador, Costa Rica, Guatemala, San Domingo, and Haiti; and sooner or later, since politics do not stand still, either go back or forward; and we shall not go back; we shall go forward.

Mr. VARDAMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Mississippi?

Mr. BORAH. I do.

Mr. VARDAMAN. May I ask the Senator from whom he is quoting?

Mr. BORAH. I was quoting from Norman B. Angell, who, as the Senator knows, is quite a noted writer upon the subject of international peace.

I quote this gentleman for the reason that undoubtedly he expresses his view, as I did, not because he desires such a thing but because of the inevitable result which will follow. However high and patriotic may be the purposes and the motives

of the President, however earnest and sincere he may have been in his views as expressed at Mobile, the President of the United States can not control events once the terrible momentum of war sets in upon its devasting and theory-destroying way.

I can not imagine any more sinister influence against the future happiness and prosperity of the United States than that we should take possession of that great territory from here to the Panama Canal, in view of the conditions which exist there. We have been gradually encroaching upon them and establishing protectorates and doing this and that, and loaning them money and cooperating with them in their financial affairs, ostensibly for the purpose of aiding and assisting them. At the same time the great majority of them objected to our doing so. We will continue that process until the protectorate will ripen into sovereignty, until that which is in the first instance mere cooperation will be complete control.

Let us reverse our action. Let there be no mistake as to the position of the United States among the nations of the earth, that we not only do not desire the territory of Mexico or Central America or of a Central American Republic, but that we are not going to interfere in their internal affairs. If they set up a monarchy, let us recognize it. That is their business. If they have a dictator who controls the destinies of those countries, that is not our business. Let us concede them the right to settle their own forms of government, at least until the people, and not some scheming adventurers, ask our aid. This modern theory that the Monroe doctrine devolves upon us to go in and censor the internal conditions of those countries is a modern theory and wholly divorced and apart from the Monroe doctrine as it was conceived by its originators. That doctrine, as it was conceived by John Quincy Adams and Thomas Jefferson and announced by Monroe, never contemplated for a moment that we should interfere with the internal affairs of those Republics or do other than stand guard against the encroachments of European powers. Unmolested from abroad, they were to work out their own schemes of government.

Mr. GALLINGER. Mr. President, the Senator says that it is a modern theory, and I want to add, as an humble Member of this body, that I think it is a monstrous theory. Yet it has been suggested on this floor that it is our duty to supervise practically the affairs of this entire hemisphere.

Mr. BORAH. But the conclusion which I desire to make is this: Does anyone in this Chamber doubt that we are at war with Mexico this morning; not with Huerta, but with Mexico? Now, let the majority and the minority and the President come together again in conference and determine what we are going to do with the facts before us. There is no one upon this side of the Chamber, in my judgment, who will not be willing to lay aside partisanship for the purpose of arriving at some wise course with reference to this almost unbearable, quite deplorable situation. The conditions with which we dealt the other day are no longer before us. A different situation is here. War is being carried on—not purposely, I will say, as to the President—but it is here, and the only war-declaring power under the Constitution should record its mandate and define its policy.

Mr. LODGE. Mr. President, it is hardly necessary, I think, for me to say that, in common with every other Senator in this body, on this side and on the other side, I shall vote with the utmost cordiality for every appropriation requested by the President in the prosecution of the war in which we are now engaged; and, of course, this appropriation and those which are to follow will be supported in the same spirit and in the same way. The country is at war, and we shall support the Government in every way to enable the administration to carry that war to a successful and, I hope and pray, to a speedy conclusion.

But, Mr. President, there is one point which I think the President ought now to take into consideration, and upon which I think it not unreasonable that the views of Congress should be heard. The other night the amazing spectacle was presented of a majority of the Senate deliberately voting down a proposition to give protection to the life and property of American citizens. That was the naked proposition embodied in the amendment of the Senator from New Hampshire [Mr. GALLINGER].

Mr. President, I do not believe there is a single Senator of those composing that majority who does not wish and desire to give the fullest protection to every American citizen everywhere, and especially in Mexico. The amendment was voted down on the ground, as stated, that my proposition and that of the Senator from New Hampshire enlarged the resolution presented by the committee into a declaration of war. The argument had hardly fallen from the lips of Senators on the other side when we were actually at war without the passage of even the pacific resolution.

Mr. HITCHCOCK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. LODGE. I do.

Mr. HITCHCOCK. I think the Senator from Massachusetts has not correctly stated the reasons why the majority side of the Senate——

Mr. LODGE. If the Senator will give me time, I will state the real reason.

Mr. HITCHCOCK. I think the Senator has misstated the reason already.

Mr. LODGE. I have stated only one.

Mr. HITCHCOCK. I think that is not the reason.

Mr. LODGE. It is my opinion that that is one alleged reason.

Mr. HITCHCOCK. That was not the reason that actuated the majority in adopting the resolution.

Mr. LODGE. The reason given here why my amendment should not be adopted was that it enlarged the scope of the resolution and led us into war. That was the reason alleged here. I am coming to the real reason.

Mr. HITCHCOCK. The reason alleged on this side of the Chamber was that the resolution as drawn by the Senator from Massachusetts and supported by other Senators on that side was practically in effect a criticism of the President of the United States for the policy which he had maintained, and that it purported to give as a reason for the present action of the administration the reversal of the President's policy, and to place an interpretation upon the landing of the troops at Vera Cruz which was not intended by the President in his present act.

Mr. LODGE. Mr. President, the reason that I quoted, and I do not think I misquoted it, was set forth in a very able, careful, and serious speech by the Senator from Indiana [Mr. SHIVELY] at the opening of the debate, and I quoted it in no adverse sense. The reason the Senator from Nebraska now cites is the one he gave and I never recognized that as any reason at all. I decline to admit for one minute that Senators of the United States can not criticize a policy or a resolution, whether it comes from the President of the United States or from anyone else. It has been done against every President since I have sat in the Senate, and there is no disrespect in it. Are we sent here, representatives of great States of the Union, to be told that we are discourteous because we criticize a policy or a resolution that is offered by somebody and that comes from the White House? Mr. President, we are not helpless dummies. We can and we shall criticize where criticism is deserved without discourtesy and without lack of manners.

Mr. HITCHCOCK. Mr. President——

Mr. LODGE. One moment. I should like to finish. I shall not be long.

Mr. President, I think, I am sorry to say I am forced to think, the real underlying reason for the exclusion of that most obvious and proper proposition of the Senator from New Hampshire that the President should have authority to protect lives and property of citizens of the United States was refused admission to the resolution because if it had been passed and made a part of the resolution it would have at once complicated his relations with Pancho Villa and Carranza. That resolution, if amended as the Senator from New Hampshire proposed, would have required protection to our citizens in the northern provinces where they have been most injured. Protection in the northern provinces might have interfered with some of the bands now operating under Carranza and Villa. We have read the statement from our quondam ally in the newspapers this morning. They have already drifted away, those bandit allies. Three or four days ago 2,700 stand of arms went over the Mexican border to Villa. Some have gone since, I am told; I do not know how truly. This movement at Vera Cruz was precipitated for the military reason, which I do not question to be a sound one from a military point of view, that it was necessary to seize the arms going to Huerta, because those arms would be used against the forces of the United States, and that it was the most obvious military prudence to stop them for that reason, the force of which I entirely admit. Yet they were allowed to go over the northern border at the same time. You can not do much more for any ally than that. And now we see that Mr. Carranza disapproves of what has been done at Vera Cruz. Hardly friendly in an ally whom we are arming. It will be but a short time when those men of the north are united with the rest of Mexico against us. That is not an unreasonable anticipation. Why are we not taking the ordinary military precaution there? Why are we allowing more

arms to go into those parts of Mexico? They will be used against our armies within 30 days.

There is brought to my mind very strongly, sir, that verse that was written by James Russell Lowell at the time of the Civil War:

You wonder why we're hot, John?
Your mark wuz on the guns;
The neutral guns that shot, John,
Our brothers an' our sons.

Now, we are letting the guns and munitions of war go into Mexico, and by and by the mark on the guns in northern Mexico which shoot our brothers and our sons will not be neutral marks; they will have our own marks upon them.

I say, Mr. President, the time has come to stop, as we have stopped at Vera Cruz, the admission of any arms into the Mexican Republic. If war, alas, or armed intervention, can not be escaped, that is the surest way to bring this war to a close. That is the method the President adopted in order to prevent Mr. Huerta from protracting resistance to our troops, and yet arms are going in freely over the border, and I do not think I am mistaken when I say we are in danger of a fight on that border at any minute. I do not want to see those people furnished with weapons.

The thing that seemed worse to me, more than anything else in the whole framing of the issue with Mexico, was this putting us in the attitude of an ally of Pancho Villa. It is an act of friendship and alliance to allow him to import his arms when we do not allow them to go into the rest of Mexico.

Mr. SMITH of Michigan. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Michigan?

Mr. LODGE. I do.

Mr. SMITH of Michigan. If the Senator from Massachusetts will permit me, it does not require legislative action to prevent the exportation of arms.

Mr. LODGE. Certainly not.

Mr. SMITH of Michigan. It may be done by Executive order, as the former policy was recently overturned by Executive order.

Mr. LODGE. But, Mr. President, the extension beyond the ordinary limitations of the neutrality acts was by special act of Congress. It is under the action taken here that the embargo was laid and that the embargo was lately raised.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Missouri?

Mr. LODGE. I do.

Mr. REED. The Senator from Massachusetts is a distinguished member of the Foreign Relations Committee. I presume he has even been in conversation with the President with relation to the Mexican situation.

Mr. LODGE. I have seen the President three times, once with the Foreign Relations Committee, in January, and twice the other day.

Mr. REED. I wanted to ask the Senator from Massachusetts if since the situation at Vera Cruz became acute and our troops were landed he has in any manner urged upon the President the propriety of stopping the shipment of arms across the border, or does he make that declaration now for the first time in the Senate?

Mr. LODGE. The President did me the honor to invite me with the senior Senator from Indiana [Mr. SHIVELY] to the White House on the morning of Monday, the day the message was read. He then read to us his message. Mr. President, I do not like to quote private conversation and I will not do it.

Mr. REED. I would not ask the Senator to do it.

Mr. LODGE. I was not silent as to my views; I was not silent as to the dangers which I thought were involved in the resolution as suggested.

Mr. REED. The point that I am making and that I ask the Senator to answer with reference to it is this: The President sent a message to Congress on Monday. On Monday it was debated in the House of Representatives. It finally came to the Senate for debate, and during the progress of the debate the action was taken which precipitated an armed conflict at Vera Cruz. That was the first time we knew that actual hostilities were inevitable. I wanted to know if since that time the Senator from Massachusetts had in any way made known to the President his views or suggestions that we ought to take similar action with reference to the shipment of arms across the northern border. The thought occurred to me that to answer that question would not be a breach of confidence for the Senator from Massachusetts.

Mr. LODGE. Mr. President, I have not seen the President since the firing at Vera Cruz; I have been somewhat detained on this floor; but the result of the seizing of the shipment at Vera Cruz and the blockading of that port and of others to prevent arms going to Huerta, while leaving it open on the northern border to Pancho Villa, was not passed over by me when I had the honor to speak with the President before the delivery of his message and before the passage of the joint resolution.

Mr. WEEKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to his colleague?

Mr. LODGE. I do.

Mr. WEEKS. I should like to call my colleague's attention to the fact that at a meeting of the Joint Army and Navy Board on yesterday it is reported that they unanimously recommended that the embargo on the shipment of arms into Mexico be restored. So the President has the humanitarian reason, the reason of self-interest, and the reason advanced by his military advisers why he should act promptly.

Mr. LODGE. Mr. President, I have said all that I desire to say. I wished to call attention to this matter of arms because I felt it very deeply, apart from my intense dislike of seeing this country mixed up, directly or indirectly, with a man like Pancho Villa. I now feel that it is utterly wrong for us to be permitting arms to go into Mexico from any point or at any port in that territory, inland or on the seacoast. I think every military reason demands that we should put an embargo on arms everywhere, and I think the distinction that we are making is one that is utterly false, both from the military and from the moral point of view.

Mr. FALL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from New Mexico?

Mr. LODGE. I yield to the Senator.

Mr. FALL. I do not care to discuss Mexican affairs to-day, but I think it is proper for me to state to the Senate and to the Senator from Massachusetts that my advices from the border and from what I have always had reason to believe and do believe to be perfectly authoritative sources are that the night before last Pancho Villa arrived in Juarez, reported to be on a visit to his wife at El Paso, unloaded trains at Chihuahua loaded with cattle for shipment to the United States, took with him into Juarez, five minutes distant from the public plaza of El Paso, Tex., 6,000 soldiers; that they are receiving constant shipments of arms, one of which has been seized by the War Department, without authority from the State Department, and that the shipment of arms is not being stopped, but is continuing.

Mr. LODGE. Mr. President, the statement that the Senator from New Mexico [Mr. FALL] has just made of the presence of Pancho Villa with 6,000 soldiers at Juarez, right on our frontier, just across the line from El Paso, seems to me an additional reason for the adoption of measures to stop the shipment of arms, which I hope to see taken. After Carranza's statement, what possible reason can there be for showing him any further consideration? Is it possible that we are so entangled with Pancho Villa that we can not put an embargo on arms crossing the northern frontier? Why, Mr. President, I can not believe that is the case; and it seems to me, I repeat, that on every military ground, on every moral ground, on every political ground we should stop arms going into Mexico just as completely as we can.

Mr. LEWIS. Mr. President——

Mr. GALLINGER. Mr. President, will the Senator from Massachusetts permit me to make a suggestion?

Mr. LODGE. I yield to the Senator from New Hampshire.

Mr. LEWIS. I beg pardon. I thought the Senator from Massachusetts had concluded his remarks.

Mr. GALLINGER. Mr. President, I do not always place credence in statements in newspapers; it is unsafe to do so; and yet, as a rule, matters connected with the transactions going on in Mexico as reported to us through the press are accurate. I observed in the Washington Post of this very morning an article concerning the matter of placing an embargo on arms going into Mexico; and, among other things, it says:

For nearly a week—

Nearly a week—

For nearly a week the General Staff of the Army, headed by Maj. Gen. Leonard Wood, has urged repeatedly that a general embargo be declared. At first this step was desired not only to prevent the shipment of munitions of war to Gen. Huerta but also to the constitutionalists, on account of the possibility that the latter as well as the other might use them against United States soldiers, sailors, and marines.

Mr. President, if that is an accurate statement, it seems that Gen. Leonard Wood, at the head of the Army, and those associated with him on the General Staff, have been for a week

importuning the President to place an embargo on arms going into Mexico, which would, of course, include the northern border as well as Vera Cruz and other seaports in Mexico.

Mr. GALLINGER subsequently said: I quoted a little while ago a paragraph from an article in the Washington Post of this morning. I meant to ask unanimous consent to insert the entire article, which is brief. I now ask that consent.

The PRESIDING OFFICER. Without objection, the article will be inserted in the RECORD.

The article referred to is as follows:

ARMS FREE TO REBELS—PRESIDENT DECLINES TO RENEW THE EMBARGO—URGED BY MILITARY MEN—CHIEF OFFICERS OF BOTH BRANCHES OF THE SERVICE BELIEVE IT WRONG TO PERMIT PASSAGE OF GUNS, WHICH MAY BE TURNED UPON UNITED STATES SOLDIERS—SECRETARY OF STATE TRUSTS CONSTITUTIONALISTS.

Earnest and almost persistent efforts were made yesterday to induce the President to restore the embargo on arms destined for constitutionalists and offered for shipment across the Texas border, but without avail. The Executive has been advised that the constitutionalists are seeking large quantities of munitions of war in this country; that they are willing to accept firearms and ammunition of any character and to pay for them almost any price.

At least one member of the Cabinet has urged upon President Wilson the advisability—to employ no stronger term—of preventing the exportation of these arms, which, it is contended, may at any minute be turned against American citizens and soldiers.

The Secretary of State has assured the President that he can depend on the good faith of the constitutionalists, and in this assurance he has been strongly backed up by former Gov. Lind. The Secretary has said, further, that he would regard it the extreme of folly to take any steps which might offend the Carranzaists.

WOOD PLEADED FOR PROCLAMATION.

For nearly a week the General Staff of the Army, headed by Maj. Gen. Leonard Wood, has urged repeatedly that a general embargo be declared. At first this step was desired not only to prevent the shipment of munitions of war to Gen. Huerta, but also to the constitutionalists, on account of the possibility that the latter as well as the other might use them against United States soldiers, sailors, and marines.

The President has been informed by the Army authorities that reports received from the Mexican border indicate that approximately 20,000,000 rounds of ammunition and 18,000 rifles have been shipped into Mexico since the embargo on such shipments was lifted last winter. It was declared as significant that of this whole amount, 8,000,000 rounds of ammunition and 10,000 rifles have gone from the United States into Mexico since the orders were issued last Tuesday for the dispatch of the fleet to Tampico and Vera Cruz.

BIG CONSIGNMENTS OVER BORDER.

While Rear Admiral Fletcher was preventing the big shipment of German arms and ammunition to Vera Cruz on Tuesday, the importations were continuing in large consignments into northern territory, principally across the American border. The War Department has been informed that even larger shipments got across yesterday, while the department was endeavoring to get the President to issue a proclamation to declare a total prohibition of such shipments. Still other shipments are being rushed from New York and other points.

The proposition that a proclamation be issued against all further shipments was discussed by the joint board of the Army and Navy Monday morning. The recommendation was introduced by Gen. Wood and approved by Admiral Dewey and the other naval members present.

At a White House conference Monday night, which was attended by Secretary of War Garrison, Gen. Wood, Assistant Secretary of War Breckinridge, Secretary of the Navy Daniels, Rear Admiral Victor Blue, Rear Admiral Bradley A. Fiske, and other Army and Navy advisers, a strong argument was made in behalf of the embargo by the Army Chief of Staff.

It was the understanding that the President would approve the entire recommendations, and that the general embargo would be declared before morning. They were surprised, accordingly, on Tuesday to learn that it had not been proclaimed.

The only explanation of the President's failure to put into effect the embargo recommendation is that the Secretary of State advised against it. The Secretary, it is declared, readily approved the plan to put down the embargo at Vera Cruz; but he has been strongly opposed to shutting off shipments to the constitutionalists, upon whom he is said to be relying to assist the United States to overthrow Huerta.

Mr. SMITH of Michigan. Mr. President, before the Senator from New Hampshire takes his seat I should like to suggest, if I am not trespassing——

The PRESIDENT pro tempore. The Senator from Illinois [Mr. LEWIS] has the floor. Does he yield to the Senator from Michigan?

Mr. LEWIS. Does the Senator from Michigan merely desire to occupy the floor for an interrogatory?

Mr. SMITH of Michigan. Yes.

Mr. LEWIS. I yield for that purpose, Mr. President.

Mr. SMITH of Michigan. I simply desire to say that it is a well-known fact—there is no dispute about it at all—that the arms and ammunition in the former Madero revolution in Mexico and in the present revolution in the north were all procured from the American side of the Rio Grande. Millions of rounds of ammunition were put over there, surreptitiously and otherwise. Inasmuch as the Senator from Missouri [Mr. REED] has asked the question as to whether representations had been made to the President as to the undesirability of continuing such a situation by Executive favor, I want to say—and I think I may do it with perfect propriety, and all of the members of the Committee on Foreign Relations know it—that protests by myself and others were made to the President last February when he threatened to remove the embargo and give arms and ammunition more freely to Villa and Carranza, and he was urged by members of the Committee on Foreign Relations not to take such action, as it would be a backward step and the guns that he permitted to be taken across the border might later be used against our own soldiers. I told him at that time that if the revolutionists in northern Mexico were entitled to American arms they were entitled to recognition as belligerents; that it would be lawful to thus recognize a state of war, but that it would be diabolical to give them arms with which to kill one another.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Illinois yield to the Senator from Missouri?

Mr. LEWIS. I yield to the Senator.

Mr. REED. Mr. President, the question I asked had nothing to do with the statement just made by the Senator from Michigan [Mr. SMITH]. We all perfectly well understand that when the first gun was fired in Vera Cruz, just a few hours ago, a different situation arose; we all understand that since Carranza made his declaration, which appears in the newspapers this morning—providing, now, that he made such a declaration, and I assume the newspaper reports to be correct—a still different situation arose. The only reason I asked the question of the Senator from Massachusetts [Mr. LODGE] was to ascertain whether, since these new conditions had arisen, the Senator had made any suggestion to the President, and the Senator from Massachusetts answered that, but the matter which the Senator from Michigan is talking about is an entirely different proposition. To debate as to its wisdom or its unwisdom, in the light of present conditions, would be quite profitless, I think.

Mr. SMITH of Michigan. I do not desire to debate it, Mr. President. I merely state it as a fact.

Mr. LEWIS. Mr. President, I enter upon any discussion of this particular subject with confessed trepidation, and am doing so because of the challenge in the speech just made by the Senator from Massachusetts [Mr. LODGE]. I have not had service in this body measurable to that of the many eminent gentlemen on the other side, some of whom probably are speaking from some degree of personal experience. Nor have I been schooled in those particular things that have made for or prevented war. My experience in war has been limited to a service in the late Spanish-American conflict of an insignificant character so far as any contribution of my own to the conflict personally was concerned, but I should like to say, from my own point of view as I now have it—limited, perchance, by a contracted vision and possibly surrounded by error for want of experience—that if I were asked by anyone on the street what would I say was the reason more than any other why Carranza has asserted, if asserted it he has, that he will war upon our entry into Mexico, I would say it was the conduct of a certain set of distinguished Senators, during the debate upon a resolution tendered by the Democrats which had for its object to give the President of the United States authority to execute fully the blockade essential to the purposes he has undertaken.

If it shall be asked me how I define and detail my accusation, I answer: The President of the United States before the watching world had for months, with a patience to be admired, with a fortitude to be indorsed, bided the conditions in Mexico, suffering taunts to his citizens, outrages here and there to property, wrongs committed in different directions according to the laws of neutrality and the laws of peace and comity. With all of this he reasoned, with all of this he exhibited great patience, hoping that conflict might be avoided by concession of time. Notwithstanding all of this, there were Senators on this floor and men occupying public position elsewhere who gave the world to understand that in the White House was a supine gentleman, lacking conviction on the one hand or courage to execute it on the other. That he had as a Secretary of State a neophyte in matters of war, a zealot in the dream of peace, a mere crusader in the divine undertaking of good will to men and peace on earth; and therefore the administration was incrusted with that manner of men who suffer all forms of affrone to their Nation, all manner of outrage to their country, all violation of law, both of national right and personal honor to America. By this they encouraged these people in Mexico to assume that whatever affront might be put upon us would never be resented by America, because our officials in high places lacked courage for action or intelligence to know when to execute it.

When, however, people in Mexico, taking license from this form of accusation, grew audacious enough to place an insult upon the insignia of authority of this country, the uniform of the Navy, and then there was an effort on the part of the President properly to resent this insult to the full magnitude and dignity

it required, what came from certain Senators on the other side of this Chamber? Was there a prompt cooperation paying heed and respect to the uniform as the representative of the Navy, the great defensive force of this country on the water? Was there the certification to the world that the President had endured with patience, borne with Christian humility, sustained by a manly fortitude and self-restraint in all things that can no longer be continued, and that now there comes the moment when force of a legitimate kind should be resorted to and we as Americans should combine with him? No. Promptly there arose a spirit, very clearly evident, first, to haggle upon the terms of the reasons for the blockade; second, to designate in different form over the title of the undertaking that the American public might be lured away from the real cause. On the one hand, there were a set of Senators asserting that it was a mere matter of punctilio to the flag, leaving out all consideration of the real principle involved, and, on the other hand, were those contending that the cause was not sufficient. Senators on the Republican side insisting that the President should not be approved for taking the action for that particular technical cause assigned; Senators, then, would urge that there were larger causes of that these should be recited and upon these should be based his action—otherwise no action should be allowed. But whatever reason Senators gave, it stood out clear before the country that infinitely more gravity, of more violence, of more justification, Senators on the other side were seeking to find some reason to defeat the course of the President, and yet some reason that could justify them before their constituency and their country.

In the meantime these eminent Senators had no other purpose than to find some way which in its final result would defeat their President. They did not pause to consider that if their policy obtained, for whatever reasons they gave, and the President was defeated here before the world, they stood as the authors of the repudiation of their own Commander in Chief, dishonoring him in the presence of his armies as he stood *before the world*, already under the suspicion of Europe and under the voice of condemnation from Mexico.

Then, Mr. President, was tendered the resolution of the distinguished Senator from Massachusetts [Mr. LODGE], reciting in preamble outrages alleged, indignities endured, wrongs suffered from Mexico, and asking that the resolution should go out to the world that we had suffered from Mexico these infamies and outrages; that from these people had come these infamies, and then from him and other Senators was the contention that our designating the person, Huerta, was a performance lacking in strength, wanting in wisdom, disclosing the absence of discriminating statesmanship. What was the effect of this? It was to tell the world that there were a set of Senators here who did not believe the President of the United States when he declared that he desired no war with Mexico; when he alleged that we had no desire to war against the people of Mexico; when he asserted that the people of the United States sought no conflict with the people of Mexico; that his object was to right the wrong which had been done the colors of this country and the affront to the honor of its Navy on the part of those who had inflicted these offenses.

By all this the Senators on the other side who tendered, from time to time, their different opposing propositions and resolutions gave the country to understand that they repudiated the message and the object of the President. What was that?

First, Mr. President, let us view this matter calmly. The President of the United States, speaking for his whole Nation, told the people, for whom he spoke, that there was no intention of entering Mexico for conquest nor to make war upon its people; that what was sought was a measure of peace; that he was seeking to execute this blockade in order to accomplish the single purpose of resenting the wrong to the uniform, the insult to the Navy of this country, and to do it by the method that is recognized both in international law and by the system that has long prevailed in the course of similar conflicts.

Was there anything at the time the President sent his message to indicate that such a step as he was taking would in itself mean war? Far from it. The precedents which guided him prove just to the contrary.

Mr. President, it will be remembered that at Greytown there was an insult to the American flag. Minister Borland had assisted an American ship and was assaulted on the street. The Secretary of the Navy, in July, 1854, sent the U. S. S. *Cyane* to Greytown to obtain redress and an apology. These were refused by the local officials, and, according to notice, Capt. Hollins, at the expiration of the time limit of 24 hours, bombarded the town, after first taking in his steamer such persons as desired to go. President Pierce took occasion in his annual message to Congress on December 4, 1854, to defend this very action from foreign criticisms that had been harsh and unjust.

We recall that when our President seized the customhouse at Vera Cruz, after receiving information from the Secretary of the Navy as to what was transpiring at Tampico—the threat to land arms and ammunition by Huerta to use against us—he likewise pursued precedent.

It will not be forgotten that in 1895 British naval forces were landed at Corinto, Nicaragua, and occupied the customhouse for 10 days, until an agreement was reached for the payment of an indemnity.

Sir, I remind the Senate that in 1838 France declared a peaceful blockade of ports in Mexico, and the Mexican Government, resenting this act, declared war and sought to expel the French.

In 1861 the British Government demanded of Brazil redress for the plundering of a British vessel off the Brazilian coast and satisfaction for what was termed an outrage on the officers of British men-of-war by the Brazilian guard. When these demands were refused the British admiral instituted a pacific blockade of the port of Rio de Janeiro and seized five Brazilian vessels as an act of reprisal. The matter was subsequently adjusted. In none of these cases did war follow.

Mr. President, was it unnatural, then, that the President of the United States of America should pursue the only precedents that were then in existence? When they have been pursued and brought into the Senate for approval let us pause and contemplate what happened.

We behold that Carranza is in one portion of Mexico leading what he terms a revolution. Villa is in another leading what he terms likewise his revolution against Huerta. Promptly there arise on the floor of this Chamber Senators on the other side calling themselves Republicans, with no other object than to badger the administration, than to torture it in its course, than to impede it in its progress, either to obtain political favor to their party or to prevent what they fancied was a legitimate political inheritance of approval on the part of this side. They first begin to present the lawyer's objections to the wording of the resolution; then the political objections to the objects of the resolution; then their partisan objections to the success of the resolution.

What were the objections tendered by these distinguished gentlemen? First, that it was our duty to declare war on Mexico. This was sounded to the ears of Carranza and to the intelligence of the world. It was heralded that there were Senators here willing and ready, notwithstanding the desire of the President to avoid it, to plunge this country into a war with Mexico, that they might certify to the country that they were first to the undertaking; that they might supplant such little credit as might come forth to the administration in power as a result of the steps it had taken.

So to these men, Carranza and Villa, from these Senators there came the certificate that they demanded the United States to make war. To these "generals" there came the assertion on the part of these eminent Senators that they believed there was a cause of war. The distinguished Senator from Massachusetts and the able Senator from New York, both members of the Foreign Relations Committee, did not hesitate to certify on the floor that it was their belief that the resolution should embody charges against Mexico of indignities suffered by the United States, of outrages endured by its people, of infamies tolerated by the Nation that we had borne in a cowardly attitude too long to be continued. These Senators asserted that the hour had come when we should tell the nations that for these things a cause of war had arisen against Mexico, that that war should be upon those who had inflicted these injuries, and that now this Nation should proceed to assure the world that war was the object; not, as the President had said, peace the purpose.

Was it unnatural, then, that these men, occupying their places in Mexico at the head of armies, would have enhanced their own influence over their own forces by pointing to the fact that a part of the American Government in power was now ready to declare war on Mexico notwithstanding the effort on the part of the President to avoid it? Was it at all unnatural that they would then be put in the position in Mexico that would be expressed by the declaration "You are now with Huerta in the defense of Mexico or you are with the United States that now threatens to invade Mexico"? Mr. President, here are Senators on the Foreign Relations Committee, long in service, some who have been Secretary of State, some Secretary of War, one long the leader of the Foreign Relations Committee, who advise the world that, speaking from their point of view, war upon Mexico should be had, war upon Mexico is justified, and thus they place these men, leaders of Mexican revolution, in a position where, in order that they maintain any influence at all, they must repel the inference that they could be our allies or aids, even silently, when we were pressing on them a force that was then threatening an invasion upon their land. To

the contrary to dispute such and defend against such they must declare against us a war of retaliation or revenge.

Then, Mr. President, if Carranza is discovered by this morning to have taken that standpoint and attitude, to whom do we owe it? I charge we owe it to the able Senators on the other side who have put us before the country in the position of demanding war and refusing to support the President in the policy of peace, which it was his purpose to effect.

Then, Mr. President, came that other set of resolutions, tendered from the other side, reciting that the purpose of the United States was not conquest in Mexico. I refer to the resolution of my able friend from Wisconsin, Mr. LA FOLLETTE, whose personality endears itself to my affection. When that resolution is tendered, setting forth that the United States does not enter Mexico for conquest, that its purpose is to subjugate disorder, give peace, and retire; this, preceded with a similar resolution coming from two other sources, not so artfully worded, but to the same effect—these resolutions are defeated on vote.

Could Senators assume they would not be defeated? Why, what do my eminent friends on the other side think, when here is a message from the President of the United States, who certifies to the world that such is our object—peace, not conquest; to give law and order, not disorder and chaos; to resent an injury to our country and an affront to our flag committed by Huerta, not to wound the Mexican people or to destroy their nation. Mr. President, shall we vote on this side that we regarded the President of the United States a hypocrite; that when he spoke for us and spoke for you there was in his heart a lie; shall we say that it was necessary there should come a resolution from you, to be approved by us, to execute this policy, because we had neither confidence in the declaration made by the President nor faith in the professed intention to execute it?

Let us regard these resolutions for a moment in the light of Mr. Carranza's assertion, if it be true. To defeat the resolution was only to assert to the country that, as the President had asserted previously the same as being his object, we voted him our confidence. In defeating these resolutions we but certified that the declaration of the President to the same purpose had our complete confidence; that it was not necessary to fortify it with another evidence in form of resolution from the Republicans. Therefore we declined to cast suspicion upon him by taking the declaration from some other source.

Had it been passed, I call the attention of my distinguished friend from Wisconsin, Senator LA FOLLETTE, to this contemplation—and I speak of him because the motive in his heart was of a different order than that of certain other Senators—speaking with great respect to them. To himself I attribute the purpose of humanity. To certain others I charge the objects of politics. But had the resolution been passed, behold its effect: It would have been to announce to the world that the President was not trusted in this body; that, though our Commander in Chief had said the same, what he said was not believed. That it was necessary to have from the other side a declaration affirming the policy for us to trust it.

Then what would have gone forth? That this body had so little confidence in the declaration of the President that they were compelled to surround him with a cordon of protection and a barricade to prevent him from violating his instructions to us and his own declared policy to the Nation.

What a reflection upon the Chief Magistrate. What an unjust allusion to and unfair condemnation upon the sincerity of his declarations. And when such had been done, Senators, do not forget, Mexico would then have said, "Yes; we remember very similar declarations passed by Congress in the matter of the Philippine Islands; but since the President of the United States is not trusted by the Senate, it is very clear that these resolutions are hypocrisy."

They would say the Senate saw that the President did not mean what he had said. They would say that the Senate heard him deliver his message. They saw his face. They knew the atmosphere that surrounded him. They knew he was not sincere, and then charge that because of that they were compelled to introduce these resolutions in order to strengthen the purpose or to give it the verity of truth and honor.

Then suspicion of the President would have gone broadcast in the land. Then color would have been given to accusation of his motives on the part of the Senators on the other side.

Gentlemen of the Senate, you who participated in this long delay, you who found so much sympathy for the struggling Mexican, who beheld him in his unfortunate plight, who saw him in his miserable dejection, who beheld him in his sad distraction, but could see nothing of the dishonor upon your own Nation, the contempt upon your national uniform, the humiliation put upon your own President, the dying of your own soldiers, the disgrace upon your own Republic—you could invite these military leaders in Mexico, under the accusation you made against your President and your country, to combine against your own children to their slaughter and against your own country to its dishonor.

Gentlemen, if there be any on the other side who wish to continue this course, I welcome him to the consequences of the undertaking.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Massachusetts?

Mr. LEWIS. I yield to the Senator.

Mr. WEEKS. Mr. President, as a word painter the Senator from Illinois is in a class by himself. He talks so easily that I am fearful that he sometimes exaggerates what he really has in mind. For 13 months——

Mr. LEWIS. Mr. President, I did not yield to the able Senator from Massachusetts to interpolate an oration at this time.

The PRESIDING OFFICER. Does the Senator from Illinois decline to yield further?

Mr. LEWIS. I yield for an inquiry. If the Senator has an inquiry, I yield for it. If not, I prefer to continue; and the Senator can then take the floor in his proper time and complete such little allusion to myself as he regards as having the significance of humor. There is an unhappy quality on the part of some men who apparently fit Chesterfield's denunciation of those who are unable to discriminate between wit and rudeness; but I have only apology to make in their behalf. [Laughter.]

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois further yield?

Mr. LEWIS. I do.

Mr. WEEKS. I put my inquiry in the form of a question by saying that for 13 months Senators on this side have been under bond not to discuss the Mexican question. Does the Senator from Illinois think it reasonable to criticize Senators for discussing for 24 hours an important question the course of which they have disapproved for 13 months, but which they have refrained from discussing during that time at the request of the administration?

Mr. LEWIS. I answer the Senator's question. I know nothing of the motives that caused the Senators to refrain, if refrain they did; but I am not now, as the Senator would intimate, criticizing anyone for discussing anything. Discussion I ever invite and approve. It is the method of the discussion that was adopted, the things done, the words asserted, the accusations set forth under the color and privilege of discussion at the critical hour that surrounded these eminent men at the time of their particular course that I censure. I say "yes," for discussion; and I am not now discussing the Mexican question. I am discussing the accusation brought by the Senator from Massachusetts [Mr. LODGE], fortified by the skillful logic of the senior Senator from Michigan [Mr. SMITH]. He asks why an embargo is not now declared with a view of avoiding what he thinks will be the consequence of the cooperation of Carranza and Villa with Huerta. I answer that if there has now been brought about the aspect of a possible cooperation on the part of these men they have been invited to it by the fears stimulated in their hearts by the charges on the opposite side of this Chamber that war with Mexico as Mexico should be declared; that the object of the President to have peace was not real; that war was the real purpose, and should have been declared; and that the reasons set forth should be indignities and outrages by Mexico upon the United States.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. LEWIS. I yield, Mr. President.

Mr. GALLINGER. While the Senator has not done me the honor to mention my name, yet the part I played the other evening in trying to amend the resolution puts me in the class of Senators whom he has, I think, unjustly criticized. But even if the Senator's contention is right, if the purpose on this side was to have war declared, which, of course, we all disclaim, does not the Senator think that the time has arrived to place an embargo on the exportation of arms into Mexican territory on the northern border as well as on the seacoast?

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

Mr. LEWIS. I ask that I may continue my remarks.

Mr. MARTIN of Virginia. I ask that the unfinished business may be temporarily laid aside until the pending bill can be disposed of and the Senator continue his remarks.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent that the unfinished business be temporarily laid aside.

Mr. McCUMBER rose.

Mr. MARTIN of Virginia. I appeal to the Senator from North Dakota in charge of the unfinished business to allow it to be laid aside.

Mr. McCUMBER. I should like to get some information as to how long this discussion will probably last. The Senator from Minnesota [Mr. NELSON] has been attempting to close an address which he began on the 14th. I should like to see that he gets that opportunity this afternoon.

Mr. MARTIN of Virginia. It is impossible for me to give any indication as to the time that will be required. I had not anticipated that there would be any debate on the pending bill, and I would be glad to see it discontinued as soon as possible. I expect to forego saying a single word, notwithstanding there is much temptation to reply to things which have been said. I hope the debate will be ended very soon.

Mr. McCUMBER. I ask that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. Unanimous consent is asked by the Senator from North Dakota that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none. The Senator from Illinois will proceed.

Mr. LEWIS. I thank the Senators.

Mr. GALLINGER. I understood the Senator from Illinois to say that he did not understand the question I propounded.

Mr. LEWIS. I did not understand the Senator from New Hampshire and would be very glad to have him repeat it.

Mr. GALLINGER. I will repeat it in as brief form as possible. I suggested that whether the contention of the Senator is right or not that Senators on this side took an attitude that was equivalent to declaring that war ought to have been made upon Mexico by the Chief Executive, does not the Senator think the time has now arrived when an embargo should be placed upon arms and munitions of war into Mexico on the northern border as well as on the seacoast?

Mr. LEWIS. Mr. President, if the Senator from New Hampshire desires my judgment as to whether an embargo should now be enforced, not that he is interested in what my opinion is, but asking the question merely to tender some justification for the assault made again this morning by the Senator from Massachusetts upon the conduct of the President at the time when the President is seriously burdened with the problems connected with the present conflict, I have this to say: Whether an embargo should or should not be lifted depends upon the knowledge of the circumstances. The President and those charged with matters of this administration are in touch with all sources of information. Upon this information they are acting according to their wisdom, and it is not for me, and with respect to such prescience and gift of prophecy as may endow the other side, nor for them, to assume that our knowledge is superabundant to the information that exists, and according to that information the President can be trusted to do that proper thing which will most effectually protect this country and achieve the purpose the administration has in view.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. LEWIS. I yield for a question, because I must respect the desire of the Senator from Virginia.

Mr. GALLINGER. It is not to ask a question, but to express my admiration for the concise manner in which the Senator has answered the question I propounded a moment ago.

Mr. LEWIS. It is a source of great pleasure to me to find in the Senator from New Hampshire some evidence of capacity to discriminate between that which is excellent and that which is objectionable, for so often has he been capable of producing that which is politically obnoxious both in sentiment and action that this judgment of his earns my admiration.

Mr. GALLINGER. I did not understand what the Senator said. He lowered his voice, which is not his usual custom.

Mr. LEWIS. No; not except in humility in the presence of greatness. [Laughter.]

The PRESIDING OFFICER. There must be order in the galleries.

Mr. LEWIS. I merely said to the Senator in all good nature, and we all know what a sweet-tempered gentleman is the Senator from New Hampshire, that it was a source of admiration to me to hear that there was something in my conduct that meets the approval of the Senator from New Hampshire. He referred to what he called my "concise manner," and while his sarcastical allusion was not lost upon me I was unable to give evidence that it was as keenly cutting as he hoped, and therefore I could not bleed for his gratification. [Laughter.]

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield further to the Senator from New Hampshire?

Mr. LEWIS. I would prefer to continue my remarks, unless the Senator from New Hampshire has really something to say. [Laughter.]

Mr. GALLINGER. Mr. President, the Senator from New Hampshire does not arrogate to himself the ability or the power to say things that are so instructive and interesting as the Senator from Illinois entertains us with. I had no purpose of being offensive to the Senator in the least, and I have no purpose now; but the Senator's offensive allusion will go into the RECORD for what it is worth. I care nothing about it.

Mr. LEWIS. The Senator from New Hampshire is in error to assume that my allusion is offensive. It was not my purpose, and while I may yet indulge in a gentle passage of arms, I assure him my sword when leveled toward him is tipped with a rose. If there was anything offensive in my observation, I certainly withdraw it.

Mr. President, I resume and ask what is the question before us? The Senator from Massachusetts [Mr. LODGE] and my able friend, his colleague, the junior Senator from Massachusetts, called attention to this question. The Senators from Massachusetts hold the administration up for criticism because it has not enforced an embargo upon arms which go into certain portions of what is known as the revolutionist country of Mexico.

Mr. President, I am not able to state at this time—and I answer the Senator from New Hampshire with absolute directness—the nature of what are the circumstances that would call for the enforcement of the embargo or the upholding of it. This much is in my mind: Speaking wholly from my point of view, unless there is absolute evidence that these leaders, so-called revolutionists, are averse to us, that previously, having withdrawn the embargo, closing it now would probably be announcement to the Carranza and Villa forces that they were now included in our movement of hostility, and would be the very first evidence to Carranza and Villa that the charges made by Senators on the other side, that war would be made upon them, had been accepted and acceded to by the President. Then they would be found, with all their spirit and with all their power, united to frustrate the effort of peace which the President has attempted to put into effect by inaugurating the thing that has been undertaken.

Now, Mr. President, I trust, I sincerely trust, that the time will not come when any condition in Mexico will make it necessary for this country to declare war upon its people, and to that end I implore that Senators on the other side shall pause to consider some other expediency from time to time than the mere political advantage to be gained by opposing the President as Commander in Chief of the American Army and Navy in his undertaking.

But, sir, I call attention to that other and more important thing, that hope, as we may hope, that there shall not be war; and indulging, as I do, the solemn utterances of the junior Senator from Michigan [Mr. TOWNSEND], as he invoked Heaven that it may guide us away from such destiny, I say that at least some practicable method under the guidance of God could be suggested by the distinguished Senators. It is that they have more of patriotism and less of partyism in this important hour. That when there shall be an effort made by the Commander in Chief, at the head of this Republic, to accomplish an object, they certify to the world that they join in aiding and assisting him, and are not seeking to frustrate and obstruct him, and will not for mere partisan purposes or because of political prospect render by false criticism and unjust calumny the President of the United States, as a captain repudiated by his aids before the world.

Mr. President, the only object at this time we have in Mexico, as I see it, is to bring about proper reparation for an insult to the colors of the country, which in themselves speak the honor of the Nation. Is there a Senator who desires to oppose that? Mr. President, I deny the patriotism of my distinguished colleagues or of any man who, in an hour like this, would marshal under the banner of partisan politics those who in spirit are traitors and in action are cowards.

Senators all, I present to you that other reflection that in an hour like this we cease as Democrats or Republicans, that we no longer view the man at the White House as head of any political party. Let us pause as Americans and contemplate him as he stands with his solemn responsibility. Let us salute him as our Commander in Chief, present arms to the flag, and move in solid phalanx to his support as we certify to the world

that the one sentiment of the American patriot is, *that in conflicts at home divided we may be; but against foreign foe united we shall be.* [Manifestations of applause in the galleries.]

The PRESIDING OFFICER. The rules of the Senate forbid manifestations of approval or disapproval by the occupants of the galleries.

Mr. FALL. Mr. President, I have listened with pleasure to the beautifully rounded periods and dulcet tones of the Senator from Illinois [Mr. LEWIS]. With his expressions rallying us around the flag, calling upon us not to criticize the President, the Commander in Chief of the Army, we all agree. But he is uttering those sentiments and making quotations which are applicable to a state of war. Once in war, of course, whether we agree or whether we disagree with any particular line of action, it is the duty of Americans to support absolutely the President without questioning his efforts, without hesitation for a moment; but in one breath the Senator calls for this united action and in the other insists that there is no condition of war, but of peace, existing. So long as it is a question of peace or bringing about peace or conferring or consulting with or cooperating with the President, as the President in his message asked the Congress to do, I do not see that a Senator, intrusted by a sovereign State of the Union with a commission here, in offering his counsel to the President, conferring with the President, offering cooperation with the President, is precluded from pointing out that which he sees himself. Does the Senator answer the Senator from Massachusetts that in time of peace, blindly, the Senate shall not listen to any voice, shall not receive or consider any information coming from any source, shall not for one moment discuss a mistake, if it be a mistake, of the State Department, which, war not being declared, has jurisdiction over the shipment of arms to Mexico, that we, Senators from the great State of Illinois and the other States of this Union, should be considered as treacherous to the Union, as traitors to the flag, because we seek information and do not take our inspiration from and delegate our power of legislation to one man?

The President has my admiration, sir, and my support. I may not agree with things which he does, and I reserve to myself the right to express my disagreement in so long as he is at this time acting actively as the Commander in Chief of the land and naval forces of the United States. Once admit that we are in war and the suggestion of the Senator might have some weight.

Mr. President, I think it is the intention of the Senators on this side to discuss these matters fully. That is my intention. I reserve to myself the right to call the attention of the Senate of the United States or the President of the United States to what I consider to be the true conditions existing in Mexico, and to advise with him, consult with him, and confer with him, if he will allow me to do so; and whether he will allow me to do so or not, to cooperate with him, despite the rather sarcastic remark of the Senator from Illinois. I am not one to criticize that Senator, for whom I have a very high personal regard, but I can not refrain from expressing the opinion that there has been no partisanship, no intention to make political capital, displayed by Senators. Certainly no such intention has animated me.

But I want to say this to the Senator, in the light of what is happening now in Mexico, what is happening on our border in Mexico, what is being told from one department of this Government to citizens coming here from all over Mexico and begging advice and asking assistance. The city to-day is full of Americans knowing something of the conditions in Mexico, besieging the department, and so long as the control of affairs remains in the State Department they are compelled to go to the State Department for advice. If they believe that the State Department is not correctly advised or is acting under a misapprehension of the conditions in Mexico, if they believe the acts of this department or any other department will result most disastrously to Americans, American interests, American prestige, and will inevitably lead this country into a war with inflamed Mexico, have they no right to be heard? Can they not, through some means, be heard? Must our mouths be closed? Must we refrain from communicating to one another information given to us by responsible, patriotic American citizens? Shall we advise him? Shall we be compelled to close our mouths, as is advocated by the Senator from Illinois, and refuse to discuss our differences as to details simply because the President of the United States chooses to send a message to Congress and to request the passage of a resolution worded in a certain way? Has the Senator no opinion of his own? Is this the commission that he bears from the people of Illinois?

Mr. President, I do not understand my commission to read that way. To me the President is the President of the great United States, and not a Democrat or a Republican, but I can not surrender my opinion. Whenever I think it my duty to express my opinion I will do so without hesitation, even if I am so unfortunate as to merit, or, if not merit, to receive, the censure of the Senator from Illinois.

Mr. President, I do not care to go into Mexican matters this morning. I am more thoroughly impressed, I know, than is the Senator from Illinois with the gravity of the situation, because I know about it and he does not. He seeks no information; he follows blindly where some one leads, who, he says, must be informed. I seek information from whatever source. I make up my mind without dictation, and I shall express it without fear.

I know what is happening in Mexico, sir; I know the communications which are being handed to the War Department, and I know the appeals which are being made from the citizens on our border who are fearful not only of the conditions which may arise in Mexico but of those which inevitably will arise unless something is done on this side of the border line, and that in the very near future. I know that our own citizens on American soil are appealing to those who will not be informed.

Mr. LEWIS. Mr. President, I will take only a moment, and I thank the Senator from Virginia.

The Senator from New Mexico [Mr. FALL] seems rather unfortunate in misapprehending the purpose of my remarks. First, I will assure him they had no allusion to him, but——

Mr. FALL. I did not understand that the Senator alluded to me personally at all.

Mr. LEWIS. I was only going to add, if the Senator himself prefers to apply to himself the unction of Hamlet that "conscience doth make cowards of us all," it can not move me from making such general application of my observations wherever they fit, and Senators, of course, must wear an armor that they feel measures them.

I did not refer to that particular Senator, because there is no Senator's utterances that attracted me so much as carrying with them such a sense of general patriotism and a general desire to free his conduct from what might be called partyism as from time to time the Senator from New Mexico has disclosed, save this: I have thought the point of view of the able Senator from New Mexico was oftentimes blurred and that his vision was narrowed by the geographical relation of his constituency and the personal interest which he felt in honor it was his duty to sustain. It may be that I am wrong; it may be that his point of view is right; but at no time, from my point of view, have I ever urged that there should be no discussion, my point of view being that in the discussion, sir, of whatever is to be discussed there should be a higher consideration in giving aid, comfort, and advice, and assistance to the President, and not that other tendency of deriding and impugning his motives while he be held up to misrepresentations for purely partisan objects.

Mr. FALL. Mr. President, I do not know what personal interest the Senator refers to that I might be influenced by. I of course assume nothing from his remarks except that he may refer to the fact that the people on the border are more directly interested in this question than are other Senators.

Mr. President, I have been familiar with Mexico and its people for a great many years. Thirty-two years ago I became interested on the border of Mexico, and I have been interested in a greater or less degree in some way, during all the 32 years, in Mexico and its people. I want to say to the Senator that there is no man on the floor of the Senate and no American in the United States who realizes to a greater degree than I do the many magnificent qualities of the Mexican people. My heart goes out to those people. I have pleaded here on the floor of the Senate for those people in Mexico, for the 15,000,000 people who have been harried by the ambitions of Huerta on the one hand and by the robbery and looting and bloodshed of Mr. Villa and his companions on the other.

These two factions represent a very small proportion of the Mexican population. The mistake—and I say it with great serious regret—the great mistake that is being made to-day is to act upon the theory that Villa, even to the people of the State of Chihuahua and city of Torreon and the city of Chihuahua, represents anything but rapine, lust, murder, and brigandage.

Mr. BORAH. Mr. President, if I understood correctly, and I think I did, the gravamen of the charge of my brilliant friend from Illinois [Mr. LEWIS], it was that this discussion and the discussion the other day arose by reason of a desire on this side to play politics, to criticize the President, and to take partisan advantage of an unfortunate situation.

Mr. President, I am a member of the Committee on Foreign Relations. I think it has been about 13 months since the President now occupying the White House was inaugurated, and I suggest to my friend he will look in vain in the CONGRESSIONAL RECORD for any expression of view from me during that 13 months in criticism of the President's policy in Mexico, notwithstanding the fact that I had the honor to advise the President as to my views within some three months after he was inaugurated. I was willing, however, notwithstanding I entertained a different view than the President, to permit him to work out his plans to a successful conclusion, if possible, unembarrassed by any word of mine.

I did not rise for the purpose nor initiate this debate for the purpose of criticizing the President or of reaping any partisan advantage. Everyone knows that there is nothing more dangerous than to try to take partisan advantage of a condition of affairs such as confronts us now. I had no such thought. On the other hand, I see no partisan advantage to be taken.

But, Mr. President, I rose to say that as a Nation, as a people, during this administration and the previous administration, we have pursued a wrong policy toward Mexico and toward Central America; that the time has come for us to reverse our policy, to let the people of Central America and of all the South American States know that neither the President nor the Congress of the United States proposes to interfere in the internal affairs of those countries, let the conditions as to government be what they may. We should stand ready to protect our citizenship, but that is a wholly different matter and does not involve, when rightly attended to, an interference with their governmental affairs.

But if the Senator is of the opinion that the condition now prevailing in Mexico arises by reason of the discussion which took place here the other night, let me refer him to the language of Mr. Carranza himself in his note and to the language of the President.

If it had been my purpose to criticize the President, I could have done so by bringing the language of the President into one column and the language of Carranza into a parallel column to show that the situation in Mexico has arisen by reason of the language which the President used before the Congress and his acts following the delivery of the message. In order to answer as politely as I may and to refute, to some extent, the criticism of the Senator let me call his attention to a paragraph or two of the communication. The President says:

> The manifest danger of such a situation was that such offenses might grow from bad to worse until something happened of so gross and intolerable a sort as to lead directly and inevitably to armed conflict. It was necessary that the apologies of Gen. Huerta and his representatives should go much further; that they should be such as to attract the attention of the whole population to their significance and such as to impress upon Gen. Huerta himself the necessity of seeing to it that no further occasion for explanations and professed regrets should arise. I therefore felt it my duty to sustain Admiral Mayo in the whole of his demand and to insist that the flag of the United States should be saluted in such a way as to indicate a new spirit and attitude on the part of the Huertistas. [Applause.]
>
> Such a salute Gen. Huerta has refused, and I have come to ask your approval and support in the course I now propose to pursue.

In other words, the President believed that it was necessary to take cognizance of the act of Gen. Huerta as an individual, or as the representative of an organized band of men who professed to represent the Government of Mexico. That is precisely the act to which Carranza objected. He has said to the President of the United States, in effect, that it was an insult to the people of Mexico to even ask upon the part of this usurper, who ought to be upon trial before the Government of Mexico, to salute our flag. Let us see precisely what Carranza says:

> As the Mexican nation, the real people of Mexico have not recognized as its executive a man who had pretended to launch a blemish on its national integrity, drowning in blood its free institutions; consequently the acts of the usurper Huerta and his accomplices do not signify legitimate acts of sovereignty; they do not constitute real public functions of interior and exterior relations, and much less do they represent the sentiments of the Mexican nation, which are of cofraternity toward the American people.
>
> HUERTA NOT REPRESENTATIVE.
>
> The lack of representative character of Gen. Victoriano Huerta as concerning the relations of Mexico with the United States, as well as with Argentine Republic, Chile, Brazil, and Cuba, had been clearly established with justifiable attitude of these nations, who have refused to recognize the usurper, in this way lending a valuable moral support to the noble cause I represent.
>
> The usurped title of the President of the Republic can not invest Gen. Huerta with the right to receive a demand for reparation on the part of the United States nor the right to grant a satisfaction as due.

I beg the Senator to reflect that it was not the speeches of Senators upon this side that aroused the opposition of Carranza, but it was aroused because he believed that it was in derogation of the sovereignty and dignity of Mexico for us as a people to demand reparation from a usurper and a traitor, who is in no way recognized as a proper party to be called upon by any nation to afford reparation, which Carranza supposes involves to some extent the dealing with him as the representative of his country.

It will not do to say that men who come here under their oaths sworn to discharge their duty to their States and to their people are playing politics because they would offer their advice and their counsel in an emergency of this kind. I grant it may be said that while we may make more mistakes than do those upon the majority side by reason of their great leader being in the front, we can not be justly charged when we rise in our places here and offer the best that we have with being coconspirators with the disturbers of Mexico. Let me read a little further:

> Victoriano Huerta is a culprit who is amenable to the constitutional government, to-day the only one, under the abnormal circumstances of our nation, which represent the national sovereignty in accord with article 128 of the political constitution of Mexico.
>
> WILL TRY ILLEGAL ACTS.
>
> The illegal acts committed by the usurper Huerta and his partisans and those which they may yet perpetrate, be they of an international character, as those which recently occurred at the port of Tampico or of a domestic character, shall be tried and punished with inflexibility and promptness by the tribunals of the constitutionalist government.
>
> The individual acts of Victoriano Huerta never will be sufficient to involve the Mexican nation in a disastrous war with the United States, because there is no solidarity whatsoever between the so-called government of Victoriano Huerta and the Mexican nation, for the fundamental reason that he is not the legitimate organ of our national sovereignty.
>
> Moreover, the invasion of our territory and the permanency of your forces in the port of Vera Cruz are a violation of the rights that constitutes our existence as a free and independent sovereignty and will drag us into an unequal war with dignity, but which until to-day we desired to avoid.

There you see pointedly and positively and unmistakably the cause of Carranza's ire. He leaves no room for doubt, and no ingenuity can be rid of the fact that to invade Mexico for an act of Huerta was in the mind of Carranza a cause of complaint.

Mr. President, it all goes back to the proposition which I suggested this morning, and which I do not propose to repeat, only most briefly, and that is that when we said we must be rid of Huerta it was necessary for us to have some one to take his place, unless we proposed to go there ourselves. When we find that we have no one to take his place, because Carranza objects to our going there, and because he objects to what we are doing, we are left no alternative in the situation other than either to absolutely withdraw from Mexico, leaving the situation to the contending factions, or going there and taking possession. If we are to go there, I think the Senator will concede that we should meet in common council with the President, and this, the war-declaring power, should be consulted before we go.

It is just as certain as that the sun shall rise from day to day that we shall be at war with Mexico unless we change our policy with reference to interfering in the internal affairs of that State. I do not say that some other in the place of the President would have been wiser or more effective in his course, but I do say that the conditions are here, the situation confronts us, we are at war with united Mexico; and the Congress of the United States, the war-declaring power, has a right to be heard. No further step should be taken until the Congress shall authorize what shall be done. Neither a desire for partisan advantage nor partisan subserviency ought to impel us to action or to close our lips upon such an occasion.

Mr. LEWIS. Mr. President, I am at a loss, upon reflection, to note anything in my own observations that called forth the particular remark of the able Senator from Idaho [Mr. BORAH]; but previous to my making any reference to that at all, I delight in this place to certify that there is no man whose ability commands greater admiration from me than does that of the Senator from Idaho. As a lawyer, as a student of the Constitution, and as a patriotic citizen, I salute him as a comrade well worthy of the seat he occupies.

Passing from that. I say to him that he, like all others, is amenable to that influence that is designated party organization, and he, like us all, finds emergencies too frequently that call for a political cooperation of effort that is not in harmony with the sentiments of the heart. What said the able Senator as he closed his excellent address? That he thinks he sees in the future war with Mexico if we do not cease interfering with the internal affairs of that country. I say to him, as I say in my position to all who may have occasion to hearken to my utterance, yes; no country, however feeble, will tolerate any invasion into its domestic concerns without at least giving evidence of resentment. Cowardice and pusillanimity would be the inheritance of that country did they take any other course; but, Mr. President, it was because of that very fact that the President of the United States, a historian, a scholar of sagacity, a patriot of reflection, sought to avoid war. In order

that there might not be evidence that this Government was assuming to enter into the internal affairs of Mexico, either to control them or to subjugate them, his message came forth, propounding to the world that the object was peace, conciliation—to be accomplished, however, with honor to America. I say to the able Senator from Idaho, no Senator on this floor, more than I, is more jealous of the prerogative of Senators. I agree with the expression of the Senator from Massachusetts [Mr. LODGE] that we are not dummies; and I agree with the sentiment expressed that we are not expected to be here supine and voiceless, but we are to offer counsel to the President, to tender advice to the administration—that I concede; but I can not concede that under the guise of advice and counsel in the prosecution of a course that is patriotic and just the President should be held up as lacking in intelligence in his course, as lacking patriotism in his demeanor, and wanting in a just conception of his duty. That would be to humiliate the undertaking and to hold the President up before the country as wanting in the attributes that should command the confidence of his aids and counselors, instead of giving him aid and counsel. You do not tender him suggestions affirmatively that he might follow and accept. You are content, too many of you, to stand at a distance and condemn the undertaking that he has invited, to censure the utterances he has expressed, and to denounce the beginning of the cause merely because there may be invented factious differences in the method by which the enterprise may be inaugurated.

What I do seek is that all Senators shall in their sovereign capacity exercise, of course, the prerogative as counselors to the President or in dissenting from his course; but that in such an hour as this they shall render that which the able Senator from Idaho says is their right, counsel and advice, not obstruction and humiliation, and not visit contempt and ignominy upon him before the world merely because they may differ from the partisan attitude occupied by him.

I say to the Senator he is right in the assertion that if ever we enter into the internal affairs of Mexico for the purpose of controlling them we will bring on the very conflict to which he alludes, and that is why I rose to say that where the Senator from Massachusetts now asserts that we should promptly make war upon the revolutionists by changing our policy heretofore applicable to them we should turn ourselves around and do the very thing that the Senator says would be hazardous and enter into the whole internal affairs of Mexico which is to invite the very conflict so forced. If there be any other invitation which should warn and menace him, it is that class of observation that has been indulged in from hour to hour and from day to day since this unfortunate undertaking on the part of Senators upon the other side, who invite all Mexico to believe that our ultimate purpose is to declare war upon Mexico, enter into her internal affairs in the spirit of retaliation, insurrection, and enmity; and it is against that which I raise my voice.

Mr. WEEKS. Mr. President, before the Senator takes his seat——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Massachusetts?

Mr. LEWIS. Yes; I yield to my friend from Massachusetts.

Mr. WEEKS. I should like to know if the Senater really thinks it is making war upon Mexico if we place an embargo upon arms and ammunition which are being sent into Mexico to be used against our forces?

Mr. LEWIS. I answer the Senator and say to him that it is my judgment, speaking only for myself, that, after the statements which have come from certain Republican Senators in their opposition to the joint resolution designed to give the President the right to use the Army and Navy to enforce reparation for the insult at Tampico, asserting, as they did, that it was time to make war on Mexico, calling Carranza by name a murderer and cutthroat, calling Villa by name a murderer, cutthroat, and brigand, and that it was against those that we should now level our enmities and our sense of retaliation, if now an embargo be put upon arms after the doors had been thrown open to these men and no reason assigned for the change, their followers would attribute it to be the direct result of accusations made on the other side and to the invitation given to us to make war on these men, and probably they would then think that they should ally themselves with Huerta to avenge themselves upon America, which they believe is now about to enter on the very course which the Senators on the Republican side said was our course of duty—invasion and subjugation of Mexico. That is my reply.

Mr. WEEKS. All I have to say about that is that the opinion of the Senator from Illinois is directly contrary to the Army and Navy board and to all other military officers of the Government.

Mr. LEWIS. That may be so, sir, but the Army and Navy board has not at all times commanded my respect; and at this time, without further knowledge on my part of the causes on which they may adjudge, I do not give my approval.

Mr. SMITH of Michigan. Mr. President, I do not wish to delay the prompt disposition of the bill and I do not propose to do so. Some remarks, however, of the Senator from Illinois [Mr. LEWIS], who is usually just and fair, and I think means to be so in this instance, lead me to believe that he does not understand the true situation. The Senator from Indiana [Mr. SHIVELY] and his colleagues upon the Committee on Foreign Relations were asked by the President as early as last August to refrain from discussion of the Mexico problem——

Mr. SHIVELY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Indiana?

Mr. SMITH of Michigan. Certainly.

Mr. SHIVELY. To which Senator from Indiana does the Senator from Michigan refer?

Mr. SMITH of Michigan. I refer to the Senator who is now addressing me, and who is a member of the Committee on Foreign Relations.

Mr. SHIVELY. The Senator says that I was requested to refrain from saying anything about the Mexican problem?

Mr. SMITH of Michigan. I did not say the Senator was requested; I said the committee of which he is a member were requested to refrain from public discussion of the Mexican problem. Over and over again the late Senator Bacon admonished us that we would be serving the purposes and plans of the administration best if we refrained from commenting on or criticizing the Mexican situation. I think that all my colleagues on the committee—and there are several of them sitting before me—will bear testimony that after that request was made by the Executive we took no action and did refrain from discussion of the Mexican question. It was not only not discussed on the floor of the Senate, but it was not discussed in the Committee on Foreign Relations; and perhaps we appropriately refrained from discussing it, although the situation was important and acute, because the President said he was working out his own policy, and the Secretary of State joined in the request.

When the matter came formally before the Senate the other evening, for the first time an objection was made to the request of the Senator from Indiana, acting as chairman of the Committee on Foreign Relations, to proceed by unanimous consent to consider the House joint resolution. That objection was made by the Senator from Rhode Island [Mr. LIPPITT], only that the committee might have full opportunity for consideration of the subject.

Mr. SHIVELY rose.

Mr. SMITH of Michigan. Am I not correct in that statement?

Mr. SHIVELY. The Senator knows that it was not the resolution in the form it came from the House that was favorably reported by the majority of the Committee on Foreign Relations of the Senate, but a substitute, the resolving parts of which had been approved not only by the majority of the committee but also by the minority members of the committee present, with possibly a single exception. It was unanimous consent for immediate consideration of the resolution so reported that was refused by the objection.

Mr. SMITH of Michigan. My recollection is that the House joint resolution was laid before the Senate and the Senator from Indiana requested unanimous consent to consider the joint resolution without reference to the committee.

Mr. SHIVELY. If the Senator please, the request for immediate consideration of the resolution as it came from the House was refused. Later unanimous consent for immediate consideration of the resolution subsequently reported by the Committee on Foreign Relations, was also refused. The resolution thus reported, and consideration of which was refused, was a substitute for the House joint resolution. Of course the substitute reported was under the number of the House joint resolution.

Mr. SMITH of Michigan. Well, Mr. President, at any rate the Senate, by its refusal to proceed that night when the request was first made, found itself quite unanimously in hostility to the House joint resolution, and a substitute was adopted here as a result of the delay and the discussion, and that substitute was finally passed, it seemed to me, with great promptness. So I do not believe that this side of the Chamber is open to the charge that they have unduly delayed action, or that the discussion has been other than helpful and kindly, even in our wide differences of opinion, toward the President. We are very anxious that the bill now before the Senate shall be disposed of promptly. There will be need for the money appropriated to help the unfortunate Americans out of Mexico,

and I do not want to see it hampered by any amendment. I should like to see that bill pass now, and in order to hasten its passage I resume my seat with a disposition to avoid further delay.

Mr. SHIVELY. In the spirit of expediting action I express the hope that we may now have a vote on the bill.

The bill was ordered to a third reading, read the third time, and passed.

GRADING AND INSPECTION OF GRAIN.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business the title of which will be stated.

The SECRETARY. A bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classifications of grain, and for other purposes.

PANAMA CANAL TOLLS.

Mr. SHIVELY. I move that the Senate proceed to the consideration of executive business.

Mr. GALLINGER. Will the Senator withhold that motion just for a moment to allow me to make a request?

Mr. SHIVELY. I withhold the motion for that purpose.

Mr. GALLINGER. Mr. President, three days ago I submitted a resolution, being Senate concurrent resolution 342, which went over under the rule. I ask that it lie over until to-morrow without prejudice.

The PRESIDING OFFICER. Without objection, the concurrent resolution referred to by the Senator from New Hampshire will lie over without prejudice.

EXECUTIVE SESSION.

Mr. SHIVELY. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 35 minutes spent in executive session the doors were reopened, and (at 3 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 24, 1914, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate April 23, 1914.

FIRST ASSISTANT COMMISSIONER OF PATENTS.

James T. Newton, of Georgia, to be First Assistant Commissioner of Patents, by promotion from Assistant Commissioner of Patents, vice Robert T. Frazier, deceased.

ASSISTANT COMMISSIONER OF PATENTS.

Robert F. Whitehead, of Virginia, to be Assistant Commissioner of Patents, vice James T. Newton, promoted.

UNITED STATES ATTORNEYS.

Stephen C. Perry, of Portland, Me., to be United States attorney for the district of Maine, vice Robert T. Whitehouse, whose term has expired.

Charles A. Karch, of Springfield, Ill., to be United States attorney, eastern district of Illinois, vice William E. Trautmann, whose term has expired.

UNITED STATES MARSHALS.

John J. Bradley, of Chicago, Ill., to be United States marshal for the northern district of Illinois, vice Luman T. Hoy, resigned.

J. R. Thompson, of Spring City, Tenn., to be United States marshal, eastern district of Tennessee, vice James G. Crumbliss, whose term has expired.

REGISTER OF THE LAND OFFICE.

Frank Laning, of Fresno, Cal., to be register of the land office at Visalia, Cal., vice George W. Stewart, term expired.

Miles Wallace, who was confirmed for this office January 27, 1914, declined appointment.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Chaplain Oscar J. W. Scott, Twenty-fifth Infantry, to be chaplain with the rank of captain from April 17, 1914, after seven years' service.

CAVALRY ARM.

First Lieut. Consuelo A. Seoane,, Third Cavalry, to be captain from April 19, 1914, vice Capt. Walter F. Martin, Second Cavalry, detached from his proper command.

FIELD ARTILLERY ARM.

First Lieut. Lesley J. McNair, Fourth Field Artillery, to be captain from April 19, 1914, vice Capt. Robert Davis, Fifth Field Artillery, detached from his proper command.

COAST ARTILLERY CORPS.

First Lieut. Henning F. Colley, Coast Artillery Corps, to be captain from April 19, 1914, vice Capt. Richard T. Ellis, detached from his proper command.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from April 21, 1914.

George Edward Barksdale, of Virginia.
Theodore David Burger, of Washington.
Ralph D'Alma Denig, of New Jersey.
Charles Marvin Fox, of Illinois.
Clarence Gunter, of Arizona.
Lasher Hart, of California.
Harry Hungate Robinson, of Washington.
Charles Wallace Sale, of Virginia.
Thomas Hugh Scott, of Oklahoma.
Fedor Leo Senger, of New York.
Jonathan Mayhew Wainwright, of Pennsylvania.

PROMOTIONS IN THE NAVY.

Commander Philip Andrews to be a captain in the Navy from the 26th day of March, 1913.

Surg. Norman G. Blackwood to be a medical inspector in the Navy from the 29th day of September, 1913.

Chaplain George E. T. Stephenson with the rank of lieutenant (junior grade) to be a chaplain in the Navy with the rank of lieutenant from the 16th day of April, 1914.

POSTMASTERS.

ALABAMA.

Samuel F. Clabaugh to be postmaster at Tuscaloosa, Ala., in place of R. B. Dugger, deceased.

ALASKA.

T. H. Deal to be postmaster at Fairbanks, Alaska, in place of E. H. Boyer. Incumbent's commission expired April 19, 1914.

ARKANSAS.

Alonzo T. Barlow to be postmaster at Booneville, Ark., in place of John P. Roberts. Incumbent's commission expired February 15, 1914.

Claude D. Brown to be postmaster at Huntington, Ark., in place of Claude R. Ferguson, resigned.

George C. Cooper to be postmaster at Devall Bluff, Ark., in place of Julius E. Wells. Incumbent's commission expired April 25, 1914.

Arthur R. Hill to be postmaster at Ashdown, Ark., in place of Clyde H. Dickinson, resigned.

T. W. Sparks to be postmaster at Harrisburg, Ark., in place of Charles R. French. Incumbent's commission expired April 5, 1914.

Edward T. Varner to be postmaster at Searcy, Ark., in place of Ransel S. Coffman. Incumbent's commission expired April 19, 1914.

Lowell B. White to be postmaster at Benton, Ark., in place of Robert C. Vance, resigned.

ARIZONA.

Patrick G. Madigan to be postmaster at Benson, Ariz., in place of Horace P. Merrill, declined.

CALIFORNIA.

Harrington Brown to be postmaster at Los Angeles, Cal., in place of W. H. Harrison. Incumbent's commission expired January 26, 1914.

J. H. Garner to be postmaster at Hollister, Cal., in place of R. P. Stephenson. Incumbent's commission expired March 8, 1914.

Thomas E. Klipstein to be postmaster at Bakersfield, Cal., in place of Reuben A. Edmonds, removed.

W. M. Redman to be postmaster at Lancaster, Cal. Office became presidential January 1, 1913.

William T. Tschierschky to be postmaster at Tracy, Cal., in place of George L. Frerichs. Incumbent's commission expired April 21, 1914.

CONNECTICUT.

Simon C. Bradley to be postmaster at Fairfield, Conn., in place of George H. Smith. Incumbent's commission expires May 4, 1914.

Edward F. Daly to be postmaster at Portland, Conn., in place of James A. Pitkin. Incumbent's commission expired March 16, 1914.

FLORIDA.

Robert J. Dunnam to be postmaster at Fellsmere, Fla. Office became presidential April 1, 1914.

Thomas H. Milton to be postmaster at Trenton, Fla. Office became presidential April 1, 1914.

GEORGIA.

Nellie B. Brimberry to be postmaster at Albany, Ga., in place of Nellie B. Brimberry. Incumbent's commission expired December 16, 1913.

William M. McElroy to be postmaster at Morcross, Ga., in place of Florence McAfee. Incumbent's commission expired January 27, 1913.

Johnnie B. Roddenbery to be postmaster at Thomasville, Ga., in place of F. D. Dismuke, jr. Incumbent's commission expires May 24, 1914.

IDAHO.

E. C. Davis to be postmaster at Milner, Idaho, in place of Charles E. Baird. Incumbent's commission expires May 17, 1914.

J. A. Edlefsen to be postmaster at Driggs, Idaho, in place of W. B. Stone, declined.

James V. Hawkins to be postmaster at Coeur d'Alene, Idaho, in place of S. D. Beebe. Incumbent's commission expired February 7, 1914.

L. A. Mecham to be postmaster at Preston, Idaho, in place of I. B. Evans, removed.

R. S. Story to be postmaster at Burley, Idaho, in place of Christ H. Schenk. Incumbent's commission expired January 12, 1914.

ILLINOIS.

Charles C. Clymore to be postmaster at Vienna, Ill., in place of William H. Gilliam. Incumbent's commission expired December 20, 1913.

P. B. Colwell to be postmaster at Wyoming, Ill., in place of Lewis A. Castle, removed.

Fred A. Ehringer to be postmaster at Washburn, Ill., in place of C. S. Holman. Incumbent's commission expires May 18, 1914.

Edgar H. Little to be postmaster at East St. Louis, Ill., in place of Joseph B. Messick, resigned.

David McFadden to be postmaster at Milford, Ill., in place of Eugene L'Hote, resigned.

Charles S. Murphy to be postmaster at Warren, Ill., in place of Walter Stickney. Incumbent's commission expired December 20, 1913.

William Clyde Stewart to be postmaster at Kirkland, Ill., in place of Lulu R. Anderson. Incumbent's commission expired January 11, 1913.

INDIANA.

C. E. Garriott to be postmaster at Scottsburg, Ind., in place of John W. Cooperider. Incumbent's commission expired April 20, 1914.

Oren A. Rawlings to be postmaster at Portland, Ind., in place of Albert J. Frost. Incumbent's commission expires May 25, 1914.

George W. Zinky to be postmaster at South Bend, Ind., in place of Cadmus E. Crabill, resigned.

IOWA.

Leonard M. Bond to be postmaster at Menlo, Iowa. Office became presidential January 1, 1914.

Edwin Le Roy Neville to be postmaster at Orient, Iowa. Office became presidential January 1, 1914.

KANSAS.

Alonzo Glass to be postmaster at Waverly, Kans., in place of Harvey P. Donnell. Incumbent's commission expires May 17, 1914.

George H. Goodholm to be postmaster at Lindborg, Kans., in place of Eben Carlsson. Incumbent's commission expired April 13, 1914.

A. H. Hecox to be postmaster at Iola, Kans., in place of Charles B. Spencer. Incumbent's commission expires June 14, 1914.

C. C. Holbrook to be postmaster at Waterville, Kans., in place of Michael Delaney. Incumbent's commission expires May 4, 1914.

W. D. Sturgis to be postmaster at Kanopolis, Kans. Office became presidential April 1, 1914.

KENTUCKY.

W. C. Sleet to be postmaster at Middlesboro, Ky., in place of William H. Turner, removed.

James D. Via to be postmaster at Clinton, Ky., in place of George W. Bury. Incumbent's commission expires May 19, 1914.

James T. Wilhoit to be postmaster at Versailles, Ky., in place of John W. Berryman. Incumbent's commission expired March 7, 1914.

Frank K. Wylie to be postmaster at Princeton, Ky., in place of Martin U. Lamb. Incumbent's commission expires May 19, 1914.

LOUISIANA.

Albert Hanson to be postmaster at Berwick, La., in place of E. S. Rogers. Incumbent's commission expired April 4, 1914.

W. J. M. Tilley to be postmaster at Oil City, La., in place of Gustave A. Morse, deceased.

Mary E. Vandegaer to be postmaster at Many, La., in place of Leo Vandegaer, deceased.

MAINE.

Frank E. DeCoster to be postmaster at Norway, Me., in place of Charles S. Akers. Incumbent's commission expires May 18, 1914.

Wallace O. Estes to be postmaster at Brooks, Me., in place of Frank H. Lane, resigned.

D. M. Murphy to be postmaster at Rockland, Me., in place of William O. Fuller. Incumbent's commission expired April 20, 1914.

Frank O. Wellcome to be postmaster at Yarmouth, Me., in place of Frank H. Drinkwater, resigned.

MASSACHUSETTS.

James H. Lakeman to be postmaster at Ipswich, Mass., in place of Luther Wait. Incumbent's commission expired February 21, 1914.

MARYLAND.

William D. Lovell to be postmaster at New Windsor, Md., in place of Albert E. Lambert. Incumbent's commission expires May 18, 1914.

MICHIGAN.

Lewis Hart to be postmaster at Fowlerville, Mich., in place of Aaron W. Cooper. Incumbent's commission expired March 28, 1914.

J. B. Murphy to be postmaster at Wayne, Mich., in place of Edwin A. Smith, removed.

Edson Porter to be postmaster at Blissfield, Mich., in place of John D. Smead. Incumbent's commission expires April 28, 1914.

Nathaniel Schmid to be postmaster at Manchester, Mich., in place of Thaddeus B. Bailey. Incumbent's commission expired April 13, 1914.

MINNESOTA.

Gunstein D. Aakhus to be postmaster at Erskine, Minn. Office became presidential January 1, 1914.

Thomas H. Bunn to be postmaster at Pine Island, Minn., in place of George H. Tome. Incumbent's commission expires May 25, 1914.

G. E. Comstock to be postmaster at Houston, Minn., in place of Caspar F. Schonlau. Incumbent's commission expired January 24, 1914.

Michael E. Gartner to be postmaster at Preston, Minn., in place of Laurence O'Brien, removed.

Otis W. Newton to be postmaster at Morton, Minn., in place of Robert B. Henton, resigned.

Edward A. Purdy to be postmaster at Minneapolis, Minn., in place of William D. Hale, resigned.

May B. Rosing to be postmaster at Cannon Falls, Minn., in place of Peter A. Peterson. Incumbent's commission expired April 13, 1914.

MISSOURI.

Thomas J. Board to be postmaster at Oronogo, Mo., in place of Henry A. Ayre. Incumbent's commission expires May 18, 1914.

William R. Bowles to be postmaster at Greenfield, Mo., in place of Charles F. Newman, declined.

William R. Jackson to be postmaster at Mexico, Mo., in place of E. S. Wilson, resigned.

John F. Kincannon to be postmaster at Anderson, Mo., in place of James A. Roark. Incumbent's commission expires April 29, 1914.

Uriah A. McBride to be postmaster at Warrensburg, Mo., in place of J. H. Smith. Incumbent's commission expires May 24, 1914.

J. K. Saunders to be postmaster at Pierce City (late Peirce City), Mo., in place of Alexander T. Boothe, to change name of office.

MONTANA.

Mary E. Meinhardt to be postmaster at Bainville, Mont. Office became presidential January 1, 1914.

Exzelia J. Pepin to be postmaster at Havre, Mont., in place of Thomas W. McKenzie. Incumbent's commission expires May 31, 1914.

NEBRASKA.

W. N. Corder to be postmaster at Morrill, Nebr., in place of Walter L. Minor, resigned.

Andrew G. Nelson to be postmaster at Norfolk, Nebr., in place of John R. Hays. Incumbent's commission expires May 4, 1914.

Stephen D. Phillips to be postmaster at Albion, Nebr., in place of George W. Williams. Incumbent's commission expired March 5, 1914.

NEW HAMPSHIRE.

George E. Fellows to be postmaster at Raymond, N. H., in place of Forrest E. Page, deceased.

NEW JERSEY.

Eugene S. Burke to be postmaster at Morristown, N. J., in place of Charles McCollum. Incumbent's commission expires June 21, 1914.

Arthur J. Halladay to be postmaster at Kenilworth, N. J., in place of John T. Kanane. Incumbent's commission expired April 13, 1914.

Isaiah C. Shinn to be postmaster at Woodstown, N. J., in place of William N. Nixon. Incumbent's commission expires May 18, 1914.

John F. Peniston to be postmaster at Cranford, N. J., in place of James E. Warner. Incumbent's commission expires May 19, 1914.

NEW MEXICO.

Ernest M. Brumback to be postmaster at Silver City, N. Mex., in place of Joseph E. Sheridan, resigned.

Dirk E. Seligman to be postmaster at Las Cruces, N. Mex., in place of Vincent B. May, resigned.

NEW YORK.

James H. Burns to be postmaster at Troy, N. Y., in place of Albert E. Bonesteel. Incumbent's commission expires April 29, 1914.

Hugh W. McClellan to be postmaster at Chatham, N. Y., in place of John P. Mickle. Incumbent's commission expired April 12, 1914.

NORTH CAROLINA.

O. C. Nicholson to be postmaster at Maxton, N. C., in place of William M. Currie. Incumbent's commission expires May 2, 1914.

Nathan R. Pool to be postmaster at Clayton, N. C., in place of Lee H. Yarborough, resigned.

OHIO.

Marshall E. Foucht to be postmaster at Upper Sandusky, Ohio, in place of Edwin A. Gordon. Incumbent's commission expires May 24, 1914.

William J. Murphy to be postmaster at Cleveland, Ohio, in place of Raymond G. Floyd. Incumbent's commission expired April 12, 1914.

OKLAHOMA.

H. A. Crawford to be postmaster at Temple, Okla., in place of Jasper N. Perkins. Incumbent's commission expires May 17, 1914.

Charles E. Howe to be postmaster at Gotebo, Okla., in place of Oscar H. Minton. Incumbent's commission expired April 12, 1914.

James M. Keys to be postmaster at Pryor, Okla., in place of W. F. Allen. Incumbent's commission expires May 31, 1914.

R. L. Lunsford, jr., to be postmaster at Cleveland, Okla., in place of John C. Morphis. Incumbent's commission expired January 25, 1914.

T. C. Shacklett to be postmaster at Yukon, Okla., in place of Thomas F. Addington. Incumbent's commission expired April 12, 1914.

OREGON.

Henry D. Reed to be postmaster at Gold Hill, Oreg. Office became presidential April 1, 1914.

PENNSYLVANIA.

John T. Brew to be postmaster at Erie, Pa., in place of Isador Sobel. Incumbent's commission expired February 4, 1914.

Albert Smith to be postmaster at Shickshinny, Pa., in place of Reese M. Tubbs, removed.

Lewis A. Snyder to be postmaster at Fullerton, Pa., in place of Frank G. Kurtz, resigned.

PORTO RICO.

Rodulfo Blanco to be postmaster at Rio Piedras, P. R., in place of Victor M. Rivera, removed.

SOUTH DAKOTA.

George M. Barnett to be postmaster at Carthage, S. Dak., in place of Alexander W. Paulson. Incumbent's commission expired January 10, 1914.

John C. Borcherding to be postmaster at Presho, S. Dak., in place of John W. Jordan, resigned.

Charles P. Dahlen to be postmaster at Oldham, S. Dak. Office became presidential October 1, 1913.

Harry Donovan to be postmaster at Heckla, S. Dak., in place of John D. Lyon. Incumbent's commission expired February 25, 1914.

Frank P. Gannaway to be postmaster at Chamberlain, S. Dak., in place of Frank P. Gannoway, to correct name of appointee.

M. K. Nolan to be postmaster at Winner, S. Dak., in place of Donald A. Sinclair, resigned.

C. H. Peckham to be postmaster at Alexandria, S. Dak., in place of Ernest B. Yule, resigned.

TENNESSEE.

T. J. Addington to be postmaster at Ducktown, Tenn. Office became presidential April 1, 1914.

Philip D. Harris to be postmaster at Greenfield, Tenn., in place of M. G. Cox. Incumbent's commission expired April 21, 1914.

Thomas P. Rucker to be postmaster at Franklin, Tenn., in place of Charles S. Moss. Incumbent's commission expires June 25, 1914.

TEXAS.

R. C. Dial to be postmaster at Greenville, Tex., in place of Barney W. Fields. Incumbent's commission expired April 20, 1914.

J. N. Fallis to be postmaster at Clifton, Tex., in place of Charles O. Nelson, removed.

C. A. Lawler to be postmaster at Jacksonville, Tex., in place of Charles F. Adams. Incumbent's commission expires May 4, 1914.

A. J. Page to be postmaster at Como, Tex., in place of J. S. Noble, resigned.

L. V. Vanek to be postmaster at Lagrange, Tex., in place of August F. Loessin. Incumbent's commission expired February 8, 1914.

UTAH.

N. H. Felt to be postmaster at Manti, Utah, in place of James P. Madsen. Incumbent's commission expired April 1, 1914.

W. J. Munford to be postmaster at Milford, Utah, in place of William A. Miller. Incumbent's commission expired December 13, 1913.

VIRGINIA.

John T. Cooke to be postmaster at Waynesboro, Va., in place of J. Harvey Furr. Incumbent's commission expired April 5, 1914.

Robert T. Montgomery to be postmaster at Colonial Beach, Va. Office became presidential April 1, 1914.

Charles W. Mugler to be postmaster at Newport News, Va., in place of William T. Hopkins. Incumbent's commission expired April 12, 1914.

James R. Rawlings to be postmaster at Fredericksburg, Va., in place of John M. Griffin. Incumbent's commission expired April 21, 1914.

WASHINGTON.

J. W. Shaw to be postmaster at Vancouver, Wash., in place of Daniel Crowley. Incumbent's commission expired April 20, 1914.

WEST VIRGINIA.

Walter A. Ervin to be postmaster at Petersburg, W. Va. Office became presidential January 1, 1914.

W. S. Wray to be postmaster at Northfork, W. Va., in place of C. B. Stewart, removed.

WISCONSIN.

Charles Howard to be postmaster at Frederic, Wis., in place of Danal P. Butts. Incumbent's commission expired February 9, 1913.

Owen Sullivan to be postmaster at Hurley, Wis., in place of Matthew J. Connors. Incumbent's commission expired February 22, 1914.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 23, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

God of justice, mercy, love, purity, peace, and good will, our hearts instinctively turn to Thee in this hour of sorrow and distress. Thou knowest that we are a peace-loving people; that war is abhorrent. And we most earnestly pray that Thou wilt intervene, that further bloodshed may be averted twixt us and our sister Republic, whose people have been rent and torn by internal strife—may they not be misled to oppose our just contentions—that peace and good will may speedily obtain; and we shall ascribe all praise to Thee in the spirit of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ROTHERMEL rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. ROTHERMEL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. ROTHERMEL. Mr. Speaker, on Saturday last, during my absence from the House, a resolution (H. Res. 464) was brought up in the House to pay Katharine Kirby $1,200 for work she did in the room of the Committee on Expenditures in the Department of Commerce, of which committee I am the chairman. On my return to Washington, in looking at the RECORD, I find that my character has been assailed by statements that I kept money belonging to the Government. On that proposition, Mr. Speaker, I desire to make a statement to the House to clear away mistakes that were heaped upon me in my absence, and without any knowledge whatever.

The SPEAKER. The gentleman will proceed.

Mr. ROTHERMEL. Mr. Speaker, I was elected chairman of the Committee on Expenditures in the Department of Commerce in the Sixty-third Congress. In August, 1913, one of my secretaries left, and I was in need of stenographic help. At that time, August, 1913, Miss Kirby asked me for employment in my office. I told her that I had an official secretary, but that I would pay her $50 per month out of the official check, which I did. Miss Clara E. Young is my official secretary, and she has charge of the congressional offices at home. Miss Kirby agreed to accept $50 out of that check and do the work for me here in the offices in Washington. I divided the official check between two people, because at home the work is going on day in and day out, and in that way these two women have divided the check. I paid Miss Kirby $50 a month regularly until this resolution came up in the House. But what did I find when I came to Washington—and I simply make this statement, because I have served in this House for seven years and have never received a penny from anybody or from any source except that to which I was entitled. My heart is not black enough to take the money of this Government or to take the money of anybody else that I am not entitled to. Before I go on I desire to state that I had not the slightest intimation that a resolution would come up in the House of Representatives to pay this young lady $1,200. It is true the committee passed that resolution unanimously, Democrats and Republicans, that she should have $1,200 for the services she rendered, but if I had been here I would have stated that I had paid her seven times $50, which is $350, since August last.

When we had concluded our investigation of the seal industry of Alaska the committee called Miss Kirby in and offered a resolution, and unanimously agreed, Democrats and Republicans alike, that she should have $1,200 for her services. When I left for my home the resolution came to the Committee on Accounts, and from there it came to the House, and I had not the slightest knowledge it would come up here. Statements respecting the matter were made by a number of men in the House. I have looked over the list and find that they are nearly all lawyers, and I am absolutely astonished that a man should be attacked without any knowledge at all of what is going on, especially by men who practice law in the courts and who know that no one should be condemned without a hearing. Let me refer to a few statements here from the CONGRESSIONAL RECORD, on page 6869, the RECORD of Saturday, April 18, 1914:

Mr. BURKE of South Dakota. As a matter of fact, the service which she was rendering from August to December was that of a clerk to the chairman of the committee as a Member of the House.

Mr. TOWNER. Oh, I think not at all. This is true, and we might as well admit it: This money has been drawn by the chairman, both for his private secretary and for clerk to the committee, and has been paid to himself or paid to somebody else for service that was never rendered.

The gentleman charges me with drawing money for my private secretary, for the clerk of the committee, and this young woman, in whose behalf the resolution was offered, and she worked faithfully and true. The entire committee agreed that she should have the money, and somebody obtained the impression that I did not pay her any money for eight long months. I paid it absolutely, and I would like to ask the gentleman from Missouri, Mr. LLOYD, whether she did not come in and admit to him that I paid the money, after this trouble had occurred on Saturday?

Mr. LLOYD. Mr. Speaker, Miss Kirby and the gentleman from Pennsylvania, Mr. ROTHERMEL, were in my office together the day before yesterday. Mr. ROTHERMEL then made the statement that he had up to that time paid her $350—$50 a month for seven months—and she admitted that she had received the $350. She said, however, that it was not paid regularly. Mr. ROTHERMEL admitted that he made two payments at one time; in other words, that it went over for one month. I believe that that is about the statement that was made.

Mr. WOODRUFF. Mr. Speaker, will the gentleman yield?

Mr. LLOYD. Yes.

Mr. WOODRUFF. Did not this young lady come before our committee the other day and testify to the fact that Mr. ROTHERMEL had paid her only two months' salary up to that time?

Mr. LLOYD. My recollection is that she did not make that statement before the committee, but the statement was made on the floor of the House here. If I remember, the statement was made by the gentleman from Iowa, Mr. TOWNER; but the RECORD will show the fact. She stated before the committee that Mr. ROTHERMEL had paid her some money. My recollection is that she did not state the amount. She says she did not state the amount. I understand that others of the committee have the impression that she did state the amount, and that the amount was $100.

Mr. WOODRUFF. That is exactly my recollection of her statement to the committee, Mr. Speaker.

Mr. SABATH. Mr. Speaker, will the gentleman from Missouri yield?

Mr. LLOYD. Yes.

Mr. SABATH. The money, however, the gentleman has paid the stenographer was his own money. He paid her the money out of his own pocket. Is not that true?

Mr. LLOYD. No, sir; the gentleman from Pennsylvania, if he will permit me, stated in her presence that the $50 a month which he paid was for services which she rendered him as private secretary, and the money was paid out of the $125 a month allowance for a private secretary.

Mr. SABATH. That is not the committee allowance?

Mr. LLOYD. Oh, no; this has nothing to do with the committee allowance at all, and it has nothing to do with the controversy before the House. In fact, the question before the House the other day was whether this woman should have $1,200 for services that she rendered the committee. This $50 a month is for services which she rendered to him as private secretary, which he paid her as private secretary, and was no part of the $1,200 which she was to receive from the committee.

Mr. TOWNER. Before the gentleman takes his seat, I am sure, I will say to the gentleman from Missouri, that the committee had the opinion, because several members of the committee told me that they understood that the only payment which had been made to her had been the two payments of $50.

Mr. LLOYD. My own understanding about the matter was that up to that time she had only received $100 from him as private secretary.

Mr. BARNHART. Will the gentleman yield?

Mr. LLOYD. Yes.

Mr. BARNHART. Then the impression left on the House was that the allowance of $150 a month was to cover all the services she had rendered, but, as a matter of fact, now, as I gather it, she has been paid $50 a month, and the House allowed $150 a month in addition. Is that right?

Mr. LLOYD. That is right.

Mr. BARNHART. So she would receive $200 a month?

Mr. LLOYD. Let me explain that, if I have not made myself clear on this point as to my understanding of the matter. The committee, of which the gentleman from Pennsylvania [Mr. ROTHERMEL] is chairman, passed a resolution allowing this woman $1,200 for the services which she had rendered the committee. Mr. ROTHERMEL says, and so does each member of the committee, that the $1,200 which she was allowed by the resolution was a proper compensation for the services which she rendered the committee. It turns out that, in addition to the

services which she rendered the committee, she rendered services to Mr. ROTHERMEL, and by the statements made on the floor of the House it appeared that he had only paid her for services $100; but it does not make any difference to the House whether he paid her $50 or $350, because the $1,200 was for services rendered to the committee.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. LLOYD. I do not wish to take too much of the time of the gentleman from Pennsylvania.

Mr. HUMPHREY of Washington. I want to ask a question I have in my mind. The thing that troubles me, and the particular thing I wish to know, is this: What became of the money that we appropriated to pay the clerk of the committee? Who got that?

Mr. LLOYD. Well, I suppose the gentleman from Pennsylvania will answer that question.

Mr. McGUIRE of Oklahoma. Will the gentleman from Pennsylvania yield further for a question? The intention of the Committee on Expenditures in the Department of Commerce at the time that the committee voted this money to that young woman was that she did the work of the committee and also did the work of the gentleman from Pennsylvania. As a member of the committee, my understanding was this: After the work of the committee had been completed, or almost completed, the committee had a meeting——

Mr. BUTLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUTLER. Whose personal privilege is this?

The SPEAKER. The gentleman from Pennsylvania [Mr. ROTHERMEL].

Mr. BUTLER. I insist my colleague ought to have a chance to make his statement.

The SPEAKER. Well, the gentleman from Pennsylvania seems to be perfectly willing for these other gentlemen to chip in. [Laughter.]

Mr. McGUIRE of Oklahoma. I understood that the gentleman yielded. I was going to state further, as a member of the committee that voted this $1,200, the statement there was, and it occurs to me from the statement, and I am quite certain the other committee members will remember, that in addition to the committee work, which has been arduous, there was an arrangement between the chairman of the committee whereby he was to pay for work done for him as private work, and the work that would naturally be done by his clerk an additional $50 a month. Now, so far as the committee is concerned, as I understood it and as I understand it now, we paid absolutely no attention to the $50 a month, whether it had or had not been paid; that the allowance of $1,200 was for the work done for the committee. It did develop that she had put in many days double time; that she was unable to do the work in the daytime within reasonable hours, and she worked at the office at night and put in more hours during the daytime than committee clerks usually put in; but that $1,200 allowed to the young woman was for the work she did for the committee, regardless of the $50 a month, which, as I see it, has absolutely nothing to do with the fact whether or not it was paid. There seems to be some misunderstanding as to what the young woman might have said. I had the impression from her statement that the money was paid at irregular intervals, but I never made any inquiry into that, because I did not care how much she was paid in that way; her services were undoubtedly worth to the committee every dollar she was to receive.

Mr. ROTHERMEL. Mr. Speaker——

The SPEAKER. The gentleman from Pennsylvania will proceed.

Mr. ROTHERMEL. Now, Mr. Speaker, it makes a great deal of difference to me whether I kept $50 a month of the Government's money, and that was stated in this House, and it was stated also that not only did I keep that, but that I drew the check of the clerk of the committee, as well as the private secretary's check, and kept the money. That would be next to a crime, and there is not a word of truth in it. It was referred to here in this House by a number of men who are lawyers, and they would put on me that I was keeping the Government's money, kept this girl out of any money for eight long months, when I have the receipts and the checks in my possession showing that the money was paid. Whether that has anything to do with the question of paying her $1,200 or not it has a great deal to do with me. I have been a Member among you for seven years, and this is the only instance in which I have been suspected of wrongdoing. In fact, I have a high regard for the membership of this House. I believe people are honest. My heart is not black, and therefore I am the last man to see black spots in other people's hearts.

Mr. MADDEN. I would like to ask the gentleman a question, if he will allow me to do so.

Mr. ROTHERMEL. Yes.

Mr. MADDEN. Would there be any need for the employment of this young woman's services if the clerk of the committee who was provided for by the House was there to perform the duties that this young lady was called upon to perform?

Mr. ROTHERMEL. I will say to the gentleman from Illinois that this woman was employed in August, 1913, and the committee had no clerk until December, 1913.

Mr. MADDEN. Has the committee had a clerk at all?

Mr. ROTHERMEL. Not until December, 1913.

Mr. MADDEN. Has the clerk ever appeared in the committee room?

Mr. ROTHERMEL. Yes, sir. He appeared in the committee room.

Mr. MADDEN. When?

Mr. ROTHERMEL. In December. He was there all that month.

Mr. MADDEN. Has he been there since?

Mr. ROTHERMEL. I will explain to the gentleman if he will allow me. Joseph M. Baker is as fine a young man as there is in the city of Washington. He was in the committee all of December and I think at the beginning of January. He said his health was not good. He asked me permission to visit his sister for about 10 days or 2 weeks in Ohio. He is there now. I was not going to cut him from the list when I found he was sick. He has as much sense in his little finger as some grown-up men have in their whole souls.

Mr. WOODRUFF. Will the gentleman allow me to ask him a question?

The SPEAKER. Does the gentleman from Pennsylvania [Mr. ROTHERMEL] yield to the gentleman from Michigan [Mr. WOODRUFF]?

Mr. ROTHERMEL. I do, Mr. Speaker. I want the truth to come out.

Mr. WOODRUFF. Do I understand from the last statement that you have been paying this clerk of the committee since December, and that he has rendered no service to your committee?

Mr. ROTHERMEL. I stated to the House of Representatives that he was there all during December and I think a part of January, and asked leave of absence for 10 days or 2 weeks and went to see his sister in Ohio. He has reported to me that he would like to come back as soon as his health is restored.

Mr. WOODRUFF. I know; but do you mean to tell this House, Mr. ROTHERMEL, that you have been paying that committee clerk for five months when he has only rendered service for one month?

Mr. ROTHERMEL. The Government has been paying him. He was designated as clerk to the committee, and gets the checks and the money. He is a regular session clerk.

Mr. WOODRUFF. And yet your committee expects this House to assume the responsibility of paying still another clerk $1,200 for performing the work your committee clerk was supposed to perform?

Mr. ROTHERMEL. That was the unanimous consent of the committee—I submitted it, and the Republicans and the Democrats joined in—that that was an independent matter, so far as this seal investigation was concerned, and that she was entitled to the money.

Mr. WOODRUFF. Will the gentleman yield further?

Mr. ROTHERMEL. Yes.

Mr. WOODRUFF. Will you inform the House what particular ailment is troubling this young man?

Mr. ROTHERMEL. On April 13, 1914, I received the following telegram:

> Please wire at my expense, as requested, if nothing but clerkship can be landed for the present, as doctor says operation is necessary, and I prefer to be in Washington.
>
> JOE BAKER.

I do not know what is wrong with the young man; but it is an official matter, and the work was done. I did a great part of the work that the clerk ought to do, but I did not mean to lay off Joseph M. Baker simply because he became ill, when he had asked leave of absence for 10 days on account of his health.

Mr. WOODRUFF. Yes; but he had leave of absence extended to him for 10 days, and he has been absent for 4 months.

Mr. ROTHERMEL. That is true, and I have explained it to the gentleman.

Mr. LOGUE. Will the gentleman yield?

Mr. ROTHERMEL. I will.

Mr. LOGUE. As I understand it, the first request was for 10 days' leave of absence to visit his sister. Subsequently he became ill. You were advised of that? He is on the pay roll, and you did nothing in the way of aiding a sick man to be stricken from the roll?

Mr. ROTHERMEL. That is what I said. I did not strike the man off.

Mr. LOGUE. You were anticipating the man's recovery, and that he would come back?

Mr. ROTHERMEL. Yes.

Mr. LOGUE. And you were not going to take his pay away from him on account of his sickness?

Mr. ROTHERMEL. No.

Mr. ADAIR. Is it not true that Members of Congress have been ill and have been away longer than this clerk has been away, and drew their salary for the time they were away?

Mr. ROTHERMEL. I will let the CONGRESSIONAL RECORD speak for that.

Mr. TOWNER. Did you have a private secretary here, Mr. ROTHERMEL?

Mr. ROTHERMEL. As explained a while ago—I do not know whether the gentleman was here or not. Miss Clara Young, at home, has charge of the office there, and she gets this check and pays the girl in Washington out of the official check.

Mr. TOWNER. The payment is made, then, from the secretary's salary, is it?

Mr. ROTHERMEL. Oh, no; I divide it up. I pay this young lady here, and send the check on to Miss Young for $75.

Mr. TOWNER. Did you receive the money also for the clerk's salary?

Mr. ROTHERMEL. Not at first, but after he was ill I sent it on to him.

Mr. TOWNER. You sent it on to him?

Mr. ROTHERMEL. Yes.

Mr. TOWNER. You have received the money, then, both for the private secretary's salary and the clerk's salary, making $250 a month?

Mr. ROTHERMEL. Yes; I received it for them, but not as the gentleman put it in the RECORD.

Mr. TOWNER. I am just trying to find out about that, Mr. ROTHERMEL.

Mr. ROTHERMEL. Just one moment——

Mr. TOWNER. Certainly.

Mr. ROTHERMEL. When I read your statement in the CONGRESSIONAL RECORD I could not reach any other conclusion except that the gentleman from Iowa looked into his own heart and what he saw there he thought I was doing.

Mr. TOWNER. The gentleman, of course, must have felt hurt at the matter, and I am very sorry indeed that the matter arose. But we are trying to find out now, if we can, something regarding the facts of the matter. Then, you have been drawing $250 a month here and have had neither the service of the secretary, who was entitled to $125 a month, nor the service of a clerk, who was entitled to $125?

Mr. ROTHERMEL. Yes; but I had reasons——

Mr. TOWNER. And all the work that has been done by anybody for the $250 received from the Government was done by this girl, who, you say, was paid $50 a month. Is that correct?

Mr. ROTHERMEL. She received nothing of that except the $50 that came out of Miss Young's check, who has charge of the congressional office in Reading. Now let me ask the gentleman a question. Where did you get the information that was submitted in the RECORD?

Mr. TOWNER. I told you a few minutes ago that I got it from the members of the committee, and I stated when I made the statements that I made them on information. The value of the gentleman's statement that he received this money in both of these instances is dependent upon whether the gentleman paid it out in these instances.

Mr. ROTHERMEL. When I say I paid it out, I paid it out. I paid out not only $250, but not less than $50 and $75 a month extra from my salary since I have been in Congress.

Mr. TOWNER. One more question. In view of the statement made here by the gentleman himself, that this money was received by him in both instances and under those circumstances, does not the gentleman think that he ought to have asked that an investigation be made in order that the facts may be ascertained in regard to the entire transaction?

Mr. ROTHERMEL. I have no fear of an investigation.

Mr. TOWNER. Is it not the purpose of the gentleman to ask for an investigation?

Mr. ROTHERMEL. I have no fear of an investigation at all.

Mr. TOWNER. But you ought to ask for it.

Mr. ROTHERMEL. I say it ought to be absolutely sufficient when I tell the gentleman my statement.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. ROTHERMEL. Yes.

Mr. MANN. The clerk-hire check is made out to the Member himself. Of course the gentleman received the clerk-hire check himself?

Mr. ROTHERMEL. No; that is made out to the clerk himself.

Mr. MANN. No; I beg the gentleman's pardon. I am speaking of the clerk hire. I am not speaking of the clerk's salary. The clerk-hire check is paid directly to the gentleman?

Mr. ROTHERMEL. Yes.

Mr. MANN. The question was asked whether the gentleman received $250 a month. The check for the salary of the clerk of the committee is made out in the name of the clerk of the committee, is it not?

Mr. ROTHERMEL. Yes.

Mr. MANN. Did the gentleman ever cash any of those checks?

Mr. ROTHERMEL. I will say this to the gentleman from Illinois: Mr. Baker sent a receipt to the document room, and I then indorsed the check and sent him on the money.

Mr. MANN. You received in the mail a check for the committee clerk, made out in the name of the committee clerk?

Mr. ROTHERMEL. No.

Mr. MANN. That is what I understood the gentleman to say.

Mr. ROTHERMEL. No; that is fixed up in the document room.

Mr. MANN. Not the document room——

Mr. ROTHERMEL. In the disbursing office, I should say.

Mr. MANN. That check is made out in the name of the clerk of the committee?

Mr. ROTHERMEL. Yes.

Mr. MANN. I understood the gentleman to say that he forwarded those checks.

Mr. ROTHERMEL. No; I said——

Mr. MANN. What was the transaction?

Mr. ROTHERMEL. First Mr. Baker was here and got his own check, and after he went home he wrote to me that I should get his check and get it cashed and send him the money.

Mr. MANN. The check that the gentleman received, then, was not mailed. It was made out by the disbursing officer and it ran to Mr. Baker?

Mr. ROTHERMEL. Yes. He sent the receipt, and I indorsed the check and sent him the money.

Mr. MANN. The gentleman did not cash any of those checks?

Mr. ROTHERMEL. No.

Mr. MANN. You sent the check itself to Mr. Baker?

Mr. ROTHERMEL. No; I indorsed it and sent him the money.

Mr. MANN. What do you mean by indorsing the check?

Mr. ROTHERMEL. He wrote letters to me that I should indorse the check and send the money to him, and I sent it on.

Mr. MANN. Why was it not just as convenient to send the original check to Mr. Baker himself as to cash it and send to him a new check?

Mr. ROTHERMEL. He asked me to do that, and the receipts are on file.

Mr. GOOD. I will ask the gentleman did he send this money to Mr. Baker by a draft or a check?

Mr. ROTHERMEL. I sent it once by check, I think, and once I telegraphed it to him.

Mr. GOOD. You have the receipts, of course, for those payments that you made to him, have you?

Mr. ROTHERMEL. I have not. I have daily expected him to come here.

Mr. MURDOCK. Will the gentleman yield to me?

Mr. ROTHERMEL. Yes.

Mr. MURDOCK. I should like to get this thing straight in my mind. This is the second occasion on which I have listened to a discussion of it. The gentleman is chairman of a committee known as the Committee on Expenditures in the Department of Commerce. Is that correct?

Mr. ROTHERMEL. Yes.

Mr. MURDOCK. And that committee has investigated the matter of pelagic sealing in Alaskan waters? Is that correct?

Mr. MONTAGUE. Mr. Speaker, I rise to ask the gentleman from Pennsylvania to make his responses loud enough so that we may understand him back here. We can not hear a word that he says.

The SPEAKER. The House will be in order, and the gentleman from Pennsylvania will please speak a little louder.

Mr. MURDOCK. This committee of yours has made an investigation in regard to the unlawful killing of seals in Alaskan waters? Is that correct?

Mr. ROTHERMEL. Yes.

Mr. MURDOCK. And has made a report to this House that some one up there, if I remember correctly, the North American Commercial Co., the lessee of the Pribilof Islands, is liable to this Government on its bond? Is that correct?

Mr. ROTHERMEL. That is what the committee report.

Mr. MURDOCK. During the progress of this investigation did the gentleman hire a young lady as clerk of the committee here?

Mr. ROTHERMEL. Only in this way: When I hired her at $50 a month I told her that there was work to be done here for the committee on this investigation that the gentleman has referred to in his question.

Mr. MURDOCK. You were not authorized by the committee to do that, were you?

Mr. ROTHERMEL. I simply stated that I thought the committee would make an allowance to her.

Mr. MURDOCK. You stated that to her?

Mr. ROTHERMEL. Yes.

Mr. MURDOCK. But the committee made no allowance until the other day.

Mr. ROTHERMEL. No.

Mr. MURDOCK. Did you pay her out of the check you get monthly for $125, with the marginal notation upon it "clerk hire"? You paid that woman $50 a month out of that?

Mr. ROTHERMEL. Yes.

Mr. SAUNDERS. That was for his private work.

Mr. MURDOCK. I understand perfectly. You paid out of that same check $75 to Miss Young in Reading, Pa.?

Mr. ROTHERMEL. Yes.

Mr. MURDOCK. Miss Young runs your office there. Is that correct?

Mr. ROTHERMEL. Yes; and she attends to congressional work there every day in the year.

Mr. MURDOCK. So the full $125 was accounted for completely by the payment to Miss Kirby in Washington of $50 a month and to Miss Young in Reading of $75 a month?

Mr. ROTHERMEL. Absolutely, with additional payments that I made out of my own pocket.

Mr. MURDOCK. The other day we were given to understand on the floor of the House that Miss Kirby had received but two payments of $50 each, or $100 in all, when, as a matter of fact, she had received $350. Is that correct?

Mr. ROTHERMEL. Yes. I will say to the gentleman that if this matter had not come up in my absence and without my knowledge it would have been easy for me to explain this, but I did not know that the resolution had been offered in the House until they told me on Monday morning.

Mr. MURDOCK. Now, a final question. The committee which made this investigation had, besides these two women—one in Washington and one at Reading, Pa.—a third person as clerk, who received $125 a month under the law?

Mr. ROTHERMEL. No.

Mr. SAUNDERS. The committee in Washington did not have any young lady in Pennsylvania.

Mr. MURDOCK. I mean the clerk of the Committee on Expenditures in the Department of Commerce. There was a third person involved, a young man who was to receive $125 a month; is that correct?

Mr. ROTHERMEL. Yes; that is correct.

Mr. MURDOCK. And that man's name was Baker?

Mr. ROTHERMEL. Yes.

Mr. MURDOCK. Did he get the money?

Mr. ROTHERMEL. Yes.

Mr. MURDOCK. That is what I wanted to know.

Mr. SAUNDERS. They have all got their money.

Mr. VARE. Will the gentleman yield for a question?

Mr. ROTHERMEL. Yes.

Mr. VARE. Did I understand my colleague correctly to say that this young man who is now at home sick was here in January performing his work?

Mr. ROTHERMEL. He was here——

Mr. VARE. All of December and a part of January?

Mr. ROTHERMEL. I think so.

Mr. VARE. Now, the fact remains that instead of being absent four or five months he has not been absent three months. So if he was paid for every day he was absent on account of sickness, he would be paid for less than three months' service?

Mr. ROTHERMEL. I think there were two checks he did not draw himself, because he was not here.

Mr. BUTLER and Mr. WOODRUFF rose.

The SPEAKER. Will gentlemen give the gentleman from Pennsylvania a chance to answer one question before asking another?

Mr. VARE. The gentleman has answered my questions.

Mr. WOODRUFF. I should like to ask the gentleman to tell the House when he made these arrangements with Miss Kirby to pay her $1,200 for this work.

Mr. ROTHERMEL. I never made any arrangement with Miss Kirby to pay her any money. When the committee met and the hearings were concluded and the report was read to the committee, some member suggested that we ought to pay the help that we had, and then I think it was the gentleman from Louisiana [Mr. WATKINS] who made the first suggestion that Miss Kirby had done a whole lot of work for the committee, and I called her in, and then and there the resolution was passed that she should have $1,200 for the work she had done.

Mr. BUTLER. For the committee work she was to have $1,200. She was to have $50 for your work. Who complains that the money has not been paid to either one of these employees?

Mr. ROTHERMEL. Not one of them. It came up in the House and it looked to me like an attack on me.

Mr. BUTLER. I should say decidedly that it was an attack on the gentleman, a man known all over the State for his absolute integrity and honesty. [Applause.]

Mr. TOWNSEND. Mr. Speaker, if the gentleman will yield, it seems to me that one fact has not been emphasized which Members should bear in mind. I happen to have been the author of the resolution introduced requiring the investigation made by Mr. ROTHERMEL's committee into the operation of the Alaska seal leases. Now, I want to make a statement: For nearly three years the committee has been conducting a laborious and intricate and, I am glad to say, a successful investigation. During much of that time the committee—and gentlemen should keep in mind the difference between committee work and the Members' work—the committee was without a clerk. The work accumulated in that office to such an extent that, to my personal knowledge, being deeply interested in the work, the gentleman from Pennsylvania was at his office night after night until nearly midnight doing the work for which Congress had not appropriated money to pay a clerk. I am informed that there are committees of the House which, when they appoint a subcommittee to do investigating work, allow that subcommittee a clerk, a sergeant at arms, or a doorkeeper, or messenger. That work could not be any more laborious, any more continuous, than this work done by the gentleman from Pennsylvania. I do not believe that any other investigation will prove more instructive, illuminating, or successful than the work that the gentleman from Pennsylvania [Mr. ROTHERMEL] and his committee have done, and it appears that the total cost to the Government for nearly three years' work is this disputed appropriation of $1,200, not for Mr. ROTHERMEL's work, but for the committee work.

It must be kept in mind, also, that Mr. ROTHERMEL continued the work of investigation while Congress has been in recess, when Congress deprived him of the committee clerk's compensation, and he put his hand into his own pocket to hire necessary clerical assistance.

Mr. SAUNDERS. Will the gentleman yield?

Mr. ROTHERMEL. Certainly.

Mr. SAUNDERS. As I understand the situation, you as well as every other Member of Congress, have an allowance of $125 a month for clerk hire. Out of that $125 you appear to have paid two separate persons to do your individual clerical work, as it was entirely proper and competent for you to do. Every dollar of the $125 that is intended for your personal work has gone to the persons whom you employed. In addition you have paid out other amounts for this work. We are not concerned with the number of actual persons whom a Member employs to do his personal work. I understand further that your committee also had a clerk who under the law drew a definite salary, and every dollar of the salary to which that party was entitled, has been received by him.

Mr. ROTHERMEL. Yes.

Mr. SAUNDERS. So far as the claim of the young lady for work done for the committee is concerned, that is quite a different proposition. This matter was passed up to the committee, and the committee in view of the facts, recommended that she receive for that work a certain amount. That recommendation was brought before the House, and the House agreed to pay the young lady the amount recommended.

Mr. ROTHERMEL. Yes. I wish to say this, and to make it clear to the House, because it may not be distinctly understood, that these expenditure committees have no clerk until the reg-

ular session opens. When Miss Kirby came I had no clerk at all, and, as the gentleman from New Jersey states, I did most of the work day and night, in order to get through with it.

Mr. TOWNSEND. And during the recess of Congress when you had no clerk.

Mr. SAUNDERS. I will develop one fact further in this connection, and that is that so far as Mr. Baker is concerned, his is a committee, and not a personal question. Whether or not he should be paid, in view of the fact that he has been sick, is a matter that concerns the whole committee, and it was not up to the gentleman, as chairman, to decide the matter on his own responsibility.

Mr. ROTHERMEL. I consider that it made no difference to the Government whether he was dropped or not. He was one of my constituents, and the committee had instructed me to name a clerk, and so I kept on expecting Mr. Baker to return. My colleagues know him to be as fine a young man as lives.

Mr. ASHBROOK. Will the gentleman allow me?

Mr. ROTHERMEL. Yes.

Mr. ASHBROOK. Mr. Chairman, I do not know anything about these check transactions; but I do want to say that during the Sixty-second Congress I had an office by the side of the office of the gentleman from Pennsylvania, and I know of my own knowledge that there is no Member of the House—certainly no investigating committee—that devoted more time to the duties of his office than did the gentleman from Pennsylvania [Mr. ROTHERMEL]. From early morn until late at night—Sundays included—work was going on in that committee room. Often two, three, and four clerks were engaged; but who paid them I do not know. I do want to say, however, that I believe the gentleman from Pennsylvania has been one of the most industrious, hard-working, conscientious Members of this House, and I believe every statement he has made to be absolutely true. [Applause.]

Mr. MOORE. Mr. Speaker, I ask the gentleman to yield to me for a moment. I am a Republican, and the gentleman from Pennsylvania is a Democrat. There is nothing political in common between us. I have listened to this discussion, however, until it has become almost unparliamentary, the gentleman from Pennsylvania having been so constantly referred to in the second person as to indicate that there is a personal attack upon him.

Under these circumstances, I want to say, as a Republican who has watched his colleague from Pennsylvania—a Democrat—through the whole of his career in Congress, that I do not believe for one moment that he would hocus-pocus this House or misappropriate one single dollar that was due to him or to some one in his employ. [Applause.]

The gentleman from Pennsylvania has been drawn into an unfortunate position at a time when a political campaign is being waged against him in his own district and within his own party. I do not, therefore, intend to sit silently here and see him personally assailed and his reputation questioned for partisan or political purposes. His own colleagues know him too well for that.

It seems to me that this statement is due by one who has had no political affiliations with the gentleman. I have not agreed with him politically, nor have I agreed with the findings of his subcommittee on the question of the fur-seal industry. It seems to me, if any fault was to be found with the gentleman from Pennsylvania in that matter, it was due to his overzealousness. He undertook to find fault with the Republican administration, and I think unjustly. But this personal assault upon him, even from his own side, seems to be beside the question, totally unfair, out of place, and unwarranted in a House made up of his own colleagues. [Applause.]

Mr. LEWIS of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. ROTHERMEL. I yield to my colleague.

Mr. LEWIS of Pennsylvania. Mr. ROTHERMEL, for the purpose of having your congressional work done you employed some one in your office here and some one in your office at Reading. Is that correct?

Mr. ROTHERMEL. Yes; that is correct.

Mr. LEWIS of Pennsylvania. And these two parties were paid out of your clerk's salary check?

Mr. ROTHERMEL. Yes.

Mr. LEWIS of Pennsylvania. You required additional help, as I understand, for the purpose of having certain clerical duties performed for a committee of which you are the chairman?

Mr. ROTHERMEL. I stated at the time that Miss Kirby was employed, when the investigation was going on, that there was work going on, and I stated that I thought the committee would pay her for the work she did for the investigation of the fur-seal industry.

Mr. LEWIS of Pennsylvania. Then this money that was paid from time to time for clerical work for this committee was not retained by you, as I understand, but was given to the parties whom you believed were justly and legally entitled to it?

Mr. ROTHERMEL. Yes.

Mr. LEWIS of Pennsylvania. And not one dollar was retained by yourself?

Mr. ROTHERMEL. Not one dollar.

Mr. LEWIS of Pennsylvania. Mr. ROTHERMEL, I want to say to your colleagues that I come from your congressional district, and in season and out of season, as a Republican, now a Progressive, I have fought you tooth and nail politically; but I do not hesitate to say, and I want to say here, with all of the emphasis I am capable of putting upon these words, that never by your friends and neighbors in the counties of Lehigh and Berks, in the State of Pennsylvania, have I ever heard your integrity questioned. [Applause.] As my friend from Pennsylvania [Mr. MOORE] has said, there is a bitter contest being waged in your district, and, in the language of the street, if I may be permitted to apply it in your case, you are being made the "goat." I am sorry to see it, and I am glad, as a friend and neighbor, of the opportunity offered to rise at this time and say to your colleagues, who may not know you as long as I have known you, that your honesty is above reproach, and those who know you best and have known you all of these years would never, for one minute, believe that you were ever mixed up in any scandal reflecting upon your own honesty or concerned in any matter that would reflect upon the honesty of anyone else. [Applause.]

Mr. WOODRUFF. Mr. Speaker, will the gentleman yield?

Mr. ROTHERMEL. Yes.

Mr. WOODRUFF. Mr. Speaker, I have been much edified by the last two speakers and the sentiments they have expressed. Unfortunately, I do not come from the State of Pennsylvania, and I have had no previous acquaintance with Mr. ROTHERMEL or the reputation he bears. These two gentlemen have expressed their sentiments, one as a Republican and the other as a former Republican and now as a Progressive; but I want to say, as another Progressive and not as a Republican, that I am endeavoring to get at the facts in this case. I would like to ask the gentleman if he will answer the question I asked him some time ago, which he did not answer, and that is, will the gentleman tell the House when the arrangements were made with this young lady to do this work?

Mr. ROTHERMEL. When the hearings were concluded and the report had been read and passed by the committee.

Mr. WOODRUFF. Just when was that?

Mr. ROTHERMEL. That was probably four weeks ago. The hearings will show that.

Mr. WOODRUFF. And no arrangements were made as regards this $1,200 until four weeks ago?

Mr. ROTHERMEL. Not at all.

Mr. WOODRUFF. Just what arrangements did you make with her as regards compensation?

Mr. ROTHERMEL. I made no arrangements at all. When the matter came up in the committee, I said, "Miss Kirby is here now and we will call her in."

Mr. WOODRUFF. Will the gentleman say that the committee employed this young lady to do this work without an understanding as to how much compensation she should receive for it?

Mr. ROTHERMEL. She was not employed. I simply stated to her, as I have repeatedly said to this House, when I agreed to pay her $50 a month, that there was work in this committee in this investigation and that I needed help, and I thought that the committee would pay for it.

Mr. WOODRUFF. Will the gentleman tell the House just when she began her work?

Mr. ROTHERMEL. Last August.

Mr. WOODRUFF. Do you mean to tell the membership of this House that that young lady has been employed since last August up until four weeks ago without having any understanding as to what money she was to receive?

Mr. ROTHERMEL. She had no understanding until the committee had concluded its hearings, as I have said repeatedly here this morning.

Mr. LOGUE. Mr. Speaker, will the gentleman yield?

Mr. ROTHERMEL. Yes.

Mr. LOGUE. Mr. Speaker, after hearing the statements I shall leave out of consideration altogether the Member's clerk hire, and consider merely the question of the committee clerk compensation. This lady did work for the committee without any understanding as to pay?

Mr. ROTHERMEL. Yes.

Mr. LOGUE. As I understand it, the clerk of the committee, Mr. Baker, was away. He was taken sick. With no arrangements whatever as to clerk pay, the work of the committee was carried on and the work of the committee was brought up to date. The clerk hire for the committee was paid, and Mr. Baker has been in receipt of his salary, a sick man, instead of being cut off the pay roll. The clerk work was done, no matter who did it, and the chairman of the committee, either in hours or after hours, had the work done and a report was made back to the general committee, and the general committee recommends that the sum of $1,200 shall be paid to this lady as compensation. It strikes me, therefore, that we are confronted with merely this condition: That the work of the committee has been done by some one, no matter by whom; that the regular clerk of the committee is sick; and that the committee did not stop to consider the question of whether a sick person should be cut off the pay roll and some one else be put on in his place; but having an active, earnest chairman, who saw the work, who brought it up to date, after it was brought up to date the committee recommends compensation for the person who performed the work.

It strikes me we have gotten off into a wide, broad scope. It is simply a question if this work was done and if this work is one which called for the compensation which the committee in their wisdom recommended, and we are going a great deal out of our line over to a point of asking whether a man who was acting for the committee and did the proper clerical work is reported as sick to the chairman of the committee and the inquiry made whether or not he was cut off on the exact day that he was incapacitated. My opinion is we would never be so very quick as regards ending the expenditure of our money with our own employees who were taken sick, and I do not think we ought to strain ourselves to do it as regards the public money.

Mr. SAUNDERS and Mr. WOODRUFF rose.

The SPEAKER. To whom does the gentleman yield, if to anybody?

Mr. ROTHERMEL. I can not yield any further.

Mr. SAUNDERS. May I ask the gentleman just one question?

Mr. ROTHERMEL. Just one.

Mr. SAUNDERS. So far, as the work that this young lady did for the gentleman's committee, is under consideration, I understand that she did the work, and took her chances of compensation first with the committee, and then with the House. The question of compensation was put up to the committee. The committee made its recommendation. This recommendation was then put up to the House, and the House, in view of the facts which were developed, allowed her a certain compensation as a quantum meruit.

Mr. WOODRUFF. Will the gentleman yield to me?

Mr. ROTHERMEL. I can not yield.

The SPEAKER. The gentleman declines to yield further.

Mr. ROTHERMEL. Now, Mr. Speaker, in conclusion I wish to say to this House, and state that I will not yield any further, that my regard for the membership of the House of Representatives has always been the highest, and I wish to state here now that I appreciate the sentiments which were expressed on the part of my colleagues, Republicans and Democrats alike, to take that stain from my character. It was unfortunate and unjust, as I felt, to take the matter up in my absence. If I had been here, these facts would have been before the House before that resolution was passed, and I wish to state in conclusion that I have not changed my opinion, and I feel that when a man is attacked he is perfectly safe in the hands of the Members of the House of Representatives. [Applause.]

Mr. WATKINS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WATKINS. Mr. Speaker, I would like to ask unanimous consent to address the House for five minutes, particularly for the purpose of explaining the position that the young lady is placed in in reference to this matter.

Mr. MANN. Mr. Speaker, I think we have had enough of this, and I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. WATKINS. I will be glad if the gentleman from Illinois will reserve his right to object.

Mr. MANN. Oh, the gentleman can get time in general debate on the naval bill. I think we have had enough of this matter.

The SPEAKER. The gentleman from Illinois objects.

SAMUEL MEISENBERG (MARTEN).

Mr. SABATH. Mr. Speaker, shortly after the first news was flashed from Vera Cruz that for the purpose of upholding the honor and dignity of the American flag our fleet had commenced the taking of that port, we have been informed that in that cause four American boys have lost their lives. Only three names of those who have fallen in upholding the respect and honor of our country were given. The fourth was designated as "name unknown." But he is not unknown any longer. His name was Samuel Meisenberg, who, however, enlisted under the name of Samuel Marten. He was a boy of Jewish parentage, from my district of the city of Chicago. This brave and courageous young man enlisted under the assumed name, as many other young men of foreign birth have done, in order to escape the prejudice which frequently exists in certain branches of the service, and which I hope and trust will be speedily eliminated, especially when it has been demonstrated again and again that it is uncalled for and unjustifiable.

Though I deplore exceedingly that any lives had to be lost, and that more may yet be lost, still I must at this time admit that I am gratified that among the first four who have given up their lives for the honor of our country is a boy of Jewish birth, of my own city, and that two of the other three young men are of foreign-born parents. This clearly proves, as I have always maintained, that the foreign-born people are, and always will be, appreciative of our free institutions, and are ready and willing to defend them with their lives as readily and willingly as any who are able to point with pride to a long line of American ancestors.

Though I am personally strongly opposed to war, and hope and trust that it will not be necessary for us to take further and more stern measures in order to compel respect for our flag and our country and to convince the Mexican people that the step which we have taken is in the best interests of their unfortunate, war-ridden country, torn by internal factions and strife, still, if war must come, I feel confident that our country—that my country—can depend with equal safety and confidence upon those citizens of foreign birth fully as well as upon those more fortunate American-born citizens.

This is borne out by the very first report received from the scene of activities at Vera Cruz, just as it is borne out by the very first reports which reached us at the opening of the Spanish-American War, when the name of a Jewish young man, Maurice Jusiti, a sergeant, of San Francisco, led the list of those who gave up their lives in the Philippine Islands for the cause of his country.

Further proof of my contention and my confidence in the foreign-born citizens is found in the fact that among the names of the 20 young men who have been seriously wounded in the taking of Vera Cruz I find the names of 2 other Jewish boys—Nathan Schwartz, of New York, and George Maurice Davidson, late of the city of Chicago—clearly demonstrating that my city and my State, which I have the honor in part to represent, and my people and boys of foreign-born citizens of all nationalities are now at the front ready and willing, as I have stated, to defend and protect with their lives the honor and dignity of our country and our flag.

Notwithstanding this, we will find some gentlemen on the floor of this House questioning the patriotism of those who have been admitted as aliens to our shores.

But, Mr. Speaker, this is not the first time in our history that the Jewish people and the foreign-born citizens have demonstrated that they are always ready and willing to take up arms in the cause of the land of their adoption.

When this same port of Vera Cruz was taken in 1847 it was the father of my colleague, Mr. LEVY, of New York, Capt. J. Phillips Levy, who was one of the first to land and who was made captain of the port by Maj. Gen. W. J. Worth.

The Jewish citizens have at all times displayed earnest devotion, faithful service, courage, and bravery in the defense of their country. They took part in the earliest struggle for independence, and we continue to find their names linked with those who are struggling to solve the mighty problems which so nearly concern our Nation.

Historical data will show that a very large number of them have aided in every conceivable way not only on the battle field but in a financial way, many of them having come forward with their entire wealth to aid the Continental Army in the hours of its greatest need.

Everyone who is acquainted with the struggle for our independence must be familiar with the great service rendered by Hayn Solomon, who was a friend of Gen. Washington, fellow countryman and associate of Gen. Pulaski, and friend of Kosciusko. Not only did he give his valuable services, but he sacrificed his entire fortune for the cause.

At some future day I shall, with the permission of this House, give a list of the many hundreds of Jewish and other foreign-born citizens, soldiers, sailors, and marines who have served

our country with distinction both as privates in the ranks and as officers in our war for independence, in the War of 1812, and in all subsequent conflicts, hoping thereby to show that they are not neglectful of their duty toward their country, but are desirous of serving it in times of war as well as in times of peace.

Mr. Speaker, a few minutes ago I was handed a new list of the dead and wounded, and again find in that list of honor the names of L. O. Friede, another Jewish boy, and Frank Devorich-Drovak, a Bohemian-American boy.

Among those seriously wounded appear the names of H. J. Kaplan, W. Powkowski, H. E. Boyle, Louis Kwapich, M. Fitzgerald, and Harry J. Reed, of Chicago, which demonstrates that my city has so far furnished its quota of those brave men who have fallen in the very first struggles in the cause of our country and that the names of the Jewish boys head the list of the dead and wounded, and the brave Irish, German, Bohemian, and Polish-American people are giving in ungrudging measure their blood in the cause of their adopted country and can be depended on, come what may.

Mr. DALE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the courage of one John F. Schumacher, a resident of the fourth congressional district of the State of New York, who was one of the four boys just referred to by my colleague from Illinois [Mr. SABATH], who lost his life day before yesterday.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. FERGUSSON. Mr. Speaker, I ask leave to address the House for one minute for the purpose of reading a letter from a Spanish-American, called Mexican here in Washington, relative to the opening of the war——

Mr. MANN. Mr. Speaker, all of these matters can come up in general debate on the naval bill, and I object.

The SPEAKER. The gentleman from Illinois objects.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14034, making appropriations for the support of the Navy.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14034, the naval appropriation bill, with Mr. JOHNSON of Kentucky in the chair.

Mr. BUTLER. Mr. Chairman——

The CHAIRMAN. For what length of time does the gentleman from Pennsylvania wish to be recognized?

Mr. BUTLER. Will you please inform me how much time is left to be consumed on the Republican side of the House? I have been absent for two or three days and my mind has been filled with other things.

The CHAIRMAN. The gentleman from Massachusetts [Mr. ROBERTS] has used 2 hours and 18 minutes.

Mr. BUTLER. Therefore 2 hours and 42 minutes remain?

The CHAIRMAN. The gentleman's arithmetic is correct.

Mr. BUTLER. I thank you.

Mr. PADGETT. Mr. Chairman, I will ask that the gentleman from Pennsylvania [Mr. BUTLER] use some of his time now.

Mr. BUTLER. Mr. Chairman, I yield 15 minutes to the gentleman from New Jersey [Mr. BROWNING], a member of the committee.

Mr. BROWNING. Mr. Chairman, I doubt the wisdom of the Navy Department in seeking to build all naval vessels in Government navy yards regardless of cost or length of time in completion. From a strictly business standpoint the proposition is not a good one.

The department continues to call for public bids, as required by law, but in competition with these bids made by our shipbuilders in good faith navy yards are permitted to submit (usually in secret) so-called estimates of the cost of construction of the vessel in question in a Government navy yard. These "estimates" are so irresponsible and inaccurate that they have been made the subject of a proposed amendment to the naval bill introduced by Senator LODGE, which amendment aims to fix the responsibility upon some officer in authority at the navy yard where the estimate is made. This amendment reads as follows:

> Estimates of costs prepared at navy yards equipped for the construction of such vessels shall be certified to as follows by the officers preparing such estimates:
>
> "I certify that this estimate is sufficient to cover the cost of the vessel completed in accordance with the contract plans and specifications, including the customary contingencies, and, further, that these estimates, as approved by the chiefs of the bureaus concerned, shall be opened and made public at the time appointed for the opening of competitive bids: *Provided further*, That in case the actual cost of a vessel built in a navy yard shall exceed the estimate submitted when the work was authorized, that fact shall be entered on the record of all officers of the Navy concerned."

That navy-yard construction is vastly more expensive than the cost of similar work in a private yard has been demonstrated time and time again, and, furthermore, it is admitted by the naval authorities at this time. For instance, in the table prepared by the Navy Deparment and appended to the testimony of the Secretary of the Navy at this session, which table shows the relative cost of construction of the different types of naval vessels, first, in a private shipyard, and, second, in a Government navy yard, it is seen that a battleship which would cost $14,823,410 in a private shipyard would cost $16,873,410 in a Government navy yard, a difference of about 13 per cent in favor of the private yard.

Mr. BRYAN. Will the gentleman yield right there?

Mr. BROWNING. Yes.

Mr. BRYAN. Is it not a fact that in estimating the price in the private yards a great sum is carried for naval officers and others who would be paid anyway if we did not build a battleship, and, as far as the expense of the Government is concerned, it would not really be as high as $16,000,000?

Mr. BROWNING. It is not so in this case. That is the construction of the vessel.

This same relative difference in cost between the private and Government yards runs through the estimates of the various types of naval vessels. The table referred to will be found on page 848 of the hearings before the House Committee on Naval Affairs at this session.

While this "estimate" admits this 13 per cent of increase in cost of navy-yard construction over the price in a private yard, the experience of the Navy Department as reported to Congress where ships of identical types were built simultaneously in a navy yard and a private yard shows that the real difference in cost is even greater than disclosed by the estimates found in the table just referred to.

In the case of the colliers *Prometheus* and *Vestal*, built in a Government navy yard, these vessels, according to the chairman of the House Committee on Naval Affairs, cost the Government $1,150,000 in round numbers, while in private yards, Mr. PADGETT stated, the ships could have been produced for $890,000, a difference of $260,000.

Mr. PADGETT has also stated on the floor of the House that the battleship *Louisiana*, built in a private yard, cost $7,426,000, as against her sister ship *Connecticut*, built at the Brooklyn Navy Yard, for $7,911,000, something like $500,000 difference in cost. These facts will be found in the CONGRESSIONAL RECORD, issue of May 28, 1912, pages 7344–7345, volume 48, part 7, Sixty-second Congress, second session.

The battleship *Florida*, built in Government yard, cost $6,295,137; the cost of her sister ship *Utah*, built by contract, was $4,145,228. Both of these vessels were authorized in the naval act approved May 13, 1908.

I am speaking of these costs exclusive of armor and armament.

The fact is that the exact cost of a vessel built in a Government navy yard is very difficult of ascertainment, and this statement brings us back to a consideration of the so-called "estimates" of the cost of the construction of a vessel which are placed in competition with actual bids submitted by shipbuilding companies. Our present chairman of the Naval Committee of the House remarked in a recent hearing:

> The bids submitted by the navy yards are simply estimates; and if the work is not done within their estimate there is no recourse or obligation on them; we just have to appropriate more money. * * * It is a question whether they can carry out their estimated figure.

As pointed out, Mr. Chairman, this tendency to build naval vessels in navy yards has apparently become a fixed policy under the present administration of the Navy Department, and that the department now has ample authority to proceed with navy-yard construction without the necessity for any enlargement of that authority is evident from the fact that the greater portion of the naval vessels authorized in last year's naval act has been placed under construction in the various navy yards throughout the country.

The battleship authorized is being built in the New York Navy Yard; the supply ship is to be built in the Boston Navy Yard, the transport in the League Island Navy Yard, and one of the four submarines at the Portsmouth (N. H.) Navy Yard. This shows that the Department has ample authority already to carry on its policy of building in Government yards, but not content, it is reaching out for further powers which would close the doors on private plants, except when the Government yards are so stocked up with work that they could not handle any

further orders. It is true that they hold out a saving grace in a clause which provides that when contract costs are less in private plants than costs in such Government plants, then the Government plants may not be given the work; but as these Government costs are determined by navy-yard "estimates," there is little likelihood that the private yards will receive any considerable amount of Government work under this arrangement.

Mr. Chairman, I have the honor to represent a district in which is located one of the largest and best shipbuilding plants in this or any other country, in which is invested nearly $12,000,000 and which employs from 5,000 to 5,600 persons.

Just across the Delaware is the Cramp Shipbuilding Co., with about $15,000,000 invested, and employing some 4,500 men, many of whom live in my city.

Numerous other large plants in the country in which millions of money is invested, employing thousands of men, must share the fate of the two concerns in which I am so deeply interested if the Government pursues the policy advocated in certain sections of this naval bill, for I do not believe, Mr. Chairman, that private plants can survive if all Government contracts are taken from them. There is not sufficient private work to justify their existence. Now, a very serious question arises: What is to become of the millions of dollars invested in these great establishments; and, worse yet, what is to become of the thousands of employees depending upon them for their daily wages?

Not only does this administration propose to build all our ships in Government yards, but they also propose to enlarge the powder plant in Maryland, in addition to running the same at its full capacity—three shifts of 8 hours each, or the whole 24 hours; and, further, to build an armor-plate plant.

Mr. MOORE. Will the gentleman yield?

The CHAIRMAN (Mr. DIES). Will the gentleman yield?

Mr. BROWNING. I will.

Mr. MOORE. Has the gentleman made any estimate of the number of people dependent upon the 5,000 employees at work in his yard?

Mr. BROWNING. Well, I should say there are about 20,000 people.

Mr. MOORE. Would not the average be about five persons to one workman?

Mr. BROWNING. Well, then, it would be about 25,000 people.

In the first district of New Jersey is located two plants manufacturing dynamite and smokeless powder; one of them—the smokeless-powder plant—manufactures powder exclusively for the Government. In these two plants there are employed from 1,600 to 2,000 people, and if the Government decides to enlarge the powder plant at Indian Head I am advised that one of the plants in my district will be closed and the other seriously affected.

Mr. Chairman, from the considerations which have been pointed out it is clearly in the Government's interest, and a matter of justice to the private shipyards and other plants of this country, to strike out the section of the naval bill seeking to enlarge the department's authority.

We need our navy yards with their splendid equipment and magnificently trained artisans and workmen, but we also need the efficient and prompt service rendered by the private establishments. [Applause.]

Mr. BUTLER. Has the gentleman's time expired?

The CHAIRMAN. It has expired.

Mr. BUTLER. Then he has no time to turn back?

The CHAIRMAN. No.

Mr. BUTLER. I yield to the gentleman from New Mexico [Mr. FERGUSSON].

Mr. FERGUSSON. Mr. Chairman, I arise only for the purpose of getting in the RECORD a letter from some Spanish-Americans, commonly called Mexicans, in the State of New Mexico, with reference to the war with Mexico. I do this with some pride, because I have lived for 30 years among those people and know their loyalty to our flag. They served in the Civil War between the States and in the Spanish-American War, and though they are sometimes referred to mistakenly as "Mexicans," yet for loyalty to our flag they are not surpassed by German-Americans, for instance, or any other class of citizens in this Union of near or remote foreign descent. This is the letter:

ALBUQUERQUE, N. MEX., *April 14, 1914.*

Hon. H. B. FERGUSSON, *Washington, D. C.*

MY DEAR SIR: The Mexican situation looks serious now. It seems that the patience of President Wilson is about exhausted. He has been right from the beginning and he is right now.

When the War of the Rebellion broke out, in 1861, my father was one of the very first in New Mexico to offer his services to President Lincoln. He promptly received a commission, and raised a regiment of volunteers, and for two years and more rendered distinguished service to his country—his adopted country. Myself, my brother, Ireneo L. Chaves, and my boy, Amado, jr., are native-born American citizens, and I wish you would offer to the President our services. My brother and I are not too old and my boy—17 years—is not too young to fight under the glorious flag of our country—the American flag.

Just think for a moment what the condition of New Mexico would be if we did not belong to the United States. It would be deplorable. We are duly grateful to Almighty God that we are native-born American citizens.

If we can be of any service, we will report for duty on a moment's notice.

Yours, truly,

AMADO CHAVES.
IRENEO L. CHAVES.
AMADO CHAVES, Jr.

I would like to add that I have been asked occasionally, since the present situation became acute, how the Mexicans of New Mexico felt in this emergency.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERGUSSON. I have asked unanimous consent to insert this letter in the RECORD in answer to such inquiries as that.

Mr. BUTLER. Mr. Chairman, I yield to my colleague from Pennsylvania [Mr. LOGUE].

Mr. LOGUE. Mr. Chairman, my colleague from Pennsylvania, Mr. MOORE, yesterday called the attention of the House to the fact that among the first offerings on behalf of country made at Vera Cruz was a young man of the city of Philadelphia, George D. Poinsett.

Mr. Chairman, I regret that I was not present at the time to join with my colleague in the tribute paid, but I was at that particular time at the Navy Department trying to procure information concerning the return of the boy's remains, so that I might assist in assuaging the grief into which his family was plunged.

Mr. Chairman, I have the honor to represent the district in which the young man lived, and while it is not for any of us to seek glory out of the misfortune that enters the homes of others, yet it is our place to pay the tribute that is due in the hope that public utterance may to a degree lessen that personal sorrow which has come into the home of our fallen hero.

He, the youngest of a family of 11 children, an ambitious boy, offered his services to his country when but 17 years of age. In time of peace he was ready to give the best that was in him for his country's progress. In time of trouble his love of country did not lessen, but the ardor of youth fanned the flames of patriotism, and he cheerfully went forth to protect his country's rights and to uphold his country's flag.

While we direct our thoughts to the glory incident to the sacrifice of this young man we must not be unmindful of the home that has been depleted and of the father and mother who looked with loving and ambitious hope for the advance of this their youngest child. We must center our thoughts upon it and consider the training and association incident to it, where the lesson taught the youth has been so fruitful as to make him aware of the duty he owes to the great country that protects us and assures to us the preservation of the rights and privileges to which we are entitled.

This youth was of the flower of the country, a boy, manhood's years not come upon him, yet in the springtime of life, he left his home and joined with other valiant boys in the service of his native land. His conduct is a tribute to the sterling worth of the American home, and a tribute to the sterling qualities of the father and mother who guided and directed him. His death will keep his memory green in the hearts of our people for all time.

Words of mine, Mr. Chairman, can not restore, nor can anything restore, to the father and mother the boy who has been snatched away at a time of life when their hopes and ambitions were centered on him. Words of mine can not lessen the grief into which his death has plunged the family of which he is a part; but it is well, Mr. Chairman, that in the Halls of this, the greatest legislative body on the earth, a word of tribute should be uttered, and that proper recognition should be given to this young hero and to the home from which he came.

The names of great generals are preserved by history. Let us not be unmindful of the boy in the ranks, who makes an offer just as high and just as great. Let us remember that he does this at a time of life when all seems bright to him, when neither care nor trouble dim the anticipations of his youth, when life is attractive and hope makes living a thing to be desired.

Shafts and monuments may be erected in future years to the memory of those who have commanded and those who have fallen, but in the records of this House should appear a tribute paid to the boy whose remains lie to-day on foreign shores, who

made the sacrifice that can not be exceeded that the principles for which our Government stands might be upheld. [Applause.]

And while nothing can fill the void in the home, from this reflection may come a sweet consolation to the family saddened by his death, that there was a glory in his mission, a patriotism in his undertaking, and heroism in the tragic termination of his young career. Well may we say of him, loving country, he loved its people; realizing what his country stood for, he knew his duty and performed it, and doubtless felt in his young heart that his work would be the cause of joy to the father and mother whom he loved.

When the history of these days shall be written, when the heroic deeds of Army and Navy officers shall be described, let us not forget that a home in Philadelphia's suburbs contributed just as generously to the welfare of the country, and that a loving father and mother made a sacrifice as great when the valiant, courageous, noble youth fell upon the soil of Mexico. Let these words uttered here, preserved as they will be for all time, perpetuate the memory of George D. Poinsett. [Applause.]

Mr. BUTLER. Mr. Chairman, I now yield 15 minutes to the gentleman from Illinois [Mr. BRITTEN], and will yield 30 minutes if he desires.

Mr. BRITTEN. Mr. Chairman, it is not my intention to direct my remarks to the naval appropriation bill. As a member of the committee I am very well satisfied, and I sincerely hope that it will pass just as it has been handed to the House. I do desire, however, to call attention to three bills now in the hands of the Committee on Interstate and Foreign Commerce, each of them having for their desire the conservation of the beef supply of the country, with the ultimate intention, of course, of reducing the cost of living.

At a national convention of meat packers recently held in Chicago several members of that association expressed an opinion that unless some remedial legislation was enacted by Congress, or unless the farm and cattle growers were educated to the idea of raising more cattle and preventing the slaughter of calves, beefsteak would soon be a dollar a pound, and that this rich, red meat so necessary for the building up of the brain and brawn of our great country would become a delicacy for the rich only to enjoy.

Realizing the great necessity of Government action in this direction, Secretary Lane recently announced that Indians on the Fort Hall Reservation in Idaho are to be encouraged in the raising of more live stock, and that he had recommended to the President that $20,000 of the available balance of the $25,000 in the Treasury to the credit of the Fort Hall Indians be expended in the purchase of bulls, cows, heifers, and horses. I am told that this reservation is now caring for some 4,000 cattle, although there is plenty of land for 15,000 head of stock.

Subsequent to this announcement a certain distinguished Member of the United States Senate suggested that the Government proceed on a systematic plan of stocking all of the forest preserves and Indian reservations with beef cattle and that United States soldiers and Cavalry be used as cowboys.

I am merely directing attention to these incidents to show that there is much diversified agitation toward the conservation of our beef supply before calling your attention to the three bills now in the hands of the Committee on Interstate and Foreign Commerce, one of which was introduced by my good friend from Michigan, Mr. HAMILTON, known as House bill 1818, the substance of which prevents the transportation of any live calf "not accompanied by its mother, unless the same is 6 weeks old or over," and this bill, I believe, is intended largely as a humane measure, to prohibit the shipment of very young calves without their mothers and the further desire to improve the supply of veal.

House bill 8481, introduced by my distinguished friend, Judge ADAMSON, prohibits the slaughter or interstate transportation for beef purposes of "any female calf, heifer, or cow under 7 years of age, or any male calf under 2 years, or the carcass or flesh of any such animal."

This bill, I think, is patterned largely after the law now existing in Argentina, and may bring about the desired results. I am not so sure that I agree with the judge on the age limit of 7 years for female stock prescribed by his bill, but if his committee, after careful consideration, decides that a regulation of this sort would be in the interest of the public generally, I shall very gladly assist in its passage. The only other bill before the committee is House bill 7969, introduced by myself, which prohibits the interstate shipment or slaughter of beef cattle under 2 years of age for food purposes; and it is really immaterial to me which bill is recommended for passage just so long as something is done in the nature of a step forward.

I recall very distinctly how many Members of the House during the discussion of the last tariff bill called attention to the vanishing beef supply of the country and the argument that free cattle and free meats would very quickly make up for this tremendous shortage, which is now costing the people millions of dollars per annum in the advance of the price of beef; and only a short time ago Secretary Redfield, while addressing a Connecticut audience of business men, said that "the fall of prices has already begun," and his reference to the increasing imports of Argentine beef was most gratifying, and I find that importation of beef and veal from there has increased from nothing previous to October 1, 1913, when the free tariff bill went into effect, to nine and one-half million pounds in December and 9,000,000 pounds in January of this year. Australia's shipments of beef have increased from nothing to 3,000,000 pounds a month. Canada is sending a million pounds a month, Mexico a couple of hundred thousand pounds, and little Uruguay in February sent us two and one-half million pounds of frozen beef.

The freight rate on fresh beef from South American ports is about three-fourths of a cent per pound, while the rates in this country run up from one-half cent to 2 cents a pound, plus the refrigeration, depending on the distance.

Has anyone heard of the price of beef being lowered? On the contrary, the Department of Agriculture issued a bulletin on February 7, 1914, wherein it is admitted that the free tariff on foodstuffs, at least so far as the beef supply is concerned, has been very disappointing, and while the imports have increased beyond all expectation, still the price remains the same, so that it can not be said that the consumer is reaping any direct profit from the tariff reduction on meats, while the amount lost to the United States Treasury—and that means the taxpayers generally—in the reduction of the tariff amounts to more than half a million dollars a month. It is but prudent to ask if the consumer does not reap the benefit of this six or seven million dollars a year on account of the tariff reduction, who does? I believe I am safe in saying that the Beef Trusts, operating in Kansas City, St. Joseph, Omaha, St. Louis, Sioux City, and Chicago, are the sole beneficiaries, and their control of the meat markets of the world must be met by some form other than the reduction of a tariff which up to the present has merely resulted in further increasing the dividends for these great corporations.

Principal countries contributing to our total meat importations.

Month and country from which consigned.	Fresh and frozen.			Canned beef and veal.	Cured.	
	Beef and veal.	Mutton.	Pork.		Beef.	Pork.
1913.						
October:	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
Argentina	2,069,794					
Australia	653,145	2,179		152,280		
Canada	2,337,272	958	5,942	25,338	8,575	114,214
Mexico	5,357	9,915				
Uruguay	559,843					
Other countries				30		250
Total	5,625,411	13,052	5,942	177,648	8,575	114,464
November:						
Argentina	3,988,898	10,204		31,025		
Australia	1,681,156			230,571		
Canada	4,811,998	5,708	174,019	36,778	114,130	458,417
Mexico	27,073	13,785			170	16,191
Other countries	179	1,000		1,499		
Total	10,509,304	30,697	174,019	299,873	114,300	474,608
December:						
Argentina	9,440,488	237,422		130,176		
Australia	1,289,143	80,918		483,894		
Canada	2,057,481	8,254	132,243	8,366	149,004	198,164
France					929	
Germany	293			545	70	24,638
Mexico	25,417					
Uruguay	494,454					
Other countries		54		13,360	7,300	53,163
Total	13,307,276	326,648	132,243	636,341	157,303	275,965

Just now there are nine establishments for slaughtering, freezing, and exporting of meats located in or near Buenos Aires, Argentina, and five of these companies are owned or operated by the American Beef Trust, owning big establishments in different parts of the United States, many of which are not running 50 per cent of their capacity merely because the packer shows no desire to purchase in the American market any more than is absolutely necessary, when he can get what he wants from foreign markets at the hands of cheap labor and cheap transportation under a free tariff.

It stands to reason that they will ship to themselves from South America, Canada, and Mexico only such quantity of beef

as will not cause a glutting of the markets and a reduction in price or an interference with their annual dividends. They consign to themselves millions of pounds of meat to be sold here, not in competition with American meats, but at the prevailing market price for beef that has been raised and transported at a much higher price than the imported article, so that I hope I will not be accused of playing politics when I say that the recent tariff bill, so far as meats are concerned, is now paying the Beef Trust more than one-half million dollars a month, and this amount can be increased at the will and option of the packers.

We are told that Russia has been sending agents here to study our food problem and to arrange for beef shipments, so that you may expect an announcement from Secretary Redfield almost any day calling attention to great prospective imports of beef from there, in which the consumer is going to share the benefits with the packer, and the fall of prices predicted months ago is now about to occur, and this cry will probably be maintained until after the next election, when the Department of Agriculture will be forced to again admit that, notwithstanding the tremendous increase in imports, the price of foodstuffs still continues to climb.

Shipments of beef from Australia have increased from nothing prior to the passage of the free-trade tariff bill to three and one-half million pounds in January of this year, and in this connection I desire to call your attention to the fact that Isaac M. Hodgekinson, the Armour & Co. agent at London, was in Chicago a few months ago, and at that time a campaign in Australia was decided on. By campaign I mean that it was decided to do everything in the power of the packing companies' millions to get control of the Australian beef situation before it has developed into a competitive factor. And right here I might add that Swift & Co., of Chicago, are getting their packing plant at Brisbane, Australia, ready to begin slaughtering in September of this year. Armour & Co. have also secured a site for a plant there, but are at present using the Government meat works at Adelaide for slaughtering purposes.

This condition merely shows that packers are alert to the advantage given them in recent tariff legislation, and that they intend to control imports into this country just so long as imports are desired. And it is now up to Congress to enact legislation that will make our country an exporter of beef and foodstuffs rather than an importer.

In many instances 50 per cent of the cattle coming into the Chicago markets for slaughtering purposes are picked up by farmers in Illinois, Indiana, Iowa, Wisconsin, and Michigan, and retransported to their farms to be fattened up and again returned to the markets in Chicago only to compete in price with cheap Mexican, Canadian, and South American products. And as this particular competition is controlled entirely by the packer, and his shipments to himself are gauged according to the market, there can be no wonder at the high prices of meats. And this condition will prevail until we have an adequate supply of beef cattle, and we return to our once prosperous condition when large shipments of beef left American ports for Europe and Asia.

In 1906 we exported 584,000 head of beef cattle, while in the year 1913 we exported less than 25,000 head, or a decrease in that time of nearly 100 per cent. If these figures, coupled with the increase in imports of beef, mean anything at all, they mean that within the lifetime of practically every man on the floor of this House beefsteak will be a dollar a pound, and most of it will be imported into this country from our neighbors to the north and south of us.

The number of beef cattle in this country in 1907 was 52,000,000, and these have decreased so rapidly that on January 1 of this year we have but 36,000,000 head, or a decrease in six years of more than 30 per cent. Now, it does require an expert mathematician to understand the seriousness of this situation. A rapidly decreasing beef supply on one hand and a rapidly increasing population on the other readily accounts for sirloin steak being 71 per cent higher than in the 10-year period between 1890 and 1900, while round steak has increased 103 per cent; rib roast, 73 per cent; pork chops, 122 per cent; bacon, 128 per cent; smoked hams, 82 per cent; lard, 68 per cent.

New foundations must be constructed upon which to rebuild the cattle industry of the country, and I really believe that legislation of this sort is of vastly greater importance than much of the legislation that is daily taking up the time of Congress.

Of course I realize that farmers never regard themselves as having a mission to supply the public with beef at a low price, and in many instances their calves are sold, not because they have not the space nor the feed to keep them, but because of the little ready money that the sale of a calf brings.

On April 8 there arrived at the Chicago stockyards for slaughter 6,000 calves. Think of it, 6,000 calves in one day, many of them from 1 to 7 days old.

Just the other day the gentleman from Tennessee [Mr. AUSTIN] received a letter from a firm of packers calling attention to the slaughter of 9,000 calves from 3 to 6 weeks old in Knoxville last year.

During the year 1911, 8,000,000 calves were slaughtered in the United States, furnishing about 560,000,000 pounds of poor, watery, unwholesome human food. If my bill had been a law at that time and those 8,000,000 calves had lived until to-day, they would have produced 9,000,000,000 pounds more of good red beef than the market now affords. With this additional beef supply every man, woman, and child in your district and mine would enjoy their beef at least once every day instead of once a week as many of them do now.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from North Dakota?

Mr. BRITTEN. Yes; I yield.

Mr. YOUNG of North Dakota. I do not know that I have even seen the bill that the gentleman speaks of. Will it be contained in the gentleman's remarks?

Mr. BRITTEN. Yes. I do not know that the gentleman from North Dakota was here when I started to talk and referred to the conditions surrounding my bill. The substance of it is that it prevents the interstate shipment of cattle under 2 years old for beef purposes, the idea being that if a calf is allowed to grow to maturity our stock of beef cattle will be increased thereby.

In many instances now calves are killed as quickly as the milk coming from the mother is fit to use for food purposes. They are hit on the head, and the skin only is sold in the public market, while the carcasses in many instances are canned and sent to our big cities marked "canned chicken." That fact was brought out by the hearings before the Committee on Interstate and Foreign Commerce. It was also brought out that thousands and thousands of calves die each year from starvation between the loading platform and the slaughterhouse, because they are shipped at such a young age, without proper food and proper care, and they die of starvation on the way.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to his colleague?

Mr. BRITTEN. Yes; I yield to my colleague from Illinois.

Mr. WILLIAMS. Is it not true that in some States they have a law fixing the limit on the age at which calves may be killed? Is not that so in Illinois?

Mr. BRITTEN. It is only conditional in Illinois. A calf can not be used for food purposes in Illinois if it is younger than 6 weeks of age. But of course the National Government has no control over a situation of that sort. We can simply prevent the killing and shipment for food purposes in interstate commerce.

Mr. WILLIAMS. The gentleman's bill would not prohibit the shipping of calves from points in Illinois to the Chicago market, but it would regulate the shipment outside of the State?

Mr. BRITTEN. Yes. My bill has no control over purely State business.

Mr. WILLIAMS. And to make your bill fully effective there ought to be State legislation to the same effect?

Mr. BRITTEN. Assuredly; in every State of the Union.

Mr. WILLIAMS. I did not interrupt because I disagree with him. I agree with him thoroughly.

Mr. BRITTEN. I thank the gentleman.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Kansas?

Mr. BRITTEN. Yes; I yield to the gentleman.

Mr. MURDOCK. I think it was two years ago that a bill passed the House prohibiting the shipment in interstate commerce of immature veal. Did that bill become a law?

Mr. BRITTEN. I will say to the gentleman that it did not become a law. That is the Hamilton bill, which, I understand, was recently rereferred to the Committee on Interstate and Foreign Commerce. It is largely a humane measure, and prohibits the shipment of calves under 3 weeks of age unless accompanied by their mothers.

Mr. MURDOCK. Was that passed?

Mr. BRITTEN. No. It was favorably reported, but it was not passed.

Mr. MANN. It was objected to on the Unanimous Consent Calendar.

Mr. MURDOCK. There was a long discussion of it, as I remember, and I thought it had passed.

Mr. BRITTEN. That was the bill introduced by Mr. HAMILTON of Michigan.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes; I yield.

Mr. MANN. Take a dairy farm, where cows are kept for the purpose of producing milk and where now they knock male calves on the head——

Mr. BRITTEN. And the females as well.

Mr. MANN. Well, as a rule, not. But does the gentleman think there is any way of compelling the dairymen to raise their calves when it costs more to raise them than they are worth?

Mr. BRITTEN. No. The gentleman knows and I know that there is no way for either the State or the National Government to compel a man to raise a calf if he can not sell it or if he does not want to. It is his property, and he can do with it as he pleases. But we can prevent the interstate shipment of that poor food, and we can prevent the interstate shipment of any calves if we please, I think.

Mr. MANN. The gentleman's proposition would entirely cut out, as I understand it, the use of veal?

Mr. BRITTEN. No; it would not prevent the farmers of Illinois, for instance, from selling their calves for food purposes within the State.

Mr. MANN. I mean if it were made thoroughly effective in interstate commerce.

Mr. BRITTEN. Yes; anything under 2 years of age.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Nebraska?

Mr. BRITTEN. Yes.

Mr. SLOAN. As a matter of fact, would not the most of the States follow the lead of the General Government in this as in nearly every other matter? An act of this kind, passed here, would probably be followed up by State legislatures forbidding intrastate commerce in that commodity?

Mr. BRITTEN. No; I do not think that would be the effect. I think the States would enact legislation preventing the slaughter for food purposes of very young calves, but they certainly would not prevent the shipment of calves of any mature age from the farm to the local market within the confines of a particular State. Inside of that point, of course, the National Government has no jurisdiction.

If those 8,000,000 calves had been allowed to live two years, they would have produced 320,000,000 pounds of hides, which in turn would have made sole leather for 224,000,000 pairs of shoes.

It is said by some who are opposed to my bill that all farmers are not in position to raise their calves. That may be true of a very small percentage, but the majority of them could raise all their calves and then have feed to spare, if they would farm scientifically or properly.

Germany's soil has been tilled for a thousand years, and she is now raising 35 bushels of wheat per acre to our 15 bushels, 61 bushels of oats per acre to our 29 bushels, 41 bushels of barley per acre to our 24 bushels, 30 bushels of rye per acre to our 16 bushels, 2 tons of hay per acre to our 1¼ tons, while Italy is raising 28 bushels of corn per acre to our average of 23 bushels.

France and Austria also are producing larger crops per acre than we are.

Unless we improve our farm methods, we might just as well prepare to become a great importing nation of foodstuffs of all kinds.

Just think of the billions of pounds of beef that could be made by properly applying our "feeding stuffs" exported last year, as shown by the following table, in which corn and corn meal have been included as probably used to a considerable extent as feeding stuffs, and so with cottonseed and flaxseed, which become feeding stuffs after the extraction of oil, the total value of which was more than $64,000,000.

Exports of domestic feeding stuffs from the United States during the fiscal year ending June 30, 1913.

Feeding stuffs.	Quantity.	Value.
Bran and middlings.....tons..	6,179	$170,733
Corn.....bushels..	49,064,967	28,800,544
Corn meal.....barrels..	428,794	1,444,539
Mill feed.....tons..	156,142	4,180,133
Oil cake and oil-cake meal:		
Corn.....pounds..	74,262,845	1,131,330
Cottonseed.....do....	1,128,092,367	15,225,798
Flaxseed.....do....	838,119,654	12,982,423
Seeds:		
Cotton.....do....	24,048,647	328,988
Flaxseed.....bushels..	16,894	26,699

It is appalling to know that more than $200,000,000 are lost each year in this country on account of diseases of meat-producing animals, as follows:

Hog cholera	$75,000,000
Texas fever and cattle ticks	40,000,000
Tuberculosis	25,000,000
Contagious abortion	20,000,000
Blackleg	6,000,000
Anthrax	1,500,000
Scabies of sheep and cattle	4,600,000
Glanders	5,000,000
Other diseases	22,000,000
Parasites	5,000,000
Poultry diseases	8,750,000
Total	212,850,000

Mr. SMITH of Minnesota. Will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Minnesota?

Mr. BRITTEN. Yes; I will yield to the gentleman.

Mr. SMITH of Minnesota. Do you know the reason why the farmers are producing so many bushels of wheat per acre and of corn per acre more, and so few cattle?

Mr. BRITTEN. No; I do not. Probably the gentleman can answer that question better than I can.

Mr. SMITH of Minnesota. I should think that the want of farm labor contributes largely to that condition.

Mr. BRITTEN. That may be true. I am not a farmer.

Mr. SMITH of Minnoesta. If I do not interrupt you too much——

Mr. BRITTEN. I am glad to yield to the gentleman.

Mr. SMITH of Minnesota. I would say that in the State of Minnesota we have farms of 200 acres that are run by one or two men, which, if they were farmed as they should be, would require at certain seasons of the year from five to eight men.

Mr. BRITTEN. Do I understand that that kind of labor is not obtainable?

Mr. SMITH of Minnesota. You can not obtain it. It is not to be had when you need it.

Mr. BRITTEN. Still this Congress has passed legislation to keep strong, healthy, honest, moral men out of the country, in its recent immigration bill, because they can not read and write.

Mr. MANAHAN. That seems to be the point.

Mr. BRITTEN. That is exactly the point.

Mr. BARTON. Will the gentleman suggest method by which a man on a 150-acre farm may profitably raise these calves?

Mr. BRITTEN. Yes. The Department of Agriculture has furnished statistics showing the cost of raising a calf to the age of 2 years to be less than $40. Now, if you can get $60 for that animal you are making 50 per cent profit, and that is pretty good.

Mr. BARTON. If we could get that method in operation in the United States, it would result in the keeping of many of these calves, the killing of which you are now complaining against, because the great trouble with us fellows who are actual farmers and have land appraised at $125 or $150 and from that to $250 an acre, is to raise cattle with profit on land of that kind. We generally have to send them to the hills or where land is cheap, and that I believe is the reason why we broke up the large herds that used to roam over this cheap land.

Mr. BRITTEN. There are millions of acres of land in this country that can be bought for less than $75 an acre, which are capable of turning out the same crops that are grown in Italy, Germany, France, and Austria. It is simply a matter of improving our own conditions, and the gentleman's State—Nebraska—is a good place to begin, as your average crops of corn, wheat, oats, barley, rye, and hay for the year 1913 are smaller than almost any other State in the Union and less than one-half what they should be in comparison with the average crops of Germany.

Mr. MURDOCK. Has the gentleman finished his remarks?

Mr. BRITTEN. I shall be glad to yield to the gentleman.

Mr. MURDOCK. I heard the gentleman make a statement about the enormous decrease in food animals in the United States. The statement has been made before, and I have asked on several occasions what the gentlemen who made the statement believed it was due to. What does the gentleman think about that?

Mr. BRITTEN. To a very large extent the shortage of meat animals is probably due to a number of contributing causes, such as the encroachment of farms upon the range territory; absence of a proper range-leasing law permitting economical management and utilization of ranges; the increase in the value of land and the increased cost of labor and stock feed, resulting in greatly increasing the cost of production; the decline in stock raising on farms in the East and South because of poor marketing facilities resulting from many local slaughtering establish-

ments having been driven out of business by the competition of the great central slaughtering establishments of the West and Central West.

Mr. MURDOCK. That is invariably the answer returned. Is it not also due to the enormous increase in purely agricultural, cereal land, as in central Illinois? Within a year I took a drive in an automobile through the richest part of Illinois, and I was told by the man who was driving the machine that live stock had virtually disappeared from that part of Illinois because of the enormous increase in the value of the land for cereal purposes. It seems to me it is not only because of the diminution in the ranch land of this country, but also due to the fact that the farmers on the higher priced cereal lands have quit raising live stock. Does the gentleman think that is true?

Mr. BRITTEN. That applies generally; but I will say that we have very few less cattle in Illinois to-day than we had five years ago—very few less.

Mr. MURDOCK. So that the live-stock production in Illinois is as large as it was formerly?

Mr. BRITTEN. I will not say formerly, but within the last five years.

Mr. MADDEN. But mostly for dairy purposes, is it not?

Mr. BRITTEN. No, sir; cattle as well as dairy, according to the statistics I have at hand.

Mr. HENSLEY. Will the gentleman yield right there?

Mr. BRITTEN. I shall be glad to yield.

Mr. HENSLEY. You say you have nearly as many cattle in Illinois to-day as you had five years ago?

Mr. BRITTEN. Yes.

Mr. HENSLEY. But you have not as many according to population as you had five years ago?

Mr. BRITTEN. No; we have not.

Mr. HENSLEY. The population has increased.

Mr. BRITTEN. The population, of course, increases very much more rapidly than the cattle supply, and that applies to every State in the Union, with probably three exceptions.

Mr. LINDBERGH. Mr. Chairman, I have had some experience myself in raising cattle. It is only a few years since the price of cattle was very much cheaper than now. About 10 years ago the price of cattle in Minnesota was not sufficient to pay the farmers for raising them, and so they only kept their milch cows and killed off their calves, and in that way they let their stock of cattle run down. Now, when the prices have begun to go up in that section of the country where I live, they are beginning to take care of the young cattle—raising the steers—and I think the gentleman will find that the fact that stock was cheap a few years ago had something to do with decreasing the supply for a time.

Mr. BRITTEN. I am very glad to hear that the supply is increasing in the gentleman's neighborhood. I will say that since my bill was introduced—a little less than a year ago—some 25 or 30 organizations of butchers and packers have indorsed it. By packers I mean the small packers who have been crowded out of business by the trust, which controls the shipment from practically every shipping port in the world. These small packers and butchers will indorse a bill patterned along the line of mine. [Applause.]

In January, 1914, there was a shortage of 18,259,000 meat-producing animals in this country as compared with the census figures of 1910. This means a decrease of 9 beef cattle, 7 sheep, and 3 hogs for each 100 estimated population.

An effective beef-conservation bill is more important to all the people of this country than any other measure now before the Committee on Interstate and Foreign Commerce. [Applause.]

Mr. STEPHENS of California. I yield one minute to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, one of the most thorough students of the question of exempting labor unions and farmers' organizations from the provisions of the Sherman antitrust law it has been my pleasure to know is Mr. J. H. Patten, general counsel of the Farmers' Educational and Cooperative Union of America. Mr. Patten's youth was spent in my section of Kansas; and the attention he gave to the subject then has been supplemented in later years by an exhaustive legal research into every branch of the subject since his residence in the East.

I am glad to have the opportunity to present to Congress the following communication from him:

FARMERS' EDUCATIONAL AND COOPERATIVE UNION OF AMERICA,
Washington, D. C., April 13, 1914.

Hon. VICTOR MURDOCK,
House of Representatives, Washington, D. C.

CONGRESSMAN MURDOCK: I note this morning in last Saturday's CONGRESSIONAL RECORD that you inserted organized labor's brief against being classified as a predatory trust, and hasten to suggest that the organized farmers are equally emphatic in opposition to being so classified.

For instance, at the last national meeting of the Farmers' Educational and Cooperative Union, which was held in your State last September at Salina, the following resolution was adopted:

"Whereas according to the debates and statements made by Senators and Congressmen in charge of the bill on the floor of Congress in 1888 to 1890 it was never intended that the Sherman Antitrust Act should apply to aggregations of individuals, but only to aggregations of capital engineered by a few big speculators seeking unreasonable prices and profits; and

"Whereas during the first 17 years of the act the only convictions under the criminal section were farmers, promptly pardoned as a plain miscarriage of justice, the courts misinterpreting and misconstruing the act even to the extent of judicially legislating the word 'unreasonable' into the law, wrongfully holding that trade meant traders, and that any interference with trade when done by farmers or by any persons, except, apparently, the big trust magnates, was criminal restraint of trade: Therefore be it

"Resolved, That the Farmers' Educational and Cooperative Union of America commend the action of Congress in limiting the $300,000 appropriation to the aggressive enforcement of the act and the real objects of the legislation, namely, the big trusts, and urge the importance of legislation that will correct the judicial legislation of the courts which have wrongfully decided that it means things Congress never intended and the people never expected and the construction placed upon the said law by the former and present President of the United States."

The organized farmers feel that there is quite as much reason for exempting them from such classification as there is for exempting them from involuntary bankruptcy in the Federal bankruptcy law. Their occupation is essentially individualistic. The utter impossibility of any such monopoly for extorting unreasonable prices and excessive profits as exists in oil, iron, sugar, and other industries, where enormous capital has to be assembled and can be absolutely controlled by a few, is patent. As far as the farmers are concerned, remedies are amply adequate at common law. Common-law remedies fail only when it comes to dealing with large aggregations of capital engaged chiefly in distribution and controlled by a few acting in secret concert or under "gentlemen's agreements." The exclusive object of these capitalistic combinations is invariably predatory profit and not the mutual help, education, cooperative and fraternal production, designed to increase principally the all-around individual and collective efficiency of its many members that characterize farmers' cooperative and educational unions and organizations.

Very truly, yours,

J. H. PATTEN.

Mr. BROWNING. Mr. Chairman——

Mr. MURDOCK. Mr. Chairman, I make the point of no quorum.

Mr. PADGETT. I hope the gentleman will not do that.

Mr. MURDOCK. Why does not the gentleman want me to do that?

Mr. PADGETT. Simply because it will mean delay. The gentleman knows that in general debate we can not keep a quorum here. It is the common custom, and you can not maintain a quorum. It simply results in killing time.

Mr. MURDOCK. I withdraw the point of order.

Mr. BROWNING. I yield to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, as we are now engaged in a bloody "war of peace" with Mexico, and as American blood has already stained Mexican soil, I want to take this occasion to appeal to the President of the United States, in the name of humanity, in the name of the American people, and in the name of those American citizens who have been driven out of Mexico, in the name of those who have suffered unspeakable indignities, in the name of those who have been murdered, that he give some reason to the people of this country why he does not stop the sale of arms and ammunition to the bandits, highwaymen, and murderers in northern Mexico. If any reason can be given, I hope the President will give it now before the sentiment of the American people turns against the administration. The people are asking why this is not done, and they have a right to have that question answered.

We have information that millions of rounds of ammunition and a large quantity of arms have crossed the border within the last 24 hours.

We were told this morning in plain words by the dispatch from Carranza that these arms and this ammunition will probably be used to kill American soldiers. I am informed that the question was asked the Secretary of State as to whether or not they proposed to stop the sale of ammunition and arms to these assassins, Villa and Carranza, and his reply to the assembled newspaper reporters was that he considered such a question an insult, and refused to answer it. In the name of God, is there to be no end to the blundering stupidity of the State Department in relation to Mexico?

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. ANSBERRY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 15906. An act providing an appropriation for the relief and transportation of American citizens in Mexico.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HITCHCOCK, Mr. LEA of Tennessee, and Mr. DU PONT as the conferees on the part of the Senate.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. MONTAGUE. Mr. Chairman, I wish to make an observation that will not take one minute.

Mr. HENSLEY. I will yield to the gentleman from Virginia two minutes.

Mr. MONTAGUE. Mr. Chairman, I did not hear all of the speech of the gentleman from Washington, but I wish to observe what has been observed on a prior historic occasion, that you can not run a war by a debating society. [Applause.]

Mr. HUMPHREY of Washington. Can you run a war by selling arms and ammunition to those whom you are fighting?

Mr. PADGETT. Mr. Chairman, I yield 45 minutes to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Chairman, before I begin I will ask unanimous consent to extend my remarks in the RECORD, and also that gentlemen will kindly defer questions until after my first statement is made.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama to extend his remarks? [After a pause.] The Chair hears none.

Mr. HOBSON. Mr. Chairman, we have come again to the naval appropriation bill. The bill this year provides for two battleships and sundry auxiliaries. That provision of the bill has been the subject of attack. I desire to address myself particularly to that question.

First allow me to point out that those who are attacking the proposition have never made any counter proposition. They have never laid down any program; they have never undertaken to establish any true naval policy. They are simply destructive and not constructive in any sense of the word. Our naval policy has a well-defined foundation. The two-battleship program itself does not come up to the requirements of a rational naval policy. This policy has no purpose of aggression, but solely one of defense. America never has been an aggressive Nation. She is not now and never will be. But America lives amongst the great and powerful military nations of the earth. We can not look to international organization for our defense. There is no international court, only the embryo of The Hague tribunal; no international parliament, only the embryo of The Hague conferences. There is no international executive, not even in embryo. Treaties lack the main basis of contract, the power of enforcement, and arbitration down to date between the great nations specifies that the subject matter of arbitration shall exclude questions of vital interest and questions of honor—the very questions for which nations fight. Having no outside recourse, nations must provide their own means for defense. At this stage of the world's political and social evolution America must provide for her own national defense and not look to any collective means of defense.

There are two forms of power—military power proper and naval power. Military power involves large numbers of men organized into armies. Naval power consists chiefly in property made up of ships. A dreadnaught to-day with a crew of 1,000 men is estimated to be more than the equivalent of an army corps of 60,000 men. Defense by naval power, therefore, does not involve military activities of the people, and what few people there are involved are far away from the mass of the people themselves. Thus, there is no tendency to militarism. On the contrary, when people can secure their defense by naval power, then industrial activities are uppermost, and their civilization follows the lines of industrialism instead of militarism. It is this great fact in history that has caused all the republics of the world to be built upon naval power. This will account for the fact that it is in such countries where defense comes through naval power that free institutions have developed most, as in the case of England. The evolution of the world has been away from militarism and toward an industrial civilization, so the history of the world has persistently hung upon the course of sea power, and the great crises, the great decisive battles, have really been naval and not military.

The perpetuation of Grecian civilization as against Persian was not settled at the Battle of Thermopylae on the land, but at the Battle of Salamis on the water. Likewise, the advent of the Augustan era of Roman history was not settled at the Battle of Philippi, but at the Battle of Actium. Indeed, the survival of Rome as against Carthage was settled when the Roman galleys gained control of the Mediterranean. The English civilization of Elizabeth overcame the Spanish civilization of Philip II because of the destruction of the Spanish Armada. England came through from the Napoleonic wars supreme as against Napoleon, because Napoleon could not cross the English Channel. England at Waterloo fought for victory; England at Trafalgar fought for existence. We have Anglo-Saxons now associated with the most advanced civilization in the world, the most advanced institutions of human liberty, because the Anglo-Saxon has held naval supremacy for a thousand years and has not been subject to militarism, to military conscription. The future of the world, like the past, is going to be settled by the control of the sea. Industrial production nations that are able to bear the burdens of building the ships to maintain naval power are the ones that are going to survive as against the nations that maintain great armies.

Industrial nations like America, holding control of the sea, are going to shape the policies of the world according to the principle of equality of opportunity, fair chance and no favor, as against military nations that always adopt the policy of exploiting the weaker peoples, and under the policy of equality of opportunity the military nations will go to the wall.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. HOBSON. Mr. Chairman, I hope the gentleman will not interrupt me now. I will be glad to yield to him later. I wish to proceed quickly to the question of ships. Let us pass on. The question now at the present stage of the world is, Can America utilize naval power instead of military power for her defense? Fortunately, we can depend almost entirely upon naval power. There is no great military nation of the earth that can make a land attack upon us without first getting control of the sea. So if America, with her boundless wealth, would simply undertake to insure that no great standing army shall ever have control of the sea, we can live in absolute peace and security. Our foundation policy of equality of opportunity will become the world's commercial policy and insure the survival of the productive, industrial, peaceful nations and the overthrow of militarism. Great economic forces of commerce and industry will mold the destiny of nations. Great moral forces will rule the world. The altruistic forces that are growing up with the increased intercommunication of nations will have a chance to operate with the forces of religion and education to evolve an international government and bring about at last peace upon earth and the brotherhood of man.

Therefore the basis of the American true naval policy is the principle that no nation with a great standing army, that it keeps always ready, shall have control of the sea between that nation's shores and ours.

Apply this principle to Europe. We need have no concern about the British, as the British have no great standing army. Furthermore, we have a hostage in the form of Canada; we can leave Great Britain out of our consideration. The first great military nation of Europe is Germany. Therefore our policy on the Atlantic should be to keep a fleet the equal of the German Navy, that the German Army should never be able to pass over the sea to South America or Central America or to Panama or to our coasts. If Germany had control of the sea, her great standing army all ready, with merchant vessels at hand for transports, could cross quickly and inflict serious injury on our coasts, could temporarily occupy and levy upon all of our coastwise cities, and meet with no serious resistance. They could then permanently seize the Panama Canal and any territory they pleased in Central America or South America and without control of the sea we would be powerless to strike back, no matter how great our resources.

Apply the same principle to Asia. Our Pacific slope is open to attack; Panama, Alaska, Hawaii, Guam, and the Philippine Islands are open to attack to an Asiatic army in control of the sea. With regard to the Philippine Islands I may remark that whether we stay in them or not we must protect them. I believe, for my part, that we are going to give the people of the Philippine Islands self-government as fast as they are capable of exercising it, and a little faster, but always we shall have to defend them. They are farther from us than they are from Japan, and oversea from both. Japan has a great standing army; we have not. We are entitled therefore to have such a fleet in the Pacific as not to permit that army to have control of the sea. Therefore our naval policy must insure a fleet in the Pacific at least equal to the Japanese Navy. America's true naval policy therefore, rational, simple, inevitable, with no idea of aggression upon anyone, is to have always in the Atlantic a fleet equal to the German Navy and to have always in the Pacific a fleet equal to the Japanese Navy.

The truth is, since fleets can not invade and we have no Standing Army, since even in control of the sea we could not seriously strike any nation, no nation has anything to fear from America being in control of the sea or intervening waters. Give America control of the Atlantic and control of the Pacific, and no nation could justly complain. But that is not so if they have control of the sea. They can strike a serious blow at us, for they have great standing armies. We need not think our coast defenses would give us protection, for when you have no mobile army to prevent an enemy in control of the sea from landing below and taking the forts from the rear, the forts fall. That is our situation. We would really be entitled to have a substantial superiority over the German Navy in the Atlantic and a similar superiority over the Japanese Navy in the Pacific.

Furthermore, we have 5,300 miles of exposed coast line on the Atlantic proper, 4,700 miles on the Gulf, or 10,000 miles of vital coast line on the Atlantic, and over 3,100 miles on the Pacific. Our cities are built on the seacoast and on the bays and harbors and navigable rivers leading up from the seacoast. We have 30,000,000 people in our cities, and $37,000,000,000 of property within gunshot of the sea. More of America's values are exposed to naval attack than there are values in all the rest of the world combined. Therefore the proposition that we are entitled to have a fleet on the Atlantic in equilibrium with the German Navy, and on the Pacific in equilibrium with the Japanese Navy, is modest in the extreme. Indeed, it would be reasonable to insist on a substantial margin of superiority in both oceans. But we can assume that we shall not have to contend in both oceans at the same time.

Mr. SHARP. Mr. Chairman, at the expense of being refused to be allowed to interrupt, the gentleman has now reached the point upon which I would like to ask a question for my own information——

Mr. HOBSON. Could the gentleman defer it, and then I will take it up.

Mr. SHARP. It will be specially apropos just now.

Mr. HOBSON. We can bring it back to be apropos, and I should dislike to make an exception in favor of one gentleman over another. I would like to get in my little statement first. An equilibrium with the German Navy on the Atlantic and an equilibrium with the Japanese Navy on the Pacific is sufficient on the assumption that we will control the Panama Canal and will be able to concentrate our two fleets so that our fleet in the Pacific would constitute our margin of superiority in the Atlantic, and vice versa. This must be regarded as the very minimum consistent with safety, for with anything less the enemy, gaining control of the sea, could seize the canal before we could make the transfer.

Thus, Mr. Chairman, the minimum naval policy for us is to maintain a Navy equal to the combined navies of Germany and Japan. That is the reason why naval experts and others who have studied the question of national defense from a scientific point of view always discuss our Navy in connection with the Japanese Navy and the German Navy.

Let us now compare the strengths of these navies. First, let it be borne in mind that we have not set the pace. The year when America failed to provide for any battleship Germany authorized four. Even when we lagged the others went on just the same. We passed almost unanimously in this House the resolution of my friend, Mr. HENSLEY, suggesting that all nations should take a naval holiday. Our suggestion has not been heeded; the building still goes on just the same. The duty of self-preservation laid down in the preamble of the Constitution to provide for a common defense, confirmed in Article I,, section 8, paragraph 13, of the Constitution, empowering Congress to provide and maintain a navy, carried in the Democratic platform, the Republican platform, the Progressive Party's platform; this duty of self-preservation, in accord with the first law of nature for every living thing in this world, this first imperative duty that Congress owes to the country, demands that we follow the building program of Germany and the building program of Japan, and each year make out our program equal to the two combined. Let us now compare the naval programs of Germany, Japan, and America.

The table on page 41 of the report accompanying the appropriation bill supplies the best basis of comparison, containing the modern vessels of over 17,000 tons displacement built, building, or proposed by the various powers. This table contains contemporary ships of similar types and approximate tonnage. No art of manufacture advances more steadily and unceasingly than the art of naval architecture and shipbuilding. A ship of to-day compared with a ship of 20 years ago is just about analogous to a horse car compared with the electric subway.

Mr. POU. Mr. Chairman——

Mr. HOBSON. Please excuse me for a little while, and then I will answer all gentlemen, because if I can go on with a consecutive statement I think I may be able to answer the gentleman without his asking it. Now, take railroading. Many of you remember the locomotives of 20 years ago. Well, those locomotives compare with the present-day locomotives about as ships of 20 years ago compare with those of to-day. Indeed, progress is more incessant in the development of the arts relating to war than they are in the arts of peace. Therefore in comparing the present conditions of naval policy there is no use in going back beyond the dreadnaught period. This period came in about 1904–1906, following the Russo-Japanese War. In the comparison ships must not only be contemporaneous, but they must also be of approximate tonnage. That is because of this fundamental principle.

The dead weight of a ship—that is, the hull, the deck, and so on—is like a surface and varies as the square of a linear dimension, whereas the useful weights, like the armor and ordnance, and the like, vary with the displacement as the cube of a linear dimension. Thus, a ship of large dimensions is very much more powerful in useful weights than the equivalent tonnage in smaller ships. To make this concrete: One ship of 30,000 tons is just about equivalent to five ships of 10,000 tons, and the cost per ton is just about the same. You can see the advantages of the large unit, and you can see that beyond a certain reasonable limit of tonnage you can not put widely differing sizes together. The table is confined to the dreadnaught period. In any manufacturing art there will come a time when a new method or process will revolutionize the art. Then from there on those who compete will equip themselves with the new equipment until some other revolutionary period sets in.

Now, the dreadnaught period, as I say, began just following the Japanese war, and the tonnage that differentiates that period is about 17,000. So I have had this table drawn to include that. It is drawn up by the Bureau of Naval Intelligence, and if you will examine the table you will find that Great Britain has 42 vessels of this period, making a tonnage of 962,000 tons. Germany has 28 vessels of this period, making a tonnage of 678,000. The names are given and the tonnage of each and the date. Next comes France. She has 18 of this period, with a tonnage of 398,000. Then comes the United States, with 12 vessels and a tonnage of 307,000.

Now, some debate came up as to whether the *South Carolina* and *Michigan* ought to be included in this list. They are of 16,000 tons. In armament, in offensive power, they are the strongest ships of their tonnage ever built. Unfortunately, they are only 18-knot ships, and so they could not utilize their great offensive power alongside of these faster ships.

The *Michigan* and the *South Carolina* represent more the transition period. Before we launched out squarely on the dreadnaught period we built those two ships. Suppose we put them in for good measure. That would give America 14 ships with a tonnage of 339,000. Next comes Japan with 12 ships and 310,000 tons, ranging up close to America. This table, the most scientific that can be devised, shows that America, which a few years ago was second, now stands fourth and is dropping toward even a lower place. The table shows that during this dreadnaught period Germany has been averaging a little over three of these ships per year—about three and a half—and Japan has been averaging between one and two—about one and one-third, so that the minimum we should have averaged is over four per year and nearer five. We have actually averaged only one and a half. That is the reason why we have gotten down to this really unfortunate position of being fourth amongst the naval powers of the world, when we were second. This plan and this method are simplicity itself. Any Member can inspect the table and see how many we are now short and what number we ought to average. The wise and conservative plan would be to make up one ship a year above the number required by the averages. These averages call for four. Our wise policy would be five.

Now, some have asked me because of the complexities and confusions brought into this discussion to make a technical comparison of old ships with the ships of to-day, because all of the conclusions of those who signed the minority report are based on the assumption that these old ships can be placed right along with the new. To begin with, they start off with the *Oregon* class. Now, I would like to say for the *Oregon* class that at their date they were the finest ships of their types in the world. I said before that we can compare contemporary ships of all nations—that is, on the assumption that foreign designers are on a par with our designers. That is the fair assumption to make. I actually believe, however, that our designers are the

best in the world. I have not any hesitation in saying that the *Oregon*, compared with her contemporaries, was the best-designed ship in the world. I have no hesitation in saying that the *South Carolina* and *Michigan* are the best-designed ships of 16,000 tons in the world. I am inclined to think that the Spanish *Cristobal Colon*, of Italian design, was the best-designed vessel of her class. The Italians and Americans have probably gotten the best results on a limited displacement. The French are perhaps more scientific, but have not been as practical. So, properly speaking, you can count on the American designs being full up, if not ahead, of contemporaneous designs. The old *Oregon* was a grand old ship of her day, and even though a coastwise battleship, requiring frequent goings into port, her tour around the Horn was the most successful big feat ever performed. My imagination was so much fired with that trip that I wrote a juvenile on the subject, a book for boys, called "In Line of Duty," and Capt. Clark was the hero of that juvenile.

So I do not want anyone to imagine that I do not appreciate the prowess of the old *Oregon*. She was termed a "coast-line battleship," and you know why that was. They had only some ten thousand and odd tons of displacement, and when you have a limitation like that you have got to cut down on some elements. You can not have great armor, great ordnance, great machinery weights all together on a small ship. Among other things they had to cut down the freeboard of the *Oregon*. She was a transition between the monitor class and the seagoing battleship.

I am sorry that this profile tracing here does not show up more clearly. In red we see the *Oregon*. You will notice that her stem and stern come up just about at the end of the turrets of the later ship, which is the *Nevada*, with which we are comparing her. You can not see it clearly at a distance, but her spar deck comes right along here about where the berth deck comes on the other ship. The smaller dimensions of the *Oregon* appear a little more clearly in the cross-section drawing here. That red is the *Oregon* put upon a cross section of the latest ship, the *Pennsylvania*. Returning to the profile, there is the water line fore and aft, showing the low freeboard [indicating]. That means that they had to sacrifice buoyancy and stability. They also had to sacrifice elevation of the guns. Now, you can not carry much coal on the *Oregon* or any large amount of supplies to carry her far from the coast without putting her deep in the water and submerging her heavy armor belt. As a matter of fact, the *Oregon* at times, like the *Indiana* and *Massachusetts*, her sisters, did have the top of her armor below the water line, so the armor was not giving any protection above the water line.

There were interesting parallels to the *Oregon* in the Russian Navy, the *Borodino* class. In the war with Japan four of them took part in the Battle of Tschushima. The Russians did not appreciate this question of stability and buoyancy. They had those ships loaded down like we had the *Oregon* and her sister ships. So the heavy armor, supposed to protect the water line, had its top below the water line. Before the Battle of Tschushima was over three out of these four ships either capsized or sank. Thus in trying to make a seagoing battleship out of the *Oregon* it is necessary to undermine its stability and buoyancy and to have such a low elevation of her guns as to make them unserviceable in a seaway. Even when at normal draft her guns are only 16 feet above water compared to 32 feet of the *Pennsylvania*.

Now, as to the question of size. The *Oregon* is of some ten thousand and odd tons, the *Pennsylvania* over 31,000 tons.

I would not hesitate to say that if the *Oregon* were a contemporary of the *Pennsylvania*, and if the *Oregon* were of the same type and class as the *Pennsylvania*, so that they could be intelligently compared, the *Pennsylvania* would be the equivalent of at least five or six *Oregons*.

We come to the question of the relative fighting powers of the ships. First, the ship must float, must be able to receive punishment and still float. Take the *Oregon*. You notice how short that belt line of the *Oregon's* armor is. The red line in the drawing shows the belt line. It is only 150 feet long, covering scarcely half the length of the ship, leaving the ends unprotected; while the blue, the *Nevada*, is 500 feet long, covering five-sixths of the whole length. Under the present conditions of ordnance, where they use the semiarmor-piercing shells, with cordite and melanite and explosive D, it means that the whole unarmored ends would be riddled and would be filled with water. With only the four forward compartments filled, the *Oregon* could not live, even if she went into battle in normal condition, with her armor where it ought to be. If she did not venture far, but were attacked on the coast by one of these big ships, she would live only a little while. She would be bound to sink. If you open up the four forward compartments, the water would come to the top of the forward turrets and she would sink. The same thing would happen aft. On the other hand, take the *Nevada* here or the *Pennsylvania*. Notice how far that armor comes forward and how high the armor is. Here is a comparison: The *Oregon's* thick armor is 7½ feet high and the *Pennsylvania's* 17 feet. Suppose you were to flood the whole of the unarmored portion of the *Nevada* or the *Pennsylvania*. She would go down by the head, but that would not hurt her very much. She would change in draft and trim, but the mean change of draft would be only about 1½ feet. She could fight every gun she had. The same thing applies aft. She would continue to fight. It would sink her armor here just a little bit lower in the water; that is all.

But, now, suppose the injury came under water, amidships, And I may remark here again that the *Oregon* was never built to withstand torpedo attacks. If you will consult these detailed drawings here you will appreciate that. At the date the *Oregon* was built the torpedo was small, had a range of only a few hundred yards at best, with almost no accuracy of fire. Now the torpedo is an accurate weapon at 10,000 yards' range, carrying 250 pounds of high explosive. They are building the underwater structure of ships now to withstand the blow of these torpedoes. It would probably take three of the greatest torpedoes to completely put out of action a modern ship. But if one of them should hit the *Oregon* she would go down like a shot. There would not be a chance for the people in her to get out. They would be carried down like rats. If you attacked her with a small torpedo, with a small charge, and struck abreast the boiler, you would bilge these compartments in the *Oregon*, and in battle she would be sure to sink. If it struck abreast the engine room here [indicating on drawing], she would keel over at once to 8° and sink her armor belt under water. Similar damage on the *Pennsylvania* or *Nevada* would not endanger the ship at all. And I may remark, incidentally, that the *Oregon's* turrets are the old-time cylindrical turrets, not balanced, and when you turn all the *Oregon's* guns on one side she keels over, as seen in the drawing, till the top of her armor belt is submerged.

This drawing shows the *Oregon* with all her guns turned on one side, and it has put her armor belt under water. With the modern type of balanced turret, you can swing them anywhere without affecting the ship. The *Oregon* could not resist the semiarmor-piercing shell; she could not resist the torpedoes of the big ship. Sending her to fight a dreadnaught would be like sending a child to fight a man.

Let us now compare the gunfire of the two ships. I had it worked out for the *Pennsylvania* and the *Oregon*. The *Oregon's* guns could not be effective beyond 6,000 yards. At that range her guns could only penetrate 9.7 inches of armor. The *Pennsylvania's* guns are effective away beyond 10,000 yards. At that range they would penetrate 15.9 inches of armor. The *Pennsylvania's* torpedoes are effective at more than 10,000 yards. So the *Pennsylvania* could lie off 10,000 yards and destroy the *Oregon* without running risk of any harm. Remember, the *Pennsylvania* has 21 knots speed and the *Oregon* 16 knots. The *Pennsylvania* could therefore choose the range.

Now, great stress was put upon the power of the volley of the *Oregon*. I have it worked out here, if any of you would like to know just what it is. I will not take time to go into details. But, take a single broadside from the *Oregon* and a single broadside from the *Pennsylvania*. The total energy of one 13-inch gun of the *Oregon* would be 31,300 foot-tons, and the total broadside of both 13-inch and 8-inch guns 150,000 foot-tons for the *Oregon*. Now, take the *Pennsylvania*. The total energy of one of her big guns is 65,700 foot-tons. The total energy of the broadside is 788,000 foot-tons.

Now, you notice this difference at once. The *Oregon's* guns, those old guns, do well to fire one round in 3½ minutes. The *Pennsylvania's* guns fire two to three a minute, or more than six times as rapidly. Compare the energy delivered from minute to minute, and every minute the *Oregon* would develop 52,375 foot-tons while every minute the *Pennsylvania* would develop 1,576,488 foot-tons, or thirty times as much.

Now, mark you, the *Pennsylvania's* power can destroy the *Oregon* before the *Oregon's* power can be available against the *Pennsylvania* at all; but even if it were in effective range, the *Pennsylvania* would smother the *Oregon* almost instantly.

It does not seem to me that it is necessary to go further into this. If any gentlemen are undecided about it, we will compare them further; but I assume that it is only necessary to recall that the gentleman from Mississippi [Mr. WITHERSPOON] concluded his long speech of two hours with the statement that the old coast line battleship *Oregon* of 20 years ago, and only 10,000 tons displacement, could destroy any six dreadnoughts of the Germany Navy before they could practically harm her,

to show the ludicrous premises upon which he based his conclusion.

Mr. POU. Just in line with that, I understand the point that is being made is that the information given us by the gentleman from Mississippi is not accurate. I should like to hear the gentleman on that for a minute.

Mr. HOBSON. I shall be very glad to state it. This is the official information which I am giving. I notice that the gentleman from Mississippi [Mr. WITHERSPOON], and also the gentleman from Missouri [Mr. HENSLEY], cited these elements of United States naval guns, and it is a pity they did not get them correctly, because even on the assumptions they were making you will find repeated errors of material importance, for instance, when they were comparing the 12-inch 50-caliber with the 12-inch 35-caliber gun they stated that at 9,000 yards the 50-caliber gun had a penetration of only 11½ inches, a difference as compared to the 35-caliber gun, 7.2 inches, of only 3.8 inches. As a matter of fact, the newer gun has a penetration of 12.2 inches, and at that range making the difference 5 inches.

In comparing the *Oregon's* 13-inch guns of 35 calibers with the 12-inch 50-caliber guns you will find that they state, for instance, that the higher-powered 12-inch gun at 9,000 yards has a penetration of 11 inches. The table shows that it would penetrate 16.4 inches. Likewise with the 8-inch guns, and so on.

Mr. SAUNDERS. Will the gentleman yield for a question?

Mr. HOBSON. Certainly.

Mr. SAUNDERS. I understand you to be comparing the *Oregon* with the various advanced types of ships now being constructed by the United States?

Mr. HOBSON. Yes.

Mr. SAUNDERS. Of course we all realize, and I do not understand that the claim has ever been made that the *Oregon* is equal to these new ships; but are there not in the navies of the other nations of the world, Germany, for instance, vessels which are rated as a part of the navy, that are in a general way of the same strength, age, type, and so forth, as the *Oregon?*

Mr. HOBSON. I think the Germans are holding on to their old ships longer than any other nation, simply because the new ships are not completed.

Mr. SAUNDERS. But these old ships are no stronger or more powerful than the *Oregon?*

Mr. HOBSON. The gentleman is absolutely correct about that. The gentleman will find, however, that nations will carry old ships on their lists, but they would not put them on their battle line. They would not send them out to fight against dreadnaughts.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOBSON. The gentleman from New Jersey said he would give me 15 minutes.

Mr. BROWNING. I give the gentleman 15 minutes.

Mr. HOBSON. I will say to the gentleman that in the British navy ships like the *Empress of India* and ships of the *Royal Sovereign* class, that were cotemporaries of the *Oregon*, have been scrapped. They have just destroyed the *Empress of India* as a target at 16,000 yards range. The *Empress of India* was 15,000 tons, and came after the *Oregon*.

Mr. HENSLEY. Does the gentleman maintain that all the ships which he has counted for Germany are equal to the *Pennsylvania* in power?

Mr. HOBSON. No; nor do I maintain that all counted for the United States equal the *Pennsylvania*. I explained that difference, but I showed how they are analogous.

Now, gentlemen, it was really pitiful the way the no-battleship Members tried to prove something about the *Oregon*, to claim that the Navy Department was not trying to make a good ship out of the *Oregon*. Gentlemen, the Navy Department has done all they could to make as good a ship as they can make out of the *Oregon*, but they can not change the structure of the ship. They have put in Babcock-Wilcox boilers. They have tried to do the best they can; but you can not put new cloth into an old suit and get good results. Gentlemen said they did not give the guns of the *Oregon* a fair chance, that they only put in half a charge. Why, gentlemen, if they did put in a full charge it would blow the gun into a thousand pieces. The *Oregon's* guns were made to use what they call charcoal powder—brown, prismatic powder. If they put in a full charge of the new powder, you would not have any guns or any *Oregon*.

Likewise they say, "Why do they not put up-to-date guns into the *Oregon?*" Because the diameter of the turret will not permit it. You simply can not get them into the turret.

Mr. BRITTEN. Is it not a fact that the hull structure of the *Oregon* would not permit up-to-date guns being put on the ship?

Mr. HOBSON. If you put in new turrets you might, but you would have to change the whole construction of the magazines and everything below. You would have to try to make a new ship, which would be ridiculous.

This brings me to a point that I think ought to be taken up. I believe the gentlemen who made the minority report did so in the best of good faith. I believe that they had solely in mind the public interest. I know that. The gentlemen are earnest, good men, and it took a good deal of moral courage for them to write that report. They gave our Democratic administration of the Navy no credit for its constructive reforms, introducing vocational education in the Navy, and requiring sobriety throughout; they gave it no credit for its estimates being kept down, for the bills carrying for this year with two battleships than it did last year with only one. They would have it appear that the battleship features were full of extravagance. As a matter of fact, it is the maintenance, the high pay of our men, the good food and clothing, that costs so much more than in foreign navies. The costs for new construction are low. In fact, the costs of new construction make a good basis of comparison of strength of navies in up-to-date vessels. From 1904–5 for new construction the figures have been as follows:

TOTALS.

Great Britain, $724,205,105; Germany, $456,982,692; United States, $346,526,462; France, $260,125,988; Japan, $107,412,077.

Since 1907–8 they have been the following for the United States, as compared with Germany and Japan: Germany, $359,293,701; Japan, $76,519,890. The two combined make $435,813,591, which should have been the amount for us on the two-power basis. Indeed, our amount actually was only $184,798,519, less than half of what it should have been. This about tallies with the comparison by ship and tonnage. But the point I want to bring out now is that it is regretable that the gentlemen making the minority report should undertake to make insinuations and charges of bad faith and even dishonesty on the part of the Navy Department and the Navy administration. One of the charges is that the Navy Department violated the wishes of Congress when they built the *Pennsylvania* and *No. 39* larger than previous ships. Now, if you will take pains to look up the antecedents you will find there has been nothing of the kind. The *Oregon*, for instance, was appropriated for under an act that provided—

That for the further purpose of increasing the Naval Establishment of the United States the President is hereby authorized to have constructed by contract three seagoing coast-line battleships designed to carry the heaviest armor and the most powerful ordnance upon a displacement of about 8,500 tons.

The bill provided so much money, exclusive of armor and armament. On the money limitation the *Oregon* turned up with a displacement of 10,288 tons within the appropriation that was put down for "about" 8,500 tons. It was not criticized.

The next appropriation was for the ships following the *Oregon* class, and they followed the same general practice. For instance, you take the *Iowa*. They appropriated for "about" 9,000 tons, and she came out with 11,346 tons. Take the *Kearsarge* and *Kentucky*. The bill was for "about" 10,000 tons, and they came out 11,520 tons.

Mr. HULINGS. And how about the appropriations?

Mr. HOBSON. They were built within the appropriation. The idea that they could go on and spend the Government money not appropriated is against the law, and is ridiculous on the face of it.

Mr. MADDEN. And if they could get 2,000 tons more for the same money, they were doing the Government a service.

Mr. HOBSON. They were doing the Government a service.

Mr. HENSLEY. Will the gentleman state what is the tendency in England with reference to the size of battleships?

Mr. HOBSON. I think they are running up. I can tell the gentleman, for I have it here.

Mr. HENSLEY. I do not think the gentleman from Alabama can have investigated that question, if he says that.

Mr. HOBSON. They are foolish if they have not run up.

Mr. HENSLEY. Are they not devoting more time to building submarines?

Mr. HOBSON. I have it here, and I can answer the gentleman. In 1910 the biggest British ship was 23,000 tons. They got up an armored cruiser for 27,000 tons. In 1911 the largest ship was 25,000 tons, and then, in 1912, 27,500 tons. An armored cruiser, 28,500 tons. *Queen Elizabeth* and *Queen Mary* went up still higher.

Mr. HENSLEY. How much higher?

Mr. HOBSON. The *Tiger*, 28,500 tons.

Mr. HENSLEY. Does the gentleman know what they are authorizing this year?

Mr. HOBSON. That has not been reported. I am inclined to think that it will be fully 30,000 tons.

Mr. HENSLEY. Twenty-four thousand five hundred tons.

Mr. HOBSON. The British have been building Japanese vessels, and they run those out a little faster than they do their own. For the Japanese they have run up to 30,000 tons. We keep a little ahead of them in tonnage, which is in line with the true principle. The point I am making is that we did not exceed the money appropriation. What I have cited from the act applies to every ship until we come to the following, until we come to the ships of the *Idaho* class, and then it said "not more than 16,000 tons," and those vessels came out with 16,000 tons. This wording continued on down to the *South Carolina* and the *Michigan*, and this was the last act providing "not more than" 16,000 tons, and these vessels are 16,000 tons. After these vessels were finished we went back to the old wording—you see the dreadnaught class was evolving—we went back to the old wording to let the naval architects evolve. So in the appropriation for the *Delaware* we have the following wording:

> One first-class battleship carrying as heavy armor and as powerful armament as any known vessel of its class, to have the highest practical speed and greatest possible radius of action, and to cost, exclusive of armor and armament, not to exceed $6,000,000.

We followed with exactly the same wording, carrying $6,000,000 appropriation clear on down until we reached the *Nevada* and *Oklahoma;* and by that time we had reached a displacement of 27,500 tons. The *Delaware* started out with a displacement of 20,000 tons, and yet, on the same appropriation and under the same wording, we have got up to 27,500 tons. Now, then, we come to the appropriation for the *Pennsylvania*, and *No. 39*, which is analogous, and from which they say the Navy Department has been trying to evade the will of Congress. What was the appropriation? The wording was exactly the same as for the dreadnaughts already authorized. What did we do about the sum appropriated? We went up from $6,000,000 to $7,425,000. That was an authorization and instruction to our naval architects to go above the 27,500 tons displacement obtained for $6,000,000. They have carried out the will of Congress, and they have been efficient. I believe they have got the best return on the money. The department has built these vessels in accordance with the will of Congress and in keeping with the efficiency of the Government service. [Applause.]

Mr. SHARP. Will the gentleman yield?

Mr. HOBSON. I will.

Mr. SHARP. I wish to interrupt the gentleman for only a moment. A year or two ago, by the courtesy of the gentleman who has been instructing the House so well [Mr. HOBSON], I was invited down the Potomac with a party of friends, Members of Congress and others, to witness some armor-plate tests. There was present a gentleman who was the inventor of a high explosive, and I think the gentleman from Alabama will bear me out in the accuracy of my statement that there occurred a very acrimonious debate between this inventor, who was very enthusiastic as to the superiority of his explosive, and one of our typical naval officers, who would never acknowledge defeat either in war or peace. One night, as we were seated around the table in the cabin of the boat, this discussion went on, and we all became interested listeners. The inventor of this new explosive drew a diagram, fanciful, of course, depicting what might be our position in a battle at sea with some foreign power, and finally wound up by asking the naval officer, who was challenging some of his conclusions, what he thought we would be able to do with our boats if we were placed in such a predicament, very disadvantageous, evidently, from the drawing on the plat.

The naval officer, with considerable impatience and disgust, answered that we would not allow ourselves to get in that kind of a position, and I think with a good deal of truth. I have lots of faith and abounding confidence in the ability of our naval officers to take care of themselves always. They are a splendid lot of men—the best in the world—whose courage and integrity never ought to be questioned. But now, to change and reverse that question and put it in the mouths of the German and the English Government officials, who might ask the gentleman from Alabama what he expected would be their position and what would they be doing if we undertook to keep up this endless chain of rivalry of maintaining, as the gentleman says, our equilibrium upon the high seas. I want to know where the end would be, if there ever was any end, save in taxing to death the people who had to pay for these enormous engines of warfare?

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. STEPHENS of California. Mr. Chairman, I yield 15 minutes more to the gentleman.

Mr. HOBSON. I thank the gentleman from California. Mr. Chairman, I am very glad that the gentleman from Ohio has brought that out. There are two elements involved in that question. The first is that they are going to build according to their programs whether we build or whether we stop. That does not mean that we should change our national policy, outlined already, simply because they have a balance of power in Europe.

It does not mean that a great nation like ours should depend upon the equilibrium of Europe for our defense. That is the defense that Turkey has always relied upon, and China and Korea, and yet the European nations have come to an understanding for a long enough time among themselves for one of them to carry on a war of aggression with those countries.

Mr. BATHRICK. Mr. Chairman, has the gentleman explained, in comparison with the German and American Navies, the effect as to the comparative strength of the German fast unarmored cruisers?

Mr. HOBSON. Mr. Chairman, I am very glad the gentleman has brought that out. I will answer it in a moment. The other factor involved in the question of the gentleman from Ohio [Mr. SHARP] is this, that if we maintain our policy it will not tax us much. Do not let anyone imagine that this Nation is ground down. By the way, will a page please ask the gentleman from Mississippi, Judge WITHERSPOON, to return to the Hall preliminary to the next point I am going to bring up?

Mr. MOORE. Mr. Chairman——

Mr. HOBSON. Mr. Chairman, just one moment. I am in the midst of a statement. I merely happen to notice that the gentleman from Mississippi had retired to the cloakroom. Returning, the point is that this is not going to be a burden upon us. I hope the gentleman from Ohio will catch this thought. It was intimated in the introductory remarks that the nation that is industrial is the nation with the money, and it can, therefore, bear the burdens; and the nation that is military, that carries the great standing army, that takes its men away from useful pursuits, and has a stratification in society, interfering with the free play of economic forces, the nation that tries to remain medieval, is the nation that can not keep the pace. So that that race would end by eliminating the military and destructive countries and would mean the final supremacy of the world to the peaceful and the commercial.

Mr. SHARP. Mr. Chairman, in refutation of that statement——

Mr. HOBSON. Mr. Chairman, I have two important points yet to bring out.

Mr. SHARP. It is only in answer to something that the gentleman brought up in reply to my question, and I think I am entitled to an explanation of it. In refutation of what has been stated here, that such expenditures can not be a burden to us, is it not a fact that there is already widespread complaint and great distress under the burden of taxation today in Germany and England on account of the tremendous war expenses over there?

Mr. HOBSON. Mr. Chairman, I would say to the gentleman that the chewing-gum bill in America alone for one year would pay for twice as many dreadnaughts as we propose to appropriate for this year. [Applause.] And I will say to him that the economic load laid upon this Nation by the liquor interests of America would support our Navy for a hundred years.

Mr. SHARP. I agree with the gentleman on that.

Mr. HOBSON. And I want to say to him that Von Moltke made the statement that Germany had more to fear from beer than she had from all of the armies and navies of France.

Mr. CALLAWAY. Mr. Chairman, I desire to say to the gentleman that I was on a trip to Panama with an officer of the Army, and he differed somewhat from the gentleman from Alabama as to what we really need. He said that what we needed was a great standing Army in this country, and that we did not need any Navy.

Mr. HOBSON. Mr. Chairman, I will say to the gentleman, if he will permit me, in answer to that, that if you do not have a navy that will keep the enemy's army from reaching your shores, then you will some day have to have an army to drive him out; and since we have not the Navy and have not gone on with the naval program, of course you have to have your Army to take care of itself in Hawaii, the Philippines, and Panama, and everywhere else.

Mr. CALLAWAY. Is not this a fact: That the naval men want a great navy, and the Army men want a great army?

Mr. HOBSON. I will tell the gentleman what is the fact. The Army men and the Navy men want their country to have a reasonable defense policy [applause], and on this they are united. The two branches are interrelated. The stronger the

Navy the weaker the Army can be with safety down to a certain point, and vice versa.

Mr. MOORE. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. MOORE. With reference to the increase in the size of battleships and the worries some gentlemen have in regard to it, is it not true that the depths of harbors in various countries tend to limit the size of the battleships?

Mr. HOBSON. I think that will ultimately, of course, limit the size of the evolution. I have not any hesitation in saying that naval ordnance is passing through a new revolution with the development of the torpedo shell. I do not like to go any further into the matter of the stage of the development in our country, but this development is going to make it so that you would not have to puncture the armor at long ranges, and it will tend to put the battleship cruiser on a fighting par with the dreadnaught and give it advantage on account of greater speed, and it will tend to make it absolutely necessary to have some of those high speeds to make effective our fleet and the dreadnaughts.

Mr. LEVY. Will the gentleman yield?

Mr. HOBSON. I will.

Mr. LEVY. Is it not a fact that foreign guns are increasing in caliber?

Mr. HOBSON. Yes.

Mr. LEVY. To 15 inches?

Mr. HOBSON. Yes.

Mr. LEVY. How large will ours be?

Mr. HOBSON. We are now building 14-inch. Germany, I understand, has a 15.3.

Mr. LEVY. Does not the gentleman think——

Mr. HOBSON. And when we come to consider the naval appropriation bill under the five-minute rule, I am going to offer an amendment to provide for some of these fast battleships or battleship cruisers, for the simple reason that the other nations have provided them, and this new form of attack will come in the near future.

Mr. FOWLER. Will the gentleman yield?

Mr. HOBSON. Yes.

Mr. FOWLER. The gentleman spoke of the high explosive shell and the progress being made, and also stated that that will be something which will tend to revolutionize battleships in the future. Will it not have this effect, to change the character and the number of plates that are used on the armor in building one of these ships?

Mr. HOBSON. I think that revolution is going on all the time.

Mr. FOWLER. One other question. The gentleman, if I understand him, says that the strength of the Navy does not necessarily rest on the number of individual units, but in the strength of each unit. Do I understand the gentleman correctly?

Mr. HOBSON. Both.

Mr. FOWLER. I understand, also, the gentleman says that Germany is holding to the old type of battleships. Is that true?

Mr. HOBSON. No; Germany is right up in front.

Mr. FOWLER. Is it not a fact that Germany is building the double and triple plate dreadnaught? Is not Germany doing that thing?

Mr. HOBSON. I assume the gentleman refers to a matter of building the hulls against torpedo attack. That is the reason why the *Oregon* and such ships are out of class, and doubly out of class.

Mr. FOWLER. The United States never has entered upon that plan of the construction of ships.

Mr. HOBSON. I am not going to say what the United States is doing. Remember, I have been a critic in the Naval Committee and elsewhere, and I have been chairman of the subcommittee on ordnance, and all that, and I want to say, and I repeat what I said at the outset, in all phases of naval architecture I believe you will find American designs right up to the others. [Applause.] But if you do not give the appropriations for battle cruisers, we can not have them, no matter how able are our designers.

Mr. FOWLER. And is it not true we will be compelled to increase if these high-explosive shells increase?

Mr. HOBSON. Yes; we will be compelled to do that; that is true. Now, I want, in connection with the case apparently attempetd to be made out with reference to the criminality of the naval administration, to say I find here on page 7407 of the CONGRESSIONAL RECORD the remarks of the gentleman from Mississippi [Mr. WITHERSPOON] in these words. He had been referring to a comparison of our Navy with the navies of other nations, and he puts us next after Great Britain, and so on, and said the next one near us was Germany, and then he made this statement:

> So that Germany is the last straw that the grafters can catch hold of.

I rose shortly after that and asked if the gentleman would not yield, as follows:

> Mr. HOBSON. Mr. Chairman, will the gentleman yield?
> Mr. WITHERSPOON. I can not yield.
> Mr. HOBSON. After the gentleman uses the word "grafters" he can not yield?
> Mr. WITHERSPOON. Mr. Chairman, I have notified the gentleman from Alabama that I decline to yield to him.

Now, this question of comparing our Navy with the navy of Germany has been a regular part of our naval discussion since the advent of the dreadnaught in the German building program that was authorized, as I remember correctly, about 1906. All the members of the General Board have been making a comparison. The Secretary of the Navy's aides and his chiefs of bureaus do the same. I have been amongst those who have been doing the same on our committee.

Mr. GORDON. Will the gentleman yield?

Mr. HOBSON. Pardon me now. The officers who have been spoken of so scornfully as experts do not have the privileges of the floor of this House, and, furthermore, they are not permitted by the Constitution to call any Member of Congress to account for any statement made on the floor of the House. I think it is due to those men that I say this. I know every member of the General Board; I know all the aides of the Secretary, and I know all the chiefs of bureaus; I know them personally. They are not only patriotic men, animated by patriotic motives, but they are honest men. [Applause.]

I was 18 years in the Navy. I can not remember once, and I do not believe anybody in the House can remember a time in Navy history, when any naval officer was ever found guilty of grafting. [Applause.] I believe, gentlemen, it is due to these officers, who can not answer for themselves, that the gentleman from Mississippi [Mr. WITHERSPOON] should at this point disclaim any purpose of calling any of those officers grafters, and I yield now for the gentleman from Mississippi to do so. The gentleman from Mississippi [Mr. WITHERSPOON] sits silent.

As for other members of the Naval Committee, those who have been comparing us with Germany, they can take up the matter for themselves as they see fit, but I believe it is due to me—inasmuch as the gentleman would not yield time the other day when he was speaking, I will yield to him time now—I think it is due me for him to state now, in my time, that he did not include me in that category. I pause. The gentleman remains silent.

Mr. HENSLEY. Mr. Chairman——

Mr. HOBSON. Pardon me. Will the gentleman kindly excuse me? This does not deal with him.

Mr. HENSLEY. Certainly; if you do not want to yield.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BROWNING. Does the gentleman want more time?

Mr. HOBSON. If you please.

Mr. BROWNING. How many minutes?

Mr. HOBSON. Give me five minutes.

Mr. BROWNING. I yield five minutes to the gentleman.

Mr. HOBSON. If I want five minutes more where will I get the time?

Mr. STEPHENS of California. I also yield five minutes to the gentleman.

The CHAIRMAN. The gentleman from New Jersey [Mr. BROWNING] yields five minutes and the gentleman from California [Mr. STEPHENS] yields five minutes more to the gentleman.

Mr. HOBSON. I stated, and I repeat it, it is my belief that the gentlemen signing the minority report are good men, all of them—good men, and true. I have great admiration for them all individually, and I wish to repeat it that I believe they have been animated by the purest motives, all of them. I do not believe that the gentleman from Mississippi [Mr. WITHERSPOON], without producing the specifications, did include or would include these naval officers or myself when he used the word "grafter."

Mr. HENSLEY. Now, Mr. Chairman, right there——

Mr. HOBSON. Kindly, kindly excuse me, sir. Mr. Chairman, I decline to yield.

The CHAIRMAN. The gentleman from Alabama declines to yield.

Mr. HENSLEY. I thought the gentleman said he would yield a moment ago.

Mr. HOBSON. I will say this, however, in view of the fact that the gentleman from Mississippi does not see fit to make such disavowal, I take the responsibility of saying that any charge made by anyone against those naval officers, whom I know, that they are grafters, is false. I desire to state that any

man who says that in connection with this bill or any other bill, or in any other relationship of mine with the Government, that by thought, word, or deed I have been a grafter, he simply lies.

Now, Mr. Chairman, I think the time has come for the Navy of the United States and its personnel to be given a square deal. [Applause.] They have been efficient from the start. It has been a characteristic of our Navy from the ancient days. The gentleman from Rhode Island [Mr. GERRY], who gave a history of the Navy the other day in such able and eloquent terms, did not overstate it. Take it in the Revolutionary War; not only was Saratoga possible because of the delays of the British, due to our vessels on Lake Champlain, but also because reenforcements and supplies from England were cut off on the high seas by the Navy. In the Revolutionary War our improvised Navy captured more than 800 English ships with more than 12,000 seamen. In the war with France you remember how complete were our victories. And I want to take occasion here—I am sorry the gentleman from Illinois [Mr. MANN] has gone—I want to take occasion here to say that I resented it through and through when in a discussion of the Mexican resolution he stated that we would not do in Mexico what we are doing if it had been the case of a strong and powerful nation. [Applause.]

When a principle was involved at the time of the Revolution, we defied the greatest navy and military power in the world, defenseless as we were, with less than three and one-half millions of people. And in that war with France we defied the great Napoleon, and told him plainly that America had "millions for defense, but not one cent for tribute." [Applause.] And we defied the Barbary pirates. And again, "for free trade and sailors' rights" in 1812 we defied the mistress of the seas. Yes; this Monroe doctrine of ours was laid down by an American President in the face of almost combined Europe. Yes; and President Cleveland in his Venezuelan message defied the mistress of the seas; and President Roosevelt, when Germany hoisted her flag in Venezuela, did the same thing. I do not hesitate to say here to-day that America would fight to the last drop of her blood all of the nations of the world, if they so much as laid an unfriendly finger upon Mexico. [Applause.]

This Nation is a Nation of principle and of idealism. It was for principle that our forefathers left their homes in Europe and came to this unexplored country and settled amongst the savage Indians. All our wars have been typified by unparalleled devotion to principle and to the highest ideals at any cost. Take the War with Spain. Spain was a weaker nation. Yes; but we never harmed Spain unnecessarily. I have roamed over the trenches that the German soldiers dug around Paris when in 1871 they cut off the food supply and starved the city into capitulation.

The women and children were crying for bread, and with this weapon the Germans brought France to her knees; and when the Germans, with their heels upon the neck of France, concluded the war, they demanded 5,000,000,000 francs for war indemnity and the cession of Alsace and Lorraine. I am not saying anything against Germany. France would have done the same thing if she had reached Berlin.

But it was my fate, later, to see the Spaniards dig their trenches and place their artillery.

I was inside of the lines and watched the inner trenches and outer trenches, and I said, "The strategy will be very simple here at Santiago. We will do like the Germans did—we will cut off the food supply, and the starving women and children will compel surrender." They were already getting hungry on the inside, I knew very well, because I was getting hungry myself, although I was getting a regular ration. I thought, "We will starve them into capitulation and not lose a man."

You can imagine my astonishment one morning when I saw the people of Santiago pouring out, women and children and decrepit old men, 18,000 of them, more than our whole army, as Gen. HULINGS, I see here, remembers. They went out to El Caney. For what purpose? To be fed by the American troops, though this act of mercy might have necessitated the storming of trenches and cost us thousands of lives. [Applause.]

And when the Battle of Santiago was over and Spain lay fallen and impotent we assembled our fleet at Guantanamo, and each hour we expected the orders to cross the Atlantic and destroy the remaining Spanish fleet and blockade and bombard the Spanish coast, and then to have our country dictate the terms she chose. We were ready to do that work if wanted. It would have been easy and simple, not only to have taken what territory we chose but also to have exacted hundreds of millions of dollars in indemnity. Instead, what happened? We never left Guantanamo.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HOBSON. I would like to have 5 minutes more.

Mr. STEPHENS of California. I yield 5 minutes to the gentleman.

The CHAIRMAN. The gentleman from Alabama is recognized for 5 minutes more.

Mr. HOBSON. We invited Spain's envoys to meet ours in France, and learning that Spain was already impoverished we actually ended a victorious war by paying the conquered foe $20,000,000 and then voluntarily transported the Spanish soldiers back home to Spain. [Applause.]

Yes; the nations of the earth laughed in our face when we began the war, and said we went to war in the interests of Cuba. When the war was over Cuba was ours by the law of conquest. We had spent blood and treasure upon her. But did we keep Cuba and make her pay us back and give us an indemnity? No. We took little Cuba by the hand. We showed her how to stand alone. We hope she has learned to walk alone. We gave her her independence, and I believe the same spirit to-day permeates the heart of America toward Mexico. As the President has announced, in this Mexican war we do not go in with the thought of conquest. It is not with the thought of hatred or revenge. We are going to be the true friend of Mexico; we are going to be the true friend of all the weaker peoples of this hemisphere. Yes; the true friend of the Filipinos; and under the open-door policy we are going to be the true friend of China; and wherever America's influence is carried by the Stars and Stripes from the mastheads of our ships you will find America the friend of the weak, the friend of the friendless, to promote the interests of humanity and establish at last justice to all men. [Applause.]

And I want to say to you that the naval officers on the ships will carry out this will. When John Paul Jones first hoisted the rattlesnake flag at the peak of the *Ranger* the legend on it was, "Don't tread on me," a warning to the greatest naval power in the world, your Navy representing you. Yes; and in the fight on the *Bonhomme Richard* with the *Serapis*, you remember, when the ship was sinking, the British commander on the *serapis* called out, "Have you struck?" and Jones replied, "No, sir; we have only begun to fight, sir." And you will remember down here in the ill-fated *Chesapeake*, how Lawrence, with his last breath, gave us our motto in the Navy, "Don't give up the ship."

I tell you, gentlemen, we ought, as a people, to appreciate more this Navy of ours. I have seen the time when the appropriations for development amounted to nothing. When I entered the Navy I had to drill at old muzzle-loading guns. But the officers were there, uncomplaining. Promotion stagnated. Sometimes a lieutenant was 50 years of age and had grandchildren, and no promotion. They never said a word of complaint. But at last the sudden transition came to the steel ship and to steam and electricity, and they were there, efficient and ready.

Take the War of 1812, when the English sent ships across the water seven times as numerous as our whole Navy. Those English ships were the ships that had conquered at Trafalgar. Those ships had fought 200 duels with foreign ships, and they lost only five fights. They fought 18 duels with American ships, and they lost 15 out of the 18 in fights. [Applause.]

Then you come down to the time of Dewey and Sampson and Schley and what do you find? Never before in the history of the world had any fleet totally destroyed another fleet, and never before in the history of the world had a fleet gained a fleet victory without suffering serious loss itself. There at Manila Bay and again at Santiago, twice in the same short war, our Navy simultaneously broke two world's records, totally destroyed the enemy, and suffered no loss itself. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. HOBSON. I would like to have one more minute.

Mr. BROWNING. Mr. Chairman, I will yield to the gentleman five minutes if he needs it. [Applause.]

Mr. HOBSON. I do not need it. I do not desire to detain the House. But I wish to call your attention to the way other nations recognize their navies. You will see the recognition they give them in promotion and in other ways. Our naval officers do not ask much. They only ask a chance to serve, and not to have sinister motives imputed to them by their own Government. In England they are proud of their navy's record. They raise great monuments to their naval heroes, and well they may be proud of them; but the proud British flag once bowed its head before the Dutch, and the Dutch, in turn, before the British. The French, Spanish, German, Italian, and all the navies of the world with any length of history have at one time or another hauled down their flags in defeat from masthead and peak. Here is our Navy neglected, the very motives of its devoted officers impugned. Here is our Navy forgotten, when ours is the only Navy in all the world that

has never yet known defeat. Let us begin to do the Navy justice. [Applause.]

Mr. BROWNING. Has the gentleman from North Carolina any time to yield back?

The CHAIRMAN. The gentleman yields back three minutes.

Mr. PADGETT. I will ask the gentleman from New Jersey [Mr. BROWNING] to use some of his time.

Mr. BROWNING. I yield 25 minutes to the gentleman from Pennsylvania [Mr. VARE].

Mr. VARE. Mr. Chairman, the gentleman from Virginia [Mr. JONES], whose district includes the great private shipbuilding plants at Newport News, recently made a most amazing argument against the Philadelphia Navy Yard, on the ground that we were going to build the transport *Maumee*, awarded to the Philadelphia yard in a close contest, below the usual rate.

Perhaps the gentleman himself did not realize the character of the argument he was making. He said, in effect, that Philadelphia should not be permitted to get a contract for a Government ship when it bids so low. In other words, he would not permit the Philadelphia yard to give the Government the benefit of its capacity for good work, the intelligence of its officers, and the skill of its workmen.

If the argument of the gentleman from Virginia were carried to its logical conclusion, the manner of awarding bids throughout the country would be completely changed. Instead of giving contracts to the lowest bidder, we would be giving them to the highest bidder.

At this time, when the air is charged with the electricity of war, when our marines are holding Vera Cruz and sacrificing their lives on the altar of patriotism, I think it appropriate to call attention to the fact that the officers and marines of the Philadelphia Navy Yard are playing their brave part in Mexico at this moment, and that some of these men, who are so brave under fire, are among those who brought this transport contract to the Philadelphia Navy Yard by their skill in times of peace.

We had never before built a canal connecting two oceans, and yet the Panama Canal stands now as a monument to the skill of the Army. The gentleman from Virginia might have said that because the Army men did not have experience in building great canals they should not have been permitted to try their hand at Panama.

The Government navy yards and arsenals are our chief national bulwarks in time of war. We need to develop our navy yards. We can do this without cutting down in any way the usefulness of the private yards. It is absolutely essential to the efficacy of the Navy that certain navy yards be equipped for shipbuilding, and the space for such equipment is larger at League Island than at any other yard.

The ability of our workmen in Philadelphia is known throughout the country. Our fuel, labor, and transportation facilities are unrivaled. The long-established firm of Cramp & Sons has been standing in Philadelphia on the Delaware for many years, and its object in selecting that site—when it had the whole country to choose from—was to be as close as possible to the supplies of iron, steel, oil, coal, lumber, and all the other materials with which Pennsylvania is so rich. In more recent years the same magnet has drawn to the other shore of the Delaware, within a stone's throw of Cramps, the company known as the New York Shipbuilding Co.

The only objection that the gentleman from Virginia can make to the award of the contract is that the price is too low, and the Government will save money by it. In other words, he feels that the private company in his own district may suffer. I sympathize with the gentleman, but it is not likely that the business judgment of this House will support his argument.

Because I have a natural pride in the Philadelphia Navy Yard, which is in the district which I represent, and because I feel that serious injustice has been done to employees of the yard, who worked so hard and with such patriotic pride to win this contract, I feel that I must make answer to the arguments of the gentleman from Virginia. I have such implicit confidence in the character of the men who made the estimates—such faith in their intelligence, skill, and integrity—that were I dealing with them in behalf of any private business, I would be willing to demonstrate my faith by entering a bond to insure that they would carry out the terms of the contract within the estimate fixed by them.

The gentleman from Virginia took the ground that the estimate is far below the cost for building such a ship, and he compares the estimate with those submitted from Mare Island and the New York Navy Yards. He contends that because Philadelphia has never built a ship in its navy yard it has done wrong in bidding $202,306 less than Mare Island and $545,161 less than the New York yard.

Mr. Chairman, the gentleman from Virginia might have made his comparison nearer home. He might have selected Norfolk, in his own State and in his own district, and shown that the estimate of that yard was lower than New York and slightly higher than the lowest private bidder. I fear, however, that the gentleman from Virginia is not so much concerned in having this ship built in a Government yard of experience, such as the Norfolk yard, as he is to have the award made to private shipbuilders in his own district. Possibly he feels that the Newport News Shipbuilding Co. might perform such a service as this even though at a much higher cost. That company offered to build the ship at a figure in excess of the amount which was estimated by the Philadelphia yard, which was willing to include the cost of building slips and equipment provided in this bill.

In the Navy we have constructors who have taken charge of the building of battleships. I have never known any private yards to build one of these ships without the advice and guidance of a naval constructor. It is absurd to say that these constructors do not know their business. The officers who made the estimates for this transport at the Philadelphia Navy Yard were trained and experienced men. They know, as well as the gentleman from Virginia knows, what other yards, Government and private, have been doing, what money could be saved by economical methods in a market so well equipped with skilled labor, fuel, and transportation facilities, and they knew that they could build this transport and provide for building slips and other equipment at a price much lower than the Newport News Shipbuilding Co. That is why they got the contract. They got the contract because they knew their business.

If the House will indulge me for a few moments, I would like to read a letter sent by Secretary Daniels, of the Navy Department, February 14, 1914, to the chairman of the Naval Affairs Committee of the House, in which the Secretary invited attention to the following reasons which influenced him in naming Philadelphia as being in his opinion the most suitable location for the establishment of facilities for the next Government shipbuilding plant. His reasons were as follows:

(a) Labor market: The location of Philadelphia with reference to at least two large private shipbuilding establishments and scores of other manufacturing plants, including locomotive works and other establishments employing large numbers of men, places this city in a unique position with reference to the ready supply of laborers and skilled mechanics. This is the most important consideration in the establishment of a shipbuilding plant. Not only does Philadelphia possess this requisite, but the fact that so much work of a similar character is performed in this vicinity serves to establish a reasonable wage schedule.

(b) Supplies: Philadelphia is a central distributing point for shipbuilding supplies, particularly structural material. This is also an absolute requisite for rapid and economical shipbuilding.

(c) Climate: The absence of severe winter weather for any considerable period makes it practicable to carry on shipbuilding work economically throughout the entire year. A large percentage of the work of building a ship consists of outside work, namely, either in the open or within the hull of the ship itself, and favorable weather conditions are essential for economical construction.

(d) Area: The yard has large acreage, and abundance of room is available not only for building the necessary ways, installing material racks, and laying out the work in the yard, but abundance of room is available for future extensions.

(e) Shop equipments: Except for foundry facilities and certain additional machine tools, the yard is already equipped with shops and tools for carrying on building work, and expenditures for this purpose will be relatively small.

Mr. MOORE. Will the gentleman yield?

Mr. VARE. Yes.

Mr. MOORE. Are these recommendations of the Philadelphia yard expressions of opinion by the gentleman himself, or do they come from some official source?

Mr. VARE. I am reading a letter addressed to the gentleman from Tennessee [Mr. PADGETT], chairman of the Naval Affairs Committee, by Secretary of the Navy Daniels, under date of February 14, 1914. These favorable recommendations concerning the great Philadelphia Navy Yard are the judgment of the Secretary of the Navy.

In March, 1913, Congress included in the naval bill a clause which reads as follows:

The Secretary of the Navy shall build the battleships authorized in this act in such navy yards as he may designate, and shall build any of the other vessels herein authorized in such navy yards as he may designate, should it reasonably appear that the persons, firms, or corporations, or the agents thereof, competing for the construction of any of said vessels have entered into any combination or agreement, the effect, object, or purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting the contracts for the construction of any of said vessels.

In this section of the act of March 4, 1913, Congress warned the Navy Department against shipbuilding combinations which are believed to have deprived the Government of competition in letting contracts for the construction of vessels. The shipbuilding company at Newport News, which is in the district of the gentleman from Virginia, is credited with being the most powerful and determined organization in the country. If the Newport News Shipbuilding & Dry Dock Co. can not build a

transport for less than the Philadelphia Navy Yard, why should it boast about it? Is this company so arrogant that it feels that it can demand the Government's business even when its bids are very high? Does it feel that the Philadelphia Navy Yard is a usurper and is not acting in a friendly spirit in giving the Government the benefit of skilled service and economical cost?

Go over the bids for this contract and you will find that Philadelphia carefully estimated each item of expense and was able, because of its proximity to all materials needed in construction and its excellent labor and transportation facilities, to give a lower price on nearly every feature, the total being considerably below the other navy yards. Nevertheless the Norfolk Navy Yard, which could not be so well equipped as the private yards, according to the gentleman from Virginia, bid much lower than New York or Mare Island, but no mention of this was made by the gentleman from Virginia.

It strikes me as being very significant that if the gentleman from Virginia's argument were adopted, the Newport News Shipbuilding Co. would then become the lowest bidder. It is also significant that while the private companies made nine bids, the estimates ranged only from $1,695,000 to $1,931,000. If the navy yards had not come to the Government's rescue, the Newport News Co. would have secured the contract at a cost of $1,695,000 instead of the $1,405,069.99 bid by the Philadelphia yard.

It was not through sentimental reasons that such great industrial concerns as Cramps, the New York Shipbuilding Co., and the Carnegie, Bethlehem, and Midvale steel plants located in Pennsylvania. They went there because of the supply of labor and raw materials. The United States Government will make no mistake in developing the Philadelphia Navy Yard for a great shipbuilding plant for the same reasons.

I am not unaware that this will be of great advantage to the workingmen of Philadelphia. I realize that without any taking away from the work of the private plants we will obtain much employment which otherwise we will not have had. But I insist that merely because the construction of a transport at the Philadelphia Navy Yard and the establishment of an armor-plate plant and central foundry and other improvements for which I have introduced bills would be of benefit to the city is no reason why Congress should reject any of these matters if it is found that the making of such improvements will be of real benefit to the Nation generally.

Mr. MOORE. Will the gentleman indicate the physical conditions at the Philadelphia Navy Yard with regard to the land area and the quality of the land?

Mr. VARE. I shall come to that in a few moments, if the gentleman will reserve that.

The Government will save a great deal of money by making the improvements which I have suggested at the Philadelphia Navy Yard. By building this transport in that navy yard it will be shown that battleships can be built there later on. It is recognized that there must be a great dry dock at Philadelphia and that an armor-plate plant must eventually be established there. Already the board of inspection of the Navy Department has recommended a central foundry at League Island, and I have introduced a bill with that end in view.

I wish to say to the House that the present Philadelphia Navy Yard contains 923 acres, which was given free of charge to the United States Government by the city of Philadelphia on December 12, 1868. In making this gift the city virtually turned over the sum of $403,850 for the site, since that was the sum the city originally paid for it. The old navy yard, which only contained 23 acres, was vacated and sold by the United States Government in December, 1895. The sum of $973,417.44 was realized from the sale and turned into the Treasury of the United States.

Mr. MOORE. What kind of land was that when the city dedicated it to the Government?

Mr. VARE. I am very glad the gentleman asked that question, because on our recent visit to Philadelphia the question was asked whether or not this tract of 923 acres of land, for which the city of Philadelphia paid $400,000 more than 40 years ago, was not low swamp land. My answer to that is yes; and because it was low swamp land it had far more value to the Government, as it turned out, than it would have had had it been high and dry land. Some may smile and say, "Why is that?"

The answer is that at that time the Government was removing Windmill and Smith Islands, in the Delaware River opposite the business part of the city. They had advertised for contracts for the removal of 7,000,000 yards of earth. They would have had to carry this earth approximately 15 miles to a place where they could dump it; but, by reason of the Government owning this 923 acres of low land, they received bids for the dredging of these islands for 50 per cent of what it would have cost had not the Government owned this low ground. Therefore the city of Philadelphia not only gave this 923 acres of land, which cost them $400,000, but they gave the Government a convenient dump, which saved nearly $1,000,000 in the removal of these islands in the Delaware River.

Mr. MOORE. What is the value of the land to-day?

Mr. VARE. The present Philadelphia Navy Yard, consisting of 923 acres, with the buildings, improvements, and so forth, is assessed at $10,000,000; and I submit that, inasmuch as the city of Philadelphia has given this great tract of land to the United States Government, it has a right to expect that the best use will be made of it for the benefit of the Nation at large.

The city of Philadelphia is now engaged in work which will vastly increase the value of the Government property. It is building a boulevard at a cost of $3,000,000; it has established League Island Park at a cost of $3,000,000. The city and railroads together are spending $20,000,000 for improved railroad facilities. The State of Pennsylvania, incidentally, is about to authorize $25,000,000 for the improvement of the port of Philadelphia; and inasmuch as the policy of the present Democratic administration is declared to be "economy and efficiency," I do not see how the majority in this House can afford to turn away from this principle by refusing the improvements which I have suggested at the Philadelphia Navy Yard.

In conclusion, I merely wish to say that I am willing to leave it to the common sense and business judgment of the House whether the fact that we have skilled workmen, unparalleled transportation and raw-material facilities, and that we are ideally located from a geographical standpoint, thus being able to do work for the Government at a lower price than the Newport News Shipbuilding Co., is sufficient grounds for denying the United States the economies which the Philadelphia Navy Yard offers in the construction of the transport, and the other benefits which I promise if the further improvements which I have suggested are made. [Applause.]

I append the following table, showing the various bids for the construction of transport *No. 1:*

Transport "No. 1."

Item and division.	Navy yards.					
	Mare Island.	New York.	Norfolk.	Portsmouth.	Puget Sound.	Philadelphia.
Labor:						
Hull	$448,830	$744,258	$543,800	$587,131	$493,896	$379,094.00
Machinery	155,228	162,594	187,015	184,640	184,281	150,235.13
Material:						
Hull	427,931	453,547	380,250	449,326	390,693	419,682.00
Machinery	259,059	241,265	261,700	329,206	218,893	216,164.04
Indirect:						
Hull	190,492	242,748	212,130	162,945	219,202	135,862.00
Machinery	70,335	50,318	76,137	63,180	81,826	48,532.77
Total:						
Hull	1,067,253	1,440,553	1,136,180	1,199,402	1,103,791	934,638.00
Machinery	484,622	454,177	524,852	577,026	485,000	414,931.99
Total (yard estimate)	1,551,875	1,894,730	1,661,032	1,776,428	1,588,791	1,349,569.99
Yard estimates for drafting:						
Bureau of Construction and Repair	None.	None.	51,000	[1]28,900	14,000	43,000.00
Bureau of Steam Engineering	None.	None.	None.	[1]15,000	15,000	12,500.00
Total estimate	None.	None.	51,000	[1]43,900	[2]29,000	[2]55,500.00

[1] Not included in total estimate submitted by yard. [2] Includes also reporting weights, mold loft work, and inclining experiments.

[Bids opened Dec. 20, 1913.]

"Transport" No. 1."

Class 1: Hull and machinery in accordance with department's plans and specifications
Class 2: Hull and equipment per department's plans and specifications, with machinery of type proposed by bidders.

Bidder.	Class.	Time.	Speed.	Price.
		Months.	*Knots.*	
New York Shipbuilding Co	1	24	14	$1,752,000
Fore River Shipbuilding Co	1	24	14	1,804,000
Seattle Construction & Dry Dock Co	1	24	14	1,931,100
Newport News Shipbuilding & Dry Dock Co	1	24	14	1,730,000 [1] 1,725,000
Do	2	24	14	1,700,000 [1] 1,695,000
The Wm. Cramp & Sons Ship & Engine Building Co	1	24	14	1,832,000 [1] 1,825,400

[1] If tried at Lewes, Del.

Mr. STEPHENS of California. I yield 10 minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Chairman, I was thrilled by the eloquent and able tribute paid to the Navy by the gentleman from Alabama [Mr. HOBSON]. I have always had a high respect for the Navy. I have always thought that the defense of this country and the protection of the rights of the people of this country abroad rested mainly upon the Navy. It is an apparent fact that we are isolated from other nations and that we are not dependent so much upon our Army as we are upon the Navy. The Navy and its efficiency have always been a matter of pride with the American people.

I stand, and I believe the American people stand with this committee in favoring something substantial in the way of a naval program. I believe the people of this country would not accept less than the two-battleship program proposed by Secretary Daniels and approved by this committee. I believe the people of this country would have approved a continuation all along of the policy of two battleships, adopted by former administrations, and I believe a great mistake was made when that policy was temporarily abandoned. The people expect our Navy to retain its rank and place among the navies of the world.

It seems to me, however, that in the distribution of the fleet of this country the department has not given that consideration to the Pacific coast that ought to be given. All of our battleships are kept on the Atlantic Ocean. It may be true that the unit formation is important and that we must depend upon having them together in order to make them strong. But I believe more consideration by some kind of an arrangement should be given to the Pacific coast. If we should engage in a naval contest with a foreign nation, we are not likely to have serious trouble on the Atlantic Ocean. The possible naval conflicts that are to come will be in the Pacific Ocean. No one believes there is a prospect of trouble that will come on the Atlantic Ocean. As we consider the commercial operations and industrial enterprises of the future, the merchant ships to fly the flag of this Nation on the water, we are bound to recognize that the great bulk of all of that progress and activity is going to be in the Pacific Ocean and the great maritime development of the future is going to be in the Pacific. That is where we have to look for industrial expansion; that is where we have to look out for more trade; that is where we are going to be called upon to fight the real naval battles, if at all.

I believe that we ought to have battleships on the Pacific Ocean. We have not one on the Pacific coast. They are all on the Atlantic coast, where they are not generally needed and where there is no immediate demand for them. We saw 16 battleships on their way to pay a friendly visit to Japan come to the Puget Sound Navy Yard to be docked, and before they came there the Navy Department inquired whether or not there were sufficient anchorage facilities to take care of them. Admiral Burwell, who was commandant of the navy yard, wired back that there were sufficient anchorage facilities to take care of not only the American fleet but all the fleets of the world in Puget Sound. The Bremerton Navy Yard made a splendid showing for itself.

Mr. Chairman, I am deeply interested in the Navy. Until a little over a year ago my entire residence in the State of Washington has been in the little cities of Charleston and Bremerton, the home of the Puget Sound Naval Station. I am very intimately acquainted with a large group of men working in this navy yard. So I am interested as much in navy yards as in the ships, but, after all, my interest in the yards and the ships has first of all to do with the human element.

I believe greater consideration should be given the men who work in these yards. They are not adequately consulted on many matters of policy where their service and advice would be of inestimable value. In the first place, the naval officers placed at our yards to take charge of the entire management and mechanical construction generally live apart from the men. I am one of those who believe it is all wrong to make the naval officers commandants of the navy yards with the superintending power of managers of construction, repair, manufacturing, and the employers of labor. If officers are to be retained as commandants, then these other duties ought to be separated from that office.

I recall three commandants of the Puget Sound Naval Station whom I have known. They were all admirals. Our Navy is efficient as a navy, and I do not have it in my heart to detract from the worth of or the credit that is due our Navy officers. Their life is not all ease, and they are a faithful set of men, who command my respect, but that respect is more pronounced when considering them as naval officers than as managers of naval manufacturing plants. One of these admiral commandants of the Puget Sound Naval Station was Admiral W. T. Burwell. He was about as much of a success as could be expected of the naval officer in such a position; and the people of the navy-yard towns out there have a tender spot in their hearts for Admiral Burwell. He came and he went. Prohibited by naval rules from participating in local issues, he was never fully identified with the real workings of the yard, nor did he ever get well acquainted with the needs of the men in the yard, although he knew well conditions aboard ship. He was well liked, but was arbitrary, like all naval officers. I remember one occasion when I called him up by phone after yard hours. I was reporting locally for the Seattle Post Intelligencer. A man had been killed in the yard and I wanted facts. He came to the phone and started off the conversation by asking if I did not know better than to call him up over phone, and that after hours. I answered quickly that if he wanted to refuse the facts, I would so report, but that I would not listen to his lecture. He then told me the facts.

Admiral John Rodgers was another commandant. He was universally known as "Sleepy John." If he had, by some preference decree of stockholders or otherwise, been assigned to manage the Moran yards at Seattle, the directors of that corporation would have considered themselves by far the winners to have paid him $10,000 a year extra not to serve. He had no conception of the duty of a manager of a manufacturing plant. The less said the better. There was no room whatever for argument.

Then came Admiral V. L. Cottman, now retired. A vigorous, dashing little admiral of genuine worth and many progressive ideas. Ability—yes. Good sense and good judgment—yes. Morality and integrity—yes. But it takes more than that to be a manager of a great manufacturing plant—an industrial plant, if you please. Naval Academy by congressional favor, then through all the grades in the Navy up to admiral, with retirement on life pay just ahead; what does such a one know about the needs, the demands of 2,000 workmen in a navy yard? What does he know about steam engineering, about construction and repair? Oh, he knows when a job is well done, like he knows when a ship is making 15 knots per hour, but that does not mean that he knows how the job is done or the elements that enter into its construction.

Then there is under these admirals a force of uniformed officers who serve to make construction expensive by increasing its cost; but, so far as being of any service about the manufacturing plant is concerned, they are simply a burden. There was recently published, so I am informed by letter, in a Seattle newspaper the picture of the Puget Sound Naval Station admiral and his supervising force, composed of some 68 officers. All of these are charged up to the yard as a part of the overhead charges. They have about 60 planners and estimators. Then come about a hundred storemen and material men, and about 20 inspectors. All of these are not officers of the Navy, but it is that kind of a bungled mass of incongruities that are the natural outgrowth of itinerant admirals to manage the great naval manufacturing plants of Uncle Sam. All these are nonproducers.

Next, the yard has about a hundred foremen and masters. Here is where the real superintending begins, but by this time we have probably 1 nonproducer to every 3 producers. These master workmen have to work both ways—both the officers above and the workmen below. I do not take the position that officers should not be stationed at navy yards as naval constructors and inspectors to learn what goes into a ship and to be prepared and informed as to every detail, but I do say that about 9 out of every 10 officers now at the navy yards of the country could do the Government a great deal more and better service by becoming learners under the tutelage of master

mechanics and other practical men than by attempting to direct the actions of these men. In such case the Navy Department would learn that stop watches and Taylor systems were not needed, for the efficiency of the yards would be greatly enhanced. In many cases naval officers have not been taught how to count the cost and conserve the efficiency and independence of workmen.

We have master mechanics at the Puget Sound yard that have been there for 10 years or more. They know more about the work of the yard than an admiral could possibly learn unless he had devoted himself to the work as these masters have; yet when the guns fire a salute to the new admiral commandant these mechanics have to go to the officer just from the sea for orders. I believe the naval manufacturing plants ought to be relieved of this burden, and their efficiency and economy would be thereby enhanced.

There is no reason why the wants of the workmen should not be considered by men who sympathize with them and who know their wants as well as their work. Sympathy, mutual help, human kindness, and mutual understanding are essential in a shop as well as in a home. I am loath to criticize the Navy Department. I so heartily admire the able Secretary, Mr. Daniels, and the Assistant, Mr. Roosevelt—one is superb and the other bully—that I do not want to criticize; but it is plain that no Secretary can get away from the machine that envelops him.

I believe that our navy yards would be more efficient, would be more competent in turning out work economically if there was some kind of an arrangement for a permanent manager who knew business methods, who was familiar with dealing with workingmen, and who could not only look out for discipline among the enlisted men, which is not the only thing to consider, but the construction of ships that would meet the demands of the Navy and would unify the enterprise and the plans with certain defined business ideas in view.

Mr. WILLIS. Will the gentleman yield?

Mr. BRYAN. Certainly.

Mr. WILLIS. The gentleman says that in his opinion naval officers are not competent to manage great industrial enterprises. I wonder whether the gentleman has visited and studied the great powder plant at Indianhead; and if so, what is his judgment? That is managed by a naval officer. When I was there the officer in charge only the week before had been in command of a torpedo-boat destroyer. I think I never saw a more perfectly managed plant than I found there.

Mr. BRYAN. I did not mean to make the broad statement that naval officers are not competent to manage an enterprise. The plant the gentleman alludes to is a new one. I do not doubt that there has been good consecutive work by one officer after another with a definite plan in view, and the plant has proven that the Government can manufacture powder cheaper than private plants, or at least at less than private plants have been charging. I do not say that the naval officers are incompetent; I believe that they are very competent men. Their education has been such as to enable them to know a great deal about these things, but I do not believe that they know, as a rule, how to manage a manufacturing plant. I believe that naval instructors ought to be there and see that everything in connection with the construction of a battleship is correct, but I can not reconcile my ideas of balancing dollar against dollar in the construction of a battleship with the ordinary management by a naval officer. That system promotes a large volume of overhead charges that are levied against the product of the plant. When you come to compare the operation of the plant in building ships with building at private yards all of these overhead charges are included, and it is said that the Government can not construct battleships as cheaply as the private yards.

Now, we find that the Government, in the great reclamation projects, can perform the duty as cheaply as private enterprise; it can remove the dirt and build canals as cheaply as private enterprise. We find the powder plant that the gentleman alluded to is a new plant, and perhaps that is an exception to the rule, and perhaps it weakens my argument; but, nevertheless, the fundamental fact remains that private shipyards engaged in the manufacture of ships for profit would not accept the ordinary naval management.

SECRETARY DANIELS AT THE PUGET SOUND NAVAL STATION.

Secretary Daniels was out on the Pacific coast a few months ago. The men in the yard concluded that the time would be opportune to talk fully over yard matters with the Secretary. Was he not coming to study thoroughly yard conditions? Were they not as much a part of the yard as were the machines? And they could talk and tell him something. So they organized themselves and appointed Mr. F. A. Smith secretary of their committee. The following correspondence unfolds their plans:

BREMERTON, WASH., *July 7, 1913.*

V. L. COTTMAN,
Rear Admiral, United States Navy,
Commandant Navy Yard, Puget Sound.

DEAR SIR: I am instructed by a joint committee of workmen from the various trades employed in the navy yard, Puget Sound, to respectfully request that you will, at the earliest convenient moment, transmit the inclosed invitation to the honorable Secretary of the Navy.

It is the desire of this committee to arrange a meeting with the Secretary of the Navy, in conformance with statements accredited to him in which he has promised to personally take up matters of wages and working conditions at navy yards while upon his tour of inspection.

It has been carefully estimated that at least three hours will be required to properly present and discuss the above matters as they affect the employees at this navy yard.

If the local schedule covering his visit here upon July 18 interferes with this feature of his inspection trip, we desire to learn his pleasure regarding the hours during which he can meet this committee, so that suitable arrangements may be made for an assembly hall in the city of Bremerton.

Respectfully,

F. A. SMITH,
Secretary of Committee.

BREMERTON, WASH., *July 7, 1913.*

HON. JOSEPHUS DANIELS,
Secretary of the Navy
(Through Rear Admiral V. L. Cottman, commandant, navy yard, Puget Sound).

DEAR SIR: I am instructed by a large joint committee of workmen from the various trades employed in the navy yard, Puget Sound, to respectfully invite you to meet with the above committee while upon your inspection trip to this station, and at that time personally take up the matter of wages and working conditions under the efficiency system.

It has been carefully estimated that at least three hours will be required to properly present and discuss the above matters as they affect the employees at this navy yard.

A local schedule has recently been published covering your visit here upon July 18, in which no opportunity is afforded for a meeting with employees during the hours between your arrival at 10 a. m. and departure at 4.45 p. m.

We therefore very much desire to learn your pleasure as to the hours which you can meet this committee of employees, so that an important feature of your inspection trip may be entered into fully, and that suitable arrangements may be made for an assembly hall in the city of Bremerton.

Respectfully,

F. A. SMITH,
Secretary of Committee.

The admiral answers and tenders his help, which no doubt was well meant, but was certainly not included in the plans of the workmen:

BREMERTON, WASH., *July 9, 1913.*

F. A. SMITH,
Secretary of Committee of Workmen.

DEAR SIR: Receipt this day is acknowledged of your communication of July 7, with inclosure for Secretary of the Navy, which was immediately forwarded to the Secretary at Washington, D. C. A night letter will also be sent advising him of your request.

The yard workmen have not previously asked for any interview with me or with the Secretary of the Navy, consequently no such provision was made in the schedule for his visit July 18, referred to in your letter.

Shall be pleased to receive from you a written statement covering the subject you desire to discuss with the Secretary of Navy, and would like to know how many of the navy-yard employees your committee represents.

The commandant has no objection whatever to discussing the management of this navy yard with any properly constituted committee of the workmen or anyone else, nor has he any objection to assist such a committee in obtaining an interview with the Secretary of the Navy concerning said management. On the contrary, the commandant would be pleased to have every employee of the yard study and understand the Navy Department system of management, which is being strictly observed at this navy yard, and is willing to elucidate the management, for the more familiar the employees become with this Navy Department system the better they will be prepared to carry it out contentedly, and improvements in results will surely follow—beneficial to the workmen and to the Navy.

The commandant is desirous of receiving assistance from the workmen to increase the efficiency of this establishment, and has always considered carefully every recommendation and complaint brought to his notice in a proper manner, and is willing to adopt, with the department's sanction, anything that will increase efficiency and benefit the workmen.

Respectfully,

V. L. COTTMAN,
Rear Admiral, United States Navy, Commandant.

Forget about an assembly hall. Meet in office building under my jurisdiction. Write down every word and give me a copy in advance.

NAVY YARD,
Puget Sound, Wash., July 14, 1913.

SECRETARY WORKMEN'S COMMITTEE.

DEAR SIR: Inclosed is copy of telegram sent to Secretary of the Navy and his reply thereto.

Arrangements will be made for the Secretary of the Navy to meet your committee at 2 p. m. in the office building in navy yard on July 18, 1913, for not more than half an hour, at which time you will please deliver to him the views of the workmen in writing, and I shall be much obliged to you if you will furnish me with a copy.

Please inform me of the number of workmen on the committee to meet the Secretary of the Navy, also the number of employees represented by the committee.

If I can be of any assistance to the committee in preparing their case I am at your service, and I shall be pleased to meet your committee

prior to the visit to the yard of Secretary Daniels to ascertain your views and put you right as to the methods and merits of the Navy Department system of management and to explain any steps therein that seem to meet with the disapproval of some of the workmen.

Respectfully,

V. L. COTTMAN,
Rear Admiral, United States Navy, Commandant.

The admiral suggests his views; half hour will do.

[Telegram.]

NAVY YARD,
Puget Sound, Wash., July 9, 1913.

SECRETARY NAVY,
Washington, D. C.:

Committee of workmen from various trades, through their secretary, request three hours with you for discussion of wages and working conditions under the efficiency system so that an important feature of your inspection trip may be entered into fully. No previous similar request or complaint has been made. Have informed committee that commandant was willing to have you discuss with them the management here and would assist in obtaining an interview with you and requested that they make written statement of subjects they desire to discuss and of the number of employees represented by the committee. They request you set the time so they can make necessary arrangements for an assembly hall in Bremerton. Suggest half an hour in navy yard July 18.

COTTMAN.

Yes; half hour is enough. Five hours is reserved Seattle engagements, for which the Secretary certainly can not be criticized.

WASHINGTON, D. C., *July 12, 1913.*

COMMANDANT, NAVY YARD,
Puget Sound, Wash.:

Replying to your telegram in regard to committee of workmen, my time very much taken up, but on account of importance of this subject will ask you to arrange for not more than half an hour with them some time during my trip to the yard; but have them prepare their views in writing so that I may take them with me.

JOSEPHUS DANIELS.

The committee insist on three hours; tell some of the tremendous yard propositions to be considered, including the different trades involved, and courteously renew the invitation and propose a hall in Bremerton where the employees want to meet the Secretary. Thirty minutes, they assure the admiral, will be entirely insufficient time.

BREMERTON, WASH., *July 14, 1913.*

Hon. JOSEPHUS DANIELS,
Secretary of the United States Navy.
(Through Rear Admiral Cottman, Commandant Navy Yard, Puget Sound.)

DEAR SIR: The joint committee of workmen in the navy yard, Puget Sound, have received to-day from the commandant a copy of your telegram in response to our invitation for a three hours' interview.

He is authorized to arrange a meeting for not more than half an hour with the committee, this being in accordance with his suggestion made in forwarding our invitation.

We regret to say that this committee deems 30 minutes too limited time in which to present a comprehensive survey of working conditions, as they apply to all trades at this navy yard, and we have decided to respectfully decline the 30 minutes' interview as proposed.

We still desire to take up various matters, but we are reluctant to waste any of your time unless these matters can be presented in a thorough manner from our standpoint; otherwise, they may be brushed aside with a general statement and no good would be accomplished.

The joint committee is composed of representatives from the following occupations:

Blacksmiths, boiler makers, coppersmiths, drillers, electricians, laborers, machinists, machinists' helpers, molders, painters, painters' helpers, pattern makers, pipe coverers, pipe fitters, power plant, riveters, sailmakers, sheet-metal workers, ship fitters, and shipwrights.

This committee has at all times only the best interests of the service at heart in any action they may take.

We would hereby renew our former invitation for an interview of three hours' duration, and express the hope that the business and social arrangements already perfected for your visit to the navy yard will permit an acceptance of same.

We would be glad to learn your pleasure at any early moment, so that we may arrange a mass meeting of all employees and citizens in a public hall in Bremerton upon the evening of July 18.

Should you be unable to attend at that time, then the meeting will not be held, and the committee will be unable to present the various matters we have in mind, but will perhaps put them in written form for submission at a later date.

In case the extended consideration can not be given, we request that you will give especial attention to two matters at least which apply to the working conditions of practically all employees of this navy yard.

We consider the so-called efficiency record of the individual workmen as a matter of great importance, since that record is based upon a very unreliable system of estimates and invoices a multitude of conditions which are entirely beyond the workman's control, and yet he is told that his chances of a better rating or permanent employment depend upon it.

An earlier system, which embraced an offensive time study of workmen by the use of a stop watch, was abolished by an order from a former Secretary of the Navy.

We are prepared to show that the present system is equally obnoxious and unfair, and we do not believe that it can be defended by anyone who will closely examine the conditions under which it must operate at this yard.

We would request that the Secretary of the Navy abolish as soon as possible this obnoxious record.

We would also request that a board be convened to take up matters upon the subject of wages.

Respectfully,

F. A. SMITH,
Secretary of Committee.

"The names of all the members of your committee."—The admiral.

NAVY YARD,
Puget Sound, Wash., July 15, 1913.

The SECRETARY,
Yard Workmen's Committee, Bremerton, Wash.

SIR: Receipt is acknowledged of your communication of July 14, 1913, with inclosure for Secretary of the Navy, Josephus Daniels, which will be delivered to him upon his arrival in Seattle to-morrow night.

It is noted that you decline the half-hour interview the Secretary directed me to arrange for on the day of his visit to the yard, July 18.

You failed to reply to the inquiry in my letter of July 14, 1913, as to the number of men on your committee and the number of yard employees represented by your committee, and I shall be much obliged for this information, and in addition I would like the names of the members of your committee.

As you state, the record of the individual workmen is a matter of great importance both to him and to the management, and the management has been working on this for a long time and hopes to reach results satisfactory to the workman and to the management.

The records for outside workmen, based upon estimates, have not been used for rating or discharge of men, as it has not been running a sufficient length of time and has not been perfected, consequently, as no use has been made of it as yet, it can not be obnoxious.

The question of manner of handling wages is fixed by law, and whilst the commandant has no objection to a special board being designated by the Secretary, he believes the present method just and fair, though it might be supplemented by an investigation of wages in the immediate vicinity by the Department of Labor as a guide to the Navy Yard Wage Board.

The commandant is always ready to receive and investigate any special complaints and will be glad to make an appointment to meet your committee or any other committee to hear any alleged grievances, and will carefully investigate any that are brought to his attention, and besides is willing to explain the workings of the Navy Department system, believing that all grievances will be dissipated by elucidation of all the facts.

Please present your grievances specifically and all data pertaining thereto in writing to the commandant in order that he may investigate and explain to your committee the workings of the Navy Department system of management.

Respectfully,

V. L. COTTMAN,
Rear Admiral, United States Navy, Commandant.

Your kind offer received with tremendous gratitude. It is observed that the names of members were not furnished.

BREMERTON, WASH., *July 16, 1913.*

Rear Admiral V. L. COTTMAN,
United States Navy, Commandant Navy Yard, Puget Sound.

DEAR SIR: Receipt is hereby acknowledged of your favor under date of July 15, 1913, containing announcement that our communication to the Secretary of the Navy had been duly forwarded so as to reach him upon his arrival in Seattle, for which you will kindly accept our thanks.

It is noted that failure was made to reply, in previous communication, to the inquiry as to the names of all members of this joint committee and the number of men represented by them.

The further statements and suggestions contained in the above favor have been carefully noted, together with the kind expression of willingness by the commandant to elucidate the workings of the Navy Department system of improved management, in reply to which I would say that same will be brought to the attention of the members of the joint committee at their next meeting.

Respectfully,

F. A. SMITH,
Secretary of Committee.

The committee of workmen pursue the only sensible course. It is plain they did not want Admiral Cottman to "elucidate" or "explain the workings" to them. They want to explain firsthand to the Secretary, so they give up the meeting with the Secretary and agree to submit their views in writing. That was the best they could do. One thing would be gained, anyway. They would have a direct hearing with a big-hearted, generous man, who had the well-merited reputation of being a real Democrat—the Secretary.

BREMERTON, WASH., *August 30, 1913.*

Rear Admiral V. L. COTTMAN,
Commandant Navy Yard, Puget Sound.

SIR: Please find herewith a communication addressed to the Secretary of the Navy, relative to wages and working conditions at this navy yard, which we would thank you to kindly forward.

A duplicate copy is also inclosed for the commandant's personal disposal.

Replying to your favor of July 15, containing an offer to meet members of this committee and explain features of the Navy Department system of improved management, I am instructed to request that instead of an interview being held that the full details of the above system as they apply to individual workmen at this navy yard may be posted conspicuously upon the official bulletin boards. The committee believes that this will be much more satisfactory, since no employee in the yard will then be compelled to depend upon hearsay as to the actual features of the system under which he is working.

Respectfully,

F. A. SMITH,
Secretary of Committee.

—

BREMERTON, WASH., *August 30, 1913.*

Hon. JOSEPHUS DANIELS, *Secretary of Navy.*
(Through Rear Admiral V. L. Cottman, Commandant Navy Yard, Puget Sound.)

SIR: Please find herewith a written summary of the matters relative to wages and working conditions which the joint committee of workmen at the Puget Sound Navy Yard desired to bring to your attention in person during your recent inspection trip to the navy yard. As no interview covering these matters was held at that time, I am instructed to forward them for your information and for such action as you may deem proper upon the requests contained therein.

I am also instructed to request an acknowledgment of their receipt in order that the committee may be informed of their arrival at the intended destination.

Respectfully,

F. A. SMITH,
Secretary of Committee.

The following is the statement they submitted to the Secretary. It took much patient work to prepare it and expense to make the necessary copies; but it meant much to them to have the Secretary consider these matters; their daily bread was involved. I am going to put it all in the RECORD. It will be of great interest to navy-yard employees all over the country. I know it is lengthy, but it is not as lengthy as Secretary Redfield's report on shingles, and that went in the RECORD, and I am glad it did. The navy-yard employees are surely worth as much as the tariff on shingles, especially since shingles are on the free list.

From: Committee of workmen, navy yard, Puget Sound.
To: Secretary of the Navy.
Subject: Working conditions and wages.

INTRODUCTORY.

A few weeks before the announced date (July 18, 1913) that the Secretary of the Navy would visit the navy yard, Puget Sound, to make a careful personal investigation of this station, a large joint committee of representative men from the various occupations in the yard met and adopted the following resolutions:

"Whereas Hon. Josephus Daniels, Secretary of the Navy, will visit the Puget Sound Navy Yard in the near future upon an inspection trip; and

"Whereas he has promised to personally take up the matter of wages paid and the working conditions in force at the various navy yards visited; and

"Whereas we know of no business of greater importance to demand his attention than a careful consideration of unsatisfactory conditions existing since the individual-record system was installed and the last adjustment of wages was made: Therefore be it

"*Resolved*, That a committee of two men be chosen from each trade employed in the navy yard to present the various grievances to him; and be it further

"*Resolved*, That a request be made, through the commandant, for an interview between the Secretary of the Navy and the above committee of not less than three hours' duration, during which time these matters may be thoroughly discussed and, if possible, a definite decision be rendered upon them; and be it also

"*Resolved*, That a copy of the above resolutions be presented to the local papers for publication."

The above action was taken as a result of knowledge acquired through press dispatches and otherwise that the Secretary had welcomed conferences with committees of workmen at the navy yards and stations which he had recently inspected on the Atlantic coast, and was due primarily to repeated press dispatches that he would personally take up matters of wages and conditions with employees of this yard.

Realizing that the navy yard, Puget Sound, is located at a great distance from Navy Department headquarters in Washington, D. C., and consequently that it is difficult for the workmen to fully present matters to the department from their own standpoint without doing so in a formal complaint, this committee decided to take up the various matters and present them informally, but exhaustively, to the Secretary of the Navy in person, for his information, so that these matters could be weighed carefully in conjunction with similar information already received while at eastern yards and stations.

Having in mind the fact that it had repeatedly been announced that the Secretary would spend three days in thoroughly inspecting the navy yard at Puget Sound, this committee deemed it an entirely reasonable request to ask for an interview of three hours' duration.

We did not contemplate using this time at the expense of the Government, but it was our purpose to hold a public meeting during the evening in the largest assembly hall in the city of Bremerton, to which all citizens would be invited.

It was then the intention to have our views presented by a series of truly representative employees who have had long service in the navy yard, and who would stand forth and make their statements under the restraining influence of the presence of many people who could tell whether it were the truth, and at the same time the speakers would be protected from future misquotation of their statements through the fact of many persons hearing the original. The speaker completing his statement by saying: "Mr. Secretary, the details of the Navy Department system of improved management, as they apply specifically to individual workmen, have never been published at this yard, or made clear to me, and I realize that they are not settled since they are constantly being changed, and that workmen in different divisions are affected by widely different features. I can not then say that the foregoing incident either conforms or conflicts with the system; but I speak of personal knowledge in saying that this thing happened to me in this navy yard a short time ago, and I believe that I am the best witness as to the impression created by it, and I say that it is obnoxious to me."

This meeting would be controlled by a competent chairman who would see that no personalities were engaged in.

It was expected that about two hours would be used in presenting the various matters, and it was not the intention to place the Secretary of the Navy in an embarrassing position by demanding a definite reply to each question at once, but a brief would have been made from stenographic notes of the meeting and this brief forwarded to the Navy Department for consideration at their convenience.

The Secretary of the Navy would then have been invited to address the audience for such time and upon whatsoever subject he chose.

It may be said at this time that the committee never did seriously consider a proposition of holding a brief interview in the navy yard.

First. Because the time would be too short to properly present the case.

We understand that photographs exist of all buildings and docks and incidental features relating to the inanimate equipment at this yard, but we know of no better way to present a picture of the mental attitude belonging to the workmen than was contemplated by the extended interview which they sought.

Second. This was the workmen's subject, and they desired to handle it themselves.

Some of them have had previous experience at hearings in the navy yard, in which they have appeared as committee from their trade before the wage board, and upon said committee asking a leading question, they were bluntly informed, "You are here to answer questions, and not to ask them." In another instance several employees were threatened with discharge for having been candidates for municipal office in Bremerton, permission to do so having been requested from the Navy Department, and no refusal having been made. During this hearing one of the candidates sought to ask a question, and was rebuked by the management in the following words, "Shut up; we will do the talking, and if we care to hear from you we will say so."

We desire no controversy, and you will see that a tense situation might easily arise, so that a yard meeting would not be entered into with the right spirit and open minds upon either side.

You will doubtless agree that he is no enemy of his country who tries to honestly point out his views upon a question of interest to him, and that in doing so men should not be stigmatized with the statement that they are agitators. In the present case this statement is neither a fact nor would such a statement heal the matter even were it true.

This committee feels that some effort has been made to thwart their laudable purpose in presenting their views to the Secretary of the Navy, who is the chief reviewing officer upon matters relating to wages and working conditions at all navy yards, yet we have decided to persevere in our purpose and try to be temperate in doing so, and if reprisals are made from any direction, we shall immediately and directly call same to the attention of the Secretary of the Navy and ask for prompt redress.

This committee deeply regrets that the business and social arrangements which had previously been made for the honorable Secretary of the Navy while in this vicinity prevented him giving the necessary time for an extended interview, and therefore that no meeting took place.

We also sincerely believe that the Secretary of the Navy equally regrets that failure met our plan, as outlined above, and we hasten to assure him that this committee does not hold him responsible in any manner for such failure. We fully appreciate that a Cabinet officer, who is one of the advisers to the President of the United States, must of necessity seek information upon a multitude of questions of great import to the Government, even though the subject matter may be outside the department which has been particularly intrusted to him, and that there are many demands upon his time which he is unable to meet while upon a hasty trip at a considerable distance from home.

It is, then, perhaps reasonable to assume that in such a position one might easily hold in abeyance matters pertaining to his own department, knowing that he possessed means of considering them at a more opportune time.

We trust you will not be less willing to carefully investigate these matters, because they are inherited from a former administration.

From the mass of data at hand, we will endeavor to outline, briefly as possible, some of the matters which we have in mind.

HOW IS INDIVIDUAL EFFICIENCY RECORD SECURED?

The efficiency of a workman is based upon an unreliable system of time estimates.

It is determined by the actual time spent in the performance of a given task as compared with the time estimated as being necessary. A card-index system is then maintained upon which the average of each individual workman is recorded, and this is called his percentage of efficiency.

WHAT IS THE PURPOSE?

We have been informed that those workmen having the highest efficiency will be given the preference in permanency of employment and in promotion to better positions, while those whose percentage goes below some (unstated) figure will be automatically discharged.

HOW ARE THE ESTIMATES SECURED?

A large force of employees of various trades and ratings are maintained in what is called an estimating section, and they are expected to place a time estimate upon every job order that is issued. A careful estimator will, of course, make his estimate with the idea of all material being at hand and that the work will be performed under favorable circumstances; but it is sometimes more difficult to prophesy future events than it is to do the work, and it is really impossible for the best estimator in the world to take into consideration all the obstacles which are very apt to confront the workman when he gets on the job.

Some instances of this will be given later on.

Yet the accumulated burden of these errors must be borne by the workman in his struggle against time in securing a high efficiency.

DOES THE ESTIMATE REMAIN AS ORIGINALLY ESTABLISHED?

The estimated time is easily "corrected" before the work starts, during its progress, or after it has been completed; in fact, it can be changed any old time; and the workman whose efficiency record depends upon it may never know the facts as to whether extensions have been granted or if a new estimate has been made.

IN SOME SHOPS A SECOND ESTIMATE IS ALWAYS MADE.

The original estimates have proven so unreliable that it is now the custom in some shops to totally ignore them and have a new estimate made. This may be of benefit in correcting some errors, but it goes further than that, for in many instances it causes a man to be in continual competition with himself—even after he has defeated all others. Under a scientific system it would seem that a certain amount of time would be allowed for a certain piece of work, but the way it is operated at present the time allowed depends upon the man who is going to do the work; it is estimated according to the man, his skill, speed, etc., and one man may be given a greater time allowance upon the same work.

In another instance, a time has been set upon a job which would be reasonable under certain circumstances, but the man who gets it to do must use machines and methods that were not contemplated by the estimator.

DOES THE WORKMAN KNOW THE AMOUNT OF TIME ESTIMATED ON HIS JOB?

At one time an order was issued that if there was insufficient time allowed, the leading man should call it to the attention of the office immediately, but at present—in the shops where advanced steps have been taken with the system—the workman does not know, neither does the leading man know, how much time has been allowed; and thus there is no opportunity for a workman to protest against the certainty of getting a low efficiency mark.

In other shops the estimate may be made in the first place by a man who is not familiar with the work, and the time is then entered upon the job order by means of symbols which are unintelligible to the workman, and leave him ignorant of the conditions under which he is working.

We believe that the system should give information to the man instead of keeping it away from him, and he would thus be able to point out mistakes in the estimated time before it is too late and his efficiency has been recorded.

In other shops an estimate has been made upon the capacity of certain machines; for instance, punch a certain number of holes in a given time. The men who work upon outside work and do not punch holes during the month are simply given an arbitrary percentage rating which is not based upon any estimates at all.

DO WORKMEN OBJECT TO THE ESTIMATING FEATURE.

The workmen have no objection to the estimating system, as such. We believe that it has advantages to the management in the way of getting lists of material, etc., even though it sometimes takes longer to estimate and get out an analysis of a job than it does to do the actual work.

For instance, a certain launch needed repairs to coal bunker; an estimator spent four hours on the job, and then a leading sheet-metal worker looked the job over for half an hour, and then, later, both the estimator and the leading-man sheet-metal worker spent half an hour together in looking it over. When the work was assigned to a workman he completed the entire job in two hours.

With sufficient experience the estimator may be expected to reach the high efficiency possessed by the garage proprietor, as shown below:

OWNER. What will it cost to repair this car of mine?

GARAGE PROPRIETOR. What ails it?

OWNER. I don't know.

GARAGE PROPRIETOR. Thirty-four dollars and sixty-five cents.

The workmen do not object to the estimates being made, but we emphatically object to having our so-called efficiency based upon them.

SOME OF THE EFFICIENCY STANDARDS.

We object to having our efficiency marked on jobs where we can not produce 100 per cent by reason of other men being in our way, and where obstacles are multiplied against us over which we have no control, i. e., Burnside job. A gang of men are to remove a bulkhead adjacent to the fire and engine rooms, and to do this work they must have a scaffold to work on—another gang of men are working to cut the boilers in sections, and a third gang is removing the sections.

While the first gang is cutting out rivets, the second gang is constantly dodging the flying rivets as they are backed out of the bulkhead. As soon as a section of the boiler is cut adrift, the riggers come along; their job order gives them one hour to remove the section, and if the scaffold is in the way down comes the scaffold, and all hands in the vicinity apply the first law of nature. Over these things the workman has no control, yet his efficiency depends upon the length of time it takes him to complete the work, and the time only, and not the conditions, are recorded upon the master cards.

The installation of new boilers, new pumps, new shafting, new piping, new foundations, new floors and bulkhead, with consequent fitting, drilling, reaming, and riveting, are even worse in establishing a workman's efficiency by the time-limit master cards where scores of men from different divisions are pitted against each other in a small space to do their own work, regardless of the other fellow; and all at the same time, and all in each other's way, how can any one of them produce 100 per cent? It is a question of the survival of the fittest, and the man who can, by physical force or otherwise, hold his fellow workers at bay while he accomplishes his work is the man with the highest percentage. We do not object to doing the work any way the supervisory force directs, but we do object to being graded on percentage where conditions under which we work do not permit us to accomplish good results, and our record stands entirely upon the amount of time consumed.

To produce 100 per cent efficiency a gang of riveters must drive 480 five-eighths inch rivets on a bulkhead in eight hours, or one every minute, while all around, above, and below are coppersmiths at work; and riggers installing large fire mains; electricians installing conduit; machinists installing condensers and pumps; ship fitters installing foundations and floors, and floor supports; at the same time other riggers are lowering into place large tanks and pumps, heavy machinery, sections of boilers which require that the whole compartment shall be clear of scaffolding and obstructions; consequently, all hands must get out of the way until these large pieces are landed, and every minute lost means a reduction in efficiency on the master card.

The present system records quantity, but not quality, and the workman who can get the work off his hands on or below the estimated time elevates his efficiency, while the man who does a better job does so at the expense of his percentage as it is recorded on the efficiency card.

Did the estimator who made the analysis of the work in the central station of the *West Virginia* know of the confusion there would be on account of congestion? There is about 80 square feet of deck room in this compartment and there were from 15 to 20 workmen in it during the time the work was done. There were ship fitters attempting to make templets for the lagging; drillers trying to secure the sheet metal, drilling for conduit, pipe, and instruments; electricians running conduit; pipe fitters putting up voice pipes and water mains; ordnance men installing range indicators; joiners installing tables and cleating up wire, and all the time there were workmen pushing, shoving, and squeezing their way through this mass of disgruntled competitors for efficiency. Did the estimator guess within 25 per cent of the obstacles to be overcome? We refer you to the record in central planning office.

The estimator, when making analysis of a job, figures on a certain kind of material being used and assumes that the material will be on hand when the job is started. For instance, *Burnside* radio station, time allowed, 1 man 2 days (extended to 7 days). First three days spent in getting material on job. Some instruments being manufactured not complete until four days after job was started. May we ask, was it the fault of the estimator, the storehouse keeper, the manufacturing department, or the workman that the estimated time was less than 50 per cent of the actual time required? Some will answer "all were at fault."

This may be denied or admitted, yet the fact still remains that it is unfair and unjust to base the efficiency of the workman upon such an unreliable, impossible estimate.

Quite frequently the material to be used on a job is not in store and it is necessary to use material not figured on when the time was estimated. Now, although different material is used, the time allowed on the job remains unaltered.

Another illustration: Stick down loose spots in linoleum on *West Virginia*. Estimate, 1 man 2 days. This job took over 12 days to complete.

Joiners work in radio room, etc., on *Burnside*. Estimate, 1 man 2 days. This job took 1 man 9 days to complete.

Install altered hanger and fittings for storage of the new mess tables on *Pittsburgh*. Estimate, 1 man 3 days. This job took 2 men over 5 days.

Installing engines in two new 40-foot cutters the actual time consumed by the machinist in charge of the work was 33 days, making 16½ days for each launch. A part of this time was, of course, not used in actual work as a machinist, but was required in supervising the work of the boat builders who were installing foundations for engines, in lifting the engines out of the way and replacing them so as to get the proper fits upon the foundation timbers, and in instructing and supervising the installation of pipe work from boiler, etc.

When the job was done the management decided that there had been 8 days of lost time, or loafing, done by the machinist, and the estimate for future jobs of this kind was placed at 12½ days for each launch.

When that "next time" comes, how can the machinist make 100 per cent efficiency unless some one else does the supervising and he has other work placed conveniently so that he can take it up and work on it for short intervals and drop it again the instant he is able to proceed with the launch?

Pipe fitters had a job of setting coffee urns and installing bunks on U. S. S. *Charleston*.

Workman in charge of work told estimator that it would require 1 man 1 day on each job.

When job order was issued one-half day was allowed upon each; needless to say that an extension was required upon each.

The coffee urn was delivered at 11 a. m., thus permitting 1 hour to do what proved to be more than a full day's work. The job actually took 1½ days' time.

The following are cases of variation between estimated time and actual time:

J. O. No. 53P492/390 oper. 1.1, 1 man 2 hours; actual time, 35 minutes.

J. O. No. O–5803, oper. 9.6, 1 man 4 hours; actual time, one-half hour.

U. S. S. *Milwaukee*, fire control, tel. system; testing, tagging, and connecting. Estimate, 1 man 12 days; extended 6 days.

Milwaukee, T. D. salvo; est., 1 man 6 days, actual time, 1 man 12 days.

Burnside, radio station installation; est., 1 man 2 days; extended 5 days.

A painter was assigned the job of painting some pipes on the *Milwaukee*, his work having been previously "planned" for him, yet he did not have enough material nor enough time.

The estimate was evidently made upon the measured plan for surface work, but these pipes were close to other obstructions, and the man had to lay down on his back to reach some parts of the work.

Could he be honestly expected to get 100 per cent efficiency under these conditions?

In turning some 70-inch piston rings the estimated time was 6 hours each, and it actually took 16 hours each.

Remove bonnets, etc., for examination on valves in engine-room spaces on U. S. S. *New Orleans*—about 35 valves.

Estimated time, 33 days; actual time, 1½ days.

Estimate in fitting bearings of 6 rods on U. S. S. *New Orleans*, 2 men 4 days. Took 4 men 7½ days.

The *New Orleans'* main shaft was fitted after pistons, and all were in place, thus using up a great deal of the room and making it awkward to work, yet the time limit was insisted upon.

The following comparative example is given upon labor's work: A gang of four men were ordered to move a dough box in ship's galley. They were given four hours in which to move the box about 6 feet. The work was done in about 30 minutes. The next day the same men were ordered to sling six stagings around the stern of the ship, for which they were allowed 1 hour. Upon this staging other workmen were to risk their lives. This job took eight hours.

The master card feature, which seems necessary in conducting the individual record system, retards the work, for in the pursuance of our day's work we have been sent to do work of riveting in different parts of the ships, and in many cases there were as many as two and three different job orders for work in a certain vicinity where the whole could have been done up at the one time and by the one gang of riveters. On finishing certain parts of the work we were taken off and sent to other parts of the ship to work, and many times other riveters have been sent to the part of the ship we left to work on same work, only under different job orders. Had one job order been issued for a vicinity, work would have been completed by the first gang of riveters sent to that part of the ship. This would have saved two gangs moving at the same time. A riveter's outfit weighs about 500 pounds, and many times we are compelled to move same without good reason during a day, and nearly every move takes from one-half to one hour, and before the gangs are started again a good two hours have passed.

We are called upon many times to build our own working stage, and we have been asked to work without staging where it was unsafe for us to go. All of those delays count against our efficiency.

HOW IS INDIVIDUAL EFFICIENCY OBTAINED WHEN MEN ARE WORKING IN GANGS?

It is illustrated by a certain job of putting sheet-metal casing around engines. The estimate called for "four men, 8 days."

From the nature of the job two men were started to work on it and they worked for six days. Then two helpers were also put on the job to do rough work, such as holding dolly bar when rivets were driven, etc.

The whole job was completed in eight days, thus giving the first two men, who had done all of the skilled labor, just 100 per cent efficiency, while the two helpers received 400 per cent because the job was completed on time, and they worked one-fourth as long as the other men.

Did the clerk in charge of the individual records check this case and automatically correct it, or was it necessary for some one else to call it to his attention?

In another instance two electricians were assigned to assist an estimator in getting data on installation of a wireless set upon a certain ship. The estimate was extended from day to day upon this work, without any change being made upon the master cards which the workmen held, and when the job was finally completed these two men were recorded as having 22 per cent efficiency. Did the clerk in charge of individual records check this case and automatically correct it, or was it necessary for some one else to call it to his attention, and was

not the efficiency record at once changed by the simple stroke of a pen from 22 per cent to 125 per cent?

In another instance of work upon installing tail shafts by machinists, this job took several days. One man finished his part of the work two days before the expiration of time allowed upon his master card, while the other men were not yet completed. An extension was granted of two days upon the entire job, and this man was assigned to the other work and had to continue charging his time upon this same master card. When the job was finished, of course he received 100 per cent, for which no doubt he should feel grateful; but how about his chance of high efficiency for having completed his task four days previously?

SCHEDULE BOARDS AS REGULATORS OF PROGRESS.

In the office of various trade divisions there are maintained more or less elaborate blackboards, and at the central dispatching office an entire building is practically given over to these blackboards.

They have a series of columns and lines, and the spaces thus made are filled from time to time by having written in them certain numerals, which are followed by grotesque lines pointing in various directions.

These fantastic characters doubtless have an intelligible meaning to those who understand them, but from the workman's standpoint it would require a Mr. Dooley to properly describe them.

We are told that these schedule boards show—with absolute certainty—just the number of men of each particular trade who can be efficiently worked upon any given job at any given time. These boards are filled out with schedules of work for weeks, and in some cases months, in advance.

You may say that this does not concern the workman, and we will therefore point out that it does concern him.

The first genuine joker which puts the "hed" in the "schedule" is the fact that they are originally made upon exactly the same estimates whose valuable character we have shown hereinbefore as being the basis upon which efficiency of individual workmen are established.

When the actual working time upon a job overruns the time shown upon the schedule board, is it to be supposed that the man in charge of the board, which is located at a distance from the work, can immediately determine whether the fault lies with the original estimate or with the progress of the work? If for any reason an extension has been granted upon some detail of the work, the board is corrected to meet this particular change, but our experience leads us to believe that additional changes are not made upon the subsequent details, which depend upon this first one, until such time as a collision has occurred by reason of the following steps being an impossibility.

The result being that the impressive blackboard, with its "showing of absolute certainty," is subject to continual erasure, substitutions, and corrections. The ultimate remedy for confusion and congestion of workmen into close quarters has certainly not yet been achieved, for a hasty job of repair work aboard ship causes a "madhouse" to-day, just as much as it ever did; and we are interested in the fact that our efficiency depends to some extent upon it.

Another joker in which we are interested is the fact that this same schedule board is supposed to show just how many men of a certain trade can be worked upon a certain date; and yet a vast proportion of the jobs that await repairs are not shown upon the board.

Owing to the great detail through which a job must pass before it reaches the schedule board a considerable amount of delay has accumulated.

We are certainly very much interested in the permanency of our employment, and it is an unquestioned fact that men have been discharged because the schedule board did not show any work ahead for them, and within a very few days new men would be employed, through the labor board, to take their places. Men have been furloughed for 10 days and called back in 2 days. Men engaged upon work aboard ship have been given furlough cards during the afternoon, to take effect at the close of the day's work, and before quitting time that same day additional work was placed upon the schedule board, and a hasty rushing about took place among the supervisors in an effort to have men taken from their work in the shop and transferred to this outside work and be in readiness to start the following morning. The outside men had to spend some time in turning their tools into various tool issuing rooms, and the inside men had to spend some time in getting together suitable kits for the outside work.

It is thus shown that the "absolute certainty" of the schedule board tells only a part of the story, and that our permanency of employment is made precarious on account of too much importance being placed upon it.

It leads to the inquiry as to whether the best effort should be expended in trying to have all progress conform to a chalk mark on a board, or whether this energy might be used in having work progress advantageously with regard to conditions as they exist, varying as conditions do from time to time, and let the chalk mark be of a secondary importance. These boards might be used to record progress as it actually takes place, but we doubt their value when used in the nature of prophets.

FUNCTIONAL MANAGEMENT ILLUSTRATED.

When pneumatic tools are in need of repairs they have to surmount the following hurdles in the race to be placed in good condition again. The following being the recital of an actual case upon a "rush" job, which is frequently repeated—

Function No. 1: The man in charge of tool-issuing room writes a request to have certain specified repairs made to the tool, identifying it by giving the shop number of the tool, and marks the request "rush."

Function No. 2: A messenger takes this piece of paper from shop M-2 to the office of the shop superintendent of machinery division M-1, which is across the street.

Function No. 3: The piece of paper then goes to a clerk, who typewrites duplicate copies and places it upon the desk of the master machinist.

Function No. 4: The master machinist initials the order, and places it upon the desk of the chief estimator.

Function No. 5: The chief estimator takes the order, and personally crosses the street from shop M-1 to shop M-2, examines the tool, and makes an estimate upon time required to repair it, and returns across the street from shop M-2 to shop M-1.

Function No. 6: A messenger then takes the duplicate papers from the office of the estimator of machinery division across the street to the office of the shop superintendent of hull division in the general office building.

Function No. 7: The shop superintendent of hull division initials one copy of the papers.

Function No. 8: A messenger then takes the duplicate papers from the office of the shop superintendent of hull division in the general office building, across the street, to the office of the shop superintendent of machinery division, in shop M-1, where it is given to the schedule clerk.

Function No. 9: The schedule clerk copies a synopsis of the order upon his schedule sheet and writes in the date that the job is to be commenced.

Function No. 10: A messenger then takes some of the copies of the order from the office in shop M-1 across the street to shop M-2—the building in which the original request was written three days previously—and leaves the order at the tool repair room. During those three days a messenger has made five trips upstairs to the repair room to see if the tool was finished, and work has not yet been started upon it.

Function No. 11: The man in charge of tool-repair room assigns the job, writes the name and rating of the operator on the face of the order, and places it in the proper receptacle at workman's bench.

Function No. 12: The operator repairs the tool, then takes his copy of the order and writes upon the back of it the date and actual time employed that day on the job.

Function No. 13: Once a day the timekeeper arrives; he copies a synopsis of the order upon a separate daily card bearing this operator's number; he also initials the date and hours which the operator had placed on the back of the order.

Function No. 14: The man in charge of the tool-repair room collects the order after the work has been completed—and the timekeeper initials it; he then fills in the face of the order with the "total time" and "date of completion," and attests it with his signature.

Function No. 15: A messenger then takes the copies of the order from the repair room in shop M-2 across the street to the office of the shop superintendent of machinery division in shop M-1, where it is given to the schedule clerk.

Function No. 16. The schedule clerk now marks "completed" upon his schedule sheets and hands the order over to the efficiency clerk.

Function No. 17. The efficiency clerk checks the "estimated time" with the "actual time" and marks the workman's record card.

The clerical or paper part of this "rush" repair job had now passed through 17 hands and has consumed more than four days of elapsed time, and yet if absolute safety were the object two important features have been overlooked. No receipt was given for the tool when it was delivered to tool-repair room and none was required when it was returned to the issuing room.

The actual time required to place the above tool in good repair was less than one hour.

How about the efficiency of the man who was waiting for this special tool, so that he could complete his work?

If additional repairs to the tool had been necessary, further delay would have occurred in getting an extension of time. And if the operator had used more than the estimated time it is probable that the paper would have started upon another excursion through various functions to ascertain the cause.

OVERHEAD CHARGES.

A small army of clerks, estimators, supervisors, and incidentals are considered necessary under this system, and the expense of measuring, assigning, classifying, supervising, and compiling records on any given job is so great that it practically equals that of the direct labor required in doing the actual work.

The job of painting the coaling plant may be taken as an illustration: Direct labor, $904; material, $780; overhead charges, $632.

This job was not finished for lack of funds. On this job, besides the foreman, there was an estimator, who spent his time in checking up the work performed by the men, and he was continually on the job for 37 days, at $4 per day.

Frequently there were only three or four helpers working on this job, and the work was practically all done by helpers at $2.56 per day.

In the shipfitting department they have a counting system that is used upon drillers' and riveters' work; that is, it is used when the man is at work. On two occasions this man went on furlough, and the counting system was forgotten till his return—then it went into service again.

The first furlough was for three weeks on account of sickness in his family, and the second was for two weeks, on annual leave, at the expiration of his year of service. The workmen in the above trades feel that if things got along all right for five weeks that they would continue to do permanently with this feature eliminated.

ARE THE RECORDS VALUABLE?

Nearly every efficiency engineer who has written a book upon the subject of scientific management has stated emphatically that there is no economy in keeping records for the sake of records only.

From the very nature of navy-yard work it is principally repairing or remodeling, and every job has its distinctive features, and these will give little or no data upon which to base future estimates, it having been estimated that less than 5 per cent of the job orders issued can by any reasonable process be considered as standard operations.

And from the same nature of the work it is highly probable that in the future these standard operations will be performed by different methods and in varying degrees of completeness and even having work done in entirely different machines.

It is further an absolute certainty that in future cases which have any emergency features about them a vast mass of nonessentials now contained in this recording system will be cast aside abruptly, else the completion of the important work will be seriously retarded.

The U. S. S. *New Orleans* is being repaired under the planning system after a careful analysis had been made. Before that work was completed the "careful analysis" had been so badly shot to pieces that it is now practically unrecognizable. Any number of orders were closed as being "completed" only to be reissued in a few days for additional work, and the original analysis is so plastered with extensions and extra operations as to resemble a patchwork quilt.

It may be possible that in due time a sufficiently large force of clerks could arrange some kind of a record from the papers which survive the chaos suggested above.

And when this record was finally set forth it would simply show the actual time and cost expended upon the job, plus the overhead charges necessary in making it. It would not in any manner show what the working conditions were; they are concealed in it.

In other words, the "fish" that make up efficiency would not be in evidence; neither would there be any proof that a large amount of work had been done, simply because a large amount of clerical work had been necessary in issuing minutely detailed job orders to cover it.

It is no argument to say that a certain ship has been completely overhauled a great deal cheaper than formerly, when perhaps the fact

is that less than half the work has been done this time, and the quality of the present work may be inferior.

SPEED, OR SAFETY AND QUALITY.

It will be remembered that when the limited trains were established between New York and Chicago and an extra fare was charged to passengers for negotiating this distance in record time that a rebate was promised to the passenger in case the railroad failed to maintain the schedule.

After some accidents had occurred and others had narrowly been averted, the Government officials stepped in and said, "Speed alone is not the prime requisite; we must have safety first," and then the rebating feature was stopped. There is no doubt, however, that the various railroads endeavor to maintain their schedules without being forced to do so; but when it becomes a question as to safety, they will sacrifice a few minutes of the schedule and no one will gainsay but the general public is benefited by doing so.

Whenever the Government makes contracts for equipment the contract always contains the clause, "Material and workmanship to be of the best quality."

The individual record of efficiency is based upon time or speed alone.

A good job upon which a low estimate has been placed will be shirked in an effort to come through on time.

The efficiency list places every workman in direct competition with all his fellow workmen in holding his job.

Quality of workmanship has been entirely forgotten and only quantity is considered in the mad struggle for position on the efficiency list.

The system is productive of quantity at the expense of quality.

Men driven under this system lose all interest in their work to the extent that when working where the measured system can not be employed the work suffers both in quality and quantity.

The system spurs men to accomplish more work than they are able to maintain, and consequently they must produce poorer work.

A good workman takes a pride in his work, and when he is speeded up so that he must shirk it robs him of the little pleasure that he should have in what he has produced.

While at our work we wonder if we are to be displaced by some fellow who has less regard for good workmanship, and we inwardly resolve to prevent this by turning out a greater quantity, at the expense of quality. If in the future ships are damaged through the faulty installation of their apparatus, such damages should not be attributed to the workman but to the system that requires nothing but low labor cost.

This system may have advantages in the handling of pig iron or digging of ditches, but when the safety of many lives, millions of dollars in real property, and possibly the honor of our Nation depend upon the highest quality of workmanship that can be produced we deem it folly for the Government to perpetuate a system by which quality is overthrown to produce quantity.

This system might recommend itself to one who manufactures to sell his produce, but where the wear, preservation, and quality are desired, and when one builds for self-protection, it is a failure. Since this system has been established quality has not been questioned.

WHAT IS THE INEVITABLE RESULT?

We quote a very able writer in saying, "We all know that teamwork wins in baseball; that a lot of stars playing each for his own record will be beaten by players of less individual skill who pull together. Yet in commercial and industrial life we are slow to learn this lesson. A factory will never be efficient wherein a large part of the workmen are looking for another job, whether because of pay or conditions or tools or management."

Industrial unrest has taken place in some eastern navy yards to the extent of cessation of work, and relief was only reached by modifying certain features of the management.

Under the present system all cooperation between the workmen has been killed and buried. The one idea is to keep ahead of all others on the efficiency list. One of the ways employed in doing this is to refuse to lend aid to one another.

Harmony has been displaced by discord. Every man feels as though all others were his enemies. Jealousy, greed, craftiness, and stealth are some of the undesirable traits being rapidly developed among us.

The system breeds dissension, jealousy, and hatred among the men.

A recent inquiry was made of a great number of individual workmen in this navy yard by a naval officer in an effort to learn their views upon the system, and if he found any who were even reasonably satisfied with the system we have yet to learn of it.

Is it not a fair question to ask, Is an industrial plant efficiently managed when practically the entire force of supervisors and workmen are dissatisfied?

Any fair-minded man will concede that master workmen welcome methods which will assist them in their duties.

We believe that if all master workmen were called together and asked the direct question, "Does the individual record of efficiency, as now kept, assist you at all in determining who are the most efficient workmen?" that the unanimous answer would be "No."

Asked, "Is it not simply additional clerical work, without any benefit whatever, in rating men?" they would answer "Yes."

The supervisor knows, or ought to know, who are his best men without a clerk coming from the office to tell him.

Assuming that most supervisors and men are honest, why continue this daily persecution of efficiency record upon men who do not deserve punishment?

We also believe that at present warnings of discontent among the men may be mentioned by the master workmen or minor supervisors, and that these warnings go unheeded, while perhaps a management with greater experience in industrial matters would pause and engage in careful introspect.

DO THE BEST WORKMEN HAVE THE HIGHEST EFFICIENCY?

It is usually the case that the best workmen have the lowest efficiency record. There are various causes for this strange fact. The poorest mechanic, incompetent to judge or even know when he is doing poor work, rushes through his task, generally completing before a more careful workman, and thus procuring a high rating in his percentage.

Again, the foreman, in order to keep the efficiency of his department as high as possible, must give the most difficult tasks—that is, the jobs with the least amount of comparative time allowed—to the best workmen, the easier tasks being given to the poorer workmen.

The good workman is jollied along and told to do the best he can under the circumstances, and he goes at the task knowing that he is facing the certainty of a low efficiency.

Another cause of low efficiency of the best workmen is due to the fact that they are given long, involved jobs requiring from a few days up to 30 days to complete, while the poorer workmen are given the short jobs requiring but a brief time to complete.

A man may be given a job upon which insufficient information has been supplied, and he has some delay in securing the necessary data. The estimator did not figure on this fact, yet the man's time in which to do the work is limited, and perhaps he finds after working a week on the job he has overrun the time allowed, and his efficiency has depreciated.

In the meantime another man is given a number of short jobs, coming out on time—since they are easier to estimate—and yet this last man perhaps is not as good a mechanic, or some one else had to get all the data for him. The estimator can not allow less than one hour on a single operation; consequently the real short jobs have more time allowed than is necessary, and the workman given these short tasks can run his efficiency away up as compared with the better man. The records and even casual observation will bear out this. Under this system it is possible for one man to get a large portion of jobs with lots of time, while another man may be a better all-round man; yet because he gets jobs with short time upon them he makes a lower percentage upon his product.

If the efficiency record is utilized as showing who is most efficient, and a reduction of the force is to take place, it will be seen that in the above cases the best men would go first.

As a rule, the first-class workman has given up a good job elsewhere, believing he will have steady work at the navy yard, but instead he is in constant dread of a low marking under this system, and is consequently expecting a loss of his job. There are helpers, or handy men, employed on machines molding small castings. These men have no previous practical experience as molders, nor have they served any apprenticeship to the trade. The natural consequence is that a large per cent of their work results in defective and inferior castings.

Under this efficiency or deficiency system, when a slackness of work occurs, these men are put to work on molding plain jobs on the floor, and the time of the foreman or leading man might be more profitably employed looking after their legitimate business in the shop than in teaching these men the trade.

IN CONNECTION WITH COL. MULHALL'S TESTIMONY BEFORE THE SENATE.

We are not unmindful of the fact that the individual records may not be used in good faith, but after the Government has been to great expense in compiling data, copies may be—and perhaps already are—furnished to private manufacturers' associations, thus establishing the worst form of blacklist, the employer thus having a pretended true Government record of the workman, which the man is powerless to refute, since he is not at any time informed as to his standing.

It is useless to establish a system of informing men of their standing, for they already know that the basis is unreliable, and it would only lead to quarreling, discontent, demoralization of the working force through charges of favoritism, etc.

DOES PERPETUAL MOTION REQUIRE FURTHER IMPROVEMENT?

We have heard that some ardent advocates of efficiency systems (under which their own efficiency is not recorded) claim that the system is "all right, but of course it needs a little improvement to adapt it to our needs."

It is perhaps strange, but from time immemorial those who claim that perpetual motion is feasible have advanced similar views. No matter how dismal the failure they have met, their hope mounted up, and they presented to the world a plausible story to the effect that only a little additional improvement was needed.

During the past few years we have seen the arrival and departure of various features of momentary importance which were attached to the system.

The word "scientific" was quickly dropped and the name "improved" adopted in its place.

Where are the speed charts, cut meters, tabulated list of capacity of machines, slide rules, stop watch, etc., of yesterday?

Have they all been discarded so that the present individual record of efficiency might have full sway?

The offensive character of the stop watch was demonstrated and its use abolished, with the statement that hereafter such features would only be used with the consent of the governed.

It reminds us of the story of the business man who was seeking a manager for his establishment, and since he believed in advertising he took that course in looking for a man, and as a result he had a large number of applicants.

After a careful examination of them all he recalled the one man whose record, previous business associations, and knowledge of the trade marked him as being head and shoulders above all other applicants.

During the further conversation the owner carefully noted the bloated form and flushed face which he had overlooked at the first interview, and having some doubt in his mind he asked the question, "My friend, are you a drinking man?" The applicant promptly replied, "No, sir; I used to drink some, but I stopped." The owner then ventured the following question, "When did you stop, and for how long?"

The workmen at this navy yard wonder whether the individual-record system was adopted without any misgivings as to its future and for how long it must be endured.

IS THE EFFICIENCY RECORD OBNOXIOUS?

We have suffered considerable agony for several months on account of this efficiency record, and this committee is in receipt of a letter from the commandant, which contains the following:

"The records for outside workmen based upon estimates have not been used for rating or discharge of men, as it has not been running a sufficient length of time and has not been perfected, consequently, as no use has been made of it as yet, it can not be obnoxious."

In this connection we wish to say that this committee has made no criticism of the local management. We fully realize that the fault which we object to is inherent to the system and does not depend upon the personnel of those who enforce it.

We wish to say to the Secretary of the Navy, who alone has the authority to grant this relief, and to say it with all the earnestness of which we are capable, that the individual-record feature as it is based upon time estimates is very obnoxious to the navy-yard workmen, and we sincerely pray that he will abolish this feature at the earliest possible moment.

We are perfectly willing to be rated by the management upon any fair basis, and this can be done and has been done for years without any such system as the present one.

DANGER FROM LEAD POISONING.

The work of removing old paint and rust from the metal work aboard ships is done by laborers and is accomplished with chisels used in pneumatic hammers and is known under the general term of "scaling." It

is probably the most disagreeable and unhealthy work in the navy yard, and often it is the most dangerous owing to the difficulty of getting suitable standing room from which to work. The scalers are exposed to the danger of lead poisoning at all times while engaged in removing paint, and in removing rust their lungs become quickly filled with dust. Owing to the proven unhealthy character of the work the Navy Department has issued orders from time to time that no person should be permitted to engage in this class of labor for a longer period than four weeks without then having an intermission of a considerable period at other work free from the dangers attached to the above.

This rule is no longer effective at this navy yard. Let me tell you of the reward that a good scaler gets for working hard. He is spotted as a good man for the job and is kept at it until he goes to the hospital or refuses to scale longer, in which case he is disrated or discharged.

One man was disrated without apparent cause in May of this year, but continued to scale until, in early June, he went to the hospital, where he died in a few days of pneumonia. His lungs were so affected that he was unable to combat the disease, and his shift was short.

We are compelled to scale the sides of ships, standing on swinging staging 30 feet or more above the floor of the dry dock, and men who are unable to scale because of the dust or who become dizzy in this dangerous position and are unable to do the work are disrated or discharged. Owing to the extra danger from lead poisoning in certain localities that do not have ample ventilation, 24 cents per day extra is paid for scaling in inclosed places—that is, below the gun deck and not under an open hatch. For this extra 3 cents per hour somebody must volunteer or be drafted to go into these places and shake hands with death. This work upon the U. S. S. *New Orleans* was done by enlisted men, who are presumed to be in perfect health, and the records will show that 11 of them were sent to the hospital suffering from lead poisoning on this job alone.

Again we call attention to the fact that the four weeks' limit is no longer observed with laborers upon scaling jobs at this yard.

BROKEN WORKDAY.

In some instances men are compelled to work from 8 a. m. until 12 m. and are then sent home with orders to report at 6 p. m. and work till 10 p. m. In other cases laborers commence work at 4 or 5 a. m., work three hours and are then sent home till 1 p. m., they then work till 4 p. m., and are again sent home till 7 p. m., and finish their day's work at 9 p. m.

The day is completely broken up and the evening is spoiled, and they receive only regular pay for eight hours' work. Sometimes we work a full day and are then called in at midnight to work till 8 a. m., thus working 16 hours out of 24, with no overtime pay. In other cases we work eight hours straight without time to eat. It may be said that this applies particularly in docking ships, when it is necessary to take advantage of the tide, and that no considerable number of workmen are involved, but we do not see that this fact removes any responsibility from paying a suitable recompense for it. This feature is not confined to work upon Government ships, but applies to all workmen who are on the yard pay roll, even when the work is done for merchant ships which are placed in the dry dock at this yard.

A particular instance is given in the case of the ship *County of Linlithgow*, a tramp merchantman flying the Chilean flag, which docked at this yard some time ago.

A claim was made that private dry docks in this vicinity were rushed for a considerable period in the future, and special permission was granted by the Navy Department to dock this ship at the navy yard. She was not injured, was not in a sinking condition, and could have been towed to San Francisco if necessary, although there are suitable private docks at cities nearer. It was necessary to undock a Government ship to provide room for her. The contractor brought some workmen from Seattle daily, but had trouble in getting men, owing to the fact that a strike was in effect at his Seattle shops—which perhaps was the controlling reason for docking this ship at the navy yard at all.

The contractor was very anxious to rush the repairs and get the ship in service in as short an elapsed time as possible, and he offered attractive inducements of overtime pay to various yard employees if they could be placed upon his own pay roll.

Some of these workmen asked yard officials for permission to make the above arrangements, and it was denied them. The contractor then requested that certain repairs might be made by yard labor, and it was granted.

The workmen were then compelled—and in some instances against their emphatic protest—to do this work under an improvised system of lap shifts and broken hours, working a few hours and being sent home to come back later and finish their day. They worked during all kinds of hours, at night as well as day, and did not receive one cent of extra compensation above their regular daily wage.

During the past few months there has been a regular night shift maintained in the machine shops upon work in remodeling projectiles, and they are paid nothing extra for working at night.

Upon Friday night they work straight through from 4 p. m. till 4 a. m. Saturday morning, making a 12-hours' shift at night, and without extra pay.

We request that 25 per cent extra pay be granted for every hour worked outside of the regular schedule for daywork.

WORK BY ENLISTED MEN AND MILITARY PRISONERS.

The painters and laborers particularly protest against their being thrown out of employment due to being displaced by enlisted men and military prisoners. A clause was adopted in the naval appropriation bill signed August 22, 1912, which aimed to restrict this practice, but it is still unsatisfactory. Upon the U. S. S. *New Orleans* the ship's crew scaled and painted the entire outside of the ship. The following jobs have been painted by prison labor while civilian workmen were being discharged for "lack of work":

The old administration building, now used as an office and clubhouse for the receiving ship.

Other smaller buildings in that vicinity.

The disciplinary barracks.

The fence inclosing same and grounds.

The commanding officer's quarters of said barracks.

The athletic quarters and minor buildings.

For several months prisoners have been employed in grading about the new dry dock, which work would have served nicely in giving laborers the intermission, in the open air, which is considered necessary if the four weeks' limit is observed on scaling jobs.

The standard of living for an enlisted man is set by the Navy Department and his pay is not in accordance with the prevailing scale of wages in the yard where he works.

The civilian has many obligations to fulfill as a citizen and head of a family that are not required by enlisted men, and we consider that this is unfair competition.

THE RATING OF PAINTER'S HELPERS.

The painters ask that the rating of painter's helpers be abolished and that all painting work be done by skilled mechanics, claiming that the proportion of helpers is far too great as compared to the skilled mechanics employed.

The painter's helpers also request that this rating be abolished and submit the following reasons:

A helper in other departments of labor in this navy yard is one who works with and is an assistant to a mechanical laborer, helping him in the execution of his duties. But in the painting department the helper is not an assistant to a craftsman. There is no distinction between the duties of a painter's helper and those of a painter. Their work is synonymous, the helper bearing the same responsibility in the execution of his work that the painter bears in doing his. Each one works independently of the other. Not only are his duties the same as those of the painter, but in the standards of speed and efficiency the average of the painters' helpers is parallel with the average of the painters.

Notwithstanding these facts, we are working under the guise of the efficiency labor system. If we are efficiently doing the work of painters, and our records prove that we have been doing so, why are we not paid painters' wages instead of the low standard of common labor—$2.56 per day? There is an unbroken precedent in this navy yard that, notwithstanding how efficient a painter's helper may prove himself to be in the course of his employment, he must work at least two, and in the majority of cases, three years as a painter, not as a helper, at the wages of a common laborer before he is permitted to receive the distinction of even a fourth-class painter. We are entitled to the wages of painters with the opportunity of promotion in comparison with our efficiency.

We are told by the chief construction officer that we are "allowed" to do painter's work rather than to "lay us off," because there is no painter's helpers work for us to do. At the same time, more painter's helpers were hired. If there were no painter's helpers work to be done, why were we not hired and paid as painters? It is evident that painter's helpers are hired, not as cheap laborers, but as a means to get labor done cheaply.

Not for lack of efficiency, not speed, are they paid only $2.56 per day, but because those of authority say: "We will call him, not a painter, but a painter's helper," thus getting the same result for $2.56 that otherwise would cost $4.

A few months ago the machines in the S. E. machine shop were to be painted and varnished. This work was given to a first-class painter. Soon the fact was rumored that the job was costing too much; that the yard was short of money. The first-class painter at $4 per day was removed from the work and the job was given to a painter's helper, who was obliged to finish the work at $2.56 per day. Two conclusions can be drawn from this incident, viz: The painter's helper was qualified to do the work or he would not have been given it to do. Second, he was given the work because his seven or eight weeks on the job meant a saving of $1.44 per day to the management of the yard.

Further information for proof of our claim that we are entitled to painter's wages, with increase in proportion to efficiency, can be found on further investigation.

SATURDAY HALF HOLIDAY FOR POWER-PLANT EMPLOYEES.

Can not something be done to give the employees of the central power plant equal rights with other employees of the yard to the Saturday afternoon holidays during July, August, and September?

The other employees of the yard get Saturday afternoon holiday with pay, while the men of the power plant work continuously the eight hours' shift without holiday or extra pay.

Now, we consider that we need the rest and recreation as much or more than the other employees.

HELPERS TOO SCARCE IN SHIP FITTERS' DIVISION.

On account of the economy practiced under the present system riveters have to work in grease and water on tank tops and in water bottoms. We are often sent to work in water bottoms before being pumped dry and cleaned out; also sent to work on dirty, greasy tank tops before grease has been cleaned up.

We are also sent to work where new holes have been drilled and the old paint left on; the result is that when we drive a rivet the dry paint flies like a shot out of a gun. This causes extreme pain and also is the cause of us having to be absent from our work on account of sore eyes, which is a loss to us. This could be avoided by having scalers remove the paint around holes that must be riveted, and by so doing the work would be better done when the job was completed.

The drillers use powerful air tools, in places difficult of access. It is not the custom in this trade to be furnished with a helper except in very rare cases. This jeopardizes the workmen in getting out the record number of holes while working in bad places. It should be less difficult to secure assistance of a helper for short periods.

LABORERS DOING HELPERS' WORK AT SMALL PAY.

The laborers are frequently assigned to do helpers' work with ship fitters, pipe fitters, riggers, molders, and others, but receive only laborers' pay.

A large part of the rigging is done by common laborers, there being but a few men rated as riggers' helpers.

In some instances the boss of a gang is only a laborer in charge, receiving a laborer's pay, as do the men working under him.

We understand that Navy Regulations provide that no workman can be kept at work in advance of his rating for any considerable time except in cases of emergency without his receiving additional pay for the work that he is doing.

BULLETIN BOARDS.

A short time ago we read in the newspapers what purported to be a communication under date of July 15, 1913.

From: Acting Secretary of the Navy.

To: Chief of bureaus and officers; commandants, navy yards and stations; officers in charge of Navy pay offices; United States superintending naval constructors; United States inspectors of machinery, etc.

Subject: Increase in pay and force.

It contained matter relative to the general questions of the readjustment of the pay of the employees at all navy yards, stations, etc., and closed with the following instructions: "Copies of this letter will

be posted in conspicuous places for the information of officers and employees."

We were extremely glad to note the above communication, since it would appear that the Navy Department had adopted a definite policy of direct communication with the employees upon matters of special interest to them and would use official bulletin boards in doing so. The frank statement that while the requests from the employees had not been refused, yet they were held in abeyance for further investigation, was certainly an item of live interest to the employees, and we have awaited its appearance upon the bulletin boards so as to learn the full contents of the communication.

After two weeks' time, we are unable to learn that it has been officially posted in any conspicuous place at this navy yard.

It may also be said that this committee, in replying to an invitation from the commandant for a meeting in which the efficiency system might be elucidated to the committee, have made a request that instead of a meeting being held the complete details of the Navy Department system of improved management, which apply specially to the individual workmen at this navy yard, may be conspicuously posted upon an official bulletin board. We believe that this method will be far more satisfactory since no one will be compelled to depend upon hearsay from others.

There is another matter that we also believe should be posted upon bulletin boards. It has always been understood that a workman was granted 15 days' annual leave with pay and 15 days' leave without pay during the year upon proper request being made.

To the best of our knowledge it has never been the custom heretofore to deduct any of the leave with pay on account of the workman having utilized some part of the 15 days permitted without pay.

If he were simply absent without leave that is a different proposition, but where he had made a proper request so that the management was informed of the desired leave and could make necessary arrangements, and the absence of the workman would not interfere with the work at hand, the leave has been granted and no deduction was made from the annual 15 days' leave with pay.

During the past year, however, some sort of change seems to have been made in this respect, and deductions are made from the leave with pay for each day of absence, no matter how few they may have been, and regardless of whether it was due to unauthorized absence or was leave that had been granted without pay.

There is, therefore, no longer any inducement in this respect for a workman to notify the management when he desires to be absent for brief periods.

We fully believe that when changes are made in matters of this kind which can affect all workmen in the navy yard a proper notice should be conspicuously posted upon authorized bulletin boards.

WAGES.

It has been said that you can tell a man that there are 270,169,325,481 stars and he will believe you; but if a sign says "Fresh paint" he has to make a personal investigation.

The matter of wages is one upon which the various trades have made repeated and extended investigation, and have duly submitted the results to wage boards for consideration.

It is hardly necessary to say that in some instances, at least, the ultimate result of such consideration has not been satisfactory to the workmen interested. In the case of the machinists, they have protested to the Navy Department against the recommendations made by the wage board for the year 1913, and that protest is still pending.

It may be said that they experienced a great deal of difficulty in having their protest considered, since the acting commandant of this navy yard refused to forward it to the department in the form which it had been prepared.

The feature which was objected to was simply a recital of the machinists' belief that outside influence had been used with members of the wage board in giving them misinformation, and in effect the story was along similar lines to the testimony now being given to Congress in amplified form by Col. Mulhall.

Inasmuch as the machinists' protest relative to wages for 1913 is still pending at the Navy Department, these workmen feel quite interested in having posted the communication from the department under date of July 15, 1913, which is mentioned elsewhere. They also desire to make inquiry if workmen can reasonably be expected to supinely wait an entire year for a new wage board to convene in a case like the above, where refusal was made by local officers to forward their protest, and were they not justified in forwarding the protest in its original form direct to the department?

The electricians wish to refer the Secretary of the Navy to eleven affidavits now on the files of the wage board and which were submitted to that board last December. These affidavits show that on the wiring of the new marine officers' quarters, the marine barracks, the foundry, and the general storehouse by contract at this yard the minimum wage paid journeymen wiremen was $5 per day and boat fare to and from Seattle. The minimum wage paid for helpers was $3.50 per day and boat fare to and from Seattle. That the wages paid for work done on the floating crane varied from $5 to $6.50 per day. Also, that the prevailing wages paid in Seattle, Tacoma, and vicinity are $5 per day for journeymen and $3.50 per day for helpers. The attention of the Secretary is called to the fact that the only firms not paying this scale are the Heffernan Dry Dock Co. and the Seattle Dry Dock & Construction Co., and that these two firms do but a small part of the electrical work done in this vicinity.

The boilermakers, ship fitters, sheet-metal workers, pipe fitters, and many other trades claim that the wages paid at this navy yard do not conform to those paid in the vicinity by private firms, and they desire that the entire subject of wages may be reopened here with the purpose of ascertaining the exact facts. The wages paid to laborers are inadequate to properly support a family.

In the city of Seattle a minimum rate of $2.75 per day has been established for common laborers, and the men here request that this be made the minimum at this navy yard. They further request that while doing scaling work they be paid 40 cents per hour and that they be not required to scale for more than two weeks without a change to other work.

The machinists helpers ask that in justice to themselves and to those who receive less wages than they do that a minimum wage be established at this navy yard of not less than $2.75 per day to all adult workmen. They further ask that they be assured that after two years' service their rate will be made at least midway between this minimum and that paid to fourth-class mechanics. Objection is also urged against the practice of employing persons classed as "boys" to do helper's work at boy's pay. The sailmakers approve of installing machines to facilitate work. The men employed upon them have done everything possible in advancing ideas toward the end of perfecting the machines to suit the work at hand, and a number of valuable ideas which were thus advanced are now profitably employed at this yard. They believe that the skilled mechanical work of their line, done either by hand or upon machines, should be performed by craftsmen, and they object to being displaced by women unless the women are paid equally high wages.

LABOR MARKET.

This navy yard is located at no great distance from cities whose population aggregates more than half a million people, and that population is made up for the greater part of working people. These cities contain various shipbuilding plants of respectable magnitude, as well as terminal shops for several of the great continental railroads, which together employ a great number of men in the trades which are required at a navy yard. This committee feels able to say without fear of successful contradiction that the labor market is of ample proportions to fully supply the needs at this yard. We are fully aware that in the recent past a number of riveters and chippers and calkers were transferred at considerable expense from the Mare Island Navy Yard to do work here.

We wish to express the opinion that the apparent necessity for this was not due to any inadequacy of the local labor market, but was due to the fact that capable men in those trades residing in this vicinity did not seek employment here on account of dissatisfaction with the wages and working conditions offered them at this yard. After being transferred here the men from Mare Island Navy Yard were paid wages in excess of that paid to the local men who worked beside them. In the past a scarcity of registrations from boiler makers have existed from similar reasons.

At the present time the labor employment board is advertising in the newspapers for common laborers. It is ridiculous to assume that the market is too closely limited and it were better to state the reasons as due to wages, working conditions, system of registration, and lack of steady employment.

CIVILIAN REPRESENTATION ON WAGE BOARD.

We believe that the workmen at navy yards should have equal representation with the naval officers upon the annual wage board. We feel that the civilian members of the wage board should be selected by the workmen, either from navy-yard employees or elsewhere, as they desire, provided that their choice, if made from outside of Government employees, be persons of standing and in possession of knowledge of the subject at hand. Such men, for instance, as the State commissioner of labor, or others of known ability, and agreeable to the naval officers.

SEVERE DISCIPLINE, OR REWARD FOR FAITHFUL SERVICE.

It has recently been noted that the Secretary of the Navy has given his approval to a bill introduced in Congress authorizing him to pay cash rewards to civilian employees who make valuable suggestions for improvements in manufacturing plants or processes.

As matters for comparison between actual facts as opposed to the theory of reward to faithful employees, as suggested above, the following incidents are presented as of recent occurrence at this navy yard:

A leading-man machinist in machine shop No. 1 at this yard was given the job of machining two tube sheets for the main condenser on the U. S. S. *New Orleans*. He assigned a driller, first class, to drilling one of the sheets, and made application to the master machinist for a man to work upon the other sheet.

A machinist, fourth class, was taken from his work in machine shop No. 2 and sent to this leading man, to be worked upon this second tube sheet. This machinist, fourth class, had previously had two years' experience upon similar work in shop 1 and was well known to the leading man, and was considered fully competent to do this work. He was assigned to a drill press within arm's reach of a similar machine, on which the sister tube sheet was being drilled and upon which the progress of a day's work had already been done.

The work was already plainly laid out, and the spaces to be left blank were marked with black shellac. The leading man gave full and detailed instructions to the workman as to the jig and tools required and how to proceed with the work. While the workman was getting tools, etc., from the tool-issuing room and was starting the job, the leading man was busily engaged elsewhere.

Upon the return of the leading man he examined the work and found that the man had placed the jig one-half inch off center and had already drilled a number of holes.

The leading man immediately reported the error to the shop superintendent, and upon investigation it was found that no damage had been done, and that no time had been lost on the job, as the holes could be used by drilling one end of the sister sheet to duplicate this one.

Further inquiry showed that the driller who was working upon the sister sheet had warned this workman that he was placing the jig different from what he had done in starting his job.

Whether the machinist—fourth class—was influenced by the psychology contained in the individual record of efficiency, and thought that the driller was simply trying to delay him, or not, will probably never be known; but during the investigation he told the master machinist that in placing the jig he had used his own judgment.

The shop superintendent held the leading man responsible, charged him with carelessness, and suspended him for six days without pay. The leading man then took an appeal to the Engineer officer, and pleaded not guilty to the charge of carelessness.

The Engineer officer stated that the tube sheets were shipped from the East; that they were expensive and difficult to obtain; and he decided that the leading man had shown an error in judgment in failing to see that this job was started right, even were it necessary to neglect other jobs in doing so; but he reduced the penalty to three days' suspension, and stated that the management proposed to fix responsibility and require penalty for all mishaps.

The leading man, who has given a number of years of faithful service to the Government at this navy yard, and who has from time to time devised many improvements of great value in getting out the work, and who has only recently devised and completed a fixture for slotting condenser ferrules which multiplies the product for this operation manyfold, took a further appeal to the commandant.

The commandant sustained the penalty of three days' suspension, in the interests of discipline, but told the leading man that he ought not to take the matter too seriously. The leading man replied that it was not the three days' suspension which he considered at all, but that, after these years of faithful service and the efforts which he had put forth at all times to promote the Government's interests, he felt that

it was an injustice, under conditions such as were shown in the present case, to place upon his record a mark showing that he was suspended for carelessness or an error of judgment.

As another instance of reward for faithful service, we desire to point out the case of another leading-man machinist, in shop M–1, who was placed in charge of the work of remodeling a lot of projectiles.

This work had been started and had reached an unsatisfactory stage, coupled with a badly demoralized working force. When it was suggested that this work be transferred to this particular leading man he demurred, and frankly stated that he did not want to tackle the proposition unless he could be given free rein to make such changes as he thought necessary, and be permitted to conduct the job as he found best.

He was assured that he was considered fully competent to handle this job, and the authority was given him to conduct it to the best advantage.

He quickly systematized the work, restored confidence—and to some degree contentment—among the workmen, and the output rapidly improved both in quantity and quality. As the work developed and obstacles were met at the various stages, they were quietly but successfully overcome.

He planned and developed a number of valuable methods and accessories for advancing the work. It was found that the most troublesome operation was that of grinding certain spots to render suitable contact for set screws on the nose of the hardened projectile.

He advanced the idea of making turbine air motors to drive the grinder spindles, and in the face of considerable skepticism and opposition was granted permission to build a motor and try it out. It produced such excellent results that two additional motors were promptly built, and a large saving in the cost of this operation has folowed. He then devised a different scheme of attaching the soft cap to the projectile, which would entirely avoid the necessity of grinding these spots at all. This scheme was thoroughly tested out and was found to give fully as satisfactory results, and was very much cheaper and less troublesome to manufacture. This method was approved by the Navy Department, and authority was given to fit up a larger number of projectiles.

The necessary material was drawn from store, and the tools were ordered made, when suddenly, without explanation, and with only a few hours' notice, this leading man was shunted off from the shell job entirely, and told to report to the estimating section for the future.

He asked those in authority for an explanation, and was not given a satisfactory one.

He was thus left in a frame of mind where the predominant idea was that some one did not desire his services any longer and yet would not tell him so; and he was fully conscious that he had committed no fault. It was only upon the advice of friends of long standing from the supervisory force that he did not throw up the whole job at once.

We call attention to the conclusions and recommendations which were made last year by the congressional committee which investigated the Taylor and other systems of shop management, and quote from the fourth item:

"The management should put forth every effort to invite and induce full cooperation between the working force and themselves, and should, therefore, deal with the working force in the most open, frank, and candid way, affording the fullest opportunity for consultation and explanation in advance of proposed action affecting the interests of the workmen."

It would appear that these features were overlooked in both of the cases cited, and a large number of the quartermen and leading men at the Puget Sound Navy Yard have stated that they are undecided whether they can conscientiously recommend to the workmen a system which with pleasant words proposes a square deal and possible reward for faithful service, unless that theory be borne out by deeds.

F. A. SMITH,
Secretary of Committee.

Now, what do my colleagues suppose the great, big-hearted Secretary did with this statement so carefully drawn at expense of so much time and some money, all with the hope of reaching the Secretary direct? Well, it was automatically referred to Capt. Bryan and by him referred to Admiral Cottman, the commandant of the Puget Sound yard.

What did Admiral Cottman do? He called Mr. Smith, the secretary of the committee, before him and, in the parlance of the workmen, told him he and his committee could "go to ——." There were only two witnesses besides the admiral and Mr. Smith, both of these were commissioned officers. Here is what the admiral says he said to the workman, who must have gotten a little apprehensive as to his job by this time:

Some of the statements are not true and others did not state all of the facts, and they are not made with the idea of assisting the management in making improvements, but were an unfair and unjust criticism—knocking.

The above are results and absolutely the only results the committee ever received. No other answer was ever made. The Secretary never even acknowledged receipt of the grievances. The whole action was inspired and controlled by the officers' suggestions. Of course Secretary Daniels was very busy. We all know the limitations on his time, but most naturally the workmen felt peeved. Weeks and months passed. They took the matter up with me and I wrote the Secretary of the Navy on March 10, 1914, and asked for some reply to the workmen, and here is the Secretary's letter, which, of course, he did not prepare. The last sentence, however, reveals what a pitiable disappointment the workmen suffered. And it also shows a disregard of the rights of men that ought not to be possible in this Republic. Of course Admiral Cottman should have reported back to Washington—as he really did do—and then the Secretary should have written these men a letter, but—

further action of this document was considered unnecessary—

after the commandant had called into his presence, and that of two naval officers as witnesses, the secretary of the committee and informed him that he and his associates were mere disturbers and knockers, and that they might "go to ——."

The Secretary's letter follows:

NAVY DEPARTMENT,
Washington, March 13, 1914.

MY DEAR MR. BRYAN: The receipt of your letter of March 10 concerning a statement handed to me by a committee of workmen of the Puget Sound Navy Yard is hereby acknowledged.

In reply, I would say that the statement referred to contained a number of complaints or illustrations of what were considered unjust conditions or hardships in the case of certain employees. Many of the subjects treated of in the statement were of a general nature which admitted of no direct reply, and others were seemingly complaints of dissatisfied individuals. The statement was referred to the commandant of the yard, who carefully investigated every item thereof and reported that he was taking steps to ascertain defects in the management that could be eliminated, and that he had interviewed the secretary of the committee and had informed him that—

"Some of the statements were not true, and others did not state all of the facts, and that they were not made with the idea of assisting the management in making improvements, but were an unfair and unjust criticism—knocking—whereupon the secretary of the committee stated that he did not know of the facts cited of his own personal knowledge; that a lot of stuff was brought him and he just put it in."

In view of the facts, further action on this document by the department was not considered necessary.

Very truly, yours,

JOSEPHUS DANIELS.

Hon. J. W. BRYAN, M. C.,
House of Representatives.

It is true the report of the admiral indicates that Mr. Smith made a rather disparaging remark of the work he had done. I do not know just exactly what Mr. Smith said, but I venture the suggestion that he did not say what he felt inclined to say, nor what he would have said had he been in a position of independence. The statement of the admiral certainly was a "knock," and there is nothing in the entire statement of the workmen that compares with it in plain, unpolished knocking.

I will say, however, that since this last letter was written I have again taken the matter up with the Navy Department, and I hope the Assistant Secretary, Mr. Roosevelt, has taken some of the matters up with the men at Bremerton in the last few days. He is out there, and I requested him to do this. I think Secretary Daniels had no intention of slighting the men; he simply signed the letters that were prepared by the officers.

There is a quarterman ship fitter out there at the Puget Sound yard named Ed. McKay. He was one of the parties who was very anxious to have these complaints investigated. He took local interest in the matter. It will be observed that one of the jobs which were cited in the complaint as instancing a complete breakdown of yard methods was the *Burnside* job. Details were set forth and a good case against inefficiency of the overhead estimators and the lameness of the estimates and stop-watch system was completely exposed. The men would have scored heavily in this case had their complaint been considered. The revelations were enough to convince anyone.

On February 26, 1914, just as they were urging me to bring the matter again to the attention of the department here, so as to get their complaint considered and some answers mailed out to Smith and others who were interested, charges of incompetency were filed against McKay, as follows:

NAVY YARD,
Puget Sound, Wash., February 26, 1914.

From: Construction officer.
To: Quarterman Ship Fitter Ed. McKay.
Subject: Recommendation for disrating.

1. You are recommended for disrating from quarterman ship fitter at $5.12 per diem to leading man ship fitter at $4.48, for the following reasons:

You have shown a serious lack of the executive ability required of a quarterman, who may be called upon at any time to act as foreman. For example, while in charge of the work on the U. S. A. T. *Burnside* your inefficient supervision resulted in great confusion and inefficiency in handling the work. In the case of the repairs to the U. S. S. *Colorado* you have not shown the initiative, the energy, or the control which should be displayed by a quarterman in responsible charge of important work.

2. In accordance with the naval instructions you are furnished with the above copy of the charges and you will be allowed three days for personally answering the same in writing. Your statement should be forwarded to the commandant via the construction officers not later than March 2, 1914.

STUART FAN SMITH.

It so happens that McKay is a very reliable man. He is quiet and retiring in disposition, small of physique, but very popular and thorough. He has worked in the Puget Sound yard for 12 years, was made leading man in 1907, and 6 months later was appointed quarterman ship fitter. From May 27, 1908, to August 27, 1908, and again from June 1, 1912, to September 3, 1912, and again from October 11, 1912, to July 10, 1913, he had served as master ship fitter under his rating as quarterman. His services had been marked and preeminent. Universally admired and trusted, he had received gratu-

itously and unsolicited many letters of recommendation and indorsement. I here quote three of these letters in full, to show the unqualified nature of his indorsements:

SUPERINTENDING CONSTRUCTOR FOR THE
UNITED STATES NAVY, NEW YORK SHIPBUILDING CO.,
Camden, N. J., May 24, 1912.

To whom it may concern:

I have known Mr. Edward MacKay since June, 1905, during my connection with the Puget Sound Navy Yard as assistant naval constructor. During that time Mr. MacKay was quarterman and leading man ship fitter, and in this capacity his work was satisfactory to me. I have found him reliable in carrying out instructions, and he always appeared to be interested in his work. His habits were correct and his personality pleasing. I consider him capable of handling a good force of men effectively.

C. M. SIMMERS,
Naval Constructor, United States Navy.

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UNITED STATES NAVAL STATION,
Olongapo, P. I., June 27, 1912.

Mr. ED. MCKAY,
Bremerton, State of Washington, United States of America.

DEAR SIR: It affords me great pleasure to note that I served with you at Bremerton Yard for a period of about four years, during which time you held the rating of quarterman ship fitter, and to state that I found you on all occasions industrious, willing, cheerful, and possessed of a good knowledge of your work and trade.

I would be pleased to recommend you for consideration for any position for which you may apply.

Yours, very truly,

J. H. WALSH,
Assistant Naval Constructor, United States Navy,
Construction Officer.

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UNITED STATES NAVY YARD,
Mare Island, Cal., May 21, 1912.

TO THE BOARD FOR POSITION OF MASTER SHIP FITTER,
Navy Yard, Puget Sound, Wash.:

During the time the U. S. S. *Colorado* was at the navy yard, Puget Sound, undergoing repairs and having her cage mast installed, Mr. Edward McKay was in charge of the ship-fitter work and frequently came under my personal observation. He handled his work and men in a very thorough manner and gave complete satisfaction in all work coming under the cognizance of the construction and repair department aboard that vessel.

Very respectfully,

WM. O'NEILL,
Chief Carpenter, United States Navy.

Further indorsement and testimonials had been handed him in writing just as emphatic as those quoted by the following persons: Louis B. Warford, chief carpenter, United States Navy, under date of June 6, 1912; G. A. Lazar, chief carpenter, United States Navy, under date of June 20, 1912; J. J. Tynan, general manager Union Iron Works, San Francisco, under date of July 20, 1912; David Rodgers, superintendent hull construction, Seattle Construction & Dry Dock Co., under date of June 15, 1912; J. F. Duthie, former master ship fitter, Puget Sound Naval Station, under date of June 17, 1912; W. Greig, quarterman ship fitter, Mare Island Navy Yard, under date of May 25, 1912; S. G. Wolfkill, master machinist, Puget Sound Naval Station, under date of May 20, 1912; R. B. Fryett, master electrician, Puget Sound Naval Station, under date of June 20, 1912; Bart. Stephenson, master boiler maker, Puget Sound Naval Station, under date of June 20, 1912; G. L. Servey, master machinist, Puget Sound Naval Station, under date of May 31, 1912; F. W. Chambers, foreman machinist, Puget Sound Naval Station, under date of May 20, 1912; Robert Stewart, master joiner, Puget Sound Naval Station, under date of May 21, 1912; R. E. Hibbard, foreman sheet-metal workers, Puget Sound Naval Station, under date of June 21, 1912; J. H. Warren, master blacksmith, Puget Sound Naval Station, under date of June 3, 1912; E. Humphreys, foreman coaling plant, Puget Sound Naval Station, under date of May 29, 1912; Thomas Raines, foreman painter, Puget Sound Naval Station, under date of May 23, 1912; and others. All of these join in practically the same recommendations. They tell of working with McKay during his long service, all testify as to his competency, efficiency, and qualifications for advancement to the rating of master ship fitter.

McKay was given three days to answer. He answered in part, as follows:

Reference is made to the inefficient work and confusion on the *Burnside*, and I am apparently charged with all this, whereas this condition was notoriously due to the system of estimating in both the hull and machinery divisions. I should be charged with some specific point of inefficiency, giving time, place, and job, as I can not answer any general charge applicable to the system or to either division or to any shop under them. Master Ship Fitter McHaffie took entire charge of the *Burnside* and other work upon his appointment, July 10, 1914; and prior to that time, from October 11, 1912, I was acting master ship fitter and had charge of all work on this ship, as per the following paragraph:

The work on the *Burnside* was done under the immediate supervision of Lieut. Smead, United States Navy, assisted by Mr. Willits, and I carried out their orders. The details of the work was made by the dispatching office, which was, by the commandant's order, responsible for the work. The estimates as to time required for operations was made by the central planning office, and was in error due to inefficiency. The confusion in handling men was caused by orders issued by Mr. Willits shifting men from ship to shop and from job to job without my knowledge or consent or approval, and for which I can not answer and against which I entered a protest at that time.

In relation to the *Colorado*, the work was in progress about two months before I went on the ship. I have been handling assigned work on this ship for about three months, and to my knowledge there has been absolutely no objection to my work or to my system of handling the work.

By reverting to the complaint of the workmen, it will be seen that McKay states the condition on the *Burnside* job after he had been subjected to these charges practically as these workmen had "knocked" earlier.

McKay made a further full statement as to the *Colorado*, but he was allowed no hearing. The Secretary of the Navy, however, has held up his disrating, and I hope yet that Mr. McKay will not be deprived of the rating he has regularly received after years of service.

I say a different system should be instituted. The officers enjoying shore leave should be for the yards, not the yards for the officers. We ought to repair and manufacture ships and naval supplies for the Government on more of a business basis, with due consideration for the men who do the work.

The Puget Sound naval station is the best naval base and navy yard on the Pacific Ocean. I am not to disparage the worth of any other station. No other station claims to be the equal of Puget Sound. As adjuncts to the station are the magazine site at Ostrich Bay and the torpedo station at Keyport. Puget Sound is the base of the Pacific Fleet. The dockage and anchorage facilities are unsurpassed. No officer who has visited the yard has failed to proclaim its real worth to the Government.

THIRD DRY DOCK NEEDED.

One of the greatest needs of the Puget Sound Navy Yard is the third dry dock, the plans for which contemplate a length of 1,200 feet and a width of 110 feet. As stated in the above excerpt from an address delivered by Rear Admiral V. L. Cottman, commandant of the Puget Sound yard, this station is the only suitable location on the Pacific coast of the United States for a naval base. The Puget Sound yard is not handicapped by treacherous bars or shoals, dangerous rocks, reefs, or shallow water. In every respect it is an admirable and ideal location and should receive the consideration from Congress which it deserves. There is no question as to the need of a third dry dock, when it is considered how many naval vessels will be stationed on this coast in the near future.

When President Roosevelt sent the 16 battleships around the Horn to say howdy-do to Japan, the Secretary of the Navy wired to the commandant of Puget Sound yard as to whether there was room for eight of the battleships to anchor in the vicinity of the yard. The admiral is said to have wired back, "Yes; there is room and anchorage grounds for all the navies of the world here in Puget Sound."

Admiral Cottman, commandant, in a recent address had this to say:

This station has finally come into its own, and is now recognized by all as the only suitable location on the Pacific coast of the United States for a naval base. Consequently steps must be immediately taken to insure increase in equipment and docking facilities in order that it may be ready to care for and maintain the battleship fleet by the time the Panama Canal is completed, for then the entire fleet as a unit will come to the Pacific coast, and you gentlemen in Congress will, of course, see that this fleet remains out here at least half of the time and that this coast gets a fair share of the repair work.

But slight showing has been made by the friends of the yard before the Appropriations Committee this year. A good understanding has not existed. Although the needs were pronounced along many lines, all hands seem to have placed all hope on an appropriation for a third dry dock to be 1,200 feet long and 110 feet wide. The committee planned to make an arrangement with a private concern for a dock at San Francisco, and so for Puget Sound "the cupboard was bare and the poor dog got none." I shall comment later on the San Francisco dock proposition.

Secretary of the Navy George von L. Meyer visited the yard in October, 1910, and was impressed with the many advantages of the location, and after visiting Mare Island, San Francisco, and San Diego, he became aware that Puget Sound is the only body of water on the coast, behind defenses, where our battleship fleet can be properly cared for.

Here are some of the improvements the yard ought to have had this year in addition to the new dry dock:

Estimates for fiscal year 1913–14.

Navy yard:	
Yard wall, main gate, etc	$75,000
20-ton crane for gun shed	6,000
Vashon Island course	4,000
Shipfitters' and boiler shop (to cost $360,000)	120,000
Connect erecting shop, machine shop, and boiler shop	40,000

Navy yard—Continued:	
Power plant, extensions	$200,000
Storehouse for charcoal	6,000
Compressed-air and steam extensions	10,000
Pier No. 8, to extend	50,000
Pavings and walks	10,000
Linseed-oil storage tanks	4,000
Sewer system, extensions	20,000
Telephone system, extensions and renewals	10,000
Roof of machine shop No. 2, building No. 58	10,000
Rebuilding Pier No. 1	25,000
Office building	175,000
Drain, west part yard	15,000
Railroad equipment and extensions	25,000
Heating system, extensions and renewals	26,000
Naval hospital:	
Officers' and nurses' quarters, stable	60,000
Improvement of grounds	7,000
Ward building	50,000
Marine barracks:	
Improvement of barracks	20,000
Shooting gallery	2,500
Improvement of grounds	25,000
Naval magazine:	
Bay factory and storehouse	20,000
Clearing and grading	3,000
Quay wall	15,000
Filling house	1,500
Gunners' quarters	6,000
Magazine	15,000
Shell house	15,000
	1,071,000

We have heard a great deal here about the half-and-half principle for Washington, D. C.—that is to say, that the Government should continue to pay half of all the expenses of governing the city of Washington because of the Government investments here. At the proper time I shall apply that principle to the cities of Bremerton and Charleston. The Government is loath to pay for its own street assessments in these little cities, although they are almost exclusively for governmental activity. There are some concessions along this line I shall ask.

BUILDING WAYS.

There should be constructed at the Puget Sound station building ways, so that transports and other vessels can be constructed, and I hope this will be allowed in the next appropriation bill.

ROLLING STOCK FOR ALASKA RAILROAD.

I have introduced and there is pending in the House the following resolution:

Resolved, That the President of the United States be, and he is hereby, requested to furnish to the House, if not inconsistent with public business, in connection with the preliminary arrangements for the construction of the Alaska railroad, information as to the feasibility of making necessary provision at the Puget Sound Naval Station for the maintenance of car shops and for the manufacture of cars and other railway equipment to be used in connection with the construction and operation of the Alaska railroad.

This ought to receive favorable consideration. This plant can manufacture for the Government much of the rolling stock and railway equipment for the Alaska railroad, and there is no reason in the world why such plans should not be adopted.

The CHAIRMAN (Mr. CLINE). The time of the gentleman has expired.

Mr. BRYAN, by unanimous consent, was given leave to extend his remarks.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Idaho [Mr. FRENCH].

Mr. FRENCH. Mr. Chairman, during the last few days some intimation has been made that citizens of our country have lacked in loyalty who were not ready to accept without protest the judgment of the administration and a majority of this House on Monday, that offensive action be taken for the reasons assigned, toward the head of the Mexican Republic.

So frequently has that suggestion been made that I feel that for a few moments I may properly address myself to the proposition.

Those who make such statements will not make them when they shall have had time to think the matter over with calm deliberation. No matter what may have been the judgment of the American people with regard to policy to be pursued one week ago, the question of loyalty to the country was never an issue. The premises that were ours to define a policy upon last Monday were not the premises of yesterday.

> The moving finger writes, and having writ moves on;
> Nor all your piety and wit can call it back
> To cancel half a line,
> Nor all your tears wash out a word of it.

Since Monday last the moving finger in rapid manner has been writing history. But little more than 48 hours ago I voted against the Mexican resolution that its supporters believed would mean peace, because to have voted otherwise would have been to have violated the dictations of my conscience. I believed the resolution would mean war and that it would be taken by Mexico and by the world to mean war.

Sirs, swifter than I had even feared, war has come. American citizens near the boundary line, the dispatches report, have been outraged. The American flag is floating over Vera Cruz and possibly Tampico. American soldiers are now in a foreign land. American blood has been shed. American homes are at this moment in sorrow. War has come.

On Monday it was for us to debate the policy that we would pursue with relation to a foreign country. To-day there can be no debate. Whether or not the policy the House declared for then was right, the policy was defined, and now it becomes my duty, as it becomes the duty of every American citizen, to support the President, and to stand like a wall of granite against our foreign foe.

It matters not now whether we thought that having endured with patience and serenity most grievous outrages for many months the incident of the guns to a salute was a cause for war. It matters not whether we believed that the recognition of the de facto government and giving to that government our moral support would tend to promote peace. It matters not that many of our people regarded Villa and Carranza less worthy than Huerta. It matters not whether we thought that possibly by the concert of action of the United States and the leading nations of South America war could have been averted. It matters not what we thought on Monday, and I confess that all these thoughts were in my mind, the unmasked truth is that war is here, cruel and bloody war. Our hand is at the plow; we can not turn back.

Mr. Chairman, let me refer to the intimation that those of our citizens and those of this Congress who felt that the course recommended was unwise lacked in love and devotion to their country. Gentlemen have spoken of the loyalty of their States. But, sirs, readiness to assume the policy that means war, ensconced as we are in this House Chamber, is not a mark of courage and loyalty, nor is dread of the fearful consequences of war equivalent to a dearth of devotion.

Some of the votes against the resolution of Monday were cast by Representatives from Illinois, the State that contains the ashes of the martyred Lincoln. Does anyone doubt the loyalty of Illinois? Some of the votes were cast by Members from California, from Minnesota, from Utah, from Colorado, Wyoming, and Michigan; some by Members from Washington and Pennsylvania, some by Members from Mississippi, some from New York and from Idaho. Does anyone doubt the loyalty of these States?

Go to the battle fields of the war that tore our country 50 years ago; go to the battle fields on Cuban soil and in the Philippines, and there, as you see the spots where brave men from all the States that I have mentioned fell in battle, know that the States that sent these brave men are loyal.

Some of the votes cast against the resolution of Monday were cast by Representatives from Massachusetts. Mr. Chairman, only a few months ago I made an address in the town hall of Oakham in Massachusetts, and as I sat upon the platform and looked about me awaiting the opening of the meeting I saw upon the wall at my right a marble tablet upon which were engraved the names of 18 soldiers from Oakham who had laid down their lives for their country. On the wall at my left was a marble tablet with 18 names. Thirty-six boys went out from that community to die at Bull Run or Vicksburg or Chancellorsville, or on some other field of battle, because they loved their country. The people who live in the town of Oakham to-day are the kinsmen in part of those brave boys, and they are just as loyal, just as devoted, as were those who 50 years ago proved their valor and loyalty even to the last drop of their blood. Gentlemen, I had read of war; I had been on great battle fields where had assembled soldiers from all our country, but I was never so impressed by what war means as I was on the day that I visited the town hall in Oakham and contemplated the lives that were given by one little hamlet in the State that was the cradle of American liberty; and I was told that every hamlet in all that region had made its sacrifice. The word "death" was written over many doors. The lintels were sprinkled with blood; chairs by the fireside were vacant.

The citizens of my own State are as jealous of their country's good name as are the citizens of Massachusetts or as are the citizens of any other Commonwealth. Sixteen years ago war was declared against Spain. Volunteers were called for, and my State responded until her volunteers were turned back. The Government could not take them all. The University of Idaho, my alma mater, sent forth the greatest number of volunteers in proportion to enrollment of all the institutions of like character in the United States. Are her people loyal? Are they devoted? Go into the homes of Idaho to-day from which the companies of that State came and see what your answer will be. Vacant chairs are by the fireside, but devotion

is there. Sorrow of mothers and of children and of sisters for brave boys who will never return or who returned maimed in body has hallowed the loyalty of many people to the flag.

On the university campus at my home there stands a monument that tells of the supreme sacrifice of two of the university soldier boys—Paul Draper and Ole Hagberg. Noble boys they were. Their sacrifice has taught us courage, has taught us loyalty, has taught us devotion, but, gentlemen, I hope that such sacrifice has taught us something of the cost of war.

I have stood for exhausting every avenue to avoid war. I have shrunk from war. I have counseled against it and have tried to count the cost. But war is here; and I propose to support the President with all my power and to follow the flag of my country. I trust that no occasion may arise for the summoning of our militia or for the calling for volunteers; but if this may not be averted, the people of Idaho are ready to bear their part of the responsibility that will rest upon our Nation. As for the loyalty of Idaho and her people there can be no doubt. They have learned to volunteer for duty when occasion demands; they are ready now if need be. The hardy and noble sons of my State are willing to make the supreme test for their country, and I am with them. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing an article in regard to Alaska.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

There was no objection.

Mr. BROWNING. Mr. Chairman, I yield to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, I do not desire to take up the time of the committee for any length at this time. I desire, however, in view of the conditions existing in Mexico to-day, to speak of a matter that may be of some interest to the Members of this House. The father of a distinguished Member, Hon. JEFFERSON M. LEVY, of New York, was appointed the port captain of Vera Cruz by Maj. Gen. Worth, of New York, on April 1, 1847, just after that city had fallen into the hands of the American forces under Gen. Winfield Scott. Maj. Gen. Worth took possession of the city and Capt. J. P. Levy, the father of the distinguished Member from New York, who was appointed captain of the port, was in command of the United States ship *America*. That vessel had just transported the First Massachusetts Regiment to participate in the assault on that Mexican port.

The distinguished gentleman from Alabama [Mr. HOBSON] spoke a few minutes ago of the youth of the men who do the fighting. I have had prepared a list of the great naval commanders who have participated in the great naval battles of the world, which will show that most of the commanding, as well as fighting, has been done by comparatively young men. The list is as follows:

Ages at which prominent men have gained naval victories.

	Age.
Themistocles, Athenian general, at the Battle of Salamis, 480 B. C.	34
Octavius, Augustus, defeated Anthony and Cleopatra at the naval battle of Actium Sept. 2, 31 B. C.	32
Don Juan of Austria gained naval victory over the Turks at Lepanto Oct. 7, 1571	24
Drake, Sir Francis, took part in defeat of the Spanish Armada July 29, 1588	48
Hawkins, Sir John, also took prominent part in same engagement	56
Bart, Jean (1650–1702); 1692, destroyed a fleet of nearly 100 vessels at Dunkerque	42
Grasse, Comte Francois (1723–1788); 1780, defeated the English fleet off the Chesapeake Capes	57
Villeneuve, Pierre Charles (1763–1806); 1805, commanded French fleet at Trafalgar	42
AMERICAN.	
Bainbridge, William (1774–1833); Dec. 29, 1812, commanding U. S. frigate *Constitution* when she captured the *Java*	38
Chauncey, Isaac (1772–1840):	
1802, commanding U. S. flagship *Chesapeake*, Tripolitan War	30
1812, commanding fleet on Great Lakes	40
Decatur, Stephen (1779–1820); Oct. 25, 1812, commanding U. S. frigate *United States*, captured *Macedonian*	33
Dewey, George (1837); May 1, 1898, Battle of Manila Bay	61
Du Pont, Samuel F. (1803–1865); Apr. 7, 1863, attack upon Charleston with 9 ironclads	50
Farragut, David G. (1801–1870); Aug. 5, 1864, Battle of Mobile Bay	63
Hull, Isaac (1773-1843); Aug. 19, 1812, commanding U. S. frigate *Constitution* in combat with the *Guerriere*	39
Jones, John Paul (1747–1792); Sept. 23, 1779, commanding the *Bon Homme Richard* in combat with the *Serapis*	32
Lawrence, James (1781–1813); June 1, 1813, commanding U. S. frigate *Chesapeake* in combat with the British frigate *Shannon*. "Don't give up the ship"	32
MacDonough, Thomas (1783–1825); September, 1812, appointed to command naval fleet on Lake Champlain; with a fleet of 14 vessels defeated British fleet with 16 vessels	29
Perry, Oliver Hazard (1785–1819); Sept. 10, 1813, Battle of Lake Erie	28
Porter, David D. (1813–1891); December, 1864–January, 1865, commanded the two assaults on Fort Fisher	51
Preble, Edward (1761–1807); July 25, 1804, attacked Tripolitan fleet; his operations resulted in treaty of 1805	43
Stewart, Charles (1778–1869); Feb. 28, 1815, captured *Cyane* and *Levant*	37
Truxtun, Thomas (1755–1822); 1799, 1800, captured the French frigate *L'Insurgent* after a severe engagement; a second victory over *La Vengeance*	44
Winslow, John A. (1811–1873); June 19, 1864, commanding U. S. S. *Kearsarge* in combat with the C. S. S. *Alabama*	53
Worden, John L. (1818–1897); Mar. 9, 1862, commanding U. S. S. *Monitor* in combat with Confederate States ironclad *Merrimac*, in Hampton Roads, Va	44
BRITISH.	
Boscawen (1711–1861); Aug. 18, 1759, crowning success, defeat of French Toulon Fleet, Bay of Lagos	48
Collingwood (1750–1810); June, 1794, prominent command under Lord Howe, off Brest	44
Exmouth (Edward Pellew, Viscount), (1757–1833):	
1793, knighted after capture of French frigate *Cleopatre*	36
1799, commanding *Impetueux;* harrassed French coast and won brilliant actions. Same year his influence and bravery quelled mutiny in Bantry Bay and saved British fleet	42
Hawke (1705–1781):	
October, 1747, captured 6 out of squadron of 9 French men-of-war	42
1756, succeeded Admiral Byng in command of the Mediterranean	51
Nov. 20, 1759, intercepted French fleet under Conflans, off Belle Isle; more than half the enemy's force disabled or captured	54
Hood (1724–1816); 1781–82, under Rodney, took part in several famous battles, notably that of Dominica	57
Howe (1725–1799):	
1793, War with France. Took command of Channel Fleet	68
1794, gained victory remembered as "the glorious 1st of June." The French fleet, consisting of 26 ships of war and English 25. Howe, in his flagship *Queen Charlotte*, engaged off Ushant the French admiral's; captured 2 ships of 80 guns and 4 74's; another 74 sank	69
Jervis (Earl of St. Vincent) (1735–1823); Feb. 14, 1797, with 15 ships of the line encountered Spanish fleet of 27 sail off Cape St. Vincent. After being First Lord of the Admiralty at 72 years of age, for second time took command of channel fleet	62
Keppel (1809):	
1854–55, commanded naval brigade at Sebastopol during the Crimean War	45
1857–58, on China coast. Destroyed Chinese war fleet in Fatshan Creek	48
1860, commander in chief at Cape of Good Hope	51
1867–1869, commander in chief of China-Japan squadron	58
Nelson (1758–1805); Oct. 21, 1805. Battle off Cape Trafalgar	47
Rodney (1719–1792); Apr. 12, 1782, fame rests upon victory won over the French fleet under De Grasse off Dominica. The battle was more obstinately contested than any other engagement of the war. After 12 hours De Grasse was totally defeated and made prisoner. Naval power of Spain and France ruined	63
Saumarez (1757–1836):	
1798, participated in the battle of the Nile	41
July 12, 1801, gained victory over French and Spanish fleets off Cadiz; subsequently commanded Baltic fleet	44
JAPANESE.	
Togo, Admiral Heihachiro (1847); 1904–5, commander in chief of Japanese fleet during the Russo-Japanese War	58
DUTCH.	
Ruyter (1607–1676); June, 1666, in second war against English in chief command; 90 sail engaged the English fleet; battle lasted four days, ending in partial victory for the Dutch	59
Tromp, Cornelius (1629–1691); June, 1673, fought with consummate bravery against combined English and French fleets under Prince Rupert and d'Estrees, driving the enemy into the Thames. Subsequently fought in the employ of the Danes against the Swedes and later was made commander in chief of the naval forces of the Dutch	44
Tromp, Martin Harpertzoon (1597–1653); May, 1652, his greatest fame in war against England. In May, worsted, yield command to Ruyter. Restored in November; inflicted severe defeat on Blake off Goodwin Sands, and for a time was master of the channel	55

As a matter of fact, the men who to-day are in command of the Navy of the United States are as able and as brave and courageous as any men who ever engaged in battle at any time in the history of the world. If war shall ensue in the near future, they will add new laurels to the brilliant achievements of our Navy in all our wars.

Mr. BROWNING. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, last Sunday, the 19th day of April, I was talking with friends, and I asked them if they realized that just 139 years before to the day the Revolutionary War had opened by the Battle of Lexington, April 19, 1775, and that just 53 years before that date, April 19, 1861, the first blood was shed in the Civil War, the greatest war known to man, and that just 16 years to the day before that date, April 19, 1898, the Spanish-American War had opened, and that by 6 o'clock that night, which was last Sunday, the provisional head of the Mexican Government was to say whether war was to be the result of our attempts to adjust our differences with Mexico. The month of April seems to be a martial month, and it may be a mere coincidence, I presume it is, and yet a student of history who watches the forces that operate for the civilization of our

country can not be entirely oblivious to the similarity of conditions that made possible these conflicts.

I am one of the Members of this House who has had the greatest sympathy with the head of the Nation in his attempt to prevent war. I have questioned now and then, not openly, whether the proper steps were taken by the President, but not as one who desired to criticize, for upon the platform at different times I have said that probably at the opening of the difficulty Huerta could not very well be recognized. The manner of his assumption of authority was repugnant to our sense of justice. I am somewhat concerned about where we ought to have looked for order; certainly not from such men as Villa; whether it would not have been better to have placed the responsibility of order in unhappy Mexico upon this provisional head after the character of the situation had become well known to the country at large. But it is not now a time to criticize. It is not what ought to have been done, but, rather, what must now be done? When the resolution was called up here in the House on Monday last, I do not believe there was a Member on this floor upon either side who voted in an unfriendly attitude toward the President. I am one of the 337 who voted with the President's request. I did not do it because I thought what had been done was the best thing the President could have done, but I did it because in that hour I voted for the dignity of the American Government and with the Executive of the Nation; and those who voted against the resolution were just as patriotic as I am, and they did it not in an unfriendly way toward the head of the Government, but they did it because they thought that it meant war. Gentlemen, I thought that it meant war. I do not see how we can hope that it will not be war.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. BRITTEN. Does not the gentleman think that those of us who voted against the resolution did so because of the manner in which it was presented to the House?

Mr. FESS. I do, and I meant to say that the gentleman was just as patriotic as I was in voting on the other side. I want no line drawn on that point.

Mr. BRITTEN. Mr. Chairman, I will say right here that I would not give one of my little German boys on the north side in my city of Chicago for the whole of Mexico. If the resolution had been properly presented to this House, I would have voted just as the gentleman did.

Mr. FESS. I will say to my friend from Illinois that probably he will have to give more than he has expressed willingness to give.

Mr. MURRAY of Massachusetts. Mr. Chairman, is the gentleman familiar with the information we have to-day about the close cooperation between the British and the German fleets and the officers of those fleets with the American fleet and the officers of the American fleet at Tampico?

Mr. FESS. Mr. Chairman, may I ask not to be interrupted, for I am coming to the matter referred to.

Mr. MURRAY of Massachusetts. But the gentleman is familiar with the facts as reported?

Mr. FESS. I am.

Mr. WILLIAMS. Mr. Chairman, I would like to ask the gentleman a question.

Mr. FESS. Very well.

Mr. WILLIAMS. Does the gentleman believe that a Member of the House who bases his vote upon his statement and belief that the President is actuated by personal revenge and resentment is honest in his vote?

Mr. FESS. I will ask the gentleman not to put a question of that kind to me. I can not believe that anyone who is at the head of a nation would purposely do a thing that would involve the Nation in war simply from a matter of pique. However, prejudices are sometimes unconsciously influential in a course pursued.

Mr. WILLIAMS. But the gentleman heard the statement made on the floor.

Mr. FESS. I do not know that I did; I do not recall it. I am speaking now in the hope that there will be no partisan division, as I know there will not be, in time of war, for war is here; and while I believe that what has already taken place was inevitable war, I am convinced there are some things worse than war, and one is dishonor. We have in our policy as a Nation a principle that has become fundamental with us to prevent complications on the Western Continent such as constantly disturb Europe. We have the Monroe doctrine, which is being tested now, and has been for more than 13 months. Mexico under President Diaz invited capital from our country as well as citizens from our country; capital from Germany and France and England and citizens from those countries to help develop the resources of Mexico. By this invitation Mexico under Diaz was regarded as a modern constitutional government; but, unfortunately, perhaps, about 65 per cent of its wealth thus developed is possessed by foreigners. And yet there was not a year during the days of Diaz that this constitutional government was not ruled by a mere junta as the arm of the Government in the form of militarism.

The only deterrent to revolution in Mexico was this iron hand, and when the time came that the President was too old to maintain his régime, then the successful revolution came and the President that had been the head of the Government so long was compelled to abdicate, and from that day to now unhappy Mexico has been torn and shattered by factions that are bound to continue until a stronger hand shall be able to take the reins of government. In the past order in Mexico, the absence of open revolution, was the result of ready action. Now that the strong hand has not yet appeared, revolution is rampant, the lives of British subjects are at stake, of German subjects, and French subjects, and American subjects. The wonder expressed is that these countries keep hands off in such times of revolution. Germany, France, and England are keeping hands off, because the Monroe doctrine says in effect, if you will stay out, we will make it unnecessary for you to come in. If, on the other hand, we should say to Germany, France, and England, we prefer not to assume the duty to your citizens, come in and take care of your own citizens, of your own property, I ask you, when they come in, when will they go out? When they demand an indemnity from unhappy Mexico, unable in her torn condition to pay an indemnity, then those countries in concert may demand coaling stations and territory in lieu of the indemnity, as was demanded from China by Japan in 1894. If such a policy is adopted, where is the power that can prevent it? This is a probability we must not allow, and it seems to me that the President is justified in making all possible effort to make it unnecessary for us to compromise the Monroe doctrine, even though it may mean war. If war must come, we must stand by him, every man, without regard to party affiliations here. [Applause.]

Mr. CLINE. Will the gentleman yield just for one question?

Mr. FESS. Yes.

Mr. CLINE. I want to ask the gentleman if it is not a fact that both Germany and England have officially recognized the Monroe doctrine as a vital part of our foreign policy?

Mr. FESS. Yes; by certain official acts, but not in expressed words.

Mr. CLINE. And if, recognizing that fact, they did not remit the protection of their citizens in Mexico to the United States under that theory.

Mr. FESS. England recognized the Monroe doctrine in the Clayton-Bulwer treaty in 1850.

Mr. CLINE. Well, have not they recognized it since that time officially through the premier of the English Government?

Mr. FESS. England recognized the Monroe doctrine in 1887, I will say to the gentleman from Indiana, in the final negotiations of the Venezuela dispute over a boundary line, he will remember that President Cleveland demanded from Lord Salisbury that this matter of boundary between British Guiana and Venezuela, the establishment of the line in 1842 by the botanist, Schomburgk, which England now questioned, should be left to arbitration, and he based it upon the Monroe doctrine. Salisbury said in these words:

> The Monroe doctrine is not international law, no matter how brilliant the statesman who announces it or powerful the Government that supports it.

Then it was that President Cleveland asked this Congress to authorize him to appoint a commission to make investigation, and asked Congress for power to support the findings of the commission. It was then that Salisbury agreed to arbitrate. So they agreed to it, which, in substance, was a recognition of the Monroe doctrine, but there was persuasion back of it.

Mr. CLINE. Is it not a fact that Lord Salisbury stated in that same statement that the Monroe doctrine was very properly a feature of our foreign policy?

But the feature I want to ask you in reference to is this: Has not Germany and England been consistent in keeping out of Mexico and remitting the care of their subjects to the American Government under that declaration?

Mr. FESS. Precisely so. And I say as long as Germany, England, and France do stay out it is rather an obligation on our part to do our share in the protection of their citizens. This is why it strikes me that we are in Mexico to establish order.

Mr. LEVY. Will my colleague yield to me a minute? Has not Great Britain always recognized the Monroe policy?

Mr. FESS. No.

Mr. LEVY. They were part of the originators of it.

Mr. FESS. Well, sometimes we originate and back out.

Mr. LEVY. Oh, no. They have always recognized it.

Mr. FESS. The Monroe doctrine was first announced by Richard Canning in 1822, and it was an outgrowth of the Holy Alliance of that year. It was then communicated to our country by Dr. Rush, our minister to England, and was communicated to John Quincy Adams, our Secretary of State, who is really its author, as he writes of it. It was placed in President Monroe's message in 1823. When my friend from New York asked if England has not always stood by it I will say to him that England, whose premier first suggested it, has not always stood by it except when we told her to do so, and then most reluctantly, as in 1887, and again in 1893, and now in the canal agitation, which is still in some doubt.

Mr. LEVY. I differ with you. She was in agreement with the United States that it would be put in force.

Mr. FESS. What about the Venezuelan difficulty?

Mr. LEVY. She agreed to it then.

Mr. HUMPHREY of Washington. I have listened with a great deal of interest to the discussion, and the question I wanted to ask the gentleman was this: Suppose we go down into Mexico and win the battles that we will win, with whom are we going to make peace? To whom are we going to turn over the control of Mexico, having refused to recognize anybody as being responsible?

Mr. FESS. I will say to my friend that we do not go into Mexico because we want to do so. We go in there because it is our duty, as I see it, to prevent further bloodshed. I know that our going was not placed upon that basis by the President, and probably he did not want to do it in that way, but whatever he wanted to do, whatever his intentions were, we are there now and we are going to stay there until there is order—mark my words. Now, when you ask me with whom we will deal, I do not know. I doubt if our President knows. I sincerely trust it will not be with Villa. That is a most difficult problem, and I frankly say to you that I can not quite agree—but I do not want at such a time to enter upon anything that would seem like a criticism—I can not agree that Huerta has no standing at all in Mexico. That we can not deal with him I hate to have said. I wish we might be free to do so, as he is the head of the only de facto government in Mexico. However, the United States power and majesty are now in Mexico, and I say to you that we will remain there until we establish order. You may ask how will we do it. It will probably be through the system of a protectorate, I presume. I am satisfied it is one thing President Wilson wanted to avoid, and it is one thing that every Member in this Chamber wanted to avoid, for we knew if we would go into Mexico to bring about order we would necessarily have to stay there to preserve it. And when we go in, not invited by either faction, a step that must be looked upon by all Mexicans alike as an invasion, we must know that it will probably unite both factions against us, and we might as well open our eyes to it now. We may call it a work of peace, but it is such peace that is the price of war. I can not believe that people can be misguided to the extent of believing our steps thus far will be looked upon as peaceful. We are in Mexico, and there is nothing else to do save to compel order, and we may as well set about to do it.

Mr. MADDEN. The situation is this, now: Those of us who voted against and those of us who voted for the proposition must stand as one man to maintain the dignity and the honor of our Nation. [Applause.]

Mr. FESS. That is what I was trying to say, precisely. I do not find any fault with anybody that voted against that resolution. I do not have any words of compliment for myself, who voted for the resolution. We all were afraid of war and we all wanted to avert it, but conditions are such that it is, in my judgment, inevitable and can not now be averted, and we ought to recognize that. Any man that looks over the past 13 months and notices the current of forces and then realizes the situation that emanates from Europe, being complicated by European capital and citizens being invited into Mexico, makes this problem the most serious crisis that this Nation has faced in 50 years. And in this crisis the President of this Nation ought to have the sympathy of every man on this floor, on this side and on that side [applause], because it is not war by choice. Whatever might have been done to avert it, it is now too late to speculate. The logic of events points the way of duty, and it seems to me that when we realize the enormity of the situation it becomes supremely a matter of patriotism and we ought not to inject the differences that might be provoked by my differing from the policy of the President, for we know he was trying to prevent war.

And who of us could have made sure that what he did was not the best thing, and what we might have done would have been a worse thing? It is an easy matter for one not responsible to say what ought to be done, but it is a different matter to be in authority and under responsibility to do it.

I remember how President McKinley was criticized in 1898. I remember how I, as a partisan of his, spoke publicly, saying that McKinley did not have the backbone of a toe string, and I am as ashamed of it now as much as any man is ashamed of me for it. I was in college then and aflame with martial spirit. I wanted the President to do it quickly. But President McKinley had tasted war. He knew that he faced a situation in Cuba where he might touch a match that would produce a conflagration which might involve the whole civilized world, and he was therefore cautious. And yet Members on this side of the House and Members on that side of the House spoke against the President frequently in the eight months preceding the fatal day of February 15, 1898, as if the President were careless and had no regard for the dignity of the country. Knowing, as I do, realizing it, inasmuch as I was a part of the criticism, I now, in the American Congress and as a Member of this body, will go slow in the criticism of the President, who has the burdens in his hands and upon his head. It seems to me that this is a crisis for us to notice with the greatest of care, with a spirit of patriotism, for I think that we can not possibly get out of this difficulty now without a struggle. Here we sit as the Representatives of this great people, proud of our ability in local self-government.

Why, we were the picked people of Europe, and the best equipped of all the nations of the world to govern ourselves. The Constitutional Convention, even before our Nation was born, had 29 college graduates out of a body embracing 56 men, and the 26 who were not graduates included the brainiest men of this young Republic. They were equipped, greatly equipped, for local government—to govern themselves. But what about poor Mexico? We look down there and judge their ability by our own characteristics. On the other hand, you see 100,000 men the governing element of Mexico, out of a total population of 15,000,000. How many of the peons and the Indians know that there is a war; and how many of them know the cause of it? Mexico is not our style of country, although it is called a constitutional government. It is constitutional in name only. The result is unhappy Mexico, torn and bleeding for want of a power to control her; and her people are now not only in war among themselves, but threatening to unite upon us when we offer our office to produce order. The most serious problem is facing us that we have had for 50 years, because the results of this war may multiply the Philippine problem tenfold. We all want to see it avoided, because we do not want to take on those additional problems that now seem to be threatening to fall to us.

These are the reasons why I appeal to the House of Representatives that in this hour of crisis we do not want to say or do anything that will in any way cripple the administration toward the working out of peace.

Mr. MURRAY of Massachusetts. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentelman from Massachusetts?

Mr. FESS. Yes.

Mr. MURRAY of Massachusetts. May I just suggest to the gentleman that the information about the attitude of the German and British fleets and the officers of them has greatly diminished, to my mind, the seriousness of the crisis? Will the gentleman direct himself to that phase of the matter?

Mr. FESS. The only trouble about that, I will say to the gentleman from Massachusetts, is that when a step is taken it is so delicate to retrace it, to undo it in a manner preserving our honor and our dignity. I know the attitude of the foreign countries thus far, and I am hoping that that attitude of favorable regard will continue.

Mr. MADDEN. There never was any doubt about what their attitude would be, I assume. It is simply a question of whether we ought to have gone to war or not. We have to deal with the north of Mexico.

Mr. FESS. I will say to the gentleman from Illinois that if we stand upon the Monroe doctrine, as I presume we will, then we stand in the shoes of those foreign countries, and that really necessitates our preserving order down there in Mexico. That is what I mean. It means we are going in there to produce order, which will keep us there to preserve it.

Mr. MADDEN. We are in there.

Mr. FESS. And when we go in we have to stay in until we satisfy the demands of the Monroe doctrine.

Mr. MADDEN. To go in and stay in right, we have got to go in from both sides, the north and the south.

Mr. FESS. Probably we will.

Mr. MADDEN. That is what we ought to do.

Mr. KAHN. I believe, as the gentleman has said, that the time has come when every Member of Congress ought to give his full support to the administration in whatever action it may take in Mexico; but I want to call the attention of my friend to the fact that this matter has come very suddenly, has it not?

Mr. FESS. It has come suddenly, but I expected it. Did not you?

Mr. KAHN. I predicted it two months ago.

Mr. FESS. So did I.

Mr. KAHN. And I want to call the gentleman's attention to this fact: We are again discussing a bill for the appropriations for the Navy of the United States. The bill provides for two battleships. The gentleman recalls that whenever the appropriation bills for the Army and the Navy Establishments have come up in this House and Members have insisted on the upbuilding of an efficient Navy and the maintenance of an adequate Army, they have been severely criticized because they wanted their country ready for any emergency, such as the present emergency, should it again arise in our country.

Mr. FESS. I will say to the gentleman, in reference to that, my position on the Navy is simply this: You can not insure the peace of the world unless you place in the hands of the peace-loving governments the power to command the peace of the world.

Mr. KAHN. I agree with that.

Mr. FESS. That is the whole thing.

Mr. KAHN. But the country can better help command the peace of the earth when you have an adequate Army and Navy, and not when you are unprepared.

Mr. SAUNDERS. May I ask the gentleman a question?

Mr. FESS. I yield to my friend from Virginia.

Mr. SAUNDERS. Bearing in mind the disparity between this country and the poor, helpless, feeble country to the south of us, we have certainly got both an adequate Army and Navy, and still that has not kept us out of war with Mexico.

Mr. KAHN. But we are ready, without the usual delay incident to getting ready, to maintain the honor and dignity of the country at a moment's notice.

Mr. FESS. Yes.

Mr. SAUNDERS. We are always ready to do that.

Mr. FESS. And we want to be not only ready, but prepared.

Mr. CLINE. I think the gentleman in his last two or three sentences left the impression with the House—although I am sure he did not intend to leave that impression—that we have gone into Mexico in this difficulty primarily to protect the Monroe doctrine. I want to ask the gentleman if it is not his understanding that that is an incident and a result of our invasion of Mexico, but not the primary cause at this time?

Mr. FESS. I did not mean to say that we went into Mexico in order to uphold the Monroe doctrine. I meant that the result of our going in will call upon us to meet the requirements of the Monroe doctrine.

Mr. CLINE. That is the idea I wanted to have the gentleman leave with the House, that the enforcement of the Monroe doctrine is a result and not a cause of our invasion.

Mr. FARR. Is it not one of the reasons why we were so much interested in peace in Mexico?

Mr. FESS. When we go in to preserve order, it will be a reason why we will stay there until we get order established, and that makes it a serious problem.

Mr. Chairman, I had not intended to make this speech. I have been stirred considerably by the situation that confronts us, and it seems to me that we are all one in our support of the administration, to make the most out of this serious situation with the least inconvenience, loss of life, and loss of national dignity; and I want to rise, as a Republican, to explain my view of the attitude of those who voted against the resolution, because that question was raised a while ago by one of the speakers here, and also to assure the public that I do not think I was any more patriotic when I voted for the resolution than those people were when they voted against it. But now the differences ought to cease, and we ought to stand foursquare and march in unison against any effort that would in any way cripple the present administration in dealing with Mexico in the way best for Mexico and best for ourselves. In there we are, and in there we will stay until order is restored. [Applause.] We will do it as best we can; peaceably, if we can; but, mark you, men, it will be done in no uncertain way and in a warlike manner if we must. [Applause.] That is the situation that faces us, and meet it we will with an unbroken front. [Applause.]

Mr. PADGETT. Mr. Speaker, I will ask the gentleman from Missouri if he is prepared to use any more of his time this afternoon?

Mr. HENSLEY. I am not.

Mr. PADGETT. Then, Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. SAUNDERS having taken the chair as Speaker pro tempore, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the naval appropriation bill (H. R. 14034) and had come to no resolution thereon.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 1 minute p. m.) the House adjourned until to-morrow, Friday, April 24, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KIRKPATRICK, from the Committee on Pensions, to which was referred the bill (H. R. 15959) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 566), which said bill and report were referred to the Private Calendar.

Mr. McKELLAR, from the Committee on Military Affairs, to which was referred the bill (S. 55) for the relief of Daniel Hampton, reported the same without amendment, accompanied by a report (No. 567), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12909) to correct the military record of James W. McGreevey, reported the same with amendment, accompanied by a report (No. 568), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. UNDERWOOD: A bill (H. R. 15958) to levy a tax on tobacco coupons and on gifts accompanying the sale of tobacco products, and to prohibit the inclusion of certain articles in tobacco packages; to the Committee on Ways and Means.

By Mr. CLAYTON: A bill (H. R. 15960) to amend section 195 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. SMITH of Minnesota: A bill (H. R. 15961) to regulate the catching of whales in the waters of the Territory of Alaska; to the Committee on the Merchant Marine and Fisheries.

By Mr. WHITE: A bill (H. R. 15962) providing for the survey of the Muskingum River, Ohio, and its tributaries; to the Committee on Rivers and Harbors.

By Mr. HENRY: A bill (H. R. 15963) authorizing a survey of the Brazos River, in Texas, with a view to the improvement of navigation and flood control; to the Committee on Rivers and Harbors.

By Mr. BURKE of Wisconsin: A bill (H. R. 15964) to amend section 24 of an act entitled "An act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes," approved December 23, 1913; to the Committee on Banking and Currency.

By Mr. LEVY: Resolution (H. Res. 492) requesting the President of the United States to report to the House all the facts within the knowledge of the Interstate Commerce Commission which show that said commission has in many cases failed to grant an increase in freight rates to the railroads where no objections have been filed and where the shippers in many instances have requested that an increase be granted on the ground that it was just and reasonable; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KIRKPATRICK: A bill (H. R. 15959) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. ASHBROOK: A bill (H. R. 15965) granting an increase of pension to Kate M. Miller; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 15966) granting an increase of pension to Martin P. Bush; to the Committee on Invalid Pensions.

By Mr. DRUKKER: A bill (H. R. 15967) granting a pension to James Hanna; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 15968) for the relief of Margaret Moriarty; to the Committee on War Claims.

By Mr. GORMAN: A bill (H. R. 15969) granting a pension to Richard Burnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15970) granting an increase of pension to James Reynolds; to the Committee on Invalid Pensions.

By Mr. HOLLAND: A bill (H. R. 15971) granting a pension to Thomas Allen; to the Committee on Pensions.

By Mr. MOSS of Indiana: A bill (H. R. 15972) granting a pension to Elizabeth M. Hubble; to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 15973) granting a pension to Margaret E. Canty; to the Committee on Pensions.

By Mr. ROGERS: A bill (H. R. 15974) granting a pension to Charles F. Carr; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 15975) for the relief of Frances A. Bliss; to the Committee on War Claims.

By Mr. SMITH of Maryland: A bill (H. R. 15976) providing that the application of August Kauermann for letters patent be proceeded with in the United States Patent Office as of the date of January 23, 1909; to the Committee on Patents.

By Mr. SAMUEL W. SMITH: A bill (H. R. 15977) granting an increase of pension to George E. Newall; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 15978) granting a pension to Isabella Henning; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 15979) granting a pension to Zenas A. Hinson; to the Committee on Pensions.

By Mr. WHITE: A bill (H. R. 15980) granting an increase of pension to John W. Taylor; to the Committee on Invalid Pensions.

By Mr. WINSLOW: A bill (H. R. 15981) granting a pension to Ernest G. Oliver; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the United Societies for Local Self-Government of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens of Michigan and Indiana, against polygamy in the United States; to the Committee on the Judiciary.

By Mr. ALLEN: Petitions of 385 citizens of Cincinnati, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petition of sundry citizens of Bedford, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Blair County (Pa.) Medical Society, relative to House bill 6282, the Harrison antinarcotic bill; to the Committee on Ways and Means.

Also, petition of Bedford (Pa.) Grange, No. 619, Patrons of Husbandry, favoring appropriation for building of roads by the Federal Government; to the Committee on Roads.

Also (by request), petition of sundry citizens of Johnstown, Pa., against Sabbath observance bill; to the Committee on the District of Columbia.

Also (by request), petition of the Federal Council of the Churches of Christ in America, against war with Mexico; to the Committee on Foreign Affairs.

Also (by request), petition of the United Societies for Local Self-government of Chicago, Ill., and the Northeastern Saengerbund of America, against national prohibition; to the Committee on the Judiciary.

By Mr. BARCHFELD: Petition of sundry citizens of Knoxville, Pa., and of the sixteenth ward of Pittsburgh, Pa., against national prohibition; to the Committee on the Judiciary.

Also, petition of the St. Stephens Lyceum, of Pittsburgh, Pa., favoring Hamill civil-service retirement bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. BATHRICK: Petition of R. R. Hilborn, of Akron, Ohio, and 22 citizens of Claridon, Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 26 citizens of Akron, Ohio, favoring House bill 12928, relative to Sunday leave for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of 25 citizens of Akron, Ohio, against Sabbath-observance bill; to the Committee on the District of Columbia.

Also, memorial of the United Societies for Local Self-Government of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. BEAKES: Petitions of members of the Methodist Protestant Church of Britton; the Methodist Episcopal Church of Weston; the First Congregational Church of Dundee; the Maybee Corey Church, of Maybee; the South Side Methodist Protestant Mission Christian Endeavor, of Adrian; the Methodist Protestant Church Bible School, of Adrian; the Methodist Episcopal Church of Dundee; the First Baptist Sunday School of Adrian; the First Baptist Church of Adrian; the Young People's Society Christian Endeavor of the Methodist Protestant Church of Adrian; the United Brethren Church of Adrian; the United Brethren Sunday School of Adrian; the Methodist Protestant Mission Sunday School of Adrian; the First Methodist Episcopal Church of Adrian; the First Methodist Episcopal Sunday School of Adrian; the Church of Christ, of Adrian; the faculty of Adrian College, of Adrian; the Ypsilanti Friends Church, of Ypsilanti; the Woman's Christian Temperance Union of Brooklyn; the First Baptist Church of Ypsilanti; the Ladies' Aid Society of West Warren Methodist Episcopal Church, of Detroit; Mrs. Mattie B. Kitzmiller, president of the Woman's Christian Temperance Union of Bloomingdale, all in the State of Michigan, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of various voters of the second congressional district of Michigan, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of Jackson Typographical Union, No. 99, and 26 citizens of Detroit, Mich., favoring Federal investigation of the Pere Marquette Railroad Co.; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Corbett Relief Corps, No. 261, of Palmyra; R. P. Carpenter Corps, No. 210, of Chelsea; Welch Post, No. 137, of Ann Arbor; Woodbury Post, No. 45, of Adrian; J. and A. Ryder Post, No. 409, of Newburg; Welch Post, No. 218, of Ann Arbor; De Golyer Corps, No. 74, of Hudson; William Bell Corps, No. 11, of Dundee; Woodbury Post, No. 45, of Adrian; Buhl Post, No. 270, Military Order of the Loyal Legion of the United States, all in the State of Michigan, in opposition to any change in the American flag; to the Committee on the Judiciary.

By Mr. BORCHERS: Petition of the Woman's Christian Temperance Union of Decatur, Ill., and sundry citizens of Oakland, Ill., and of Charleston, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 1,900 citizens of Douglas County, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the nineteenth district of Illinois, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the nineteenth congressional district of Illinois, against national prohibition; to the Committee on the Judciary.

Also, petition of sundry citizens of Windsor, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRITTEN: Memorial and resolutions adopted by the United Societies for Local Self-government of Chicago, Ill., protesting against the passage of House joint resolution No. 168, providing for national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Protests of 100 citizens of the twenty-second district of New York City against prohibition; to the Committee on the Judiciary.

Also, petition of V. J. Sauter, Ernest Moerk, and Koster & Grahl, of New York City, and the United Societies for Local Self-government of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

Also, petition of Peter Henderson & Co., of New York, favoring Senate bill 4980; to the Committee on the Post Office and Post Roads.

Also, petition of H. A. Seager, of New York, favoring Kern-McGillicuddy compensation bill; to the Committee on the Judiciary.

By Mr. BUCHANAN of Illinois: Petition of the Mayfair Methodist Episcopal Church and the Mayfair Congregational Church, of Chicago, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Cook County, Ill., praying for the passage of House bill 12923, relative to postal savings banks; to the Committee on Banking and Currency.

Also, petition of the United Societies for Local Self-Government of Chicago, Ill., and sundry citizens of Cook County, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. CARTER: Petition of H. M. Shelton, of Durant, Okla., relative to Mexico; to the Committee on Foreign Affairs.

By Mr. COVINGTON: Petition of 22 citizens of Chestertown, Md., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the first district of Maryland, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

Also, petition of sundry citizens of Rock Hall, Md., favoring House bill 12928, relative to Sunday hours for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of the business men of St. Michaels, Hurlock, Fredericksburg, Denton, Hillsboro, Greensboro, Church Hill, Millington, and Salisbury, all in the State of Maryland, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. DALE: Petition of the United Societies for Local Self-Government, of Chicago, Ill., and the Northeastern Saengerbund of America, Philadelphia, Pa., against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Brooklyn, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, memorial of the Federal Council of the Churches of Christ in America, favoring peaceful solution of Mexico question; to the Committee on Foreign Affairs.

Also, petition of the Commercial Club of Roseburg, Oreg., relative to Architect's Office force, Treasury Department; to the Committee on Expenditures in the Treasury Department.

Also, petition of the Church Peace Union, founded by Andrew Carnegie, relative to universal peace; to the Committee on Foreign Affairs.

By Mr. DANFORTH: Petition of T. B. Hutchings, of North Chili; H. S. Goffe, of Brockport; E. E. Davis, J. W. Etts, and W. B. Gates, of Rochester; Rev. C. L. Terrill, Rev. A. E. Herrick, and 30 others, of Nunda, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the United Societies for Local Self-Government of Chicago, Ill.; C. W. Blumerick, of Batavia, N. Y.; and 79 citizens of Monroe County, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. DAVIS: Memorial and resolution of the United Societies for Local Self-Government of Chicago, Ill., protesting against House joint resolution 168, introduced by Mr. HOBSON, of Alabama, which provides for nation-wide prohibition of the manufacture, sale, and importation of alcoholic beverages; to the Committee on the Judiciary.

By Mr. DEITRICK (by request): Petition of sundry citizens of Massachusetts, against national prohibition; to the Committee on the Judiciary.

By Mr. DERSHEM: Petition of 584 citizens of Mount Union, 27 citizens of James Creek, 44 citizens of Middleburg, 116 citizens of Entriken, 100 citizens of McAlevys Fort, 75 citizens of Clair, 225 citizens of Newton Hamilton, 100 citizens of Waynesboro, 150 citizens of McAlisterville, 100 citizens of Reedsville, 500 citizens of Lewistown, 250 citizens of East Waterford, 40 citizens of Selinsgrove, 150 citizens of Oriental, all in the State of Pennsylvania, and citizens of Fannett Township, Franklin County, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DICKINSON: Petitions of numerous citizens of the sixth district of Missouri, against the passage of legislation to prohibit the circulation through the mails of the publication called the "Menace"; to the Committee on the Post Office and Post Roads.

Also, petition of 69 merchants of the sixth district of Missouri, in support of House bill 5308, an act compelling concerns selling goods direct to consumers entirely by mail to contribute their portion of funds in the development of the local community, the county, and the State; to the Committee on Ways and Means.

By Mr. DILLON: Petition of various business men of Alexandria, Emery, Yankton, Canton, Humboldt, Alcester, Worthing, Mission Hill, Volin, Waconda, Centerville, Irene, Viborg, Davis, Beresford, Canastota, Hurley, Parker, Hartford, Tea, Lennox, Montrose, Meckling, Gayville, Vermilion, Elk Point, Freeman, Marion, Menno, Scotland, and Bridgewater, all in the State of South Dakota, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. DONOHOE: Petition of 720 citizens of Philadelphia, Pa., protesting against the Hobson resolution for nation-wide prohibition; to the Committee on the Judiciary.

Also, memorial of the Philadelphia Board of Trade, favoring Senate bill 2337, to create a coast guard; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLITTLE: Petition of sundry citizens of Kansas, favoring establishment of a bureau of farm loans in the Treasury Department (H. R. 11755); to the Committee on Banking and Currency.

By Mr. DOREMUS: Petition of Clarence Smith and more than 10,000 other voters of Wayne County, Mich., protesting against the Hobson-Sheppard-Works resolutions, known as House joint resolution 168 and Senate joint resolutions 88 and 50, providing for national prohibition of the manufacture, sale, and importation of alcoholic beverages; to the Committee on the Judiciary.

By Mr. DRUKKER: Petition of sundry citizens of the seventh New Jersey district, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Paterson, Passaic, Athenia, Clifton, Butler, and Bloomingdale, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the New Jersey State Chamber of Commerce, against Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also, petition of various members of the Newark (N. J.) Photo-Engravers' Union and of Paterson (N. J.) Typographical Union, No. 195, favoring Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

By Mr. ESCH: Petition of sundry citizens of Wisconsin, against Sabbath observance bill; to the Committee on the District of Columbia.

Also, memorial of the Federal Council of the Churches of Christ in America, against war with Mexico; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of Baraboo, Wis., favoring House bill 12928, relative to Sunday work for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of the United Societies for Local Self-Government, of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. FITZGERALD: Petition of 18 voters of Brooklyn, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. GALLAGHER: Memorial of the United Societies for Local Self-Government of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. GALLIVAN: Petition of sundry citizens of Boston, Mass., and vicinity, against national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of E. Marks, of Philadelphia, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. HAYES: Petition of sundry citizens of Salinas City, Blanco, and Santa Barbara, all in the State of California, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Mount Hamilton, Cal., favoring appropriation for Children's Bureau; to the Committee on Appropriations.

By Mr. HULINGS: Petition of the Grove City (Pa.) Presbyterian Church, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 403 voters of Warren County, Pa., favoring the national prohibition amendment; to the Committee on the Judiciary.

By Mr. IGOE: Petitions of the St. Louis Dairy Co., J. S Costello & Son, the Rice-Stix Dry Goods Co., the Interstate Printing Co., and sundry citizens, all of St. Louis, Mo., and the United Societies for Local Self Government, Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

Also, petition of the Gideon-Anderson Lumber & Mercantile Co., of St. Louis, Mo., favoring House bill 14328, to prohibit transmission of false statements through mails in order to secure credit; to the Committee on the Post Office and Post Roads.

Also, petition of the Blanke-Wenneker Candy Co., of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

By Mr. KEISTER: Petitions of 129 citizens of Harrisville, 93 citizens of Bethel, 439 citizens of Slippery Rock, 74 citizens of Moniteau, 205 citizens of Prospect, 85 citizens of New Salem, 100 citizens of Meridian, 167 citizens of Valencia, and 210 citizens of North Washington, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of 800 citizens of the third congressional district of Rhode Island, against national prohibition; to the Committee on the Judiciary.

By Mr. J. R. KNOWLAND: Resolution passed by the San Francisco Methodist Preachers' Association, of San Francisco, Cal., recommending that each vessel of the Navy be provided with a chaplain; to the Committee on Naval Affairs.

Also, resolution adopted by the Sacramento Valley Development Association, of Sacramento, Cal., favoring the passage of House bill 11897, the rural farm-credit bill; to the Committee on Banking and Currency.

Also, resolutions passed by Lookout Mountain Post, No. 88, and Lookout Mountain Corps, No. 35, of Berkeley, Cal., protesting against any change in the American flag; to the Committee on the Judiciary.

Also, resolutions passed by the San Francisco Labor Council, of San Francisco, Cal., protesting against an increase of postage on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition from citizens of Oakland, Alameda, and Berkeley, Cal., protesting against the passage of House joint resolution 168 and Senate joint resolutions 50 and 88, relative to national prohibition; to the Committee on the Judiciary.

By Mr. LEE of Pennsylvania: Petition of sundry citizens of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LIEB: Petitions of Alvah Phelp, of Elberfeld; Dr. W. F. Clippinger, of Evansville; Raymond Cutter, of Inglefield; and 127 other citizens of Vanderburg and Warrick Counties, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Memorial of the United Societies for Local Self-Government of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

Also, petition of Morgan G. Bulkeley Camp, No. 54, Sons of Veterans, Division of Connecticut, against changing the United States flag; to the Committee on the Judiciary.

Also, petition of the Swedish Temperance Federation, New Britain, Conn., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Council of the United Hebrews and the Council of Jewish Women, all of Waterbury, Conn., favoring House bill 5819, relative to naturalization; to the Committee on Immigration and Naturalization.

By Mr. McCLELLAN: Petition of 100 citizens of the twenty-seventh New York district and Isaac Levens and Herbert Avery, of Monticello, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. MAHER: Petition of the Northeastern Saengerbund of America, against national prohibition; to the Committee on the Judiciary.

Also, memorial of the United Societies for Local Self-Government of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. MOORE: Petition of the board of managers of the Bedford Street Mission, of Philadelphia, Pa., favoring Federal child-labor bill; to the Committee on Labor.

By Mr. MURRAY of Oklahoma: Petition of the Grand Army of the Republic camp at Lamont, Okla., against changing the United States flag; to the Committee on the Judiciary.

Also, petition of the United Daughters of the Confederacy, favoring refunding of cotton tax collected from 1862 to 1868; to the Committee on War Claims.

Also, petition of the Chamber of Commerce of Ponca City, Okla., favoring erection of a public building at Ponca City, Okla.; to the Committee on Public Buildings and Grounds.

Also, petition of 27 citizens of Heavener, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. J. I. NOLAN: Protest of C. F. Williams and 8 other citizens of San Francisco, Cal., against the passage of House joint resolution 168 and Senate joint resolutions 50 and 88, relative to national prohibition; to the Committee on the Judiciary.

By Mr. O'BRIEN: Petition of 1,120 citizens of the ninth New York district, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Piel Bros., of Brooklyn, N. Y., and sundry citizens of New York, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of New York, favoring House bill 7217; to the Committee on Ways and Means.

By Mr. OGLESBY: Petition of the board of trustees of the Merchants Association of the Chamber of Commerce of Yonkers, N. Y., and the common council of Yonkers, N. Y., favoring House bill 5139, relative to civil service pensions; to the Committee on Reform in the Civil Service.

Also, petition of 2,351 citizens of the twenty-fourth New York district, against national prohibition; to the Committee on the Judiciary.

By Mr. O'LEARY: Petition of sundry citizens of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Resolutions of the Chamber of Commerce of Riverside, Cal., favoring an additional appropriation of $15,000 for the Victor Valley reclamation project, in California; to the Committee on Appropriations.

Also, petition of sundry citizens of Placerville and Camino, Cal., favoring House joint resolution No. 168, relative to national prohibition; to the Committee on the Judiciary.

By Mr. REED: Petitions of E. R. Monette, Evariste Roy, J. J. McCarthy, Charles A. Allen, A. Ferretti, A. D. Trudell, and O. F. Regnier, all of Manchester, N. H., opposing national prohibition of liquor traffic; to the Committee on the Judiciary.

Also, petitions of D. K. Blake, Patrick Sweeney, William H. Quigley, Arthur B. Allen, John Collins, Frank P. Colby, and James J. Farrell, all of Manchester, N. H., opposing national prohibition of liquor traffic; to the Committee on the Judiciary.

By Mr. REILLY of Connecticut: Petition of the Council of the United Hebrews and Philip N. Bernstein, all of Waterbury, Conn., favoring House bill 5819, relative to naturalization; to the Committee on Immigration and Naturalization.

Also, petition of the United Societies for Local Self-Government, of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. SELDOMRIDGE: Petition of the Civic League of Colorado Springs, Colo., favoring amendment to Constitution enfranchising women; to the Committee on the Judiciary.

Also, petition of the Denver (Colo.) Real Estate Exchange, against leasing of public lands; to the Committee on the Public Lands.

By Mr. SMITH of Minnesota: Petition of 10,064 citizens and the Prospect Park Methodist Episcopal Church, all of Minneapolis, Minn., and 150 citizens of Eden Prairie, Minn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Petition of the Federal Council of the Churches of Christ in America, against war with Mexico; to the Committee on Foreign Affairs.

Also, petition of the United Societies for Local Self-Government, of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Petition of the San Francisco Post Office Clerks' Union, Local No. 2, National Federation of Post Office Clerks, favoring House bill 1528, to reduce night work in post offices; to the Committee on the Post Office and Post Roads.

Also, petition of the Photoplay Authors' League, of Los Angeles, Cal., favoring House bill 15321, providing copyrights for motion-picture-play manuscripts; to the Committee on Patents.

Also, petition of the board of directors of the Shipowners' Association of the Pacific Coast, favoring improvement of harbor at Crescent City, Cal.; to the Committee on Rivers and Harbors.

Also, petition of sundry citizens of Los Angeles, Cal., against national prohibition; to the Committee on the Judiciary.

Also, memorial of the California "Dry" Federation, favoring national prohibition; to the Committee on the Judiciary.

By Mr. TEMPLE: Petitions of 1,200 citizens of New Brighton, 720 citizens of New Castle, 40 citizens of West Pittsburgh, 165 citizens of Canonsburg, 208 citizens of Enon Valley, 177 citizens of Richhill, 126 citizens of Volant, 300 citizens of Wampum, 140 citizens of Princeton, and 60 citizens of Conway, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, papers to accompany House bill 15314; to the Committee on Invalid Pensions.

Also, petition of 35 citizens of Beaver Falls, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. UNDERHILL: Memorials of the United Societies for Local Self-Government, of Chicago, Ill., and E. H. Nelson, of Hornell, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. VARE: Petition of 1,260 citizens of Philadelphia, Pa., against national prohibition; to the Committee on the Judiciary.

By Mr. WEBB: Petition of sundry citizens of Catawba, Gaston, Union, Wayne, and Ramseur Counties, all in the State of North Carolina, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIAMS: Petition of 7,000 citizens of congressional districts 1 to 10 of the State of Illinois, protesting against nation-wide prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of the National Automobile Chamber of Commerce, of New York City, against the interstate trade commission bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Frank Huff and 4 other citizens of Findlay, Ohio, against national prohibition; to the Committee on the Judiciary.

By Mr. WILSON of New York: Petition of the United Societies for Local Self-Government of Chicago, Ill., and citizens of New York, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Roseburg (Oreg.) Commercial Club, relative to force in Architect's Office, Treasury Department; to the Committee on Expenditures in the Treasury Department.

By Mr. WINSLOW: Petition of 80 citizens of Millbury, 38 citizens of Shrewsbury, 60 citizens of Uxbridge, 100 citizens of North Uxbridge, 67 citizens of Hopkinton, and 2,416 citizens of Worcester, all in the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 1,500 residents of Worcester, Mass., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Worcester, Mass., favoring investigation of the Menace; to the Committee on Rules.

Also, petition of the Westboro Grange, of Westboro, Mass., favoring Bathrick farm-credit bill; to the Committee on Banking and Currency.

By Mr. YOUNG of North Dakota: Petition of the Commercial Club of Grand Forks, N. Dak., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

FRIDAY, *April 24, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray Thee to give us a profound sense of our obligation to Thee. We are not unmindful of the abundant providences that have been vouchsafed to us. We remember and are more and more impressed with the solemn fact that we must meet issues that are not only tried at the bar of human reason but the profounder issues that must stand the test of the Divine justice. We pray Thee to give us wisdom and grace for the duties that are upon us. Give us humility of spirit, sincere hearts, and an obedient will. Save us from mistakes of judgment, from pride of opinion, from conceits of ignorance. May we be clothed with the spirit of Christ, that we may perform the duties that are upon us in Thy fear and with Thy continued favor. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

STATUE OF ZACHARIAH CHANDLER.

Mr. SMITH of Michigan. I ask unanimous consent to take up House concurrent resolution 36 for immediate consideration.

Mr. GALLINGER. It is a message from the House?

The PRESIDENT pro tempore. It is a House concurrent resolution. Is there objection to its present consideration?

Mr. OVERMAN. I should like to hear it read.

The PRESIDENT pro tempore. The Secretary will read the concurrent resolution.

The concurrent resolution was read and considered by unanimous consent, as follows:

Resolved by the House of Representatives (the Senate concurring), That the thanks of Congress be presented to the governor, and through him to the people, of Michigan for the statue of Zachariah Chandler, whose name is so honorably identified with the history of that State and of the United States.

Resolved, That this work of art is accepted in the name of the Nation and assigned a place in the old Hall of the House of Representatives, already set aside by act of Congress for statues of eminent citizens, and that a copy of this resolution, signed by the President of the Senate and Speaker of the House of Representatives, be transmitted to the governor of the State of Michigan.

Mr. SMITH of Michigan. Mr. President, I ask unanimous consent that the proceedings incident to the dedication of this statue may be printed in the RECORD without reading.

The PRESIDENT pro tempore. The Senate has heard the request of the Senator from Michigan. Unless there is objection, it will be granted. The Chair hears none, and it is so ordered.

The proceedings referred to are as follows:

PROCEEDINGS AT THE UNVEILING OF THE STATUE OF ZACHARIAH CHANDLER, STATUARY HALL, UNITED STATES CAPITOL, MONDAY, JUNE 30, 1913, 11 O'CLOCK A. M.

Senator WILLIAM ALDEN SMITH, of Michigan (chairman). The service which we have met here to perform will be opened with prayer by the Rev. Henry N. Couden, D. D., of Port Huron, Mich., Chaplain of the House of Representatives.

OPENING PRAYER.

The Chaplain of the House of Representatives, Rev. Henry N. Couden, D. D., offered the following prayer:

Great God, our King and our Father, whose spirit pervades all space with rays divine, a very potent factor in shaping and guiding the progress of men and of nations through all the vicissitudes of the past, we rejoice that the long struggle for civil, political, and religious rights culminated in a Nation "conceived in liberty and dedicated to the proposition that all men are created equal."

We thank Thee that from time to time Thou hast raised up patriots who have woven their characters into the tissues of this Nation and made it strong and great. We are here in the memory of such a man, fitted by nature and by preparation for the work Thou didst call him to do. He gave to his State and Nation the best that was in him, and left behind him a record worthy of emulation. In placing his statue here in this Hall of Fame the people of his State honor themselves and add to the group of illustrious heroes and statesmen here represented a son of whom they may well be proud. Long may it stand, to speak in mute eloquence of "liberty and union, one and inseparable, now and forever."

Let Thy blessing be upon these services, that they may be recorded upon the pages of history and redound to Thy glory and to the good of mankind. In the spirit of Jesus Christ our Lord. Amen.

ADDRESS OF THE CHAIRMAN, SENATOR WILLIAM ALDEN SMITH.

Senator SMITH of Michigan. My friends, as the senior in service of the Michigan congressional delegation, I have been directed to take charge of the program. My part shall be very brief, and in passing I desire to say that we have assembled in this historic place as the representatives of State and Nation to do honor to one whose public service contributed so much toward the welfare of the people and the glory of his country. It was peculiarly fitting that Zachariah Chandler should have represented Michigan in the Senate of the United States at a time when rugged faith and sublime confidence were so essential to the permanence of the Republic.

His giant-like form, his innate honesty, his unclouded vision, his dauntless courage, and his masterful personality shone like a beacon light through the darkness and gloom of our Nation's greatest peril, while the warmth of his stout heart and his ever-present sympathy cheered the faltering, ministered to the needy, and cared for the suffering on unnumbered battle fields. To him the sadly bereft and afflicted turned with confidence, while the unconsoled mother who had dedicated her only son to Lincoln's cause knew that Chandler would not countenance unnecessary danger or sacrifice, and the Government of which he was a part was made more glorious by his unflinching devotion to human liberty. [Applause.]

To the soldier at Gettysburg or in the Wilderness his eloquent voice was like a bugle call to action, and inspired our soldiers and national leaders with new strength and faith in the perpetuity of American institutions.

He was no traitor to his country or his party. His optimism was of that quality which could circumvent any disaster. His was the highest type of virile, western statesmanship, and his iron will could not be broken or blunted, while he wore upon his brow the cardinal jewels of his political faith.

He was a stranger to fear and a deadly foe to venality in every form. He was the generous product of mountain and valley and forest and sea, and his imperious form was unswayed by tempest and storm. The fiercer the growl of treason and disunion, the more dauntless his spirit and the more inspiring his leadership; the heavier the load, the more massive his form became, until the people of Michigan came to believe that there was no limit to his patriotism or endurance. When column after column broke, his Herculean shoulders steadied the structure of state until the foundations could be repaired.

His last battle was relentlessly waged against the puerile political decadence of his time, and the stalwart blows he delivered against the financial fallacies of that period quickened the lagging spirit of the faint-hearted and smote the visionary doctrinaire in a vital spot.

It was, indeed, a farseeing eye that blazed the way for Zachariah Chandler's entrance into the public life of his coun-

try, and the century that has passed since he was cradled in the mountains of the Old Granite State has produced no more inspiring figure among the conservators of the Republic.

In this niche Michigan places her final contribution to this brilliant galaxy of the dead, and future generations can find much of inspiration in the lives of all, while not the least of these now takes his place at the instance of the State he so faithfully served.

I count it among the priceless privileges of my life to have been permitted to come into personal contact with this masterful man, and this hour could not be devoted to a worthier purpose than the initial step in the permanent perpetuation of his memory.

I pause to call upon Chandler Hale, grandson of the great Chandler, to unveil his statue.

[The statue, which was draped in a large American flag, was then unveiled by Mr. Chandler Hale. The appearance of the statue was greeted with applause.]

Senator SMITH of Michigan. In yonder Chamber, which was the immediate scene of his countless activities, we shall at some future time present some phases of his legislative career, and this present ceremony will now be conducted by those especially charged by the Commonwealth of Michigan to perform this patriotic duty.

I take especial pride in presenting to you Mr. Arthur H. Vandenberg, of Grand Rapids, Mich., the honored chairman of the commission, who exemplifies in his character and attainments the wholesome spirit of this occasion. [Applause.]

ADDRESS OF MR. ARTHUR HENDRICK VANDENBERG.

Mr. VANDENBERG. Mr. Chairman, ladies, and gentlemen, the Commonwealth of Michigan to-day challenges the attention of the Nation to the quality and fiber of Michigan manhood and citizenship as typified in one of the strongest characters illuminating the page of nineteenth century American history.

We have come from our beloved State to offer tribute to the memory of Zachariah Chandler, and to ask the people of the United States to accept from us this heroic statue, which shall stand through unnumbered years as the testimonial of a people who are free and nationally unified because such democratic noblemen as he dedicated their surpassing talents to the common good.

It was wise national legislation which brought this Statuary Hall into existence—here in the Capitol Building that breathes liberty in every stone and column—to perpetuate the memory of crusaders for humanity and good government.

In an all-too-forgetful age it is well that such patriotic shrines should reinspire the thoughts of generations which profit from the self-sacrificing labors of the fathers who toiled and builded and kept the faith that we might inherit our legacy unimpaired.

It was equally wise legislation—in the State—which two years ago nominated Zachariah Chandler to occupy Michigan's second niche in the Nation's Hall of Fame, because neither Michigan nor any other Commonwealth ever gave a statesman to the Nation who wrought in more imperishable deed for the preservation and the glory of his country.

In a time that tried men's souls—through rebellion and then through reconstruction—his intrepid courage was an inspiration for right and justice, his words resembled battles, and his countless achievements spelled service that counted large for the cause which martyrized the saintly Lincoln and immortalized the resistless Grant.

I speak for the State commission which was intrusted with responsibility for the erection of this statue. Our task is done. We believe that Sculptor Charles H. Niehaus has faithfully portrayed the rugged greatness of a master among men.

We publicly acknowledge our debt of gratitude to all who have aided us in whatever measure of success our efforts have attained and, as chairman of the commission, I want particularly to pay my personal word of appreciation for the debt that I owe to my fellow members on the commission, Mr. Charles M. Greenway and Mr. Kirke S. Alexander.

I wish, too, to say a word for Sculptor Niehaus, who has continuously given us the benefit of his ceaseless efforts and untiring interest. And last, but not least, I must say to you that we are under everlasting obligation to Mrs. Mary Chandler Hale, the daughter of this great man, who has exhibited a continuous interest in our work, who has given us the benefit of inspiring suggestion, and who is kept from attendance upon this memorable occasion only by the serious illness of her own distinguished husband.

We believe that the statue will merit approval from Michigan and the Nation; and, pursuant to instructions from the commission, I make bold to sketch in briefest way the thoughts regarding Chandler which have inspired us in our task.

Michigan particularly extends greetings upon this memorable occasion to one of her elders in the sisterhood of States; for while Chandler's mature accomplishments were all inspired by the splendid glory of his western citizenship, his birthplace was amid the granite hills of old New Hampshire.

The Commonwealth which from early youth became the home of his loyal adoption is entitled to this honor of preserving Chandler's fame in this marble that will endure with all the ages through which the Republic is destined to live.

But the State which gave him birth, at Bedford, on December 10, 1813—one full century ago—may borrow a reflection of our pride.

New Hampshire is ostensibly represented in this Hall of Fame by two heroic figures into whose eternal association a third now comes.

Over yonder stands John Stark, a warrior patriot whose honors are written from Bunker Hill to Bennington in chapters of a life story dedicated to the establishment of this free and independent Government.

Near by is the mighty, masterful Daniel Webster, who first stripped the doctrine of nullification to a nakedness that shamed it before the world; Webster, who lived to save the integrity of union even as Stark lived to serve in its erection.

Yet, with full and appreciative acknowledgment of the self-sacrifice and patriotism of both these Titan figures, we of the West respectfully submit that when New Hampshire gave Zachariah Chandler to Michigan—there to be matured into dynamic manhood—New Hampshire sired a son who combined the uncompromising courage of a Stark and the sublime Union loyalty of a Webster—a son who wrought in word and deed for the preservation of free government in as exalted and effective degree as any single patriot who ever swore allegiance to the Constitution of the United States. [Applause.]

If by some black art Gabriel's horn could sound an alarm of resurrection that should galvanize this bronze and marble congress into life, we should find ourselves in the intimate presence of many of the Nation's great—men whose lives chapter and vitalize the story of American development. It would be a wonderful assembly—such a parliament as never met in flesh and never will.

But among all these earnest, intellectual, stalwart, aggressive, patriotic, broad-brained men and women we are proud in our faith that there would be no peer to Lewis Cass and Zachariah Chandler, sons of Michigan, servitors of the Republic, representatives of that sterling citizenship which has electrified the great Northwest with currents of progress and patriotism—deserved favorites in history; none of better right to win perpetuated fame and endured affection in this inspired rotunda.

After Cass had honored Michigan through a lifetime of devoted service to the public weal, Michigan honored Cass in 1889 by accepting the Nation's invitation to here dedicate a shaft to his hallowed memory; and for nearly one-quarter of a century visitors to this most beautiful and most powerful Capitol in all the world have looked upon his rugged face and stalwart figure to catch from them a suggestion of that power and purpose which made him strong—aye, superb—as governor, ambassador, Senator, Cabinet counselor, and contender for the Presidency.

It is fitting now that Michigan's second contribution to this gallery of immortals should commemorate the one who took up the burden of leadership when Cass laid it down, who became the spokesman for his State and for his party fully as dominantly as Cass had been in much less perilous times, who donned the armor of a fearless crusader against slavery and secession, and who, among all his stalwart fellow statesmen, veritably became the plumed knight of free union to captain the brave-hearted band of heroes who upheld the hands of Lincoln in a Congress that was rebellion's lair.

Those bitter days are over, and what may be said to-day is said with fullest honor and appreciation for those whose consciences aligned them on the other side. Fields that ran red with blood in the chill of cold November are green with the harvest of July. Unity that was once merely constitutional has given way to unity that is both constitutional and loved. North and South each honor the other's Rebellion heroes. There is no statue in this Hall upon whose granite pedestal I would more gladly place a wreath of esteem and affection than that of the great Robert E. Lee. [Applause.] What we say of the record of this man to whom this day is dedicated is merely the unchangeable story of history which must be told as it occurred. And it is from the picture of fearlessness and courage and uncompromising conviction which the story yields that one may catch the reason why this particular favorite son has earned Michigan's belated favor at this hour.

Michigan's history is rich in men well worthy of honor in this Hall of Fame. Michigan wishes she might rear to all a memorial worthy of the nobility of each. But since one alone must be selected for the recognition of this hour, there can be little division of farseeing opinion that Zachariah Chandler is rightfully the colossus to whom belongs premier appreciation.

Among all the statues in this Hall I believe I am correct in saying that only one commemorates any of Chandler's confrères when he first entered national life in the Senate of the United States on March 4, 1857, and in the chamber now occupied by the Supreme Court took oath to support the Constitution of the Union—an oath as dear to him as life itself. That great Congress, which entered upon responsibilities surpassing almost any ever undertaken by parliament of man before or since, has been solely represented here by Samuel Houston, from the State of Texas—Houston, who made Texas free and then brought her into the Republic.

If Samuel Houston could speak this morning from his splendid pedestal over yonder, he would subscribe to every word of eulogy that may be said for Zachariah Chandler, and out of richly wonderful experiences in a Congress where Chandler never yielded jot or tittle to secessionist or traitor he would congratulate Michigan and the United States upon the glory of this hour. [Applause.]

Probably no man other than Lincoln himself was more steadfast, unyielding, grimly courageous, and unhesitatingly defiant in his opposition to slavery and secession. What this Nation owes to Lincoln for his leadership, partaking of divinity, during the dark days of the sixties it owes in proportionate measure to Chandler for his lesser but terribly potential work.

Chandler it was who early practiced the tenets of his faith in abolition through liberal support of "the underground railroad," of which Detroit was one of the most important terminals.

Chandler it was who led the party of antislavery as its nominee for governor of Michigan in its first great fight for recognition.

Chandler it was who headed the Michigan delegation to the first Republican national convention, where as a delegate he was one of the five who first voted for Lincoln as a vice presidential candidate.

Chandler it was who went to the United States Senate as the successor of Cass when Michigan demanded that her representative at Washington should reflect our sturdy faith in the perpetuity of the Union.

Chandler it was who immediately became the chieftain in the historic preliminary legislative battles which preceded the Civil War itself.

He knew from first to last no faltering, no doubt, no fear, and could never bring himself to look with patience upon any proposal for compromise.

Chandler it was who voiced the indignation of the patriotic North against the immortally notorious Lecompton constitution for Kansas.

It fixed Mr. Chandler's position definitely, not only as it demonstrated his ability, but as it raised him in the far advance of radicalism in the Senate, a position which he never deserted and for which he never apologized.

When Buchanan, with monstrous temerity, was ready to permit South Carolina to secede it was Chandler who arose to the emergency, "and men instinctively stood aside to give place to the national leader whom the occasion had raised up."

With a vigor and steadfastness for which this Nation must be forever his debtor, Chandler fought treason and its promoters at every turn of the road. He opposed the Crittenden compromise and condemned every suggestion that peace be purchased by dishonor. It remained for him to echo the Lincoln axiom in his famous letter of February 11, 1861, when, decrying the hesitancy of business men to face the possibility of war, Chandler wrote:

Without a little blood letting this Union will not, in my estimation, be worth a rush.

When Sumter fell it was Chandler who came back to Michigan and vitalized the presidential call for troops. Read this from authentic history:

Every Michigan soldier knew old "Zach" by name, thousands knew his face, and hundreds have him to thank for acts of kindness and words of cheer. The dustiest, ragged bluecoat applicant for his aid had a claim to royal precedence, and they all knew that if they needed influence or money they had but to ask him. Not the iron rule of Stanton himself could avail to delay him in such a service.

Chandler was the guiding spirit of the famous committee on "The conduct of the war," which throughout the terrific conflict was the inspiration and invaluable support of the President and his Secretary of War.

It would take a volume of endless size to tell the whole story. Every act of Chandler was an act of a staunch and courageous patriot. No taint of dishonesty, no suggestion of dishonor, no intimation of selfish or improper motives ever attached to his slightest act.

He was the confidant of Lincoln and became the confidant of Grant.

He was Grant's Secretary of the Interior, where his administration is spoken of as "the best in its history."

I hold in my hand a letter from former President of the United States William H. Taft, whose honored father served in the Cabinet of Grant with Zachariah Chandler, which letter is as follows:

NEW HAVEN, CONN., *June 14, 1913.*

Mr. A. H. VANDENBERG,
The Grand Rapids Herald, Grand Rapids, Mich.

MY DEAR MR. VANDENBERG: I have yours of June 10 with reference to the dedication of a statue to Mr. Zachariah Chandler. I am not very familiar with Mr. Chandler's life. My father valued his sturdy patriotism, the wonderful force of his personality, and his bluff directness and honesty of expression. He believed the country greatly indebted to him for his patriotic activities at a time when she was in great need.

Sincerely, yours, WM. H. TAFT.

Chandler was chairman of the Republican national committee through the historic campaign which gave Hayes the Presidency, and in this trying position he displayed that executive capacity and relentless aggressiveness which contributed so fundamentally to his dominance wherever he was concerned. He seemed the very incarnation of resistless persevering power.

Had he been spared his sudden death, he would probably have succeeded Hayes as President of the United States. He was of presidential caliber and vision and popularity.

As a merchant before entering public life he exhibited a genius that brought him fortune.

As a statesman, after he left the ways of commerce far behind, he was a master.

As a stanch Republican he was unfaltering in his devotion to his party's cause, a devotion so sincere that it earned him the respect of enemy and friend alike.

And last, but far from least, as a husband and a father he was as kindly and considerate and thoughtful and good as man ever was or could be.

When this great Michigan giant suddenly passed into another life, during the night of November 1, 1879, there was national recognition of a national loss. Proof, suggestive of the place he held in universal esteem, shows in the following phrase borrowed from the comment of that time:

It may be doubted whether since the assassination of Abraham Lincoln any single announcement has so startled the public mind and moved the popular heart as when it was announced that Zachariah Chandler was found sleeping his last sleep.

A Nation as well as the State of Michigan—

Wrote Gen. Grant—

mourns the loss of one of her most brave, patriotic, and truest citizens. Senator Chandler was beloved by his associates and respected by those who disagreed with his political views. The more closely I became connected with him the more I appreciated his great merits.

The tributes to his virtuous, vigorous valor were legion. The peoples of Commonwealths from near and far came to mourn before his ashes. Garlands of love and appreciation piled high his bier. Eulogy was universal. A chieftain worthy the truest traditions of the race had crossed the bar.

Dr. Pierson spoke from the pulpit of Chandler's church in Detroit, the city which this great man had honorably served as chief executive when he first dedicated his masterful talents and intrepid courage to the common good.

The Doric pillar of Michigan has fallen—

Said he—

but the State stands, and God can set another pillar in its place. There is stone in the quarry, columns are taking shape * * * and in God's time they shall be raised to their place.

To-day, Mr. Chairman, the Doric pillar of Michigan is raised again in image.

After two years of faithful labor on the part of the commission of which I am proud to be a member the column has taken suggestive shape, and, true to prophesy, it has been raised where it belongs—here in the Nation's Hall of Fame.

May it not only breathe some small measure of Michigan's appreciation for one who honored her as few sons have honored Commonwealth, but may it also inspire to-morrow's citizenship to strive honorably, fearlessly, and in self-sacrifice that the Republic may always be preserved.

To you, sir, Mr. Governor, as the representative of Michigan's near 3,000,000 souls, I have the honor, on behalf of the commission, to tender you this shaft to the memory of Zachariah Chandler—this heroic statue which, by legislative authority, Michigan desires you to present to the people of the United States. [Applause.]

Senator SMITH of Michigan. I now take great pleasure in presenting the lieutenant governor of Michigan, Hon. John Q. Ross, who receives this statue from the commission, and in turn will present it to an official of the Government of the United States.

ADDRESS OF LIEUT. GOV. JOHN Q. ROSS.

Lieut. Gov. ROSS. Mr. Chairman, in this room, made sacred by so many important actions affecting the General Government, it is but fitting that we should gather for the purpose of paying our respects to one of the mighty men who was a vitalizing force in making this country what it is to-day.

I want, first, on behalf of the people of the State of Michigan, to thank this commission, whose earnest efforts have made the success of this occasion possible. In every undertaking, such as the erection of this statue, it is necessary to find men who are willing to give of their time and talents that the desired object may be accomplished in such a way as to meet the intent and desires of the people as a whole. I feel that it is but just that I should say here that the people of Michigan realize that no better selections could have been made as members of the commission in charge of this work. This statue will always stand as a testimonial to their faithful discharge of the duties imposed upon them.

The effect of events such as this is impossible for us to estimate. As we are here to-day, enjoying the blessings of this free Government, we are prone to overlook the things which have made this occasion possible. It is so easy for us to forget the men whose high ideals and whose devotion to duty have aided in the upbuilding and preservation of this Government. In the mad rush for place and power and competence which our people are making, the one thing which we need more than anything else is such object lessons as this statue as constant reminders that our happiness and our every opportunity are interwoven with the efforts and accomplishments of the men who have lived before.

It is an inspiration to live in such a country, but it is more inspiring to live in this country because of such men as Zachariah Chandler. The reading of his history spells opportunity to every young man.

The chairman of the commission has so eloquently pictured Senator Chandler's success that I hesitate to say anything in addition to what he has already said, although I feel I would be remiss in my duty if I did not again call attention to the fact that Senator Chandler overcame every handicap with which his early life was surrounded. He started in life with what would be considered at this time a very meager education; the money furnished to him by his father at the time he located in Michigan would not now be regarded as sufficient in amount to be of very substantial advantage in securing a start in business life. But he had something better than a college education; he had something better than a large sum of money—he had implanted within him that spirit which caused him to choose the right with invincible resolution, to resist the sorest temptations from within and without, to face the greatest storms of his business and political activities with that calm and fearless determination which could mean nothing but success. Some have urged that he lived in an age of opportunity; that his location in Michigan was at a peculiarly opportune time, and for that reason he should not be given full credit for all of the things his life and accomplishments stand for. That would not be a fair measure of the man and would lose sight of the fact that so many other men lived amidst similar surroundings, lured by the same beckonings by the goddess of fate, yet their lives meant nothing to the State or to the Nation at large. I am reminded of the words of John B. Gough, when he said that—

> If you want to succeed in the world, you must make your own opportunities as you go on. A man who waits for some seventh wave to toss him on dry land will find that the seventh wave is a long time in coming. You can commit no greater folly than to sit by the roadside until some one comes along and invites you to ride with him to wealth and influence.

It was not opportunity that made him a success; it was that continual preparedness and fixity of purpose which took advantage of the opportunities that other men allowed to go by.

He applied business principles to every question that came up. His good sense, clear views, ready and retentive memory, quick discernment, and instinctive perception of the fitness of ways to ends qualified him for energetic and successful effort anywhere. These things recommended him to the people of his home city, and they chose him for their chief executive. His administration of that office more than demonstrated the wisdom of their choice. His fair dealing with his customers scattered over the State of Michigan made a host of sincere and admiring friends. He was one of the dominant spirits in the organization of the Republican Party, and when the opportunity came for the people of Michigan to select a United States Senator who would be in thorough sympathy with and should faithfully represent their determined opposition to any further compromise in the matter of the question of slavery, which then hung like a cloud of doubt and disaster over this country, their minds naturally turned to Mr. Chandler, in whom they had implicit confidence because he had stood foursquare to every question which had come up. They recognized in him a strong and determined man. The very stumblingblocks which had caused others to falter and turn back had been for him stepping-stones in the pathway of success.

When he arrived at Washington as one of the Senators from our State he found the men of his own faith trembling for the future, ready and anxious to offer any compromise to avert further trouble or possible bloodshed. He was one of the men upon whom opposition acted as a tonic; who, upon hearing of a threat, rose refreshed and ready for the conflict. The opposition had intimidated by their attitude and their threats, and it awaited his advent upon the scene of action for the intrepid spirits of the Senate to get together and meet the opposition upon its own ground. His very determination and uncompromising attitude roused bitter antagonisms and caused to fall upon his head the most scathing denunciation, but to him this only meant more vigorous efforts. The intensity of his conviction, his tireless energy of action, inspired confidence, gave courage to the hesitating, and caused the timid and irresolute to stand erect. No one can measure the importance of his service in the preparation for and during that mighty conflict which we designate in history as the Civil War. The success or failure of the Union cause and what it stood for on many occasions hung by so slender a thread that the taking away of the strength and the determination of his support might have meant disaster.

His experience and training enabled him to obtain a broad view of the questions of government which he was called upon to consider; he could see and appreciate, as few were able to do, all of the phases of the matter under discussion.

After the war was over, and during the reconstruction period, he was one of the men whose counsel was most often sought. It is true that his idea as to the treatment of the men who had been in open rebellion against the Government was more drastic, possibly, than that employed; but this attitude grew out of his firm belief in the righteousness of the Union cause and the unrighteousness of the Confederate contention. The very intensity of his belief and of his devotion made him all the more determined in his opposition to the extension of any leniency toward those who had been the leaders in the Confederacy. Nothing in his whole life aroused so much criticism as this, and yet, viewed from this lapse of time, we must admit that this very attitude on his part and on the part of some of his conferees resulted in the course being taken which has proven to be most advantageous for all. His opposition was not toward any individual or because of any individual, but was against the principle which those individuals had represented. He believed in a union of the States which should for all time keep the Stars and Stripes floating unsullied in every hamlet and where no man should be held in involuntary servitude. The success of the principle he stood for is the glory of the Republic.

As a business man his success is measured by the good name he left as much as by the fortune he accumulated; as a statesman the appreciation of his accomplishments will increase with passing years; as an administrator he had the faculty of directing the efforts of those under him to do that which was necessary, shorn of any cumbersome detail; as the leader of a great party he marshaled its hosts against united opposition and led them to the summit of victory; as an orator he never tried to get or hold the attention of his auditors by a mere play of words, but compelled their understanding by the force of his logic. He had the power to destroy the most eloquent and seductive sophistry by a few terse sentences.

It was given to him to read the future as it is given to few men. In his business he planned for the future of Michigan, and could see it grow and develop as the subsequent years have seen it grow and develop. In his contemplation of the affairs of the Nation he appreciated as fully as was given to anyone to appreciate what the differences between the North and the South meant to the Nation and to the future. He realized that while there might have been a time when these differences could have been settled without an open conflict, the vacillating attempts at compromise with a system which was inherently wrong had, before his entrance into national affairs, developed a situation which could only be adjusted by open conflict; that the sooner the conflict came, the better it would be for the Nation at large, and the more easy it would be to settle it in the manner in which it was settled and which is now admitted was the best for all. He believed in more vigorous methods than were adopted. He

insisted that the President should call 500,000 troops instead of 75,000. His counsel was never for anything except the most aggressive action in the prosecution of the war. His very nature was against any halfway measure. His faith was not a shrinking, half-believing faith; he believed with all the vigor and firmness of a perfect physical manhood. When his reason led him to a conclusion in his mind, that alone was right—that was the thing to work for and to fight for. Others might contend against his position, but his resolution was unchangeable.

It is impossible for me in the short space of time I shall occupy to enter into any detailed discussion of the wonderful personality or work of Senator Chandler. His was a life so filled with effort and accomplishment that we need to study it carefully in order to appreciate its real meaning.

No words of mine can adequately portray the significance of this statue; it means that the efforts of the men who came over to this shore to found a government of free men might have been wasted had it not been for the determination of character of Senator Chandler; it means that the flame of bitter antagonism of the early sixties, had it not been for his zeal, might have become national instead of sectional, and still be burning, separated by the Mason and Dixon line; it means that this reconstructed Government is better because of his having lived, that his standing for a sound financial policy made a more stable system of currency than we would otherwise have had; it means that the administration of the several departments of the Government are upon a more businesslike basis, that the Government is receiving a more adequate return in service from its employees, because, as Secretary of the Interior, he put into active practice in that department the same thorough, conscientious business methods which had made his own business ventures so signally successful; it means that in this great and reunited country, because of his life and achievements, every boy can more fully realize that he only needs a firm determination and a conscientious and constant application to write upon the scroll of his achievement, in living letters of brightest hue, that word for which we all strive, success; it means that the people of a great State are not forgetful of their obligations to those who, by their accomplishments and fidelity, have shed a luster upon them, and whose energy and ability and never-yielding patriotism have contributed in so large a degree to their success and material well-being. On behalf of that State, and with a thorough appreciation of all that this occasion means, and a firm belief that this Nation shall always continue to be the world's brightest hope for liberty and equality, I have the honor of presenting this statue to the people of the United States, that they may share with Michigan its glory and satisfaction in the life and achievements of Zachariah Chandler. [Applause.]

Senator SMITH of Michigan. It had been expected that Hon. Henry B. Brown, retired justice of the Supreme Court of the United States, would receive this statue in behalf of the Federal Government. Justice Brown has written a letter of singular beauty and appropriateness regarding the life of Senator Chandler. That letter is as follows:

WATKINS GLEN, N. Y., *June 15, 1913.*

MY DEAR SENATOR: I am informed by Mr. Vandenberg, of Grand Rapids, that I am indebted to you for a most courteous invitation to participate in the ceremonies attending the placing of a statue of the late Senator Chandler in Statuary Hall on the 30th of this month. It is with much more than ordinary regret that I am compelled by my physical condition to decline an honor which would have been, of all things, the most agreeable to accept. The truth is, I am sadly out of health and am instructed to remain here until the 1st of August, and can not leave even for a temporary engagement without serious risk.

My inability to attend involves a personal sorrow in that it deprives me of the only opportunity I shall probably ever have of paying a public tribute of affection and respect to the memory of one who, at a critical period of my life, rendered me a service which it would be the basest ingratitude to forget. It was not only the most important one ever rendered to me, but was one which changed the whole course of my life and became the stepping-stone to all I subsequently attained. It was performed, too, at a time when he was not a Member of the Senate, but an ordinary private citizen, and was itself a proof of the strong personal influence he held, independent of any official connection with the Government.

It can never be forgotten of Senator Chandler that while his political methods were sometimes criticized even by members of his own party, he was one of half a dozen men who saved this Union in the most perilous hour of its existence. Like most men of strong character, he was an ardent supporter of whatever he undertook to do, and knew no such thing as a feeble determination or a half-hearted support. He was masterful in his nature and a born leader of men. When the great work of his life had been finished and the Union restored, he was as wise in the steps taken by him to cement that restoration and preserve the national faith untarnished as he had been to suppress open opposition in the field. He was opposed to all forms of repudiation, and insisted upon the preservation of the national faith. He was steadfast with those who stood by us and relentless to those who opposed us. He was born for the age in which he lived, and passed away when the real work of his life had been accomplished.

Very truly, yours,

H. B. BROWN,
Ex-Justice Supreme Court United States.

In the absence of Mr. Justice Brown and at the unanimous request of the commission having this ceremony in charge, the statue will be accepted by Hon. JACOB H. GALLINGER, of New Hampshire, the ranking Republican Senator and the ranking legislator in both branches of Congress, a rugged, stalwart figure from the State where Chandler was born. [Applause.]

ADDRESS OF SENATOR GALLINGER.

Senator GALLINGER. Mr. Chairman and Lieut. Gov. Ross, I esteem it a special privilege to be permitted to participate in the exercises of this day, and in behalf of the Government of the United States to accept from your great State the statue of the illustrious man whom Michigan so rightly and justly honors—Zachariah Chandler.

New Hampshire, the State that I in part represent in the Senate, gave to other States of the Union a galaxy of men scarcely equaled in the history of our country. That little State gave Daniel Webster and Henry Wilson to Massachusetts, Salmon P. Chase to Ohio, Horace Greeley, Charles A. Dana, and John A. Dix to New York, William Pitt Fessenden to Maine, James W. Grimes to Iowa, and Lewis Cass and Zachariah Chandler to Michigan. The statue of Lewis Cass, contributed to the Government by Michigan, stands conspicuously in this Hall, a place dedicated to great men, and now the effigy of Zachariah Chandler is appropriately to become Michigan's second contribution to this collection of the chosen representatives of the several States of the Union.

The real name of Mr. Chandler was Zacharias, which was afterwards changed to Zachariah, but during his entire life he was known familiarly as "Zach." In his later years, when his friends wished to speak affectionately of him, the designation applied to him was usually "Old Zach," which he seemed to look upon as a term of endearment.

New Hampshire, equally with Michigan, honors the memory of Zachariah Chandler. The little town of Bedford, where he first saw the light of day on December 10, 1813, is not unmindful of his achievements after he left the ancestral home in search of fame and fortune in what was then a western State, and the people of New Hampshire as a whole feel a justifiable pride in the great services he rendered the country at a time when patriotism was sorely needed and a high type of both physical and moral courage was essential in dealing with the problems of that day. So, New Hampshire on this occasion grasps the hand of Michigan in joint recognition of the virtues and abilities of a true American statesman—a man of rare powers of intellect, whose life was devoted to the advocacy of the principles and policies upon which our Government was founded and the perpetuity of which are essential to its future success.

The life of Zachariah Chandler is a peculiarly interesting and instructive one. Born on a farm, educated in the little brick schoolhouse of his native town, which I believe still stands, and in the village academies of Pembroke and Derry, without the advantages that a liberal education gives, he took up the work of life resolutely and hopefully. After leaving school he engaged in farm work. He next taught school a short time, and then entered a dry goods store as clerk in the city of Nashua, near his birthplace. At the age of 20 the eyes of the young man were turned westward, as the eyes of so many young men in the East were in those days, and he emigrated to Detroit, where he continued to reside until his death, in the year 1879, in his sixty-sixth year. He carried with him to the West the intellectual ability and strength of character that he inherited from his Scotch-Irish ancestors. He carried with him also the physical vigor that the ozone of the New Hampshire hills implants in the human body, and with this equipment, aided by the stimulating influences of western push and energy, it is no wonder that his career in life was a remarkable one.

Shortly after reaching Detroit he engaged in business, in which he made a great success. In 1851 he was elected mayor of Detroit, and in 1852 was nominated as the Whig candidate for governor and was defeated. He was prominent in the organization of the Republican Party in 1854. He served for a time as chairman of the Republican national committee, and was Secretary of the Interior under President Grant.

In addition to these honors he was four times elected to the United States Senate, his service in that body, which were of a most distinguished kind, covering a period of 19 years. He died a Senator.

On the occasion of his death expressions of sympathy and appreciation came from all quarters. His funeral was a notable affair, attended by the militia, by hundreds of men in professional and public life from all parts of the country, and by a vast concourse of his sorrowing fellow citizens. The Nation

mourned the loss of a truly great man. The late James G. Blaine, in writing of his burial, said:

Thus was Zachariah Chandler buried. Living, he was honored. Dead, he was mourned. Though dead his labors and his example remain, and they form his fittest monument.

What greater tribute could be paid to any man than that? The country boy, born in the East, had achieved fame and power in a new field, and he died honored and mourned by all his countrymen. This statue can add nothing to his fame. It will stand here to be gazed on by his countrymen and by pilgrims from all lands, who will recognize in its strong and expressive features the likeness of a man whose intellectual powers, force of character, and integrity of life won for him universal respect and imperishable renown.

On behalf of the Government I accept the statue and beg to thank Michigan for this notable contribution to the National Hall of Fame. [Applause.]

Senator SMITH of Michigan. It would be a very easy matter in a gathering like this, composed of many soldiers and many citizens who knew Senator Chandler personally, to produce a symposium of eulogy almost without limit. I see before me many of his cotemporaries; but time will not permit, and the completeness of this service does not demand, that we prolong it further.

I am going to ask Dr. Couden, himself a soldier, who last saw the flag of his country upon the field of battle 50 years ago, to close the ceremony which he so appropriately opened with prayer.

CONCLUDING PRAYER.

Rev. Dr. Couden offered the following prayer:

And now, O God our heavenly Father, who hast watched over us in the past, and led us on step by step to larger and nobler life as individuals and as a people, let the spirit of Thy Son Jesus Christ come and dwell in our hearts, that we may go forth doing the work that Thou hast called us to do, honoring Thee, honoring our fellow men, and making for ourselves worthy characters that may reflect Thy glory, through Jesus Christ our Lord. Amen.

Mr. TOWNSEND. Mr. President, it was my misfortune to be absent on the business of the Senate when the exercises attending the unveiling in this Capitol of the statue of Zachariah Chandler were held, and now, in moving the adoption of the resolution asking for the acceptance of that statue by Congress, I desire briefly to pay my humble tribute to the memory, life, and public services of one of Michigan's most distinguished sons. From the long list of her illustrious dead she has selected for places in our Valhalla of Fame two men who typify not alone the greatness of her great men of the past, but whose characters, statesmanship, and patriotism made them peers of any man our country has produced at any time.

Lewis Cass and Zachariah Chandler were contemporaries, representing the different political theories and policies of their time. Cass was a Democrat, Chandler a Republican. While differing in their political views, they were one in uncompromising honesty and lofty patriotism. Both represented their State in the Senate, but not at the same time, Chandler having succeeded Cass in this body, where the former served for more than a fifth of a century. Their honorable rivalry as leaders of their respective parties produced a standard of politics in Michigan justly famous for its strength and ability. "There were giants in those days." The honorable friction of strong, honest, big men results in the development of strength and character. The lives of Cass and Chandler did much to mold and shape the history of Michigan. How fitting it is that these two men who, during a portion of their lives, worked together, should be selected by the State they honored with such distinction as her contribution to the Nation's chamber of immortals. In yonder hall their marble statues stand, surrounded by those of Washington, Adams, Webster, Benton, Calhoun, Morton, Garfield, and a score of other illustrious Americans.

What a galaxy of symbolized greatness! If their immortal spirits could invest those marble shafts, a convocation of the greatest minds, the most eloquent orators, the most able statesmen ever gathered at one time and place in all the tide of time could there be held.

The character and services of Zachariah Chandler have been eloquently and faithfully told on another occasion. What was said there will be published for the benefit of those who are interested in them, so I shall not take the time of the Senate to repeat in a feeble manner what will appear in the published report.

The great characteristics of Zachariah Chandler were his unsullied honor, his uncompromising fidelity to principle, his absolute fearlessness in a cause which he believed to be just.

His public life and services were in a time which "tried men's souls."

He was a Republican of Republicans. He was at the birth of the Republican Party "Under the Oaks" at Jackson, Mich. He helped to shape its principles. He assisted in dedicating it to the cause of liberty. He directed as much as any other man its efforts to destroy African slavery. He was the unyielding enemy of treason and disunion. With merciless impartiality he flayed the secessionist, the northern copperhead, and the timid, time-serving Republican. He followed without the shadow of turning the direct path from offense to punishment.

His uncompromising force and energy made active and bitter enemies. No great man, fearless in effort and unyielding in determination, ever failed to make enemies, but of such men are made the leaders of principle, the avengers of wrong.

Chandler was the close friend and adviser of Abraham Lincoln. Upon him the President leaned for comfort and courage. His confidence in the Union cause never wavered, and when the clouds of the Civil War lowered darkest President Lincoln sent for Chandler, and immediately hope revived and courage was renewed.

Michigan has done well in embalming in enduring marble her distinguished son. In the Hall of Fame his effigy will be a decoration of honor to the Nation which he did so much to preserve.

I ask the Senate to accept from Michigan her statue of Zachariah Chandler. I ask for the adoption of the concurrent resolution.

The PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

VOLUNTEER FORCES OF THE UNITED STATES.

Mr. HITCHCOCK submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 7, and 8.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 6, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following: "*Provided further*, That when three-fourths of the prescribed minimum enlisted strength of any company, troop, or battery, or when three-fourths of the prescribed minimum enlisted strength of each company, troop, or battery comprised in any battalion or regiment of the organized land militia of any State, Territory, or the District of Columbia, organized as prescribed by law and War Department regulations, shall volunteer and be accepted for service in the Volunteer Army as such company, troop, battery, battalion, or regiment, such organization may be received into the volunteer forces in advance of other organizations of the same arm or class from the same State, Territory, or District, and the officers in the organized land militia service with such organization may then, within the limits prescribed by law, be appointed by the President, by and with the advice and consent of the Senate, as officers of corresponding grades in the Volunteer Army and be assigned to the same grades in the said organization or elsewhere as the President may direct"; and the Senate agree to the same.

G. M. HITCHCOCK,
LUKE LEA,
H. A. DU PONT,
Managers on the part of the Senate.

JAMES HAY,
S. H. DENT, Jr.,
JULIUS KAHN,
Managers on the part of the House.

The report was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore.

S. 656. An act granting to the trustees of the diocese of Montana of the Protestant Episcopal Church, for the benefit of Christ-Church-on-the-Hill, at Poplar, Mont., lots 5, 6, and 7, in block 30, town site of Poplar, State of Montana;

H. R. 13453. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1915; and

H. R. 15906. An act providing an appropriation for the relief and transportation of American citizens in Mexico.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a telegram in the nature of a memorial from officers and members of the Railway Employees' Department of the American Federation of Labor, in convention assembled at Kansas City, Mo., representing 350,000 railway employees, remonstrating against the conditions existing in the mining districts of Colorado, which was referred to the Committee on Education and Labor.

Mr. GALLINGER. Mr. President, I have heretofore presented a large number of petitions in favor of the proposed constitutional amendment for the prohibition of the importation, manufacture, sale, and so forth, of intoxicating liquors. I now present a memorial from 859 citizens of Portsmouth, N. H., remonstrating against the adoption of the proposed constitutional amendment, which I ask may be referred to the appropriate committee.

The PRESIDENT pro tempore. The memorial will be referred to the Committee on the Judiciary.

Mr. LODGE. I send to the desk a telegram which I ask may be read with the names attached.

The PRESIDENT pro tempore. The Chair hears no objection, and the Secretary will read as requested.

The Secretary read the telegram, as follows:

BOSTON, MASS., *April 23, 1914.*

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.:

We earnestly urge avoidance of any steps involving war until whole complex Mexican situation can be examined by commission of inquiry that Congress and people may have full and accurate knowledge of facts. Further, that situation calls for immediate and express declaration by Congress that United States will in no event have any territory from Mexico by conquest.

JOHN D. LONG.
ALBERT E. PILLSBURY.
SAMUEL A. ELIOT.
CHARLES F. DOLE.
WILLIAM D. HOWELLS.
EDWIN D. MEAD.
JOHN GRAHAM BROOKS.

Mr. WORKS presented petitions of the congregations of the Pentecostal Church of the Nazarene, of Cucamonga, and of the Nazarene Church of Milton, in the State of California, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. CATRON presented petitions of sundry citizens of New Mexico, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SHIVELY presented petitions of sundry citizens of Charlottesville and Remington, in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry druggists and pharmacists of Goshen, Ind., praying for the passage of the so-called antinarcotic bill, which was ordered to lie on the table.

He also presented a petition of Local Division, No. 303, Order of Railway Conductors, of New Albany, Ind., praying for the enactment of legislation to provide a literacy test for immigrants to this country, which was ordered to lie on the table.

He also presented a petition of the Benevolent Order of Buffaloes of Fort Wayne, Ind., praying for the enactment of legislation to provide for the retirement of superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. BRADLEY presented a petition of Local Division No. 271, International Brotherhood of Locomotive Engineers, of Covington; of Lexington Division, No. 239, Order of Railway Conductors, of Ashland; and of Local Division No. 486, Order of Railway Conductors, of Paris, all in the State of Kentucky, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

Mr. LIPPITT presented petitions of sundry citizens of Rhode Island, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented a petition of sundry citizens of Edgecomb, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. SMITH of Maryland presented petitions of sundry citizens of Maryland, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PAGE presented a memorial of sundry citizens of Windham County, Vt., remonstrating against the enactment of legislation to compel the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. LODGE presented petitions of sundry citizens of Attleboro and Warwick, in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. GOFF presented memorials of sundry citizens of West Virginia, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of West Virginia, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Clearing House Association of Wheeling, W. Va., praying for the enactment of legislation to relieve banks and trust companies from the burden of work and expense thrust upon them by the income-tax law, which was referred to the Committee on Finance.

Mr. GALLINGER presented memorials of sundry citizens of Portsmouth, N. H., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. COLT presented petitions of sundry citizens of Rhode Island, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SMITH of Michigan presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of Upper Hay Lake Grange, No. 1552, Patrons of Husbandry, of Sault Ste. Marie, Mich., praying for the adoption of a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a petition of sundry citizens of Shelby, Mich., praying for the enactment of legislation to provide a compensatory time privilege to post-office employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Branch, Scandinavian Aid and Fellowship Society of America, of Ishpeming, Mich., praying for an appropriation for the erection of a monument to the memory of Capt. John Ericsson, which was referred to the Committee on the Library.

He also presented a petition of the New Century Club, of Detroit, Mich., praying that an appropriation be made for the control and prevention of floods, which was referred to the Committee on Commerce.

Mr. KERN presented memorials of sundry citizens of Evansville, Ind., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Frankfort, Nevada, Vincennes, Huntingburg, Newcastle, Richmond, and Washington, all in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. DU PONT presented petitions of sundry citizens of Georgetown, Seaford, Lebanon, Rising Sun, Frankford, Ocean View, Clarksville, Selbyville, Millville, and Dagsboro, all in the State of Delaware, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Third Presbyterian Church of Grand Rapids, Mich., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. POINDEXTER presented a memorial of the Central Labor Council of Seattle, Wash., remonstrating against conditions in the mining districts of Colorado, which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (H. R. 13542) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 443) thereon.

Mr. PERKINS, from the Committee on Commerce, to which was referred the bill (S. 5289) to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work, reported it without amendment and submitted a report (No. 444) thereon.

Mr. NELSON, from the Committee on Commerce, to which was referred the bill (S. 2798) to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work, reported adversely thereon, and the bill was postponed indefinitely.

Mr. LEA of Tennessee, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 145) for the relief of Charles Richter (Rept. No. 448); and

A bill (S. 1905) to prevent the desecration of the flag of the United States of America (Rept. No. 450).

He also, from the same committee, to which were referred the following bills, reported them each with amendment and submitted reports thereon:

A bill (S. 1988) to remove the charge of desertion from the military record of John H. Armstrong (Rept. No. 446);

A bill (S. 1991) correcting the military record of Abram H. Johnson (Rept. No. 445);

A bill (S. 2550) to correct the military record of Jacob Scott (Rept. No. 449); and

A bill (S. 2882) to remove the charge of desertion from the record of Charles M. Clark (Rept. No. 447).

THE COMMITTEE ON BANKING AND CURRENCY.

Mr. SHAFROTH, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 341, submitted by Mr. HITCHCOCK on the 20th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That for the compiling of data showing the results of insurance of bank deposits in Oklahoma, Texas, Kansas, Nebraska, and South Dakota, also the compiling of the statutes on the subject in said States, and the judicial construction of said statutes in the courts of last resort, the Committee on Banking and Currency is authorized to employ expert assistance, the cost not to exceed $50, to be paid from the contingent fund of the Senate, upon vouchers to be approved by the chairman.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRADLEY:

A bill (S. 5386) granting an increase of pension to Bersheba Wood Logan (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 5387) granting an increase of pension to James D. Beasley (with accompanying papers); to the Committee on Pensions.

By Mr. GOFF:

A bill (S. 5388) granting an increase of pension to Josiah Gamble;

A bill (S. 5389) granting an increase of pension to William W. Givens; and

A bill (S. 5390) granting a pension to Louise Capehart; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 5391) granting a pension to Franklin Cochran; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 5392) to provide for carrying into effect of the agreement between the United States and the Muskogee (Creek) Nation of Indians ratified by act of Congress approved March 1, 1901, and supplemental agreement of June 30, 1902, and other laws and treaties with said tribe of Indians; to the Committee on Indian Affairs.

By Mr. SHIVELY:

A bill (S. 5393) granting an increase of pension to Naomi Feidler (with accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 5394) granting a pension to Virginia C. Sawyer (with accompanying papers); and

A bill (S. 5395) granting an increase of pension to Albert White (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5396) granting an increase of pension to Frederick J. Young (with accompanying papers); to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 5397) concerning water-power plants hereafter located upon the public lands, and for other purposes; to the Committee on Public Lands.

By Mr. SHIELDS:

A bill (S. 5398) for the relief of Mrs. George M. Goodwin; to the Committee on Claims.

A bill (S. 5399) granting an increase of pension to Thomas Hickman; to the Committee on Pensions.

By Mr. HUGHES:

A bill (S. 5400) granting an increase of pension to Jane E. Myers; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BANKHEAD submitted an amendment proposing to appropriate $41,800 for the maintenance of a division of the Railway Mail Service, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Appropriations.

He also submitted an amendment proposing to appropriate $2,220 for the salary of one assistant clerk to the Senate Committee on Post Offices and Post Roads, intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. JONES submitted an amendment proposing to appropriate $200,000 for a water supply for 120,000 acres of irrigable land allotted to Indians in the so-called Wapato project, on the Yakima Indian Reservation, in the State of Washington, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. BURLEIGH submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. PERKINS submitted an amendment proposing to increase the salary of the general superintendent of the Division of the Railway Mail Service from $4,000 to $4,800 per annum, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. O'GORMAN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BRANDEGEE submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. SUTHERLAND submitted an amendment proposing to appropriate $3,000 for the maintenance of an assay office at Salt Lake City, Utah., etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. BRADLEY submitted an amendment intended to be proposed by him to the omnibus claims bill, which was ordered to lie on the table and be printed.

THE FIVE CIVILIZED TRIBES (S. DOC. NO. 472).

Mr. OWEN. I have received a letter from the First Assistant Secretary of the Interior, transmitting a list of persons found to be apparently equitably entitled to enrollment in the Five Civilized Tribes of Oklahoma. I ask that the letter and accompanying statement be printed as a public document and referred to the Committee on Indian Affairs.

The PRESIDENT pro tempore. Without objection, that action will be taken.

RECEIVER OF PUBLIC MONEYS, SPRINGFIELD, MO.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 3403) to abolish the office of receiver of public moneys at Springfield, Mo., and for other purposes, which were, on page 1, line 4, after "shall," to insert "10 days"; on page 1, in lines 4 and 5, to strike out "31st day of December, 1913" and insert "passage and approval of this act"; on page 2, line 5, after "regulation" to insert "*Provided*, That all the fees and commissions now allowed by law to both such register and such receiver shall, 10 days after the passage and approval of this act, be paid to and accounted for by such register in the same manner and in like amounts in which they are now required to be paid to and accounted for by such receiver, but the salary, fees, and commissions of such register shall not exceed $3,000 per annum"; to strike out all of section 2; on page 3, line 8, strike out "3" and insert "2"; on page 3, in lines 10 and 11, to strike out "on the 31st day of December, 1913," and insert "10 days from and after the approval of this act."

Mr. STONE. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

PANAMA CANAL TOLLS.

Mr. POINDEXTER. Mr. President, I have a letter from the chairman of the committee for the preservation of American rights in the Panama Canal. It is brief, and in my judgment a very excellent statement of some of the practical phases of that question. I ask that it may be read by the Secretary.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent that the letter presented by him may be read. Is there objection? The Chair hears none. The Secretary will read it.

The Secretary proceeded to read the letter.

Mr. BRANDEGEE. Will the Chair kindly state what is the document that is being read?

The PRESIDENT pro tempore. It is a letter presented by the Senator from Washington [Mr. POINDEXTER], bearing upon the question of the repeal of tolls proposed to be laid on ships passing through the Panama Canal.

Mr. BRANDEGEE. I objected the other day, so far as individual objection can go, to arguments on this question being inserted in the RECORD. There is no limit to them, and there will hardly be a limit to those to be made by Senators on the floor, probably.

The PRESIDENT pro tempore. The Senator from Connecticut will permit the Chair to state that the Senator from Washington asked unanimous consent that the letter be read. The request was put to the Senate, and no objection was interposed.

Mr. BRANDEGEE. I was not in the Chamber at the time, and I have nothing more to say; but I give notice that I shall object to the reading of such documents every time I am here.

The PRESIDENT pro tempore. The Chair has not overlooked the attitude of the Senator from Connecticut. The Secretary will proceed with the reading.

The Secretary resumed and concluded the reading of the letter.

[Letter withheld pending decision of question by Senate.]

Mr. McCUMBER and Mr. BRANDEGEE addressed the Chair.

The PRESIDENT pro tempore. The Senator from North Dakota.

Mr. McCUMBER. Mr. President, I do not know that I could lodge any protest against mere falsehood and illogical arguments, such as are contained in the instrument which has just been read from the desk, but I do most earnestly protest against reading into the CONGRESSIONAL RECORD any statement from any person that makes malignant charges against any Member of the Senate, such as are contained in this particular instrument.

I also protest against it because it falsely states the attitude of Members of the Senate. We have all of us received the circular letter which has been read into the RECORD. One very cursory glance at it will show to anyone who is acquainted with the truth how far the statements are from the truth.

I have noticed in all of the arguments which have been based upon statements made by the Senator from Massachusetts [Mr. LODGE] that they have been exceedingly careful to quote only a portion of his very logical address. The Senator from Massachusetts took the position that, taking the Hay-Pauncefote treaty by itself, he could read into it, and he did read into it, a right upon our part to differentiate in favor of any and all of our vessels. They fail, however, and very carefully fail, to insert the other portion of his argument, in which he declared that it was his belief, and is his belief, that both of the parties to the contract understood that it gave us no such rights, and that it should be construed according to the understanding of the parties when they signed that agreement.

I think this explanation of the position of the Senator ought to be placed in the RECORD following the statement in the letter of his position in the argument he made before the Senate; but my objection and my protest now are against reading into the RECORD any such slurs as are made in the letter upon the character, honesty, and integrity of Senators who have seen fit to discuss this question.

Mr. POINDEXTER. Mr. President, I should like to ask the Senator from North Dakota a question. In the first place, I will say that I would not have offered this letter to be read into the RECORD had I construed it in any sense as involving any slur, as the Senator says, upon any Senator. I do not believe that it does. I think that it is a legitimate discussion of the public views of public men upon a great public question.

Now, I want to ask the Senator to point out, if he will, the false statements which he says have been made in this document.

Mr. BRANDEGEE. I will point out one of them, Mr. President, if the Senator will permit me.

Mr. POINDEXTER. I should prefer to have the Senator from North Dakota do so now.

Mr. McCUMBER. I have not the instrument at hand now, and from merely hearing it read the Senator knows that it would be impossible to state the specific language. Perhaps, if I were going to quote the false statements, I would put a quotation mark at the beginning and at the end, and include it all.

Mr. POINDEXTER. Of course, that statement renders it unnecessary to discuss further the Senator's allusion, because it is so extreme that it carries its own refutation with it. I had supposed that when the Senator made the allegation that there were false statements in the letter, he had in mind what he was referring to and could point out some false statement of fact. The statement of a conclusion or of a deduction can not be characterized as a false statement; it may be an erroneous conclusion, but the Senator can not characterize it as a falsehood merely because he does not agree with it. I agree with the views, both as to the interests involved in this controversy and as to the effect of the Hay-Pauncefote treaty, which are contained in this letter.

Mr. McCUMBER. Mr. President, I can very briefly state some of the false statements. In the very beginning of the letter, almost within the first sentence, is the false statement that the President has changed his position in now contending that the Hay-Pauncefote treaty bound us not to discriminate. Neither the President has changed his position, nor has anyone who supports the President changed his position in reference to that matter.

I could run through the letter if I cared to take up the time, and in every paragraph I could find some false statement. The Senator says a conclusion may be false without the statement being false; but both are erroneous here.

On the other proposition the Senator says that he did not understand that the letter made any improper insinuations or charges against any Senator. I read from the letter:

[Matter withheld pending decision of question by Senate.]

If that is not worse than a discourteous charge against a Member of this body, then I can not understand the import of the English language. I say to the Senator, candidly, that we ought to meet these arguments fairly and not merely by insinuation, and that the CONGRESSIONAL RECORD ought not to be the vehicle to carry to the public the spleen of everyone who desires to enter a protest against the position of any Senator in this body.

Mr. POINDEXTER. Mr. President, this letter states that the greatest material interest in the United States is arrayed on the side of the "repealers," as it expresses it, and that that interest is the railroad interest. Does the Senator deny that statement? Are not the transcontinental railroads arrayed upon the side of the "repealers" upon this question?

Mr. McCUMBER. If they are, I have no communication to that effect and no means of knowing it. I assume that there are roads that would very naturally be interested in it, and I may as well assume also that the coastwise vessels are interested on the other side of the question; but the argument for us is not as to who is or who is not interested. I am speaking directly as to the improper charges that are contained in that letter, and I do not propose to go into the argument of the question now as to what class of people are interested on this or the other side of the question.

Mr. POINDEXTER. Mr. President, the Senator has been so extreme in his statements that I want to comment upon them in a very few words. I see the Senator from New York [Mr. ROOT] is not here; I wish that he were here; but I want to say that while I disclaim any either open or concealed reflection upon the motives of the Senator from New York, the Senator from New York has been the great leader of this fight, which I say is in the interest of the transcontinental railroads and of Great Britain. That is the statement of fact that is made in that letter. I do not interpret it as casting any reflection upon the Senator from New York.

Mr. SUTHERLAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Utah?

Mr. POINDEXTER. I yield to the Senator from Utah.

Mr. SUTHERLAND. Mr. President, I have not agreed with the legal argument made by the Senator from New York with reference to the interpretation of the Hay-Pauncefote treaty, but I have never for one moment doubted the entire good faith, honesty of purpose, and patriotism of the Senator from New York in taking the position which he did, and nobody who knows him could for one moment doubt the purity of the motives which actuate him; but I call the attention of the Senator from Washington to this language in this letter which, it seems to me, if he had read it with care and had considered the extent

of its meaning, he would have refrained from presenting to the Senate.

The letter, upon page 3, says:

[Matter withheld, pending decision of question by Senate.]

And again, in the language to which the Senator from North Dakota has called attention, it is said:

[Matter withheld, pending decision of question by Senate.]

Mr. President, I undertake to say that that is language which a Senator standing upon the floor of the Senate would not be permitted to utter with reference to another Senator. That being so, it seems to me a Senator ought not to present a letter from a private citizen which makes those statements.

As a Member of this body, and desirous of maintaining its dignity, I protest against such documents being read into the RECORD, and I move to expunge the letter from the RECORD.

Mr. POINDEXTER. Mr. President, I desire to say that my interpretation of this letter is that it asserts that the railroad interests, which it denominates as a monopoly—and that is a very common opinion of the railroad interests; I think there is a common agreement and understanding between the transcontinental railroads of this country; there certainly is as to rates, and they have a monopoly—are simply following the leadership of the Senator from New York. I do not interpret the letter as meaning that the Senator from New York is in any sense a representative of those interests in this matter.

I think it is generally conceded that the speech of the Senator from New York upon this question reopened the matter, and the amount of money that has been used to circulate that speech by the Carnegie board has been the greatest factor in the propaganda upon the British and the railroad side of this question.

I think we can discuss those facts without impugning in any way the integrity of the motives of the distinguished Senator from New York. I disclaim any such reflection upon him, but the facts in the case are patent and obvious to everybody.

The Senator from North Dakota refers to the allegation in this letter that the President has changed his attitude as to the construction of the treaty. The fact that it is well known that he made a speech during the campaign in which he urged the exemption from tolls of coastwise traffic through the canal, and that since that time he has reversed his position upon the subject, is a sufficient answer to the Senator. I do not care to say anything further upon that subject.

Mr. LODGE. Mr. President, the rule of the Senate provides that—

No Senator in debate shall, directly or indirectly, by any form of words, impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

In the letter from which the extract has been read repeatedly it is stated that the Senator from New York, in his speech favoring repeal, was leading the forces of monopoly. It does not make any matter how the Senator from Washington interprets it or how I interpret it. That is the statement. That statement would be out of order if made by any Senator on this floor in regard to another, and I hope it will be stricken from the RECORD.

Mr. WEST. Mr. President, I should like to ask the Senator from Massachusetts a question. When a Senator offers a letter of that character is it not a part of his speech?

Mr. LODGE. It is not a speech at all.

Mr. WEST. I know; but is it not considered a part of his remarks?

Mr. LODGE. Very well, Mr. President; then it is out of order on that ground, but I think the most direct way is to expunge it from the RECORD.

Mr. WEST. In other words, does not a Senator assume the responsibility of the letter going into the RECORD and whatever it contains?

Mr. LANE. Mr. President, I wish to say that the majority of the people whom I represent are in favor of exemption of tolls for coastwise shipping, yet I have waited for the evidence before deciding what I will do. I am entirely independent and free in the matter, and feel myself so, and stated in my campaign that I would be; that I would vote for what I thought was right, quite regardless of my future political fate or anybody's objections to my course.

In listening to this letter, however, I must say that it struck me that it is an indirect and unfair and insidious attack upon a Senator whom I may oppose in voting on this question, and I do not think it is proper. I think the Senator who puts it in the RECORD should assume the responsibility for the statement and come out and fight in the open. It seems to me this is an unfair way of "reaching the feelings," if you please, of an opponent, and I think it is not in order.

A short time ago I made some remarks, as Senators may remember, about certain documents being "doctored." They were ruled to be out of order, and I had to take my seat. Yet this is a more serious and insulting thing. It is an insult, and it is an indirect one, and it is put in the RECORD in such a way that the opponent can not defend himself. I do not like it. While I wish to say that perhaps the majority of the people whom I represent here are in sympathy with the stand taken by the Senator who has introduced the letter, I know they would prefer an open and a fair fight.

Mr. ROOT. Mr. President, I entered the Chamber but a moment ago, and I do not know what is in the letter to which reference has been made, but enough has been said since I came in to give me the substance of the matter about which the discussion proceeds.

I think I ought to say, and I do say, to the Senate that I do not know how the people who own or manage the railroads of the country feel regarding the Panama Canal tolls; but I do know that I have never at any time received any communication, written or verbal, direct or indirect, regarding the tolls upon the Panama Canal, or any exemption or discrimination in those tolls, from anybody connected with the management of any railroad—never. I have no reason to suppose they are not perfectly indifferent on the subject. They may not be; I do not know; but they certainly have indicated to me no interest whatever in the subject.

Mr. President, I believe the course of conduct upon which our country has embarked, unless checked, would dishonor the name of the United States. I care nothing about the interests of England. They are trifling. The one great interest which looms large in my mind in respect of the discrimination as to tolls upon the Panama Canal is the absorbing interest of good faith and honor for our country.

It is because I believe that and feel it with all the depth and strength of my nature that I made the speech I made in January of last year, and that I shall continue, so long as there is a possibility of affecting the action of the United States, to maintain the position I took in that speech.

Sir, I have no wish that our country shall compromise a debt of honor. I do not wish the question settled except it be settled right, except it be settled in accordance with the high standard of good faith which ought to characterize the great American democracy, except it be settled in accordance with the convictions which are entertained and have been expressed to Congress by the present President of the United States, whom I honor for his courage and his response to the dictates of his own conscience.

Mr. President, there is a group of Americans most of whom entertain the same feeling that I entertain and that the President entertains upon this subject. Right or wrong—we may all be wrong or we may be right—we feel alike, we think alike upon this question. The Senator from Washington [Mr. POINDEXTER] has referred to that group. They have been brought together fortuitously to act as the trustees of a fund to be devoted to promoting the cause to which we all profess to be devoted—the cause of peace and good will throughout the world. Who are they? Charles W. Eliot, president emeritus of Harvard, the great leader of American educators; Joseph H. Choate, the acknowledged leader of the American bar and leader in all good causes of public spirit and philanthropy; Andrew D. White, the founder of Cornell University, historian, scholar, ambassador to Germany, first delegate of the United States to the first peace conference at The Hague; ANDREW J. MONTAGUE, former governor of Virginia; JOHN SHARP WILLIAMS, Senator from Mississippi; JAMES L. SLAYDEN, Representative from Texas; Robert S. Brookings, of Missouri; WILLIAM M. HOWARD, of Georgia; Samuel Mather, of Ohio; and a dozen others of the same type of American citizenship.

Have we come to such a pass of official restriction upon American freedom that these men are to be criticized and condemned because, holding opinions and convictions upon a matter affecting the vital interests and the good name of their country, some of them put in writing and print a statement of their opinions and spread it broadcast among their countrymen?

Ah, Mr. President, it is the highest duty of the men who are qualified to be leaders of opinion to be not timid but brave in doing their part in the great public discussions on questions of governmental duty.

These men addressed their countrymen upon the issue of discrimination in tolls upon the canal because they believed it involved the honor and good name of their country. May the time never come when free American citizens shall be afraid to go to the country on such a question. I protest against that righteous action—righteous whether they were right or wrong; righteous because they were performing the high duty of Ameri-

can citizenship in a free Republic—being made the subject of criticism and condemnation in this body of representatives of a free democracy.

I spoke, sir, here with the convictions of a lifetime, which I believe to be sincere and patriotic. I spoke in accordance with the convictions of my life, and I wish the words I said might have been stronger and more compelling of opinion. But such as they were, I wish I could get them to the eyes of every American and carry them into the heart of every American. The Senator from Washington by no devious and side approach of condemnation can drive me off the field of my rights as an American and my duty as a Senator of the United States to say what I believe to be for the honor and the good name of the country we all love.

Mr. POINDEXTER. Mr. President, the Senator from New York necessarily assumes somewhat the position of a leader in any cause in which he interests himself. There is no man within my knowledge who has rendered more conspicuous services to his country than the Senator from New York. I remember most distinctly when we were involved in a war the extent of which at that time we could not estimate or the dangers into which it might involve this country, and after a long period of peace our Army proved to be ill prepared to perform the functions for which an army is maintained, the Senator from New York, through the wisdom of the President at that time, was selected for the great post of Secretary of War. I remember how he brought order out of chacs and made effective what was deficient and ineffective. He has rendered similar service in other great departments of the administration and similar service in this great legislative body.

Now, Mr. President, far be it from me to question the right which the Senator asserts with so much eloquence, the right of the Senator from New York to take whatever position he may see fit to take upon this or any other question which comes within the field of legislative action. But while he asserts the right to take the position which he sees fit to take, I assert the right to take the position which I see fit to take and to criticize, as I claim it, not only on my own behalf but on behalf of every free citizen of this Republic, and to oppose, if we see fit, the great influence which comes from the distinguished services and from the great ability of the Senator from New York.

It is a new doctrine, if I understand aright the position of the Senator from New York, that every citizen of this country is estopped from criticizing the membership of the Carnegie peace board, or whatever the title of it may be, for the policies which they propose and are attempting to put into effect through the money power of enormous wealth which has been sucked, I will say, from the substance of the American people upon what is equivalent to a watered-stock mortgage upon their industries.

Mr. WEST. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Georgia?

Mr. WEST. I should like to interrupt the Senator for a moment.

Mr. POINDEXTER. I yield to the Senator from Georgia.

Mr. WEST. Have there not been means employed, too, by those opposed to the bill to influence the Senate in its action?

Mr. POINDEXTER. There have been means employed, I admit, but there have been no improper means employed. There has been no great endowment or anything like that of Mr. Carnegie ranged upon this side of the question that I know of.

Mr. WEST. Well, I will ask the question plainer, then: Has there not been money spent to get the literature before the people? Did not the sending out of wires broadcast over the country require the expenditure of money, and has not that been done by the opposition to the bill?

Mr. POINDEXTER. I suppose, Mr. President, that individual citizens and organizations here and there throughout the country who are interested in this matter have spent their own money to present their views in sending a few telegrams and letters. There has been no such propaganda as has been carried on by the $10,000,000 endowment of the Carnegie peace board.

The Senator from New York gives the names of the distinguished gentlemen who compose the executive committee of this board, and they are distinguished, and I have the highest respect for them all. But under whose patronage are they operating? Under the patronage of Andrew Carnegie. As I understand Mr. Carnegie—I have no prejudice against him at all—he is more of a British subject than he is an American citizen in his sympathies. I think he is a laird or landowner in some Scotch county, and takes great pride in the fact and spends a great deal of his time there. I do not regard Andrew Carnegie as a typical American citizen or as imbued with American traditions or actuated by American ideals. I do understand that the campaign which this board is carrying on is in furtherance of the views of Andrew Carnegie in regard to the Panama Canal tolls and in regard to peace.

As the Senator from New York has said, we are all advocates of peace. What has Mr. Carnegie done for peace? He spent a great deal of money to promote his views ostensibly for peace; but, as a matter of fact, his endowment campaign which he has carried on in behalf of the British contention in this question has done more to put in the breasts of Americans a patriotic resentment against foreign interference in what they consider their own sovereignty than any other influence which has been exerted in a generation. Instead of bringing these two great nations together in harmony and peace and genuine friendship it has carried them apart, and has laid the ground for future differences which may lead to untold troubles.

I believe that this great accumulation of treaties which have been promoted at so much expense and so much persistence by Mr. Carnegie instead of being, as they are denominated, peace treaties, might be called subjects for controversy and difference. Instead of instruments of peace these so-called treaties bind this Government to enter into arbitration about unknown subjects which are held in the womb of the future, and which, if the interests and good sense of our people when they arrive refuse to arbitrate, put us in a position which we are charged with now in this Panama tolls question of repudiating our obligations when we do not repudiate them at all.

The Carnegie Peace Board is not accomplishing its professed object. I believe that it, and likewise the Rockefeller Endowment, just as was disclosed by a document in this RECORD here the other day, which has under its tutelage and is paying the salary of some 600 employees of the United States Government, are an evil influence; that they are perverting the great resources that have been accumulated in ways which have been criticized here and elsewhere from the American people to put into our Government, into our laws, into our international relations not American views but the views of Mr. Carnegie and Mr. Rockefeller.

Mr. President, so far as this letter is concerned, when I introduced it, as I have stated, I had no intention of introducing any paper which cast any reflection upon any member of this body, and I do not think it was the intention of the writer of this letter. I think it is legitimate for men to use strong expressions, if they see fit to do so, which do not impute improper motives to others. If the expressions which have been referred to are construed as they seem to be construed, I do not desire to leave them in the RECORD. So I will ask leave, Mr. President, to excerpt from this letter the expressions which have been objected to.

Mr. LODGE. I object.

Mr. SMITH of Georgia. So do I.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Wyoming?

Mr. POINDEXTER. I do.

Mr. CLARK of Wyoming. Objection is made, and the question before us, I understand, is the motion of the Senator from Utah to expunge the letter from the RECORD. I confess that I do not want to vote personally upon that matter. May I be allowed to suggest to the Senator that instead of asking leave to withdraw a portion of the letter he ask leave to withdraw the entire letter from the RECORD?

Mr. LODGE. Mr. President, the letter is in the RECORD now. It has been read.

Mr. CLARK of Wyoming. I desire not to vote upon the motion. I do not want the letter to appear in the RECORD, because I consider it to be a reflection upon a Member of this body. I do not want it directly expunged from the RECORD, because I do not want that action to reflect upon another Member of this body, who upon the floor has declaimed any intention of disrespect. I think that is a reasonable and a just and a fair disposition of the whole matter. The Senator from Washington has said to the Senate that he intended by the introduction of the letter no disrespect to any Member of this body. Some think there is, as a matter of fact, disrespect. I believe that the best way out of the whole situation is that the letter be withdrawn. It effects the same purpose exactly, and in that way reflects upon no Member of the body connected with the transaction.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from New Hampshire?

Mr. POINDEXTER. I do.

Mr. GALLINGER. Mr. President, I agree fully that it is not proper to read into the RECORD an attack upon a Member of this body; and yet if we were as punctilious on all occasions as we are invoked to be this morning page after page of the CONGRESSIONAL RECORD of this very morning would be expunged. I leave Senators individually to examine the RECORD to justify my suggestion.

Mr. WILLIAMS. Mr. President, will the Senator from New Hampshire pardon an interruption one moment that I may read one of the rules?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. GALLINGER. I yield.

Mr. WILLIAMS. I find, on page 20, Rule XXI, which is as follows:

> Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

Mr. CLARK of Wyoming. That does not apply.

Mr. SMOOT. That does not apply to this matter.

Mr. JAMES. It does not apply.

Mr. GALLINGER. In this discussion—and I had not intended to participate in it, and would not had it not been for some words that fell from the lips of the distinguished Senator from New York [Mr. ROOT]—in this discussion I have been very much surprised to have it said that the President of the United States has not changed his position on the matter of tolls exemption for coastwise vessels.

The PRESIDENT pro tempore. May the Chair inquire, has the Senator from Washington yielded the floor?

Mr. POINDEXTER. I desire to retain the floor. I yielded temporarily to the Senator from New Hampshire. I have no desire to take the Senator from New Hampshire off the floor at all.

The PRESIDENT pro tempore. The Chair merely wants to know the status of Senators in this debate. Anything is agreeable to the Chair.

Mr. GALLINGER. I am not going to take many minutes of the time of the Senate.

Mr. POINDEXTER. After the Senator concludes I wish to make a further statement and possibly a request in regard to the letter.

Mr. GALLINGER. Mr. President, I have tried to be a careful student of this question, and it is astounding to me that any Senator, or anyone outside of the Senate, should say that there has not been a change of view both on the part of the President of the United States and on the part of many other men in public life. I do not criticize that, but it is a fact, and it is idle to deny that it is not a fact.

Mr. President, what I particularly desire to say, and I shall say it in a very few words, is that the Senator from New York on a previous occasion, as on this occasion, has held up to the country the idea that national honor can only be subserved by the repeal of the tolls clause of the Panama Canal act. Mr. President, some of us are just as sensitive upon this question of national honor as is the Senator from New York. Some of us take exception to that view and hold that we are subserving the national honor to a greater extent by standing by what we conceive to be the rights of the American people as against the protests from Great Britain by resisting the proposition to repeal the tolls clause of the Panama Canal act.

I find no fault with what the Senator from New York has done or said; I find no fault with any Senator for differing from the views I hold; but I do find fault with any suggestion that national honor can only be upheld and promoted by taking a different view from what we took when we passed the Panama Canal act, which was approved by the present President.

I do not know, Mr. President, that I care to find fault with Mr. Carnegie for his $25,000,000 income pouring into his pockets every year being used to finance a propaganda to spread the views that he and the Senator from New York hold on this question, but I do think it is an unfortunate circumstance, if the charge that has been made in high quarters is true, that the arguments and speeches that have been made for a repeal of the tolls clause of the Panama Canal act have been scattered broadcast throughout Great Britain as well as throughout the United States. If that be true, Mr. President, as I believe it to be true, it is a very unfortunate circumstance indeed.

As to the question of national honor, Mr. President, the distinguished Senator from Massachusetts [Mr. LODGE] is just as sensitive on that point as can be the Senator from New York [Mr. ROOT] or any other Member of this body. I was guided to a very considerable extent on a former occasion by the views expressed by the Senator from Massachusetts as to our right to give exemption to our coastwise ships through the Panama Canal. True, the Senator from Massachusetts then, almost two years ago, as I remember it, voted his convictions, that while we could legally exempt our coastwise shipping, it is not good policy to do it, so that the question of national honor does not apply to those of us who support the free-tolls proposition.

Mr. President, what did the Senator from Massachusetts say on the 17th day of July, 1912? After reciting the fact that he was in London when the second Hay-Pauncefote treaty was written, that he had intimate familiarity with its terms, and with its purposes no doubt, a treaty that he reported to the Senate, the Senator from Massachusetts said:

> When I reported that treaty my own impression was that it left the United States in complete control of the tolls upon its own vessels. I did not suppose then that there was any limitation put upon our right to charge such tolls as we pleased upon our own vessels, or that we were included in the phrase "all nations."

That was the view of the Senator from Massachusetts in 1912. He has repeated it in a recent speech of great power and influence. In that same speech in 1912 the Senator from Massachusetts said:

> While I am on my feet, if the Senator will allow me, there is one other thing I should like to say. I said in my remarks a few days ago that my personal view was that we had the right to exempt American vessels from tolls. I did not go into the matter. I took a somewhat active part in the two Hay-Pauncefote treaties, as they are called. I voted against the Bard amendment. I voted against it in the belief that it was unnecessary; that the right to fix tolls, if we built the canal or it was built under our auspices, was undoubted. I know that was the view taken by the then Senator from Minnesota, Mr. Davis, who was at that time chairman of the committee. I certainly so stated on the floor. * * * I had that same view in regard to this treaty. I was familiar with the work that was done upon it in London at the time when it was concluded there and finally agreed to, and I was very familiar with it here. Although, as the Senator from Georgia correctly said, the question was not raised at that time, I personally have never had any doubt that the matter of fixing the tolls must necessarily be within our jurisdiction.

Mr. President, when it comes to a question of honor, if that is to be the issue, I submit that when the Senator from Massachusetts announced to the Senate in July, 1912, and has repeated it, that under a treaty that he himself reported to the Senate, with the construction of which he became familiar while in London, those of us who hold that view are just as much entitled to be considered as protecting the honor of the United States as are the Senators who take the opposite view.

I regret, Mr. President, that heretofore, as now, the integrity and the honor of those of us who differ from the great Senator from New York have been by implication called in question before the American people.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Massachusetts?

Mr. GALLINGER. I yield to the Senator with pleasure.

Mr. LODGE. Mr. President, I only want to say one thing to the Senator from New Hampshire. Of course I realize that those who differ from me in my view of what it is proper to do in regard to the Panama Canal tolls are just as sensitive to the honor of the country and just as patriotic and sincere as am I. I never questioned that for a moment.

The point here, it seems to me—and I will ask the Senator if he does not think so?—is a somewhat narrower one. Here is an imputation of motive in this letter that has been read into the RECORD as to those who favor repeal. I should regard it as utterly out of order and against the rules of the Senate to have a letter read here saying that those who favor repeal are doing so because they led the ship combine. I should think it was an outrageous thing to do, and such a letter should be expunged from the RECORD. Here is a proposition read into the RECORD that one of the distinguished supporters of the repeal is representing the monopolists. I think both would be equally improper. That is the only question I see here.

Mr. GALLINGER. I quite agree with the Senator from Massachusetts on the particular point he has raised. On the other hand, the truth is that the charge has been openly made, and it can be found in the CONGRESSIONAL RECORD, that some of us are promoting the interests of a ship combine; but I care nothing about that. I substantially agree with the Senator from Massachusetts as to the propriety of printing the letter in full. I have taken the liberty to suggest to the Senator from Washington [Mr. POINDEXTER] that perhaps he ought to withdraw the entire letter from the RECORD, or at least modify it by striking out the objectionable passages; but whatever may be done in that respect I want to repeat that, inasmuch as this question of honor has again been raised in the Senate, it is proper that some of us who differ from the distinguished Senator from New York and others, should put into the RECORD the statement that we are quite as sensitive to the matter of na-

tional honor as are those who take the view that the toll exemption in the Panama Canal act should be repealed.

Mr. ROOT. Mr. President——

The PRESIDENT pro tempore. Before the Senator from New York proceeds, he will permit the Chair to get the record straight. At the time the Senator from Utah [Mr. SUTHERLAND] made a motion to strike the communication from the RECORD, he did not have the floor for that purpose, but was interrupting the Senator from Washington [Mr. POINDEXTER]. Does the Senator from Utah desire to make that motion now?

Mr. SUTHERLAND. I do desire to make the motion. I prefer, however, that the Senator from Washington should see his way clear to withdraw the letter.

Mr. POINDEXTER. I notice the Senator from New York has risen.

The PRESIDENT pro tempore. The Senator from New York will be recognized after this matter is disposed of. Does the Senator from Utah renew his motion to strike the letter from the RECORD?

Mr. SUTHERLAND. I do.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Utah. The Senator from New York will proceed.

Mr. ROOT. Mr. President, I rise merely to say that I hope the Senator from New Hampshire [Mr. GALLINGER] does not think that I intended to impugn the motives or the good faith or the high-mindedness of anyone who differs from me upon this subject. I recognize in the fullest degree the right of differing opinions and the purity of motives and the high sense of honor of those who take the other view. It is as I believe, as I see it, as I think that I speak, and I must leave the Senator from New Hampshire to follow the dictates of his own judgment, as I must follow mine. I should protest as earnestly against any imputation upon the motives of those who differ with me upon this question as I protest against imputations upon my motives.

Mr. BORAH. Mr. President, it seems to me that the Senator from Washington [Mr. POINDEXTER] ought to be permitted to take from this letter such portions of it as are objectionable, and that we permit the other portions of it to remain. None of us want to see incorporated in the RECORD anything which will impugn the motives of the Senator from New York [Mr. ROOT] or those of any other Senator upon this floor. The Senator from Washington offers to take from the letter any such statement that covers what might be regarded as an assailment of the character or the motives of the Senator from New York; but, Mr. President, behind this proposition is the right of the American citizen to present his views to the Congress of the United States in the form of petition. This is the only way that he has a right to present them; and when the letter is stripped of the things that it ought not to contain and there are no personal references in it, we ought not to take the step of denying a citizen the right to interpose his views and have them in the RECORD. If the Senator from Washington proposes to strip the letter of those things which are objectionable, so far as I am concerned I shall resist to the last the taking of this letter out of the RECORD.

Mr. BURTON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. BURTON. I should like to ask the Senator from Idaho a question. Does he interpret the right of petition as giving the privilege to a person who writes a communication and sends it here to have it printed in the RECORD? Must every communication, however abusive it may be, carry the right to be published in this official or semiofficial publication?

Mr. BORAH. Mr. President, if a citizen of the United States addresses his Senator in the nature of a petition upon a subject in which he is deeply interested, and desires his communication printed in the RECORD under the auspices of a Senator, he has a right to have it done. We have been following that rule ever since I have been here, for the last seven years.

Mr. SUTHERLAND. Mr. President——

Mr. BORAH. Just a moment. When a Senator rises under the call for petitions, and presents telegrams, letters, and so forth, they are regarded under the rule as petitions from citizens. We have been following that rule; and I am not willing in this instance that any other rule or any other interpretation of the rule shall be put upon this matter.

Mr. CLARK of Wyoming. Mr. President——

Mr. BORAH. Just a moment. I am just as anxious that all personalities be eliminated here as is anyone else; but I do not propose for a moment to consent to the proposition that men shall not have their views presented here by their Senators.

Mr. SUTHERLAND and Mr. CLARK of Wyoming addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I yield.

Mr. SUTHERLAND. Mr. President, does the Senator from Idaho think that the right of petition includes the right of a citizen to send to this body a petition couched in such terms that it can only be construed as an insult or a reflection upon the integrity of a Senator?

Mr. BORAH. The Senator from Utah might have saved himself the necessity of asking that question by having given heed to what I said. I said that the Senator from Washington had proposed to strip the letter of all offensive matter, and that when it is not in an offensive form it becomes such a petition as we ought to receive.

Mr. SUTHERLAND. Well, Mr. President, does the Senator think that this body ought to take the blue pencil and edit the petitions that are sent here by striking out offensive matter, or does he not think that the dignity of the Senate demands that, when such a communication as that is sent to this body, it should be rejected altogether?

Mr. BORAH. Mr. President, I think the dignity of the Senate ought not to be so supersensitive as to preclude citizens of the United States from expressing their views upon important subjects.

Mr. SUTHERLAND. Mr. President, if I may be indulged for just a word, I think the right of petition is not a right that is granted by the Constitution at all. The Senator will seek in vain in the Constitution to find any such provision. The constitutional provision is that the right of the people "to petition the Government for a redress of grievances" shall not be abridged, recognizing a preexisting right upon the part of the citizen, and I never have understood that the preexisting right of petition included any right to send to this body or to any other legislative body a petition which insulted the body or insulted a Member of it; and I undertake to say that, so far as I am concerned, I would not consent to the Senate of the United States editing a document of that character by striking out of it such parts as were insulting and permitting the remainder of it to go into the RECORD.

Mr. GALLINGER. That has been done several times.

Mr. CLARK of Wyoming. Mr President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. BORAH. I yield to the Senator.

Mr. CLARK of Wyoming. Mr. President, I am inclined to think that the Senator from Idaho misjudges the situation in some respects. This is not a petition to the Congress of the United States.

Mr. BORAH. I regard it as such.

Mr. CLARK of Wyoming. If the Senator will yield to me, I will be glad to proceed.

Mr. BORAH. I yield to the Senator.

Mr. CLARK of Wyoming. As I understand the situation, it is a letter addressed to the Senator from Washington. The Senator from Washington has not presented it as a petition to the Senate of the United States, because if he had done so he would not have asked unanimous consent to have it recorded. The Senator from Washington asked unanimous consent that this letter might be read and placed in the RECORD, not at all in the sense of a petition, but as giving the views of one of his constituents upon a matter of public concern. There are many of us who, had we supposed the letter contained the language it does, would have objected to giving that unanimous consent.

My objection to the letter lies to the whole letter, to the whole tone of the letter, and therefore I made free to suggest to the Senator from Washington that to let us all out of an unpleasant situation the letter be withdrawn, and in that way no reflection would be cast upon anybody.

Mr. BORAH. Mr. President, when the offensive matter is taken out of the letter neither the Senator from New York nor his friends nor anyone else can object to it for a moment.

Mr. CLARK of Wyoming. If the offensive matter had been taken out before the letter was presented, that might have been true, but the whole tone of the letter, the whole subject matter, is offensive to some Members of the Senate.

Mr. BORAH. When reference is made to the subject of offensiveness, Mr. President, the campaign which has been carried on by those who are in favor of the repeal of the Panama Canal exemption clause has been quite as offensive as anything found in this letter.

Mr. CLARK of Wyoming. If the Senator will yield to me just for a moment, I want him to understand that in many respects with the substantive view of the letter I am in thor-

ough accord, and I believe that the policy advocated by the letter is the correct one.

Mr. BORAH. Mr. President, I received a copy of this letter and I read it. There are portions of the letter which did not appeal to me as being either argumentative or at all appealing as to the justice of the position the writer takes; but there are statements and arguments in the letter to which no one can take exception, and which present in a very forceful way the views of those who are against the repeal of the exemption clause.

We have been following the rule here ever since this question came up of introducing this and that matter, this telegram and that letter upon this subject; and if this letter is stripped of its offensive matter, why should we discriminate? You may, of course, say that technically it is not a petition; but if you go back to the days of John Quincy Adams, when he made his fight for the right of petition in the House of Representatives, you will find that he contended that if a communication came to him from the people, however unfortunately it might be expressed or whatever lack of form it might disclose, it was their conception of the manner of exercising that right under the Constitution and of expressing their views upon the question, and that he proposed to have it presented to the Congress of the United States, and he had it presented to the Congress of the United States. That question was all fought out.

Now, let us not be so supersensitive as to preclude that which disagrees with our views while we are anxious to have in the RECORD that which agrees with them. So long as it is an argument, if we can not meet it by counterargument, let us take the consequences.

Mr. POINDEXTER. Mr. President, there was some statement made by the Senator from New York as to a "side approach" by me in raising this question and of attacking Senators "in devious ways." I overlooked the matter at the time I replied to the Senator's statement, but I think that I ought to call attention to the fact that it is perfectly obvious that there has been nothing done here which is subject to that interpretation. This letter was presented. I am perfectly frank to say that there is some language in it, which my attention has been called to, that I would not have presented had my attention been particularly called to it before I presented the letter. I have offered to eliminate that language; but with or without that language, it is entirely unjustified on the part of the Senator from New York to refer to it as a "side approach." It is a perfectly direct presentation of the matter; and the statements of fact contained in this letter, leaving out of it all personal references to Senators, some of which have been disputed, I believe to be sound.

Reference has been made here to the right of Senators and the right of the President of the United States to change their minds. That is the right of every man. Nobody is questioning it. Yet we seem to be in the position here this morning of being criticized as doing something improper if we call attention to the fact that the President has changed his mind. We have come to a new pass, if that is the rule of propriety or the rule of ethics in the Senate. The statement is even made that the President has not changed his mind and has not reversed his position upon this proposition.

Mr. President, the situation is very much like that when, once before, a Democratic President went into office after a campaign in which he had pledged the American people to protect the sovereignty of the United States in a great area of disputed territory; and yet the first thing President James K. Polk did when he was inaugurated into office was to repudiate the platform of his party and the campaign cry of "Fifty-four forty or fight"; and we have to-day on our northwestern border 380,000 square miles of territory, full of the richest natural resources, which bears in its hybrid name, "British Columbia," the story of the repudiation of a campaign pledge by a great party which was given control of the Government upon the strength of it. Now, are we to be told that we can not call attention to these things; that we can not present here a letter from a citizen, in which he asserts that the President of the United States has reversed his position, without being accused of doing something improper?

Why, what is this campaign? To deny to the United States, the proprietor and builder of the Panama Canal, the privilege of passing its own ships through it under such terms and conditions as our domestic policy may warrant; and yet we are told that the administration has negotiated a treaty with Colombia in which there is given to her the same right which the friends and advocates of this repeal deny to the United States itself.

What has Great Britain to do with the Panama Canal? They say it has rights under the Hay-Pauncefote treaty. The Panama Canal was, in large part, constructed before the Hay-Pauncefote treaty was thought of. They say that article 8 of the Clayton-Bulwer treaty interferes with the free action of the United States with reference to this canal. What does article 8 of the Clayton-Bulwer treaty provide? It provides that if there shall be constructed not only a canal but a railroad across the Isthmus—and none but Nicaragua was at that time contemplated—Great Britain and the United States will do—what? Not that they will share it equally; not that they will give the same rights to one as to the other in that railroad or in that canal; but that they will come together and make a treaty with reference to it.

If we are to carry out the provisions of article 8 of the Clayton-Bulwer treaty, which, it is said, are perpetuated by the Hay-Pauncefote treaty, then it still remains for the United States and for Great Britain to come together, and, upon the conditions and the circumstances which apply to the two countries at Panama, to make a just agreement in regard to it. My position is that there is no basis of negotiation or subject of joint controversy between the United States and Great Britain with reference to the Panama Canal.

The railroad which is referred to in the Clayton-Bulwer treaty was constructed and in operation and doing business and carrying domestic commerce across the Isthmus of Panama for many years before the Hay-Pauncefote treaty was negotiated. Can it be said that article 8 of the Clayton-Bulwer treaty applied to that railroad, built by an American company, then acquired by a French company, and then bought by the United States from its then owners?

What did we buy from the French Panama Co. at the Isthmus of Panama for which we paid $40,000,000? We bought a canal partly constructed. We bought a privilege of completing it, which was still in existence. We bought a railroad which, upon like terms as the canal, was subject to the provisions of the Clayton-Bulwer treaty. Yet, in spite of those palpable circumstances, those who are attempting to preserve the rights which we have purchased, those which have ripened by the completion of this great work, by the expenditure of vast sums of money, by the application to it of the skill and science and capacity of this great Nation, are impugning, it is said, the honor of the United States.

There is abroad in the land, and obvious at every turn in this discussion, the evidences of the effect of money upon our ethics and upon our morals. What is proposed to be done? The United States of Colombia, they say, are unfriendly to us. How do we propose to make them friendly? Why, by buying their friendship; by paying them $25,000,000 as a salve for their wounded feelings. Great Britain, they say, feels that we have not been punctilious in observing our international obligations when we have settled this question by the enactment of a statute, after a full discussion and after a presidential campaign conducted upon it. How is it proposed that we shall restore the standing of the United States in the estimation of Great Britain? Why, by turning over to Great Britain our rights without questioning whether they are our rights or not.

Mr. President and Senators, I doubt very much whether we can succeed in restoring the respect of the world for the United States, if we have lost it, by any such means. The way to get and retain the respect of foreign nations is by retaining our self-respect. It is by the use of the power of the Government of the United States to its full extent, against whatever power may be asserted against it, to preserve the undisputed rights of the United States. When we do that we will not only preserve our own self-respect, but we will preserve the respect and with it obtain the good will of every respectable foreign country.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from North Dakota?

Mr. POINDEXTER. I yield to the Senator.

Mr. McCUMBER. I have reread the letter very carefully. To me it seems to be couched generally in an offensive tone toward all of those who differ with the view taken by the writer; and it also seems to impute to all of us who take a view different than that a motive that is not in the light in which we desire to be placed. Only a very few minutes remain before the unfinished business will be laid before us; and I desire to ask the Senator, after this discussion, if he is now willing to ask that the letter be withdrawn for the reasons that have been urged against it, without questioning at all the motives of the Senator who introduced it. I should like to see it go out before we reach the unfinished business, because if the consideration of that goes on the letter would remain in the RECORD and be printed, unless the unfinished business should be laid aside to accommodate it. I thought, from what has been said, that the Senator himself was quite willing to do that.

Mr. POINDEXTER. Mr. President, I do not like to be precluded from the opportunity, and what has been regarded as

the privilege, of presenting the views of the public upon this question by having them printed in the RECORD. Whatever may have been said as to the original form of the letter, if it is edited by excerpting from it any language which is deemed by any Senator to be personally offensive, I scarcely see how any part of it which merely deals with the subject matter can be offensive; and I therefore think the remainder of it ought to be allowed to be printed. I should like to dispose of it upon that basis.

Mr. McCUMBER. That could hardly be done at this time. The Senator at any future time, or even to-morrow, if he will withdraw it to-day, could then ask to put in such portions as he thinks would not be objectionable to the rule and which he thinks proper to have published in the RECORD. I am asking him if he can not withdraw it, at least for to-day, and then, when he has had time to read the matter over more thoroughly, present such portions as he thinks ought to go in.

Mr. POINDEXTER. I am very much afraid that if that course is adopted, in view of some feeling that has been displayed, objection would be made to printing any portion of the letter on to-morrow.

Mr. SMITH of Georgia. I think so, Mr. President. I think that is, no doubt, true. I do not think any of this letter ought to be put in the RECORD now, and I hope the Senator will either withdraw it all or we will strike out all of it.

Mr. POINDEXTER. I understand that is the attitude of the Senator from Georgia; and I desire to say, in view of that—disclaiming, as I have done heretofore, any semblance of a desire to reflect upon the motives of any Senator, and I think my brief record in the Senate will bear me out in that statement—that I do propose, especially in view of what has been said upon this general controversy, to put into the RECORD the greater portion of this letter, which is a perfectly legitimate argument upon this great question which is before the American people.

Mr. GALLINGER. Mr. President, if the Senator will permit me, I recall very distinctly that on more than one occasion during my service in the Senate communications submitted to the Senate have had certain paragraphs eliminated from them by consent, and I really think that would be the best way to solve this problem. If this letter should be stricken out—and it probably can not happen before 2 o'clock—the Senator could read into the RECORD to-morrow the unobjectionable parts of it, and hence those parts would get into the RECORD anyway. So if the Senator were permitted to strike from the letter the parts which I think have been properly objected to, I think that ought to be satisfactory.

Mr. POINDEXTER. I have great respect and the most friendly feeling for the Senator from New Hampshire and for his opinions about these matters, and also for the Senator from Wyoming; but in view of what has been said upon both sides of this question, it seems to me there is a mere punctilio as to the disposition that shall be made of the balance of the letter. I am perfectly willing to submit it to any Senator who feels that he is affronted by anything in it, and allow him to exclude from it whatever he thinks proper; but in view of the issue which has been made that we ought to dispose of the matter to-day, I do not care to see printed at all the part which is objected to; and I have understood that at any time after a matter is presented—at least, it has been the practice—the Senator presenting it has the privilege of taking out of it such parts as he sees fit.

Mr. GALLINGER. I will ask the Senator if he has made a formal request that the parts that are personal to any Member of this body shall be stricken from the letter, and that the remainder shall be printed? Has the Senator made that request?

Mr. POINDEXTER. Yes; I made it. If it was not sufficiently formal, I make it now.

The PRESIDENT pro tempore. The Senator from Washington makes the request that certain parts of the communication which he has heretofore sent to the desk may be stricken out.

Mr. MARTINE of New Jersey. Mr. President, I should like to ask who is to be the censor as to what is objectionable? I wish to say, for my part, that I believe this is a perfectly legitimate and proper publication. I need not say again that I am utterly opposed to the repeal of the exemption from tolls and will vote against it.

I have read the Bainbridge Colby letter. On a number of occasions he has addressed large audiences in the State of New Jersey, and very recently one at which a petition was most numerously signed, which I had the honor to present to this body, and which bore as well the signatures of very many other citizens of New Jersey.

God knows I have no personal spite or malice against the Senator from New York, but he has been in an unfortunate muddle and in unfortunate company with this band of—well, I will not say just what I would like to say. [Laughter.] While we wish to defer to his distinguished position and the distinguished State he represents, I feel that there is no reason in the world why the whole truth in this matter should be shut from the ear and the eye of the public.

I should like to know who is to be the censor.

Mr. SMOOT. Mr. President, will the Senator yield for just a moment?

Mr. MARTINE of New Jersey. Yes; certainly.

Mr. SMOOT. I wish to say to the Senator from New Jersey that perhaps he well remembers when the Senator from South Carolina [Mr. TILLMAN] had a letter read at the desk, and certain portions of that letter were objected to because they referred to certain Senators in this body. He then asked unanimous consent that the parts of the letter that were objectionable should be stricken out; and it was left to the Senator from South Carolina and the Senators to whom offensive reference was made to agree upon what parts were to be stricken out. I think that would be a very proper course to be followed in this case.

Mr. MARTINE of New Jersey. If that course should be pursued, I will not say that I will object; but I trust in view of the widespread sentiment that exists in opposition to the measure the parties who may act as censors will be wisely circumspect.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived the Chair will make an announcement. The Chair is dissatisfied with his service here, principally because he has not been able to devise a remedy for the wide latitude of debate in the Senate. In practice many times such a debate as that now going on has been held to be out of order, because Rule VII provides that—

> Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents, and shall be presented and referred without debate.

But now the debate can not be recalled. The debate is an interesting one and relates to a great question, and the Chair did not feel like interposing an objection to its continuation. Even now the Chair is in doubt as to whether this is a privileged question. A motion has been made to strike out of the RECORD the disputed matter as one which reflects on Senators. It may, however, be very easily disposed of by regarding as something in the nature of a privileged question the motion made by the Senator from Utah to strike it out of the RECORD because it reflects upon Senators. The necessity for deciding this particular question now may be obviated by informally laying aside the unfinished business and by permitting the motion of the Senator from Utah to be finally disposed of.

Mr. WILLIAMS. I ask that the unfinished business be informally laid aside.

Mr. CLARK of Wyoming. Let it be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. The Senator from Mississippi asks unanimous consent that the unfinished business may be informally laid aside. Is there objection? The Chair hears none, and it is so ordered.

Mr. McCUMBER. I simply desire to say that it is the consensus of opinion of Senators around me that the unfinished business should be laid aside that we may dispose of the pending matter .

The PRESIDENT pro tempore. That has already been done.

Mr. JONES. I beg pardon. If it requires unanimous consent to lay the unfinished business aside, I shall object.

Mr. LODGE. I move to lay the unfinished business aside.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the unfinished business be laid aside.

Mr. McCUMBER. Let me appeal to the Senator from Massachusetts not to make that motion, because I have no doubt that the motion to lay it aside would carry, and therefore it might change the position it now holds. I hope, therefore, that the Senator from Washington will withdraw his objection. If it is removed from its place and we should adjourn without getting back to it to-day, it would be displaced.

Mr. JONES. I want to keep the Senator's bill in its position before the Senate.

Mr. McCUMBER. I am satisfied the Senate wants to dispose of the pending matter now, and I am certain that they would vote in favor of the motion made by the Senator from Massachusetts. I hope the Senator will not put the unfinished business in that position but will withdraw his objection. I appreciate the Senator's kindness and good wishes in the matter.

Mr. JONES. Of course, if the Senator in charge of the bill thinks it would embarrass the bill, I shall not object.

The PRESIDENT pro tempore. Does the Senator from Washington withdraw his objection?

Mr. JONES. I will withdraw my objection under those circumstances. I am very much interested in the bill the Senator from North Dakota has in charge.

The PRESIDENT pro tempore. The motion of the Senator from Massachusetts is obviated by the announcement of the Senator from Washington.

Mr. WILLIAMS. Mr. President, nobody is fooling anybody else by this debate. The purpose of the reading into the RECORD of this paper and the purpose of the debate are all perfectly palpable to everybody possessed of common sense. "Tray, Blanche, and Sweetheart" are after the President of the United States as hard as they can bark, and they are not doing him much harm. It is pretty much the same old pack that were after him to defeat him for the nomination, and later on to defeat him for election. He wills and selects his ground tolerably well. What he has said to the American people has rung forth in very clear tones, and they have not misunderstood his words, nor his intention, nor his purpose, nor his spirit, nor his patriotism.

During this debate he has been called "cowardly"; he has been called "pusillanimous"; he has been said to be "unpatriotic"; he has been said to be "anti-American"; he has been said to be "pro-British." When I say "during this debate," I do not mean the debate this morning; I mean the debate as it has taken place in the Senate and outside of the Senate, in the newspapers by interviews with Senators, since the debate began. I have before me now an edition of the Washington Post containing a long statement of one of the Senators in which the President is accused of being all these things, and in addition to that, is accused of being just as mean as if he had committed petty larceny, on the ground that in the pledge of the platform he worked to get into office and then afterwards, not living up to it, repudiated his pledge, and that this amounts to petty larceny, or grand larceny, or something of that sort.

Now, you are not going to change the character of this debate by saying things of that kind. This debate will come down after a while to where the Senator from Massachusetts [Mr. LODGE] fixed it, What was the understanding of the high contracting parties at the time they entered into a solemn international agreement? Not what was his interpretation, not what was mine, not what is the interpretation of the Senator from Missouri or the Senator from Michigan, but what was at that time the understanding of the parties themselves when they made the agreement. And then, secondary to that, the American people are going to insist that whatever that coming together of minds was it shall be carried out, regardless of any possible legal quibble as to an interpretation of the words as finally adopted. The President of the United States will stand just as clean in honer, just as clean in patriotism, just as clean in Americanism, as any President of the United States who ever occupied the White House.

I notice here an article, beginning "Brink of defeat and disaster," the intent of which is to scare Democrats to death, and then the fact is mentioned that Senators ROOT and LODGE, although Republicans, are on the President's side and the question is asked whether the Democrats are going to follow them or not. No; they are following us. They are following the President. They are following him because he is right. They are following him because his arguments are unanswerable.

Now, there is no use talking about whether a little stuff put in the RECORD this morning is insulting or not. That has not been half as insulting as a great many other things that have been said. I am not any respector of persons or of public officials. I would just as soon insult the President of the United States as a policeman or a constable or anybody else if I thought he needed and deserved insult. I am no respector of anything of that official sort; but in this particular case this particular President has deserved no insult, and the American people will not put up with any to him. He is not pusillanimous. His policy is not cowardly. His policy is not un-American. It is not pro-British. He is representing the very highest and the very best spirit of Americanism in every step which he has taken, and the hounds can not bark him down, because the real kennel in this country is the American people, and they are not barking him down. He stands here representing an idea, and not only an idea but an ideal, and not only an ideal but the American ideal, and representing it he is going to stand acquitted before the American people in all that thus far he has said and done. The men who imagine that they have invited themselves to an ample field of cheap vote-getting in denouncing him will find themselves mistaken. From Maine to San Diego and from Portland to the southern parts of Florida they will find themselves mistaken.

Every sort of attack has been made upon him. He has been called "cowardly," "pusillanimous," "un-American," "unpatriotic," and "pro-British," and accused of surrendering to the dictates of a foreign power, and all that; and, furthermore, those who have stood by him have been called "sycophantic followers." I find that also in the public press coming from a Senator. When did we become sycophantic? When did any of us become cowardly? When did any of us become pusillanimous? When amongst gentlemen ever in the history of the world was it counted to be cowardly and pusillanimous to give way when you concluded you were wrong, if you were wrong?

Mr. Choate, who negotiated that treaty, says it was his understanding that there must be no discrimination against foreign ships. The gentleman across the border with whom he negotiated it says that that was his understanding. The Senator from Massachusetts [Mr. LODGE] tells us that Secretary Hay told him that that was his understanding.

Now, suppose I enter into a contract with the junior Senator from Iowa [Mr. KENYON], who is now doing me the honor of listening, and suppose that after he and I have an understanding and a coming together of mind I afterwards go and say, notwithstanding this coming together of mind, some particular language is capable of another interpretation, and I shall carry it into court and have it interpreted there, would that be square? Would that be honest? Would that be right? Would the Senator from Iowa have any respect for me after I had done it?

I voted when this question was up before for this exemption of tolls to our coastwise shipping. I voted for it because from a study of the language of the treaty I thought that I had the legal power and right to do it, and I still think that; but when I find that the coming together of minds was upon a different plane, that the understanding was different, and when I find, moreover that the civilized world differs with me about that interpretation of a treaty, then I plant myself as a Democrat very proudly by the side of the Senator from Massachusetts, Republican as he is.

I am not at all afraid that the Democratic President of the Democratic Party will go down before this sort of an assault. It will take something better than this to bury the President or the party, something better than the plutocratic newspapers of the United States, who for four or five weeks have nothing in their editorial columns except attacks upon the President and upon those of us who support him.

Now, one other word. I am a member of the Carnegie Endowment. Until I was appointed a member of it I had never seen Mr. Carnegie in my life and had never exchanged one word with him. I was appointed, I suppose, because I am a "peace fanatic." I proudly am. "My passion is peace." I do not believe in any sort of war in the world except private war as between me and another man when we are mad with one another and we fight it out and both risk ourselves in doing it.

This attempt to ring old Andy Carnegie into the debate as if he were an independent private nation of some description is on the ground that he has done what? Made millions of dollars by illicit tariff legislation, as all the balance of you did who could. There is not one of you who would not have engaged in any protected industry and made all the money out of it you could have made. It was just as Tom Johnson, of Ohio, said upon the floor of the House in the Fifty-third Congress. Somebody rose and said, "You are denouncing the tariff on steel rails. Have you not made half a million dollars or more out of the tariff on steel rails?" He said, "Yes; and I am going to keep on making it, too, as long as the people of the United States are fools enough to leave this law upon the statute book."

I am not defending Andrew Carnegie; I do not care anything about him one way or the other; but some of you seem to think that the Carnegie Endowment is subject to his influence or his power, and that he tells us what to do. He does not.

In so far as the circular which went out from certain members of the Carnegie Endowment is concerned, I did not sign that. I refused to sign it, because I did not agree with the reasoning contained in it, and because I felt it was improper for the endowment as a body to engage in current American politics. So far as I am concerned, therefore, no attack can be made upon

me about that; but these other gentlemen did sign it, and they signed it as citizens of the United States. They had just as much right to do it as the Senator from Wyoming, the Senator from Georgia, and the Senator from Missouri have a right to sign a public circular to-morrow. I did not sign it, because I did not agree with it. I did not agree with its reasoning, and I did not agree with the idea that we ought as members of that endowment to sign anything of any description in connection with current politics or international affairs. But to deny to Senator ROOT, for example, or to any other man who happens to be a Senator the right to sign any circular that he chooses, presenting any argument that he chooses in connection with a public question is the veriest tyranny, and you know that as well as I do. There were five of us who did not sign it.

Now, as to this talk about British dictation, do you suppose you can scare any self-respecting man with that sort of talk? You certainly can not scare any man who is of a breed that wore the American uniform against the British when the British Government was wrong and when we were right. What right has anybody to assume that, simply because the blood in a man's veins is Welsh, or English, or Scotch, and is not Irish, or German, or Slav, or Polack, therefore that man is un-American? I take it, Mr. President, that those of us who have English and Welsh and Scotch blood in our veins have as much right to be proud of it as those who have Polack, or Slav, or German, or Irish blood in their veins. But you will never catch us calling ourselves Welsh-American, or British-American, or Scotch-American, or something else. We are plain American citizens, and we have severed our allegiance to Great Britain too many hundred years ago to talk about it even.

But when you come to try to appeal to me to indulge in an argument of hatred to Great Britain, or hatred to England and to Scotland and to Wales and to Ireland, I decline to indulge in it. Their law and ours is the same; their literature and ours is the same; their language and ours is the same, and it is the noblest tongue that God ever permitted any human being to speak or write. Their ethics of commerce and ours are the same. There is nothing more dangerous in the world than to cultivate the idea that you must or must not do something because it helps or hurts some other foreign people to whom you bear no allegiance, from whom you dread no harm, for whom you bear no partiality. I do not forget that William Shakespeare was the prince of poets, that Francis Bacon was the prince of philosophers, that Huxley and Darwin and Tyndall and Sir Isaac Newton were princes of science, that Gladstone and various other great men in Great Britain, as well as various other great men of the English-speaking race, have been princes among the diplomats and governors of the world; and while I bear no hatred for any other man or any other lineage, I positively decline to apologize for my own. I am proud of the Ridley English in me, I am proud of the Alison Scotch, I am proud of the Sharp Scotch-Irish, I am proud of the Welsh Williams, and all of them to this extent only, that none of them were ever very great and none of them were ever perfectly contemptible; but at any rate I decline to apologize for the fact that I am not a hyphenated American, and I decline to join in any kennel that is unloosed upon the President of the United States denouncing his followers as pusillanimous and cowardly and un-American and pro-British, and as a blind surrender to Great Britain, and all that sort of namby-pamby nonsense.

There is not a sensible man within the sound of my voice who does not know that the President is not "cowardly," that he is not "pusillanimous," that his followers in this body are not "sycophants." We are doing what we are doing because, whether right or wrong, we think it right, and we are going to continue to do it.

I might, if I wanted, fill the RECORD with utterances from the Washington Post during the last three or four weeks, part of them quoted from Members of this body, not arguing only against the President of the United States, but grossly insulting him all the time. I do not care whether the letter which has been proffered by the Senator from Washingon is expunged from the RECORD or not. I do not think it will add much to the undignified and insulting arguments or pretensions to arguments which have already been made and become either a part of the RECORD or of the public prints.

Mr. SMITH of Georgia. Mr. President, however broad we may consider the right of petition to be under the Constitution, there is not a word in the Constitution that provides that any petition shall be printed in the RECORD. The issue that we have before us does not involve the right of petition. It is the right to print in the RECORD. Letters and petitions are printed in the RECORD by the unanimous consent of the Senate under our rules. The Senate unanimously agreed this morning, out of courtesy to the Senator from Washington when he asked it, that a letter which he presented and wished printed in the RECORD might be printed in the RECORD. The privilege of printing did not follow on the theory that the Constitution gave a citizen a right to present his petition to the Senate. It was an entirely different procedure. It was a consent, after the letter was presented, to print in the RECORD because the request was made by the Senator from Washington.

When we heard the paper we found that it contained statements many Senators did not wish printed in the RECORD and which a Senator should not use on the floor with reference to other Senators and which certainly an outsider ought not to have the right by simply writing it in the shape of a letter to a Senator to put into the RECORD.

I object not only to the language used with reference to the Senator from New York, but I object to the general style of reference by this writer toward those of us who intend to vote to make the coastwise vessels pay tolls. There is not a statement of fact in the letter; there is not an argument in the letter. There is a style of cheap language intended to be an appeal to the public critical and discourteous toward those who differ from the writer.

I do not think that kind of matter ought to be put into the RECORD in the shape of letters. I do not believe that that style of argument should be used upon the floor of the Senate; not that I think it does the party criticized any harm. My custom has usually been when an opponent, whether a letter writer, a newspaper, or a speaker, indulges in that species of critical language, to pass it by, satisfied, as I am, that it is more calculated to injure the writer or the speaker than it is the person criticized. But to permit it to be placed in the RECORD by unanimous consent is quite different from merely ignoring it.

I really think the Senator from Washington owes it to those of us who consented to let the letter be read because he wanted it done, now that he finds we do not consent, to withdraw it. I think that is really what he owes us, because any one of us could have kept the letter out, and we did not do so, because he desired it in. I think the rule ought to be with regard to these communications which we permit to be printed in the RECORD by unanimous consent, as we begin to hear them read if any Senator objects to them the reading ought to stop, and they ought not to go into the RECORD.

Mr. WEST. Mr. President, one great trouble about that is that a great deal of stuff goes into the RECORD without ever being read.

Mr. SMITH of Georgia. I would not say that was true. We do not often allow anything to go into the RECORD in the Senate without reading. We do not allow a great deal of it. We usually require matter read which goes into the RECORD.

Mr. WEST. I disagree with the senior Senator from Georgia, because time and again since I have been here matter has gone into the RECORD without having been read.

Mr. SMITH of Georgia. I do not say that is not true sometimes; but the practice is not usual to allow matter put into the RECORD that is not read.

Mr. SMOOT. Mr. President, of course nothing could go into the RECORD without being read, unless by unanimous consent.

Mr. SMITH of Georgia. No.

Mr. SMOOT. For about five or six years I tried very hard, indeed, to keep a great bulk of this stuff out of the RECORD. I also tried very hard, indeed, to stop the promiscuous publishing as public documents of every speech that was delivered by every man in any part of the country upon any particular subject that he might desire or think ought to be presented to the people; but I have almost become discouraged, Mr. President. I think we ought to be a little more careful in giving unanimous consent to have printed in the RECORD articles from outside sources.

Mr. SMITH of Georgia. I think it is true that within the past two years the rule requiring matter which goes into the RECORD to be first read has been relaxed a good deal, and that has been so especially during the past 12 months.

Mr. WARREN. More than ever before.

Mr. SMITH of Georgia. Yes. I know the first year I was in the Senate very little went into the RECORD that was not read.

Mr. WEST. I will state to the Senator that both the Senator from Minnesota [Mr. NELSON] and the Senator from North Dakota [Mr. MCCUMBER] in their speeches have incorporated matter that they did not even read here, and it was not read at the desk.

Mr. SMITH of Georgia. Mr. President, I shall not make a speech to-day upon the question of charging coastwise vessels for going through the Panama Canal. The letter which has been read undertakes to charge all Senators who are in favor of making the coastwise vessels which go through the canal

pay tolls with seeking to foster a monopoly; it undertakes to attribute the movement largely to the activities of the railroads which are interested in the subject. That is a very unjust and a very unfair style of discussion.

I would not for a moment suggest that the Senator from Washington was in favor of allowing the coastwise vessels to go through the Panama Canal free in the interests of the two corporations which control most of them. The report of the Alexander committee, of the other House, has recently shown that our coastwise vessels not owned by railroad companies are practically in the hands of two companies; that these two companies have a gentleman's agreement eliminating competition; and that they are making more money than is made by nearly any other corporation in the country.

Mr. NELSON. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. SMITH of Georgia. I do.

Mr. NELSON. Can the Senator from Georgia give the names of those two companies?

Mr. SMITH of Georgia. I can not give their names; I do not recall them; but they are given in the report.

Mr. NELSON. I think the Senator is right in his statement, but I merely wanted to have the names of the companies given.

Mr. SMITH of Georgia. I can not give the Senator the names at this time; but, I repeat, they are in the report of the Alexander committee. The names of all the companies and the agreements between the companies are printed, and the final conclusion is reached that, barring those ships controlled by the railroads, practically all the balance of the vessels engaged in coastwise transportation are controlled by two corporations. Then the statement is made that a gentleman's agreement exists between them by which they do not actually compete, but that they *visit* different ports and at different times. So the business is distributed between them.

Yet we might just as fairly charge the Senator from Washington with serving the prosperous corporations holding a monopoly of the coastwise transportation as can his letter writer charge that Senators who wish all vessels to pay tolls are influenced by monopolies.

The charge of the letter writer is unfounded and very improper.

Mr. REED. Mr. President, upon that point the Alexander committee shows very clearly that the transcontinental railroads control a very considerable number of the vessels engaged in the coastwise trade and that the railroads control—I will not say the transcontinental railroads—but that the railroads control all of the through business upon the Great Lakes; that as to those vessels which engage in the coastwise trade that might take them through the canal a large number of those vessels are controlled by the transcontinental railroads, and that substantially all the rest of the vessels, while they are owned by numerous companies, those companies are tied together by a system of interlocking directorates and stock control, which practically puts them under one management. There is a map showing the lines of connection between these different companies, and they are so numerous and cross and recross each other at so many points that the map becomes a curiosity and the eye can hardly follow the numerous lines. I say, in consonance with what the Senator has said, that I think there is not a doubt on earth that all of those vessels are practically in one combination.

Mr. SMITH of Georgia. Mr. President, a little later I hope upon the floor of the Senate to present fully the status of these companies. We all know that they are protected against competition with foreign-owned vessels; we know that no vessel which floats any but the flag of the United States can engage in our coastwise trade; we know they are given a monopoly of the business by our statutes, which prevent foreign-owned vessels from doing any coastwise trade. This report shows clearly from them that they have been most prosperous. I am glad that they are prosperous. It can also easily be shown that the Panama Canal will be of vast benefit to them not only in the saving of time and in the matter of convenience, but the lessened cost of transportation will be from two to three dollars per cargo ton. The tolls proposed to be charged are from 40 cents to 80 cents per cargo ton.

Mr. President, I would not wish to introduce a letter dwelling upon these facts and saying that the Senator from the State of Washington had lined up behind this monopoly engaged in the coastwise trade, and undertake to reflect upon his conduct upon the theory that he was moved solely by the desire to serve this coastwise monopoly. I know he is not. If I had introduced that kind of a letter and obtained the consent of the Senate to introduce it, and the Senator suggested that he objected to it, I would withdraw it.

Mr. KENYON. May I ask the Senator from Georgia a question?

Mr. SMITH of Georgia. Yes.

Mr. KENYON. I did not hear read the letter which the Senator is discussing, but I have great confidence in the judgment of the Senator from Georgia. In the opinion of the Senator would the matter stated in that letter, if it had been used on the floor of the Senate in discussion or in an address, be objectionable?

Mr. SMITH of Georgia. I think part of the letter would have been objectionable if the language contained therein had been used by a Senator on the floor, and that such Senator could have been called to order for it. I think other portions of it, to which I suggested an objection, might not reach the degree of impropriety, if used by a Senator, that would necessitate his being called to order; but I went beyond the mere language which would bring a Senator to his seat if called to order, and indicated a further objection to it in that it seeks to generally cast an aspersion upon Senators that they are simply backing a great monopoly and are moved by that purpose rather than an earnest desire to find out what is right.

Mr. KENYON. I heard on yesterday, Mr. President, the motives and patriotism of practically every Senator on this side of the Chamber—but one, I think, was excluded—assailed in a speech on this floor. If the motives of Senators are to be assailed, I really believe that it would come with better grace to have them assailed by those outside of the Chamber than those within it. While I hope this letter may be withdrawn, I feel that it goes no further than did the remarks that were made yesterday on this floor.

Mr. SMITH of Georgia. There is this difference: Where a letter requires unanimous consent in order to be read into the RECORD, if we allow that kind of language used, we all become a party to it; while if one Senator sees fit to use language improperly severe with reference to another Senator, he alone is responsible for it.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah [Mr. SUTHERLAND].

Mr. BORAH obtained the floor.

Mr. SMOOT. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. SMOOT. I was merely going to ask the question as to whether the Senator from Washington [Mr. POINDEXTER] had made a request since the laying aside of the unfinished business to withdraw this letter. Did I understand the Senator to make such a request?

Mr. SMITH of Georgia. Before the Senator from Washington answers, I want to make one further statement.

The PRESIDING OFFICER. Does the Senator from Idaho yield, and to whom?

Mr. BORAH. I have yielded the floor until Senators get through.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. The Senator from Idaho has yielded to the Senator from Utah.

Mr. SMOOT. I did not think that I was encroaching upon the Senator from Idaho. I am perfectly willing to take my seat.

Mr. BORAH. I yielded the floor to the Senator, and I am perfectly willing to do so.

Mr. SMITH of Georgia. Mr. President, before the Senator from Washington [Mr. POINDEXTER] answers the question of the Senator from Utah [Mr. SMOOT] I want to add to what I said a little while ago with reference to modifying the letter. If the Senator from Washington eliminates all that was objectionable from the letter, I do not think I will object to his presenting the balance of it to-morrow; but I think there is a great deal of it in a style of expression and in a tone of insinuation reflecting upon those Senators who are going to vote to make the coastwise vessels pay tolls, reflections that the Senator himself would not use in debate.

Mr. WEST. Mr. President, I should like——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Georgia?

Mr. WEST. I should like to ask my colleague, the senior Senator from Georgia, a question.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. I will yield in a moment. So that all Senators may know just exactly the situation as to what is before the Senate, I ask the Senator from Washington if he has requested

the withdrawal of the letter since the unfinished business was laid aside?

Mr. POINDEXTER. Mr. President, I have not made any such request since then; in fact, I have not made it at all. I did request what the Senator from Georgia referred to, to eliminate from the letter such portions of it as contained any personal reference to Senators. My intention in reading this letter was concentrated upon the question of the canal tolls. I had not noticed, in fact, except in the most casual way, any reference to Senators. I know Mr. Bainbridge Colby, who wrote this letter and who is a very distinguished lawyer in New York, and from my knowledge of him I am satisfied that it was not his intention to make any insinuation of improper conduct against any Member of the Senate. I think he simply intended to point out in a forceful way the position which Senators had taken with reference to this question and the interests that were involved in it. I did request to be allowed to withdraw certain portions of this letter.

Mr. SMOOT. And that request was denied?

Mr. POINDEXTER. I do not think it has been put to the Senate.

The PRESIDING OFFICER. There was objection by the Senator from Wyoming [Mr. CLARK].

Mr. McCUMBER. Mr. President, I objected to this letter, not alone because it selected certain Senators for criticism, but because the tone of the entire letter is insinuating and insulting to all of those who take a view different from that which is expressed by the writer of this letter, and as such it ought not to have gone into the RECORD at all. The first two paragraphs place all of those who disagree with the writer——

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. In just a moment—in the position of fostering the interests of some monopoly or some railroad interest, or something of that character, and I can not find a single paragraph in the letter that is not along that same line.

Mr. NELSON. Mr. President, what I rose to ask the Senator from North Dakota was that he be kind enough to read those portions of the letter which are objectionable. I regret to say that I did not hear the letter read, and so I am ignorant of its contents.

Mr. McCUMBER. Well, Mr. President, I do not care about going over the letter. The whole letter has been read into the RECORD; but the very first portion of it is:

> First. That the reasons assigned by the repealers for the surrender of our rights in a matter of purely domestic regulation, such as the exemption of American coastwise shipping from toll payment, have been abandoned, one after the other, until the repeal is now sought on the ground that the forces behind the repeal—

I do not know what is meant by "the forces behind the repeal," but of course there is an insinuation of what those forces are when you follow the letter through—

> merely want it. They have fixed their desires upon it, and their "arguments" are now only reiterated requests for what they want.
>
> Second. That the interests of monopoly, or of subsidy, or of special privilege—call it what you like—are fighting on the side of repeal.

The inference being that those who are battling in favor of this bill are necessarily in alliance and in connection with those interests. That sentence standing alone might not be given that construction; but if you will read the whole letter, you can not give it any construction different from that.

Mr. BORAH. Mr. President, if the Senator will permit me, I have heard him use language in the debate which was to the effect that those of us who are favoring tolls exemption were favoring certain monopolies and certain monopolistic interests. That is the view which each side seems to entertain of the other side.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. McCUMBER. I yield, Mr. President.

Mr. POINDEXTER. Just by way of illustration, and to put this matter in its real, true light, I recall during the speech of the Senator from North Dakota on the general question a very striking statement, which arrested my attention at the time, something to the effect that the proposition to exempt domestic ships from the payment of tolls in the canal was burglary upon the Treasury of the United States.

Mr. McCUMBER. Yes; I said the effect of that was burglary upon the Treasury of the United States; but I have accused no Senator or anyone else taking a different view from mine of being impelled by any motives other than those that are perfectly honorable; nor have I assumed that they, in expressing their views, were but the servants or the agents of any monopoly, and that is what this letter intimates as to those who favor the repeal of the exemption clause.

Mr. POINDEXTER. Mr. President——

Mr. McCUMBER. Just a moment.

Mr. POINDEXTER. If the Senator will allow me, the necessary implication of the Senator's remarks was that all those who are aiding and abetting the exemption of American coastwise ships from the payment of tolls would be accessories before the fact of burglary.

Mr. McCUMBER. O Mr. President, the Senator can not bring any remarks that I made and put them upon a parallel with these in their intent or purposes.

I objected to the letter also upon the ground that from the beginning to the end the statements were false as to the position of those Senators and others who favored the repeal, and especially as to the President himself. I want to call the Senator's attention to one thing that I said was an unjust, unfair, and false accusation. It reads thus:

> The statement with which the President introduced the question to the consideration of Congress, that the exemption of our coastwise shipping from toll payment is "in plain contravention" of the Hay-Pauncefote treaty, is heard no more.

He says that the President has abandoned that position, and proceeds:

> That the force of this proposition is felt by the repealers is shown by their shift from an appeal to "honor" to an appeal to our magnanimity. To use the phrase of the President, we ought to reverse our action without raising the question whether we were right or wrong, so that "we may deserve our reputation for generosity."

The President has not shifted his position, as the Senator from Washington and every other Senator knows. No Senator who has taken the view that I have upon this question has shifted his position at all. I have taken the position squarely that it was a question of honor with us to fulfill a contract obligation, and I believed that that was the only construction that should be given to that contract.

There is quoted in this letter the speech of the Senator from Massachusetts [Mr. LODGE] upon that question, but only a portion of it is quoted, and the Senator from New Hampshire [Mr. GALLINGER] requotes a portion of the statement made by the Senator from Massachusetts as the basis of a reason why we should not vote for the repeal. I want to put into the RECORD right now the final conclusion of the Senator from Massachusetts, which should have followed that portion which was given by the Senator from New Hampshire, and I want to insert it at this point, so that we may see whether the argument of the Senator from Massachusetts was an argument that we were not bound in honor to give to the Hay-Pauncefote treaty a construction in accordance with the views that were given at the time it was adopted and as understood by both parties to that contract.

Mr. STONE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. McCUMBER. I yield, Mr. President.

Mr. STONE. I will state to the Senator that my purpose in rising is to address a parliamentary inquiry to the Chair.

The PRESIDENT pro tempore. The Senator will state it.

Mr. STONE. I should like to know whether this debate is proceeding by unanimous consent?

The PRESIDENT pro tempore. The Chair would say yes.

Mr. McCUMBER. It has been proceeding on that line, and under the circumstances I ask that the Senator allow me to have inserted and read a single paragraph of the address made by the Senator from Massachusetts [Mr. LODGE]. I ask that it may be inserted as an answer to the deduction drawn from that address by the Senator from New Hampshire.

Mr. STONE. Undoubtedly there will not be any trouble about that. I wish now to say that unless the debate on this comparatively unimportant question concerning this letter is very speedily concluded I shall make the point of order.

Mr. McCUMBER. I hardly think the point of order can be made, because I asked unanimous consent to lay aside the unfinished business, so that this matter might be discussed. Therefore I think its discussion comes within the unanimous-consent agreement.

The PRESIDENT pro tempore. There is another rule that might dispose of it. If any Senator should address the Chair more than twice on this proposition, his attention would be called to that rule before a great while.

Mr. McCUMBER. I do not think I have addressed the Senate more than twice.

Mr. BRANDEGEE. I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Connecticut will state it.

Mr. BRANDEGEE. Is it not true that the Senate has given unanimous consent that this matter shall proceed until it is concluded, and then return to the unfinished business?

The PRESIDENT pro tempore. That is the fact.

Mr. McCUMBER. That is my understanding.

Mr. JONES. I understood that this matter was taken up on motion.

The PRESIDENT pro tempore. No; the unfinished business was temporarily laid aside, with direction to continue the consideration of the pending matter until disposed of.

Mr. SHIVELY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Indiana?

Mr. McCUMBER. In just a moment. Let me ask that this extract from the speech of the Senator from Massachusetts may be read, and then I will yield the floor.

Mr. BORAH. Mr. President, let me say before that proceeds that if this debate is going to be shortened by parliamentary tactics, I shall call for the regular order, and we will get this matter up so that we can discuss it.

Mr. BRANDEGEE. It can not be shortened by parliamentary tactics, because the Senate, by unanimous consent, has agreed that it shall go on.

Mr. BORAH. If that is the view of the Chair, as well as that of the Senator from Connecticut, it is all right.

Mr. STONE. I should like to have the RECORD read on that. I do not think that a unanimous-consent request to lay aside the unfinished business in order that a particular matter before the Senate may be proceeded with can be considered as a unanimous-consent agreement for the indefinite consideration of that matter. If the matter itself were the subject of a point of order, then the mere incident of laying aside the unfinished business that the Senate might proceed with the matter by unanimous consent would not prevent a point of order being interposed. But, in any event, I should like to know exactly what the observation of the Senator from North Dakota was at the time the unfinished business was laid aside. I will not press it just now; I will not interrupt the proceeding now, except to say that it seems to me that practically three hours of time consumed in the discussion of a matter that all of us must admit is of very secondary importance is quite enough. We are delaying other public business here of real importance and wasting the time of the Senate. I give notice that if a point of order will lie against this procedure, unless Senators in charge of the matter now pending shall conclude it at a very early moment, I shall certainly do anything I can to put an end to it.

Mr. BRANDEGEE. Mr. President, will the Senator from North Dakota yield to me?

Mr. McCUMBER. I yield.

The PRESIDENT pro tempore. The Senator from North Dakota has requested the reading of a certain document which has been sent to the desk.

Mr. BRANDEGEE. I understood the Senator from North Dakota yielded to me.

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Connecticut?

Mr. McCUMBER. I yield.

Mr. BRANDEGEE. I simply wish to say, with reference to the remark of the Senator from Missouri that this is a comparatively unimportant matter, that I do not so regard it. I think that where a slander is perpetrated by an outsider upon one of the most distinguished Senators in this body, and introduced here, the Senate not knowing what it was giving unanimous consent to, and put in the printed and enduring record of the proceedings of this body, whether it shall be expunged or not, is not a trivial nor an unimportant matter. I think it is a matter of the highest privilege.

Mr. REED and Mr. JONES addressed the Chair.

Mr. McCUMBER. I ask for the reading of the matter I send to the desk before I yield the floor.

Mr. JONES. Before consent is given to the reading I wish to ask the Senator a question. One of the criticisms the Senator makes against this letter is that it is a part of the speech of the Senator from Massachusetts [Mr. LODGE], but not all. Now, as I understand, the Senator asks to present part of it, and not all.

Mr. McCUMBER. I asked to present the other side of the matter already presented by the Senator from New Hampshire, because, while that presented one of the views of the Senator from Massachusetts, I thought it was very proper that the views upon which he based his conclusions should be also inserted, in order that we might the better understand what his views were. I think the Senator will agree with me that that is not only justice to him, but justice to those who agree with him on his conclusions.

Mr. JONES. Mr. President, suppose it is expunged from the RECORD—then what happens?

Mr. McCUMBER. The argument is not expunged; it will be only the letter.

Mr. JONES. Is it the Senator's position that the Senator from Massachusetts does not clearly argue and clearly express the opinion that our action in exempting coastwise vessels from the payment of tolls is not a violation of the treaty? Does the Senator contend that the Senator from Massachusetts takes any other position than that upon our action, so far as it affects the treaty?

Mr. McCUMBER. If the Senator will just listen to the reading of this——

Mr. JONES. No; that is exactly what I want to have determined. If the Senator takes that position——

Mr. McCUMBER. Certainly I do; certainly.

Mr. JONES. Then I object to the reading of the speech unless all of it is read.

The PRESIDENT pro tempore. We must conform somewhat to our rules. Does the Senator from Washington object to the reading by the Secretary of the document sent to the desk by the Senator from North Dakota?

Mr. JONES. I do, unless the entire speech of the Senator from Massachusetts is read.

Mr. McCUMBER. I will ask, then, for the return of the matter, in order that I may read it myself.

The PRESIDENT pro tempore. It will be returned to the Senator, who can read it himself.

Mr. SMOOT. Mr. President, will the Senator yield to me for a moment?

Mr. McCUMBER. Just as soon as I finish this.

Mr. SMOOT. Just for a question?

Mr. McCUMBER. Yes.

Mr. SMOOT. I wish to ask the Senator whether he reads this to impugn the motives of the Senator from New Hampshire?

Mr. McCUMBER. The Senator knows me well enough to know that I impugn the motives of no Senator. It is not necessary for the Senator from Utah to ask that question of the Senator from North Dakota. He will look through the RECORD a long time before he will ever find an instance in which I have intentionally impugned the motives of a Senator. I have tried to be extremely careful in that respect.

Mr. SMOOT. Mr. President, the reason I asked the question was this: The Senator from New Hampshire referred to the speech of the Senator from Massachusetts for the purpose of showing that the motives of those who believe in exemption from tolls and who are against the repeal should not be impugned, and he quoted a part of the Senator's speech for the reason that improper motives had been imputed to the Senator from New York by the writer of the article asked to be printed in the RECORD. What I thought was that if now another part of a speech of the Senator from Massachusetts were read, it would be for some purpose, and I had no intention whatever of imputing to the Senator from North Dakota anything wrong, but thought to read a part of a speech to disprove the statement that the Senator from North Dakota was impugning the motives of the Senator from New Hampshire.

Mr. McCUMBER. The Senator knows that I would never, under any circumstances, impugn the motives of the Senator from New Hampshire.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I yield.

Mr. GALLINGER. I have been out of the Chamber from necessity for a little while; but I wish to say that I read from the speech of the Senator from Massachusetts [Mr. LODGE] of July 17, 1912, and I listened very attentively to the Senator from Massachusetts in his recent speech, and I understood him to say distinctly that he had not changed his views as to the right of our Government to exempt from the payment of tolls our coastwise vessels. I think I must have heard him correctly.

Mr. McCUMBER. I understood the Senator correctly, and the Senator from New Hampshire states his position exactly correctly.

Mr. CLARK of Wyoming. Mr. President, will the Senator yield for a question?

Mr. McCUMBER. Certainly.

Mr. CLARK of Wyoming. The Senator is about to quote from the speech of the distinguished Senator from Massachusetts. I wish to ask the Senator if he indorses the position of the Senator from Massachusetts upon the tolls question?

Mr. McCUMBER. I stated that I indorse his conclusion. I stated that before.

The Senator from New Hampshire presented the view of the Senator from Massachusetts, which view was to the effect that taking the treaty by itself he could construe it, and did con-

strue it, to give us the right to differentiate in favor of our own vessels in the matter of tolls. That was correct. That was the position of the Senator from Massachusetts. He also stated, however, in connection with the same bill, that the other countries of the world did not view the matter in that light; that it was very questionable whether his own view was right; and that he gave the reason which I shall now read why his conclusion was that as a matter of national honor, from his standpoint—not from the standpoint of anybody else, not from the standpoint of the Senator from New Hampshire or from mine, but from his standpoint—we were still in honor bound to give it that construction. That is what I wish now to put into the RECORD in order fully and explicitly to place the Senator's position correctly before the people.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I yield.

Mr. GALLINGER. I take it the Senator does not argue that the Senator from Massachusetts, in his speech of July 17, 1912, made the observation which the Senator is about to make?

Mr. McCUMBER. No.

Mr. GALLINGER. That must have been in his speech of this year.

Mr. McCUMBER. I should have stated that if the Senator had allowed me.

Mr. GALLINGER. It is a discovery the Senator has made since he made his speech in 1912.

Mr. McCUMBER. No, Mr. President; I must say I do not think the Senator from Massachusetts discovered it after that, because I think he has indicated that he had that view all along, as far as the understanding of the other parties is concerned.

I read from the speech of the Senator from Massachusetts [Mr. LODGE] on page 17:

> I now come to another point which weighs very strongly with me in deciding against giving relief from tolls to American ships by the method employed by the canal act. Whatever our opinion may be as to the strict legal interpretation of the rules governing the matter of tolls imposed upon vessels passing through the canal, we can not and we ought not to overlook the understanding of those who negotiated the treaty as to the intent and effect of the rules which they framed. As to the nature of the understanding we have direct testimony. Mr. Henry White, who first laid before the British Government the desire of the United States to enter into negotiations for the supersession of the Clayton-Bulwer treaty, has stated that Lord Salisbury expressed to him the entire willingness of England to remove all obstacles which the Clayton-Bulwer treaty put in the way of the construction of the canal, and desired only to maintain equality of tolls imposed upon all vessels, including those of the United States. Mr. Choate, who, as I have said, completed the negotiations which resulted in the second Hay-Pauncefote treaty, has publicly stated that the understanding at that time of both parties was the same as that given by Mr. White. The only other American concerned in the actual negotiations of the treaty was the late Mr. Hay, at that time Secretary of State. I know that Mr. Hay's view was the same as that of Mr. Choate and Mr. White. It is therefore clear on the testimony of our three negotiators that the negotiations as they were begun and as they were completed in the second Hay-Pauncefote treaty proceeded on the clear understanding that there was to be no discrimination in the tolls imposed as between the vessels of any nation, including the vessels of the United States.
>
> I am well aware that an understanding of this sort, although an aid perhaps to interpretation, does not bind legally. But there is such a thing as honor in agreements and transactions between nations as there is in agreements between individuals.

That is the conclusion of the Senator from Massachusetts upon the duty that is now confronting us—not that we are legally bound, but that under all the circumstances, the parties to the contract understanding it in a certain way, we are in honor bound to give it the construction which both parties understood at the time they adopted it.

Mr. JONES. Mr. President, will the Senator permit me at that point to read another brief extract from the speech of the Senator from Massachusetts?

Mr. McCUMBER. The Senator can read any of it he sees fit. I stated as clearly as I could that the Senator from Massachusetts took the position that under the Hay-Pauncefote treaty we were not bound to refrain from discrimination in favor of our own vessels. No part of his quoted argument would make it stronger than I have stated it.

Mr. JONES. I understood the Senator, in answer to a question of mine, to say that the Senator from Massachusetts did not take the position that we had the right to exempt our coastwise vessels from the payment of tolls.

Mr. McCUMBER. Oh, no; on the contrary, he did take that position, as stated by the Senator from New Hampshire and as quoted from him, both in his speech in 1912 and in his recent speech; but he stated further that the parties to the agreement had both given it a different construction, and indicated in that portion of his speech which I have quoted that he therefore felt we were in honor bound to give the agreement a construction which the parties to it gave when they adopted it.

HAY-PAUNCEFOTE AND HAY-BUNAU-VARILLA TREATIES.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Interoceanic Canals:

To the Senate of the United States:

I transmit herewith, in response to the resolution of the Senate of the 14th instant, a report of the Secretary of State, with accompanying papers, in relation to the negotiation and application of certain treaties on the subject of the construction of an interoceanic canal.

WOODROW WILSON.

THE WHITE HOUSE, *April 24, 1914.*

(Inclosures, as stated.)

Mr. STONE. Mr. President, after making at once the point that I purposed to make, I desire, at the conclusion of the call, to move an executive session; but before making that motion I make the point of no quorum.

The PRESIDENT pro tempore. The Senator from Missouri suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Hollis	Page	Smoot
Brady	Hughes	Poindexter	Sterling
Brandegee	James	Ransdell	Stone
Burleigh	Jones	Reed	Sutherland
Burton	Kenyon	Robinson	Thornton
Catron	Kern	Saulsbury	Tillman
Chilton	Lea, Tenn.	Shafroth	Vardaman
Clapp	Lee, Md.	Sheppard	Warren
Clark, Wyo.	Lodge	Sherman	Weeks
Clarke, Ark.	McCumber	Shields	West
Fall	McLean	Shively	Williams
Gallinger	Martine, N. J.	Smith, Mich.	Works
Goff	Overman	Smith, S. C.	

Mr. PAGE. I am requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE], the junior Senator from Oregon [Mr. LANE], the senior Senator from Arizona [Mr. ASHURST], and the junior Senator from Kansas [Mr. THOMPSON] are necessarily absent on business of the Senate.

The PRESIDENT pro tempore. That fact will be noted.

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY], who has a pair with the junior Senator from Indiana [Mr. KERN]; also the unavoidable absence of the junior Senator from Wisconsin [Mr. STEPHENSON], who has a general pair with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. McCUMBER. I wish to announce the unavoidable absence of my colleague [Mr. GRONNA], who has a general pair with the senior Senator from Maine [Mr. JOHNSON].

Mr. ROBINSON. I wish to announce the absence of the senior Senator from Nevada [Mr. NEWLANDS], the junior Senator from Ohio [Mr. POMERENE], and the senior Senator from Iowa [Mr. CUMMINS] on important business of the Senate.

The PRESIDENT pro tempore. Fifty-one Senators having answered to their names, a quorum of the Senate is present.

Before anything further is done, the Chair desires to make an announcement. The Chair announced the reference of a communication from the President, together with accompanying documents, to the Senate Committee on Interoceanic Canals. He is now advised by the Secretary that in view of the nature of certain documents accompanying the message it should be referred to the Committee on Foreign Relations. Unless there is objection, that will be done.

Mr. BRANDEGEE. Mr. President, on that very matter, do I understand that the Chair has referred the whole matter to the Committee on Foreign Relations?

The PRESIDENT pro tempore. The Chair did not look through the documents to select the different ones.

Mr. BRANDEGEE. If I may be pardoned for doing so, I will state that the documents are sent in response to a resolution which I introduced as a member of the Committee on Interoceanic Canals, which is now holding hearings upon the bill to which the treaties relate. I do not know what caused the Chair to change his mind about the reference.

The PRESIDENT pro tempore. There are documents here which have not been made public.

Mr. BRANDEGEE. If the President of the United States, in responding to the resolution, considers it not incompatible with the public interest to send them to the Senate, need they go to the Committee on Foreign Relations?

The PRESIDENT pro tempore. It was the Chair's impression that they should have gone to the Committee on Interoceanic Canals, but, representations having been made to the

Chair as to the character of the documents, the Chair has been constrained to change the reference.

Mr. BRANDEGEE. I was out of the Chamber at the time, and did not know such representations had been made. I asked for information.

The PRESIDENT pro tempore. The reference will be to the Committee on Foreign Relations, unless there is objection. The Chair hears none.

Mr. STONE. Without printing.

The PRESIDENT pro tempore. Without printing, of course.

PANAMA CANAL TOLLS.

Mr. CLARK of Wyoming. Mr. President, I rise to a personal explanation. I have understood since coming into the Chamber that the RECORD seems to disclose that I made objection to the request of the Senator from Washington [Mr. POINDEXTER] to strike from the letter certain words which are considered offensive. I desire to say that I did not make that objection, technically speaking. I did say that I hoped the Senator would withdraw the whole communication, and that unless it were withdrawn I should feel like voting for the motion of the Senator from Utah [Mr. SUTHERLAND].

Mr. BRANDEGEE. I wish to state that while I was occupying the chair a few moments ago the inquiry was made whether objection had been made to the request of the Senator from Washington [Mr. POINDEXTER] for unanimous consent to insert the letter with certain parts stricken out. I stated that objection had been made by the Senator from Wyoming [Mr. CLARK], and so understood it.

The PRESIDENT pro tempore. Objection was made by the Senator from Georgia [Mr. SMITH].

Mr. POINDEXTER. Mr. President, in order to remove any misapprehension in regard to the matter, I will repeat the statement that I do not desire to have printed in the RECORD anything which is deemed offensive or which by any reasonable interpretation can be so construed. Therefore I again make the request to withdraw certain portions of this letter which are deemed offensive, and I will state that I am perfectly willing to abide by the advice of the Senator from New Hampshire [Mr. GALLINGER] as to what should be eliminated from it.

The PRESIDENT pro tempore. The motion before the Senate is that of the Senator from Utah [Mr. SUTHERLAND] to strike out the entire communication presented by the Senator from Washington [Mr. POINDEXTER] and read by the Secretary. The Chair presumes that might be amended so as to move to strike out certain parts of the communication that may be indicated hereafter.

Mr. POINDEXTER. I think my request could be granted by unanimous consent, and I ask unanimous consent.

Mr. BRANDEGEE. Mr. President, I wish to say a word about the communication.

I think a petition to the Senate should be received, if it is couched in respectful language, and referred to a committee. I should not object in the case of ordinary matters to letters or petitions being printed in the RECORD. I gave notice a few days ago that there were so many people writing pamphlets and arguments on the Panama Canal tolls matter that if Senators should be allowed to print them in the RECORD a large portion of the morning hour every day, as has happened to-day, would be consumed, first, by the reading of lengthy communications, and then by a precipitation of debate on the floor upon the merits of the canal-tolls question.

That is what has happened here. I should have objected to this or any other paper on this subject being printed in the RECORD had I been on the floor this morning when it was presented. I was detained elsewhere by my public duties. When I did arrive, I asked what was being done, and was informed that unanimous consent had been given.

When Senators gave unanimous consent that this document should be read from the desk, and hence read into the RECORD, they did not know what it contained. They were granting a courtesy to the Senator from Washington. I not only regard this document as specifically slanderous as to a particular Senator, but I think its whole tone is unworthy of a respectful petition to any legislative body.

If it is the sense of the Senate that they want to pass this document around, quibble as to what is particularly offensive to each Senator and what he wishes to go out, and then have the shreds and remainder of it go in here in that expurgated form, they can vote to do so. I think this so-called petition ought to be refused admission to the RECORD. It is not really a petition. It is a circular letter, addressed to Senators, not even mentioning the Senators by name, simply "Dear sirs," slipped into the mails, one of them presented here not from the constituent of the Senator who presented it, and permission asked to have it printed in the RECORD. It is a circular from a constituent of the Senator from the great State of New York, presented here by a Senator from the Pacific coast, and printed in the RECORD, containing a direct attack upon the senior Senator from New York.

Mr. POINDEXTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Washington?

Mr. BRANDEGEE. I do.

Mr. POINDEXTER. Just on that point I should like to explain that the letter was sent out by a committee, and that a portion of the membership of the committee are constituents of mine.

Mr. BRANDEGEE. That I did not know; but it does not change the fact that the letter contains the official heading of some association organized, I assume, to take sides in this controversy and contains the names of some of the officials. It is signed by Bainbridge Colby, a gentleman of whose acquaintance I have not the pleasure. The question for the Senate to decide in this matter is if this letter, couched in terms which have been read to the Senate, is to be admitted here. If it is, I do not know how the Senate can protect itself from attacks by outsiders upon individual Senators and upon the Senate itself.

Mr. MARTINE of New Jersey. Mr. President——

Mr. BRANDEGEE. I do not yield at this point.

The PRESIDENT pro tempore. The Senator from Connecticut declines to yield.

Mr. BRANDEGEE. I for one will resent with as much heat, and, I think, with as much good cause, an attack on any Senator on this floor on either side of the central aisle as I would if it were made upon myself. It is an attack upon the body if an individual Senator is insulted in this way, and I think it is time the Senate should decide whether it is going to permit Senators to stand up here and introduce letters which are sent to them containing offensive matter and which the Senator introducing it afterwards admitted he had read only casually and did not understand the intendment of it, and then when his attention is called to it insists upon its going in the RECORD in an expurgated form. I think it is time this funneling into the RECORD of attacks by outsiders who can not be reached by Senators here, either by the Senate or by the Senator attacked, should stop. I for one would not hesitate one minute to refuse this document access to the RECORD, and I would do it with equal cheerfulness if it was an attack on the other side of the controversy; and I would not allow it to go to a committee of the Senate couched in this language.

The PRESIDENT pro tempore. Does the Senator from Connecticut object to the request for unanimous consent made by the Senator from Washington?

Mr. BRANDEGEE. I do.

Mr. BORAH, Mr. GALLINGER, and others rose.

Mr. STONE. I see two or three Senators rising, I presume, to address the Senate on this letter question. I think we have spent enough time upon it. If we could have a vote upon the motion of the Senator from Utah [Mr. SUTHERLAND] at once, I would be very glad to yield for that purpose; but I am unwilling, for one, to continue what seems to me to be a useless debate.

Mr. BORAH. Will the Senator permit me just a word?

Mr. STONE. Certainly.

Mr. BORAH. I want to say to the Senator that if the Senator from Utah will accept the amendment to strike out the offensive matter I will consent to vote at once. Otherwise I shall not consent to a vote.

Mr. SUTHERLAND. Mr. President——

Mr. STONE. I yield to the Senator from Utah.

Mr. SUTHERLAND. If the Senator will yield to me just a moment, I do not want to be unreasonable about this matter and I do not want to appear to be unreasonable; but it seems to me that a motion simply to strike out the offensive matter in this letter would not at all meet the situation. Here is a letter which has been presented to the Senate and has been read which contains some things that seem to me to be grossly offensive and insulting not only to the particular Senator who is attacked but to the Senate itself. Now, it does seem to me that for the Senate of the United States to take a document of that kind and solemnly sit here and edit it by striking out the offensive matter is not in keeping with the dignity of this body. It appears to me that the letter either ought to be expunged from the RECORD or the Senator from Washington should withdraw it. If the Senator from Washington chooses to withdraw the letter and it should be subsequently presented to the Senate with the objectionable matter eliminated, I, for one, should not object to its reception; but the thing I do object to is for the Senate to take the letter and go through the process of editing

it by taking out the offensive matter. The Senate has to maintain its dignity, and it seems to me it should reject the entire letter, it having been presented in this form. I could not accept in that view the proposed amendment of the Senator from Washington.

Mr. STONE. Then I move that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. Before that motion is put, would it not be well to make some provision for withholding the document, which has been objected to, from the RECORD pending the final disposition of the motion of the Senator from Utah?

Mr. STONE. If that can be done, I withhold the motion.

Mr. BORAH. The advocate of this letter has offered everything that is reasonable—that is, that all offensive matter be stricken out. Now, if that is not to be agreed to, those who believe that the rest of it ought to go in the RECORD will object to any compromise upon the proposition any further, and it will not be disposed of in any other way than under the strict technical rules of the Senate.

The PRESIDENT pro tempore. In order that the Chair may be advised as to the strict technical rule, the Chair takes the liberty of asking his friend the senior Senator from New Hampshire [Mr. GALLINGER] whether the Chair has authority to direct that the document shall be withheld from the RECORD pending the disposition of the motion of the Senator from Utah.

Mr. GALLINGER. Mr. President, I feel flattered at the suggestion, but not being in the chair I must decline to give an opinion.

The PRESIDENT pro tempore. The Chair will take the responsibility of saying that the document shall not go into the RECORD until the motion is disposed of.

EXECUTIVE SESSION.

Mr. STONE. I renew my motion.

The PRESIDENT pro tempore. The Senator from Missouri moves that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 3 hours and 10 minutes spent in executive session, the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a joint resolution (H. J. Res. 253) reappropriating funds for expenditures at the naval station at New Orleans, La., in which it requested the concurrence of the Senate.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war, and it was thereupon signed by the President pro tempore.

NAVAL STATION AT NEW ORLEANS, LA.

The joint resolution (H. J. Res. 253) reappropriating funds for expenditure at the naval station at New Orleans, La., was read twice by its title.

Mr. THORNTON. I ask unanimous consent for the present consideration of the joint resolution, as it is an emergency measure.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The Senator from Louisiana asks unanimous consent for the present consideration of the joint resolution. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It authorizes the unexpended balances of appropriations heretofore made for the naval station, New Orleans, La., and not yet turned back into the Treasury, to be reappropriated and made available for expenditure at that station for such purpose as the Secretary of the Navy may direct.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. THORNTON, the title was amended so as to read: "A joint resolution reappropriating certain funds for expenditure at the naval station at New Orleans, La."

Mr. SHIVELY. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Saturday, April 25, 1914, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 24, 1914.

SECOND SECRETARY OF EMBASSY.

Warren D. Robbins to be second secretary of the embassy of the United States of America at Mexico, Mexico.

THIRD SECRETARY OF EMBASSY.

John C. White to be third secretary of the embassy of the United States of America at Mexico, Mexico.

CONSUL GENERALS.

William J. Pike to be consul general at Coburg, Germany.
Alexander W. Weddell to be consul general at Athens, Greece.
Joseph I. Brittain to be consul general at Auckland, New Zealand.

CONSULS.

Samuel H. Shank to be consul at Palermo, Italy.
Richard M. Bartleman to be consul at Cienfuegos, Cuba.
George E. Chamberlin to be consul at Georgetown, Guiana.
Joseph E. Haven to be consul at Catania, Italy.
John A. Gamon to be consul at Puerto Cortes, Honduras.
Charles F. Brissel to be consul at Bagdad, Turkey.
Frederick T. F. Dumont to be consul at Florence, Italy.
Robert Frazer, jr., to be consul at Bahia, Brazil.
Nicholas R. Snyder to be consul at Reichenberg, Austria.
Wesley Frost to be consul at Cork, Ireland.
William W. Masterson to be consul at Durban, Natal.
Henry P. Starrett to be consul at Owen Sound, Ontario, Canada.
B. Harvey Carroll, jr., to be consul at Venice, Italy.
John A. Gore to be consul at Turks Island, West Indies.
Edwin Carl Kemp to be consul at St. Pierre, St. Pierre Island.
Henry C. von Struve to be consul at Curacao, West Indies.
John J. C. Watson to be consul at Roubaix, France.
Leslie A. Davis to be consul at Harput, Turkey.
Felix Willoughby Smith to be consul at Batum, Russia.
William J. Grace to be consul at Aden, Arabia.
Robertson Honey to be consul at Madrid, Spain.
Theodore Jaeckel to be consul at Maskat, Oman.
George M. Hanson to be consul at Sandakan, British North Borneo.
Thomas E. Heenan to be consul at Fiume, Hungary.
William H. Gale to be consul at Colon, Panama.
William P. Kent to be consul at Leipzig, Germany.
William A. Bickers to be consul at Hobart, Tasmania.
Percival Gassett to be consul at Malaga, Spain.
David J. D. Myers to be consul at Iquique, Chile.
North Winship to be consul at St. Petersburg, Russia.
Walter F. Boyle to be consul at Ceiba, Honduras.
Livingston T. Mays to be consul at Charlottetown, Prince Edward Island, Canada.
Max J. Baehr to be consul at Berne, Switzerland.

UNITED STATES ATTORNEY.

Richard H. Mann to be United States attorney, eastern district of Virginia.

UNITED STATES MARSHALS.

Frank M. Miller to be United States marshal, eastern district of Louisiana.
Thomas W. Taubman to be United States marshal, district of South Dakota.
Arthur P. Carpenter to be United States marshal for the district of Vermont.

RECEIVER OF PUBLIC MONEYS.

Frank A. McCall to be receiver of public moneys at Coeur d'Alene, Idaho.

COMMISSIONER OF IMMIGRATION.

Elmer E. Greenawalt to be commissioner of immigration at the port of Philadelphia, Pa.

COLLECTOR OF CUSTOMS.

Walker Taylor to be collector of customs for the district of North Carolina.

JUDGE OF THE MUNICIPAL COURT.

Robert H. Terrell to be a judge of the municipal court of the District of Columbia.

PUBLIC HEALTH SERVICE.

Asst. Surg. Carlisle P. Knight to be passed assistant surgeon in the Public Health Service.

PROMOTIONS IN THE NAVY.

Lieut. Commander William S. Whitted to be a commander.
Lieut. Edward E. Spafford to be a lieutenant commander.
Lieut (Junior Grade) Henry K. Hewitt to be a lieutenant.
Asst. Paymaster Harold C. Shaw to be a passed assistant paymaster.
Paymaster George Brown, jr., to be a pay inspector.
Chaplain Eugene E. McDonald, with rank of Lieutenant commander, to be a chaplain in the Navy, with rank of commander.
Chaplain Joseph M. F. McGinty, with rank of lieutenant, to be a chaplain in the Navy, with rank of lieutenant commander.
Gunner Charles H. Foster to be a chief gunner.
Gunner Charles H. Anderson to be a chief gunner.
Asst. Paymaster Patrick T. M. Lathrop to be a passed assistant paymaster.
Second Lieut. Charles G. Sinclair to be a first lieutenant in the Marine Corps.

POSTMASTERS.

ARKANSAS.

Hermon Carlton, Lake Village.
Charles B. Gregg, Jonesboro.

COLORADO.

Edward H. Kruchten, Flagler.

CONNECTICUT.

Robert T. Bradley, Newtown.

GEORGIA.

Frank M. Meaders, Dahlonega.
Emmett A. Speir, Wadley.

IDAHO.

Gregory Jones, Blackfoot.

ILLINOIS.

Joel E. Cory, Jerseyville.
Asa B. Fagan, St. Charles.
Anson I. Graves, Dwight.
John B. Henry, Lewistown.
Arthur F. Hiland, De Kalb.
Frank Howey, Albion.
W. V. Lambe, Wheaton.
J. P. Lawrence, Steger.
J. E. Longenbaugh, Moweaqua.
Torrence B. McGovern, Oneida.
Carl Montag, Mascoutah.
Matthew N. Price, Zion City.
William H. Ryan, Minonk.
Charles W. Shade, Lexington.
Nelson B. Tyler, Gibson City.
William Vollbracht, Camp Point.
Charles C. Wescott, Chillicothe.
Frank A. Winter, Highland.

INDIANA.

Mortimer Castle, Lowell.
Sell S. Doty, Delphi.
Edward C. Schultz, Brazil.
George W. Zinky, South Bend.

IOWA.

A. T. Johnson, Essex.
Harvey E. Southern, Collins.
James J. Stansell, New Virginia.
Jay Sullivan, Fontanelle.

KANSAS.

C. F. Hoefer, Inman.
Harry V. Paxton, Greensburg.

KENTUCKY.

Gilbert Adams, Flemingsburg.
R. L. Brown, Somerset.
E. W. Hackney, London.
Mark F. Kehoe, Maysville.
James T. Stiman, Clay.

LOUISIANA.

Andrew J. Brewer, Mooringsport.
Julius P. Hebert, Morgan City.
Alexander C. Lormand, Crowley.

MAINE.

Josiah H. Hobbs, Camden.
Harry Hinckley, Blue Hill.
Joseph A. Linscott, Farmington.
Amos Nichols, Searsport.
Benjamin F. Pierce, Mars Hill.
Guy L. Thurston, Bethel.
Lee M. Treat, Vinal Haven.

MASSACHUSETTS.

Thomas F. Coady, North Attleboro.
John Dobson, Townsend.
Frank E. Gray, Reading.
Daniel M. O'Brien, Rockland.
John H. Sheedy, Salem.
Otis C. Thayer, Lancaster.

MICHIGAN.

John Butler, Sand Lake.
Frederic M. Hall, Mason.
Frank P. Hilbourn, Hart.
John R. Ryan, Calumet.
Prescott L. Varnum, Vassar.

MINNESOTA.

Clemens A. Lauterbach, Redwood Falls.
Harry D. Smith, Plainview.
William G. Stewart, Pine River.
George G. Stone, Pipestone.

MISSISSIPPI.

Milton Asa Candler, Corinth.

MISSOURI.

Samuel W. Hatheway, Stanberry.
Collins C. Kindred, Smithville.
W. T. Newman, Desloge.
Will T. Runyan, Norborne.

MONTANA.

Edward Burke, Anaconda.
F. M. Byrne, Belgrade.
Thomas Gibb, Miles City.
John W. Hogan, Mondak.

NEBRASKA.

G. W. Campbell, Wymore.
C. C. Carrig, Kearney.
Robert Dunlay, Orleans.
George W. Gilliland, Bradshaw.
Keene Ludden, Osceola.
William McMichael, Maywood.
I. M. Rice, Valentine.

NEW HAMPSHIRE.

George B. Cavis, Bristol.

NEW JERSEY.

Francis French, Tuckerton.
Valentine Gleckner, Carteret.
Peter Latourette, White House Station.

NORTH CAROLINA.

Walter Dunn LaRoque, Kinston.
Frank A. Moseley, Snow Hill.
James E. Muse, Carthage.
A. H. Patterson, Kings Mountain.

NORTH DAKOTA.

H. W. Willis, Lansford.

OHIO.

M. A. Baldwin, Blanchester.
David W. Cockburn, Shiloh.
R. W. Grandle, Leesburg.
Stephen D. McDowell, Prairie Depot.

OKLAHOMA.

B. A. Clark, Arnett.
Simmie Farriss, Stratford.
Ernest V. Schrimsher, Collinsville.

PENNSYLVANIA.

F. W. Brownell, Smethport.
Martha E. Doebler, Mifflinburg.
Bernard Doherty, Clifton Heights.
Americus Enfield, Bedford.
John T. Kennedy, Sharon.
John A. Ketterer, Wampum.
James C. McDowell, Rosemont.
James C. Shields, Irwin.
Charles R. Smith, Quakertown.
Joseph White, Simpson.

RHODE ISLAND.

John Reynolds, Harrisville.

SOUTH DAKOTA.

P. J. Donohue, Bonesteel.
John T. Doyle, Plankinton.
Frank C. Fisher, Lead.
Charles S. Eastman, Hot Springs.
Frank P. Gannaway, Chamberlain.
Frank Junge, Leola.
George C. H. Kostboth, Canastota.
T. J. Ryan, Bridgewater.

TEXAS.

T. S. Hamilton, Italy.
W. D. McChristy, Brownwood.
Frank K. Sterrett, Albany.

UTAH.

Lake E. Young, Helper.

VIRGINIA.

Nina Moss, Beaverdam.
G. A. Sullivan, East Radford.

WASHINGTON.

Clifton A. Battles, Wenatchee.
George H. Bevan, Kettle Falls.
James Doherty, Olympia.

WEST VIRGINIA.

Owen J. King, Elkins.
Lawrence M. Rowan, White Sulphur Springs.

WISCONSIN.

Samuel P. Godfrey, Waupaca.
L. T. Keppler, Kiel.
John O'Sullivan, Washburn.
Adolph G. Pankow, Marshfield.
Matthew N. Stapleton, Rhinelander.
William J. Tobin, North Milwaukee.

REJECTION.

Executive nomination rejected by the Senate April 24, 1914.

POSTMASTER.

Robert Boyd to be postmaster at Dothan, Ala.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 24, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We give Thee hearty thanks, our heavenly Father, that though there are differences of opinion, diversities of thought among our people upon questions which seem vital to us as individuals, yet in times of great crisis, when the honor of our Nation is assailed, we can lay aside all differences and rally with one accord to the support of our flag. Strengthen, we beseech Thee, our patriotic fervor, that our Nation may continue to grow in all that makes a nation great and glorious, and Thine shall be the praise, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 142. Joint resolution authorizing the Vocational Education Commission to employ such stenographic and clerical assistants as may be necessary, etc.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war.

The message also announced that the Senate had passed without amendment the following House concurrent resolution:

House concurrent resolution 36.

Resolved by the House of Representatives (the Senate concurring), That the thanks of Congress be presented to the governor, and through him to the people, of Michigan for the statue of Zachariah Chandler, whose name is so honorably identified with the history of that State and of the United States.

Resolved, That this work of art is accepted in the name of the Nation and assigned a place in the old Hall of the House of Representatives, already set aside by act of Congress for statues of eminent citizens, and that a copy of this resolution, signed by the President of the Senate and Speaker of the House of Representatives, be transmitted to the governor of the State of Michigan.

LOBBY ACTIVITIES.

Mr. FLOYD of Arkansas. Mr. Speaker, I submit herewith for printing under the rules a privileged report (No. 570) from the Committee on the Judiciary on the resolution introduced by the gentleman from Tennessee [Mr. GARRETT] on December 9 last, which was referred to the Committee on the Judiciary, touching the investigation of lobby charges. I desire to notify the House at this time that at some future date which will suit the convenience of the House the matter will be called up for consideration in the House.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. FLOYD of Arkansas. Certainly.

Mr. MURDOCK. Can the gentleman give the House some idea about when he intends to call this up? It is a privileged resolution.

Mr. FLOYD of Arkansas. I will state that it is my purpose to call the matter up within a very short time and without unnecessary delay. I think it prudent, inasmuch as the report has not been made public, to give the Members ample time to study the report. I think I shall probably call it up within the next five or six days; but in doing so I will take into consideration the business and convenience of the House.

The SPEAKER. The gentleman from Arkansas [Mr. FLOYD] submits a privileged report on the Garrett resolution touching the lobby investigation, to be printed under the rules.

Mr. MANN. Mr. Speaker, I take it that this report will be referred to the House Calendar?

The SPEAKER. That is correct. It will be referred to the House Calendar and printed.

INCREASE IN FREIGHT RATES.

Mr. LEVY. Mr. Speaker, I move to discharge the Committee on Interstate and Foreign Commerce from further consideration of House resolution 467, which I send to the desk and ask to have read.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 467.

Resolved, That the President of the United States be, and he is hereby, requested to report to the House of Representatives, for its information, all the facts within the knowledge of the Interstate Commerce Commission which show or tend to show that said commission has in many cases failed to grant an increase in freight rates to the railroads where no objections to such increase have been filed, and where the shippers in many instances have requested that such increase be granted on the ground that it was just and reasonable.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that that is not a privileged resolution.

The SPEAKER. The Chair will hear the gentleman from Tennessee.

Mr. GARRETT of Tennessee. I take it that it is offered as a privileged resolution?

Mr. LEVY. Yes.

Mr. GARRETT of Tennessee. Mr. Speaker, it calls for an opinion.

The SPEAKER. The Chair will hear the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Mr. Speaker, the resolution calls for—

All the facts within the knowledge of the Interstate Commerce Commission which show, or tend to show, that said commission has in many cases failed to grant an increase in freight rates, etc.

Unquestionably, to my mind, that calls for an opinion.

The SPEAKER. Wherein does it call for an opinion?

Mr. GARRETT of Tennessee. The language "which show, or tend to show," it seems to me, calls for an opinion.

Mr. HAY. Mr. Speaker, I make the further point of order that this is not privileged, because the resolution is not addressed to the head of a department. In order to make a resolution of this character privileged it must be addressed to the head of one of the departments.

The SPEAKER. The difficulty about that contention is that the Interstate Commerce Commission is not in any department.

Mr. HAY. There is no provision in the rule which makes an inquiry addressed to the President, as this is, or to the Interstate Commerce Commission, privileged.

The SPEAKER. The Chair believes that matter was passed upon by the House in the celebrated case where the gentleman from Texas, Mr. Gillespie, presented a resolution which was exactly like this one. No one raised the question of whether it called for an opinion, and it went through.

Mr. MADDEN. Mr. Speaker, the Interstate Commerce Commission is an independent governmental function.

The SPEAKER. But the House settled that by passing the Gillespie resolution. The Chair refers to the point of asking the President for information. The Gillespie resolution was in

terms precisely like this one, and the House, by its action, decided that we could call upon the President for information from the Interstate Commerce Commission. That much of it is settled. Upon the other question which the gentleman raises, as to its calling for an opinion, the Chair will hear the gentleman. In the case of the Gillespie resolution no one raised the point that it called for an opinion, and some of us remember what the appearance of the newspapers here in Washington the next morning was after that transaction.

Mr. ADAMSON. Mr. Speaker, will the gentleman from Tennessee yield to me?

Mr. GARRETT of Tennessee. Certainly.

Mr. ADAMSON. Mr. Speaker, I was not apprised that this old resolution was to be brought to the attention of the Speaker and the House this morning. On yesterday there was some discussion between the Speaker, the author of the resolution, and myself, and the author, it appeared, under proper advice had introduced a new and proper resolution. That new resolution eliminates some of these words. That new resolution was referred to our committee. Seven days not having expired from the introduction of it, the committee was not called upon to act, or we probably would have done so at to-day's meeting. Being unaware that this resolution was to be again called up, I did not happen to come in in time to hear the prayer and the speech and motion of the gentleman from New York, but I wish to say, as the matter concerns the committee of which I happen to be the chairman, that the Gillespie resolution did not involve the question raised by the gentleman from Tennessee at all. After the resolution had passed the House, the gentleman from Pennsylvania, Mr. Dalzell, moved to reconsider, in order to make the point that the President was not the head of a department. The committee never seriously insisted upon that; but the gentleman from Pennsylvania did it, and we allowed that to go.

Mr. MANN. Was not that after it passed the House?

Mr. ADAMSON. Yes, sir; after we passed the resolution the gentleman from Pennsylvania, my recollection is, moved to reconsider in order to make that point. But the point I make and the one the gentleman from Tennessee raised was not involved at all. The committee does not seem to have made much fight upon it at that time, but the point here, Mr. Speaker, is, if I may be allowed to impress my views upon the Chair, that this is not a call for facts at all. This language asks for an argument and opinion and requires an investigation to find out what the facts are that tend to show certain things. If he had asked the President to give him the facts shown, as to what the papers show, what the claims are instituted on in the papers or anything of that sort that are physical facts, it would be a different thing. This resolution proposes for the President to make inquiry to find out about certain cases filed by the railroads, to find out how many people objected to, if any, to find out how many were unobjected to as to the raise in rates asked, and report what the facts are which show or tend to show certain things. It is a direction to investigate matters not in the knowledge of the President. It is unnecessary; the facts are in the knowledge of the commission. It does not ask them definitely to give certain facts in the case. The committee did not believe it was a privileged resolution, and therefore the committee did not feel called upon to disregard and set aside more important business before the committee in order to rush a report on this resolution. If, however, we had not been misled by the introduction of the new resolution, and that this one would not again be insisted on, we would have reported this one back to-day with recommendation that it lie on the table.

Mr. LEVY. Mr. Speaker, to answer my colleague——

The SPEAKER. The gentleman from Georgia has the floor unless he yields.

Mr. ADAMSON. I was through, Mr. Speaker.

Mr. LEVY. I would like to state——

Mr. ADAMSON. The gentleman from Tennessee has the floor and yielded to me.

The SPEAKER. That is correct.

Mr. ADAMSON. If the gentleman wants to ask me a question, I will try to answer it some way.

Mr. LEVY. I was not convinced yesterday, and I am not convinced now——

Mr. ADAMSON. Well, the gentleman knows there is a piece of poetry about convincing a party against his will, and that he is of the same opinion still.

Mr. LEVY. If my colleague will give me time and a hearing before the committee, but I have been unable to get a hearing before the committee——

Mr. ADAMSON. Mr. Speaker, I was not aware the gentleman desired to be heard on this proposition.

Mr. LEVY. I told the gentleman so.

Mr. ADAMSON. He desired to be heard on a general proposition to raise railroad rates, but I had good reasons that I did not care to take up the time to hear him on that. I am willing to hear him if he wants to come and discuss parliamentary law on this resolution.

Mr. LEVY. Mr. Speaker, have I the floor?

The SPEAKER. No; the gentleman from Tennessee.

Mr. GARRETT of Tennessee. If the gentleman wishes to discuss the point of order, I will be glad to hear the gentleman first and then be recognized.

Mr. LEVY. Mr. Speaker, I think it is clearly a question of facts, and I refer the Speaker to Hinds' Precedents, page 175, section 1873, where Mr. PAYNE made objection and the Speaker ruled:

> Now, the Chair is perfectly clear, under the precedents, if the resolution is to be made privileged, it must be a resolution of inquiry as to facts existing.

That is plain.

The SPEAKER. Will the gentleman please send up the volume?

Mr. LEVY. Certainly. There is no opinion about it; it is a clear statement of facts. There are several hundred cases, with no objection whatsoever filed, where they have consented to them, and in the Toledo case the shippers themselves asked for the increase.

Mr. GARRETT of Tennessee. Mr. Speaker, has the gentleman concluded?

Mr. LEVY. The Speaker is examining the Precedents.

The SPEAKER. The Chair will hear the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Mr. Speaker, it seems so very clear to me that the words "or tend to show" included in this resolution necessarily call for a reason, for the exercise of discretion on the part of the President, that it falls without the rule. How can the facts be reported that are called for under this resolution without the exercise of some discretion? How is it possible to conceive that the language, "or tend to show," does not call for a reason upon the part of the President or upon the part of whoever may make up the report? It is very clear it does not call simply for the facts. I may be confused about the matter in my mind.

Mr. LEVY. May I interrupt my colleague?

Mr. GARRETT of Tennessee. Yes.

Mr. LEVY. I can not see how there could be plainer language. It is the facts. They are existing facts, and there is no opinion about it. It is simply a question of existing facts, public notoriety, and so forth.

Mr. GARRETT of Tennessee. The language says, "which show or tend to show that said commission has in many cases." In many cases.

The SPEAKER. The Chair will ask the gentleman from Tennessee this question: What is the difference between facts which show and facts which tend to show, as far as this thing is concerned?

Mr. GARRETT of Tennessee. Because those which tend to show call for an opinion upon the part of the reporting authority. It calls for the exercise of his judgment as to whether they tend to show or do not tend to show. I think also, perhaps, that might apply to "which show," as far as that is concerned.

Mr. MANN. Will the gentleman yield for a question?

Mr. GARRETT of Tennessee. I will.

Mr. MANN. Which calls for more of an opinion, that which calls for facts "which show" or facts which "tend to show"?

Mr. GARRETT of Tennessee. That would tend to strengthen the position which I have taken.

Mr. MANN. How would you call for facts without getting the opinion of an official of some sort as to facts relating to the subject matter?

Mr. FITZGERALD. "Facts relating to it" is different.

Mr. MANN. Unless you call for a specific paper, do you not have to call for facts, and the officer who responds furnishes facts which, in his opinion, meet the situation? Is not that calling for an opinion from him?

Mr. GARRETT of Tennessee. That may be; but that destroys the privilege of the resolution.

The SPEAKER. The Chair would like to hear from the gentleman from Illinois [Mr. MANN] again on that point.

Mr. MANN. I will likely take the floor in a moment. I was asking the gentleman if facts which show a thing do not require as much of an opinion as facts which tend to show a thing. This does not call for the opinion of an officer, but when you call for facts, unless you call for a specific paper, the officer must exercise his judgment as to what facts shall be presented. That is not calling for the opinion of the officer, but, of course,

he must exercise his reason when he responds to a resolution calling for facts of any kind.

Mr. GARRETT of Tennessee. Probably so; and when those are called for it destroys the privileged character of the resolution.

Mr. MANN. What destroys the privileged character of a resolution is calling for the opinion of the officer. We do not ask the opinion of the officer.

Mr. GARRETT of Tennessee. I beg the gentleman's pardon. If the facts called for necessitate the expression on the part of an officer or the use of discretion, it destroys its privileged character.

Mr. MANN. Take this case, which the gentleman will recall: A resolution was introduced in the House calling upon the War Department for facts, showing how much money had been expended on account of our possession of the Philippine Islands. I think the gentleman is familiar with it?

Mr. GARRETT of Tennessee. Yes.

Mr. MANN. I made the point of order that it required the opinion of the officers, which point is practically sustained now, because they say they could not give the information. But the Speaker decided, although the officer might have to exercise his judgment in reporting, the resolution only called for facts. Now, of course, when you figure out how much the Philippine Islands have cost, that requires the exercise of reason, at best, to determine how much more is charged for the Army because officers are in the Philippines than would be charged if we did not have the Philippines, and the Speaker ruled, and I agreed with his ruling, and followed it afterwards, although I made the point of order, that all it called for was facts. It seems to me that case was stronger on the gentleman's side than the present case.

Mr. GARRETT of Tennessee. I remember the resolution.

Mr. MANN. I will agree with the gentleman about this, that I do not think such a resolution ought to pass.

Mr. GARRETT of Tennessee. I do not think such a resolution is privileged.

The SPEAKER. That is one thing, and another thing is whether it is privileged or not.

Mr. GARRETT of Tennessee. Mr. Speaker, I do not know whether I can make it any clearer than I have made it. Perhaps I have not made it clear. But if this does not call for the exercise of discretion on the part of the authorities that will report in response to it——

Mr. SHARP. Will the gentleman yield there for a question?

Mr. GARRETT of Tennessee. Certainly.

Mr. SHARP. I was greatly impressed by what the gentleman from Illinois [Mr. MANN] said, and I think he is entirely correct in his position. Are not these words used purely as descriptive matter referring to a certain class of facts, and would they not mean exactly the same as though you used the words relating to that particular class of cases?

Mr. GARRETT of Tennessee. I do not think so at all. I think the words "relating to" would place it in a different class.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will.

Mr. STEPHENS of Texas. I will ask how it would be possible for the President to comply with this information? In order to furnish the information he would have to be a mind reader in order to make the investigation. I do not think this resolution could require him to make this investigation.

Mr. LEVY. This is all public record.

Mr. STEPHENS of Texas. It says:

That the President of the United States be, and he is hereby, requested to report to the House of Representatives, for its information, all the facts within the knowledge of the Interstate Commerce Commission—

And so forth. How is it possible for the President of the United States to know?

The SPEAKER. The Chair will suggest to the gentleman from Texas that the House passed on that question, and the then Speaker passed on it. Both the House and the Speaker concluded that it was proper to pass a resolution like this—that is, so far as this one point is concerned—calling on the President to furnish the facts from the Interstate Commerce Commission, because the Interstate Commerce Commission is in no department. That matter is res adjudicata.

Mr. GARRETT of Tennessee. Yes, Mr. Speaker, but the question which the gentleman from Texas suggested was not whether it was proper to call upon the President or that it might be within our power to call upon the President, but how was it possible for the President to furnish those facts, under the wording of this resolution, without the exercise of discretion?

Mr. LEVY. If you will allow me, I will say that this is all of public record.

Mr. GARRETT of Tennessee. The gentleman from New York, under those circumstances, should have asked for the record, and not for something that may call for exercise of discretion on the part of the President.

The SPEAKER. The Chair will ask the gentleman from Tennessee [Mr. GARRETT] this question: Suppose this resolution had been drawn to the effect that the President was thereby requested to furnish to the House the facts on which the Interstate Commerce Commission refused to do this thing; would not that clearly have been within the rule?

Mr. GARRETT of Tennessee. I doubt it.

The SPEAKER. How could you ever get at the Interstate Commerce Commission then?

Mr. GARRETT of Tennessee. You can call for specific facts without calling for an action taken based upon those facts. You can call for the facts; but if you call for any conclusion or any proposition that requires the exercise of discretion on the part of a department or on the part of the President or on the part of such a body as the Interstate Commerce Commission, it falls without the rule. There is a way of getting at those things.

The SPEAKER. Well, it is to be presumed that if the Interstate Commerce Commission has done a thing or failed to do a thing which it is considering, it must know why it did it or failed to do it.

Mr. GARRETT of Tennessee. Yes; but it does not have to state it to us, Mr. Speaker, under a resolution of the House.

Mr. MANN. Mr. Speaker, we reach the Interstate Commerce Commission through the President, because the President appoints the Commission, and we can not call directly upon the Interstate Commerce Commission.

Now, here is a resolution asking for facts which show, or tend to show, certain things. It is true that under the rules and the precedents we can not call upon the head of a department or upon the President as to what conclusions he may reach or what reasonings he may adopt. That is for the protection both of the House and of the department, because it is not proper for the House to ask the head of a department why he does not do a thing or why he wants to do a thing. But when we call upon the head of a department for certain facts, whatever the resolution may be, it involves the use of judgment by the head of the department to determine what the facts are that we call for, unless we call for a copy of a specific paper; and in order to do that you have to determine whether this specific paper that a department has is the one that is called for. The reasoning does not apply to a case where the officer must exercise a judgment in picking out the papers which he submits.

We did not ask for any information of the President as to why the commission did or did not advance rates or why the commission has or has not acted upon this question. I do not see how there is any escape from the conclusion that the resolution only calls for facts, and I again call the attention of the Speaker to a ruling which the Speaker made upon the resolution concerning the cost of the Philippine Islands to the Government. There was a question involving a great many opinions on the part of the department as to whether a certain expenditure was made because we owned the Philippine Islands, or whether we would have had the expenditure if we had not owned the Philippine Islands, and the Speaker ruled that the resolution, after all, only called for information, only called for facts.

It might be a very difficult matter of judgment for the officer to determine whether the facts which were called for were these or some others. It might be a very difficult thing to determine what the facts were. But, after all, what we were calling for were the facts. The Speaker held that the resolution was privileged. I do not myself believe that such a resolution as this ought to be passed at this time, with these matters pending before the commission; but when it comes to ruling what is in order the House ought to protect itself as to its right to call upon the heads of departments for facts which are in their possession, either now or at any other time, and not waive its rights.

Mr. TOWNER. Mr. Speaker, I desire to call the attention of the Chair to the fact that it is not facts that are called for in this resolution.

If it were a resolution that called for the facts regarding these cases where applications were made for increases, that would be one thing. But that is not what this resolution does. It does not call for the facts, but for a certain character or class of facts, and that character and class of facts can not be stated under this resolution without giving the opinion of the Interstate Commerce Commission, because this is the situa-

tion: This resolution asks for facts as to why they did not do a certain thing. A hundred facts may be before the commission. The commission may think that one of those facts is a sufficient ground or reason for their action or for their nonaction, and this resolution calls for a specific fact or for specific facts, as the reason why they do not act, and the very description of those facts under these circumstances constitutes a statement of the reasons or grounds.

It seems to me that this is clear, that this can not be answered by anybody, either by the President or the Interstate Commerce Commission, unless they shall state what of the facts that may be before them are in their judgment sufficient grounds for not deciding, or withholding a decision, and that, of course, calls for a decision or judgment upon the reasons, and not the facts themselves.

The SPEAKER. The Chair is ready to rule. The gentleman from Illinois [Mr. MANN] made the remark twice that this resolution ought not to be passed. The Chair has nothing on earth to do with that. That is one thing.

The only question involved here is whether this resolution calls for facts. The House passed a resolution with precisely the same words, down to the point where the specific facts are mentioned, when Mr. Gillespie, of Texas, offered it here, with nobody raising the question, and the Chair does not believe that the House ought to be too quick in throwing away its own rights about investigating the transactions of the departments, and what is almost equivalent to one, this Interstate Commerce Commission; and he overrules the point of order against this resolution.

Mr. ADAMSON. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER. The gentleman from Georgia [Mr. ADAMSON] moves to lay the resolution on the table. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. LEVY. Mr. Speaker, I call for a division.

The SPEAKER. The gentleman from New York demands a division. Those in favor of tabling this resolution will rise and stand until they are counted. [After counting.] One hundred and thirty-five gentlemen have arisen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] Eight gentlemen have arisen in the negative. The ayes have it, and the motion to table the resolution is agreed to.

PRINTING FOR PUBLIC HEALTH SERVICE (H. DOC. NO. 919).

Mr. BARNHART. Mr. Speaker, I submit the following resolution and ask for its present consideration.

The SPEAKER. The gentleman from Indiana offers a resolution and asks for its present consideration. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 477 (H. Rept. 574).

Resolved, That there shall be printed as a House document 60,000 copies of Supplement No. 10 to the Public Health Report, entitled "The Care of the Baby," 35,000 copies for the use of the Public Health Service, and 25,000 copies for the use of the House, the same to be distributed through the folding room of the House.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. MANN. Reserving the right to object, I understand that these copies are to be printed for the use of the Public Health Service. I take it that the printing will be charged to the congressional printing fund and not to the printing fund of the Treasury Department?

Mr. BARNHART. Yes; so I understand.

Mr. MANN. How much will they cost?

Mr. BARNHART. They will cost $291.46.

Mr. MANN. That is for the 35,000?

Mr. BARNHART. No; the 60,000 copies.

Mr. MANN. Do they not have authority to print them now in the Bureau of Public Health?

Mr. BARNHART. They have the authority to print them now, but they say they have no funds.

Mr. FOSTER. They are limited in the amount of money they have.

Mr. MANN. I did not know whether they had authority to print an unlimited edition.

Mr. FOSTER. I think they have reprints.

Mr. MANN. How will they distribute the 35,000 copies?

Mr. BARNHART. Mr. Speaker, a letter from the Health Bureau says that they have already printed 15,000 copies. The edition has been off the press only about 10 days, and the Public Health Bureau has received requests for the publication aggregating in number 30,000 copies. The original edition was 15,000 copies. Many of these requests have been received from Members of Congress, who ask for 25 to 500 copies each. The bureau is endeavoring to comply with all requests, at least in part, but the funds available for printing are not sufficient to meet the demand. The publication is a practical, plainly written little pamphlet, treating of the care of infants from the time of birth, and the requests that have been received for it are the strongest indorsement of its value.

Mr. MANN. Now, if the gentleman will permit, the Members of Congress have, some of them, applied for 500 copies of this pamphlet. Why should we give to the Public Health Service the copies which will go to Congressmen, instead of giving them to the House itself.

Mr. BARNHART. The reason for that is that applications to the Public Health Service have already been made for 30,000 copies.

Mr. MANN. That includes the requests of Members of Congress, some of whom have asked for 500 copies?

Mr. BARNHART. Yes. They will be filled when the bureau is given the pamphlets.

Mr. FOSTER. Members of Congress would have their quota in the folding room, and then go over there and get additional copies?

Mr. MANN. What I am asking is, Why should we not decrease the number to go to the Public Health Service and increase the number which should go to the Members of the House?

Mr. BARNHART. Because in such instances those Members who want to send out the pamphlet they could be supplied on application to the Public Health Service, whereas if all are placed to the credit of Members in the folding room, half of them will never ask for their allotment, they will never be sent out, and therefore, as is too often the case, wasted.

Mr. FITZGERALD. Mr. Speaker, I reserve the right to object.

Mr. MANN. I have already reserved the right to object.

Mr. FITZGERALD. The Treasury Department this year has, I believe, $340,000 for printing. It allots that printing fund to the various bureaus in the department. It has ample money to do the printing necessary. Why should any printing for any of the bureaus of the Treasury Department be done at the expense of the congressional allotment? That is an abuse, and some attempt has been made to stop it in recent years. This is a revival of an abuse for which there can be no possible excuse. If the gentlemen desires to print these bulletins and place them at the disposal of the two Houses and charge it to the congressional allotment for printing, that is one thing; but to print for the bureaus of the Government, that are given ample appropriations for their printing, and charge the additional printing to the congressional allotment, is an entirely different matter.

Mr. HUMPHREYS of Mississippi. The gentleman says they have ample appropriations now for all their printing. The fact is that there are a great many documents issued by the Public Health Bureau that are desired by Congressmen because of the requests that come from people in the various districts, and the bureau can not furnish them because they have not sufficient means.

Mr. FITZGERALD. That is because the Secretary of the Treasury does not give them the proper allotment out of the appropriation.

Mr. HUMPHREYS of Mississippi. That is possibly because Congress does not give the Secretary enough.

Mr. FITZGERALD. Oh, we give them liberal appropriations for printing.

Mr. HUMPHREYS of Mississippi. There are a great many publications that we can not get from the Bureau of Public Health that are very desirable, because they have no funds with which to do the printing.

Mr. FITZGERALD. If the printing is to be paid for out of the allotment for printing for Congress, it ought to be placed at the disposal of Congress. If the printing is to be placed at the disposal of the department, it should be charged to the departmental appropriation.

Mr. SHERLEY. I suggest to the gentleman that there is one way in which the constituents of the gentleman from Mississippi can get these publications, and that is by paying a very nominal sum for them.

Mr. HUMPHREYS of Mississippi. A great many people can not get them in that way, because there are not enough to go round.

Mr. SHERLEY. They have the power to print whenever there is a commercial demand for them; but these people want to get something for nothing.

Mr. HUMPHREYS of Mississippi. The people do not want them because they want to get something for nothing, but they want them because they are valuable publications and very desirable. At least, this particular publication is very desirable,

and whether they are paid for out of the appropriation for printing for the Treasury Department or paid for out of the appropriation for congressional printing, they will be paid for out of the Public Treasury anyway. That question does not affect the desirability of the pamphlet, and it does not affect the fact that people get them for nothing. I take it there is nothing in that objection. What difference does it make?

Mr. FITZGERALD. It does make considerable difference whether the appropriation that is made for printing for Congress is used to pay for printing for one of the departments or whether the department does the printing that it is authorized to have out of the appropriations given for that purpose.

Mr. HUMPHREYS of Mississippi. The publications of this particular bureau are very valuable, and they go to people who require publications of this character.

Mr. FITZGERALD. I think they are valuable publications.

Mr. HUMPHREYS of Mississippi. The gentleman says they already have ample funds. I do not think they have.

Mr. FITZGERALD. I think they have, and I know what I am talking about.

Mr. SHERLEY. The trouble comes in this way: The very moment you have Congress printing for departments out of its allotment, various bulletins, you put the department in the position where instead of using their funds for matters they ought to use them for they select those things they can not get Congress to appropriate for printing and leave the pressure on Congress for things that there may be a wide public demand for. The result is a great increase in the annual bill for printing. The reason I made the suggestion was that we waste more money, proportionately, in public printing, than in any other activity of the Government, and we do it because we advertise to all America that they can get various things for nothing. Then the people make demands for them without any real knowledge of what they contain, and without any knowledge of whether they wish them or not, but simply because they are free. It ought not to be a burden on the citizen who pays for it in the long run to pay a nominal sum for the thing he wants, and then he will determine whether he wants it before he requests it.

Mr. BARNHART. Mr. Speaker, the gentleman is simply making the same argument that I made when the appropriation for the Children's Bureau was up—that the departments do duplicate educational endeavor. As far as the extravagance of congressional printing is concerned, I think this is only the seventh or eighth little bill that the Committee on Printing has brought in this session.

Mr. FITZGERALD. I will say to the gentleman that I have not criticized the Committee on Printing.

Mr. SHERLEY. Neither have I criticized the gentleman's committee.

Mr. BARNHART. I am not saying that the gentlemen have criticized the committee, I am saying that the gentleman from Kentucky has stated on the floor just what I said when the appropriation was up for the Children's Bureau, namely, that the departments are overlapping each other. But this important and helpful printing, however, I find in my own State that the State board of health has sent out a little pamphlet similar to this—other States are doubtless doing the same—and therefore I limited the number of copies to the very least number I thought might be used.

Mr. MOORE. Will the gentleman yield?

Mr. BARNHART. Yes.

Mr. MOORE. Am I right in my understanding that the estimated cost is only $291 for 35,000 copies?

Mr. BARNHART. For 60,000 copies.

Mr. MOORE. And one-half to go to the Public Health Service would cost $146. May I ask the gentleman, who has children of his own, as I have, whether it would not be worth $291 if only the life of one child was saved through the distribution of the 60,000 pamphlets?

Mr. BARNHART. Most assuredly.

Mr. FITZGERALD. I want to say that I have more children than the gentleman from Pennsylvania and the gentleman from Indiana put together.

Mr. BARNHART. I am not a boastful man. [Laughter.]

Mr. MOORE. So far as the "gentleman from Pennsylvania" is concerned, he does not acknowledge that the gentleman from New York is a rival in that matter at all, and never did acknowledge it. But having passed through several periods of "watchful waiting" [laughter], long midnight hours, as it were, he knows that if there had been at his service some of these pamphlets he might have been spared a great deal of time and saved a great deal of rest. In the interest of the fathers and mothers of this land, the gentleman from Pennsylvania ventures to think it is mighty small business to raise the question of economy on the expenditure of $291 in a matter that is of so much concern to the health of the children and the happiness of the home.

Mr. FITZGERALD. Let me say that if this expenditure would save the gentleman from Pennsylvania long hours of patient waiting and midnight walking the floors and would enable the gentleman to take on some flesh, I would not object. [Laughter.]

Mr. SHARP. Will the gentleman yield?

Mr. BARNHART. Yes; I will.

Mr. SHARP. I would like to ask the gentleman if it would not be the better part of wisdom and economy to provide a small appropriation of $291 for this purpose than to waste twice that amount in useless talk?

Mr. MANN. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is to put the question. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the report.

The Clerk read the report (by Mr. BARNHART), as follows:

The Committee on Printing having had under consideration the House resolution (H. Res. 477) providing for the printing as a House document Supplement No. 10 to the Public Health Report, entitled "The Care of the Baby," reports the same back to the House with the recommendation that the resolution be agreed to.

The estimated cost will be $291.46.

The unencumbered balance of the allotment for printing and binding for Congress for the fiscal year ending June 30, 1914, is $314,996.67.

Mr. FITZGERALD. Mr. Speaker, I move to amend by striking out the words "thirty-five thousand" and insert in lieu thereof the words "ten thousand," and to strike out "twenty-five thousand" and insert "fifty thousand," so that 10,000 copies will be for the Public Health Service and 50,000 for the House. I understood the gentleman from Indiana to say that the Public Health Service had large demands from Members of the House for copies. If the printing is not to be done at the expense of the allotment of that service, but of the congressional allotment, it seems to me that the copies should be for the House.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Line 4, strike out the word "thirty-five" and insert in lieu thereof the word "ten"; line 5, strike out the word "twenty-five" and insert in lieu thereof the word "fifty."

The amendment was agreed to.

The resolution as amended was agreed to.

CHARLES ALLEN SMITH.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to extend some remarks in the RECORD on Charles Allen Smith, a young sailor from Philadelphia, who was killed at Vera Cruz.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORE. Mr. Chairman, the death of Charles Allen Smith, reported by the Navy Department as having occurred at Vera Cruz, due possibly to a Mexican bullet fired from the housetops, adds to the roll of the Nation's heroes a second Philadelphian sacrificed in the service of his country. This young man resided in Kensington. Like George Poinsett, to whom I referred briefly on Wednesday last, he had just passed his twentieth bithday. He was truly representative of the spirit of the Navy. He had been in the service since August 31, 1911. During that time from the small stipend received from the Government he had contributed regularly to the support of his mother and his three minor sisters. Indeed, he was a prop to a family bereft of the husband and father, and his death, apart from the patriotic impulses which inspired it, brings positive distress upon the home he was helping to support. I have no further comment to make at this time except to say that although we are enlisted for the war and must maintain the honor of this country at any cost we should not be unmindful of its terrors and the desolation and distress it brings in individual cases like this.

IDEAL CITIZENSHIP.

Mr. POU. Mr. Speaker, I ask unanimous consent to insert in the RECORD a speech delivered by Hon. THOMAS W. HARDWICK, on April 15, 1914, before the Oglethorpe Club, of Savannah, Ga., upon the subject of ideal citizenship.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to print in the RECORD a speech delivered by the gentleman from Georgia [Mr. HARDWICK] at Savannah, Ga., on the subject of ideal citizenship. Is there objection?

There was no objection.

The speech referred to is as follows:

SPEECH OF HON. THOMAS W. HARDWICK, OF GEORGIA, AT THE ANNUAL BANQUET OF THE CRACKER CLUB, OF SAVANNAH, GA., ON WEDNESDAY, APRIL 15, 1914.

Mr. Toastmaster and gentlemen, first of all, permit me to express to the officers and members of this club my very high

appreciation of your invitation to be your guest this evening, and my very great pleasure at having been able to accept that invitation.

When you asked me to this beautiful and historic Georgia city, the splendid birthplace of our mighty Commonwealth, I felt that you were in deed and in truth inviting me home, and when my foot pressed your kindly soil on my arrival here this morning the same emotions stirred my heart and shook my soul that McGregor felt when he stood once more upon his native heath.

It has fallen to my lot, during the somewhat lengthy period of my public service, to make more public addresses in other sections of our country than I have made in the South, possibly because I have generally been on the firing line, and the Democratic Party has needed help more in other sections of the country than in ours; be that as it may, what I started out to tell you was this: Often I have been warned, usually in the most delicate and diplomatic manner, by friends in these other sections not to say too much about the South. It has not been easy for me to pay very much attention to these suggestions, for you had just as well tell the lion not to suggest in his roar the solitary forest jungle in which he dwells; you had just as well tell the eagle not to suggest in his scream the crag on which his nest is built, bleak, lonely, and barren though it be; you had just as well tell the mocking bird not to suggest in his song the sunny skies in which his life is spent, as to tell a true son of the South not to say something about Dixie land, especially if he is a long ways from home.

You may well surmise, then, the especial pleasure that I experience in addressing this audience and the peculiar satisfaction with which I, a genuine "Georgia Cracker" to the manor born, have accepted the suggestion that I shall to-night respond to the toast "The Georgia Cracker."

Before I undertake a discussion of the "Georgia Cracker" himself I would like to invite your attention briefly to the imperial domain that he inhabits—the largest State, territorially or otherwise, east of the Mississippi, and the biggest and best of them all, the great State of Georgia; to her mighty mountains, that stand like huge sentinels of granite and rock along her northern boundaries; to her great rivers, that flow in majesty to greet ocean and gulf along a coast line where the sunshine is eternal and where the roses never wither and the violets never cease to bloom; to her famous and luscious fruits that have invaded and conquered every market; to her endless rows of cotton, whiter than New England's snows and freighted with an annual treasure richer than the fabled fleece that Jason sought; to the flawless marble that sleeps beneath her sod; and to the everlasting granite with which her red old hills are ribbed.

It is indeed an imperial domain, an empire in and of itself, bounteously dowered by nature and richly blessed by nature's God. It is, in truth, a goodly heritage, worthy of the splendid manhood and incomparable womanhood that it has produced.

What of the "Georgia Cracker" himself? What pen or voice is equal to the task of presenting a word portrait of him that will do full justice to the subject? It is with both diffidence and misgiving that I essay it. It seems to me that, wherever he lives, whatever he does, however he looks, he has certain general traits of character that are both notable and noteworthy. In the first place, he is shrewd; the man who picks him for a fool has another guess coming. He usually knows what he wants and how to get it. Of course, occasionally he makes a mistake; once in a while he is picked up; sometimes a new trick catches him, but never the second time. A stranger may impose on his good nature and his generosity, but not but once. An artful demagogue may deceive him, but not but once. A new fad may come along and sweep him from his feet, but not for long. He has dead loads of good common horse sense and a quaint philosophy that enables him to weigh with considerable accuracy both men and events.

In the next place, he is honest to the core, and on weekdays as well as on Sundays. He abhors the short yard and the scant pound. He pays his debt if it takes his last dollar, his last pound of cotton, his last ear of corn. He is not only financially honest, but mentally honest as well, for he despises sham and has the utmost contempt for deceit.

Then, again, he is brave, both physically and morally brave; he has demonstrated it on every battlefield in the Republic, in every war that we have had, and he has proved it still more conclusively in peace by the dauntless courage with which he resurrected his civilization from the horrors and ashes of the bloodiest civil war that ever devastated this earth and by the indomitable Anglo-Saxon spirit in which and with which he has met and solved the most stupendous race problem that ever confronted a people. He bends the knee to nothing on this earth or in the waters below it or the heavens above it save the woman he loves and the God he worships.

Then, again, this "Georgia Cracker" is patriotic. He loves his country with his whole heart, his whole mind, and his whole strength. True, it is a love that begins at home. He loves, first of all, the city and county in which he resides; then the great Commonwealth of Georgia, the old mother State; then this dear Southland of ours, with which and for which he suffered so much; and then last, but not least, this glorious American Republic, that has been so largely built upon the sacrifices and blood offerings of his fathers. He is at last back in the house of his fathers, in the Union of the States, but, thank God, he is there with no sackcloth on his back or ashes on his head; he is there not as a subject but as a citizen, not as a menial but as a master. True, there are some things in our past history that he can never forget. He can never forget that when it was no longer possible for a proud and self-respecting people to continue to endure the oppressions of an hostile ministry and a tyrannical king, it was the matchless eloquence of a great southern orator, the incomparable Henry, that lit those fires of resistance that were borne on the morning winds of the new-born continent to its remotest confines to light a nation into life. He can never forget that when a decent respect for the opinion of mankind impelled our fathers to declare the causes that led them to separate their political destinies from those of the British Crown that it was the glorious, genius-tipped pen of a great southern statesman, the immortal Jefferson, that drafted that unanswerable recital of our wrongs and that fearless declaration of our rights that became the birth certificate of a mighty nation. He can never forget that when the work of southern orators and southern statesmen was done and a mighty nation closed up its ranks and stood in battle array to assert its rights and redress its wrongs and its assembled councilors sought a chieftain who, like Saul of Israel, should tower head and shoulders above all his fellows, the choice fell upon that illustrious and immortal son of the South destined to become the "Father of his Country."

He can never forget that when the Federal Constitution, the greatest written chart of human liberty the world has ever seen, was framed, southern statesmanship was so deeply woven into its warp and woof that by universal acclaim the title "Father of the Constitution" was bestowed upon the scholarly Madison. He can never forget that while New England was plotting disunion and threatening treason at her Hartford convention, during the War of 1812, the South was beating her drums and calling the muster rolls of her volunteers, and that during that same war while northern generals were meeting one reverse after another along the Canadian border glorious old Andy Jackson was winning victories at Pensacola and New Orleans.

He can never forget that for the Mexican War the South furnished, in proportion to wealth and population, two dollars for every one, and three men for every one, that came from the North. He can never forget that in the Civil War itself we were not overcome by better generalship or braver soldiery, but by money, numbers, and supplies.

No; he can forget none of these things, nor is it necessary that he should, for he at last realizes, as does his brother at the North, that in the inscrutable providence of an all-wise God this chastening of the American people was necessary in order that they might know each other better and respect each other more, and upon the broad and lasting foundations of mutual knowledge and mutual respect erect the splendid superstructure of a new and mightier Republic, whose strength should exceed that of the old even as the strength of mature manhood exceeds that of raw and undeveloped youth, and whose glory should excel that of the old, even as the glory of the noonday sun excels that of the morning star.

One other thought, Mr. Toastmaster and gentlemen, in connection with the Georgia Cracker.

In the State of Georgia and throughout the South there lives to-day the most homogeneous white population in the entire Union. In Georgia 99.4 per cent of our population is native born, sprung from our own soil, acquainted with the traditions and history of our country, attached to its principles, loyal to its institutions, and American to the very core.

To add to the sum of our felicities in this matter it can be truthfully said of the inconsiderable proportion of our citizenry that is foreign born that as a whole and in most cases it is composed of men of high character, men who have readily assimilated with us, and who love the State of Georgia and the Republic and are useful and loyal citizens of both. That we are unusually fortunate in this regard can not be gainsaid by anyone who is acquainted with conditions in other and less fortunate sections of our country. Let us examine briefly the official reports as contained in the census of 1910.

First, let us start on the banks of the Potomac and go straight through the very heart of the South to the banks of the Rio Grande. What do we find? We find that in Virginia

only 0.9 per cent of the entire population is foreign born; in North Carolina, 0.3 per cent; in South Carolina, 0.04 per cent; Georgia, 0.6 per cent; Alabama, 0.9 per cent; Mississippi, 0.5 per cent; Louisiana, 3.2 per cent; Texas, 6.2 per cent, an average of 1.6 per cent for the above-named States. If we take the 11 States that formed the Southern Confederacy, we find that the average per cent of foreign-born population in them is 1.8 per cent. Turn for a moment to other sections of this country and what do we find?

We find 11 great States—3 in New England, 2 in the Middle Atlantic group, and 6 in the Northwest and in the far West—where the percentage of foreign-born population is so large as to be appalling. Let me give you the list of these States with their percentages:

	Per cent.
Rhode Island	33.
Massachusetts	31. 5
New York	30. 2
Connecticut	29. 6
North Dakota	27. 1
Minnesota	26. 2
New Jersey	26.
Montana	25. 2
California	24. 7
Nevada	24 .1
Arizona	23. 9

An average for these States of 27.4 per cent. According to the same authority the average percentage of the foreign-born population of the New England States is 27.9 per cent; of the Middle Atlantic States, 25.1 per cent; of the Pacific States, 22.8 per cent.

It must be remembered, also, that these figures do not include citizens born on this soil of foreign parentage. I have not been able to find the official figures on this question reduced to the percentage basis, but in addition to the population in this country that is of foreign birth, the reports show that 18,897,837 are born of foreign parentage besides 13,343,583 of foreign birth. In the State of Georgia, however, we have only 25,672 citizens of foreign parentage, as against 1,391,058 born of native white parentage, and the other Southern States maintain almost as good an average on this question as does Georgia.

Such is the situation. These are the conditions that confront us, as disclosed by official reports of the Government. I do not advert to it in either alarming style or sensational fashion. Nothing is further from my purpose. I have full, yea, overflowing, sympathy with the noble idea that this great country of ours should afford to the oppressed and virtuous of every land an asylum of refuge from persecution and injustice. I acknowledge in ungrudging measure the great debt of gratitude we owe to those people of other and less fortunate lands who have sought and found a happier home in ours, giving generously of their brain and brawn to the progress and prosperity of the Republic, renouncing all conflicting allegiances to become true and loyal American citizens. To such men—and I thank God that the vast majority of our southern citizens of foreign birth or lineage can be so classified—no man can extend a heartier welcome than I; but I can not be insensible, nor can you, to the dangers involved in the situation. Because we welcome the worthy and virtuous from every land, where they are capable of assimilation with our own people, I do not believe that we can afford to welcome here the scum of the earth from every land, who come to this country not to become a part of it, but to strip it bare, to take the bread of labor from American mouths and to carry back in triumph to some foreign shore the spoils of their brief sojourn among us. Nor can I be insensible to the grave danger to our American system of Government that is involved in the continued and increasing influx of these classes of foreigners. They know nothing of American history, they care nothing for American traditions, and they are without sympathy for American institutions. In large part they do not speak and can not learn our language. They come here filled with all sorts of socialistic, anarchistic, and nihilistic ideas, impatient of all restraints imposed by law, and utterly and supremely indifferent to the welfare of that country in which they propose to linger only long enough to make enough money to support them in comfort elsewhere. It fell to my lot on one occasion to have all these truths impressed on my mind with startling force. It was on the occasion when the Committee on Rules of your House of Representatives investigated the great strike at Lawrence, Mass., in 1912. I gave my undivided attention to that inquiry and conducted a considerable portion of it myself for the committee.

When all the evidence was in it presented a picture of strong and contrasting lights and of startling significance. It was apparent that the poor people engaged in that strike, however guilty they might have been of riot, disorder, and lawbreaking, had suffered grievous wrongs and oppression from the driving slave masters in whose interest they had been induced to leave their own countries by the glowing pictures of the American laboring man returning home at night from his day of toil with a bag of gold upon his shoulder, as some of them testified. But an examination of the witnesses disclosed that the minds of them all were filled to the brim with socialistic, anarchistic, un-American ideas. It appeared that there was almost endless variety of nationality among them and probably the greatest confusion of tongues since the day when the tower of Babel fell. So that when the climax of their bitter wrongs came they appealed not to the law and authorities of this country but to the ministers and consuls of at least 16 foreign nations. Here is where the problem presses hardest. These poor men were not then, and had no notion of becoming, American citizens. They had no place in this country; they did not belong here; they were simply brought here in droves and swarms in order that selfish and short-sighted capital might fatten on their labor while it turned a deaf ear to their wrongs and sorrows. They were unassimilated and undigested, and incapable of assimilation or digestion into our body politic.

Fellow Georgians, I have almost done. Let me say, from 12 years' experience and close observation at the political nerve center of the Republic, that I am convinced that the people of this country are confronting a crisis that challenges their very capacity for self-government. The issues that are forcing themselves upon us rise far above party, far above State and section. They involve the very life of our American system of government, that splendid system of government that more than inspired our own great Hill to his most brilliant flights of eloquence. Hear him to-night as he eulogizes it, "To him who loves liberty it is more enchanting than romance, more bewitching than love, and more elevating than the study of any other science." Hear him as he exclaims, "The snows that fall on Mount Washington are not purer than the motives which begot it; the fresh dew-laden zephyrs from the orange groves of the South are not sweeter than the hopes its advent inspired, and the flight of our own symbolic eagle, though he blow his breath on the sun, can not be higher than its expected destiny."

This system of government that the great Georgian so eloquently and so justly eulogized is the American system, our system; it is the best product of the minds and brains of your fathers and of mine, generously watered with their blood and sanctified by their sufferings. It is the system of liberty without license, of power without oppression, of strength without arrogance. It is the system of unified power for general and foreign purposes and of local self-government in local affairs. It is the system of coordinated powers, of checks and balances, of representative, orderly, free government. It is the system of individual opportunity and of civil and religious liberty, for it guarantees to every citizen of the Republic the right to worship God according to the dictates of his own conscience and to follow his own path in the pursuit of life, liberty, and happiness so long as his course does not injure others. It is the system in which the individual citizen is the crowned and anointed king, and in which the laws are framed so power shall flow from the citizen down to his government and not from the government down to its subject.

I love it with all my heart and soul, and for that reason I tell you to-night that in the great ocean of our national life strange and terrifying currents are swirling; strange blood from other lands, in far too great quantity and of at least doubtful quality, has been injected into our body politic. Too many, ah, too vastly many, of these men know nothing and care less for the American system, for the American standard, for American ideals. They have brought with them from over the seas new and strange heresies that threaten to sweep us from our old and tried moorings into new and dangerous doctrines of paternalism and socialism. Do not misunderstand me; I am as progressive as anybody in this Union in demanding that the era of special privilege shall cease; as insistent as anybody, in any party, in demanding the restoration of competitive conditions and individual opportunity, but I shall never move an inch, whether in public life or private station, along the path that leads to the substitution of public monopoly for private monopoly. To my mind both forms of monopoly are equally intolerable and equally indefensible. If the Democratic Party is to remain true to its faith, loyal to its cardinal doctrines and principles; if the Union of the States is to preserve and retain the American system of Government, under which it has grown to be the greatest and richest and most powerful Nation of the earth, then I tell you to-night the saving grace must come from the South, the home of the purest blooded American people in the Republic, the last citadel of the old-time stock, and in the very vanguard of the host that must battle for the Government of our fathers, for representative government, for liberty, and for individualism, must stand the Georgia Cracker; and if, perchance, the future trials that God has ordained for this people shall demand, in the hour

of gravest need, some leader with the unselfish patriotism of a Washington, the deep philosophy of a Jefferson, and the dauntless courage of a Jackson, the country may turn again for such leadership to the southern portion of the Republic, the cradle of its liberties, the nursery of its early greatness.

CHICKASAW AND CHOCTAW INDIANS.

Mr. MURRAY of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of the enrollment in the Chickasaw and Choctaw Tribes of Indians.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD on the enrollment of the Chickasaw and Choctaw Indians. Is there objection?

There was no objection.

FLOODS IN MISSISSIPPI RIVER.

Mr. BARNHART. Mr. Speaker, I submit the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 458 (H. Rept. 573).

Resolved, That the following reports—

First. Report of Bernard and Totten, 1822, House Document No. 35, Seventeenth Congress, second session;

Second. Report of Charles Ellet, jr., 1852, Senate Executive Document No. 20, Thirty-second Congress; first session; and

Third. Report of Gen. A. A. Humphreys, 1866, Senate Executive Document No. 8, Fortieth Congress, first session—

relative to the control of floods in the Mississippi River be reprinted as one pamphlet for the use of the House.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. BARNHART. Certainly.

Mr. MANN. What would be the expense of this?

Mr. BARNHART. Four hundred and ninety-five dollars.

Mr. MANN. This would be printed in the usual manner. It is provided that it shall be printed for the use of the House.

Mr. BARNHART. Yes.

Mr. MANN. I do not know any way of doing that unless the number be specified. If it is to be printed as a House document, then it would be printed in the ordinary form as a House document, and we would get a certain quota and the Senate would get a certain quota, but there is no number specified in the resolution and the Public Printer would not know what to do with it. If the gentleman just wants to have it printed, it better read "printed as a House document."

Mr. BARNHART. Mr. Speaker, then I move to amend the resolution by inserting in line 12 the words "as a House document" in lieu of the words "for the use of the House."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Line 12, strike out the words "for the use of the House" and insert in lieu thereof the words "as a House document," so that the line would read:

"Reprinted as one pamphlet as a House document."

The SPEAKER. The question is on agreeing to the amendment.

Mr. CULLOP. Mr. Speaker, will the gentleman yield?

Mr. BARNHART. Certainly.

Mr. CULLOP. What would be the number printed?

Mr. BARNHART. That would be 1,361, under the rules.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

Mr. BARNHART, from the Committee on Printing, makes the following report (to accompany H. Res. 458):

"The Committee on Printing having had under consideration the House resolution (H. Res. 458) providing for the printing as a House document the reports of Bernard and Totten, Charles Ellet, jr., and Gen. A. A. Humphreys, relative to the control of floods in the Mississippi River, reports the same back to the House with the recommendation that the resolution be agreed to.

"The estimated cost will be $495.

"The unincumbered balance of the allotment for printing and binding for Congress for the fiscal year ending June 30, 1914, is $329,996."

Mr. LAFFERTY. Mr. Speaker, I move to strike out the last word.

Mr. MANN. Mr. Speaker, that motion is not in order. The gentleman from Indiana has the floor, and if the gentleman from Oregon desires time he should get it from the gentleman from Indiana.

Mr. LAFFERTY. Mr. Speaker, then I ask the gentleman from Indiana to yield me three minutes.

Mr. BARNHART. Before I yield the gentleman from Oregon three minutes I yield the same time to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I had not thought it would be necessary to consume any time. Does the gentleman from Oregon desire to get information with respect to the particular documents that are to be printed?

Mr. LAFFERTY. Oh, I have no intention of opposing the resolution; but I desire to address myself to the subject of printing generally.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I yield back the remainder of my time.

Mr. BARNHART. Mr. Speaker, I yield three minutes to the gentleman from Oregon [Mr. LAFFERTY].

Mr. LAFFERTY. Mr. Speaker, certain newspapers in New York and elsewhere have recently complained that the congressional franking privilege is a graft and that it ought to be abolished. Let us see what the facts are. A Congressman or Senator having a speech or report printed for distribution in his district must bear all the expense of such printing. He must give the Public Printer a check on his private funds for such cost. My bill at the Government Printing Office the past three years has been a good part of my salary. The only thing the Government donates is the postal frank. I am perfectly willing that this postal frank be abolished, provided Congress will pass a law giving to Members and Senators the same postal rates that are now enjoyed by the same newspapers that are now complaining of the "congressional franking graft." The big daily newspapers only pay 1 cent a pound for sending out their papers, or $20 a ton. If Congress will give me those same terms I can send a speech to each voter in my district for from $20 to $40 postage, which cost would be negligible. Besides getting a rate of $20 a ton, which is less than the transcontinental freight rate, the newspapers may send their papers by mail anywhere in the county of publication, except at city delivery offices, free of any postage. Furthermore, the speeches of a Congressman or Senators are delayed in transmission, as deadhead matter, while newspapers go by fast mail. My speeches recently sent to Portland were delayed 10 days on this account. I should have preferred to pay the same insignificant 1 cent a pound that the newspapers pay and had my speeches delivered on time. But what the newspapers would like to see required of a Congressman is that he pay first-class postage on his speeches, or 100 times as much as the newspapers pay. The newspapers desire to be the only means of communication between the National Legislature and the people. The newspapers would then be able to mold public opinion completely and run the Government according to their own selfish ends. The public is waking up to its rights. Hereafter the newspapers will be servants rather than the self-appointed bosses of the country. [Applause.]

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution as amended was agreed to.

GENERAL DATA ON LAKE SUPERIOR-MISSISSIPPI RIVER CANAL.

Mr. BARNHART. Mr. Speaker, I submit the following privileged resolution and ask for its present consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 460 (H. Rept. 575).

Resolved, That there shall be printed as a House document 1,800 copies of a report made by Government Engineers C. L. Potter, F. R. Shunk, and E. D. Peck, and designated as General Data on Lake Superior-Mississippi River Canal.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

The Committee on Printing having had under consideration the House resolution (H. Res. 460) providing for the printing as a House document the report made by Government Engineers C. L. Potter, F. R. Shunk, and E. D. Peck, and designated as General Data on Lake Superior-Mississippi River Canal, reports the same back to the House with the recommendation that the resolution be agreed to.

The estimated cost will be $144.18.

The unincumbered balance of the allotment for printing and binding for Congress for the fiscal year ending June 30, 1914, is $329,996.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, Mr. GEORGE was granted leave of absence, indefinitely, on account of illness.

ORDER OF BUSINESS.

Mr. LEVY. Mr. Speaker, I ask unanimous consent to be heard for 5 or 10 minutes in explanation of my introduction of the privileged resolution.

The SPEAKER. The gentleman from New York [Mr. LEVY] asks unanimous consent to address the House for 10 minutes to give the reasons why he introduced his resolution. Is there objection?

Mr. MANN. Well, Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. LEVY. Will the gentleman withhold his objection?

The SPEAKER. The gentleman from Illinois objected.

Mr. MANN. I am willing to withhold the objection for a moment.

Mr. LEVY. Mr. Speaker, I ask for five minutes, just to explain——

Mr. MANN. Mr. Speaker, the gentleman is trying to bring up his resolution and have a discussion on matters now pending before the Interstate Commerce Commission, and I object.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

VOLUNTEER ARMY BILL.

Mr. HAY. Mr. Speaker, I call up the conference report on the bill known as the Volunteer Army bill, H. R. 7138, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Virginia calls up the Volunteer Army bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. MURDOCK. Mr. Speaker, reserving the right to object, is the gentleman going to explain——

Mr. HAY. I will answer any question the gentleman desires.

The SPEAKER. The Chair hears no objection.

The conference report is as follows:

CONFERENCE REPORT (NO. 569).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 7, and 8.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 6, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following: "*Provided further*, That when three-fourths of the prescribed minimum enlisted strength of any company, troop, or battery, or when three-fourths of the prescribed minimum enlisted strength of each company, troop, or battery comprised in any battalion or regiment of the organized land militia of any State, Territory, or the District of Columbia, organized as prescribed by law and War Department regulations, shall volunteer and be accepted for service in the Volunteer Army as such company, troop, battery, battalion, or regiment, such organization may be received into the volunteer forces in advance of other organizations of the same arm or class from the same State, Territory, or District, and the officers in the organized land militia service with such organization may then, within the limits prescribed by law, be appointed by the President, by and with the advice and consent of the Senate, as officers of corresponding grades in the Volunteer Army and be assigned to the same grades in the said organizations or elsewhere as the President may direct"; and the Senate agree to the same.

JAMES HAY,
S. H. DENT, Jr.,
JULIUS KAHN,
Managers on the part of the House.

G. M. HITCHCOCK,
LUKE LEA,
H. A. DU PONT,
Managers on the part of the Senate.

The Clerk read the statement as follows:

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE.

A statement on the part of the managers of the House on the disagreeing votes of the two Houses on the bill (H. R. 7138) to provide for raising the volunteer forces of the United States in time of actual or threatened war.

Senate amendment 1 inserts the words "while in the service of the United States" in section 1 of the bill, and the House recedes.

Senate amendment 2 changes the enlistment period and makes it four years instead of for the war, and the House recedes.

Senate amendment 3 provides for the volunteering of the Organized Militia, and the House recedes with an amendment making clearer the conditions under which this can be done.

Senate amendment 4 strikes out the words "to promotion or" in the section defining the respective rights of the Volunteer and Regular forces, and the Senate recedes.

Senate amendment 5 changes the method of selecting the number of volunteer staff officers, and the Senate recedes.

Senate amendment 6 provides for filling temporary vacancies in the staff corps, and the House recedes.

Senate amendment 7 adds a new section to the bill providing for discharge of volunteer officers, and the Senate recedes.

Senate amendment 8 changes the number of the section, and the Senate recedes.

JAMES HAY,
S. H. DENT, Jr.,
JULIUS KAHN,
Managers on the part of the House.

Mr. HAY. Now, Mr. Speaker, I will answer any questions.

Mr. MANN. Would not the gentleman, in view of the situation, be kind enough to state to the House not merely the amendments proposed but just how we increase our Volunteer Army by the bill itself, briefly, so we will all have it?

Mr. MURDOCK. And if the gentleman will explain in detail just what the difference is in amendment numbered 3 as agreed to by the conferees from what it is as carried as an amendment in the bill?

Mr. FOSTER. And also may I call the attention of the chairman to amendment numbered 2 and ask him to explain the reason for that change?

Mr. HAY. Mr. Speaker, in the first place, this bill provides the mode by which the President, when authorized by Congress upon a declaration of war, can call out the Volunteer forces of the country. The mode of doing so is the same as that which has been heretofore made in the law except that in this case the President himself signs the commission of all officers instead of their being appointed by the governors of the States.

It was the experience in the Spanish War that a great deal of abuse was occasioned by reason of the political influences brought to bear upon governors of States for appointment in the Volunteer forces. This bill also provides how the Organized Militia—and that is an answer I will try to make to what the gentleman from Kansas desires—how the Organized Militia of the country may have the first call, as it were. It provides that when three-fourths of the minimum strength of any company, troop, battery, battalion, or regiment enlists or volunteers and is accepted, that they shall be taken in in advance of the other volunteers, thus providing that the organized troops, those who have had the advantage of being drilled and have had the advantage of experience, shall first be taken in before untried men who have not had this advantage.

Mr. MURDOCK. Will the gentleman yield?

Mr. HAY. I will.

Mr. MURDOCK. That is what I think the first amendment to the bill did. Now, what does this other agreement to amendment 3 do in addition to that?

Mr. HAY. Well, it does not do anything in addition to that. It simply made clear that these troops had to be accepted by the United States before they were taken, for the reason that under the amendment adopted by the Senate if they volunteered they had to be taken in whether they were physically fit or not.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. HAY. And therefore the conferees thought it was absolutely necessary, in order to protect the Government in case of pensions and other matters of that sort, that they should be accepted by the Government before they should be allowed to volunteer. Now, I yield to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. I understand the gentleman refers to the manner of commissioning officers. He does not mean the appointment?

Mr. HAY. Yes. I mean the officers of this force are to be commissioned by the President of the United States.

Mr. BARTLETT. I have not finished the question yet, Mr. Speaker.

Mr. KAHN. If my colleague will allow me to suggest there, I believe the bill provides he shall issue the commission upon the recommendation of the governor.

Mr. BARTLETT. That was a question I was going to ask. Of course, this virtually means the calling in of the militia of the various States, does it not?

Mr. HAY. It means the calling in of the militia, and the militia in the sense of the Constitution is all the men who are of military age in the country.

Mr. BARTLETT. I understand that. Now, the gentleman knows, of course, that the appointment of the officers of that force is by the Constitution reserved to the States?

Mr. HAY. No; I do not. There is a very great distinction between the Organized Militia and the Volunteers.

Mr. BARTLETT. That is what I wanted the gentleman to explain.

Mr. HAY. The Organized Militia of the State can not be called into the service of the United States as such to go beyond the confines of the United States under the Constitution. Therefore this bill provides a way by which the Organized Militia can volunteer and become Volunteers. And the Volunteers are entirely different from the members of the Organized Militia.

Mr. BARTLETT. Therefore the gentleman is confident that this bill, as he has drawn it and as it is sought to be agreed to by this amendment, will not conflict with the rights of the States appointing the officers in the militia?

Mr. HAY. In the Organized Militia; not at all.

Mr. HELVERING. Will the gentleman yield?

Mr. HAY. I now yield to the gentleman from Kansas.

Mr. HELVERING. Do I understand that they will be known as United States Volunteers or known as State Volunteers?

Mr. HAY. They will be United States Volunteers. They will volunteer into the service of the United States.

Mr. HELVERING. Then they will not be designated as certain regiments of Kansas and Missouri, and so forth?

Mr. HAY. Oh, they could designate them as "such and such" volunteer regiment of Kansas—"the Fifteenth Regiment," for example.

Mr. BUTLER. Will the gentleman be kind enough to relieve the mind of a constituent of mine, a man celebrated in military affairs, Gen. W. G. Price, who has spent a life among the military men of Pennsylvania? He is very anxious about this bill. It would confer no higher authority upon the President to accept the military organization beyond the size of a battalion?

Mr. HAY. A regiment.

Mr. BUTLER. He may now accept a regiment?

Mr. HAY. Yes.

Mr. BUTLER. Will the gentleman answer another question for me? The first military organization to be accepted, if we need them, will be the regular Organized Militia?

Mr. HAY. If the volunteers can comply with the requirements of the law.

Mr. BUTLER. If the gentleman will be patient with me a minute, in order that I may understand, I would like to ask, if this bill passes it would authorize these men to go beyond the territorial limits of the United States?

Mr. HAY. Oh, yes.

Mr. BUTLER. Then they will accept, under those conditions, the Organized Militia as now organized, officers and men?

Mr. HAY. No; they will accept the Organized Militia as now organized if three-fourths of the minimum enlisted strength of any organization up to and including a regiment shall volunteer——

Mr. BUTLER. Yes. Will they then accept the officers?

Mr. HAY. There is nothing in the law which requires the President to do so, but I have no question but that the President of the United States would commission the officers of any organization which volunteered under those conditions.

Mr. BUTLER. Then, again, after the privilege is given to the Organized Militia to volunteer to go beyond our boundaries, after that is exhausted they go after what is known as volunteers?

Mr. HAY. No. They are the volunteers, I will say to the gentleman from Pennsylvania. They are just simply giving to the Organized Militia the privileg. of volunteering first, and being taken first, before any other volunteers shall be taken from any State or Territory.

Mr. GARRETT of Tennessee. And permitted to volunteer as an organization?

Mr. HAY. As an organization under the requirements of the statute.

Mr. BUTLER. Then that would not cover an independent organization beyond the State militia, would it?

Mr. HAY. You mean independent of the Organized Militia?

Mr. BUTLER. Yes, sir.

Mr. HAY. It would not.

Mr. BUTLER. This is only to cover, then, the State militia?

Mr. HAY. The Organized State Militia.

Mr. FOSTER. I notice, beginning on page 1, that the House had a provision that an enlistment in the volunteer forces shall be for a period terminating with the war, or, if war shall not occur, past the imminence of war, and the Senate added that the term of these enlistments should be four years. So I wanted to know the reasons why, if I could.

Mr. HAY. The House conferees and the House committee were strongly of the opinion that the enlistment should be for the war. It was thought that the experience and history of this country showed that it was better for men to volunteer for the war or to enlist for the war rather than for a definite period. The Senate conferees took the position that we ought to conform, as far as possible, to the requirements of the Regular Army, and as the enlistment period for the Regular Army was four years, they thought that we ought to make the period for the enlistment of these volunteers four years.

Mr. FOSTER. Let me say this: If volunteer forces should be taken into the Army, and men should volunteer, and war was in existence, and that war should terminate within 30 days, these men would be held for four years?

Mr. HAY. No. The bill specifically provides that they shall be mustered out as soon as practicable, and that will be a part of their contract.

Mr. FOSTER. But it does not keep them there for four years unless war actually exists for four years?

Mr. HAY. Oh, yes. That is correct. Now I yield to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. I have a telegram here from an officer of the Organized Militia, in which he asks this question:

> Will the passage of the Volunteer Army bill, reported out of conference yesterday, eliminate the Organized Militia for war use and eventually obviate the necessity for maintaining State organizations in time of peace? It will also be an injustice to the present Organized Militia and the officers and the enlisted men who look forward to service in time of war.

Now, this bill when it was before the committee, as I remember it, did not provide for the organization of the volunteer forces until after the Organized Militia had been called into service.

Mr. HAY. The gentleman will remember that when the bill was before the committee and when the bill passed the House it did not give to the Organized Militia any preference over any other volunteers; but the Senate amended the bill by providing that when three-fourths of the minimum strength of any of those organizations should volunteer they should be received in advance of other volunteers; and the amendment agreed to in conference does not in any way interfere with that principle.

Mr. HULINGS. Now, there is one more question. I observe, on page 3, in line 17, this provision:

> That when the raising of a volunteer force shall have been authorized by Congress, and after the organized land militia of any arm or class shall have been called into the military service of the United States, volunteers of that particular arm or class may be raised and accepted into said service in accordance with the terms of this act regardless of the extent to which other arms or classes of said militia shall have been called into said service.

Now, let us consider what the effect would be, for instance, in the State of Pennsylvania, with 10,000 Organized Militia, embracing 14 regiments. According to the language of this bill it would appear that none of the volunteer forces could be called for until after the Organized Militia have been called into the service, but the language of the last two or three lines is:

> Regardless of the extent to which other arms or classes of said militia shall have been called into said service.

Suppose, then, that 1 regiment of those 14 that are now organized should be called in. Could they then organize the "volunteer forces" without calling in the other 13 regiments?

Mr. HAY. Not under this bill. If the gentleman will permit me, as I understand it, if the President calls for troops, or calls for volunteers, I should say—say he calls for 250,000 volunteers, and the quota of Pennsylvania under that bill would be 21,000, and you have 15,000 Organized Militia; as I understand it, if those bodies of Organized Militia volunteer, under the requirements of this act they would be first taken in before the 6,000 additional men are received.

Mr. HULINGS. I understand; and that was my former understanding of it. But how about this language that I have read that they can volunteer and then be accepted in the service without reference to the extent to which other classes of said militia shall be called into service? How about that?

Mr. HAY. That applies to classes of volunteers.

Mr. HULINGS. Then I understand from the chairman of the Committee on Military Affairs that the Organized Militia will first be called. After they are called, if the number is not sufficient, then this bill authorizes the organization of what is called the "volunteer forces." Is that right?

Mr. HAY. That is correct; yes.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield to me?

Mr. HAY. I will.

Mr. MURDOCK. I wish the gentleman to be patient with me, because I am not trained in military affairs.

Mr. HAY. I will.

Mr. MURDOCK. I believe that presently in this country the cry "On to Mexico City!" will begin. I am willing to leave the strategy of this campaign to the Army, but I want to find out just what this bill does. This measure provides the manner in which the President can call for volunteers. It does not authorize him to call for volunteers?

Mr. HAY. Oh, no. He can not call for volunteers until the Congress has declared war.

Mr. MURDOCK. In case our Army should start for Mexico City and it should be found that Gen. Funston's forces were not sufficient, or not thought to be sufficient, to go to the City of Mexico—although he has as many men as Gen. Scott had—and Gen. Scott made the trip easily, as I believe Gen. Funston can—then under this bill the President could call for volunteers?

Mr. HAY. Not unless the Congress first authorized it.

Mr. MURDOCK. We would first have to authorize it?

Mr. HAY. Yes.

Mr. MURDOCK. And in that authorization we would fix the number of men?

Mr. HAY. No; the President fixes the number of men. After we authorize him to call out the volunteers he determines how many he will call out.

Mr. MURDOCK. Should the call be made, the Regular Army would be already engaged?

Mr. HAY. Yes.

Mr. MURDOCK. Under this bill would the State militia organizations volunteer their services and have the preference over other volunteer organizations?

Mr. HAY. They would if they came within the provisions of the law.

Mr. MURDOCK. Then the State militia generally would fill up the quota?

Mr. HAY. It would depend on how many the President would call. If he called for 250,000 men the present Organized State Militia would not suffice. There are only 118,000 Organized Militia now in the country, or about that, so that you would see you have a very large number—one hundred and thirty-odd thousand volunteers—to raise outside of the Organized Militia.

Mr. MURDOCK. Now, if a militia regiment in Kansas, for example, would present itself, it would have a preference over a volunteer organization that was not State militia?

Mr. HAY. Exactly.

Mr. MURDOCK. After the Kansas militia had volunteered and had been taken into the forces of the United States as a volunteer regiment, and then another regiment, not State militia, should volunteer and be taken in, what would be the difference in the status of the officers of the two organizations? In the first instance, the officers are already serving. They have been appointed by the governor. Would they be recommissioned by the President of the United States?

Mr. HAY. Yes.

Mr. MURDOCK. And would it be mandatory on the part of the department, therefore, to take the militia regiment?

Mr. HAY. It is; and there would be no difference whatever between the officers as to standing, or privileges, or anything else.

Mr. KAHN. Except in priority of commission.

Mr. HAY. That is all.

Mr. MURDOCK. In the case of the second volunteer regiment, which had not been a State militia regiment, would its officers be appointed in the first instance by the governor of the State?

Mr. HAY. No; they would be commissioned by the President of the United States.

Mr. MURDOCK. And the governor would have nothing to do with it?

Mr. HAY. Nothing to do with it except to recommend; that is all.

Mr. MURDOCK. In the case of which we have been talking, the first regiment of volunteers would come from the State militia?

The second regiment to which I have referred would not come from the State militia. What proportion of those officers named by the President could be officers detailed from the Regular Army?

Mr. HAY. There is a provision in the bill for the detailing of not more than four Regular Army officers to any one regiment.

Mr. MURDOCK. The President, then, could appoint Regular Army officers to both of these volunteer regiments?

Mr. HAY. Yes; but he could not appoint more than four Regular Army officers to any one regiment.

Mr. MURDOCK. In the case of the State militia officers originally appointed by the governor and recommissioned by the President, are their rights to promotion under this bill the same as those of Regular Army officers?

Mr. HAY. They are.

Mr. TEMPLE. I should like to inquire about the process of transforming the Organized Militia into volunteer forces. Preparatory to asking the question, I should like to state first that I notice that the amendment inserted on page 3 is modified by the conference report.

Mr. TOWNSEND. What line?

Mr. TEMPLE. Page 3, line 8. The amendment as printed in the bill is as follows:

And the officers in service with such organizations may then be appointed by the President, by and with the advice and consent of the Senate, as officers of corresponding grades in the Volunteer Army and be assigned to the same grades in the said organizations.

Now, I notice that the amendment as modified by the conference report provides that these officers may be assigned to the same grades in the said organizations——

Or elsewhere, as the President may direct.

Is it intended that the Organized Militia may be brought into the service of the United States, and then the officers taken away from their own regiments and scattered elsewhere?

Mr. HAY. I do not think it is intended to do that; but it is certainly necessary to give the President the power to transfer his officers anywhere he pleases. Therefore that provision was inserted there, so that the President could have complete control over the officers of the volunteer forces, as well as over those of the Regular Army.

Mr. TEMPLE. Then, an officer who would apply for a commission would not be applying for a commission in any particular regiment?

Mr. HAY. No; a man would apply for a commission as colonel, and when he was commissioned as colonel it would be for the President to say where he should serve.

Mr. TEMPLE. He might be assigned to his own regiment, or he might be assigned to service elsewhere?

Mr. HAY. He might be assigned to service elsewhere.

Mr. TOWNSEND. The chairman of the committee, in answering the gentleman from Pennsylvania [Mr. TEMPLE], has answered one question which I desired to ask. If I understood him correctly, although the officers of the organized land militia would ordinarily go with the volunteer regiments which had been militia regimenfs, of course, as the chairman has explained, it must be left to the President in his option to assign them to such duty as he pleases. However, the chairman assures the committee that the officers of these organized units would under ordinary circumstances go with their companies and regiments as now organized.

Mr. HAY. I think so. I can not speak for the President, but that would be common sense.

Mr. TOWNSEND. I want to ask the chairman of the committee the meaning of the words—

And such volunteer forces as Congress may authorize.

Does that mean such numbers as Congress may authorize?

Mr. HAY. No; as I said a moment ago, the Congress authorizes the President to make the call for volunteers, and then the President determines how many volunteers he will call into the service.

Mr. TOWNSEND. When the President has determined how many, then must Congress authorize that number?

Mr. HAY. Oh, no.

Mr. HARRISON. The declaration of war does that, does it not?

Mr. TOWNSEND. It says—

And such volunteer forces as Congress may authorize.

Mr. HAY. Congress authorizes a call for volunteer forces, and then the President determines how many he will call out. The Congress then has nothing more to do with those forces, except to pay them and maintain them.

Mr. TOWNSEND. I want to get this clear in my mind. It says—

And such volunteer forces as Congress may authorize.

Must Congress first authorize a certain number of volunteers?

Mr. HAY. No; Congress simply authorizes the President to call out the volunteer forces of the United States.

Mr. MANN. Will the gentleman yield for a question?

Mr. HAY. I will.

Mr. MANN. Is not this the procedure: First, we declare war——

Mr. HAY. Yes.

Mr. MANN. And then we authorize the President to call out the volunteer forces, or we do both at the same time.

Mr. HARRISON. Yes.

Mr. HAY. We may do both at the same time, and then the President determines how many volunteers he will call out, and then he will proceed to organize them under the provisions of this bill.

Mr. MURDOCK. The gentleman said that first there would be a declaration of war. This bill provides that in case of war or the imminence of war——

Mr. HAY. Yes; but then Congress must declare war.

Mr. MURDOCK. Before the authorization?

Mr. HAY. Yes. The Executive can not call for volunteers until Congress declares war, or authorizes the President to call them out.

Mr. STEENERSON. As I understand this bill, it does away with the Organized Militia to the extent that they come into this volunteer force.

Mr. HAY. It does away with the Organized Militia as such in time of war. That is, I mean if the Organized Militia wants to be a part of the force that is going to war it must volunteer.

Mr. STEENERSON. And it must cease to be an Organized Militia of the State.

Mr. HAY. Yes.

Mr. STEENERSON. The necessity for that is the opinion of the Attorney General rendered a couple of years ago that the Organized Militia law, act of March 21, 1908, the bill for which was reported by me as chairman of the Committee on Militia, providing that the militia might be called out and sent either within or without the United States—that that law was unconstitutional.

Mr. HAY. Yes.

Mr. STEENERSON. And it is to obviate that constitutional objection that this bill is written, endeavoring to transfer the militia into a volunteer army.

Mr. HAY. That is one reason.

Mr. STEENERSON. Is not that the principal reason?

Mr. HAY. I can not say that that is the principal reason for this bill. We would have to have volunteers anyway, because the Organized Militia would not be sufficient.

Mr. STEENERSON. If the ruling of the Attorney General should turn out to be erroneous, that the Organized Militia law amendment to the Dick law referred to, if that law should be determined to be constitutional, so that it would be legal and constitutional for the President to send the Organized Militia outside the United States, then the necessity for this provision would not exist.

Mr. HAY. No; it would not.

Mr. STEENERSON. I want to say to the House that the only authority was the ruling of Attorney General Wickersham on that point, and when the Committee on Militia considered the Dick law and amendment that was requested by the War Department it contained this provision, that the militia might be used outside the United States. The Judge Advocate General of the United States Army made an elaborate argument and cited many authorities, to the effect that when the President calls forth the militia, pursuant to a declaration of war, it is in reality and effect to execute a law of the Union, and therefore within the Constitution.

The opinion of the Attorney General of February 17, 1912, to the Secretary of War was in answer to the following question:

> Whether or not under existing laws the President has authority to call forth the Organized Militia of the States and send it into a foreign country with the Regular Army as a part of an army of occupation, especially should the United States intervene in the affairs of such country under conditions short of actual warfare?

The question seems to have been unfortunately framed, for under the conditions specified it is at least open to grave question whether the President could legally send any army whatever into a foreign country. It seems to me that the sending of an army by the President into a foreign country "under conditions short of actual warfare" would, ordinarily, be an act of war and would be illegal unless previously authorized by law; that is, by declaration of war in due form enacted by Congress. Commenting on the clause of the Constitution, which says:

> The Congress shall have power to provide for calling forth the militia to execute the laws of the Union, to suppress insurrection, and to repel invasions;

The opinion says:

> What is certainly meant by this provision is that Congress shall have power to call forth the militia in aid of the civil power, for the peaceful execution of the laws of the Union, wherever such laws are in force and may be compulsorily executed.

But Congress is nowhere authorized to call forth the militia. That power rests with the President. All that Congress can do is to provide by law for calling it forth. It is the President who, as Commander in Chief of the Army and Navy of the United States and of the militia, does the calling and not Congress.

The whole opinion is based upon the theory that the laws of the United States have no extraterritorial force. Speaking of ordinary laws, that is true. But there are other laws of the United States that do have extraterritorial force and which do require to be executed. Congress has the power to "define and punish piracies and felonies on the high seas and offenses against the law of nations." Manifestly laws enacted in pursuance of this authority operate extraterritorially. Congress also has power under the Constitution "to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water." Obviously laws enacted pursuant to this authority also have an extraterritorial force and require to be executed. The same can be said of laws enacted pursuant to the authority "to raise and support armies, to provide for the maintenance of the Navy, and to make rules for the government and regulation of land and naval forces." There are three cases in which the militia may be called forth by the President: First, to execute the laws of the Union; second, to suppress insurrections; and third, repel invasions. The power to declare war is vested in Congress and is legislative in its character, and its exercise is an act of Congress and a law and is subject to the approval of the President. To repel invasions or suppress insurrections requires no declaration of war and hence no law. It is one of the duties of the Executive of the United States, incident to his office, to do both of these things without any further legislation; that is, suppress insurrections and repel invasions. But offensive war must be commenced by a declaration of war, and the power to declare war is in Congress, and therefore must be preceded by a law which requires execution.

At the time of the adoption of the Constitution the Regular Army consisted of 75 men; 50 were at West Point and 25 were at Pittsburgh, and the framers of the Constitution recognized full well that Congress was not under the slightest obligation to establish a standing army or to provide for any other military forces than the militia, with a view to national defense, and volunteer forces seem not to have been known to the framers of the Constitution, for it is a subject never mentioned either in that instrument or in the debates. The first appearance of volunteer forces seems to have been in 1812. The militia was used in the War of 1812, in the War with Mexico, and in the Civil War, and was sent beyond our borders whenever necessary, and when so sent they were sent to execute the laws of the Union, enacted pursuant to the Constitution.

The act of May 27, 1908, "To further amend the act entitled 'An act to promote the efficiency of the militia,'" etc., provides for the calling forth of the militia by the President, and that he may specify in his call the period of time for which such service may be required, and that the militia so called shall continue in the service during the term specified, either within or outside of the territory of the United States. The question of the constitutionality of this provision was carefully considered before its enactment, and I have seen no reason since to change my opinion as to its validity.

The construction adopted by the Attorney General wipes out of the Constitution the first cause for calling forth the militia entirely and makes the clause read as if it said "to suppress insurrection and repel invasions for the purpose of enforcing the laws of the Union," but as the sole object and purpose of suppressing insurrections and repelling invasions is to enforce all domestic laws, both of the States and the Union, such a limitation on the power to call forth the militia would be absurd.

Besides declarations of war there are, as we have seen, other laws of the Union, authorized by the Constitution, that operate extraterritorially, and require to be executed. These laws do not follow, but accompany our flag wherever our forces may be. Assuming, therefore, that circumstances could arise when it would be lawful in time of peace to send an army of occupation into a foreign country, it could only be to execute those other laws of the Union, and therefore the use of the Army and the militia for such an enterprise rests exactly upon the same footing, and there is as much authority for the one as the other.

Mr. HAY. I did not yield to the gentleman to make an argument.

Mr. STEENERSON. Of course, we are going to pass this bill because of the emergency that now exists. We will stand by the President and give him what he asks for the defense of the Nation and its honor. At the same time it will be well to bear in mind that this measure, so far as it relates to the militia, is revolutionary in character. It wipes out the militia and allows its men a preference in enlisting in the new volunteer force. The Constitution of the United States provides that Congress shall have power "to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress." Under this bill not only have the States nothing to say about officering the transformed militia organizations, but only those men are accepted whom the United States accepts, the same as new recruits.

It is a repeal of the militia law, so far as service to the General Government is concerned.

Mr. MONDELL and Mr. SLOAN rose.

The SPEAKER pro tempore (Mr. SHERLEY). To whom does the gentleman yield?

Mr. HAY. I yield to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, amendment No. 3 provides for the enlistment as volunteer forces of militia organizations under certain conditions, and in line 9, relative to the officers

of such militia organizations, it is stated that they "may be appointed" by the President as officers of the volunteer organizations. How does the gentleman construe the word "may"? Is it in any sense mandatory?

Mr. HAY. I construe it to mean that the President may appoint him or not, as he sees fit.

Mr. MONDELL. And it is a direction on the part of Congress that they shall be appointed if qualified and worthy.

Mr. HAY. I take it so; yes.

Mr. MONDELL. If a militia company, regiment, or a battalion volunteers generally that will be due largely to the influence of their officers and with the expectation that if the officer is qualified he will be appointed. But this language is in no degree mandatory.

Mr. HAY. No; and I do not think it ought to be.

Mr. MONDELL. I agree with the gentleman, but it would seem to carry with it the view of Congress that the officers should be appointed if qualified and fit for the service.

Mr. HAY. Yes; I think so.

Mr. MONDELL. Now, one question more. On page 4, section 4, there is a provision in the lines 8 and 9 as it passed the House which provides that no distinction shall be made between the Regular Army and the Organized Militia and the Volunteer forces while in the military service of the United States in respect to promotion, and so forth. Now, the conferees agree to strike out the word "promotion."

Mr. HAY. No; the Senate struck out the word "promotion" and in conference the Senate receded. The word "promotion" remains in the bill.

Mr. MONDELL. Do I understand that with the language in the bill the two forces are to be considered one; that promotions would be made from the Volunteer forces to the Regular forces?

Mr. HAY. No.

Mr. MONDELL. But that in all respects promotions are to be made in the Volunteer forces on the same general rule and principles that they are made in the Regular Army.

Mr. HAY. Yes; in the Regular Army. Now I will yield to the gentleman from Nebraska.

Mr. SLOAN. The chairman said that the President may appoint four officers from the Regular Army as officers in each regiment.

Mr. HAY. Not more than four.

Mr. SLOAN. It may be that the four leading offices of a regiment from any one of the States may be officered by the appointment from the Regular Army by the President?

Mr. HAY. It might be, but I do not think that in any case it ever would be.

Mr. SLOAN. Will the chairman say that it is not contemplated that this shall be done?

Mr. HAY. I think I can say that the regular officers of a volunteer regiment will not all of them be given the highest rank of that regiment. Of course I do not know what the President or the War Department might do, but I am arguing from common sense, and I take it that these officers from the Regular Army would be put in the volunteer regiments for the purpose of training and teaching the volunteers the art of war and how to take care of themselves in war, and not for the purpose of imposing on the volunteer regiment regular officers and giving them the highest rank in the regiment.

Mr. SLOAN. Does the chairman, drawing his information from common sense and from conferences which he has had with the officers of this Government, say that he can give the country a reasonable assurance that probably the four leading officers of the regiments from the various States will not be made from the Regular Army, and that our men from the States, who have built up their State organizations, shall have the first call with a reasonable expectancy of occupying the four leading positions in the regiment?

Mr. HAY. Mr. Speaker, I will state to the gentleman that I have had no conference with the officers of the Army or with the President or with the Secretary of War. I only know and believe that they are reasonable men and that they are not going to do a thing like that, which would immediately discredit any administration which pursued such a course, and I am satisfied it will not be pursued.

Mr. TAGGART. Mr. Speaker, will the gentleman yield?

Mr. HAY. Yes.

Mr. TAGGART. As I understand the bill, militia organizations already in existence and volunteer organizations to be afterwards organized are practically on an equal footing when they tender their services to the Government.

Mr. HAY. They are.

Mr. TAGGART. The only difference between the militia officers now in the service commissioned by the State governors and those men who may apply for appointment as commissioned officers in other volunteer organizations is this: That the service of these militia officers will be taken into consideration by the appointing power.

Mr. HAY. I think so; yes.

Mr. TAGGART. That the President is not obliged under this bill to reappoint the same officers that any organization has now.

Mr. HAY. No; he is not.

Mr. TAGGART. But he may vary these appointments and may assign these Regular Army officers to any unit of any part of the regiment that may offer itself.

Mr. HAY. Yes.

Mr. TAGGART. In fact, that all volunteers offered to the Government are on an equal footing, so far as the letter of the law is concerned.

Mr. HAY. Yes.

Mr. TAGGART. And it is only recommendation and experience that will commend themselves under the law.

Mr. HAY. Yes.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. HAY. Yes.

Mr. MADDEN. Mr. Speaker, I suppose the question I desire to ask has been asked a good many times this afternoon. I want to know whether this does not take away the power of the governors of the States to name the officers of the regiment?

Mr. HAY. It does not take away the power, because the governor has not the power now.

Mr. MADDEN. He has the power to name up to the colonel, has he not?

Mr. HAY. No. He has the power to do that in the Organized Militia, but when the Organized Militia volunteers in the service of the United States, under this bill, it ceases to be Organized Militia.

Mr. TOWNSEND. "While in the service of the United States."

Mr. HAY. And therefore the President is given under this bill the right to make these appointments, because they are volunteer forces and not Organized Militia.

Mr. MADDEN. So that no governor of any State can commission any man who goes into the volunteer service, even though a whole militia regiment may volunteer?

Mr. HAY. That is true.

Mr. TAGGART. And let me add this, that should at that time or now the governor of any State commission a soldier or officer in a militia regiment, that commission would remain until he tendered his services to the Government and they were accepted.

Mr. HAY. Yes.

Mr. TAGGART. And then it would operate merely as a recommendation and not as any claim on the Government for any preference.

Mr. HAY. I now yield to the gentleman from Iowa [Mr. KIRKPATRICK].

Mr. KIRKPATRICK. Mr. Speaker, to my mind we are about to take a new departure in this matter, and in my judgment it will complicate matters somewhat. Heretofore and at the present time it is the custom that officers of companies and regiments are elected by the men, and, when so elected, they are then commissioned by the governors of the respective States. It is now proposed in this measure to give that privilege to the President of the United States, together with the advice and consent of the governor, which would not be so very bad except for the fact that, after that is done, it then goes to the Senate of the United States for confirmation; and if these appointments are hung up in the Senate, as we have seen them in so many cases in past years, would not that complicate matters in an emergency such as now confronts us?

Mr. HAY. Mr. Speaker, I can not conceive that the Senate of the United States would impede the progress of a war by holding up somebody's nomination.

Mr. KIRKPATRICK. We can only judge the future by the past.

Mr. HAY. I have never known the Senate to do that in time of war. I have known them to do that for political reasons in time of peace.

Mr. KIRKPATRICK. We have had an exhibition of dissent already in this House.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. HAY. Yes.

Mr. WINGO. As I understand, there are three propositions in the bill. The first is to get around the constitutional objection to taking the Organized Militia as a unit. As I understand, that is one of the objects of the bill. Organized Militia companies are simply permitted to volunteer as a unit.

Mr. HAY. Yes; we take them as a unit.

Mr. WINGO. Where three-fourths of the enlisted men of the regiment volunteer they are accepted as a unit.

Mr. HAY. Three-fourths of the minimum enlisted strength.

Mr. WINGO. Yes. As to the proposition of commissioned officers, I understood the gentleman to say, in answer to the gentleman from Kansas [Mr. MURDOCK], that the appointment of officers below the grade of brigadier general—in other words, the regimental officers—was made mandatory upon the recommendation of the governor?

Mr. HAY. Oh, no. The gentleman misunderstood me. I did not state that.

Mr. WINGO. Under this bill, if it becomes a law, without expressing any opinion as to the alleged evil with reference to political colonels, then it would be impossible to appoint a political colonel unless the President approved?

Mr. HAY. That is true.

Mr. WINGO. In other words, one more check is added. At the present time the governor may, over his own judgment, appoint a man as colonel whom he recognizes from a military standpoint should not be appointed.

Mr. HAY. Yes.

Mr. WINGO. But if he yields to the pressure now the President will always have jurisdiction before the political colonel will be appointed.

Mr. HAY. In other words, the President makes the appointment, and not the governor. I now yield to the gentleman from Pennsylvania.

Mr. MOORE. Suppose you have members of the militia volunteering under this system who would like to hold together under their own officers and who must take their chances, since the distribution of officers as well as of men is to take place at the discretion of the President after they have been mustered in. What becomes of those officers of a higher grade than colonel?

Mr. HAY. They will be appointed by the President if they are worthy of appointment, and therefore there has been no provision made in this bill for the appointment of general officers, for the reason that during the Spanish War the bill in that case provided for the appointment of general officers without any limitation upon the number, and the result was that a large number of general officers were appointed who did not have even a command, but went around with a staff. Now, what is proposed to be done is, when war is declared, if it is declared, that we will then know how many volunteers the President will call out, and then we will authorize the number of generals that he may appoint, so there will not be a lot of generals appointed without any soldiers to command.

Mr. MOORE. I have in mind the highest officer in the militia in my State, who is a major general and the commander of brigades, whom, I suppose, rank as brigadier generals. They would not come in under this system at all and would have to be recognized by the President in some other way, according to their experience and worth?

Mr. HAY. Yes; I have no doubt that Pennsylvania, with her brigade or division, that the President would appoint a brigadier general from that State who had experience with those troops.

Mr. MOORE. The bill does not provide for that, but it is left to the discretion of the President?

Mr. HAY. Undoubtedly; and I think the President should have this discretion.

Mr. MOORE. One other question, if the gentleman pleases. An organized body of men, trained in soldiery, and not attached to the Organized Militia of the State, is in my mind now.

Mr. HAY. City troops.

Mr. MOORE. Well, the city troops are attached to the State militia. They are organizations of high grade and historic interest; but I have in mind a body called the State Fencibles, and other bodies not attached to the regular militia of the State. How would they be treated in the event of the passage of this bill, not being of the Organized Militia?

Mr. HAY. The Organized Militia of Pennsylvania would first be called into service as volunteers. If they did not make up the quota of the State, then these other troops the gentleman is speaking about could volunteer, and doubtless would be accepted and would be upon the same footing.

Mr. MOORE. Now, we understand and these men may understand that after offering their services if there is not a sufficient number of regiments to make up the quota of the State in response to the President's call, they may come into the service if the President accepts them?

Mr. HAY. Yes. Now I yield to the gentleman from Nebraska.

Mr. BARTON. At that point, suppose there were 250,000 volunteers called for and there were 118,000 militia. Now, in constituting its quota does the gentleman take into consideration the number of regiments that there are by the number of militia there are in each State?

Mr. HAY. No; each State is given its quota in accordance with its population.

Mr. BARTON. The point I want to ask is, in Nebraska—and I had a wire this morning that there were three regiments ready for service—suppose Nebraska's quota would not take up those three regiments?

Mr. HAY. Then Nebraska would have to furnish other volunteers to make up the quota.

Mr. BARTON. The gentleman does not understand me. Suppose they had more in the three regiments than their quota, would they have preference over volunteers in another State that did not have a sufficient militia quota?

Mr. HAY. They would not.

Mr. BARTON. That is the point I wanted to get clear in my mind.

Mr. HAY. I yield to the gentleman from Tennessee.

Mr. BYRNS of Tennessee. I desire to ask the gentleman this question for my personal information. In speaking of the preference to be given to militia organizations in the various States the gentleman and those who have interrogated him have referred to regiments. Do I understand no less organization than a regiment will be given preference?

Mr. HAY. The law provides that any troop, battery, company, battalion, or regiment.

Mr. STAFFORD. I understand that the bill as it passed the House provided for the acceptance of the militia as individuals and not by companies. Now, I understand the Senate provision would incorporate them either by company, regiment, and brigade if three-fourths——

Mr. HAY. No brigade.

Mr. STAFFORD. By regiment if three-fourths are in favor of enlistment. I assume that the individuals constituting those three-fourths will, nevertheless, enlist as individuals and the minority of one-fourth will not be brought into the service, even though three-fourths should register their approval to enlist.

Mr. HAY. It is entirely voluntary on the part of the members of the organization of the militia; they do not have to do it if they do not want to.

Mr. HULINGS. I would like to ask what seems to me is a fundamental question, and we all ought to have it settled in our minds. The Constitution of the United States provides that all able-bodied men between the ages of 18 and 45 shall constitute the militia; that the President shall be commander in chief of the militia when called into service; but that the right to appoint officers shall be reserved to the governors of the States.

Mr. HAY. That is the Organized Militia.

Mr. HULINGS. That is the militia. At the time of the Constitution they did not know anything about the Organized Militia. They stick to the word "militia."

Mr. HAY. If the gentleman will read the Constitution he will find the words "organized militia."

Mr. HULINGS. I have read the Constitution as often as you have.

Mr. HAY. I have not time to go into the constitutional question, but if the gentleman wants to ask me any question about——

Mr. HULINGS. I have asked you a question which I think is a fair one.

Mr. HAY. What is the question?

Mr. HULINGS. I have recited the Constitution to you, and I know what it says. I ask you how you get around that question?

Mr. HAY. I have stated to the gentleman that the Constitution says "Organized Militia" and not "militia."

Mr. HULINGS. The Constitution says the militia shall comprise able-bodied men between the ages of 18 and 45, and does not speak of "Organized Militia."

Mr. HAY. It says:

> Congress shall have the power to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline described by Congress.

Now, if there is no other question——

Mr. WILLIS. I want to be sure I understand the answer that you gave to the gentleman from Pennsylvania [Mr. MOORE]. Now, suppose that there are two organizations here. In a case where there are more volunteers from a State than that State is entitled to under its quota—here are a thousand men connected with the State militia, over here a thousand men in an independent organization—what I want to know is, does this State organization have any preference in being received in the service over the independent organization?

Mr. HAY. It has under the reading of this bill; yes.

Mr. WILLIS. Now, where is the language under which it has that preference? The amendment proposed by the conferees is as follows:

Provided further, That when three-fourths of the prescribed minimum enlisted strength of any company, troop, or battery, or when three-fourths of the prescribed minimum enlisted strength of each company, troop, or battery comprised in any battalion or regiment of the organized land militia of any State, Territory, or the District of Columbia, organized as prescribed by law and War Department regulations, shall volunteer and be accepted for service in the Volunteer Army as such company, troop, battery, battalion, or regiment, such organization may be received into the volunteer forces in advance of other organizations of the same arm or class from the same State, Territory, or District, and the officers in the organized land militia service with such organization may then, within the limits prescribed by law, be appointed by the President, by and with the advice and consent of the Senate, as officers of corresponding grades in the Volunteer Army and be assigned to the same grades in the said organizations or elsewhere as the President may direct.

Now, is that language the only language that bears on the point?

Mr. HAY. You will find there, after the words in line 1 of the bill, it says:

Any battalion or regiment of the Organized Land Militia of any State, Territory, or the District of Columbia organized as prescribed by law or War Department regulations.

Mr. WILLIS. If the gentleman will permit further, does it say that this State organization will have the preference? What I am getting at is that language where the word "may" is used. It says "it may be received" into the volunteer forces in advance of other organizations. Does that leave it entirely optional with the President?

Mr. HAY. I think so.

Mr. WILLIS. Then it is like the provision as to the appointment of officers. It is merely directory and not mandatory?

Mr. HAY. That is right. Now, Mr. Chairman, if there is no other question, I move the previous question on the conference report.

The SPEAKER pro tempore (Mr. SHERLEY). The gentleman from Virginia demands the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. HAY, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

NAVAL STATION, NEW ORLEANS, LA.

Mr. PADGETT. Mr. Speaker, I desire to submit a request for unanimous consent. This morning I introduced a resolution to make available certain unexpended balances heretofore appropriated for various purposes at the naval station at New Orleans for the operation of the shops there during the exigency of the present situation. The resolution has not been reported. It is at the Speaker's desk with the Clerk, and I desire to ask unanimous consent that the Committee on Naval Affairs may be discharged from further consideration thereof, and that the resolution be considered now.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the Committee on Naval Affairs be discharged from the further consideration of the following resolution, and that the same be now considered. The Clerk will report the resolution.

The Clerk read as follows:

House joint resolution 253.

Resolved, etc., That any unexpended balances of appropriations heretofore made for the naval station, New Orleans, La., and not yet turned back into the Treasury, are hereby reappropriated and made available for expenditure at that station for such purposes as the Secretary of the Navy may direct.

Mr. MANN. Reserving the right to object, will the gentleman either have read or inserted in the RECORD the letter of the Secretary?

Mr. PADGETT. I was going to ask for the reading of the letter.

Mr. MANN. How much is the available balance?

Mr. PADGETT. The unobligated balance is $233,097.05, as shown by the detailed statement in the letter of the Secretary.

Mr. MANN. And the reason for this is to maintain the naval station at New Orleans because it is convenient to naval vessels now at Vera Cruz and Tampico?

Mr. PADGETT. Yes, sir. It does not contemplate the erection of any buildings or permanent improvements, but the Secretary said he might have to buy some few tools, but very few of those, for the operation and maintenance of the yard incident to the conditions existing in the Gulf.

Mr. MANN. What other navy yard is there now to which those vessels could go?

Mr. PADGETT. There is a small yard at Key West, Fla.

Mr. MANN. And they have nothing else on the Gulf?

Mr. PADGETT. No, sir. There is Pensacola, up on the Gulf, but that is not in condition to operate at this time.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. PADGETT. Yes.

Mr. BARTLETT. This is the unexpended balance of the amount appropriated for that navy yard for 1914?

Mr. PADGETT. No. Money has been appropriated at various times heretofore, and there have been unexpended balances of appropriations made for that yard, and they have not been covered back into the Treasury.

Mr. BARTLETT. They have not?

Mr. PADGETT. No.

Mr. BARTLETT. Why have they not been?

Mr. PADGETT. Because they were for such purposes that they did not have to be covered back. They were for such purposes that they were available until used.

Mr. SLAYDEN. What is the aggregate amount?

Mr. PADGETT. Two hundred and thirty-three thousand and ninety-seven dollars and five cents.

Mr. MANN. Those amounts are all set forth in the letter of the Secretary?

Mr. PADGETT. Yes; in detail.

Mr. BARTLETT. Are the purposes for which the money is to be used specified in the Secretary's letter also? I do not ask that the gentleman read it.

Mr. PADGETT. Not in detail. He states here:

The department strongly urges that the total amount not being now needed for specific appropriations be reappropriated for expenditure at the naval station, New Orleans, for such purposes as the Secretary of the Navy may direct. This in view of the existing emergency and the necessity for providing to the extent of the capacity of the New Orleans station for the numerous vessels operating in the Gulf of Mexico.

Mr. BARTLETT. Does the resolution which the gentleman offers, but which I did not hear read, authorize the Secretary of the Navy to divert this fund from the purposes for which it was appropriated?

Mr. PADGETT. From the purposes for which it was originally appropriated.

Mr. BARTLETT. Yes; that is what I mean.

Mr. PADGETT. For such purposes at this station as the Secretary of the Navy may direct.

Mr. MURDOCK. Mr. Chairman, if the gentleman will yield, for how many years do these unexpended balances accumulate?

Mr. PADGETT. Some of them were from the act of 1904, some from the act of 1905, some from the act of 1906, some from the act of 1907, and some from the acts of 1908, 1909, and 1910.

Mr. MURDOCK. And how much is the total?

Mr. PADGETT. The total is $233,097.05.

Mr. MURDOCK. And does the statement show the nature of the accumulated items, year by year?

Mr. PADGETT. Yes.

Mr. MURDOCK. And the nature of the acts under which they were appropriated?

Mr. PADGETT. Yes; the amounts remaining under each act.

Mr. CLARK of Florida. May I ask the gentleman if the yard is used at all?

Mr. PADGETT. It is to be used for these purposes. This money was appropriated for the New Orleans yard for certain specific purposes, and the Secretary wants to enlarge the purposes.

Mr. CLARK of Florida. Is it not a fact that the Pensacola yard is nearer the base of operations than New Orleans is?

Mr. PADGETT. It would depend on where the operations were.

Mr. CLARK of Florida. Say, at Vera Cruz.

Mr. PADGETT. I do not believe it would be.

Mr. MURDOCK. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Tennessee [Mr. PADGETT] this question: If this exigency had not arisen down there at this time, what would have become of these unexpended balances?

Mr. PADGETT. Later on, I presume, they would have been turned in.

Mr. MURDOCK. Is there any time limit on that sort of thing?

Mr. PADGETT. The funds are available until used, and every now and then the Secretary gathers up these unexpended balances and turns them back into the Treasury.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. PADGETT, a motion to reconsider the vote whereby the House joint resolution was passed was laid on the table.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to insert this letter from the Secretary of the Navy as a part of my remarks.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. PADGETT] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Following is the letter referred to:

NAVY DEPARTMENT,
Washington, April 23, 1914.

Hon. LEMUEL P. PADGETT,
Chairman Committee on Naval Affairs,
House of Representatives.

MY DEAR MR. PADGETT: Under various Congresses certain sums have been appropriated for projects at the navy yard, New Orleans, La. From these appropriations there are now remaining unexpended balances. This is due either to the work having cost less than originally estimated, or not being considered necessary in the present status of the yard.

The amounts involved are as follows:

	Amount appropriated.	Unobligated balance.
Act Apr. 27, 1904:		
Shops for Steam Engineering and fittings and gradings (previous appropriation $100,000)	$35,000.00	$308.07
Coal bins	5,000.00	1,011.16
Floor, Construction and Repair shops	5,500.00	797.77
Fencing naval property	10,000.00	7,680.42
Act Mar. 3, 1905:		
Water system, extensions	5,000.00	465.57
Fire-protection system	10,000.00	1,327.68
Act June 29, 1906:		
Machinery and tools for Yards and Docks shop	3,000.00	7,235.92
Sawmill, boat shop, and storage for Construction and Repair	60,000.00	57,147.61
Act Mar. 2, 1907:		
Central electric light and power plant, extension (previous appropriations, $162,500)	50,000.00	59,718.87
Railroad system (previous appropriations, $30,000)	5,000.00	630.50
Fitting up yard buildings 8 and 16	4,300.00	1,800.90
Act May 13, 1908:		
Drainage system, to continue	5,000.00	1,303.44
Central heating plant, extension	10,000.00	8,995.81
Underground conduit system	5,000.00	343.61
Improvements to machine shop, building No. 4	6,000.00	3,522.77
Sewer system, extension	5,000.00	3,744.74
Improvement to river front	25,000.00	1,823.92
Act Mar. 3, 1909, levee improvements and grading	45,000.00	10,560.58
Act June 24, 1910, power house and plant	64,677.71	64,677.71
Total unexpended balance		233,097.05

The department strongly urges that the total amount not being now needed for specific appropriations be reappropriated for expenditure at the naval station, New Orleans, for such purposes as the Secretary of the Navy may direct. This in view of the existing emergency and the necessity for providing to the extent of the capacity of the New Orleans station for the numerous vessels operating in the Gulf of Mexico.

The department requests that a resolution may be passed as soon as possible, as follows:

"That the unexpended balances of appropriations heretofore made for the naval station, New Orleans, La., and not yet turned back into the Treasury, are hereby reappropriated and made available for expenditure at that station for such purposes as the Secretary of the Navy may direct."

Sincerely, yours,

JOSEPHUS DANIELS,
Secretary of the Navy.

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I call up bill H. R. 15692, granting pensions and increases of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. RUSSELL] calls up the bill H. R. 15692, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15692) granting pensions and increases of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Clerk will report the bill.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. RUSSELL] asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. RUSSELL. Mr. Speaker, I know of no desire on the part of anybody to engage in general debate, and I ask that the Clerk be directed to read the bill.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

The name of Colvin S. Roberts, late repairer of telegraph lines, Quartermaster's Department, United States Army, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

Mr. BYRNS of Tennessee. Mr. Speaker, I notice that there is a typographical error in stating the name of this pensioner. It should be "Calvin" instead of "Colvin S. Roberts."

Mr. RUSSELL. The gentleman knows that to be a fact?

Mr. BYRNS of Tennessee. Yes. It should be "Calvin." I move, Mr. Speaker, an amendment to correct it. I move to amend by striking out the word "Colvin," on page 24, line 23, and inserting "Calvin."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 24, line 23, by striking out the word "Colvin" and substituting in lieu thereof the word "Calvin."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will read.

The Clerk resumed and completed the reading of the bill.

The bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 701. Julia E. Angel.
H. R. 986. Arabella McV. Russell.
H. R. 1440. John M. Harris.
H. R. 1551. Mary T. Frank.
H. R. 2288. James E. Murdock.
H. R. 2295. John F. Bennett.
H. R. 3048. Hannah E. Matteson, now Crowell.
H. R. 3459. Lorena A. Weaver.
H. R. 3775. James F. Conway.
H. R. 5189. John C. Judy.
H. R. 5429. John McIntosh.
H. R. 5506. Helen E. June.
H. R. 6173. Engelina A. Fischer.
H. R. 6288. Constantine Kelley.
H. R. 6293. Martha J. Collier.
H. R. 6312. Samuel S. Brand.
H. R. 6548. John E. Frymier.
H. R. 6557. Elizabeth A. Sheridan.
H. R. 6601. Henry C. R. Rudolph.
H. R. 7079. Cora J. Church.
H. R. 7103. Henry A. Capen.
H. R. 7108. Edgar V. Harris.
H. R. 7341. Mary A. Vaughn.
H. R. 7632. Maggie E. Parsons.
H. R. 7865. Louisa Wildman.
H. R. 7916. Luman A. Fowler.
H. R. 7961. Ira Baker.
H. R. 7987. James T. Herrington.
H. R. 8790. Frederick Geiger.
H. R. 9217. Thomas Foreman.
H. R. 9274. Anna A. Purviance.
H. R. 9358. Mary J. Smith.
H. R. 9484. William H. H. Cooper.
H. R. 9559. Julia W. Stevens.
H. R. 9602. Samuel Ginger.
H. R. 9715. John Finkle.
H. R. 9724. John A. Scranton.
H. R. 9748. George W. Chilson.
H. R. 9794. Samuel D. Hess.
H. R. 10008. Levi D. Bodley.
H. R. 10017. Margaret W. Strunk.
H. R. 10108. James McCarthy.
H. R. 10226. William Hammonds.
H. R. 10320. Sidney Van Bibber.
H. R. 10490. John Harl.
H. R. 10572. Elsie A. Owen.
H. R. 10887. Edward M. Willis.
H. R. 10890. Abbie C. Goebell.
H. R. 10903. Marilda Howe.
H. R. 10963. Edward T. Parker.
H. R. 10978. Mary E. Cole.
H. R. 10995. James W. Shields.
H. R. 11205. Emma E. Kipple.
H. R. 11222. Anna M. Fox.
H. R. 11341. Newton S. Long.
H. R. 11398. Frances W. Stoddard.
H. R. 11426. Jessie Byerly.
H. R. 11431. Thomas J. Richie.
H. R. 11532. Thomas T. Smith.
H. R. 11541. Carrie I. Bramer.
H. R. 11559. George Craig.
H. R. 11785. Nancy E. Burse.
H. R. 11844. Barbara Hamilton.
H. R. 11853. Catharine McCombs.
H. R. 11923. Anna Davidson, now Titus.
H. R. 11963. Pernina S. Owen.
H. R. 12002. Margaret Connelly.
H. R. 12020. Thomas E. Heskett.
H. R. 12146. Luther L. Musser.
H. R. 12164. Laura V. Tegethoff.
H. R. 12219. Elizabeth Chase.
H. R. 12348. Ann Rock.
H. R. 12383. George W. Morton.
H. R. 12526. Joseph H. Peirce.
H. R. 12621. Anna Call.
H. R. 12628. Joseph Barker.
H. R. 12690. James Shepherd.
H. R. 12761. Charles E. Smith.
H. R. 12774. Andrew J. Halley.
H. R. 12818. Joseph Smyth.
H. R. 12854. Jacob Winter, alias Strisle.
H. R. 12947. Henry O. Pixley.
H. R. 12991. Nancy J. Vanzant.
H. R. 13009. William H. Harper.
H. R. 13032. William Defoe.
H. R. 13053. Annette B. Wonson.
H. R. 13064. Martha Gage.
H. R. 13068. Absalom O. Halliwell.
H. R. 13098. Emma Woods.
H. R. 13117. James P. Hayman.
H. R. 13156. John P. Cadwell.
H. R. 13235. Baxter Hamilton.
H. R. 13244. William H. Moore.
H. R. 13248. Luke Lea.
H. R. 13367. Thomas W. Moore.
H. R. 13386. William D. Smith.
H. R. 13510. Edward B. Ockington.
H. R. 13525. Rosamond Ensley.
H. R. 13536. Melvin J. Amos.
H. R. 13585. George Scruggs.
H. R. 13616. Ella R. Cochrane.
H. R. 13656. Isaac T. Lee.
H. R. 13665. Solon G. Van Derkar.
H. R. 13687. John P. Baker.
H. R. 13689. Michael Kuhn.
H. R. 13752. Adelaide B. Wales.
H. R. 13757. Philip L. Davis.
H. R. 13763. Henry R. J. Bennett.
H. R. 13795. Christian Harchelrode.
H. R. 13837. John W. Sweet.
H. R. 13843. Mary F. Lukecart.
H. R. 13858. Theresa C. Ganung.
H. R. 13886. Charles G. Turney.
H. R. 13892. William T. Merrill.
H. R. 13957. John Krause.
H. R. 13958. Catharine M. Upson.
H. R. 13974. George A. Hitchcock.
H. R. 13990. Solomon Stricker.
H. R. 13991. Cora Story.
H. R. 14013. Melissa L. Williams.
H. R. 14027. Fredonia Williams.
H. R. 14073. Charles H. Lester.
H. R. 14092. Jacob Vanderpool.
H. R. 14099. Eliza M. Clark.
H. R. 14100. Elza W. Evans.
H. R. 14105. Matthew R. Jones.
H. R. 14136. James P. Sloan.
H. R. 14150. Napoleon Slater.
H. R. 14159. James K. Earl.
H. R. 14161. Thomas R. Oliverson.
H. R. 14176. Willis G. Craddock.
H. R. 14177. John T. Stasel.
H. R. 14186. Hattie Parsons.
H. R. 14198. Colvin S. Roberts.
H. R. 14208. Helen B. Reed.
H. R. 14220. Thomas C. Rutter.
H. R. 14228. George R. Belcher.
H. R. 14272. David S. Curtis.
H. R. 14275. Juan F. Short.
H. R. 14317. Catherine Fitzpatrick.
H. R. 14345. William Green.
H. R. 14391. Alexander S. Bowen.
H. R. 14402. John O. Drawbaugh.
H. R. 14413. Harriet A. Butler.
H. R. 14414. Hattie Allen, now Pringle.
H. R. 14443. John R. Skidmore.
H. R. 14448. William Bay.
H. R. 14506. Levi North.
H. R. 14531. William O. Strickland.
H. R. 14562. Jennie M. Bissonett.
H. R. 14563. Mary Cook.
H. R. 14579. Thomas C. Helmling.

H. R. 14598. Mary L. Lake.
H. R. 14622. Carrie McIntosh, now Armstrong.
H. R. 14632. Nancy Crouse.
H. R. 14633. Eliza E. Hutcherson.
H. R. 14640. John R. Barlow.
H. R. 14659. Emanuel Garber.
H. R. 14669. Celia Bulger.
H. R. 14674. Calvin E. Boynton.
H. R. 14675. Mary L. Alverson.
H. R. 14682. John Goodmiller.
H. R. 14701. Charles Baxter.
H. R. 14702. Charles Landon.
H. R. 14723. Thomas B. Chilton.
H. R. 14726. Levi E. Cross.
H. R. 14790. Woodson S. Marshall.
H. R. 14814. John C. Brown.
H. R. 14815. Dennis Sanders.
H. R. 14830. Patrick Keating.
H. R. 14833. Albert N. Hopkins.
H. R. 14837. Marcus Bradley.
H. R. 14841. Jennie L. Maginn.
H. R. 14861. John J. Smith.
H. R. 14910. Quincy A. Seibold.
H. R. 14911. Henry B. Dunning.
H. R. 14913. David R. Stauffer.
H. R. 14916. Rosser Davis.
H. R. 14917. William Elkin.
H. R. 14922. Martha J. Waldo.
H. R. 14923. Anna M. Grossweiser.
H. R. 14933. Vesta V. Spears.
H. R. 14959. Henry Wagoner.
H. R. 14963. Edwin F. Hall.
H. R. 14964. Elizabeth Morgan.
H. R. 14971. Jennette B. Beardslee.
H. R. 14978. Oliver C. Cooper.
H. R. 15010. William White.
H. R. 15015. Henry H. Ross.
H. R. 15050. Gideon Marion Jolly.
H. R. 15055. Margaret Cauldwell.
H. R. 15056. Nora Erney.
H. R. 15059. Hiram Brandon.
H. R. 15069. Jane A. Sibley.
H. R. 15103. John H. Thomas.
H. R. 15124. Lemuel Lewis.
H. R. 15188. Caroline Jackson.
H. R. 15225. Isaac J. Smith.
H. R. 15391. Mary Jane Madary.
H. R. 15454. James R. Power.
H. R. 15455. William H. Simmons.

The SPEAKER pro tempore (Mr. WHITE). The question is on the engrossment and third reading of the bill.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. RUSSELL, a motion to reconsider the last vote was laid on the table.

Mr. KEY of Ohio. Mr. Speaker, I desire to call up the bill (H. R. 15959) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER pro tempore. The Clerk will report the title of the bill.

The Clerk read the bill by title.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will now read the bill for amendment.

The Clerk read the bill at length.

The bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 852. Asher P. Anspacher.
H. R. 884. Benjamin C. Condon.
H. R. 1066. John M. Upton.
H. R. 1324. Frederick M. Ottmar.
H. R. 2338. Barney Gordon.
H. R. 2430. Margaret Roddy.
H. R. 2820. Alexander R. Blazer.
H. R. 3316. Clyde C. Elkins.
H. R. 3533. Emily Patterson.
H. R. 4241. Elizabeth Fisk.
H. R. 4365. John J. Opperman.
H. R. 4682. Charles E. Sleeper.
H. R. 5170. George H. Imboden.
H. R. 5650. James W. Alexander.
H. R. 6099. Ofa Johnson.
H. R. 6266. Edward A. Mueller.
H. R. 6486. Susan M. Lampkin.
H. R. 6552. Thomas W. Botkin.
H. R. 6935. Rutherford B. H. Kinback.
H. R. 7177. Frederick Leidenberger.
H. R. 7186. Nazaire Beaupre.
H. R. 7323. Martha Rebecca Young.
H. R. 8632. Ida E. Markwood.
H. R. 8652. Willis D. Miller.
H. R. 9136. Charles B. Hoover.
H. R. 9165. Harry G. Tharp.
H. R. 9541. William Preston Raines.
H. R. 9624. Charles H. Bascombe.
H. R. 9866. Susan C. Masters.
H. R. 10116. James D. Silman.
H. R. 10816. Kathryn M. Denoyer.
H. R. 11032. Julius A. Schneider.
H. R. 11365. Julian C. McClure.
H. R. 11494. Tabitha P. Bissett.
H. R. 12912. Edson P. Howes.
H. R. 12956. Charles D. Minard.
H. R. 13006. John T. Holton.
H. R. 13010. Ernest McFadden.
H. R. 13374. John Beloney.
H. R. 13514. George F. Michel.
H. R. 13946. Dorcas Irene Stewart.
H. R. 14248. Thomas Comerford.
H. R. 14446. Harry Landau.
H. R. 14503. Leonard D. McCutcheon.
H. R. 15147. Ellen D. Rotramel.
H. R. 15394. Ernest H. Peterson.
H. R. 15493. Maggie Feavel.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. KEY of Ohio, a motion to reconsider the last vote was laid on the table.

Mr. MANN. Mr. Speaker, there are two short Senate pension bills. Would it not be well to take them up now?

Mr. KEY of Ohio. Mr. Speaker, I desire to call up the bill (S. 4167) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of other wars than the Civil War, and certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER pro tempore (Mr. SHERLEY). The gentleman from Ohio calls up a bill, the title of which the Clerk will report.

The Clerk read the title of the bill.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to consider this bill in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. If there be no objection, the first reading of the bill will be dispensed with, and the Clerk will read the bill for amendment.

The Clerk read the bill at length.

The following committee amendments were read, considered, and agreed to:

Page 2, strike out all of lines 1, 2, and 3.
Page 2, strike out all of lines 11, 12, and 13.
Page 3, strike out all of lines 9, 10, 11, and 12.
Page 3, strike out all of lines 18, 19, 20, and 21.
Page 5, strike out all of lines 5, 6, and 7.

The bill is a substitute for the following Senate bills referred to the Committee on Pensions:

S. 80. Isabella S. Snyder.
S. 285. Charles L. Stevens.
S. 404. Thomas W. Michael.
S. 425. John H. Broadwell.
S. 772. William S. Curtis.
S. 919. Agnes E. Brown.
S. 996. Oscar C. Shull.
S. 1000. Schuyler C. Pool.
S. 1048. Jennie E. Howell.
S. 1066. George V. Shaffer.
S. 1135. Mary Meade Sands.
S. 1239. Maria Howell.
S. 1386. Barbara B. Haws.
S. 1648. Mary A. Connolly.
S. 1695. Edward G. Goodbub.
S. 1837. George W. Robinson.
S. 1877. Isabella Workman.
S. 2007. James E. Embury.
S. 2290. John Doughty.
S. 2326. Kate Sloan.
S. 2412. Fred L. Bush.
S. 2487. Paul L. Bahr.
S. 2608. Mary C. Whitson.
S. 2627. Otto Weber.
S. 2634. A. Fannie Prevatt.
S. 3027. Mary E. Perry.
S. 3079. Frank J. King.
S. 3473. Helen M. Gleed.
S. 4011. Albina M. Williams.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. KEY of Ohio, the motion to reconsider the last vote was laid on the table.

Mr. KEY of Ohio. Mr. Speaker, I call up the bill (S. 4353) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, and I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Ohio calls up a bill, the title of which will be reported by the clerk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to dispense with the first reading of the bill.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

The Clerk read the bill at length.

The following committee amendment was read, considered, and agreed to:

Page 2, strike out all of lines 12, 13, and 14.

The bill is a substitute for the following Senate bills referred to the Committee on Pensions:

S. 265. Mary E. Lock.
S. 456. William H. Ryley.
S. 868. Commodore P. White.
S. 1849. Alexander Cowan.
S. 1996. Catherine Healey.
S. 2489. Arthur W. S. Maw.
S. 2490. Walter F. Davidson.
S. 2507. Harriet N. Lair.
S. 3424. Ira W. Arnold.
S. 3487. Gertrude Smith.
S. 3614. Emil Ginther.
S. 3885. Malinda Ann Miller.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. KEY of Ohio, a motion to reconsider the last vote was laid on the table.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, H. R. 14034.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14034) making appropriations for the naval service for the fiscal year ending June 30, 1915, and for other purposes, with Mr. JOHNSON of Kentucky in the chair.

Mr. PADGETT. I will ask the gentleman from Missouri [Mr. HENSLEY] to use some of his time.

Mr. BUTLER. Mr. Chairman, I would like to ask how much time has the gentleman remaining.

Mr. HENSLEY. I have 2 hours and 23 minutes.

Mr. BUTLER. Is it the purpose of the gentleman to use most of that time now? I will say to him that on this side we have but 40 minutes, and it is my purpose to favor as much as I can the chairman of the committee. We will not have very much more general debate on our side.

Mr. HENSLEY. It is our purpose to use something like an hour now. I yield to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS. Mr. Chairman, the progress of this debate has removed one stumbling block in the way of a moderate Navy, and has dispelled one delusion of long standing, namely, that the German Navy is superior to the Navy of the United States. The gentleman from Mississippi [Mr. WITHERSPOON] by a masterly array of irrefutable facts, has demonstrated that the German Navy is not superior to the Navy of the United States. He has clearly shown, therefore, that it is not a menace to the interests of this country, or to the security of our people. Hence there is no reason why the naval-construction program of the German Empire, should be matched, or paralleled, by the construction program of the United States.

Mr. Chairman, I understand perfectly well that the events of the last week, are regarded as having in some measure given a jolt to the arguments of the friends of a moderate Navy. I understand further, that these events have created an atmosphere which renders it perfectly useless at this time, so far as any hope of present success is concerned, for the friends of peace, and the friends of moderation in the naval and military program, to press their views upon this House. I have no illusions on that subject. I know perfectly well that the spirit of the war god is marching on, in this country, and that in deference to his requirements, this House will bow the knee, and do his bidding. I know that much wise and constructive legislation will inevitably be lost in the haste to subordinate everything else, to legislation related to the military situation, that much unwise legislation will be enacted, and that at this time our efforts for moderation in armaments will be perfectly futile. I have no illusions on that subject, but I will not on that account fail to urge my views upon this body, or recede from the attitude which I have steadfastly maintained for many years past.

I know further that as a result of the atmosphere in which we will work, Congress will do many unwise things, will enact much injudicious legislation, and impose many burdens that in the future will require much painful effort on the part of the people of the United States, much toil, and many privations, to correct, and remove. I would be blind to the teachings of history, I would lose sight of the march of events under other circumstances analogous to those which now confront us, if I did not realize that all of these things will come to pass. And yet, Mr. Chairman, there never was a time when the wisdom of our views was more fully vindicated, when the logic of the argument was more decidedly in our favor, when the friends of a moderate Army and a moderate Navy, had more reason to felicitate themselves upon their attitude, than at this very moment. We have favored, and maintained a moderate Army, and that Army is to-day sufficient for our needs. We have opposed an extravagant Navy, and resisted the hysteria that has been clamorously demanding four battleships. We voted for one battleship last year. Who among the frothing jingoes is found to say that our present Army, and our present Navy, are not adequate to deal with either the present, or the prospective situation in Mexico? The arguments of the friends of a moderate Navy have not been overthrown. They have been sustained. There is not a feature of the situation now confronting us, there is not a possible outcome of the war that it is possible we may hereafter wage against the feeble, war-torn, distracted nation, that now faces us, that was not in contemplation as a possibility, by the men who have stood heretofore, and who stand now, for a moderate Army, and a moderate Navy.

On the other hand, the tragic events of the last week, have completely overthrown the arguments to which I have listened in this House, during the past eight years, to the effect that a great Army and a great Navy, would act as a preservative of peace, would keep us at amity with the world. The advocates of a big Navy have insisted that they did not favor such a Navy with an eye to war, but with an eye to peace, and the preservation of peace. They have insisted that a mighty program of naval construction was a peace movement, and a peace program.

Ah, how completely that argument has been overturned. There is no question of comparison between our armed forces, and those of our possible antagonist. Should we unfortunately become involved in war, it will be a war in which there will be neither glory, fame, profit, or advantage. What then has become of the argument that a great Navy would bring us peace, not war. In other words, our present Navy, great and mighty as it is, will neither keep the dominant nation from war, nor hinder the people of the weaker nation from taking up the challenge of war, should that challenge be thrust upon them. Whose arguments then have failed, the arguments of the friends of a moderate Navy, or the arguments of the men who have clamorously insisted upon a greater Navy in the name of peace?

Mr. BRITTEN. Will the gentleman yield?

Mr. SAUNDERS. Yes.

Mr. BRITTEN. Is not the gentleman proud of the fact that we now have an adequate Navy in the Gulf?

Mr. SAUNDERS. I am proud of the fact that the present Navy which is far short of the demands of the so-called Navy experts, has proved to be far in excess of the exigencies of the present situation. Fortunately, so far, we have not conformed our building program, to the views and wishes of the naval board, or the naval experts.

In response to the query of the gentleman from Illinois [Mr. BRITTEN], whose question implies that we need all of this naval force in our controversy with Mexico, I will say that two gunboats in the Mexican waters, would be amply able to deal with the Mexican fleet, and meet every possibility in the way of danger from that fleet. No one pretends that the great monsters now steaming south, are required to meet any naval peril in that quarter.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield for a question right there?

Mr. SAUNDERS. Yes.

Mr. BRITTEN. It appears to me, Mr. Chairman, that if we would construct our Navy along the lines desired by the moderate-navy Members of this House, we would have less than 2 battleships at the present time instead of 25.

Mr. SAUNDERS. Mr. Chairman, I do not think the gentleman with his extravagant ideas of naval expansion, is in a position to speak with authority as to the attitude of the friends of a moderate navy. I prefer to stand by our own speeches defining our attitude, and by our repeated declarations upon this floor, to the effect that the construction of one battleship a year, will provide us with a navy that will be adequate to every exigency that we may be called upon to meet. [Applause.] I have stood for that program in the past, I stand for it to-day, and I maintain that the course of events in Mexico, is a vindication of that attitude. Our present Navy is adequate in size, and is in the highest degree, an efficient fighting instrument.

Mr. BRITTEN. Did the gentleman vote for one battleship or two?

Mr. SAUNDERS. I voted for one battleship. What would be the naval program to-day if the so-called experts had been followed? Four battleships a year. What did they tell us that four battleships a year, or for that matter two battleships a year, would produce? Peace, not war—peace. Mr. Chairman, we will never be engaged in any future war, in which the disparity of naval forces will be greater, than in the one which confronts to-day. If a great naval program will bring peace, why are we not at peace with Mexico? If our present powerful fleet has not operated to maintain peace between this country and Mexico, does anyone believe that if we had been building four battleships a year for the past 20 years our relations to-day with that country would be on a more peaceful footing? You gentlemen might as well abandon your contention that a great armament means peace, and will bring peace. Frankly admit that you are building up a mighty Navy, with a view to war, and that you are thereby promoting militancy, and developing the war fever, and the war spirit.

Mr. CLINE. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS. Yes.

Mr. CLINE. Is it not a fact that the only argument adduced on the floor of this House in the last six years for a large naval armament has been that a large naval armament meant peace?

Mr. SAUNDERS. Absolutely.

Mr. CLINE. That is the only argument that has been advanced for a large armament?

Mr. SAUNDERS. Yes, and so I insist that the logic of the present situation clearly shows that the argument for peace must be put upon some other ground, than upon numerous battleships, and a mighty Army.

Mr. BRITTEN. Did we not recently pass a peace resolution?

Mr. SAUNDERS. Yes, but we are not so much concerned at present with the resolution which we passed, as with the fact that the battleships which we have constructed have not brought us peace. Let us keep our eyes on the main argument, and note the failure of your contention, in the light of subsequent events.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS. Yes.

Mr. SLOAN. Has not the argument for a reasonably large line of battleships been that it would insure peace as against war waged against us, and not in contemplation of our engaging in an offensive war, which seems to be in progress to-day?

Mr. SAUNDERS. No. The argument was that this country did not propose to wage an offensive war, and that a great Navy was needed for the security of our people, for the maintenance of our institutions, and for the preservation of peace between the nations.

The logic of events has overthrown the contention of the militants. A great Navy has not secured peaceful relations between us and a feeble nation, but has brought us to the verge of war. If we favor peace, universal peace, it is evident that it must be secured by some other means, and by some other way, than by the battleship route. Peace must be attained by peaceful methods, by the peaceful attitude, by moderation, by conciliation, by an indisposition to stand on punctilios which are an inheritance of a barbarous and savage age. You will never advance the cause of peace by extravagant construction of the machines that breed the tendency, and the disposition for strife.

The military caste, and the naval caste, the world over, are the same. Military ethics, the military code, the military punctilios, are the same everywhere. When a nation trains men for fighting purposes, it ought to control and direct them. It should not allow the military caste to control and direct public thought and public policy, or to determine the relations of this country with the peoples of the world.

It seems impossible for the men who talk big armaments, to keep the facts of the record straight. I have witnessed two illustrations of that within the last two days. On yesterday I heard the gentleman from Alabama [Mr. HOBSON] assert that the gentleman from Mississippi had stated that the *Oregon* could meet, overthrow, and destroy six German dreadnaughts. In my own mind I was assured that the gentleman from Mississippi had made no such statement, though I am not concerned to make any defense for the gentleman from Mississippi. He can speak for himself. I am concerned, however, as one of the men who are presenting the same sane, deliberate, conservative, and patriotic proposition for a moderate navy, that we have heretofore presented, in correcting an unfounded statement. It was not the claim of the gentleman from Mississippi, it is not our claim, that the *Oregon*, which is an old-fashioned battleship, could overthrow and destroy six German dreadnaughts. Such a claim would be ridiculous, and has never been made on our part on the floor of this House.

I recollect very well what was said, and the gentleman from Alabama should have met, and overthrown, if he could, the facts put into the RECORD by the gentleman from Mississippi, when he compared the fighting strength of an out-of-date American ship, with out-of-date German ships. He should not seek to advance his cause, by setting up a man of straw, in order to triumphantly overthrow him. The gentleman from Mississippi put into the RECORD facts that it behooves the gentlemen who hold the opposing view, to deal with, and to meet squarely and fairly. What did the gentleman from Mississippi say in this connection? He contrasted the armament of the *Oregon*, with the armament of the German battleships of the same age and type. That was a perfectly fair argument, and a fair comparison.

Having referred to the superiority of the guns and armor of the *Oregon*, over the guns and armor of the German battleships that he selected for the purpose of comparison, he proceeded to state that the *Oregon* was superior to any six German battleships of the era of the *Oregon*. He did not compare the *Oregon* with the German dreadnaughts, for the reason that he had exhausted the resources of argument to show the superiority of the dreadnaught, and of the superdreadnaught of to-day, over the battleships of any era, or of any generation.

The gentleman from Alabama consumed much of his time in seeking to show the vast inferiority of the *Oregon*, to our later types of fighting ships. This proposition has never been challenged, never denied, never controverted by any advocate of a moderate, modern, and efficient navy. I desire to say in this connection, Mr. Chairman, that the assumption on the part of some of the protagonists of a greater navy, that their attitude is the attitude of patriotism, while the attitude of the friends of a moderate navy is due either to a crass ignorance of the vital problems of national defense, or to a pusillanimous preference for peace even at the expense of national honor, or the impairment of our territorial integrity, is not justified by any speech that has ever been made on our part on the floor of this House. I think that I am justified in saying that the advocates of a moderate navy are a body of sane, thoughtful, experienced, capable men, who are just as patriotic as the men who believe that our national honor, our national integrity, our national glory, require for their preservation a naval program of four battleships a year. [Applause.] And yet, as I said a moment ago, I am not blind to what is going on around me. The present state of the public mind, the atmosphere in which we are working, render possible the enactment of legislation which would be whistled down the wind under other conditions, and other circumstances.

I realize fully that when confronted with a possibility of war, all sense of proportion is lost. Men lose their reason, and "judgment flies to brutish beasts." But if I have heretofore maintained with a full sense of patriotic duty any attitude toward a great public question like our naval policy, that attitude should not be abandoned, merely because I realize that under present conditions the forces of opposition will be successful. I am ready like every other patriotic man to vote the supplies that the urgency of the situation will require, but this naval program is for the future, not the present. The ships voted for in the present bill, will never take part in the present war, and there is nothing in the facts of the past 48 hours, to justify a departure from the construction program of a year ago. It is hateful to me to hear this possibility of war with a prostrate and feeble nation, made the occasion for a glorification of our fighting strength. The disparity between the contending parties is too great. There might be honor and glory in a war with some great power, a power that would cause this country to extend itself, but a war with feeble Mexico, will be too unequal. It will be a repetition on a greater scale of the war with the Filipinos. [Applause.] There is little occasion to applaud ourselves over our wars with inferior nations. They have been but little to our credit. We are a brave people, a vigorous people, a militant, dominant, overmastering, overpowering people. All these things may be truly said of us, so that I am proud to proclaim: Civis Americanus sum. But we have not been particularly gentle, or magnanimous in our dealings with inferior races.

Mr. SHARP. Will the gentleman yield for a question at that point?

Mr. SAUNDERS. Yes.

Mr. SHARP. Is not what the gentleman has stated right now one of the best reasons for believing that in the interest of national peace this country of ours, above all others, can afford not to carry on this endless work of increasing our battleships?

Mr. SAUNDERS. I have been developing that contention for the last eight years, and I trust that I have not been unmindful during all that time, of the honor, the reputation, the prosperity and the welfare of the American people, and the glory of the American flag. [Applause.] I wish to say in this connection, and I know that I speak for all of my colleagues in this matter, that to keep our flag in the forefront, as it now is, of civilization and progress, and to maintain everywhere our real honor and our real glory, there is no sacrifice that we would not be willing to make. [Applause.] But at a time like this we lose sight of the real relation of things. The sense of proportion is gone. Under the influence of the spirit now abroad, we love to applaud ourselves not only for the qualities that we possess, but for other qualities to which we have no claim, and to impute to ourselves motives, and conduct, and ideals, that are utterly at variance with the teachings of history. On yesterday I listened to the gentleman from Alabama as he sounded our praises. We love to be patted on the back, to be stroked as a cat is stroked, to have imputed to us, generosities that we have not displayed, and excellencies that we have not exhibited.

The gentleman from Alabama with the fervor of war upon him, proceeded to tell of the wars that we have waged, of the ideal conditions under which those wars have been prosecuted, of the generosity, magnanimity, self-sacrifices, and self-abnegation that we have showed, in comparison with what other nations have exhibited, when waging wars and making conquests. I do not know any country in the world, having in mind the wars that we have waged with weaker peoples, that has grabbed a larger portion of fat lands, as a result of war, than the United States. By war we pushed back the Indian aborigines, until now we own this country from the Atlantic to the Pacific. I do not stop to deny that in the ultimate this, in a large way, will be for the benefit of mankind, but we are not entitled to any credit for generosity, or magnanimity, in this connection. Whatever the motives, or the excuses, our acquisitions have been made by the stark use of the mailed fist. We have taken whatever was in sight. We went to war with Mexico over 50 years ago. History tells us that the causes for that war were trivial, yet as a result of it, we took a large slice of rich territory, and still further made broad our phylacteries, and extended the limits of the United States.

We did not fare so badly in a territorial way, as a result of the war with Spain. We came out of that war with Porto Rico, and the Philippine Islands to our credit, and if we did not take Cuba, it was because, having reference to the declarations that had been made on our part, we could not have taken that island, and kept our face before the world. Since that time we have been near unto taking it on a very trivial pretext. At the conclusion of

the Spanish War, we insisted upon the Philippines. We were so anxious to secure these islands that we were willing to take them with a lien, in the shape of a native war. It was always thought until the official dispatches were published, that we took the Philippines to save the face of Spain, but later it was ascertained that the commissioners who were sent by the United States to negotiate the treaty of peace, were charged by the President of the United States to insist upon the Philippines as an irreducible minimum. Spain, however, has been amply revenged upon us in that connection. If she wished us ill as a result of that cession of territory, she has certainly seen that wish fulfilled. But the fact that we have been disappointed in our acquisition, the fact that the Philippines have not turned out to be the desirable possession that we fondly hoped that they would be, none the less changes the fact that as a part of the proceeds of that war, we insisted upon territorial additions, and secured what was deemed to be, at the time, a rich and desirable enlargement of our landed domains. We became landlords over the seas.

Now that the war spirit is abroad, now that this atmosphere of war has been created, the man who descants upon the glories and generosity of the United States in antecedent wars, touches a popular chord. I know that full well. I know, however, another thing, and that is that if the United States desires to cultivate the peace spirit, if it wants peace, peace with honor, peace with security, peace with the maintenance of national dignity, peace coextensive with the world, we must seek it by some other route than by an excessive expansion of either the naval, or the military arm. [Applause.] We must pursue a different course; we must lay a different foundation; we must adopt a different attitude; we must reach out, and create a different environment, if we desire peace among the nations, and the devolpment of the peaceful spirit at home.

Another distressing feature of a time like this, is the extravagant laudation of everybody, and everything connected with war. I do not know why this should be true, but it is true, and it has always been true. Men can be induced to enact the most extravagant and unwise legislation, by laudatory references to acts done by an army, or a naval officer in the ordinary performance of duty. Why should he not do his duty? Why should he not fight? He does fight. The history of the American Navy is the history of fighting. Why not? We train our naval officers for that sole and exclusive purpose. We set them apart for that function. We create them for that, and for no other purpose. Why should they not do their duty, after we have educated them, given them opportunity, and relieved them from all anxieties and responsibility in connection with the mere details of livelihood. Why should they not do their duty, and do it manfully, when the time arrives for them to make some return to their country, for all that their country has done for them? I rejoice in the fact that the history of the Navy is the history of duty well done. For one, I will not allow myself to be put into a false position, or advance any statements that can furnish the ground for the unjust charge hereafter that I am attacking in a captious, or sneering way, either the military, or naval arm of the Government. The moderate-navy, and the moderate-army advocates, repudiate the imputation that we are indisposed to do justice either to the Army, or to the Navy personnel.

But it is an unfortunate thing that the discharge of duty by one arm of our Government, should be the subject of such extravagant and overweening laudation, that it destroys our sense of proportion, and lessens our capacity and our disposition to do justice to other equally meritorious and deserving public servants, and renders impossible the legislation that would build up the welfare, and promote the uplift of all the people of the United States. I say that this is an unfortunate thing. And yet we have many manifestations of this attitude.

On yesterday I heard the gentleman from Alabama [Mr. HOBSON] speak to a sympathetic audience when he referred to the "poor naval officers," doing their duty, without adequate public appreciation of their service, or of their value. I do not know any portion of the American people to which the phrase "poor" can be applied with less propriety, than to the men who serve in the Navy in the capacity of officers. Their ways are made easy for them. In many instances the Members of Congress have opened the doors of opportunity by their appointments to the Naval Academy. These fortunate appointees have in many instances chances for an education, and for a career, such as otherwise they would never have enjoyed. Their surroundings as cadets are of a most enviable character. They begin life with an adequate salary. They have no fear for the future. As they advance in rank, their salaries are raised. When the time comes to retire, they are liberally pensioned. Why speak of their unhappy lot, and in that connection use the word that was used on yesterday,—"poor"? Why say that the American people have been ungrateful to them? What particular occasion was there for remarks of this character in connection with the pending bill? We create at Annapolis a body of men for certain specific purposes. They would be ingrates if they did not do their duty along that line for which they have been specially educated, and specially prepared.

Mr. HENSLEY. Will the gentleman yield right there?

Mr. SAUNDERS. Yes.

Mr. HENSLEY. Is it not a fact that within the last 15 years we have increased the appropriations for this department 400 per cent?

Mr. SAUNDERS. Oh, on the money side, on the side of loaves and fishes, from every point of view, if you go into that inquiry, there is no portion of our public servants who are better provided for than the Army and Navy officers. As I said, we set them up, we give them an outlook on life, we give them opportunity, we pay them liberal salaries, we provide them with a comfortable environment. We have a right to expect good service. I remember an admiral who came from the little mountain town of Floyd in my district—"Fighting Bob" Evans. Probably if he had not received the appointment to the Naval Academy, he might in time have attained the high position of postmaster at Floyd. There are many mute, inglorious Miltons. Admiral Evans did his duty, and did it well. Why not? His country made him, trained him to do certain things, and had the right to expect an ample return of duty well done. Was he discharging any more sacred and solemn obligation of duty than the Members of this House, in their relations to the public welfare? Was he discharging any more solemn obligation of duty than many a fireman who goes to death under circumstances which exhibit a heroism as great as the Charge of the Light Brigade? Yet the fireman dies unwept, unhonored, and unsung. The ordinary policeman on our streets, taking the service year in and year out, incurs greater risks than the average soldier in the Army of the United States, and does his duty just as well. But we do not become enthused over him, we do not lose our sense of proportion, we do not create in his case an atmosphere that causes us to subordinate all other interests, and cripple other acts of needed legislation, in taking care of the policeman, or the fireman, or other men doing their duty under heroic circumstances.

Can the advocates of a greater navy distort these comments into a criticism of the Army, or the Navy? They must go far afield if they can find in them any carping criticism upon the one, or the other. I am simply trying to put before you things as they actually are, to strip away the surrounding glamor, which is a part of the accursed war spirit. It is the atmosphere of war which causes us to see things out of proportion, and to fail in our duty to other classes of society, and to other interests, which are fully as deserving of our fostering care, our admiration, our attention, and our appropriations, as either the Army, or the Navy.

I wish to say another thing in this connection, and that is that because you train a man to fight, and equip him to fight, and because he does fight—and we rejoice in the fact that when occasion arises our fighting men do their full duty—it does not follow that the disposition of the problems of national statesmanship should be committed to that man. This is the body that ought to fix and control the policies of the Nation. The man who drives an engine, may be efficient in that capacity, but we do not call him in as an expert to determine the question of the Government ownership of railroads. A mercantile firm may leave the care of its motor cars to its chauffeur, and may advise with him as to the best type of car. But the firm determines its policy with respect to the use of motor cars, how far it will go, in that direction, and how many cars it will purchase. The policy with respect to the use of motor cars is fixed by the firm, while the duty of the chauffeur is to do the work that he is retained to do. He is not called upon to determine the question of policy.

The advocates of a moderate Army and of a moderate Navy, insist that this body should fix our naval policy. They maintain that the solution of these problems ought to be relegated to the civilian statesmanship of the country. The problems that relate to the national welfare, the problems that relate to the national growth, the problems that relate to our future, to our security, and to our interests, are all committed to the care of the civilian statesmanship of this country, and we are false to our constituencies, and to our duty, when we allow the military, or the naval arm of the Government, to usurp a function that belongs to us, and to speak with authority in the establishment of our military policy.

The gentleman from Alabama [Mr. HOBSON] showed on yesterday that he was a technical expert. I grant it. The gentleman from Alabama has been a fighting man, with a glorious record. We all admit that. But the gentleman from

Alabama, neither by training, nor environment, has, as the result of that military education, any superiority or advantage over any other Member of this House, in determining what the naval policy of this country ought to be. [Applause.]

Mr. BRITTEN. Mr. Chairman, will the gentleman yield right there?

Mr. SAUNDERS. Yes.

Mr. BRITTEN. What is the necessity, then, of our Navy General Board?

Mr. SAUNDERS. None. It ought to have been abolished long ago. [Applause.] Our Navy General Board was created for the express purpose of forcing us into still greater extravagances of naval construction than even the Naval Committee, or the House are willing to stand for.

I will answer further the question which the gentleman from Illinois propounded. If the naval board is entitled to speak with authority, why is it that the Naval Committee has not followed its recommendations?

Mr. BRITTEN. Mr. Chairman, will the gentleman yield to me again?

Mr. SAUNDERS. No; I do not wish to yield. I know the gentleman from Illinois will not regard me as being discourteous, if I decline to yield further at this time.

Mr. HENSLEY. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS. No, if the gentleman will excuse me. I wish to answer the question which the gentleman from Illinois propounded. If the naval board is entitled to speak with authority, why is it that you gentlemen of the Naval Committee will not follow its recommendations?

Mr. BRITTEN. I did not understand the gentleman's question.

Mr. SAUNDERS. I say, if the naval board is entitled to speak with authority, why do not you gentlemen of the Committee on Naval Affairs follow its recommendations?

Mr. BRITTEN. We try to.

Mr. SAUNDERS. You do not. They recommend four battleships.

Mr. BRITTEN. It is because Members like the gentleman will not let us.

Mr. SAUNDERS. Oh, you are supreme in the Naval Committee.

Mr. SISSON. What authority is there in law, and what law did Congress pass for the creation of this board?

Mr. SAUNDERS. I do not know; but I am attempting to discuss the point suggested by the gentleman from Illinois, and assume that this board has authority of law for its existence.

Mr. HENSLEY. It is self-created.

Mr. SAUNDERS. The advocates of a big navy are supreme on the Naval Committee. That committee has been built up in such a way, that the advocates of a moderate navy on that committee, struggle for their beliefs, and seek to bring out the facts, under the very greatest difficulties, and at the very greatest disadvantage.

I would like the gentleman to tell me how the attitude of gentlemen like myself, hinders him and his colleagues who constitute an overwhelming majority of the committee, from reporting four battleships in his bill? What compulsion can we put upon you? You say that I am in the way, and that men like me are in the way; then how have you been able to report two battleships? We are as much opposed to two battleships as we are to four. Why does the gentleman speak of the naval board as having authority, and then refuse to follow it?

Mr. BRITTEN. I want to say that every member of the Committee on Naval Affairs who signed this minority report voted for no battleships for the year 1913 with one exception, and that gentleman was out of town, or he would have voted for no battleships also. If we have no battleships at all, we do not need a naval board. That is true.

Mr. SAUNDERS. Now what has the report of the feeble minority of 4 on your committee, to do with the recommendations of the majority, represented by the 17 other gentlemen? How could that minority, feeble as it is in numbers as compared with the 17 gentlemen who are sounding the tocsin of war, hinder you from reporting four battleships, if it was your desire so to do?

Mr. BRITTEN. The Secretary of the Navy recommended two battleships.

Mr. SAUNDERS. The gentleman did not ask me about the Secretary of the Navy. He asked me about the naval board, and the intimation carried in the question, was that that board was entitled to speak with authority.

Mr. BRITTEN. His information comes from the general board.

Mr. SAUNDERS. He did not follow the general board.

Mr. BRITTEN. Who passes the bill—the committee or the House?

Mr. SAUNDERS. The members of the Naval Committee ought to be superior to the naval board, to the Navy Secretary, and to the power of the administration, when it comes to doing your duty as members of that committee. Holding the views that you do as to the Navy General Board, you occupy a ridiculous attitude when you reject their recommendations and are contented to report a miserly and inadequate program calling for two battleships a year.

The question of national defense is not a matter of compromise. The security of the country is the supreme law; and whatever is necessary for the security of the country ought to be done, and ought to be voted for, and ought to be provided for, to the exclusion of everything else. That is the position of the advocates of a sufficient Navy, of which I have the honor to be one. You will agree to that, I believe.

Mr. BRITTEN. Do you get security from no battleships?

Mr. SAUNDERS. The gentlemen who voted for no battleships on the occasion referred to, voted for that proposition on the very sufficient ground that in their view we already had all the battleships that we needed, without providing for any more at that time.

Mr. BRITTEN. And the gentleman was one of those.

Mr. SAUNDERS. I think not.

Mr. BRITTEN. Yes; I have looked up the RECORD, and the gentleman voted for no battleships.

Mr. SAUNDERS. Very well, I cast a mighty good vote if I did. I do not think however that I voted that way in 1913. My recollection is that I voted for one battleship, but if the gentleman has ascertained that I voted for none, he has done me a kindness. He has found one vote in my record of which I am proud. [Applause.] I voted for none because we had provided for two the year before. Hence, there was no occasion to provide for any in the succeeding year.

Let us go a little further. I am able to justify my attitude because I am satisfied after full investigation that a program of two ships a year gives us more battleships than we need. But you big-navy people have not done your duty. If you think that this naval board is entitled to speak with authority, and to fix the naval policy of this country, you ought to follow them, and bow with deference to that authority.

As I said a moment ago, the national security is not a thing to be paltered with, it is not a question to be compromised. It is a proposition to be met fairly and squarely. The security of the Republic is the supreme law. The old Latins had a magnificent aphorism, Salus populi, suprema lex esto. I stand by that.

What does the average naval expert say with reference to the proper defense of our country? Adopting the view taken by gentlemen like the gentleman from Alabama, the provision for two battleships is so pitifully inadequate, that it is fully as deserving of criticism as a provision for none at all. Do you suppose that Mr. HOBSON is satisfied with two battleships? Why, I asked him on the floor of this House how many battleships he thought would be necessary to make us safe, and he said something like five a year. Either the naval board speaks with authority, or it may be disregarded. If it speaks with authority, then, you gentlemen who believe in it, can not falter, or take any middle ground. I do not believe in it, so I am not bound by its recommendations; not so with you gentlemen who recognize its authority. You do not do your duty to the country, nay you imperil the security of our country, when you fail to provide all the battleships that this board declares are necessary to preserve that security.

Mr. MADDEN. Will the gentleman yield to me for a question?

Mr. SAUNDERS. Yes.

Mr. MADDEN. The gentleman from Alabama argued that we ought to maintain our equilibrium among the nations of the world.

Mr. SAUNDERS. Yes, that is the new philosophy of the gentleman from Alabama.

Mr. MADDEN. Will the gentleman tell us what he thinks about that?

Mr. SAUNDERS. I do not care to go as far afield as that. I suppose even my friend from Illinois is hardly prepared to subscribe to that doctrine. The gentleman from Alabama [Mr. HOBSON] will have to be spokesman for that doctrine on the floor of this House.

Mr. McLAUGHLIN. Will the gentleman yield now for a question?

Mr. SAUNDERS. Yes.

Mr. McLAUGHLIN. I agree thoroughly with what the gentleman has said to the effect that in the trouble in which we are now engaged, it appears that we have a sufficient Navy; but does not the gentleman know that this country is trembling to-day for fear of complications with foreign countries?

Mr. SAUNDERS. No, I do not know anything of the sort. I for one am not trembling, and I do not believe the country generally is trembling.

Mr. McLAUGHLIN. And within a few weeks this Congress has been asked to give away our plain rights in the Panama Canal for the purpose of appeasing foreign countries.

Mr. SAUNDERS. Are you afraid of foreign countries? Are you trembling with apprehension? Are you afraid of a foreign invasion of this country?

Mr. McLAUGHLIN. Is it not true that almost every newspaper we read speaks of the danger of foreign invasion?

Mr. SAUNDERS. I think the statesmen of this country, and the Representatives in this House, have come to a rather low ebb, if we are to be turned from the plain course of our duty, by unfounded statements contained in irresponsible, fire-eating, jingo newspapers. [Applause.] I have seen some of the matter referred to, and I wish to say that it makes me ashamed of the intelligence of the country, to be told that such stuff should make any lodgment on our minds.

Mr. McLAUGHLIN. I venture the suggestion that if there should be intervention by one of these larger powers, every man on the floor of this House would regret that he had not voted for more battleships.

Mr. SAUNDERS. Suppose we consider that suggestion. In case of intervention by Great Britain, Germany, and France in the pending controversy, what would our provision for two battleships a year amount to? Such intervention is a possibility. If you argue in that fashion, you ought to insist that our program should carry 20 dreadnaughts a year. Suppose that tomorrow Germany, France, and Great Britain should make common cause against the United States, what security would our pitiful program of two battleships a year afford? We might as well have none; since our present fleet would be destroyed, with the consequent loss of all the millions that had gone into its construction.

Mr. BUTLER. Will the gentleman permit me to ask him a question?

Mr. SAUNDERS. Yes.

Mr. BUTLER. I know my friend will agree with me that we would put up a good fight, if we had not anything but a pole to fight with.

Mr. SAUNDERS. Oh, yes. The gentleman can not make any issue with me on that. I have already stated that when it comes to war I would like to have an antagonist worthy of our steel, one that would put us to our mettle, and develop the real fighting blood that is in us. I have already made that statement.

Mr. CLINE. How does the naval board come to get into this question of how many battleships we shall have?

Mr. SAUNDERS. I do not know, except perhaps to show that the Naval Committee has disregarded their recommendations.

Mr. CLINE. Did the Naval Committee send for the naval board?

Mr. SAUNDERS. I do not know. It is referred to as a body of experts for whose opinion we ought to have regard. Yet the committee disregards them. The very gentlemen who are urging two battleships, are disregarding the recommendations of the naval board. Speaking of possibilities——

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. SAUNDERS. Yes, I will yield.

Mr. KELLEY of Michigan. I noticed in the paper this morning, and I have seen it in several papers lately, and I presume the gentleman has also, that the Secretary of the Navy has issued rush orders to have the *New York* completed so that she may be sent to Mexican waters. I want to ask the gentleman, if there is no prospect of some complication abroad, what is the reason of the Secretary of the Navy for desiring more battleships to be sent to Mexican waters?

Mr. SAUNDERS. Probably the naval board suggested to him that it would be well to do it, I do not know.

Mr. KELLEY of Michigan. Does the gentleman think that the Secretary of the Navy would issue a foolish order of that kind?

Mr. SAUNDERS. I would not like to say that the Secretary of the Navy does foolish things, but he has done some things that I can not approve. Will that satisfy my friend? I want to say seriously that the environment of the Secretary of the Navy is such that it is hard for him to be other than the mouthpiece of the caste that surrounds him. While administrations come and administrations go, the environment of the Naval Secretary is always the same.

Mr. FESS. Will the gentleman yield for a friendly question?

Mr. SAUNDERS. Yes.

Mr. FESS. I would like to have the gentleman's opinion on the matter of sending the entire fleet to Mexico at this particular time when, so far as I can see, there is not so very much to do except on the coast. Why is it all there?

Mr. SAUNDERS. It serves to show what a mighty naval power we are.

Mr. FESS. Show to whom?

Mr. SAUNDERS. To the world, I suppose. The advocates of one ship a year have insisted that we possess a mighty Navy. Now we have an ocular demonstration of the fact.

Mr. MADDEN. And this is a safe place, anyway.

Mr. SAUNDERS. Yes, a very safe place. When the gentleman from Michigan asked me if we might not become involved with the nations of the world, he must have had in mind some combination of nations. Whenever you begin to argue for a big Navy upon the hypothesis of possible complications, there is no limit to the extent of naval construction that will thereby be imposed upon the country. It is possible that we may become involved over Mexico with a foreign power, it may be that we will be involved with two foreign powers, or possibly three foreign powers. One is as likely as the other. Having reference to these possibilities, what should be the program of naval construction?

I have been in this House long enough to see Japan as a possible adversary, worn threadbare. The gentleman from Alabama [Mr. HOBSON], when he first came to this House, and began to sound war's alarm, insisted that unless we built up such a Navy as he had in contemplation, it would be only a short while before this country would be involved in war with the Empire of the Rising Sun. Time has passed, and we are not only not at war with Japan, but we are farther away from war with that Empire than ever before. Japan is tottering on the verge of bankruptcy, and has materially reduced her naval program.

Mr. McLAUGHLIN. Does not the gentleman know that the people of California can not enforce the school laws that they want because Japan has ruled otherwise, that they can not enact the land laws that the people want because they can not stand behind them, and the Secretary of State had to hurry to California to consult with the legislature?

Mr. DONOVAN. Mr. Chairman, a point of order. Gentlemen have not the right to take the floor without the consent of the Chairman and the consent of the gentleman who holds the floor.

Mr. McLAUGHLIN. I beg the gentleman's pardon if I have been speaking without his permission.

Mr. SAUNDERS. The gentleman had my permission.

Mr. BRITTEN. Will the gentleman yield?

Mr. DONOVAN. Mr. Chairman, the gentleman has no right to interrupt without the permission of the Chair. In the last 25 minutes the Member who is addressing us has not spoken for 5 minutes without an interruption. We are entitled to hear the gentleman from Virginia. We can hear the other gentlemen anywhere in the lobby, or out on the street. What we want is information. [Laughter.]

Mr. BRITTEN. Will the gentleman yield?

Mr. SAUNDERS. Yes.

Mr. BRITTEN. I want to ask the gentleman if he does not think that our naval program from year to year depends largely on our financial condition?

Mr. SAUNDERS. No. It depends upon a much higher consideration—the necessities of national defense. The American people should provide whatever is necessary for our security; the matter of dollars and cents should not enter into the question.

Mr. BRITTEN. One more question. It appears to me that the gentleman's attitude is very inconsistent.

Mr. SAUNDERS. I think not.

Mr. BRITTEN. There is no question but that the gentleman from Virginia voted for no battleships, and the other day he voted practically for a war resolution.

Mr. DONOVAN. A point of order, Mr. Chairman. The gentleman from Virginia yielded for a question, and the gentleman from Illinois is not asking a question.

The CHAIRMAN. The gentleman from Virginia yielded to the gentleman from Illinois generally.

Mr. SAUNDERS. The gentleman from Illinois is seeking to develop an inconsistency in the gentleman from Virginia. [Laughter.] If I have been inconsistent, it was in a good cause, but I have not been inconsistent. I favor all the battleships that this country needs. To that extent I am in favor of a big navy. One ship a year gives us a big navy. We need no more. I wish to say in this connection, that I have been here long enough to hear the gentleman from Tennessee [Mr. PADGETT] make a most able, impressive, comprehensive, and logical argument along the very lines followed by the gentleman from Mississippi [Mr. WITHERSPOON] a few days ago, namely, that Germany was not a menace to the United States. I listened with admiration to him, when he stood up boldly in front of the House, and in reply to the gentleman from Alabama who was making suggestions like those now made by the gentleman from Michigan, stated, "I am not scared." Those were brave words, but since that time, in some way, we have

seen our friend from Tennessee become infected with that mysterious influence with which he said the gentleman from Alabama had inoculated a former President of the United States.

In other words, our friend is now overthrowing his own arguments, and supporting the arguments of his quondam adversary, the gentleman from Alabama [Mr. HOBSON]. How does he justify this reversal of attitude? President Wilson declares that many happy illustrations multiply about us of a growing sense of community of interest among the nations. This relates to the great nations of the world, not the small semi-barbarous States, with respect to which occasional wars requiring a small force, may be expected. I have seen another thing since I have been here. I have seen the sentiment for a big navy worked up in the most deliberate, and scientific fashion. Some one fires the train by stating that a foreign country is preparing to trample, or tread on the United States. Naturally that suggestion is irritating, and the country begins to bristle up a little. Then another actor in this comedy bobs up, and asks soldiers on the unprotected shores of the Atlantic coast? This inquiry causes us to further sit up, and take notice. Then another conspirator in this propaganda, rises to remark that Japan is preparing to occupy Magdalena Bay, and make it a great naval base. This suggestion sets the whole Pacific coast aflame, and the Representatives from that section are ready to vote for 100 battleships to protect them against Japan. A little later some one suggests that Russia is secretly preparing a great aerial fleet with which to destroy the Panama Canal, and wants to know what we are going to do about it? This suggestion starts a call for a great defensive aerial fleet to protect us against this antagonist, who is to fly across the stormy waters of the Atlantic. By this time the proper condition of alarm has been reached, and these skillful players pull out all the stops of pride, passion, and prejudice in the great organ of armed peace, and the volume of sound which they emit, straightway drowns out any still, small voices that fain would be heard for peace, or moderation.

In the view of the naval experts this country is not now, and at no period in its history, has ever been provided with either an adequate Army, or Navy, and yet we have managed somehow to bungle along, growing richer, and stronger, and greater, and more secure with each passing year. This matter of the naval board, is a very serious thing in the mind of my friend from Illinois [Mr. BRITTEN].

If these people are entitled to the last word, if we must abdicate in their favor our position as custodians of the rights, dignity, security, honor, peace and protection of the American people, if we must turn over to this board the ultimate voice in determining what is necessary to be done, in order to adequately protect us against imminent dangers, if they are entitled to speak with authority, because they are fighting men, and, therefore, can adequately advise us what our policy should be, and how we may adequately protect ourselves, I ask you, I ask my colleagues in this House, whether we can afford to disregard this voice of authority, and to set up our poor, puny voices against them? The advocates of this bill say that it is a compromise between the views of the moderate naval people, and of the naval board. Is this a matter for compromise? Are the 17 members of this Naval Committee willing to compromise the security, the welfare, the future, the honor, and the dignity of the American people, by reporting two ships, when they ought to report four? Can you compromise a situation like this? Ought you to leave us in a state of insecurity, uncertainty, and alarm, when you have a board that tells you not only what you can do, but what you ought to do, in order that you may discharge your duty to your constituents, and preserve the integrity and welfare of the American people? I tell you, that the gentlemen who talk about this naval board, and the authority that its recommendations ought to carry, and then admit that they only believe one-half of what that board says, thereby do no credit either to the naval board, or to the 17 majority members of the committee. If the majority of the committee can weigh the arguments of this board, if it can reject 50 per cent of what they say, if it can present a bill for a less number of ships than this board recommends, then they admit by that action all I have undertaken to put forward in this matter, and that is, that after all has been said, the final voice in this great argument ought to be the voice of the American Congress, the voice of the American people, speaking through us, who are the servants of that people. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HENSLEY. Mr. Chairman, I yield one minute to the gentleman from Louisiana [Mr. DUPRÉ].

Mr. DUPRÉ. Mr. Chairman, among other brave American lads who gave up their lives for their country at Vera Cruz on yesterday was Louis Oscar Fried, ordinary seaman, attached to the U. S. battleship *Arkansas*, aged 19 years, a resident of Gretna, La., which is in the congressional district that I have the honor to represent. It must be a source of mournful pride to his father and his family and his friends, as it is to me, to realize that he was the first southern boy to make the "great sacrifice" for his country in this unfortunate war. [Applause.]

Mr. PADGETT. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. MURRAY].

Mr. MURRAY of Massachusetts. Mr. Chairman, there is one feature of the pending bill to which but little attention has been directed during the course of the debate because of the keen criticism of some who are opposed to the naval program and who do not desire to see such great amounts as are recommended by the committee appropriated for battleships and for naval construction. It is most important that in the course of the discussion we should not lose sight of those features of the bill that have to do with navy yards and with things other than the construction of battleships and naval boats. It may not be necessary to remind the members of the committee that on Tuesday last the gentleman from Virginia [Mr. JONES], who represents the congressional district which has the Newport News Shipbuilding Co. in it, and again on yesterday the gentleman from New Jersey [Mr. BROWNING], who represents a district with a private shipbuilding company in it, made criticism of the recommendation of the Secretary of the Navy and the Naval Affairs Committee because they have recommended on page 22 of the pending bill that the Boston and Philadelphia Navy Yards be equipped for shipbuilding. There is an item in this bill, I am most happy to say, appropriating $148,000 to equip Charlestown (Mass.) Navy Yard for shipbuilding. This amount of money, $148,000, was put into the naval bill of a year or two ago through the activities of some of us who were familiar with the conditions of the marine barracks and officers' quarters at the Charlestown Navy Yard, and in spite of the fact that it required unanimous consent in this body, that a single objection could have caused the legislation to fail, we were able to convince the Congress that $48,000 should be appropriated for officers' quarters at Charlestown Navy Yard and $100,000 should be appropriated for marine barracks at that place.

Mr. Chairman, the honorable Secretary of the Navy when he was inducted into office had his own ideas in regard to the mobilization of the Marine Corps at a point farther south than the Charlestown Navy Yard, and he told some of us that he believed it to be an unwise expenditure to go forward with the construction of the officers' quarters and the marine barracks that had been authorized in the naval bill. The reasonableness of his argument was so sound that, so far as we were concerned, we agreed that the money might be withheld from expenditure for a time at least until we might see how the Secretary's plan should work out. It is this amount of money, $148,000, already appropriated by the Congress for the building of officers' quarters and marine barracks that the Naval Affairs Committee recommends toward the equipment of the Charlestown Navy Yard for shipbuilding. The gentleman from Virginia [Mr. JONES] spoke at length on this item, just as the gentleman from New Jersey [Mr. BROWNING] did, and they objected to the proposition on the score that it is unwise to have shipbuilding at Boston. They say that mechanics and workmen at Boston are paid 25 per cent more in wages than workmen and mechanics in any other place along the Atlantic seacoast. Mr. Chairman, it is a matter of surprise to me to know that the wages of the Boston mechanics and workmen are so much higher than the wages of men in other places. I can not challenge the statement that was made by those gentlemen, because I have not the wage schedules, but I know that workmen in the Boston yards and in the private shipbuilding company at Boston challenge this statement in regard to comparative wages.

If they are paid 25 per cent more wages than the workmen in other places I am sorry to know that this condition exists in those places, because certainly we believe that the wages of the workmen at Boston are not now too high but rather too low. The objection is made that Boston ought not to be equipped for shipbuilding because the climate there is not so good for this work as the climate in other places along the seaboard. Objection is made by the gentleman from Virginia that we have so much rain at some times and so much snow at other times in the year that the climate there is not good for this kind of work, and, therefore, the Boston workmen and shipbuilding plants are at a disadvantage. It is an old, old thing to charge that the climate of Boston has many different kinds and varieties. It is a thing that is frequently referred to by humorists that the climate of Boston is the worst in the world and the most variable in the world. I have read, indeed, the witty things that Mark Twain said, with characteristic American humor, as to the climate of New England; but, Mr. Chairman, I never thought I would live to a time when in the Ameri-

can Congress it would be seriously asserted that the climate in Boston was the cause of withholding an amount of money to equip that place for shipbuilding purposes. I do not believe it is fair to say that the climate of Boston is not so good as the climate in Norfolk or at any place as far south as Washington for shipbuilding or any other kind of actual labor. Certainly I have always been more comfortable in the summer time in Boston than I ever have been in the summer time here in Washington, and any man who has had to do actual hustling work in each of the two places, as Members of Congress surely have to do, may bear me out in this statement in regard to comparative climatic conditions.

The gentleman from Virginia is a friend of the naval experts, because he rests his case largely on the proposition that the naval experts recommend a contract with a private company. The Secretary of the Navy is criticized by some of my colleagues because he is willing at times to follow the advice of the naval experts; he is criticized by the gentleman from Virginia [Mr. JONES] and the gentleman from New Jersey [Mr. BROWNING], and by other men, because he fails in this matter to follow the recommendations of the naval experts. Mr. Chairman, I have seen some Secretaries of the Navy, have watched their conduct of the great Naval Establishment of the Government. May I digress for a moment to say I have never known a greater Secretary of the Navy than the present Secretary, Josephus Daniels. I commend him because he listens to naval experts and to all who may advise him, and then he acts as he believes he should act for the national welfare. Some refer to him as an extravagant man. Let me tell you some of the great economies that he has practiced in the short time since he has been at the head of that department. It is not necessary to tell the men who are on the Committee on Naval Affairs, because they know full well that he saved as a result of competition in regard to the matter of some armor-piercing shells more than a million of dollars—in exact language $1,068,750. It is not necessary to tell those men that in the contract for building ship No. 39, which is now under construction, he was able to save on special-treatment steel $378,261. The gentleman from Mississippi knows as a result of his attendance on the hearings of the Committee on Naval Affairs that on the item of turbine rotor drums of battleship 39 he was able to effect a saving of $102,836; that on medium steel plates, battleship 39, he was able to effect a saving of $19,000; that on angle irons and small iron and steel material for battleship 39 he was able to save $3,000; on forgings and shaftings, battleship 39, he was able to effect a saving of $157,646.

A total saving, Mr. Chairman, on this single battleship as against battleship No. 34 of $662,743, which is exclusive of the saving of $782,117 which they saved on armor of various kinds. Mr. Chairman, the Secretary of the Navy has told graphically in the hearings before the Committee on Naval Affairs of the House that he effected these savings by establishing competition between these private shipbuilding companies. He told there in most eloquent style that he requested the representatives of the private shipbuilding companies and of the armor-plate companies to come to Washington, and that he told them the law required them to make affidavit that they were not in any combination or in any agreement to keep up the price, and asked them if they were mindful of that law. These men told him that they knew of the law and that they had not had any conference before they submitted their bids. And yet the bids of three different companies which were submitted for the armor for this battleship were identical, and the Secretary, when he received the assurance that they had not compared notes, told them that when three large companies, with contracts amounting to very large sums, made identical bids to a cent the burden of proof was on them to show that they had not conferred about the matter.

Mr. Chairman, anyone who reads the testimony of the Secretary of the Navy before the Naval Affairs Committee must know the reason why the Secretary recommends that these yards be equipped for shipbuilding purposes. It must be because there is collusion between the private contractors, and he feels that the Government of the United States ought not to be at the mercy of any combination of men engaged in private shipbuilding enterprise.

Mr. BRITTEN. Will the gentleman yield?

Mr. MURRAY of Massachusetts. Certainly.

Mr. BRITTEN. Does the gentleman think the Government would save that amount of money in a Government armor-plate plant?

Mr. MURRAY of Massachusetts. Of course I do, and so does the Secretary of the Navy, for he says so. The reason they would save is this: You have got to have either one of two things in this country, competition between men who are engaged in private enterprise based on the old economic idea of the law of supply and demand, or ownership by the Government of plants that will guarantee competition. If you have real earnest competition, that competition will be sufficient to regulate these matters without Government interference; but if you have in the land, as we see in this instance, collusive bidding instead of competitive bidding, if we see three great companies submit identical bids to the Government of the United States for armor plate, for shipbuilding, for things which the Government needs, you know there is no competition, you know there is no accidental identity between these various bids, but that there is collusion; and you know that the Government of the United States in order to get away from the results of that kind of collusive bidding, and in order that it may not be put at the mercy, Mr. Chairman, of these men who are engaged in these things, not from patriotic purposes but for the profit that may accrue to them, must equip its own navy yards for shipbuilding and build its own armor-plate factory. And in the end the cost is bound to be less than it would be if the Government was at the mercy of these collusive bidders.

Mr. BARTON. The Secretary was criticized some for buying supplies abroad. Was it not the only possible way he could get these supplies at reduced prices?

Mr. MURRAY of Massachusetts. Of course it was.

Mr. HENSLEY. Does the gentleman from Massachusetts intend to be understood as saying that any gentleman who stands with ourselves withholds his indorsement of the Secretary for all these things that he did for the purpose of reducing these things?

Mr. MURRAY of Massachusetts. No. I thank the gentleman for asking the question. I am directing my thought particularly to the gentlemen who have spoken—the gentleman from Virginia [Mr. JONES] and the gentleman from New Jersey [Mr. BROWNING]. I know that the gentleman from Missouri and his colleague, the gentleman from Mississippi [Mr. WITHERSPOON], and those who join with them on the committee and who are trying to get real economies, are in sympathy with the Secretary in this work, because these men are sincere and earnest in their desires to reduce the burden of taxation that is now resting so heavily on the people of this country. They realize that the Secretary is doing these things in a sincere effort to establish real economy and are in active cooperation with him.

We have seen one great political revolution in this country on the proposition of the high cost of living. I have seen the time when the annual budget of the city of Boston amounted to more than $20,000,000. I have seen the State taxes of the Commonwealth of Massachusetts mount up to $8,000,000, as they were last year, and almost certain to be increased to $10,000,000 this year.

The national budget is now considerably more than $1,000,000,000. I am not one of those who protest against large expenditures simply because they are large. But I wonder how long it is going to be before there will be a political revolution on the proposition, not of the high cost of living, which we have already seen, but on the proposition of the high cost of government, which we surely can see if we will just look at the figures. There may be places where it is wise, where it is the proper thing, where it is the duty of a Representative to protest against expenditure; but, Mr. Chairman, I am sure that those who protest against this expenditure of $148,000 for the equipment of the navy yard at Boston for shipbuilding purposes are not real economists, but rather are basing their arguments on a proposition that will not meet the measure of discussion and analysis that I hope it will be given in debate on this bill under the five-minute rule. The control of prices is a most important consideration in this matter. The Secretary points out that if he allows the Navy Department and the Government of the United States to be put at the mercy of the men who control the prices of these things, they will be able to run those prices up to suit themselves. But he says if there are Government yards equipped to do this shipbuilding in competition with private companies, then there will not be a surrendering of the control of prices by the Navy Department, but rather there will be a retaining of control of prices, and we shall have real competitive bidding for these ships and not the collusive bidding that we fear.

Now, Mr. Chairman, let me say one further thing about this matter. There are those who seem to believe that the equipment of this yard for shipbuilding purposes means simply its equipment for great battleship construction. I suppose we may hope in the course of time to see a battleship constructed there, just as battleships have been constructed in the New York Navy Yard and at other places. But I wonder if these men are mindful of the extent and the number of ships of one kind and another that are needed and used by the United States Government in its various departments.

Let me direct the attention of gentlemen to these tables that show the extent of work done in navy yards on ships of the War Department, the Treasury Department, and of other departments of the Government during the year 1912:

NAVY-YARD WORK ON VESSELS OF THE WAR DEPARTMENT, 1912.

Name of vessel.	Navy yard.	Estimated cost of work.	Actual cost of work.	Difference—actual cost.		Cost of unestimated work.	Total actual cost of all work.
				Below estimate.	Above estimate.		
Lieutenant Hayden Y. Grubbs	Portsmouth, N. H.	$878.70	$758.73	$19.97			$758.73
Plebe	Boston, Mass.	None.	126.16			$126.16	126.16
Mayflower	do	100.00	42.59	57.41			42.59
Executive	do	None.	1,830.34			1,830.34	1,830.34
Harwood	do	None.	780.80			780.80	780.80
Jessup	do	None.	64.91			64.91	64.91
Batchelder	do	None.	35.79			35.79	35.79
Gedney	New York, N. Y.	10,360.95	9,097.16	1,263.79			9,097.16
Sumter	Charleston, S. C.	586.10	729.96		$143.86	2,413.78	3,143.74
General Weeks	do	25.00	18.78	6.22		2,350.91	2,369.69
Dawho	do	1,248.40	1,203.92	44.48		58.90	1,262.82
General Ord	do	194.00	245.35		51.35		245.35
Winyah Bay	do	85.63	103.49		17.86	2,709.22	2,812.71
Wateree	do	2,799.25	1,457.81	1,341.44		117.33	1,575.14
Peedee	do	2,044.25	1,408.37	635.88		125.54	1,533.91
Sherman	Mare Island, Cal.	3,195.00	2,673.38	521.62			2,673.38
Manufacturing 7 lifeboats, Army transport service	do	5,285.00	5,392.68		107.68		5,392.68
Angel Island	do	548.48	532.26	16.22			532.26
Col. Geo. Armistead	do	2,081.00	1,941.13	139.87			1,941.13
Dix	Puget Sound, Wash.					1,779.43	1,779.43
Burnside	do	2,458.25	2,775.46		317.21	2,192.08	4,967.54
General Hunt	do					44.11	44.11

NAVY-YARD WORK ON VESSELS OF THE DEPARTMENT OF COMMERCE AND LABOR, 1912.

Lightship No. 73	Boston, Mass.	$740.50	$691.27	$49.23			$691.27
Lightship No. 41	do	20,847.09	9,991.85	(1)			
Lightship No. 53	Charleston, S. C.	40.00	18.18	21.82		$48.99	67.17
Lightship No. 34	do	6,943.75	6,998.87		$55.12		6,998.87
Lightship No. 84	do	1,830.50	1,788.28	42.22		12.75	1,801.03
L. H. T. Camellia	do	201.80	211.21		9.41		211.21
L. H. T. Cypress	do	3,291.10	3,391.74		100.64	1,269.87	4,661.61
Unloading buoys	do	97.50	5.62	91.88			5.62
Lightship No. 76	Mare Island, Cal.	10,389.00	10,700.83		311.83		10,700.83
Sequoia	do	5,537.00	5,256.81	280.19			5,256.81
Lightship No. 70	do	1,878.25	1,735.20	143.05			1,735.20
Lightship No. 83	do	3,805.00	2,754.50	1,050.50			2,754.50

NAVY-YARD WORK ON VESSELS OF THE TREASURY DEPARTMENT, 1912.

Gresham	Boston, Mass.	$2,489.29	$2,587.48		$98.19		$2,587.48
Itasca	do		27.60			$27.60	27.60
Mohawk	New York, N. Y.	2,211.00	2,071.05	$139.95		119.20	2,190.25
Gedney	do	10,360.95	9,097.16	1,263.79			9,097.16
Seneca	do	634.00	553.32	80.68			553.32
Yamacraw	Charleston, S. C.	795.00	948.64		244.86		948.64
McCulloch	Mare Island, Cal.	15,657.85	10,107.97	5,549.88			10,107.97
Madrono	do	4,722.10	4,552.32	169.78			4,552.32
Bear	do	137.00	121.62	15.38			121.62
Apache	Norfolk, Va.	1,568.00	1,223.34	344.66			1,223.34
Chase	do	865.80	2,045.52		1,179.72	(2)	2,045.52
Itasca	do	1,522.00	1,220.54	301.46			1,220.54
Mohawk	do	313.00	155.86	157.14			155.86
Onondaga	do	7,089.85	10,350.58		3,260.73	(2)	10,350.58
Portsmouth	do	6.89	6.89				6.89
Seminole	do	372.00	485.69		113.69	(2)	485.69
Manning	Puget Sound, Wash.	987.30	1,615.88		628.58	119.30	1,735.18
Snohomish	do	2,755.00	3,191.12		456.12	1,775.92	4,967.04
Thetis	do	435.00	446.04		11.04	79.96	526.00
Tahoma	do	1,076.00	1,791.83		715.83	2,737.20	4,529.03
McCulloch	do					17.66	17.66

[1] Work not completed. [2] No estimates were submitted on many job orders in connection with this work, it having been authorized in advance.

MEMORANDUM.

From: The Aid for Materiel.
To: The Secretary of the Navy.
Subject: Work done at various navy yards on vessels belonging to other departments.

FEBRUARY 25, 1913.

1. There are forwarded herewith data sheets showing the amount of work done in the various navy yards on vessels of other departments of the Government during the calendar year 1912. Since January 1, 1913, the following additional work of this nature has been undertaken or authorized in the various yards, showing increased activity along these lines since the inauguration of the policy approved by the President on December 10, 1912:

Vessel.	Navy yard.	Number of days' work in—			Probable date of completion.
		Equipment.	Steam engineering.	Construction, ordnance, and repair.	
Light Vessel No. 41	Boston		36	18	Indefinite.
Light Vessel No. 85	do		(1)		Completed.
Lighthouse tender Mayflower	do		3	16	Indefinite.
George E. Warren	do		(2)	(2)	Completed.
Seneca	New York			2	Absent.
Mohawk	do			3	Do.
Manhattan	Philadelphia		30	12	Indefinite.
Delaware	do		35	10	Do.
Mohawk	Norfolk		24		Do.
Onondaga	do			1	Absent.
Light Vessel No. 53	Charleston	4	28	30	May 1, 1913.
Ross	do			6	Completed.
Manning	Mare Island		60	65	May 1, 1913.
Madrono	do		25	20	Feb. 28, 1913.
Light Vessel No. 70	do		25	20	Do.

[1] Install air compressor. [2] Renew propeller. [3] Docking.

2. In addition to the foregoing there is being built at Mare Island, Cal., a 67-foot vessel for the Revenue-Cutter Service; at Puget Sound, Wash., 3 gasoline launches for the use of the Agricultural Department in Alaskan waters; and at the navy yard, Boston, 3 motor dories for the Lighthouse Establishment.

Several of those ships are ships that are assigned to the Treasury Department. Several are in the Lighthouse Service and in the Revenue-Cutter Service and in the Public Health Service, engaged in every kind of service where any department needs vessels that are not battleships in any sense of the word. They are vessels of peace and not vessels of war.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Illinois?

Mr. MURRAY of Massachusetts. Yes.

Mr. BRITTEN. Has the gentleman any data before him that would indicate the difference in price if the work that he mentions had been done in a private shipbuilding yard?

Mr. MURRAY of Massachusetts. No; I have not; but I understand——

Mr. BRITTEN. The gentleman is satisfied it was done more cheaply at the navy yards?

Mr. MURRAY of Massachusetts. I will say to the gentleman that it was largely repair work, not construction work. In these cases bids are usually asked for in the first instance for this repair work, and if the bids are lower in the private shipbuilding companies' yards than in the Government yards, it is the custom, I understand, to allow that work to be done by the private companies. The opening of the Panama Canal will certainly cause many ships of the Navy to be kept on the west coast to a greater extent than they have been in the past, and that will cause the repair work on these ships to be done on the west coast rather than on the east coast.

The time has come, Mr. Chairman, when the very existence of the navy yard at Charlestown, Mass., and the future of that navy yard must be determined. For a great many years—practically from the days of the Civil War—the Charlestown Navy Yard has been a repair yard rather than a yard for construction work. The vast amount of work that has been done in that yard has been done in repairs on ships assigned to Charlestown as their home station. If some of these ships are taken away and kept on the west coast, the Charlestown Navy Yard will not be available for their repair.

The property the Government has there is worth more than $16,000,000, and many millions of dollars in addition have been expended during the history of the country for maintenance. The location of the yard is right at the very head of Boston Harbor, at the confluence of the Mystic and the Charles Rivers, and it takes a very large water-front area right in the most desirable place, where shipping and commercial activity might be had.

Mr. Chairman, if that yard is to be continued only as a repair yard, certainly it is going to be a place where only a few hundred workingmen will be employed and where there will be not much industrial activity. There is a tremendous sentiment against allowing that yard to be given back to private enterprise and to be used for commercial activities.

I know that this is so, because since I entered Congress in 1911 the Navy board recommended that the Charlestown Navy Yard should be discontinued and that a great naval base ought to be established at Narragansett Bay, R. I. I had my own ideas on the matter, and I knew that, from my own personal point of view, that change ought not to be made; but I realized that my duty is to be a Representative in Congress, and so, rather than reflect my own personal ideas in regard to the matter, I sent out a circular letter to everybody in the district which I have the honor to represent, asking them for an expression of opinion as to whether or not this navy yard should be continued or whether the vast area there should be made available for commercial activity and for water-front development. Mr. Chairman, I only state the facts when I say that of the thousands of replies I received less than a dozen letters came back to me favoring the change from a governmental yard to a place of commercial activity and private enterprise. The reasons that were given were most varied and most eloquent in the expression of a general opinion that that yard ought to be utilized almost entirely for the Navy. The terms in which those letters were expressed were not the naval terms. Perhaps they were not couched in the kind of language that the men of the naval board would use in expressing their ideas, because the letters were free from technicalities. But reasons of almost every kind were given, and it was a most instructive thing to me to use that referendum method of finding out what Boston people think about the matter, and I believe it would be instructive to the men of this committee if they could read some of the letters that I received.

The time has come, then, when the yard can not be continued solely as a repair yard, and if it is to be further used as a navy yard it must be equipped for shipbuilding purposes; not for the building of great battleships alone, but for the building of the various kinds of Government ships that can well be built there—the ships for the Lighthouse Service, the ships for the Revenue-Cutter Service, the ships for the Public Health Service, the ships for the various kinds of governmental activities that we have come to need in the conduct of this great business enterprise, the Government of the United States.

I congratulate the Secretary of the Navy that he has made the recommendation, because I know it is a matter of wise economy. In the recent special election that was held in Massachusetts we had to meet the proposition that "the South is in the saddle" in the control of the Navy Department and of the various departments of the Government. My colleague [Mr. ROGERS] made a speech a few weeks ago that may be remembered by some of you, when he pointed to the fact that a southern gentleman was in control of this and that and the other department, and he said that the people of New England would not get a square deal in regard to the conduct of these governmental activities. Mr. Chairman, let me briefly say we had Moody of Massachusetts in the Navy Department, we had Meyer of Massachusetts in the Navy Department. Neither one of them would recommend the equipment of the Charlestown, Mass., yard for shipbuilding purposes; but when we had a southern gentleman, Josephus Daniels, in that department, the recommendation was made; and is now reported to this Committee of the Whole House on the state of the Union by the Naval Affairs Committee, and I hope it will soon be enacted into law. [Applause.]

Mr. Chairman, from the earliest days of American history the men of Massachusetts have been interested deeply in shipping and in shipbuilding.

Previous to the establishment of the Charlestown Navy Yard a number of vessels had been built in the vicinity of Boston, several of which subsequently became well known. In the very earliest days of the settlement the importance of ships was recognized, and as early as 1629 we find records of six shipwrights having been sent out from London. Gov. Winthrop, who reached Boston Bay in 1630, records in 1631 the launch of the *Blessing of the Bay*, the first ship of the infant colony, and on August 9 of that year states: "The governor's bark, being of 30 tons, went to sea." This small vessel was later converted into a cruiser against pirates and may, therefore, lay claim to the honor of having been the first American vessel of war.

The *Massachusetts* was built at Germantown, a promontory in the town of Quincy, in 1789. The frigate *Constitution*, launched in 1797, was built at Hartt's shipyard on the site now known as Constitution Wharf, and the frigate *Boston* (the second of that name) was launched from the same yard in 1799.

It was undoubtedly the work already accomplished in shipbuilding, as well as the importance of the settlement and the facilities offered by the harbor, that suggested Charlestown as a desirable location for a navy yard.

On January 25, 1797, a resolution was reported from the Naval Committee of the House recommending the establishment of a Government dockyard. There seems to have been no direct authority from Congress to purchase a site or build a dockyard; but, on February 25, 1799, an act was passed authorizing the building of six ships of war of not less than 74 guns each, and appropriating $1,000,000 for this purpose. Hon. Benjamin Stoddard, then Secretary of the Navy, recommended the purchase of the site, which was approved by the President. The earliest record of the transaction was a letter from the Secretary of the Navy, dated June 2, 1800, to Dr. Aaron Putnam, of Charlestown—who appears to be the agent selected for negotiating the purchase—stating:

> It is desirable, for the purpose of establishing a navy yard for building ships or vessels of war at or in the vicinity of Boston, to purchase, on account of the United States, from 10 to 50 acres of land if it can be obtained on reasonable terms.

And inclosing a list of the property referred to amounting to about 47½ acres. A later letter from the Secretary to Dr. Putnam, dated August 13, 1800, states:

> The President having determined that the 47½ acres of ground at Charlestown described in the plat herewith sent should be purchased for a ship and dock yard, I have the honor to request, upon satisfying yourself of the goodness of the titles, you will make the purchase, taking deeds to the United States for same, which, after having recorded, you will be pleased to send to me. * * * I have already remitted you $10,000 on this account, and will remit the residue when I am informed you want it.

In accordance with the above letter the first site of the Charlestown yard was purchased, the original purchase amounting to about 34½ acres, and the purchase price being about $37,356. Further purchases were made, as follows: In 1817, from Isaac Hull, 5,186 square feet, for $3,889.50; in 1862, from Oakman & Eldridge, 115,210½ square feet, for $123,100; and in 1867, from A. Hull, 2¾ perches, for $7,000. The amount pur-

chased, with the filling in of the marshes and flats, made, in 1880, 87½ acres; and with the extension of harbor line and further filling in since that time makes the present area of the yard proper about 111 acres, of which 80 acres are land and 31 acres water.

The first commandant of the yard was Capt. (afterwards commodore) Samuel Nicholson, who remained in office until his death, December 29, 1811. The records show but very few improvements in the yard up to this time. The commandant's house, afterwards the old museum, was built prior to 1808, the exact date not being recorded. There were also erected a brick store, marine barracks, a hospital, a powder magazine, a wharf, and a few temporary sheds.

Commodore Bainbridge was the next commandant, and he took a very active interest in the affairs of the yard and vicinity, surveying the harbor and recommending improvements, but the appropriations were very meager, the expenditures for accommodations and improvements at the yard in 1811 and 1812 amounting to but $5,742.43, although during the year 1812 13 vessels received repairs amounting to $245,225.13. The first vessel launched at the yard was the sloop of war *Frolic*, on September 11, 1813, and the next was the *Independence*, on September 22, 1814, and from that time up to the commencement of the Civil War 21 vessels in all were launched at the yard.

Among these were several of historic fame—the *Cumberland*, which was sunk by the Confederate ironclad *Virginia—Merrimac*—in Hampton Roads in March, 1862; the *Merrimac*, the first steam frigate launched for our Navy was built at the yard in 1854–55. The history of this vessel need hardly be told to any American—how she was left at the navy yard, Norfolk, in 1861, and converted by the Confederates into an ironclad and created such havoc with our vessels until she was defeated by the little *Monitor* in 1862 and was afterwards destroyed by the Confederates.

On January 1, 1858, the keel of the historic ship *Hartford*, the flagship of Admiral Farragut, was laid, and she was launched in November of that year.

The cost of improvements at the yard up to 1859, including the cost of site and dry dock No. 1, which was built in 1827–1833, amounted to $3,671,521.

During the Civil War there was great activity at the yard, and between 1861 and 1866 39 vessels of war were built and 43 purchased vessels were equipped; the number of vessels repaired, provisioned, and so forth, is up in the hundreds. At times there were as many as 5,000 men employed. The *Monadnock*, a double-turreted monitor, launched in 1864, was the first vessel of the kind to go from the Atlantic to the Pacific Ocean, arriving at Mare Island in 1866, and being afterwards rebuilt and converted into the vessel now of the same name.

In 1874 the iron torpedo boat *Intrepid* was launched at the yard and was the first vessel of that kind added to our Navy.

From 1832 to 1880, inclusive, $10,618,716 was expended for general maintenance of the yard. This does not include the expenditures on ships built or repaired or pay of workmen employed on them. Only one vessel, a small training ship, the *Cumberland*, has been built at the yard since that time.

From 1880 until about 1900 very little was done to improve the buildings in the yard, but from 1900 on until the present time remodeling and building has been continuous.

The estimated value of the property on June 30, 1913, was $16,211,678. This includes only the property, buildings, and plant in the yard proper, and not the value of the hospital and other outlying branches of the station.

The old ship houses have been razed and modern shops or buildings have taken their places. With the addition of a few large tools the yard would be fitted for a first-class repair station. The capacity for such work would be limited, however, by the berthing space, and as any extended increase in this space would not only require very heavy expenditures, but would conflict with the maritime interests of the port, development in this line would be difficult. If therefore the full capacity of the yard is to be utilized, shipbuilding must be resorted to, and fortunately the yard is susceptible to such development without extravagant expenditure.

A recent report of the board of inspections for shore stations contains the following statements in regard to the facilities at hand for such development:

The yard possesses an available site for building ways. This site is situated between the ship fitters' shop and the electrical shop, the latter building being also used as a storage house for electrical supplies as well as for the storage of anchors and chains. At the head of the projected ways is the forge shop, and only a few hundred feet to the westward is the group of shops of the machinery division. As regards therefore its relative location to the principal industrial shops of the yard the site possesses distinct advantages.

Necessary retaining walls, cranes, crane runways, together with pneumatic, electric, water, and steam lines, would likewise have to be provided. The yard authorities estimated that an expenditure of about $130,000 would provide all equipment and improvements essential to the fitting up of building ways adequate for the construction of a collier.

The site now reserved for recreation grounds and recommended by the above-mentioned board to be used for a third dry dock could also be utilized for building ways for larger vessels. Upon the completion of the 1,000-foot dock projected by the Commonwealth of Massachusetts the necessity for using this space for a dock would be considerably diminished.

Following the history of this yard, we find that one of the reasons for the original selection of its location was the fact that it had been demonstrated that the necessary facilities and talent were then at hand. The War of 1812 demonstrated the fact that the art of shipbuilding had not been lost by the workmen in that vicinity. Again, during the Civil War the resources of the yard were severely taxed and the response was such that the Nation may feel that high interest was paid on the money invested.

During the latter period as high as 5,000 men were employed, although the facilities were not half what they are to-day. We find at the present time that a varying force of from 1,300 to 1,800 men is employed, not half utilizing the increased industrial facilities. The effect of this variation in the working force is bad in every way—for the employees in having irregular employment, breeding dissatisfaction and frequently causing distress to honest, hard-working men; for the Government, loss of efficiency, due to deterioration of plant and force, owing to lack of work and the dissatisfaction of employees. The history of this yard calls for some consideration for its employees. One of the means of maintaining a steady working force is by having new construction work (shipbuilding) done at the yard, and it would be to the interest of the Government to place such work at the yard instead of doing it by outside contract, even if the price was higher. But when bids were opened in December, 1913, for a supply ship, the bid of the Charlestown Navy Yard was found to be below all others, navy yards or private establishments.

To build this vessel at the yard it will be necessary to provide a building slip, for which a site is available, as stated above, and a provision for this purpose appropriating $148,000 has been inserted in the pending naval appropriation bill. This will mean a permanent improvement to the yard, with practically no expense to the Government, as the bid of this yard for the supply ship in question was more than this amount below that of any private firm.

When the Panama Canal is opened and the fleet passes through to the Pacific coast, the amount of repair work for the yards on this side will be greatly reduced, and it is vital to the interests of the Boston yard that they should have other work to keep the men employed. The Government can not afford to have these men scattered and the force disorganized, and surely the record of Massachusetts men who have built so many of the vessels that have made Americans proud of their Navy deserves some consideration. [Applause.]

Mr. PADGETT. I will ask the gentleman from Missouri [Mr. HENSLEY] to consume the remainder of his time.

Mr. HENSLEY. I yield the balance of my time to the gentleman from Mississippi [Mr. WITHERSPOON].

Mr. BUTLER. Before the gentleman yields, I wish to say that on the Republican side there remain about 40 minutes, and the gentleman from Pennsylvania [Mr. FARR] will follow the gentleman from Mississippi [Mr. WITHERSPOON]. He will occupy 12 minutes, and I desire to give the balance of the time, 28 minutes, to the chairman of the committee [Mr. PADGETT].

Mr. DYER. Will the gentleman yield two minutes to me before that?

Mr. BUTLER. Yes. The chairman of the Committee on Naval Affairs, to whom I agreed to assign the time, says that he will cheerfully give the gentleman two minutes. So I will then yield 26 minutes to the gentleman from Tennessee, the chairman of the Committee on Naval Affairs.

The CHAIRMAN. The gentleman from Mississippi [Mr. WITHERSPOON] is recognized for 1 hour and 17 minutes.

Mr. WITHERSPOON. Mr. Chairman, I feel that I ought to apologize to the House for trespassing any longer on your patience, because I have had more than my share of the time already.

Mr. KEATING. Mr. Chairman, I make the point of no quorum. I think we should have a quorum here to listen to Judge WITHERSPOON.

The CHAIRMAN. The gentleman from Colorado makes the point of no quorum.

Mr. PADGETT. I hope the gentleman will not insist on that. It will take half an hour, and it will make Judge WITHERSPOON'S speech rather late in the day.

Mr. KEATING. I think it is quite essential, Mr. Chairman, that we have a quorum here when Judge WITHERSPOON addresses the Committee of the Whole.

The CHAIRMAN (after counting). There are 53 Members present, not a quorum. The Clerk will call the roll.

The Clerk began the calling of the roll.

Mr. KEATING. Mr. Chairman, if I may withdraw the point of no quorum, I will do it.

Mr. GARNER. The gentleman can not do that now. The gentleman can not interrupt the roll call.

The CHAIRMAN. The Clerk will proceed.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Aiken	Finley	Konop	Pou
Ainey	Floyd, Ark.	Korbly	Powers
Barchfeld	Frear	Kreider	Prouty
Bartholdt	Gallivan	Lafferty	Ragsdale
Beall, Tex.	Gard	Langham	Rainey
Brockson	Gardner	Lee, Ga.	Rauch
Brodbeck	George	Lee, Pa.	Roberts, Mass.
Broussard	Gillett	L'Engle	Rothermel
Browne, Wis.	Gilmore	Lenroot	Rucker
Bruckner	Godwin, N. C.	Lesher	Rupley
Brumbaugh	Goldfogle	Lever	Sells
Burke, Pa.	Goodwin, Ark.	Lindquist	Sherwood
Burke, Wis.	Goulden	Lobeck	Shreve
Burnett	Graham, Pa.	Loft	Smith, Md.
Byrnes, S. C.	Green, Iowa	Logue	Smith, J. M. C.
Calder	Griest	McClellan	Smith, N. Y.
Campbell	Griffin	McCoy	Sparkman
Candler, Miss.	Gudger	McDermott	Stanley
Cantor	Guernsey	McGuire, Okla.	Stevens, N. H.
Cantrill	Hamill	Mahan	Stout
Carew	Hamilton, N. Y.	Maher	Switzer
Carlin	Hardwick	Manahan	Taggart
Carr	Haugen	Mann	Talbott, Md.
Carter	Hawley	Martin	Taylor, Ala.
Chandler, N. Y.	Hay	Merritt	Thacher
Clancy	Hayes	Metz	Towner
Clark, Fla.	Heflin	Miller	Treadway
Clayton	Helgesen	Morin	Tribble
Coady	Hobson	Morrison	Tuttle
Collier	Holland	Moss, Ind.	Underhill
Connolly, Iowa	Howard	Moss, W. Va.	Vollmer
Conry	Howell	Neeley, Kans.	Volstead
Cooper	Hoxworth	Nelson	Walker
Copley	Hughes, W. Va.	Norton	Wallin
Crisp	Humphrey, Wash.	O'Brien	Walsh
Dale	Humphreys, Miss.	Oglesby	Walters
Danforth	Kahn	O'Leary	Watkins
Difenderfer	Keister	O'Shaunessy	Webb
Donohoe	Kelly, Pa.	Palmer	Whitacre
Dooling	Kennedy, Conn.	Parker	Wilson, Fla.
Doremus	Kennedy, Iowa	Patton, Pa.	Wilson, N. Y.
Driscoll	Kent	Payne	Winslow
Drukker	Kettner	Peters, Mass.	Woodruff
Dunn	Key, Ohio	Peterson	
Edmonds	Kiess, Pa.	Plumley	
Fairchild	Kinkaid, Nebr.	Porter	
Ferris	Knowland, J. R.	Post	

The committee rose; and Mr. UNDERWOOD having taken the chair as Speaker pro tempore, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the naval appropriation bill, found itself without a quorum, and had caused the roll to be called; that 249 Members had answered to their names, and he presented a list of the absentees.

The SPEAKER pro tempore. A quorum is present, and the committee will resume its session.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The gentleman from Mississippi [Mr. WITHERSPOON] is recognized for 1 hour and 17 minutes.

Mr. WITHERSPOON. Mr. Chairman, I was about to apologize to the committee for trespassing again upon its patience, and I want to state that my excuse for this is that I have seen the newspapers and magazines of the country and learned from them and from talking with people everywhere that there is so much misconception about the American Navy that I have been deeply impressed with the importance of at least the House of Representatives knowing the facts about it. I have spent several months in gathering up the facts, and I feel it my duty to give my colleagues in this House the benefit of what little I have learned. When I closed my remarks of last Saturday I had just demonstrated, as I claim, the superiority of the battleship *Oregon* in every particular to every battleship in the German Navy.

In addition to that, I want to call your attention to the fact that while we have not tested lately the *Oregon*, yet we have tested a ship that is far inferior to it. We have made a test of one of the monitors, the *Tallahassee*. This was done at the request and under the direction of the Naval Affairs Committee, and we know from observation what that boat can do. There had been some question raised as to whether the armor-piercing shells that we use are effective. We are spending millions of dollars for them, and have been for many years, and some question has been raised as to whether it is an effective shell, and in order to demonstrate whether it is or not we made a test, and we used the *Tallahassee*, one of these monitors that they do not count as an American ship, to test that question.

If that test was bona fide and honest and fair, then that ship was a representative ship of the American Navy. What the result of that test was is regarded as a secret, and I shall not give you the details of it. But when Admiral Strauss was before the Naval Affairs Committee, and he is the Chief of the Bureau of Ordnance, I asked him what his judgment about that test was, and he said it demonstrated the power and efficiency of these shells and guns that were used on these monitors. I asked him this question: I said, "Admiral, if a modern dreadnaught had been in the place of that target when the *Tallahassee* was shooting at it, what would have been the result?" He said, "It would have been put out of action." I asked him how long it would have taken the *Tallahassee* to put the dreadnaught out of action if it had been in the place of a target, and he said, "A very short while."

Admiral Vreeland told us that the *Oregon* and the *Indiana* and the *Massachusetts* were more efficient ships than the *Tallahassee* is. That is the testimony of these naval experts, upon whom the Secretary of the Navy says that he relies.

Now, I want you to understand also that while they come here and tell you that the *Oregon* and the *Indiana* and the *Massachusetts* are old, obsolete, worn out, inefficient ships, that the Navy Department does not exclude them from comparison in comparing navies on the ground that they are old, obsolete, and inefficient. It states plainly and clearly in the Navy Yearbook the reason why it excludes them. It is under an arbitrary rule that they have adopted which declares that no ship shall be counted unless it was launched within 20 years, unless within the last 5 years it has been reconstructed and rearmed. It is under this arbitrary rule. The Navy Department seems to regard the launching as very important. Now, I asked Admiral Vreeland when he was on the stand to tell us what was the real test of superiority between two navies. He said types, numbers, and men. I said, "Suppose the German officers and sailors were exactly equal to ours in every respect, then does not it all depend on the destructive power of the guns?" Well, he says, "Yes." I said, "It makes no difference what is the type of the vessel, the number of the vessel, the style of the vessel, the tonnage of the vessel, the speed of the vessel, if the men on the vessel have not the skill to make the shells hit and the shells have not the destructive force when they do hit, all these other things amount to nothing." And he said, "That is certainly true." It was not necessary for a naval expert to say that to any man who will use his reason about it. Then I said, "Admiral, the whole question depends on the skill of our men and the destructive power of the guns." He said, "That is certainly true."

Yet it is the age of the ship from the launching that the Navy Department has made the test. They have not followed the advice of their own experts in this particular.

Mr. SHARP. Mr. Chairman, will the gentleman yield?

Mr. WITHERSPOON. Yes.

Mr. SHARP. When was the *Tallahassee* reconstructed, if it has been?

Mr. WITHERSPOON. The *Tallahassee* has never been reconstructed, but the *Oregon* and the *Massachusetts* and the *Indiana* have.

Mr. SHARP. When was the *Tallahassee* constructed?

Mr. WITHERSPOON. I will tell the gentleman about that.

Mr. SHARP. I ask because I saw that great demonstration myself, and saw all these shells fired, and I was curious to know when the *Tallahassee* was constructed.

Mr. WITHERSPOON. The *Indiana* was kept in the navy yard two years, the *Oregon* five years and five months, and the *Massachusetts* four years and four months, and on the three ships they have expended in reconstruction nearly $6,000,000. If I recollect correctly, the reconstruction was completed in 1910 and 1911.

Mr. SHARP. When was the *Tallahassee* built?

Mr. WITHERSPOON. I think about 1898. I am not sure about that. It is not nearly so old as these other boats. I asked the Chief of the Bureau of Ordnance why it was when they expended $6,000,000 reconstructing these three ships if their guns were defective that they did not then put new guns on them—modern guns. His answer was not that they could not do it. He did not suggest there was any difficulty about doing it, but

his answer was that at that time we had not discovered that it was necessary.

These great naval experts had not found out in 1910 and 1911 that the guns of the *Oregon*, the *Massachusetts*, and the *Indiana* had any defects about them at all. They have just discovered that within late years, since there has been such a movement and uprising all over the world to stop this battleship folly. So I say that there is no reason why these ships should be excluded; but no Member of this House yet, so far as I have heard, has attempted to answer the demonstration that the *Oregon*, the *Indiana*, and the *Massachusetts* are superior in every respect to every one of the 20 German battleships. And if you want to believe that they are not effective war vessels, if you do not think that a ship carrying a gun that will penetrate 11.76 inches of Krupp steel at a distance of 12,000 yards is a good fighting ship—if you do not believe that, then at least I can appeal to your patriotism to be fair to your own country and to exclude every German ship that is not equal to her. [Applause.] And if you do that, you will knock out 20 of the German battleships and leave the two fleets with 36 American battleships and 19 German battleships. [Applause.]

I call your attention again to the fact that in order to juggle the figures and minimize the American Navy, in the Navy Yearbook they have divided them into three classes—battleships, dreadnaughts, and cruisers. I have already discussed the battleship division. I call your attention to the second class, the dreadnaughts, and if you will get the Navy Yearbook of 1913 and look on page 832 you will find there a list of the German ships—dreadnaughts—on one page, and ours right opposite to it on page 833, and you will find that they have a list of German ships, dreadnaughts, numbering 17, and a list of American dreadnaughts numbering 12, in order to make it appear to anyone who examines that book that our dreadnaught fleet is far inferior to the German dreadnaught fleet.

This is accomplished in two ways, first, by taking two particular dreadnaughts out of our list and putting them in the common battleship list above. I refer to the *South Carolina* and to the *Michigan*. That is one way in which it is accomplished. The other is to take four German ships, the *Nassau*, the *Westfalen*, the *Posen*, and the *Rheinland*, which are really battleships, out of the battleship class and put them in the dreadnaught class, and by taking some of ours out and putting more of Germany's in they make a longer list of German dreadnaughts than they do for American dreadnaughts. I want to call attention to the facts about that. They say the *Michigan* and the *South Carolina* are not dreadnaughts. If you will examine the list of battleships and dreadnaughts, as given in all the authorities that are ever published in any country in the world, you will find this to appear on its face as the difference between a battleship and a dreadnaught. In the old battleship class you will see four big guns, and all the balance of its main armament small guns. In a dreadnaught class you will see all of the main armament consisting of big guns and no small guns, and that is the difference between the two. The *Michigan* and the *South Carolina* have all big guns. Their main battery consists solely of eight 12-inch guns each, and that makes them dreadnaughts, and every man who tells you they are not dreadnaughts is either showing that he does not know what a dreadnaught is or he is trying to fool you, one or the other.

Now, I have stated and I can prove that the *South Carolina* and the *Michigan* are not only dreadnaughts, but they are the first dreadnaughts designed and planned. Now, it is a common idea that England built the first dreadnaught. She built the ship that is called *Dreadnaught*, which has given the name to the entire class, but before she had built that ship or designed it the genius of the American Navy had designed and planned the *Michigan* and the *South Carolina*, and England and all other countries have patterned after us in that as in everything else that is good. [Applause.] Now, I want to show you what foreign authorities say about that. I read first from the Naval Pocketbook, giving the navies of the world for the year 1913, just out, and on page 391 it gives a description of the *South Carolina* and the *Michigan*, and then at the bottom of the page it has these words:

> These ships were designed before the *Dreadnaught*. They are, therefore, the first all big-gun ships.

That is what this foreign authority says about it. Now, I would call your attention to Janes's Fighting Ships, where it says about it——

Mr. WILLIAMS. Will the gentleman yield just there?

Mr. WITHERSPOON. I will.

Mr. WILLIAMS. Will the gentleman state for the information of the House, if you please, the speed and the tonnage of the *Michigan* and the *South Carolina?*

Mr. WITHERSPOON. Oh, yes; I will state that. They are ships that have a tonnage of 17,617 tons, according to this book. That is the full-load displacement and the normal tonnage is 16,000 tons; and since my friend has asked me that question, whenever you prove that the American Navy is superior to the German Navy, whenever you bring up facts to demonstrate our superiority, then the battleship crowd begin to talk about tons and speed. You do not shoot tons, you shoot shells at the enemy. [Applause.] Speed is a thing that enables you to get away. I admit that the ships of other countries can outrun the *Oregon* and the *Michigan*, because many of them are built upon the principle that "he who fights and runs away may live to fight another day." [Applause.]

Mr. BRYAN. Will the gentleman yield?

Mr. WITHERSPOON. Not right now. But I have never detained you on the question of speed and tonnage. I have tried to address you on something that amounts to something. That has nothing to do with it. Talk about speed, you just as well say that a bulldog can not whip a greyhound because he can not catch him. [Laughter and applause.]

Mr. BRYAN. Will the gentleman yield for a question?

Mr. WITHERSPOON. Yes.

Mr. BRYAN. The gentleman suggests foreign ships can get away from the *Oregon;* can the *Oregon* get away from foreign ships?

SEVERAL MEMBERS. She does not want to.

Mr. BRYAN. The gentlemen want her to be sunk?

Mr. WITHERSPOON. No, sir; the *Oregon* does not belong to that class that wants to get away.

Mr. WILLIAMS. The gentleman has not yet stated the speed of the *South Carolina* and *Michigan*.

Mr. WITHERSPOON. Oh, you can put it at 10 or 15 knots; you can put it at 10 knots if you want to do so; I do not care what the speed is. Whenever you get ready for the *Oregon* to go out on the sea and sink the ships of the enemy I want her to be as long getting there as possible. I take no pride in the hurry and the haste of destroying what belongs to other countries.

Now, so far as the *Oregon* running, the man who asked that question does not understand about battleships. It is not like getting into a fight with a fellow, and you find he is getting the best of you and, finding there is no chance for you, you take to your heels. Then, that is a question of speed, but it is not so with a battleship. If a battleship wants to run, no other battleship that has anybody but a lunatic to manage it is going to pursue it. If it does, it will be destroyed by torpedoes. The great trouble about torpedoes is they have not been developed up to the point where they can probably reach the ships of an enemy in battle range. Say two fleets are fighting at 6 miles apart. We have no torpedoes where one could shoot at the other and do any great damage, but if one ship is running and the other is pursuing it, the ship that is fleeing could shoot its torpedoes at the other 6 miles away, because a fast ship goes nearly as fast as a torpedo, and it would meet the torpedo half way and be destroyed by it. There is absolutely nothing in all this talk about ships running. Whenever they go out to battle they are going to fight, and ours are going to fight until they win or go down to the bottom of the sea.

Mr. LEVY. Will my colleague yield?

Mr. WITHERSPOON. Yes.

Mr. LEVY. Is it not a fact that we have more large guns than has the Germany Navy?

Mr. WITHERSPOON. Oh, yes, sir; it is a fact. I have stated that repeatedly.

Mr. LEVY. The number is nearly doubled.

Mr. WITHERSPOON. I have stated that.

Mr. SAUNDERS. May I ask the gentleman a question?

Mr. WITHERSPOON. Yes, sir.

Mr. SAUNDERS. I understand from the statement of the gentleman from Mississippi that certain of our dreadnaughts have been called battleships in the authority that he referred to, and certain of the German battleships have been called dreadnaughts, and then you have been asked about the tonnage of our dreadnaughts, which have been improperly styled battleships, and you have given that tonnage. Can you give us the tonnage of these German battleships that have been improperly called dreadnaughts? It would form an interesting comparison.

Mr. WITHERSPOON. Their tonnage is a little larger, 18,900, and if a ship becomes a dreadnaught on account of its tonnage, the *Mauretania* and the *Lusitania* are the greatest dreadnaughts on earth. [Laughter.] There is not any sense in the tonnage business, and I do not want to waste any more time on it.

I have read you what the Naval Pocket Book says of the *Michigan* and *South Carolina*. Janes's "Fighting ships of the world" says that these ships were laid down and projected be-

fore the British dreadnaughts, and so they may be considered the first dreadnaughts—that is, all big-gun ships. On page 176 this author describes these two dreadnaughts and then uses this language:

Authorized 1905. These ships, though laid down after, were projected before the British dreadnaught and so may be considered as the first dreadnaughts (i. e., all big-gun ships).

That is what this authority says about it. Now, they are not only regarded as dreadnaughts by all foreign authorities, but I want to say this to you, that the Navy Department knows they are dreadnaughts, and if you will take a Navy Yearbook of 1912, just one year before they found out they were not dreadnaughts, and look on page 788, you will see the list of our dreadnaughts there, and the first two ships given in that list are the *Michigan* and the *South Carolina*, put there by the Navy Department. [Applause.] So I say, they know that they are dreadnaughts. Now, why have they dwindled down from dreadnaughts to common battleships within the last 12 months? What has caused it except the necessity to minimize and make look small our dreadnaught list in order to induce Congressmen to vote for more dreadnaughts? If there is any other explanation for it I would like to hear what it is.

Now, let me call your attention to some of the facts about these four German dreadnaughts, the *Westfalen*, the *Nassau*, the *Posen*, and the *Rhineland*. In the first place, those ships are armed with 11-inch guns, and if they are dreadnaughts then they are the only dreadnaughts in the world that have their guns smaller than the 12-inch guns. I defy anybody to produce a foreign authority of any navy in the world to show any other dreadnaughts that have 11-inch guns except these four that they have crowded into the German dreadnaught list in order to make it look bigger than ours.

Now, I want to read to you a description of those four vessels from Janes's "Fighting Ships of the World," on page 907. He gives the *Westfalen*, the *Nassau*, the *Posen*, and the *Rhineland*, and after giving you a complete description of the ships he makes this note:

Ammunition supply to 6-inch gun unsatisfactory.

That is one thing about it. They have not room enough there to place the ammunition so that in case of battle the men can easily get it. That is one defect. Now, he says further:

As originally designed the *Nassau* was to have carried eight big guns. These ships steam well, but they draw more than the designed draft by at least a foot. They are very cramped internally, and it is difficult to accommodate the crews. They are only moderately successful, being overgunned for their displacement.

The truth is that these four pretended dreadnaughts with their 11-inch guns are designed as battleships, and only intended to have eight 11-inch guns, but when these dreadnaughts in America and the English dreadnaughts were built, they decided to change them, and instead of eight guns, according to the original plan, they now have twelve 11-inch guns on them, which is more than the ships were planned to receive. The consequence is that it gives them a draft of at least a foot, according to that authority, and maybe more, that they draw over the draft for which they were designed. In fact, they are loaded down with too many guns and turrets, and it makes them unsatisfactory ships, and in order to make room for so many more guns than were intended the whole thing is cramped; they have not room enough for their powder, and they have not room enough for their men to turn around in, and yet they are crowded into the dreadnaught class in order to make it look big. That is the fact about those ships. It has been suggested that you can put a heavy load on the *Oregon* and thereby sink its armored belt so deep in the water as to deprive it of armor protection, but these four so-called German dreadnaughts are so weighted down with too many guns and turrets that it is not necessary to put a big load on them to sink their belts into the water.

Now, if you were to remove the *South Carolina* and the *Michigan* from the battleship list into the dreadnaught list and move these four pretended dreadnaughts of the Germans from the dreadnaught list to the battleship list, it would result this way: That Germany instead of having 20 battleships would have 24, and we would have 25; and Germany would have 9 dreadnaughts and we would have 9.

That is the way the thing would result, and it is just a question of juggling figures. You divide a thing into two classes and crowd into one list ships that do not belong there and take from the other list ships that ought to be there, and then you get up and say that the way to compare these navies is to compare the capital ships. And that is the way they make our Navy inferior to the German Navy.

Now, I want to call your attention to another thing. The third class is the cruisers. Germany has 16 armored cruisers. They say that we have only 11. I want to call your attention to what they do say about that in the Navy Yearbook of 1913. On page 833 you will find, down at the bottom, "armored cruisers," giving the list of our ships and the grand total 11 armored cruisers. Then, over on the other side you have the German cruisers. At the bottom of it, "Grand total, 16 armored cruisers," as if Germany had 5 more than we had. Down at the bottom of the page you find this note:

The *Charleston*, *Milwaukee*, and *St. Louis*, three armored cruisers of 9,700 tonnage, are left out of this grand total of 11.

They say with reference to these ships:

Officially these ships are protected cruisers. They are actually armored cruisers, and so treated by all standard publications. If included in above table, they would give a grand total of 14 armored cruisers.

Now there are three armored cruisers left out, not because they were not launched in time, not because they are not actually of the class that is listed there, but according to the declaration of that book on its face, they were left out because they are actually one thing and officially another.

Now, why should a thing be actually one thing and then officially another? Why should the Navy Department want to take some of our ships and degrade them from what they actually are down to something that they are not? How can you explain that upon any other principle than upon the same principle by which you are forced to explain why it was that they left out three of our battleships, why was it that they took two of our dreadnaughts out of the list, and why was it they crowded four German battleships into their dreadnaught list? Why is this, except for the studied purpose to minimize and depreciate and belittle the American Navy?

But when we add the three armored cruisers, the *Charleston*, *Milwaukee*, and *St. Louis*, which the yearbook admits are actually armored cruisers, and each of which exceeds in tonnage any one of five armored cruisers counted in the German list, exceeding one of them 953 tons, exceeding two of them 756 tons, and exceeding the other two 347 tons, it increases the grand total of our armored cruisers from 11, as stated in the yearbook, to 14. But this is not all. Even this list of 14 does not include the *Saratoga*, which was formerly called the *New York*, and which won so much fame at the Battle of Santiago. The *Saratoga* is the smallest of our armored cruisers, but the weight of the metal in a broadside from its guns and the muzzle energy of a broadside are both greater than that of the smallest German armored cruiser. When the tonnage of a German ship is greater than ours the tonnage is all important, and is the excuse for excluding the *Michigan* and *South Carolina* from the dreadnaught class, but when it was necessary to exclude four of our armored cruisers from the comparison, neither tonnage, weight of the broadside, nor muzzle energy weighs a feather in the estimation of these naval spendthrifts.

But after that, after making the list of our ships as small as possible, if you will look at this Navy Yearbook, on page 838, you will find where they attempt to compare the big guns of the two navies. They give the German guns and they give the American guns side by side in order to show that the Germans' are superior to ours. I want to call your attention to that. This list gives Germany one hundred and seventy-four 12-inch guns and sixteen 15-inch guns. She has no 13-inch guns. She has no 14-inch guns. But she has one hundred and seventy-four 12-inch guns and sixteen 15-inch guns. Then follows the American list. It gives us one hundred and forty-eight 12-inch guns, twenty 13-inch guns, and fifty-four 14-inch guns.

Now, every American gun there is reduced below the actual number. It says that we have fifty-four 14-inch guns, while anybody that knows anything about the Navy knows, as the testimony in the hearings shows, that we have sixty-four 14-inch guns.

We have the *New York*, the *Texas*, the *Oklahoma*, and the *Nevada*, four great dreadnaughts, with ten 14-inch guns each, which make 40; and then we have the *Pennsylvania* and *No. 39*, each having twelve 14-inch guns, making 24. Adding those to the 40 makes sixty-four 14-inch guns. Yet this comparative table knocks off 10 of them. What did they want to knock off 10 of them for? What is the purpose of that? You can not say that they were not launched. That is not the reason for knocking them off. They are just constructing these ships now. The ships, except two of them, have not been launched at all. Why, then, do they leave off these ten 14-inch guns. Is it possible that actually we have 64, but officially we have only 54?

Not only that, but take the 13-inch guns. They have put down twenty 13-inch guns. They knock off 12 of our 13-inch guns. We have 8 battleships, each armed with four 13-inch guns, which makes thirty-two 13-inch guns, and anybody who will take the list of our battleships and count them can see that we have 32. And yet in this table, made up to enable people to compare our Navy with the German Navy, 12 of them

are knocked off, and we are credited with only 20. Now, another thing about that: If you say the 13-inch gun is not of any account, if that is the explanation of it, why did they not knock off the whole 32? All 32 of them are just identically alike. They have the same caliber, the same length, they carry the same charge of powder. They have the same muzzle energy. They have the same destructive force. Now, why should they knock off 12 of them and leave the other 20? What explanation can you give of that except the disposition to minimize the American Navy in order to induce Congressmen to vote for more battleships?

Mr. KIRKPATRICK. Oslerize them.

Mr. WITHERSPOON. Yes. Now, take the other one hundred and forty-eight 12-inch guns. We have 158. These one hundred and forty-eight 12-inch guns are the number of 12-inch guns that you will find on our battleships and dreadnaughts. But we have ten 12-inch guns on the monitors, and one of those 12-inch guns on the monitors was the one that was used when they made that test that I told you about, the test that showed that those guns, according to Admiral Strauss, would have put a dreadnaught out of action in a few minutes if it had been in the place of the target. Those 10 are the kind of 12-inch guns that are left out in this comparative table.

Of course mistakes occur. One mistake might be explainable; but I ask Members of Congress to consider all the facts together. Why are three battleships left out? Why are two dreadnaughts taken out of the list and put where they do not belong? Why are four German battleships crowded into the German list of dreadnaughts? Why are four armored cruisers left out? Why are ten 14-inch guns, twelve 13-inch guns, and ten 12-inch guns left out? Could all of those things happen by mistake? Or do you believe that it is just intended to furnish to this Congress and the American people evidence of the inefficiency and smallness of our Navy, in order to induce you to vote for more battleships?

Mr. RAKER. Will the gentleman yield right there?

Mr. WITHERSPOON. Yes; I yield.

Mr. RAKER. By what authority is this Naval Yearbook printed? The gentleman has referred to the Navy Department. Is this yearbook printed by the Navy Department?

Mr. WITHERSPOON. I am glad to say that the Navy Department disowns the book. They are ashamed of it.

Mr. RAKER. You did not have the author of this book before you, did you?

Mr. WITHERSPOON. No, sir. I do not know who publishes it.

Mr. PADGETT. Will the gentleman yield for a question?

Mr. WITHERSPOON. Yes; I will yield.

Mr. PADGETT. I want to state that this book that the gentleman has been reading and commenting upon is published by the clerk of the Senate Committee on Naval Affairs and is not published by the Navy Department.

Mr. WITHERSPOON. I am glad to say that the Navy Department is ashamed of it.

Mr. RAKER. When the officers of the Navy were before you, did they explain the discrepancy?

Mr. WITHERSPOON. I am coming to that right now, and I am glad you asked me that question.

Mr. CALLAWAY. The gentleman says the Navy Department disowns that book. I want to ask if it is not a fact that the big Navy men point to that book as the reason for making an argument that we have a small Navy, and that we ought to have a larger one?

Mr. WITHERSPOON. Yes; and if you will take the report of the majority of the Naval Affairs Committee, the report brought in by the 17 members of the Naval Affairs Committee, you will find about 40 pages in that report that are copied literally from that same Navy Yearbook that the Navy Department disowns. [Applause.]

Mr. DONOVAN. Will the gentleman yield?

Mr. WITHERSPOON. Yes.

Mr. DONOVAN. Are we to understand that the chairman who presented the report was a party to that, knowing that the book was not to be depended upon?

Mr. WITHERSPOON. Oh, I do not think I can say that.

Mr. DONOVAN. The gentleman has called attention to the book as not being trustworthy, and about 40 pages of the report is based upon that.

Mr. PADGETT. I want to state to the gentleman that it is nothing of the kind; and if the gentleman will permit me, it is based upon an official report from the Navy Department, which I have here. It is copied from that.

Mr. WITHERSPOON. I decline to yield, because I have not time to discuss that thing. It is one of the old things that has been issued; I have studied it, and it does not show that any navy on earth has a single gun. It just shows tons and speed and things like that. I have not time to waste in such foolishness as that. Now, the gentleman from California asked me how they explain that.

Mr. RAKER. That is important, and I think we ought to know.

Mr. WITHERSPOON. When Admiral Vreeland was before the Naval Affairs Committee, sent there by the general board, I asked him these questions, and he gave these answers, about this very table where all the guns were left out. And if you will listen to this statement, you will see what the representative of the general board, Admiral Vreeland, states—that even if you knock out, as the Navy book has done, ten 14-inch guns, twelve 13-inch guns, and ten 12-inch guns, knock all these guns out, and still, according to his statement, which I will read to you, our Navy is superior to that of Germany. [Applause.]

Mr. WITHERSPOON. Assuming that this Navy Yearbook is correct—

That was a violent assumption that I made—

Assuming that this Navy Yearbook is correct in its statement that Germany is now building ships on which they will have sixteen 15-inch guns, that we are building ships on which we will have fifty-four 14-inch guns, that Germany has none, that we have twenty 13-inch guns and Germany has none, would you say that that statement, if true, would show that the German Navy is superior to ours?

Admiral VREELAND. That statement by itself would mean that our Navy is superior.

Mr. WITHERSPOON. Admiral Twining stated before this committee last year that a 14-inch gun has a destructive power 50 per cent greater than a 12-inch gun and that it shoots with 30 per cent more accuracy. Do you agree in that statement?

Admiral VREELAND. I should say, coming from the Chief of the Bureau of Ordnance, that it was correct.

Mr. WITHERSPOON. You have never gone into that?

Admiral VREELAND. It would require a table of ballistics.

Mr. WITHERSPOON. Do you think the statement of Admiral Twining in that regard was probably correct?

Admiral VREELAND. Yes, sir.

Mr. WITHERSPOON. You agree with him, so far as you know, without examining the tables and refreshing your memory?

Admiral VREELAND. Yes, sir.

Mr. WITHERSPOON. You said that, assuming that the showing in this yearbook as to the number of 13, 14, and 15 inch guns is correct, it would show that our Navy is superior. Assuming, then, also, that in the German Navy they have one hundred and seventy-four 12-inch guns and we have 148, giving them 26 more than we have, and considering our superiority in 13 and 14 inch guns, and considering the probable accuracy of the statement of Admiral Twining that a 14-inch gun shoots with 50 per cent more destructive force and 30 per cent more accuracy than a 12-inch gun, what would you say as to the relative strength of the two navies, assuming all that to be true?

Admiral VREELAND. I would say that the German Navy is more powerful than ours.

Mr. WITHERSPOON. Would you think that their superiority in the number of twenty-six 12-inch guns would overcome our superiority in 13 and 14 inch guns?

Admiral VREELAND. We have not any 13-inch guns, except on ships that are obsolete. Using only your figures, I would say that the argument was on your side.

There I took the comparative statement as to the big guns taken from the Navy Yearbook, leaving out the ten 14-inch guns and the other guns that I have referred to, and put up to him the comparison between these big guns, and he says that our Navy is superior and that the argument is on my side. If I had then put the question to him, which I was not so unkind as to do, what he would think if you would add to our list all the big guns that were left out, why, there is no doubt but that he would have said our Navy was twice as powerful as the Germany Navy.

Now, having determined what we have in our Navy, having determined that we have 39 battleships and 15 cruisers, and Germany has 39 battleships and 16 cruisers, I want to give you a comparison of these navies. I have a table showing it accurately. I am not going to detain you by reading all the figures in the tables, but I will content myself with giving you the totals. However, I have here the size and caliber of every gun in both navies, with the weight of the shells from each gun and the muzzle energy of each gun, and I will put all of those tables into my remarks when I extend them, so that any Member of the House who desires to verify can get the tables and do it. But I will not detain you by going into details.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. WITHERSPOON. Certainly.

Mr. GRAHAM of Illinois. Do your tables give any information as to the character of shells used in the German Navy, whether they are armor-piercing shells or not?

Mr. WITHERSPOON. They are all armor-piercing shells as far as I know.

Mr. GRAHAM of Illinois. Has the gentleman any definite information upon that?

Mr. WITHERSPOON. Very little. The committee has never gone into that. We do not know much about that; but I understand from the books that all these are armor-piercing shells.

Mr. GRAHAM of Illinois. Armor-piercing shells depend entirely, or almost entirely, for their destructive power upon penetration and explosion after penetration, do they not?

Mr. WITHERSPOON. Mr. Chairman, I will not have time to yield to my friend to make a speech.

Mr. GRAHAM of Illinois. But my inquiry is not a speech. It is a question.

Mr. WITHERSPOON. I thought the gentleman was making a statement. What is the gentleman's question?

Mr. GRAHAM of Illinois. My question was whether the armor-piercing shell does not depend largely, if not entirely, for its destructive power upon penetration and explosion after penetration?

Mr. WITHERSPOON. Yes; it does entirely.

Mr. GRAHAM of Illinois. To what distance will it penetrate before exploding?

Mr. WITHERSPOON. That depends altogether upon the shell and the gun. Some of them will penetrate a great deal farther than others. Big guns will have a longer range than smaller ones.

Mr. GRAHAM of Illinois. I mean the largest ones.

Mr. WITHERSPOON. My recollection is that the table shows that the 14-inch gun has a penetration of 14 inches at 12,000 yards.

Mr. GRAHAM of Illinois. Take the Battle of Santiago. The *Oregon*, as well as some others of our ships, poured shot after shot into the Spanish ships and did not sink one. How was that?

Mr. WITHERSPOON. Simply because they did not hit them in the right place.

Mr. GRAHAM of Illinois. Oh, yes; they hit them nearly everywhere. Then the Spaniards ran the ships aground.

Mr. WITHERSPOON. There were no ships sunk in the Spanish-American War or in the Japanese War——

Mr. GRAHAM of Illinois (interrupting). Oh, yes.

Mr. WITHERSPOON. Excuse me.

Mr. GRAHAM of Illinois. I beg the gentleman's pardon.

Mr. WITHERSPOON. I can not yield any further. I was going to answer the gentleman's question.

Mr. GRAHAM of Illinois. Has the gentleman read Capt. Semenoff's history of the Battle of the Yellow Sea?

Mr. WITHERSPOON. I can not yield any more. I have not the time.

Mr. GRAHAM of Illinois. I am sorry the gentleman's information is not more accurate.

Mr. WITHERSPOON. Mr. Chairman, we have in the predreadnaught fleet of America 492 guns—thirty-two 13-inch guns, seventy-eight 12-inch guns, one hundred and forty-four 8-inch guns, eighty-eight 7-inch guns, and one hundred and fifty 6-inch guns. That makes a total of 492, and the total weight of a broadside from all of those guns is 171,730 pounds. The Germans have a total of 380 guns, 112 guns less than we have, and a broadside from those guns weighs 80,920 pounds. In other words, it weighs 90,810 pounds less than a broadside from the American battleships, or the American broadside is 11,000 pounds more than twice as great as the German broadside. I refer now to the battleship fleet.

American predreadnaught fleet, weight of metal in broadside.

		Pounds.
32	13-inch projectiles, 1,130 pounds	36,160
78	12-inch projectiles, 870 pounds	67,860
144	8-inch projectiles, 260 pounds	37,440
88	7-inch projectiles, 165 pounds	14,520
150	6-inch projectiles, 105 pounds	15,750
492	guns, total weight of metal	171,730

German predreadnaught fleet, weight of metal in broadside.

		Pounds.
40	9.4-inch projectiles, 419 pounds	16,760
160	5.9-inch projectiles, 101 pounds	16,160
40	11-inch projectiles, 661 pounds	26,440
140	6.7-inch projectiles, 154 pounds	21,560
380	guns, total weight of metal	80,920

171,730—80,920=90,810 excess of American over German.

Compare those two parts of the fleets as to muzzle energy. The same guns give a muzzle energy to the American fleet of 7,762,842 foot-tons, while the Germans have a muzzle energy of 4,202,300 foot-tons. In other words, we exceed them in muzzle energy by 3,558,542 foot-tons, or nearly twice as much as theirs. Of course, that depends on what you put in the battleship class and the dreadnaught class. If you take these four German battleships which I have discussed out of the dreadnaught class and put them back where they belong in the battleship class, then it would give the muzzle energy of the German battleships at 6,101,740 foot-tons, or, in other words, leave us ahead of them only 1,666,102 foot-tons. When you take so many of the German ships out of the first class and put them in the second it makes ours over twice as great as theirs, but when you arrange them as they should be, it still gives us a large superiority over the German fleet. The following table gives the number of each type of guns and the muzzle energy of each gun, and the total muzzle energy of all the guns on the 20 German battleships and on the 25 American battleships, as follows:

American predreadnaught guns—muzzle energy.

		Foot-tons.
32	13-inch 35-caliber, muzzle energy 40,388	1,292,416
6	12-inch 35-caliber, muzzle energy 26,596	159,576
40	12-inch 40-caliber, muzzle energy 40,768	1,630,720
32	12-inch 35-caliber, muzzle energy 48,948	1,566,336
40	8-inch 40-caliber, muzzle energy 7,948	317,920
104	8-inch 45 caliber, muzzle energy 13,360	1,389,440
88	7-inch 45-caliber, muzzle energy 8,338	733,744
42	6-inch 40-caliber, muzzle energy 3,365	141,330
108	6-inch 50-caliber, muzzle energy 4,920	531,360
492	guns, total muzzle energy	7,762,842

German predreadnaught guns—muzzle energy.

		Foot-tons.
140	6.7-inch 40-caliber, muzzle energy 8,275	1,158,500
160	5.9-inch 40-caliber, muzzle energy 5,335	853,600
20	9.4-inch 40-caliber, muzzle energy 16,835	337,100
20	9.4-inch 40-caliber, muzzle energy 22,215	444,300
40	11-inch 40-caliber, muzzle energy 35,270	1,410,800
380	guns, total muzzle energy	4,204,300

7,762,842—4,204,300=3,558,542 in favor of United States.

If we should here rejuggle the figures and place the *Westfalen*, *Nassau*, *Posen*, and *Rheinland* back in the battleship class by adding their muzzle energy to that of the other 20 German battleships, then they would have a total muzzle energy of 6,101,740 foot-tons, or only 1,661,102 foot-tons less than the 25 American battleships, but this would lessen the muzzle energy of the German dreadnaught fleet 1,897,440 foot-tons, and therefore displease those who want more dreadnaughts. They prefer to make the American predreadnaught fleet appear to be twice as great as that of the Germans, in order to make our dreadnaught list look as small as possible.

Having compared those parts of the two fleets consisting of battleships and shown that the American fleet of battleships is about twice as powerful as the Germans, let us now compare the dreadnaughts of the two navies in respect to the weight of the metal in their broadsides and in respect to their muzzle energy. The weight of the metal in their broadsides is shown in the following table:

Weight of metal in broadside American dreadnaught guns.

		Pounds.
80	12-inch guns—shells, 870 pounds	69,600
64	14-inch guns—shells, 1,400 pounds	89,600
144		159,200

German.

		Pounds.
48	11-inch guns—shells, 661 pounds	31,728
138	12-inch guns—shells, 860 pounds	118,680
16	15-inch guns—shells, 1,676 pounds	26,816
202		177,224

177,224 pounds minus 159,200 pounds equal 18,024 pounds in favor of the German.

The muzzle energy of American dreadnaughts.

		Foot-tons.
24	12-inch guns—muzzle energy, 52,483	1,259,592
56	12-inch guns—muzzle energy, 48,948	2,741,088
64	14-inch guns—muzzle energy, 65,606	4,198,784
144	Total	8,199,464

The muzzle energy of German dreadnaughts.

		Foot-tons.
48	11-inch guns—muzzle energy, 39,530	1,897,440
138	12-inch guns—muzzle energy, 45,500	5,979,000
16	15-inch guns—muzzle energy, 90,350	1,445,600
202	Total	9,322,040

9,322,040 foot-tons minus 8,199,464 foot-tons equal 1,289,136 foot-tons in favor of the German dreadnaughts.

I am counting among the dreadnaughts these four ships armed with 11-inch guns, and I have this result, that we have a broadside from our dreadnaught fleet of 159,200 pounds and from the German fleet 177,224 pounds; in other words, they have a superiority over us of about 17,000 pounds. Counting those four ships that I claim ought to be in the battleship class as dreadnaughts, if you put them where they ought to be, then the broadside from the German dreadnaught fleet would be about 15,000 or 16,000 pounds less than ours. Of course you can make either one or the other the greater by juggling the figures. It is an easy matter to make either our dreadnaughts or theirs superior, according to the way you arrange the ships.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. WITHERSPOON. Yes, sir.

Mr. KELLEY of Michigan. Does not the gentleman think, speaking of the German dreadnaughts, that the battle cruisers ought to be counted as dreadnaughts?

Mr. WITHERSPOON. No; because the battleship crowd have divided the Navy into three classes—battleships, dreadnaughts,

and cruisers—and I am discussing it in the very way that the battleship crowd has arranged it. Now, the gentleman wants to mix them up. I noticed my distinguished friend from Michigan the other day, in making his speech, when he compared the American Navy with the German Navy took 19 of their dreadnaughts and then the gentleman took 7 of their cruisers and added them together, making 26, and then he compared all of those taken from the two classes with our dreadnaughts. Now, I tried to illustrate the other day that it was not fair when you are going to compare a horse with a donkey just to take the ears of the animals [laughter], but my friend from Michigan has done worse than that. He has gotten up two donkeys and taken the ears of both of them and compared them with the American dreadnaughts. [Laughter.]

Mr. KELLEY of Michigan. Well, Mr. Chairman, have we any ships in our Navy that are comparable with those seven battle cruisers which I classed as dreadnaught cruisers?

Mr. WITHERSPOON. Yes; we have many ships in our Navy that would destroy them in a short time. They are not made to fight; they are made to run; their speed is about 30 knots an hour.

Mr. KELLEY of Michigan. With all big guns?

Mr. WITHERSPOON. Their armor is thin. Why, they have no more big guns than our ships have.

Mr. KELLEY of Michigan. They have all big guns.

Mr. WITHERSPOON. Suppose they have; they are very few. Why, they have not as many big guns——

Mr. KELLEY of Michigan. Ten or twelve big guns on a ship.

Mr. WITHERSPOON. On a ship. On the American predreadnaught class does the gentleman know how many big guns we have? Tell the House, if the gentleman knows.

Mr. KELLEY of Michigan. I do not know exactly how many.

Mr. WITHERSPOON. Well, I know exactly how many. We have one hundred and ten 12 and 13 inch guns on our battleship fleet. How many have they on the battle cruisers—tell the House.

Mr. KELLEY of Michigan. The point I wanted to make to the gentleman from Mississippi is that in discussing these ships he ought at least to call the attention of the House to the fact that these seven battle cruisers are a different class from the ordinary armored cruisers in our Navy.

Mr. WITHERSPOON. Well, I have not gotten to the cruisers; I am discussing dreadnaughts. I will come to them and I will discuss them in due time, but I do not like to mix things up. I can not discuss everything at one time. Now, in this dreadnaught comparison I want to call attention to the muzzle energy of the American dreadnaught and the German dreadnaught.

The table shows that we have 144 guns on our dreadnaughts, with a muzzle energy of 8,199,464 foot-tons, and that the Germans have 9,322,044 foot-tons. That gives the Germans an excess in the muzzle energy of their dreadnaughts of 1,122,576, counting in those four ships that I say really are battleships. Now, if you take them out it makes the muzzle energy of our dreadnaughts exceed the muzzle energy of the German dreadnaughts 774,864 tons. That is the comparison. I submit to this House that it is not a fair comparison to divide fleets up into parts and then compare the parts. You can not tell anything about that, and I was struck when I examined the British Naval Annual to see that that great authority—and it is regarded as the highest of all the naval authorities, I think, by naval officers—does not classify them like we do, but it puts down all the battleships and dreadnaughts and armored cruisers and battle cruisers in one long alphabetical list, so that you can see how many there are altogether. That is the way they compare it.

Mr. WILLIAMS. Will the gentleman yield?

Mr. WITHERSPOON. Yes; I yield.

Mr. WILLIAMS. Suppose that what the gentleman says is all true, that our Navy is in these respects superior to that of Germany; just conceding for the sake of argument that that is true, what does that prove, and how does that militate against this bill?

Mr. WITHERSPOON. You are trying to get me into something I have not reached.

Mr. WILLIAMS. What are you talking about, then?

Mr. WITHERSPOON. I am comparing these two navies now. I have compared the predreadnaught fleet and the dreadnaught fleet separately. Now I want to present the comparison to you, combining the two, and that shows that a broadside from our 39 battleships, including them all, is 330,700 pounds, and a broadside from the German 39 battleships is 257,000 pounds, giving us an excess of 73,730 pounds in the weight of a broadside from our entire 39 battleships over those of Germany. That is what the figures show.

Now, you take and compare the two in muzzle energy. The total muzzle energy of our 39 battleships is 15,962,306 foot-tons. The total muzzle energy of the German 39 battleships is 13,526,340 foot-tons, and giving us an excess in muzzle energy between our 39 battleships and their 39 battleships of 2,435,966 foot-tons.

Now, having compared all the battleships, I come to the armored cruiser, which is the next in order, and you will find that a broadside from the 15 American armored cruisers weighs 38,790 pounds, and from the German cruisers, including battle cruisers and all, it is 66,536, or an excess of 27,746 pounds over ours. The cruiser fleet of Germany is superior to ours. It is larger. It has more guns and has more muzzle energy and the broadside has more pounds in it. But if you were just going to compare these cruisers alone and determine it on that, if you think that the strength of a fleet consists in armored cruisers, then you ought not to pass this bill. You ought to strike these battleships out and tell your committee to go and bring in a bill here with cruisers in it. But all of our naval officers tell us that the armored cruiser and the battle cruiser is not the fighting ship that the battleship is, and for that reason they do not build them. We did build armored cruisers for a good many years. We spent $66,000,000 on them, but our experts decided they were not a good investment, and we have ceased to build them. Now, since we have ceased to build them and Germany continues to build them, the proposition is to compare the two fleets by showing that Germany has a larger armored-cruiser fleet than we have.

Now, taking the muzzle energy of our armored cruisers, it amounts to 2,203,630 foot-tons. Taking the German, it amounts to 4,185,480 foot-tons. But I submit to you that the fair thing to do is to compare the entire fleets, and I ask your attention now while I give you the figures showing the muzzle energy of all the American armored ships and all the German ships. Our American predreadnaughts, dreadnaughts, and cruisers have a total muzzle energy of 18,155,930 foot-tons; that of the Germans, including my friend's battle cruisers, is 17,711,820 foot-tons. In other words, the American exceeds that of the German in muzzle energy by 444,110 foot-tons. Now, you take the broadsides and compare the entire fleet in that respect. The American battleships, dreadnaughts, and cruisers have a broadside with a weight of 369,490 pounds; the Germans, 325,536 pounds, or the total weight of the metal in a broadside of our fleet exceeds the total weight of the metal in a broadside of the German fleet by 45,954 pounds. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WITHERSPOON. Mr. Chairman, I would like to have permission to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14034, the naval appropriation bill, and had come to no resolution thereon.

CORRECTION OF THE RECORD.

Mr. DYER. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a letter signed by the Clerk of the House in reference to a correction in the RECORD.

The SPEAKER. The gentleman from Missouri [Mr. DYER] asks unanimous consent to have printed in the RECORD a letter about a correction of the RECORD. Is there objection?

There was no objection.

Following is the letter referred to:

HOUSE OF REPRESENTATIVES,
CLERK'S OFFICE,
Washington, D. C., April 22, 1914.

Hon. L. C. DYER,
Washington, D. C.

SIR: On March 21, 1914, the following brief appeared by mistake in the CONGRESSIONAL RECORD under the head of petitions: "By Mr. DYER: Petitions of 25,533 citizens of St. Louis, Mo., favoring national prohibition; to the Committee on the Judiciary."

It was discovered the next day that this petition did not come from St. Louis, and that it was not filed by Mr. DYER. Proper corrections were made and said brief does not appear in the permanent RECORD of the House of Representatives.

Very respectfully,

SOUTH TRIMBLE,
Clerk of the House.

EXTENSION OF REMARKS.

Mr. LEVY. Mr. Speaker, I ask unanimous consent to extend my remarks on the privileged question that was discussed this morning by inserting a few letters and telegrams.

The SPEAKER. The gentleman from New York [Mr. LEVY] asks unanimous consent to extend his remarks in the RECORD on the privileged question discussed this morning. Is there objection?

Mr. GORDON. Reserving the right to object, Mr. Speaker, what are these things about? This rate proposition?

Mr. LEVY. Yes.

Mr. GORDON. I object, Mr. Speaker.

The SPEAKER. The gentleman from Ohio objects.

CAPT. WILLIAM O. KEAS.

Mr. J. M. C. SMITH. Mr. Speaker, I ask unanimous consent to speak of a young man from my district who was wounded yesterday in battle at Vera Cruz, Mexico.

The SPEAKER. The gentleman from Michigan [Mr. J. M. C. SMITH] asks unanimous consent to address the House. Is there objection?

There was no objection.

Mr. J. M. C. SMITH. Mr. Speaker, among the marines landed yesterday at Vera Cruz, Mexico, was Capt. William O. Keas, chief turret captain on the battleship *South Carolina*. He was a resident of Hillsdale, in the third congressional district of Michigan, which I have the honor to now represent. Capt. Keas served on the *South Carolina*. He was the first, or one of the first three, from the State of Michigan to shed blood in the present war with Mexico. He is of most exemplary character. He belongs to one of the first families of Hillsdale. His father is the present sheriff of his county. He is a distinguished officer—brave, fearless, and patriotic. He was wounded under the flag.

Whatever the result of that war may be, I am sure that the people and the citizens of the State of Michigan will do their full share to support the dignity and add luster to the banner of our country; and in the end we shall receive not only the plaudits of the world, but we shall take such advanced position, and our course will be so beneficial to civilization, that this war will go down in history as one of the most humane and beneficent that was ever waged on the American Continent. Let us all hope for his speedy recovery, and that his young life may be extended to many years of usefulness and honor in his own beloved land. [Applause.]

EXTENSION OF REMARKS.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, on what subject does the gentleman propose to extend his remarks?

Mr. JOHNSON of South Carolina. In regard to one of the sailors that was killed at Vera Cruz.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 3403) to abolish the office of receiver of public moneys at Springfield, Mo., and for other purposes.

The message also announced that the Senate had passed with amendment the following joint resolution:

House joint resolution 253.

Resolved, etc., That the unexpended balances of appropriations heretofore made for the naval station, New Orleans, La., and not yet turned back into the Treasury, are hereby reappropriated and made available for expenditure at that station for such purpose as the Secretary of the Navy may direct.

ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 15906. An act providing an appropriation for the relief and transportation of American citizens in Mexico;

H. R. 13453. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1915; and

H. R. 7138. An act to provide for raising the Volunteer forces of the United States in time of actual or threatened war.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 656. An act granting to the trustees of the diocese of Montana of the Protestant Episcopal Church, for the benefit of "Christ Church on the Hill," at Poplar, Mont., lots 5, 6, and 7 in block 30, town site of Poplar, State of Montana.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 13453. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1915; and

H. R. 15906. An act providing an appropriation for the relief and transportation of American citizens in Mexico.

NAVAL STATION, NEW ORLEANS, LA.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to call up House joint resolution 253, which was passed this morning, with a Senate amendment, amending the title, and move to concur in the Senate amendment.

Mr. STAFFORD. I hope, Mr. Speaker, the gentleman will not bring that up to-night. There are only 25 Members here at the present time.

Mr. PADGETT. It is only to amend the title. The resolution was passed in the House this morning by unanimous consent, and in the Senate by unanimous consent. It is a measure incident to this Mexican trouble, and it is only amending the title.

Mr. STAFFORD. It is only a technical correction?

Mr. PADGETT. That is all.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER. The Clerk will report the amendment.

The Senate amendment was read.

Mr. FITZGERALD. Mr. Speaker, what is the amendment?

Mr. PADGETT. It amends the title to the resolution that was passed this morning.

Mr. FITZGERALD. Putting a title to it?

Mr. PADGETT. Yes.

The SPEAKER. Is there objection?

Mr. FITZGERALD. One moment. What is the purpose of this resolution?

Mr. PADGETT. The resolution is to make available certain funds of unobligated balances of appropriations that had heretofore been made for the naval station at New Orleans, making them available for purposes incident to this present trouble. It passed this morning by unanimous consent, and it has passed the Senate; and this is to amend the title.

Mr. FITZGERALD. I ask that the gentleman let it go over for the present.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] objects.

Mr. FITZGERALD. It is a deficiency appropriation.

Mr. PADGETT. It has already passed the House.

The SPEAKER. The gentleman from New York objects.

Mr. FITZGERALD. I ask that the gentleman withhold it now and take it up in the morning.

Mr. PADGETT. The department was anxious to get it through.

Mr. FITZGERALD. I have no doubt about the attitude of the department, Mr. Speaker. This, however, is a deficiency appropriation. The present situation is not one in which we should be slipshod in our methods of appropriating the public money. There are some things of importance which should be attended to and looked after here regardless of the wish of the department. So far as I am concerned, I propose that the House shall not relax its vigilance in the control of the public money. Whatever is needed in reference to the present emergency I am sure will be granted. It will not hurt to let this resolution wait until to-morrow.

Mr. PADGETT. It has already passed the House.

Mr. FITZGERALD. It would not have passed the House if I had been present. I was engaged in committee on other business.

ADJOURNMENT.

Mr. PADGETT. Very well. I will withhold it until to-morrow morning. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Tennessee [Mr. PADGETT] withdraws his request, and moves that the House do now adjourn. The question is on agreeing to that motion.

The motion was agreed to; accordingly (at 6 o'clock and 8 minutes p. m.) the House adjourned until to-morrow, Saturday, April 25, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FLOYD of Arkansas, from the Committee on the Judiciary, to which was referred the resolution (H. Res. 341) directing the House to determine whether certain officers and agents of the National Association of Manufacturers have not been guilty of practices rendering them liable to punishment for contempt, reported the same without amendment, accompanied by a report (No. 571), which said resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the resolution (H. Res. 342) directing the House to determine whether, under the report of the select committee on lobby investigations, Representative JAMES THOMAS MCDERMOTT has not been shown to be guilty of disgraceful and dishonorable misconduct and venality rendering him unworthy of a seat in the House, and justly liable to expulsion from the same, reported the same without amendment, accompanied by a report (No. 572), which said resolution and report were referred to the House Calendar.

Mr. GRIFFIN, from the Committee on Militay Affairs, to which was referred the resolution (S. J. Res. 121) authorizing the Secretary of War to furnish one United States garrison flag to William B. Cushing Camp, No. 30, Sons of Veterans, reported the same with amendment, accompanied by a report (No. 578), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KENT, from the Committee on the Public Lands, to which was referred the resolution (H. J. Res. 250) authorizing the Secretary of the Interior to make an approximate classification of the unreserved unappropriated public lands of the United States, reported the same without amendment, accompanied by a report (No. 579), which said resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. O'HAIR, from the Committee on Military Affairs, to which was referred the resolution (H. J. Res. 241) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers, reported the same with amendment, accompanied by a report (No. 577), which said resolution and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11411) granting an increase of pension to Charles W. Malsom; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12863) granting a pension to Tony Jud; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1575) granting a pension to Emma L. Wallace; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10986) granting an increase of pension to Andrew Houlihan; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15783) granting an increase of pension to Mae W. McClure; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANSBERRY: A bill (H. R. 15982) providing for the survey of the Maumee River and its tributaries, Ohio and Ind.; to the Committee on Rivers and Harbors.

By Mr. FERRIS: A bill (H. R. 15983) to restore homestead rights in certain cases; to the Committee on the Public Lands.

Also, a bill (H. R. 15984) authorizing the Secretary of War to donate condemned cannon and balls; to the Committee on Military Affairs.

By Mr. HAMMOND: A bill (H. R. 15985) to authorize the city of Mankato, in Blue Earth County, Minn., to construct a dam across the Minnesota River; to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: A bill (H. R. 15986) to prohibit the transmission through the mails of false statements in writing for the procuring of credit thereon; to the Committee on the Post Office and Post Roads.

By Mr. CRAMTON: A bill (H. R. 15987) to amend section 3646 of the Revised Statutes of the United States as reenacted and amended by act of February 23, 1909; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 15988) granting to the city of Klamath Falls, Oreg., certain unsurveyed lands for park purposes; to the Committee on the Public Lands.

By Mr. OLDFIELD: A bill (H. R. 15989) to revise and amend the laws relating to patents; to the Committee on Patents.

By Mr. MURDOCK: Joint resolution (H. J. Res. 255) authorizing the Secretary of State to extend invitations to other nations to send representatives to the International Dry Farming Congress, to be held at Wichita, Kans., October 7 to 17, inclusive, 1914; to the Committee on Foreign Affairs.

By Mr. HAYDEN: Resolution (H. Res. 493) authorizing the printing of 3,000 copies of Chapter XV of the Military Policy of the United States, entitled "The Military Policy of the United States during the Mexican War"; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY: A bill (H. R. 15990) for the relief of Thomas Amick; to the Committee on Military Affairs.

By Mr. BARTHOLDT: A bill (H. R. 15991) granting a pension to John E. Colvin; to the Committee on Invalid Pensions.

By Mr. BATHRICK: A bill (H. R. 15992) granting an increase of pension to Daniel P. Holcomb; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 15993) granting an increase of pension to Wilson Rounds; to the Committee on Invalid Pensions.

By Mr. BUCHANAN of Texas: A bill (H. R. 15994) for the relief of Louis Boerner; to the Committee on Claims.

Also, a bill (H. R. 15995) for the relief of ex-Collector of Internal Revenue Webster Flanagan; to the Committee on Claims.

By Mr. BYRNS of Tennessee: A bill (H. R. 15996) granting an increase of pension to Frances Dewese; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 15997) to correct the military record of Andrew B. Ritter; to the Committee on Military Affairs.

By Mr. CLAYPOOL: A bill (H. R. 15998) granting an increase of pension to Nicholas Scholl; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 15999) granting a pension to Sarah Putnam; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 16000) for the relief of John W. Graham; to the Committee on Military Affairs.

By Mr. GUERNSEY: A bill (H. R. 16001) granting an increase of pension to Francis E. Strout; to the Committee on Invalid Pensions.

By Mr. HART: A bill (H. R. 16002) granting an increase of pension to Gilbert J. Jackson; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 16003) granting a pension to Vina Herd; to the Committee on Pensions.

By Mr. LEE of Georgia: A bill (H. R. 16004) granting a pension to Caroline Philpot; to the Committee on Pensions.

Also, a bill (H. R. 16005) for the relief of Martin Ball, heir of Stephen Ball, deceased; to the Committee on War Claims.

By Mr. LINTHICUM: A bill (H. R. 16006) granting a pension to Myrtle May Hoffman; to the Committee on Pensions.

By Mr. MCGILLICUDDY: A bill (H. R. 16007) for the relief of William Henry Clifford; to the Committee on Naval Affairs.

By Mr. MCKELLAR: A bill (H. R. 16008) granting an increase of pension to Susan E. Nash; to the Committee on Pensions.

By Mr. MURRAY of Oklahoma: A bill (H. R. 16009) granting a pension to William J. Ladd; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 16010) granting an increase of pension to Georgie E. Keenan; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 16011) granting an increase of pension to John G. Meltabarger; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 16012) granting an increase of pension to John T. Langstaff; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 16013) granting a pension to Jefferson L. Smith; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 16014) granting a pension to William B. Jenkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16015) granting a pension to Julia Kibby; to the Committee on Invalid Pensions.

By Mr. TEN EYCK: A bill (H. R. 16016) granting an increase of pension to Edward Pennefeather; to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 16017) granting a pension to Ervin Everson; to the Committee on Pensions.

By Mr. WATKINS: A bill (H. R. 16018) to correct the military record of Gordon A. Dennis and to reinstate him as second lieutenant in the United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 16019) to authorize the transfer of Lieut. Sydney Smith from the retired to the active list of the Army; to the Committee on Military Affairs.

By Mr. CARY: A joint resolution (H. J. Res. 254) relating to the awards and payments thereon in what is commonly known as the Plaza cases; to the Committee on the District of Columbia.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Ohio and Pennsylvania favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petition of the Socialist Party of Philadelphia, of Philadelphia, Pa., protesting against President's action in declaring war on Mexico; to the Committee on Foreign Affairs.

Also (by request), petition of the International Brotherhood Welfare Association of St. Louis, Mo., protesting against the deplorable condition of affairs existing among the unemployed of the United States; to the Committee on Labor.

Also (by request), memorial of sundry citizens of Nome, Alaska, constituting the Knights of Robert Emmet, against "One hundred years of peace celebration"; to the Committee on Foreign Affairs.

Also (by request), resolutions of the North Side Board of Trade of New York, indorsing action of President in his effort to bring order out of chaos in Mexico; to the Committee on Foreign Affairs.

Also (by request), petition of sundry citizens of Louisiana, Mo., and Pike County, Mo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ANSBERRY: Petition of sundry citizens of Tedrow, Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the United Societies for Local Self-Government of Chicago, Ill., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of Samuel Moody, H. Schilling, John Bartley, S. Young, Eli Walters, Harry Walters, G. H. Beegle, W. T. Ressler, Grant Edmundson, E. N. Lindsey, L. A. Johnston, Samuel Massic, W. D. Montgomery, George Montgomery, Frank Wilt, H. Montgomery, A. G. Wilt, and F. E. Lindsey, all of Duncansville, Pa., for passage of House joint resolution 168, relative to national prohibition; to the Committee on the Judiciary.

Also, protests of Albert Guillerman, E. F. James, jr., Fred Hoffman, S. J. O'Brien, Ernest Klein, Walter Stormer, N. Niessner, John Lipp, Henry Dietz, Karl Dembeck, Hubert Moyer, John S. Grumme, Andey Matek, C. A. McGuire, Frederick Perian, Conrad Now, Hugh McConnell, John McKenry, W. M. Saly, Karl Weber, Herman Niesner, Walter Stormer, Jacob Wacker, Fritz John, Grant Laird, John H. Stork, John Schwing, L. P. Shelly, William Schmalz, Charles Bullmann, Charles Umbaugh, H. C. Shaffer, Albert Heilman, Robert P. Bell, Joseph Gradvohl, Gilbert F. Howard, William F. Pfiel, P. J. Doriam, Thomas Rhoades, Thomas J. Davis, T. F. Brady, Andrew B. Costlow, T. Proctor, Charles Bischoff, John Rosenbaum, Joseph Bremer, Frank Bischoff, L. A. Geis, Otto Mitchell, John Berg, Charles Diefenbach, B. J. Egerter, Ignatius Karcher, George E. Raab, Jacob Schmadel, W. H. Noran, H. A. Knee, and Charles G. Lynch, all of Johnstown, Pa., against national prohibition; to the Committee on the Judiciary.

Also, protests of Richard Jones, Mrs. Daniel Paul, D. H. Miller, Albert Peden, Mrs. Mary Geisel, Mary C. Miller, C. D. Bateman, E. M. Redelstein, Mrs. William Burkholder, Mrs. W. A. Slick, Miss Myrtle Boucher, Mrs. E. J. Sheburn, Mrs. E. D. Block, Mrs. H. G. Isenburg, J. W. Watt, John T. Zimmerman, Annie Zimmerman, J. D. Block, all of Johnstown, Pa., against passage of House bill 7826, the Sabbath observance bill; to the Committee on the District of Columbia.

Also, petition of Local Union No. 521, United Mine Workers of America, of Jamestown, Pa., favoring Federal intervention in the Colorado strike; to the Committee on the Judiciary.

Also, petitions of Margaret Walker, Mrs. Lydia Harris, Mrs. Annie Krider, Myrtle Mountz, Mrs. J. C. Gibboney, Edna Walker, Mrs. Yeckley, Mrs. Amanda Yeckley, Mrs. David Ott, Mrs. Herbert Burk, Pearl Walters, Mrs. Eli Walters, Mrs. William Ressler, Mrs. G. W. Beegle, Clara E. Lindsey, Ella Black, Mrs. Emma Black, Mrs. Alice Massie, Mrs. T. E. Carnitt, Mrs. A. W. White, Mrs. H. J. Montgomery, Mrs. Lee Walker, all of Duncansville, Pa., for passage of House joint resolution 168, relative to national prohibition; to the Committee on the Judiciary.

By Mr. BAKER: Petition of 18 citizens of the second congressional district of New Jersey, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARNHART: Petition of sundry citizens of Elkhart, Ind., against enactment of Sunday-observance legislation; to the Committee on the District of Columbia.

Also, petition of 13 citizens of Elkhart, Ind., relative to amending the civil-service law; to the Committee on Reform in the Civil Service.

Also, petition of 100 citizens of Mishawaka, 120 citizens of Walkerton, 286 citizens of South Bend, 220 citizens of Greentown, and sundry citizens of Elkhart, Goshen, and Door Village, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BARTHOLDT: Petitions of the Automobile Gasoline Co., the Laclede Gas Light Co., the North Breese Coal & Mining Co., the Corrugated Bar Co., the John Wahl Commission Co., the Von der Aw & Cluss Manufacturing Co., the Kaltwasser Carpet Co., and a number of other citizens of St. Louis, Mo., protesting against the prohibition amendment now pending; to the Committee on the Judiciary.

Also, petitions of Rabbi Spitz, of the Jewish Voice; the Blanke-Wenneker Candy Co.; the Broderick & Bascom Rope Co.; the West Disinfecting Co.; the St. Louis Iron & Machine Works; the Howe Scale Co., of Illinois; and Joseph Freund, all of St. Louis, Mo., protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of the Pitzman's Co. of Surveyors & Engineers, the F. B. Instrument Co., the Interstate Printing Co., the St. Louis Dairy Co., and the Rice-Stix Dry Goods Co., all of St. Louis, Mo., against national prohibition; to the Committee on the Judiciary.

Also, petition of Charles G. Arras, of St. Louis, Mo., favoring passage of House bill 13305, to prevent discrimination in prices; to the Committee on Interstate and Foreign Commerce.

Also, petitions of D. J. Mahar, of Clayton, Mo., and W. H. Stilwell, Paul Huebner, and E. J. Jocker, of St. Louis, Mo., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Mercantile Trust Co. of St. Louis, Mo., favoring passage of House bill 14328, relative to false statements in the mails; to the Committee on the Post Office and Post Roads.

By Mr. BATHRICK: Petition of the Woman's Christian Temperance Union of Lordstown, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BEAKES: Petition of 237 business men of the second district of Michigan, favoring tax on mail-order houses; to the Committee on Ways and Means.

Also, petitions of members of C. B. Hall Post No. 364, of Coleman; De Galyer Post No. 110, of Hudson; Comstock Corps No. 230, of Manchester; Edward Pomeroy Corps No. 5, of Jackson; Fairchild Corps No. 6, of Grass Lake; Morgan Parker Corps No. 137, of Petersburg; John and Alfred Ryder Corps No. 84,

of Newburg; Fairchild Post No. 228, of Grass Lake; Myron Baker Corps No. 64, of Morenci; all of the State of Michigan, in opposition to any change in the American flag; to the Committee on the Judiciary.

Also, petitions of the First National Bank of Morenci; the Union Bank, of Jackson; the Jackson State Savings Bank, of Jackson; the River Rouge Savings Bank, of River Rouge; the Union Savings Bank, of Manchester; the First National Bank of Ypsilanti; the Commercial Savings Bank, the Adrian State Savings Bank, the Lenawee County Savings Bank, the Waldby & Clay State Bank, and the National Bank of Commerce, of Adrian; and the Wyandotte Savings Bank, all of the second district of Michigan, favoring an amendment to the income-tax law; to the Committee on Ways and Means.

By Mr. BRITTEN: Memorial of the Retail Druggists' Association of Chicago, Ill., favoring passage of House bill 13205, the Stevens price-maintenance bill; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNING: Petitions of James B. Davis and others, of Mount Ephraim, Blockwood, Glendora, Camden, and Collingswood, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BUCHANAN of Texas: Petitions of sundry citizens and lodges of the State of Texas, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of 80 citizens of Bartlett, Tex., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Brenham, Tex., protesting against Sunday observance bill; to the Committee on the District of Columbia.

By Mr. BYRNS of Tennessee: Papers to accompany a bill (H. R. 15996) granting an increase of pension to Mrs. Frances Dewese; to the Committee on Invalid Pensions.

By Mr. CARY: Petition of the Medical Society of Milwaukee County, Wis., and the legislative committee of the Wisconsin State Medical Society, favoring House bill 6282, the Harrison antinarcotic bill; to the Committee on Ways and Means.

By Mr. CLARK of Florida: Petition of J. A. White and 36 other citizens of Ocala, Fla., against Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petitions of 1,116 citizens of Jacksonville, 140 citizens of Daytona, 120 citizens of Callahan, 100 citizens of Gainesville, and 55 citizens of Redland, all in the State of Florida, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DALE: Petition of Camp 17, United Confederate Veterans, relative to subscriptions for expenses of Confederate veterans to reunion at Jacksonville, Fla.; to the Committee on Appropriations.

Also, petition of Henry C. Manil, of Rochester, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DONOHOE: Petitions of 4,500 citizens of Philadelphia, Pa., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of sundry citizens of Kansas, favoring establishment of a bureau of farm loans in the Treasury Department (H. R. 11755); to the Committee on Banking and Currency.

By Mr. DRUKKER: Petition of sundry citizens of New Jersey, against national prohibition; to the Committee on the Judiciary.

By Mr. ESCH: Petition of Wade Pinckney and other citizens of Grand Marsh, Wis., and vicinity, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FERGUSSON: Petition of John Anderson, Henry C. Barron, and 16 other citizens of Hagerman, N. Mex., favoring compensatory time for postal employees within 30 days following the Sunday on which service is performed; to the Committee on the Post Office and Post Roads.

Also, petitions of 200 citizens of Alamogordo, 50 citizens of Artesia, 250 citizens of Carlsbad, 250 citizens of Dawson, 825 citizens of East Las Vegas, 200 citizens of French, 40 citizens of Las Cruces, 22 citizens of Las Vegas, 100 citizens of Levy, 76 citizens of Maxwell, 102 citizens of Onava, 170 citizens of Roswell, 150 citizens of Vaughn, 500 citizens of Wagon Mound, and 200 citizens of Watrous, all in the State of New Mexico, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of John Anderson, Henry C. Barron, and 18 other citizens of Hagerman, N. Mex., protesting against the passage of the so-called Sunday-observance bill; to the Committee on the District of Columbia.

By Mr. FESS: Petitions of sundry citizens of Lebanon, Ohio, against national prohibition; to the Committee on the Judiciary.

By Mr. FITZGERALD: Petition of 330 voters of the seventh congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. FORDNEY: Petitions of sundry citizens of the State of Michigan, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. FOSTER: Petitions of sundry citizens of St. Elmo and Noble, Ill., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of St. Elmo and Noble, Ill., protesting against the Sunday observance bill (H. R. 7826); to the Committee on the District of Columbia.

By Mr. GERRY: Petition of 557 citizens of Rhode Island, against national prohibition; to the Committee on the Judiciary.

Also, petition of Rev. Eugene B. Smith, of East Providence; Rev. John Proude, of Greystone; Rev. W. H. Lane, of Shawomet; Rev. H. E. Hatchman, of Oak Lawn; Rev. Charles S. Frost, of Cranston; Rev. E. A. Corbett, jr., of Providence; Charles E. Hausen, of Providence; and Miss Dorothy R. Nason and P. B. Leathers, of Oak Lawn, all in the State of Rhode Island, for national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of Albert S. Abbott, of Providence; Thomas E. Bartlett, of Pawtuxet; Mrs. Irving H. Baker, of Rockland; Hartford P. Brown, of Hope Valley; Edw. N. Whilford, of Hope Valley; E. A. Corbett, of Providence; Rev. John E. Duxbury, of Centerville; Thomas F. Butler, of South Auburn; and Albert E. Titchener, of Providence, all in the State of Rhode Island, for national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of the Pentecostal Church of the Nazarene, of North Scituate; the First Presbyterian Church of Providence; the Rockville Sabbath School, of Rockville; the Baraca Class, United Presbyterian Church, of Central Falls; the Calvary Baptist Church Sunday School, of Westerly; the Second Westerly Seventh-day Baptist Church, of Bradford; the Loyal Temperance Legion of Bradford; and the Trinity Union Methodist Episcopal Church, of Providence, all in the State of Rhode Island, for national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Phenix; the Woman's Christian Temperance Union of Centerville; the Oak Lawn Baptist Sunday School, of Oak Lawn; the White Shield League of Providence; the First Presbyterian Church Sunday School of Providence; the Woman's Christian Temperance Union of Bradford; the Woman's Christian Temperance Union of Richmond and Hopkinton; the Rockland Christian Sunday School, of Rockland; and 400 citizens of Central Falls, all in the State of Rhode Island, for national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of E. T. Spencer, of Hope Valley; Lester H. Walmsley, of Quidnick; Gilbert B. Cutler, of North Scituate; Dr. Frank B. Smith, of Washington; A. M. Bailey, of Hope Valley; A. B. Arnold, of Anthony; Rev. C. Freemont Roper, of Riverpoint; and Rev. George S. Wheeler, of Providence, all in the State of Rhode Island, for national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of the Greenville Baptist Sunday School, of Greenville; the Broadway Baptist Church, of Providence; the Woman's Christian Temperance Union of East Greenwich; the Methodist Episcopal Church of East Greenwich; F. E. Ide, of Scituate; George W. Cole, of Rockland; and V. M. Warner, of Rockland, all in the State of Rhode Island, for national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, resolution of the Centerville Methodist Episcopal Church of Centerville, R. I., and petition of 241 members of the First Baptist Church of Hope Valley, R. I., for national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, telegrams from the Pentecostal Sunday School, of North Scituate; B. Franklin Spooner, of Providence; the North Scituate Sunday School, of North Scituate; the Baraca Classes of First Baptist and Methodist Episcopal Churches of East Greenwich; the Loyal Builders' Class and Knotty Oak Sunday School, of Anthony; and the Edmonds Prohibition Alliance (50 members), of Providence, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 149 citizens of Providence, 19 citizens of South Kingstown and Richmond, 125 citizens of Wakefield, 80 citizens of Greystone, 150 citizens of East Greenwich, 40 citizens of Ashton, 50 citizens of North Scituate, 50 citizens of Westerly, 150 citizens of Anthony, 31 citizens of Phenix, 110 citizens of Kingston, and 62 citizens of Pawtuxet Valley, all

in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, telegrams from 330 members of the Second Presbyterian Church of Providence; Central Baptist Sunday School, of Anthony; Men's Baraca Class of the First Baptist Church, of Wickford; 90 members of the Baptist Sunday School of East Greenwich; the Woman's Christian Temperance Union of North Scituate; the Woman's Christian Temperance Union of Providence, all in the State of Rhode Island, urging national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, telegrams from the Federation of Women's Churches of Providence, by Chester A. Phillips; the Pentecostal Institution of Providence; the Christian Endeavor Society of Providence; the Natick Baptist Church, of Natick; the Friends' Bible School, of Providence; and the Advent Sunday School, of North Scituate, all in the State of Rhode Island, urging national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. GILMORE: Petition of the United Societies for Local Self-Government, of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

Also, petition of the Board of Aldermen of Somerville, Mass., favoring Hamill civil service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of the South Weymouth (Mass.) Grange, relative to parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. GOOD: Petition of sundry citizens of the fifth congressional district of Iowa, against national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Memorial of the United Societies for Local Self-Government, of Chicago, Ill., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Federal Council of the Churches of Christ in America, relative to conditions in Mexico; to the Committee on Foreign Affairs.

Also, petition of various members of the bar of Laurel County, Ky., against House bill 12049, relative to appointment of clerks of United States courts by the President; to the Committee on the Judiciary.

Also, petition of the National Automobile Chamber of Commerce, of New York, relative to antitrust bills; to the Committee on the Judiciary.

By Mr. GUERNSEY: Petitions of various churches, granges, and citizens of the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HART: Petition of 114 citizens of Phillipsburg, 100 citizens of North Hackensack, 112 citizens of Sussex, sundry citizens of Passaic and Bergen County, and 200 citizens of Dumont, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of H. G. Cleveland, of Ridgewood, N. J., and John Gallagher, of Bergen County, N. J., against national prohibition; to the Committee on the Judiciary.

By Mr. HAUGEN: Petitions of various voters of the fourth congressional district of Iowa, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. HAY: Petition of C. C. Conrad, of Harrisonburg, Va., protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of 110 citizens of Charlottesville, Va., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAYES: Petition of the California "Dry" Federation, of Los Angeles; 260 citizens of San Luis Obispo; 75 citizens of Mountain View; and 100 citizens of Fillmore, all in the State of California, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of A. Boecker, of Madrone, Cal., against national prohibition; to the Committee on the Judiciary.

By Mr. HELVERING: Petitions of several hundred citizens of Miltonvale, Kans., favoring national prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Petition of George H. Saltygeber, the F. R. Rice Mercantile Cigar Co., the Bucks Stove & Range Co., the Louis Lange Publishing Co., all of St. Louis, Mo.; and Henry C. Maine, of Rochester, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. KEISTER: Petitions of the Pleasant Unity Presbyterian Church, of Bakertown; the Harmony United Presbyterian Church, of Barrisville; the Westminster Presbyterian Church, of Saxonburg; the Grace Reformed Church, of Harmony; the Buffalo Presbyterian Church, of Sarver; 765 citizens of Mars; 50 citizens of Scottdale; and 200 citizens of West Newton, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Connecticut: Petition of 43 citizens of Galesville, 620 citizens of New Haven, and 3,026 citizens of Waterbury, all in the State of Connecticut, favoring national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petitions of sundry citizens of Pawtucket; the North Scituate Sunday School of the First Presbyterian Church of Providence; Rev. Edward Russell Evans, of Pawtucket; and the Central Falls Woman's Christian Temperance Union, all in the State of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LIEB: Petitions of the Evansville Lodge, No. 85, Loyal Order of Moose, by J. A. Evans, dictator, and A. A. Miller, secretary, of Evansville; Posey Aerie, No. 1717, Fraternal Order of Eagles, by Holbert Alexander and others of Mount Vernon; Germania Court, No. 165, T. B. H., by Victor Schon, chief, and Henry Rosenthal, scribe, of Evansville; to the Liederkranz Maennerchor, by Charles Bromm, president, and Ed von Hatzfeldt, secretary, of Evansville; and the Central Turnverein, by Bernard De Vry and others of Evansville, all in the State of Indiana, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of Wadsworth Council, No. 39, Order United American Mechanics, of Manchester, Conn., protesting against any change in the American flag; to the Committee on the Judiciary.

By Mr. McGILLICUDDY: Petitions of the Methodist Episcopal Church of Wilton; the Union Service, of Mechanic Falls; the Free Baptist Church of Sabattus; the Baptist Church of Rockland; and sundry citizens of Edgecomb, all of the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAGUIRE of Nebraska: Petitions of various voters of University Place, Nebr., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MARTIN: Petition of General Shields Woman's Relief Corps, No. 7, of Madison, S. Dak., against changing United States flag; to the Committee on the Judiciary.

Also, petition of the Grand Council of South Dakota, United Commercial Travelers of America, favoring Senate bill No. 2337, to create a coast guard; to the Committee on Interstate and Foreign Commerce.

By Mr. MITCHELL: Petition of sundry citizens of Massachusetts, against national prohibition; to the Committee on the Judiciary.

By Mr. MOON: Papers to accompany House bill 6670, for relief of Sarah J. Watson, or Hunter; to the Committee on Invalid Pensions.

By Mr. O'LEARY: Petitions of various voters of the second congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petitions of sundry citizens of Rhode Island, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Rhode Island, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Newport, R. I., favoring machinists' wage bill (H. R. 12740); to the Committee on Labor.

Also, petition of E. T. Colton, of Providence, R. I., favoring Underwood anticoupon bill; to the Committee on Ways and Means.

Also, petition of B. U. Richards, of Pawtucket, R. I., favoring Harrison antinarcotic bill (H. R. 6282); to the Committee on Ways and Means.

Also, petition of Harriet E. Thomas and Mrs. Joseph Howland, of Newport, R. I., and Mrs. Frank W. Matteson, of Providence, R. I., favoring appropriation for Children's Bureau; to the Committee on Appropriations.

Also, petition of George M. Parks, of Providence, R. I., favoring the naturalization commission bill (H. R. 5819); to the Committee on Immigration and Naturalization.

Also, petition of the National Automobile Chamber of Commerce, relative to antitrust legislation; to the Committee on the Judiciary.

Also, petition of J. F. Jameson, of Washington, D. C., favoring House bill 15653, amending the last public-buildings act; to the Committee on Public Buildings and Grounds.

Also, petition of the Commercial Club of Roseburg, Oreg., relative to force in Architect's Office, Treasury Department; to the Committee on Expenditures in the Treasury Department.

By Mr. POST: Petition of the United Societies of Local Self-Government, of Chicago, Ill., against national prohibition; to the Committee on the Judiciary.

Also, petition of 190 citizens of North Hampton, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. REED: Petitions of A. S. Hamilton, John M. Ready, James Ferretti, Arthur L. Boulanger, Peter J. Thornton, George E. Smith, I. F. McCann, D. F. McDonnell, H. J. Bethum, W. E. Woodod, James J. Hogan, R. F. Colby, John Schmidt, Fred Knight, A I. Mathieu, A. C. Squire, Frank J. Lynch, and F. T. Arbuckle, all from Manchester, N. H., opposing national prohibition of liquor traffic; to tife Committee on the Judiciary.

By Mr. RIORDAN: Petition of 2,607 citizens of the eleventh New York district, against national prohibition; to the Committee on the Judiciary.

Also, petition of 45 citizens of Stapleton, Staten Island, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of James Morano and 10 other citizens of the eleventh congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. SABATH: Memorial of the United Societies for Local Self-Government of Chicago, Ill., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Night Chapel of the Peterson Linotyping Co., of Chicago, Ill., favoring passage of the Bartlett-Bacon bill (H. R. 1873 and S. 927); to the Committee on the Judiciary.

By Mr. SAUNDERS: Petition of 25 citizens of Houston, Va., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SINNOTT: Petition of sundry citizens of Oregon, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of various citizens of the State of Oregon, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SPARKMAN: Petition of the Baptist Church, Tampa; 794 citizens of Arcadia, Alva, and Montbrook; 865 citizens of Bradentown, 197 citizens of Palmetto, 60 citizens of Candler, 23 citizens of Lake Kerr, 187 citizens of Largo, 250 citizens of Tampa, 25 citizens of Fort Myers, 242 citizens of Manatee, 100 citizens of Dunnellon, and 193 citizens of Winterhaven, all in the State of Florida, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Petitions of sundry citizens of Los Angeles, Cal., protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Santa Monica and Los Angeles, Cal., protesting against Sunday-observance bill; to the Committee on the District of Columbia.

Also, petition of Los Angeles (Cal.) Printing Pressmen's Union, No. 78, protesting against increase in postage rates on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of Santa Monica and Los Angeles, Cal., favoring passage of House bill 12928, relative to Sunday work in post offices; to the Committee on the Post Office and Post Roads.

By Mr. THOMAS: Petition of 65 citizens of Greenville, Ky., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Local Union No. 602, United Mine Workers, requesting Congress to bring about Federal interference in the Colorado miners' strike; to the Committee on the Judiciary.

By Mr. TREADWAY: Petition of various business men of the first and second congressional districts of the State of Massachusetts favoring tax on mail-order houses; to the Committee on Ways and Means.

By Mr. VARE: Petition of 1,691 names signed to petition of South Philadelphia Gun Club protesting against an act of Congress approved March 4, 1913, prohibiting the shooting of reed birds in the State of Pennsylvania; to the Committee on Agriculture.

Also, petition of 2,234 citizens of Philadelphia, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. VOLLMER: Petition of Vincent Telinck and 440 other citizens of Iowa, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. VOLSTEAD: Petitions of 575 citizens of Montevideo, 100 citizens of Lynd, 60 citizens of Lake Benton, 25 citizens of Redwood Falls, 92 citizens of Clinton, 18 citizens of Hanley Falls, 62 citizens of Dawson, 185 citizens of Marshall, 200 citizens of Hector, 467 citizens of Benson, 304 citizens of Browns Valley, 80 citizens of Ottawa, 116 citizens of Echo, 265 citizens of Fairfax, sundry members of Bethel Methodist Episcopal Church of Lynd, the Baptist Church of Storden, and the Woman's Christian Temperance Union of Tracy, all in the State of Minnesota, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WEAVER: Petition of sundry citizens of Weatherford, Okla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WHITE: Petition signed by E. A. Hallett and 40 others, of Marietta, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition signed by John W. Beckett and 50 others of New Concord, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILSON of Florida: Petition of 58 citizens of McDavid, Fla., and 50 citizens of Cottage Hill, Fla., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WINGO: Petition of 400 citizens of Magazine, Ark., and 275 citizens of Huntington, Ark., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

SATURDAY, *April 25, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in whom we live, move, and have our being, we desire to come into Thy presence, even into the inner sanctuary where Thy Honor dwelleth, that we may behold Thy glory. Our eyes have been too much fixed upon the glory that fadeth away. We desire to come to the changeless order, to understand that above us, and not in conflict with any human interest, is the exceeding glory of our God. With Thee there is justice and judgment. Mercy and peace are mingled together before Thy throne. Grace and truth abide in fullness before Thee. So do Thou enable us to enter into Thy presence, abide under Thy protection, follow Thy guidance, and do that which is pleasing in Thy sight. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. Brandegee and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the House agrees to the amendment of the Senate to the joint resolution (H. J. Res. 152) reappropriating certain funds for expenditure at the naval station at New Orleans, La.

The message further announced that the House had passed the bill (S. 4167) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of other wars than the Civil War, and certain widows and dependent relatives of such soldiers and sailors, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 4353) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 15692. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 15959. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. J. Res. 242. A joint resolution authorizing the Secretary of War and the Secretary of the Navy to loan equipment for the purpose of instruction and training to sanitary organizations of the American National Red Cross.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the President pro tempore:

S. 3403. An act to abolish the office of receiver of public moneys at Springfield, Mo., and for other purposes; and

H. J. Res. 253. Joint resolution reappropriating certain funds for expenditure at the naval station at New Orleans, La.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a telegram in the nature of a memorial from the German Federation of the Socialist Party of Kings County and Queens County, in the State of New York, remonstrating against conditions in the mining districts of Colorado, which was referred to the Committee on Education and Labor.

Mr. BRANDEGEE presented petitions of sundry churches and organization of the State of Connecticut, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented a petition of sundry citizens of Earlton, Kans., praying for the adoption of a system of rural credits, which was referred to the Committee on Banking and Currency.

He also presented a petition of sundry citizens of Havensville, Kans., praying for the enactment of legislation granting pensions of $24 per month to widows of soldiers who served in the Civil War, which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of the congregation of the Baptist Church of Hopkinton, N. H., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Claremont and Hill, in the State of New Hampshire, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Claremont and Hill, in the State of New Hampshire, praying for the enactment of legislation to grant the compensatory time privilege to post-office employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. CLARK of Wyoming presented telegrams in the nature of memorials from sundry citizens of Wyoming, remonstrating against the conditions existing in the mining districts of Colorado, which were referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Wyoming, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WORKS presented a telegram in the nature of a petition from Garrett Newkirk, of Pasadena, Cal., praying for an appropriation to enforce the provisions of the so-called Federal migratory bird law, which was ordered to lie on the table.

Mr. McLEAN presented petitions of sundry citizens of Connecticut, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. OLIVER presented memorials of sundry citizens of Pennsylvania, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Pennsylvania, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Uptown Board of Trade, of Pittsburgh, Pa., and a petition of the Board of Trade of Erie, Pa., praying for the enactment of legislation to provide for the retirement of superannuated civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of the Local Allegheny County Socialist Party, of Pittsburgh, Pa., remonstrating against intervention by the United States in Mexico, which was referred to the Committee on Foreign Relations.

He also presented a petition of the board of directors of the Bourse of Philadelphia, Pa., praying that all trust legislation be deferred until the next session of Congress, which was referred to the Committee on the Judiciary.

He also presented a petition of the Swedish-American Beneficial Society Redligheten of Braddock, Pa., praying for an appropriation for the erection of a monument to the memory of Capt. John Ericsson, which was referred to the Committee on the Library.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation to create the coast guard by combining therein the existing Life-Saving Service and the Revenue-Cutter Service, which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Gypsy, Pa., remonstrating against the repeal of the exemption clause of the Panama Canal act, which was referred to the Committee on Interoceanic Canals.

He also presented a petition of the Bedford Street Mission, of Philadelphia, Pa., praying for the enactment of legislation to prevent interstate commerce in the products of child labor, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Turtle Creek, Pa., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. COLT presented petitions of sundry citizens of Rhode Island, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. NORRIS presented petitions of sundry citizens of Nebraska, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WARREN presented petitions of the congregations of the Methodist Episcopal Church of Dietz, of the Congregational Church of Sheridan, of the Christian Church of Sheridan, and of sundry citizens of Keeline and Jireh, all in the State of Wyoming, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 2671, United Mine Workers of America, of Gebo, Wyo., praying for an investigation of mining conditions in West Virginia, with the view to having the coal mines in that State operated on an eight-hour-a-day basis, which was referred to the Committee on Education and Labor.

He also presented memorials of Local Union No. 2312, of Sheridan, of Local Union No. 2318, of Cumberland, of the United Mine Workers of America; of Carpenters' Local Union No. 1564, of Casper; and of the Wyoming Miners' Association, of Cheyenne, all in the State of Wyoming, remonstrating against conditions in the mining districts of Colorado, which were referred to the Committee on Education and Labor.

Mr. SHIVELY presented resolutions adopted by the departments of education of State colleges and universities in convention at Richmond, Va., praying for an increased appropriation for the Bureau of Education, which were referred to the Committee on Appropriations.

He also presented memorials of sundry citizens of Indiana, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Lafayette, Ind., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a memorial of the Vanderburg County Medical Society, of Indiana, remonstrating against the enactment of legislation prohibiting the distribution and dispensing of poisonous narcotics by physicians, dentists, and veterinarians, which was ordered to lie on the table.

He also presented a petition of Cigar Makers' Local Union No. 37, of Fort Wayne, Ind., and a petition of Charles A. Zollinger Camp, No. 36, United Spanish War Veterans, of Fort Wayne, Ind., praying for the enactment of legislation to grant pensions to civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of sundry veterans of the Civil War residents of Winfield, Kans., praying for the enactment of legislation to grant a pension of $72 a month to blind veterans of the Civil War, which was referred to the Committee on Pensions.

Mr. NELSON presented a memorial of sundry citizens of Viking, Minn., remonstrating against the enactment of legislation to compel the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Viking, Minn., praying for the adoption of an amendment to the postal and civil-service laws, which was referred to the Committee on Civil Service and Retrenchment.

He also presented resolutions adopted by the St. Paul Association of Credit Men, of Minnesota, favoring the adoption of a 1-cent letter postage, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Typographical Union No. 30, of St. Paul, Minn., praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, to limit the issuing of injunctions in certain cases, and for other

purposes, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Cloquet, Minn., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committe on the Judiciary.

He also presented petitions of sundry religious organizations of the State of Minnesota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Chamber of Commerce of Riverside, Cal., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Education and Labor.

He also presented a petition of the Chamber of Commerce of Riverside, Cal., praying for an appropriation for the development of the water power of the watershed of the Mojave River, which was referred to the Committee on Commerce.

He also presented petitions of sundry citizens of the State of California, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. KERN presented memorials of sundry citizens of Dearborn County, Ind., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Linden, Lebanon, and Charlottesville, in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SMITH of Michigan. I present memorials signed by 5,315 citizens of the State of Michigan, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages. I ask that the memorials be received and referred to the Committee on the Judiciary.

The PRESIDENT pro tempore. The memorials will be referred to the Committee on the Judiciary.

Mr. SMITH of Michigan presented petitions of sundry citizens of Allen and Byron Center, in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Allen, Mich., remonstrating against the enactment of legislation to compel the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Greenville Bird Club, of Greenville, Mich., praying for an appropriation of $100,000 to enforce the provisions of the Federal migratory bird law, which was ordered to lie on the table.

He also presented a petition of Camp J. C. Brown, No. 31, United Spanish War Veterans, of Big Rapids, Mich., praying for the enactment of legislation granting pensions to widows and dependent relatives of soldiers and sailors of the Spanish-American War, which was referred to the Committee on Pensions.

Mr. BURLEIGH presented a petition of South Deer Isle Grange, Patrons of Husbandry, of Deer Isle, Me., and a petition of the congregation of the Free Baptist Church of Topham, Me., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

STATEMENT BY SENATOR CULBERSON ON PANAMA CANAL TOLLS.

Mr. SHEPPARD. Mr. President, I have here a statement given out recently by my colleague, the senior Senator from Texas [Mr. CULBERSON], on the Panama tolls question. He gave it out at Mineral Wells, Tex., about a week ago. I ask to have it inserted in the RECORD.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent that an article prepared by his colleague relating to the so-called tolls question may be printed in the RECORD. Is there objection?

Mr. BRANDEGEE. I object.

The PRESIDENT pro tempore. It is an article prepared by the senior Senator from Texas [Mr. CULBERSON], and the Chair does not understand that it falls within the rule laid down. The Chair will put the question to the Senate.

Mr. SHEPPARD. I will say to the Senator from Connecticut that the statement was given out by my colleague at Mineral Wells, Tex., a few days ago. It is a judicial discussion of the question, and I do not think it will be subject to any objection.

Mr. BRANDEGEE. I did not understand that it was a statement prepared by a Senator.

Mr. SHEPPARD. Yes, sir.

Mr. BRANDEGEE. I have no objection to its being printed in the RECORD, of course.

The statement referred to is as follows:

CULBERSON OPPOSES FREE-TOLLS SUBSIDY—SENATOR FROM TEXAS SUPPORTS PRESIDENT WILSON'S REPEAL POLICY—IN VIOLATION OF TREATY—ALTHOUGH OPPOSING HAY-PAUNCEFOTE PACT, BELIEF IS EXPRESSED THAT IT SHOULD BE ADHERED TO.

MINERAL WELLS, TEX., *April 17.*

In answer to repeated inquiries as to his views on the Panama Canal toll question, now pending in Congress, Senator CHARLES A. CULBERSON to-day gave out the following statement:

"In 1850 a treaty was entered into between the United States and Great Britain on the subject of an isthmian canal, which is commonly known as the Clayton-Bulwer treaty. It related in express terms to a canal across Nicaragua, and to my mind it is doubtful if it referred to a canal at Panama constructed by the United States at their own expense. The only reference to Panama in this treaty is in article 8, where the two Governments agreed 'to extend their protection, by treaty stipulations, to any other practicable communications, whether by canal or railway, across the isthmus which connects North and South America, and especially to the interoceanic communications, should the same prove to be practicable, whether by canal or railway, which are now proposed to be established by the way of Tehuantepec or Panama.' This is a mere agreement to guarantee 'protection' by treaty stipulations to others who might construct a canal by way of Tehuantepec or Panama, and does not contemplate that either the United States or Great Britain would do so. On the contrary, it is stipulated in article 1 of the treaty that neither party should 'ever obtain or maintain for itself any exclusive control over the said ship canal.'

"Among other stipulations in this treaty of 1850 were: (1) That the canal should be constructed 'for the benefit of mankind, on equal terms to all,' and (2) that neither party should occupy, fortify, colonize, or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America.

"I was elected to the Senate the first time in 1899.

OPPOSED HAY-PAUNCEFOTE TREATY.

"In 1900 a treaty was proposed between the United States and Great Britain on the subject of an isthmian canal, which, in effect, superseded the Clayton-Bulwer treaty, and I was one of the 18 who voted against it in the Senate. This is known as the first Hay-Pauncefote treaty. In 1901 the second Hay-Pauncefote treaty, the one now in force, was proposed, and I was one of the 6 who voted against it in the Senate, the others being Senators Bacon, Blackburn, Mallory, Teller, and TILLMAN.

"My vote against these treaties was based upon the fact that Great Britain had violated the Clayton-Bulwer treaty of 1850, as shown by the diplomatic notes of Secretaries of State Blaine and others, in 1881 and subsequently; that this treaty was therefore obsolete and of no effect; and that Great Britain, under the circumstances, should not and need not be consulted by the United States in the construction of the canal, particularly when it was proposed, if deemed expedient, that it should be built by the United States directly and at their own cost.

"Nevertheless, this second Hay-Pauncefote treaty was adopted by the Senate by the large vote of 72 to 6, and as it is now the law of the land the chief question which arises in this controversy is whether the act of the Congress which provides that American vessels engaged in the coastwise trade of the United States shall pass through the canal free of tolls is in conflict with the treaty.

"This brings me to the terms of the treaty itself. Unquestionably, unlike the Clayton-Bulwer treaty, this treaty applies to Panama, for it declares that it has application to 'whatever route may be considered expedient.' And it applied to the construction of the canal when done directly by the United States at their own expense, because it provides that the 'canal may be constructed under the auspices of the Government of the United States, either directly at its own cost or by gift or loan of money to individuals or corporations, or through subscriptions to or purchase of stock or shares.' By the first paragraph of article 3 it is provided that the 'canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable.'

IN CONFLICT WITH TREATY.

"In my opinion, after a thorough reexamination of the subject, the act of the Congress referred to is in conflict with this provision of the treaty. Argument is unnecessary to show that Great Britain and the United States, parties to the treaty, are included in the term 'all nations,' nor that ships engaged in the coastwise trade are 'vessels of commerce.' Both the United States and Great Britain have coastwise trade on this continent and it is a plain and manifest discrimination to allow our vessels engaged in that trade to pass through the canal free of tolls, for the coastwise trade of the two countries is the same kind and class of trade. Moreover, the exemption from tolls of a class of vessels will tend to lay an unnecessary and heavier burden on ships which are taxed, which will affect the justness and equitable character of the tolls.

"The economic and secondary question which is involved is equally clear to me. The American vessels of commerce engaged in the coastwise trade of the United States now enjoy a monopoly, inasmuch as vessels of other countries are prohibited from engaging in that trade and an exemption of the payment of canal tolls would add to that monopoly. This is not only true, but such an exemption would not appreciably benefit the general public by a reduction of freight rates, because, as has been shown by experts, a large per cent of the American ships of our coastwise trade is controlled by transcontinental railroads and rates would be fixed by them on the basis of what the traffic would bear.

ABROGATES BALTIMORE PLATFORM.

"No one has a higher regard for political platforms or has attempted to uphold them more tenaciously than myself. I have a particularly high regard for the Baltimore convention which nominated President Wilson and for the platform adopted there. When, however, a platform, through lack of full consideration or because of error in judgment, adopts a plank the demand of which is in plain conflict with a treaty which national legislators are obligated to support, it ought to be disregarded. Believing that the plank in the Baltimore platform on the subject of the canal tolls is in violation of this treaty, it will not control my views, but on the contrary I favor a repeal of the act of 1912, which exempts American vessels of the coastwise trade from the payment of canal tolls.

"This treaty, it seems to me, was inconsiderately entered into, my opinion in respect to it having undergone no change, but rather has been strengthened by subsequent events, including the increased cost of the canal from the estimated sum of $184,000,000 to more than $400,000,000. As long, however, as the treaty is in force national good faith demands that it should be respected by the United States."

MANIFESTS OF VESSELS.

Mr. PERKINS, from the Committee on Commerce, to which was referred the bill (S. 3886) to repeal sections 2588, 2589, and 2590 of the Revised Statutes of the United States, reported it without amendment and submitted a report (No. 451) thereon.

CHESAPEAKE & DELAWARE CANAL CO.

Mr. SAULSBURY. On March 20 the Senate passed Senate resolution 304, authorizing the Committee on Coast and Insular Survey to investigate and report on the Chesapeake & Delaware Canal Co. Under this authorization a subcommittee have held hearings on the subject which have been printed. On behalf of the Committee on Coast and Insular Survey I submit a report (No. 452) to accompany Senate resolution 304, which I ask may be printed.

The PRESIDENT pro tempore. The report will be received and printed.

CAPT. TEMPLIN MORRIS POTTS.

Mr. CHILTON. From the Committee on Naval Affairs I report back favorably, without amendment, the bill (S. 3804) for the relief of Templin Morris Potts, captain on the retired list of the United States Navy, and I submit a report (No. 453) thereon.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. BRYAN. I ask leave to submit the views of the minority (Rept. No. 453, pt. 2) on the bill just reported by the Senator from West Virginia, which I ask may be printed.

The PRESIDENT pro tempore. The views submitted by the Senator from Florida will be received and printed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRISTOW:

A bill (S. 5401) granting an increase of pension to Harry D. Hogan (with accompanying papers); to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 5402) granting an increase of pension to Samuel Minnick (with accompanying papers); and

A bill (S. 5403) granting a pension to Mrs. John H. Keatley (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 5404) for the payment of certain sums due by reason of an injury sustained by Second Lieut. Rogers, United States Army, while attempting to provide suitable mounts for United States Army (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 5405) for the relief of A. G. Compton and Messrs. Herndon and Compton (with accompanying paper); to the Committee on Claims.

By Mr. SMITH of Michigan:

A bill (S. 5406) to establish a light and fog-signal station on Michigan Island, Lake Superior; to the Committee on Commerce.

By Mr. HITCHCOCK:

A bill (S. 5407) granting a pension to Ida M. Smith; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 5408) granting an increase of pension to Franklin Parlin; to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 5409) granting an increase of pension to Martha E. Enicks (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A joint resolution (S. J. Res. 143) authorizing the Secretary of Agriculture to make an exhibit at the southeast Texas fair, to be held at Beaumont, Tex., during the month of November, 1914; to the Committee on Agriculture and Forestry.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMITH of Georgia submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. HITCHCOCK submitted an amendment proposing to increase the appropriation for experiments and investigations of range conditions within national forests, etc., from $25,000 to $27,000, and providing that $2,000 thereof shall be used in grazing experiments in the national forest at Halsey, Nebr., intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and be printed.

Mr. SHIELDS submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

Mr. POMERENE submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

REGULATION OF INTERSTATE COMMERCE.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the bill (S. 4522) to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906, which was referred to the Committee on Interstate Commerce and ordered to be printed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had, on April 24, 1914, approved and signed the following act:

S. 4980. An act to amend an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes," approved March 9, 1914.

CONGRESS OF CHAMBERS OF COMMERCE (H. DOC. NO. 928).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

To the Senate and House of Representatives:

In view of a provision contained in the deficiency act approved March 4, 1913, that "hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event without first having specific authority of law," I transmit herewith for the consideration of the Congress and for its determination whether it will authorize the acceptance of the invitation and the appropriation necessary to defray the expenses incident thereto, a report from the Secretary of State, with accompanying papers, being an invitation from the Government of the French Republic to that of the United States to send delegates to the Sixth International Congress of Chambers of Commerce and Commercial and Industrial Associations, to be held at Paris from the 8th to the 10th of June, 1914, and a letter from the Department of Commerce showing the favor with which that department views the proposed gathering and recommending an appropriation of not to exceed $2,000 to defray the expenses of participation by the United States.

WOODROW WILSON.

THE WHITE HOUSE, *April 25, 1914.*

PENSIONS AND INCREASE OF PENSIONS.

Mr. STERLING submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 12, 13, 14, 20, 21, 29, 30, 38, and 41.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 4½, 6, 7, 8, 9, 10, 11, 15, 16, 17, 19, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 39, 40, 42, and 43, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18 and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$40"; and the Senate agree to the same.

THOMAS STERLING,
BENJAMIN F. SHIVELY,
Managers on the part of the Senate.

JOE J. RUSSELL,
J. A. M. ADAIR,
J. N. LANGHAM,
Managers on the part of the House.

The report was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 15692. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war;

H. R. 15959. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. J. Res. 242. Joint resolution authorizing the Secretary of War and the Secretary of the Navy to loan equipment for the purpose of instruction and training to sanitary organizations of the American National Red Cross was read twice by its title and referred to the Committee on Military Affairs.

PANAMA CANAL TOLLS.

The PRESIDENT pro tempore. Under the head of "Resolutions coming over from a preceding day," the Chair presumes that as unfinished business he should lay before the Senate the motion of the Senator from Utah [Mr. SUTHERLAND] to exclude from the RECORD the letter presented by the Senator from Washington [Mr. POINDEXTER].

Mr. SUTHERLAND. Yesterday I submitted a motion to expunge from the RECORD a letter which was presented by the Senator from Washington [Mr. POINDEXTER]. I do not know when is the appropriate time to call it up.

The PRESIDENT pro tempore. It has been laid before the Senate in regular order.

Mr. SUTHERLAND. I desire, then, to have it disposed of.

The PRESIDENT pro tempore. The Senator from Washington [Mr. POINDEXTER] does not appear to be in his seat.

Mr. POINDEXTER entered the Chamber.

Mr. SUTHERLAND. The Senator from Washington is here now.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Utah to strike from the RECORD the article presented on yesterday.

Mr. POINDEXTER. Mr. President, in the first place, in regard to that, if the Chair maintains the attitude which the Chair assumed on yesterday in the ruling which he made, I do not know but that this whole matter is perfectly futile. I notice in the RECORD this morning that all the proceedings which occurred yesterday are not printed in the RECORD.

The PRESIDENT pro tempore. The Chair announced that the disputed document would be withheld from the RECORD until the final disposition of the motion to exclude it from the RECORD.

Mr. POINDEXTER. That is what I am referring to. Of course, I submit to the ruling of the Chair. At the same time, I beg leave to say that I think it was entirely an assumption on the part of the Chair, and there is not any precedent or rule by which the Chair could legitimately undertake to edit the RECORD. I think that is a matter which the Senate should determine for itself. Of course, if the Chair did that on yesterday, it could do it on to-day. So it is a matter which leads to a great deal of uncertainty whatever the Senate may do.

The PRESIDENT pro tempore. Is the Senator inquiring of the Chair to know what he would do with the communication in the event the question is not disposed of to-day?

Mr. POINDEXTER. I am not making any inquiry of the Chair.

The PRESIDENT pro tempore. The Chair begs pardon.

Mr. POINDEXTER. I am simply expressing my view in regard to the parliamentary situation, as I understand I have a right to do.

The PRESIDENT pro tempore. Certainly; there is no objection to that on the part of the Chair.

Mr. POINDEXTER. I am very glad to know that the Chair does not object to that. I hope what I say will appear in the RECORD.

Mr. President, it seems to me this matter has been conducted on a very one-sided theory. I notice that the Senator from Georgia [Mr. SMITH] on yesterday, while objecting very strenuously to language that was used by those of us who are opposed to the repeal of the law which grants exemption to American ships engaged in domestic commerce in passing through the canal, is very free himself in committing the same indiscretion which he charges us with. He says the arguments presented are cheap. Then the Senator from Georgia proceeds to argue the question on its merits and to say that the opponents of the repeal are allied with the Shipping Trust.

Mr. SMITH of Georgia. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Georgia?

Mr. POINDEXTER. I do.

Mr. SMITH of Georgia. I did not say anything of the kind; I beg the Senator's pardon. I illustrated what might have been said with equal force, and I expressed disapproval of any such suggestion with reference to a Senator. I never for a moment attributed any alliance on the part of the Senator from Washington with the coastwise Shipping Trust. I was expressing my disapproval of the insinuations contained in the letter offered by the Senator from Washington. I went on to say that just as fairly a suggestion of this kind might be made against the Senators who are on the other side, and if I recollect correctly I expressly disclaimed any such criticism upon them. I am sure I made no criticism upon any Senator. I pointed out the impropriety of the criticisms contained in the letter and I sought to indicate that a similar criticism might equally have been made against the Senators who are maintaining that the corporations owning coastwise vessels should pass their vessels through free.

Mr. POINDEXTER. Mr. President, the whole argument of the Senator from Georgia is to the effect I have just stated. He said that the coastwise shipping is controlled by a trust, and referred to Mr. ALEXANDER'S House report. Of course, if that is true and that trust is interested, as the Senator says, in this repeal, those Senators and citizens who are advocating the same thing are necessarily in alliance with them. I want to say in regard to the statement of the Senator from Georgia that his argument is cheap. If he can say that to us we can say it to him, and we are just where we started. That sort of an argument amounts to nothing; it comes right back to where we started from.

In the first place it is perfectly absurd, if I may use that word, to talk about a shipping trust with reference to the coastwise shipping going through the Panama Canal. There is not any ship going through the Panama Canal either in a trust or out of a trust.

Mr. SMITH of Georgia. I desire to ask if the Senator has discovered and is informing us of the fact that the Panama Canal is not yet carrying commercial vessels. If so, we are very much obliged to him for the information.

Mr. POINDEXTER. I am attempting to inform the Senator from Georgia of the fact that there is not any shipping trust operating ships through the canal, as one might infer from his argument. There is no line of ships or company controlling ships, so far as I am aware, which are ready to operate ships through the Panama Canal, and if there are—on one side the only line of ships that is plying to Panama is the line of ships controlled by the Government of the United States; on the other side the line of ships controlled by the Southern Pacific Railroad. I do not know, and I do not know whether the Senator from Georgia knows, but if the same construction is given to all the provisions of this treaty that the Senator gives to a portion of them, the Government itself would have to pay tolls upon its ships going through this canal. I do not know whether the Government intends to send its commercial ships through the canal and to engage in commerce between the Pacific and the Atlantic ports. I do not think anything has been indicated to that effect. I do not know whether the Southern Pacific Railroad has arranged to do so.

As to this control of the shipping engaged in the coastwise trade that the Senator refers to as controlled by a trust, where are they? What business are they engaged in? A part of it is a line of ships plying between Washington and Norfolk. Are they going through the Panama Canal? Part of it is a number of lines of ships that are engaged in commerce on the New England coast, between New England and New York, the Merchant & Miners line of ships between Norfolk and Boston, a line of ships between Boston and Fall River. That is all a part of the coastwise shipping which the Senator refers to. Are those ships going through the Panama Canal? Are they going to be taken into that trade and put into the transcontinental trade through the Panama Canal?

The Senator even referred to the shipping on the Great Lakes. Are those ships going to be taken from the Great Lakes trade and put into the Panama trade? On the Pacific coast there is a large ship line, controlled by what is commonly known as the Alaska Syndicate. That is a part of the coastwise shipping which goes to make up this trust of which the Senator speaks—ships plying between the city of Seattle and American ports in Alaska. There is not any probability that those ships are going to be taken out of that trade and put through the Panama Canal.

Mr. WEEKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. POINDEXTER. I yield to the Senator.

Mr. WEEKS. I notice the Senator from Washington [Mr. POINDEXTER] and the Senator from Georgia [Mr. SMITH] as well, in referring to this question, speak frequently of the "coastwise shipping trust." I should like either one of those Senators to indicate what this trust is, who belong to it, and what it is made up of. I contend there is no such thing as a coastwise shipping trust.

Mr. SMITH of Georgia. Mr. President, I should like to have the Senator discriminate between the Senator from Washington and myself.

Mr. POINDEXTER. Mr. President, I decline to yield to the Senator from Georiga to discuss the question now. I will conclude in a few moments.

The PRESIDENT pro tempore. The Senator from Washington declines to yield.

Mr. SMITH of Georgia. The Senator from Massachusetts [Mr. WEEKS] is mistaken when he says I referred to it as a trust. I will later state what I did say about it.

Mr. POINDEXTER. I will read what the Senator from Georgia said in regard to it. He said:

> Mr. SMITH of Georgia. Mr. President, I shall not make a speech to-day upon the question of charging coastwise vessels for going through the Panama Canal. The letter which has been read undertakes to charge all Senators who are in favor of making the coastwise vessels which go through the canal pay tolls with seeking to foster a monopoly; it undertakes to attribute the movement largely to the activities of the railroads which are interested in the subject. That is a very unjust and a very unfair style of discussion.
>
> I would not for a moment suggest that the Senator from Washington was in favor of allowing the coastwise vessels to go through the Panama Canal free in the interests of the two corporations which control most of them.

Mr. SMITH of Georgia. That is what I said.

Mr. POINDEXTER. The Senator further said:

> The report of the Alexander committee, of the other House, has recently shown that our coastwise vessels not owned by railroad companies are practically in the hands of two companies; that these two companies have a gentlemen's agreement eliminating competition; and that they are making more money than is made by nearly any other corporation in the country.

And yet the Senator from Georgia says this morning that he did not refer to a shipping trust.

Mr. SMITH of Georgia. I did not refer to them as a shipping trust, and the Senator has read my language and sees that I did not. I simply quoted from the Alexander report.

Mr. POINDEXTER. I will leave what the Senator from Georgia said yesterday and what he says to-day to the judgment of a candid Senate and a candid country.

Mr. SMITH of Georgia. So will I.

Mr. POINDEXTER. It seems to me that when he referred to the elimination of competition he referred to a trust. Mr. President, I do not myself think there is a shipping trust; I think the shipping on the coast is controlled by railroads, and the railroads control ships where shipping comes into competition with the railroads. I have no doubt that the railroads interested in transportation between Washington and Norfolk are largely interested in the ships that ply between Washington and Norfolk, and likewise the railroads competing with the traffic which goes between Norfolk and New York on the Old Dominion Line, and undoubtedly as to the railroads in New England; one railroad, which dominated transportation in New England until quite recently—at least until its methods were exposed and became subject to the investigation of the Interstate Commerce Commission—largely controlled the shipping of New England.

There is a local shipping trust on the northwest coast which controls shipping, with the exception of one ship, between the United States and the Territory of Alaska. There is not any community of interest between that local trust and the shipping plying on the north Atlantic coast; there would be no reason why there should be; but I want to say that, in my judgment, if there were a shipping trust, if there were any ships prepared to trade in the domestic commerce through the Panama Canal, the imposition of tolls would be in the interest of the trust and would tend to exclude independent competition, because the trust, with its advantages, with its power of discrimination, with its connection with the railroads, their terminals, and their docking facilities in the cities on both coasts, could afford to pay tolls and could take it out of the people, who ultimately must pay for it all, and use it as a means of keeping out the competition of independent ship lines.

I fail to see how the imposition of tolls could be in the interest of independent lines who are in competition in domestic commerce through the Panama Canal. I will add to that, Mr. President, to refer to tolls upon ships passing through the Panama Canal as a subsidy—which must be a new discovery; it was not discovered, apparently, by the Senators upon the other side of the Chamber at the time their platform was adopted, because they themselves have pointed out that they have in the same platform a declaration against subsidy; this discovery that it was a subsidy is a new one—speaking of it as a subsidy arises from confusing free passage on a highway of commerce with transportation. The two things are entirely different. Allowing ships to pass free through a great waterway is no more a subsidy than to allow vehicles of traffic to pass free upon a highway which is built by a city or by the Government. We have to pay no tolls to go upon those roads, but we have to pay for transportation or furnish it ourselves; and that would be the case with the Panama Canal. A free highway is a very different thing from a subsidy in aid of transportation.

Mr. President, I want to refer for a moment to this letter. The writer of it says:

> The progress of the Panama tolls controversy reveals with clearness, increasing from day to day, the following two facts—

This is the basis of the letter, and this analysis of the situation was what attracted my attention—

> First. That the reasons assigned by the repealers for the surrender of our rights in a matter of purely domestic regulation, such as the exemption of American coastwise shipping from toll payment, have been abandoned, one after the other, until the repeal is now sought on the ground that the forces behind the repeal merely want it. They have fixed their desires upon it, and their "arguments" are now only reiterated requests for what they want.

I do not suppose, Mr. President, the writer of that intended to make it include everybody who assumes that position. He was referring to those who are agitating this question, a number of them particularly, as I am informed, the representatives of certain great transcontinental railroads in New York; and I hope I may say, without offense to Senators or to any Senator, that the transcontinental railroads are interested in putting any obstacle and any obstruction that they possibly can upon shipping through the Panama Canal, in order to lessen its effect as a competitive transportation route across the country. I do not think that can be successfully denied. What is involved here is not only the tolls which will have to be paid by those interested in transportation through the canal but it is a thousandfold of those tolls which will be added to the railroad rates on the freight that is hauled across the country by rail, because those rates will be based as the fundamental factor upon the competitive rates of the Panama Canal. The writer proceeds:

> Second. That the interests of monopoly, or of subsidy, or of special privilege—call it what you like—are fighting on the side of repeal.

Mr. WEST. Mr. President, the declaration the Senator makes in reference to transportation across the country would only apply to the seaboard, would it not, on either side, the Pacific and the Atlantic? It would not apply to the interior, would it?

Mr. POINDEXTER. It would; and I will explain to the Senator the basis——

Mr. WEST. How could it apply to Denver, for instance?

Mr. POINDEXTER. Well, it would apply to Denver to a certain extent, because the rates to Denver, as the Senator is informed, are affected by the terminal rates to San Francisco. That is one of the great railroad questions which have been agitated in this country for the last 20 years.

Mr. WEST. Would it not have the effect, if exemption from tolls were granted through the canal, to lower the rates to the terminals and correspondingly increase them to points in the interior?

Mr. POINDEXTER. Mr. President, I fail to see how the Senator can make that deduction. The rates to many interior points where they are not affected by water competition are fixed upon the basis of the rates to the terminals. That is the case in most of what is called the intermountain country, in the rates which have been in litigation in the Federal courts and in the Interstate Commerce Commission, and litigation pending for two years in the Supreme Court of the United States involves that identical question.

But the reason of my answer to the Senator from Georgia, more generally speaking, is this, that the greater part of the country outside of the ocean ports base freight rates, which are determined more or less by water competition, upon our great waterways; and every city, every community, every family that lives on or in the vicinity of the Ohio River, the Mississippi River, and the Missouri River, and whose conditions of existence are influenced by the rates of transportation that they have to pay and whose rates of transportation are based upon water competition, either actual or potential, are interested in the free passage of domestic commerce through the Panama Canal; for ships coming through the Panama Canal, and shipping coming through it, can reach the cities and the hamlets on these great rivers just as they reach our improved harbors on the coast. The transcontinental rates through a great area of country have, as one of their great divisional factors, what

are called the rates to Missouri River points; and the rates to Missouri River points are fixed through the effect very largely of water transportation upon the Missouri River.

I heard here in a discussion of the river and harbor bill not long ago from the able Senator from Ohio [Mr. BURTON] some remarks about the efforts of Kansas City to secure a reduction of railroad freight rates by putting steamboats on the Missouri River; and he deprecated the effect of it and the advantage of it to Kansas City, strange to say, because he said that that city had not reaped the comparative advantage that it expected, in view of the fact that when the rates to Kansas City had gone down the railroads likewise reduced the rates to Chicago. I think, instead of being an argument against the effect of water transportation, that is an argument in favor of it; instead of being limited to Kansas City alone, by indirect action it reached out as far as Chicago.

The same thing will be true in every community whose rates are reduced by water competition through the great rivalry of trade and the demands upon railroads to give, more or less and sooner or later, to one community the advantages which another community enjoys. There is not any question of subsidy involved in this tolls question.

Proceeding further, this writer says:

> The statement with which the President introduced the question to the consideration of Congress, that the exemption of our coastwise shipping from toll payment is "in plain contravention" of the Hay-Pauncefote treaty, is heard no more. Senator LODGE put a quietus upon this contention.

That may be too high a compliment to the Senator from Massachusetts. I do not fully agree with the statement there, but I think that one of the most potent factors in assuring and reassuring the American people that there was no question of their honor and their contractual obligations which stood in the way of dealing with this great domestic economic question according to such policies as they deemed wise was the speech of the Senator from Massachusetts. I do not think he quieted everybody, but he quieted a great many, especially in view of his intimate connection with the making and the final ratification of that treaty. The writer further says:

> He was a member of the Foreign Relations Committee of the Senate which reported the amendments of the first Hay-Pauncefote treaty and was in charge of the treaty in the Senate when it was ratified. He was in London when the second Hay-Pauncefote treaty was being negotiated, and was familiar with the discussions which then took place. Later it devolved upon him to report the second treaty to the Senate and to participate in the discussions which ended in its ratification.
>
> "I took the view then," says Senator LODGE, "that under the terms of the treaty of November 18, 1901, the United States was at liberty to exempt its own vessels of commerce from the payment of tolls if they saw fit to do so." This is Senator LODGE'S unaltered conviction to-day.

I understand that that last statement is correct. I do not understand that the Senator from Massachusetts has changed in any respect his opinion as to this treaty. It is true, as was pointed out by the Senator from North Dakota [Mr. MCCUMBER] on yesterday, that the Senator from Massachusetts found reasons to support the proposed repeal, but they were other reasons. They were not based upon any treaty obligation.

I wish to say in that connection, in passing, that the Senator from Mississippi [Mr. WILLIAMS] on yesterday voiced the view of a great many people, both in Congress and out of Congress, which seems to me deserving of some mention. He called attention to the fact that when this question was in the Senate before he voted in favor of this exemption, and he stated that the reason he voted in favor of it was that upon an examination of this treaty he was convinced that it did not interfere in any way with such disposition of our domestic commerce passing through the canal as we saw fit to make. He said now, however, that he was going to change his position, that he was proud to align himself with the Senator from Massachusetts; and the reason he gave for it, or at least one reason, was that upon further inquiry he found out that there was an understanding outside of the terms of the treaty, which I imagine he gathered from some letters that had been written by men who were in official position representing the two countries, which convinced him that they had a different understanding as to the effect of the treaty.

Did the Senate of the United States, when it ratified the treaty, ratify the views and the interpretation of it which were entertained by Mr. Choate or by Lord Lansdowne? My understanding is that they ratified the treaty. I do not know how many Senators had any knowledge——

Mr. VARDAMAN. Mr. President, I am very anxious to hear the Senator discuss this question, but I can not do it on account of the disorder in the Chamber.

The PRESIDENT pro tempore. The Senator from Mississippi is exactly right. The Senate will please be in order.

Mr. POINDEXTER. The Senate of the United States is supposed to be reasonably responsive to the intelligent public opinion of this country, to represent it in a measure—I think more so now than in former days. When it acted upon this treaty, in response to an intelligent public opinion, did that public opinion formulate itself and its conclusions in regard to the question whether or not the treaty should be ratified upon letters which had been exchanged or conversations which had been held between private individuals, or did it suppose it was favoring the ratification of the principles and the rules which were written in the treaty itself?

There is nothing outside of the treaty, unless it be something that is referred to in the treaty itself, that has any bearing or any effect upon our construction of it; and there is not any punctilio of honor or of fair dealing between the United States and Great Britain that requires us to give effect to any document, to any understanding, to any exchange of views not contained in the treaty itself.

There was a difference of opinion at the time among the representatives of the two countries, and I do not suppose it was ever reconciled, as to what certain phrases and words and language and paragraphs in the treaty meant and the effect they would have. There was dispute about it. I suppose the Senators who voted upon the treaty at the time had varying opinions as to what it meant. We have varying opinions as to the effect of every law which is passed. The courts vary. Upon one great question which was before the Supreme Court of the United States, involving a complete change in our economic policy, the great lawyers composing that court divided 4 to 4, 8 of them sitting upon the bench at the time, as to whether or not an income-tax law was in violation of the Constitution of the United States.

We do not decide these questions upon the views Senators may have had as to whether or not the law was in violation of the Constitution. We decide them upon the law and upon the Constitution. So, in dealing with this question, we are relegated to the bond itself.

Great Britain says there is in this treaty something which requires us to give her the same identical privileges and rights and terms in the canal that we have. I am not going to discuss the merits of that question at this time. They will be discussed, no doubt, when the question is before the Senate. Yet the representative of Great Britain, Mr. Innes, who was in charge of the British legation at the time, in July, 1912, if we are going back to the opinions of individuals, in an official note expressed the opinion that there was nothing in the treaty which prevented the United States from favoring its coastwise shipping if it was strictly limited to coastwise shipping. Whether or not it is strictly limited is a matter of administration. The law applies to coastwise shipping. The same view has been expressed by many of the British officials.

I will say further in this connection that one effect of repealing this provision will be that if American vessels passing through the canal are required to pay tolls the Canadian Pacific Railroad ships, being put upon an equal basis with our ships, and being operated more cheaply, will put us out of business through the canal unless we also repeal the provision which excludes vessels owned by our domestic railroad lines from going through the canal. The only way we can possibly put our railroads and our transcontinental shipping upon an equal basis with Canadians is by repealing that provision. They have already reserved, in express terms, the right to object to the portion of the same law which excludes railroad-owned ships; and I see a great deal more difficulty in the United States extending a law of this kind so as to regulate ships owned by foreign railroads than I do in its enforcing it as to its own coastwise shipping.

Another important effect of this repeal will be its effect upon the great lumber trade. That is an interest. I suppose the Senator will say I am speaking in behalf of that interest; and I am speaking in behalf of it, because it is an interest in which the public is concerned. If our lumber trade between our Pacific and Atlantic ports has not the advantage of free passage through the canal, the lumber trade of British Columbia, carried in Canadian ships, will occupy the New York market and all of the markets of the Atlantic coast, because the Canadians operate their ships more cheaply than we do; and they enter their lumber, too, under the existing tariff law, without the payment of any duty.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Missouri?

Mr. POINDEXTER. I do.

Mr. REED. What is the objection to letting into our coastwise trade the vessels of all nations?

Mr. POINDEXTER. That opens up a very broad field of inquiry and a very broad field of discussion.

Mr. REED. I thought the Senator was discussing that very matter of foreign vessels carrying goods——

Mr. POINDEXTER. I am speaking now, not of foreign vessels carrying goods between our own ports, but of foreign vessels from British Columbia coming into our domestic market on the Atlantic coast and taking it away from our west-coast lumber dealers.

Mr. SMITH of Michigan. Mr. President——

Mr. REED. Somebody would get the benefit of that, then, would they not?

Mr. POINDEXTER. I doubt very much whether they would get the benefit of it in this country.

Mr. SMITH of Michigan. I should like to ask the Senator from Missouri if he favors throwing our coastwise trade open to foreign competition.

Mr. GALLINGER. The Senator from Missouri has already said that he does.

Mr. SMITH of Michigan. I should like to hear him say so.

Mr. REED. Mr. President, I shall be very glad to give my friend from Michigan the pleasure of hearing me say so.

Mr. SMITH of Michigan. I will say to the Senator from Missouri that it is not a pleasure to hear him make such a statement.

Mr. REED. I not only undertake to say it and will undertake to say it and undertake to defend it, but I undertake to say that of all the miserable failures that have ever resulted from an attempt to do what is in effect the subsidization of ships, the greatest is that embodied in the coastwise laws of our country. It is a well-known fact now that with the exception of certain lines of vessels that do what is practically a local business on the Lakes, the coastwise business of the United States is controlled by one great combination, and that a large part of that combination is in turn controlled by the railroads, and that this combination exacts in the way of freights the last dollar that the trade will stand.

Mr. WEEKS. Mr. President——

Mr. SMITH of Michigan. I should like to answer the statement of the Senator, if the Senator from Massachusetts will permit me. Then, to carry the Senator's statement to its logical conclusion, he would close all the American shipyards, as it is a well-known fact that in the cost of shipbuilding we can not compete with the low wages of our rivals across the seas. Not only that, but the statement the Senator has just made that he would expose our domestic shipping to unrestricted and unrestrained competition with European shipping means that he carries the doctrine of free trade as far as any of his most radical predecessors in this Chamber have ever gone, and which was wisely abandoned by Congress for the purpose of building up American shipping in our country.

Mr. REED. Yes, Mr. President; a desire which resulted in a most miserable failure. I would not seek to protect the American shipping monopoly at the expense of the American shipping public.

Mr. SMITH of Michigan. No, Mr. President; but, if the Senator will pardon me, by such a course as he advocates this morning the Senator would turn over American shipping to a foreign monopoly, with headquarters in Liverpool, over which we have no control whatever.

Mr. REED. Oh, no, Mr. President.

Mr. SMITH of Michigan. That is the logical result of the Senator's statement.

Mr. REED. There is no foreign monopoly——

Mr. SMITH of Michigan. There is no domestic monopoly, although we do not permit foreign ships to fly the American flag or do our purely domestic shipping.

Mr. REED. But there is a domestic monopoly, because it has been protected at the demand of the most selfish interest in this country, to wit, the American shipyards. It has been granted a monopoly of the business. All that was necessary, then, was to combine. They have combined, and they continue to combine; and not 5 per cent of the seagoing ships of the United States sailing under the United States flag can go through the Panama Canal to-day under the terms of the act, because monopoly-controlled and railroad-controlled vessels are barred.

Mr. POINDEXTER. Mr. President, I decline to yield further.

The PRESIDENT pro tempore. The Senator from Washington declines to yield further.

Mr. SMITH of Michigan. Let me say to the Senator——

The PRESIDENT pro tempore. The Senator from Washington declines to yield further.

Mr. POINDEXTER. I yield to the Senator from Michigan to answer the statement that has just been made. Then I shall decline to yield further.

Mr. SMITH of Michigan. Mr. President, the suggestions of my honored friend from Missouri harmonize completely with the policy of his party with reference to our domestic commerce and industry. He has made it easy, by his laws, for Americans to buy European goods. The course of the Senator and his party has stimulated the demand for European goods.

Mr. REED rose.

Mr. SMITH of Michigan. Wait a moment; I wish to finish my sentence. Your tariff laws have stimulated the demand for European goods. The ships of Europe are loaded with foreign-made goods coming this way because it has been made easier to get them in than hitherto. Having passed over to foreigners our domestic market, largely repealing restrictions hitherto in force, it is a perfectly harmonious proposition for the Senator to say that he would now turn over to Europeans America's shipping.

Mr. President, why did you put into your recent tariff law a provision discriminating in favor of American ships? Talk about subsidy! The Wilson-Underwood tariff law that you passed a little while ago discriminates in favor of goods shipped here in American bottoms.

The Senator is not exactly consistent. While you have made it easy for us to buy European-made goods, it is a natural corollary that you should now turn your shipping over to foreigners, gradually divesting the American people from their employments. I protest against it.

Mr. POINDEXTER. Mr. President, this is a somewhat distinct question——

Mr. REED rose.

The PRESIDENT pro tempore. The Senator from Washington declines to yield further.

Mr. REED. I hope the Senator will allow me just two minutes to reply to the last statement of the Senator from Michigan.

Mr. POINDEXTER. I scarcely see where to draw the line. I yield to the Senator, however.

Mr. REED. I was directly called on the floor by the Senator from Michigan simply because I asked the Senator from Washington a question to elicit his views.

Mr. President, the Senator from Michigan is not in accord with the facts. The cold figures show that our importations have actually fallen off since the recent tariff bill went into effect. The cold figures show that American manufacturers are now invading the markets of the world to an extent never before known in the history of the country. The cold figures show that we are promoting our shipments abroad, and that our local markets have not been captured by the manufacturers of Europe.

Mr. JONES. Mr. President——

Mr. POINDEXTER. I yield to the Senator from Washington, my colleague.

Mr. JONES. I understood the Senator from Missouri to state a moment ago that there was no combination in foreign shipping. I thought here would be a good place, in connection with that remark, to quote from the Alexander report in reference to that very matter.

Mr. POINDEXTER. I yield to the Senator for that purpose.

Mr. JONES. The Alexander report says:

> The facts contained in the foregoing report show that it is the almost universal practice for steamship lines engaging in the American foreign trade to operate, both on the inbound and outbound voyages, under the terms of written agreements, conference arrangements, or gentlemen's understandings, which have for their principal purpose the regulation of competition through either (1) the fixing or regulation of rates; (2) the apportionment of traffic by alloting the ports of sailing, restricting the number of sailings, or limiting the volume of freight which certain lines may carry; (3) the pooling of earnings from all or a portion of the traffic; or (4) meeting the competition of nonconference lines. Eighty such agreements or understandings, involving practically all the regular steamship lines operating on nearly every American foreign-trade route, are described in the foregoing report.

Mr. REED. Mr. President——

Mr. POINDEXTER. I decline to yield further.

Mr. REED. Whether the Senator is willing to yield or is not willing to yield, there is reply made to the statement that is so plain and simple——

The PRESIDENT pro tempore. The Senator from Washington declines to yield.

Mr. REED. I am appealing to the Senator, not to the Chair.

The PRESIDENT pro tempore. The Senator from Missouri is out of order.

Mr. REED. I am not asking the Senator to yield, and I shall assert my right as a Senator——

The PRESIDENT pro tempore. The Senator is out of order, and the Chair will direct the Sergeant at Arms to cause him to resume his seat if he shall persist.

Mr. REED. Very well. I will ask the Senator to yield until I finish my sentence.

Mr. POINDEXTER. I yield.

The PRESIDENT pro tempore. The Senator is out of order and in defiance of the rules of the Senate.

Mr. REED. The Senator from Washington yielded.

The PRESIDENT pro tempore. The Senator from Washington declined to yield.

Mr. POINDEXTER. I said I declined to yield, but I now yield to the Senator to finish his sentence.

The PRESIDENT pro tempore. The Senator may proceed.

Mr. REED. I am obliged to the President pro tempore.

The PRESIDENT pro tempore. Of course the Chair is obliged to have the rules observed.

Mr. REED. I have been observing the rules, sir, and with due courtesy—a thing that, I think, has not been extended to me.

The PRESIDENT pro tempore. A Senator has a right to decline to yield to another Senator.

Mr. POINDEXTER. I yield to the Senator to complete his statement.

Mr. REED. That is what I was trying to say, that there is a simple answer to that statement, and I shall reply to it in my own time.

The PRESIDENT pro tempore. The Senator from Washington will proceed.

Mr. SMITH of Michigan. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Michigan?

Mr. SMITH of Michigan. I ask the Senator to yield to me for one moment.

Mr. POINDEXTER. I think I will have to decline to yield now. I will yield the floor in a very short time.

The PRESIDENT pro tempore. The Senator from Washington declines to yield.

Mr. POINDEXTER. The trouble is, when a Senator yields to another, one statement leads to a retort, the retort leads to a rejoinder, and that to a surrejoinder.

Mr. President, the fundamental question involved in the Panama Canal is to develop it to its full extent as a basic regulator of freight rates, and all matters which have been referred to, such as lumber, which I mentioned, are only the incidents. It is not only the great shipments of bulky products, such as lumber and apples from Washington and Oregon and oranges and other fruit from California to the Atlantic coast, the price of which will be affected by cheap or expensive transportation in the Panama Canal, but it is clothing and shoes, manufactured articles of every description necessary to the civilization of the west coast, shipped from the east coast, whose price to the millions of people on the Pacific coast will be affected by the tonnage dues levied on ships going through the canal.

Whatever Senators may say, when we know that it is a universal law of those who control transportation to get out of it what they can, as the phrase is, to levy upon traffic all that it will bear, it is not they who will be paying these tolls, but it is the people who buy the freight, the merchandise carried in these ships, and every dollar that is levied upon it will be added to the freight rate on the transportation.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from New Hampshire?

Mr. POINDEXTER. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Five days ago I submitted a Senate resolution, which has gone over from day to day, that I think I might well have insisted should take precedence over this discussion. I did not do so, supposing that this question would be disposed of in a short time.

I beg to say to the Senator from Washington, who is always courteous, that of necessity I leave Washington this afternoon. It would take me about 15 minutes to submit the observations I have to submit on my resolution, and I trust that this matter will be disposed of as speedily as possible.

Mr. POINDEXTER. I am glad to have the admonition of the Senator.

Mr. GALLINGER. I will say that I suppose I could speak on this matter or perhaps on the unfinished business, but I would prefer to do it in the ordinary and, I think, the proper way.

Mr. POINDEXTER. I think there are other Senators who want to be heard on this matter, but I shall conclude in a very short time. I do not want to interfere, and I would yield to the Senator, if it becomes necessary, to allow the Senator to present what he has referred to.

I know it is argued by some of the advocates of this repeal that the Panama Canal will not be a substantial competitor of the railroads, and that it is a negligible factor in reducing freight rates. I regard it, Mr. President, if it is not shackled by some law such as is now proposed to be placed upon the statute books by this repeal, as the basis upon which all transcontinental freight rates will be calculated, because necessarily it will be the cheapest route, and all other rates will have to be fixed upon that basis, with such changes as different circumstances of time or locality may enable the railroads to fix.

I want to call attention to our actual experience with competing waterways as affecting railroad rates. I have two very conspicuous instances. One of them is the rate upon wheat from Chicago to New York by rail, or by water, or partly by rail and partly by water. The other one is the rate which formerly obtained upon grain and flour from St. Louis to Liverpool, being shipped by one route—by water to New Orleans, thence by water to Liverpool; and by the other route—by rail to New York, thence transshipped to Liverpool.

In the first instance, quoting from the Statistical Abstract of the United States for 1912, in 1871 the all-rail rate per bushel on wheat from Chicago to New York was 31 cents; by lake and canal it was 20 cents—11 cents a bushel less. In 1881 the all-rail rate was 14.4 cents; by water it was 8.19 cents. In 1890, by the continuous operation of this water competition, the rates had gone down by rail to 14.31 cents a bushel, whereas by water they were 5.85 cents per bushel.

So the process continued until 1912, when, by the effect of this water competition, the railroad rates upon wheat from Chicago to New York, per bushel, were 9.60 cents, while by water, by lake and canal, the rate per bushel was 5.57 cents.

In this connection, I ask leave to print as a part of my remarks a table giving these comparative rates through the intervening years that I have not mentioned.

The PRESIDENT pro tempore. Unless there is objection, such will be the order. The Chair hears none.

The table referred to is as follows:

Annual average freight rates on wheat by lake and canal, by lake and rail, and by all rail from Chicago to New York, 1871 to 1912.

[Source: Mr. Henry Heinzer, statistician, New York Produce Exchange.]

Calendar year.	Average rates per bushel, Chicago to New York.			Calendar year.	Average rates per bushel, Chicago to New York.		
	By lake and canal.[1]	By lake and rail.	By all rail.		By lake and canal.[1]	By lake and rail.	By all rail.
	Cents.	*Cents.*	*Cents.*		*Cents.*	*Cents.*	*Cents.*
1871	20.24	25.0	31.0	1892	5.61	7.55	14.23
1872	24.47	28.0	33.5	1893	6.33	8.44	14.7
1873	19.19	26.9	33.2	1894	4.44	7.0	12.88
1874	14.1	16.9	28.7	1895	4.11	6.95	12.17
1875	11.43	14.6	24.1	1896	5.38	7.32	12.0
1876	9.58	11.8	16.5	1897	4.35	7.37	12.32
1877	11.24	15.8	20.3	1898	4.42	4.96	11.55
1878	9.15	11.4	17.7	1899	5.65	6.63	11.13
1879	11.6	13.3	17.3	1900	4.42	5.05	[2] 9.98
1880	12.27	15.7	19.9	1901	5.14	5.57	[2] 9.92
1881	8.19	10.4	14.4	1902	5.25	5.78	[2] 10.60
1882	7.89	10.9	14.6	1903	5.44	6.17	[2] 11.33
1883	8.37	11.5	16.5	1904	4.71	5.02	[2] 11.11
1884	6.31	9.95	13.125	1905	5.51	6.44	[2] 10.20
1885	5.87	9.02	14.0	1906	5.94	6.48	[2] 10.50
1886	8.71	12.0	16.5	1907	6.68	6.93	[2] 11.30
1887	8.51	12.0	[3] 15.74	1908	6.00	6.33	[2] 11.70
1888	5.93	11.0	[3] 14.5	1909	5.35	6.88	[2] 11.70
1889	6.89	[2] 8.7	15.0	1910	5.13	6.57	[2] 9.60
1890	5.85	8.5	14.31	1911	5.35	5.23	[2] 9.60
1891	5.96	8.53	15.0	1912	5.57	6.17	[2] 9.60

[1] Includes canal tolls prior to 1883, but not Buffalo transfer charges.

[2] For domestic consumption; local rate for export only 9.08 cents in 1900, 9.02 cents in 1901, and 8.75 cents in 1902, and, when consigned or delivered to steamer, 8.89 cents in 1903, 8.47 cents in 1904, 7.99 cents in 1905, 8.10 cents in 1906, 9.70 cents in 1907, 10.50 cents in 1908 and 1909, and 7.80 cents in 1910, 1911, 1912.

[3] Averages based upon officially published tariffs; actual rates lower.

Mr. POINDEXTER. Here is a statement showing from actual experience the effect of water competition such as will be afforded by the Panama Canal if it is not obstructed by tolls; and I want to say that we can, by the line of a pen, fix the rate so high that it would obstruct the traffic so as to make the canal as if it had never been built. Every cent that is levied upon traffic going through there operates just the same as though it were a physical obstruction, minimizing to that extent the effect of the canal as a line of transportation in the interest of the country and as regulating railroad rates.

In 1890 the rates on wheat per bushel from St. Louis to Liverpool via New Orleans by water were 14.33 cents; from St. Louis to Liverpool via rail to New York, 21.48 cents per bushel. In 1903 on wheat per bushel from St. Louis to Liverpool via New Orleans by the river route the rate was 10 cents; via New York by rail, 16.02 cents.

I ask leave to print as a part of my remarks a table bearing out to a greater extent than I care to read at this time the comparative rates by these two routes.

The PRESIDENT pro tempore. The request is granted unless there is objection. The Chair hears none.

The table referred to is as follows:

Average freight rates on wheat from St. Louis to Liverpool, 1890 to 1903. 1890 to 1903.

[Source: Secretary Merchants' Exchange, St. Louis, Mo.]

Calendar year.	To Liverpool.	
	Via New Orleans (by river) on wheat per bushel.	Via New York (by rail) on wheat per bushel.
	Cents.	*Cents.*
1890	14.33	21.48
1891	15.75	23.55
1892	14.00	21.00
1893	14.71	21.72
1894	11.69	18.71
1895 [1]	12.13	18.33
1896	13.50	19.67
1897	12.89	20.33
1898	14.24	20.32
1899	12.33	17.88
1900	14.64	18.41
1901	9.48	14.03
1902	8.53	15.33½
1903	10.00	16.02

[1] The figures represent published rates since 1894.

Mr. POINDEXTER. Now, Mr. President, this letter says further:

To the same effect have spoken also President Roosevelt, President Taft, former Secretary of State Olney, former Attorney General Bonaparte, and ex-Secretary of State and Attorney General Philander C. Knox, not to mention other names of almost equal dignity and authority.

Certainly there is nothing objectionable in that paragraph.

How can dishonor attach to Americans who assert and defend national rights which have been affirmed so impressively, and which were virtually conceded by the English Government, when Senator ROOT invited a renewal of its abandoned contentions in his speech of January 21, 1913? If the American position is warranted by a fair interpretation of the treaty, and "not in plain contravention" of it, there can be no obligation of honor to relinquish what is ours by right.

That the force of this proposition is felt by the repealers is shown by their shift from an appeal to "honor" to an appeal to our magnanimity. To use the phrase of the President, we ought to reverse our action without raising the question whether we were right or wrong, so that "we may deserve our reputation for generosity." In other words, the repealers "want us to do it." The President asks that he be indulged in his wish "in ungrudging measure." "I ask this of you," says he in his speech of March 5 to Congress. This is all there is to the question.

I fail to see anything in that paragraph which would violate any rule of propriety or any rule of ethics with reference to the President, because it quotes his speech. I think myself that the Presidents' message was a most remarkable one in that it asked this country to abandon the position which it had taken without giving reasons for it. He rather puts aside the question of the treaty, as I recall the address at this minute, and bases his request, so far as that is concerned, upon the proposition that foreign countries give a different interpretation to the treaty from that which the advocates of coastwise exemption give to it, and he does say that we should reverse our action without questioning whether we were right or wrong. I think that is quite remarkable.

I think it is also very remarkable that the President urges that there are great reasons of nearer consequence and greater delicacy—arousing, naturally, a great deal of curiosity as to what they are—calling for this almost unprecedented action; that he did not state in the message which this letter referred to what those reasons and matters were, and from that day to this, notwithstanding the energetic measures of those of us who want to give full consideration to the President's views to ascertain what those matters were, we are still in ignorance in regard to them.

Senators upon the other side who have visited the President to consult with him about this matter have come back and made public statements in writing, delivered to newspapers for publication, in which they likewise are silent as to what these matters are. They simply say that they will support the President in this matter because he wants it.

I think that the letter is perfectly proper in that regard in its estimate of the President's message, and as it seems to be necessary to reassure at every step in referring to this matter, I say that in making that comment I do it with all due respect to the President and to his office.

The letter goes on to say—

After trying to subject us to a sort of moral intimidation—

I think that is a very good phrase; there is nothing objectionable about it—

by representing the national honor as hanging in the balance, the repealers next tried to frighten us into compliance by picturing the nations of the world as united in protest against our course. But no protest was forthcoming except England's—

I think that is correct, so far as the Senate is informed at least—

which was as half-hearted as it is graceless and unworthy of the nation, which profits so immeasurably more than we from our own labor and expenditure. The "matters of delicacy and near consequence" turn out to be only a broken-down alibi.

I do not understand what that is, but I see nothing objectionable in it.

That there are none such is now admitted.

I think it must be admitted that there are none such. If there were great, pressing reasons that involved the safety of this country of near consequence and greater delicacy, it seems to me almost certain that by this time we would have been informed what they were. So, I think that this writer is justified in saying that there turned out to be none such. In fact, I think every statement coming from the White House is to the effect that there were none such, brushing this mysterious intimation aside with the remark that it just referred to the general situation.

Some people seem to think that it was because we needed the assistance of Great Britain in dealing with Mexico. It has nothing to do with Mexico; and it would be unworthy of this country to buy the support of England or of any other country. I do not think that that was the reason referred to. We are naturally left to guesswork as to what the reasons were, because such action would have been unworthy of us; we did not need it; and there is no President nor any department of the Government occupying this great trust of the American people that would be justified, if that is the reason, in giving up the complete sovereignty of this canal because of the situation in Mexico or relations with Japan or with any other country.

What are the "matters of nearer consequence and greater delicacy"? I think we ought to know; and if this letter is incorrect in saying that there are none, it seems to me that some Senator who is exercised about this letter ought to inform us now what those matters are.

I think this is right good, too:

A witty reviewer once said, "As you turn the pages of one of George Meredith's novels the suspense of the author is almost unbearable." As we note the horrific megrims and melancholy sunpains of the repealers—

I do not like that language myself—

and their visions of a world arrayed against us in sullen distrust, it is difficult for us to realize that we have about completed a stupendous benefaction to mankind, which it hails with grateful expectancy of new gains and hitherto undreamed-of expansions.

In the letter of Sir Edward Grey, in which the complete case of Great Britain was stated, he points out the tremendous advantages to the great trade of Great Britain which will come from the construction of the Panama Canal. He calls attention to the distances that will be shortened. We all know the policy which has actuated the Government of Great Britain from time immemorial to control the commerce of the world. This canal will be one of the greatest aids to the commerce of Great Britain, whether we exempt our coastwise trade or not; yet not having paid a dollar toward its construction, not having worried herself about it, and repudiating in his letter itself any responsibility for the canal, Sir Edward Grey says that certainly Great Britain does not expect to be responsible in any degree—I am not quoting his exact language—for the maintenance or the protection of this canal.

Did they do anything to aid us in acquiring these rights from the Panama Canal Co.—not only those rights, but the canal itself? In settling the difficult questions with the Republic of Colombia and the Republic of Panama did Great Britain help us there? Did Great Britain ever have a protectorate or a position at Panama or any consideration which she surrendered which would entitle her in equity to participate on equal terms with the United States in the benefits of this canal? She did have at one time a foothold at the Atlantic terminus of the Nicaragua route. In 1848 Great Britain had seized Greytown as one of her positions there. She gave a cocked hat to some Indian chief and established him under the protectorate of Great Britain as the King of the Mosquito Indians. She then sent her men to cooperate with those Indians in seizing from the Nicaraguan Government the Atlantic terminus of the Nicaragua route. Naturally there was excitement in the United States. Our country was aroused about that, for in those days I think American sentiment was more virile than it now is; the advocacy of the Monroe doctrine was more aggressive. This act of Great Britain was regarded as a violation of the Monroe

doctrine, and the people of this country were aroused because Great Britain had seized, under the guise of supporting those Mosquito Indians, the terminal which was necessary to the completion of the canal that the United States thought about constructing at that time.

It was the possession of Greytown and other protectorates and influences which Great Britain had in Nicaragua and in Central America which she surrendered as the consideration for what was agreed to in the Clayton-Bulwer treaty. Notwithstanding all that might be said in denunciation of that treaty, still there was some consideration for that; but if the construction which is here sought to be placed upon the Hay-Pauncefote treaty should prevail, with no consideration whatever on the part of Great Britain, that would be a far more stupendous piece of folly than the Clayton-Bulwer treaty ever was.

In the first place, Great Britain did not carry out the Clayton-Bulwer treaty; she did not give up Greytown for 10 years after the treaty was ratified, as she had agreed to do, and she has never yet given up her protectorates and her influences in Central America. She has a colony at Belize to this day, in plain violation, through all the years when the Clayton-Bulwer treaty was supposed to be in effect, of its terms; but none of those terms related to the Panama Canal. It seems to me that is plain from one consideration. Great Britain never contended that she had any interest in the Panama Canal while the French were constructing it; Great Britain never claimed that she had any interest in the Panama Railroad during all the years that it was in operation before the United States acquired any right in it; and yet, if she had any interest in the canal, she likewise had an interest in the railroad, because railroad and canal go hand in hand; they are named side by side in article 8 of the Clayton-Bulwer treaty.

Great Britain never claimed that she had a right to say one word as to rates or conditions or rules of this great canal which the great French people were building, and which the world had no reason to suppose they would not complete, as they had completed the Suez Canal. It is only now that the United States is involved that it is discovered that Great Britain, through some vague, mysterious influences which she had in the Caribbean Sea, had a right to object to the construction of an interoceanic canal at Panama. If France could build it, if a private company could build it, and was building it, without protest from Great Britain, why could not the great United States, guaranteeing to treat all nations alike, build it, of course doing with regard to herself as she chooses? The Hay-Pauncefote treaty, in rule 1 of article 3, I believe, says what? It says that "the canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable."

It has been pointed out that of course that would not include the United States, because rules 3, 4, 5, and 6, in the same article, it is admitted, do not apply to the United States and can not apply to the United States, because we are proceeding to fortify the canal and preparing to harbor our ships of war, if necessary, in its vicinity; and it is absurd to say that if we were belligerents we could not do the things inhibited by those rules. But suppose rule 2 applies, and that all nations are to be placed on terms of entire equality as to conditions and charges of traffic, and that such conditions and charges shall be just and equitable.

Every lawyer in this body knows what "equitable" means or has some conception of its meaning. They shall be equitable; the conditions and charges shall be on terms of entire equality to all nations—you say, "including the United States." Courts of equity were created to relieve litigants from the harshness of the law, to adjust in an equitable manner conditions which were not possible of enforcement under the strict, literal interpretation of instruments. Suppose a court of equity were to take this rule and we would concede for the sake of the argument, which in fact we deny, that it applies to the Panama Canal and includes the United States, do you suppose there is a respectable court in the world that, in order to make it equitable, in order to make it just, in order to make the conditions equal alike to all nations, would not require all other nations to bear their share of the expense and the burden not only of the acquirement but of the construction and of the maintenance and of the protection of this canal? If the contention of Great Britain and those who are supporting her without question as to whether we are right or wrong should prevail, that would not be equitable; that would not be just. The Hay-Pauncefote treaty says that it shall be both just and equitable, but that would not be upon terms of entire equality, because we have paid $400,000,000, and they have not paid a cent. The American people know that, and without the refinements of legal reasoning and without knowledge of the letters hidden in the diplomatic correspondence of the United States and Great Britain, the instinctive sense of justice of the American people has led them to the true conclusion in this matter, as it nearly always does.

Now, Mr. President, this letter says:

> The Republic of Panama has granted by treaty to the United States, and I quote from the treaty, "all the rights, power, and authority," within the Canal Zone and the limits of all auxiliary lands and waters "which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located, to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority." And England, in its note of November 14, 1912, conceded "that the United States has become the practical sovereign of the canal."

They do concede that; and upon that concession, in what I think is an involved and labored document on behalf of Great Britain, they reconcile the otherwise glaring inconsistency of an attempt to apply rule 2 to the United States while not applying rules 3, 4, 5, and 6.

Earl Grey admits that rules 3, 4, 5, and 6—and if the numbers which I give are not correct I beg leave to correct them; I think they are correct—which prohibit acts of belligerency in the canal, which prohibit the accumulation of munitions of war in the canal, which require that the ships of a belligerent shall not remain in the canal longer than is necessary for a quick transit and shall not revictual there, and that the ship of one belligerent shall leave not less than 24 hours after the ship of another belligerent shall have left—he admits that those rules do not apply to the United States. Why does he say that they do not apply? Because he says, as this letter recites, and recites correctly and in a perfectly inoffensive manner, that when the Hay-Pauncefote treaty was made it was not contemplated that the United States would be sovereign of the territory through which the canal was constructed. He says in effect that since the treaty was made—and I will verify, if necessary, my statement of the substance of Sir Edward Grey's letter; it is available and accessible to every Senator—that it was not contemplated that the United States would be sovereign of the canal strip, and that, having become sovereign, the rules of this article do not apply. The only logical deduction from that is that the treaty does not apply. It could not apply.

In the first place—though I do not think it is important or necessary in this discussion—if you will examine the correspondence, the first Panama Canal act of Congress, and the discussions you will find that at the time the second Hay-Pauncefote treaty was framed and proclaimed the United States had no idea of building a canal at Panama. That treaty not only did not contemplate, as Sir Edward Grey says, that the United States would be sovereign of that territory, but it did not contemplate that the canal would be located there. It is true that there is general language applying rule 8 of the Clayton-Bulwer treaty to any interoceanic canal wherever located, but, as I have previously stated, that was an agreement to make a treaty in regard to a canal to be built by a third party under the joint protection of the two nations.

It is perfectly obvious that in a work of such stupendous magnitude, where the canal is located under different conditions and at a different place from the place which they had in view at that time, it would be necessary to make a special treaty with reference, as the treaty says, to that particular object. That is what article 8 of the Clayton-Bulwer treaty provides, the United States and Great Britain establishing a general principle in addition to the particular object of the canal at Nicaragua, will agree to. They do not say that they establish certain rules and regulations in article 8 of the Clayton-Bulwer treaty, but say that they agree to do so by treaty stipulations. They say further that the condition which they contemplated at that time was a canal to be constructed by a third party and to be jointly protected by both. There is nothing improper in that in this letter.

> Was there ever such a spectacle seen before?—

It goes on—

> What can it mean?

That is a legitimate inquiry. What can it mean? I should like to know what it means. I really should like to know, aside from the importance of it, just as a matter of curiosity, what these "matters of even greater delicacy and nearer consequence" were; and there is no harm in an inquiry on the part of this writer as to what it means.

> The President—

He says—

> and Secretary of State—

Now, this language I would not use myself, but I do not think there is anything particularly offensive in it—

smarting under the charge that they have dragooned their party into a betrayal of its platform—

I do not like the language that he uses, but there is nothing insulting about it and nothing offensive other than being a sharp allegation. I do not like the word "dragooned"; but never before in my recollection, at least—and ever since I can recollect I have been a more or less close observer of public events and a reader of transactions—has there been a time—and I am at a loss to understand the reason for it now—when the administration, I will not say has "dragooned" its party, as this writer says, but has so overwhelmed its party with the wishes of the President—regardless of his views, and even when he does not state his views—as President Wilson has in this administration. I think it is proper to call attention to that.

I have been somewhat depressed at times, in view of the great record the President has made in certain matters of legislation during the early part of his administration, feeling an admiration for many things he has done, to see the lack of independence on the part of Congress, and on the contrary the express statement on the part even of Senators that they did not have to have any reason—that was the substance of it—that they were willing to do as the President wished; that he was responsible, and they would support him. That is not a healthy condition for the country, and it is not creditable to the Senate of the United States.

I think the President is entitled to the support of every man in the Senate, Democrat or otherwise, when he is right. I believe Senators are sent here by their States to use their judgment as to whether the President or anybody else is right. I resent the imputation, and I believe if I were a Democrat I would resent it, that it is improper to assert and to act upon my own views as a Senator and a representative of a great State in this Union of States when I differ with the President of the United States, and that we are not free to point out these differences, and to criticize and to analyze the reasons and the actions of the President—

retort that the plank in favor of an exemption from toll payment of our coastwise shipping was furtively slipped into the platform and is nothing but a successful imposture.

I have not heard the charge that it was "furtively slipped in," but I have heard it was slipped in. I have heard the excuse that it was slipped in. Of course, on the merits of the question it does not make any difference whether it was in the platform or not; yet it is a legitimate subject of discussion. There are a great many people throughout the country who are compelled, instead of informing themselves in regard to the facts and arguments on all the public questions that come up, to follow their party. The great articles of faith of the parties in these four-year Olympiads of party existence are party platforms. Men make up their minds and vote upon those platforms. When we come to action with the party in power which solicited the votes of the American people upon the strength of the principles declared in its platform, it is perfectly proper and natural that they should at once inquire, if this plank was slipped into the platform, how many others were slipped in. It destroys the confidence of the people in the platform as a whole; and in public discussion, in view of the elections which are to take place in the future, it becomes material to call attention to those circumstances. It is just as easy to say that some other plank was slipped in as to say that this one was. There is no more reason why they should give that excuse in regard to one than in regard to the other.

The letter says:

They are promptly obliged to have recourse to another defense, however, when the fact is recalled that the Secretary of State was the chairman of the convention committee which reported the platform; that the plank in question was referred to a subcommittee, discussed in full committee, amended, and debated in the open convention before adoption. Besides there is the President's telltale speech to the New Jersey farmers, in which he extolled the exemption feature of the Panama act a few days after its passage, and explained its operation as a check to excessive transcontinental freight charges.

Their next excuse was that the platform pledge was not binding because in conflict with the party's attitude of opposition to subsidies. Further than this panic can not drive. If this is what subsidy means, then every deepened waterway and broadened channel, every lock and every canal, on our lakes, along our coasts, upon our rivers, built by national appropriations and used by our shipping, is a subsidy. The Democratic Party, not less than other parties, has had its honorable share in these great internal improvements.

This cry of subsidy has been raised most disingenuously. It merits close examination. A Member of the Senate has stated that 92 per cent of our coastwise shipping is under control of the railroads and by terms of the Panama act is excluded altogether from use of the canal. The repealers omit to mention the fact that England's protest is directed not only against the exemption of our coastwise shipping from toll payment, but also against our exclusion of railroad-owned ships.

If the principle is once conceded that we have no right to adopt such regulations as we see fit within the domestic sphere of our coastwise shipping, it follows automatically that we have no right to bar railroad-owned ships from the canal. Thus it clearly appears that, despite the effort to discredit the opposition to repeal by raising the hue and cry of privilege and special interest, the truth is that monopoly—the monopoly of coastwise as well as transcontinental carriage—is ranged on the side of the repealers.

If the Senators, and particularly the Senator from Georgia, are of the opinion that there is a monopoly of coastwise shipping, I should like to inquire if he can furnish us with some proof as to which side of this question that monopoly is on. I do not know myself. I ask the question in perfect good faith.

Mr. SMITH of Georgia. I will say, in answer to the Senator, that I think there is no doubt about the fact that they are anxious to have their vessels go through free.

Mr. POINDEXTER. I have a great deal of doubt about it.

Mr. SMITH of Georgia. I think they are far more interested in having them go through free than the transcontinental railroads are in having them pay, and I think I can demonstrate it.

Mr. POINDEXTER. If this monopoly of coastwise ships, as has been asserted, is controlled by the railroads, I fail to see why it should want its vessels to go through free; and I do not agree with the deduction, which seems to me merely a deduction or an assumption, on the part of the Senator. What I asked for was some specific proof as to which side the shipping interests were on. I do not imagine they are concerning themselves about it at the present time, because most of the lines of ships engaged in the coastwise trade are not likely to go through the Panama Canal. They are likely to stay on the routes of local trade in which they are already engaged and which seem to absorb their capacity. All of the inferences I could draw from the situation would lead to the conclusion that if there is a monopoly of the coastwise shipping it would be in favor of tolls upon coastwise shipping, not only because, as stated, it is largely controlled by the railroads, against which the canal is the greatest competitive factor that has appeared upon the scene, but because a monopoly, with all the advantages it can control, can take care of the tolls and use them as a means of excluding competition.

Mr. SMITH of Georgia. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Georgia?

Mr. POINDEXTER. I do.

Mr. SMITH of Georgia. I wish to suggest to the Senator that on the Atlantic coast the railroads controlling coastwise vessels are not transcontinental railroads. They are largely north-and-south railroads. They are railroads that extend but a short distance to the interior; and the passage of vessels through the canal will in no way compete with the business which these railroads do.

Mr. POINDEXTER. If their ships are engaged in local trade on the Atlantic coast, is the Senator informed that they are going to be taken off of that trade and put into trade through the Panama Canal? My understanding has been that whatever ships go through the Panama Canal will very likely have to be new lines.

Mr. SMITH of Georgia. I did not say that; but the Senator said that the railroads owning them would be interested in maintaining the tolls. I wish to ask the Senator why they should be interested, when they do not do a transcontinental business?

Mr. POINDEXTER. I imagine that most of our domestic ships going through the Panama Canal, when they do go through, will be engaged in trading between our Atlantic and our Pacific ports. Every one of those ships will be in competition with the transcontinental railroads.

Mr. SMITH of Georgia. I wish to ask the Senator if he is familiar with the size of the corporation that controls the vessels doing business with Hawaii?

Mr. POINDEXTER. Yes.

Mr. SMITH of Georgia. And the immensity of their business and how they have grown?

Mr. POINDEXTER. I am entirely familiar with it. That is a concern under Southern Pacific Railroad domination.

Mr. SMITH of Georgia. Will the Senator name a stockholder in it that is an officer of the Southern Pacific or that has any real connection with it?

Mr. POINDEXTER. I can not name one at this moment. The matter has been written and published at great length.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from New Hampshire?

Mr. POINDEXTER. I yield to the Senator.

Mr. GALLINGER. I have seen a copy of a letter, and I think it is in my committee room now, written by the manager of the American-Hawaiian Steamship Co. to the chairman of the Inter-

oceanic Canals Committee, saying that it is a matter of utter indifference to that company whether they have exemption from tolls or not.

Mr. POINDEXTER. I imagine that so far as concerns that particular line of ships, plying between Hawaii and San Francisco, it would be indifferent; but so far as concerns the Pacific Mail ships, plying from San Francisco to Panama, and there transshipping their cargoes by rail across the Isthmus, I can readily imagine that they might extend their lines to the Atlantic ports. When they do they will be in competition with the railroads. If the railroads are to continue to hold them, of course the canal will not be a real competitor of the railroads. So far as tolls are levied upon them, it will lessen to that extent, cent by cent, the amount of competition or interference with what is at present a great traffic monopoly of transcontinental freight. As I said before, that monopoly affects not only the seacoast towns but every town whose rates are affected by water transportation, which can be reached from the sea, and inland rates near the sea. Such a place is my town, which is in what might be called the intermountain country, a great thriving business center, young, but with some 110,000 population, 400 miles from the ocean, but whose rates are based fundamentally upon the rates to Pacific coast points. We will be affected by it. There is not a public improvement in process of construction, or that ever has been constructed in the United States, which will have such general and almost universal effect upon all parts of the United States as the Panama Canal will have upon our economics and upon that great fundamental factor which affects us more than government, more than taxes, and more than manufactures, namely, transportation. It regulates the lives, the growth, the relative strength and wealth of cities, the existence of towns, and the bankruptcy or the prosperity of individuals engaging in business.

The letter proceeds:

It is only an effort by the railroad interests which for a generation have waged a cunning and desperate fight—

I hope nobody will object to that language. It is rather sharp language, but I think it has been cunning. I do not know that it has been so desperate, because they usually have had the upper hand and have had things pretty much their own way, and so they have not been required to be desperate; but they waged a cunning fight.

The letter proceeds:

against every project for an isthmian canal. It is not forgotten that the railroads had their watchful representation on the board of the ill-starred Nicaraguan Canal Co.

That is quite a significant fact which this letter states; and knowing the writer of it as I do, I attach some importance to it.

It is also remembered that the Pacific Mail Steamship Co. was acquired by the transcontinental railroads and for years held in a pooled ownership to protect the railroad monopoly of freight transportation across the continent.

I know from information of the most reliable kind which has come to me for years that that statement is true, and it is not offensive in any legitimate sense which should exclude it from public discussion.

I think that sometimes Senators are too sensitive about what is offensive and what is not offensive, and while I have refrained most carefully from using any offensive language, my opinion is that the Senate of the United States can not enhance its dignity before the country by being supersensitive as to what is said about it or about any member of it.

INSPECTION AND GRADING OF GRAIN.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce and to secure uniformity in standards and classification of grain, and for other purposes.

Mr. GALLINGER. I will ask the Senator from Minnesota [Mr. NELSON] if he is anxious to proceed now, or may I occupy a few minutes in discussing a matter I have been trying to get up for five days?

Mr. NELSON. I am ready to go on, but I will yield to the Senator.

Mr. SMITH of Georgia. I understand that the Senator from Washington [Mr. POINDEXTER] has the floor and that the unfinished business does not take him off the floor.

Mr. GALLINGER. Certainly it does.

Mr. SMITH of Georgia. He could proceed with his speech, if he saw fit.

Mr. SMOOT. By unanimous consent.

Mr. SMITH of Georgia. There is no limitation on the right to speak upon anything a Senator wants to speak about. Frequently I have seen a Senator who had the floor when another matter came up go on with his speech. I regret that the rules permit it, but they do. I have been very anxious to have an opportunity to reply somewhat to the Senator from Washington while his speech was still fresh, but if he is not going to conclude to-day, I will have to wait until he does conclude.

Mr. SMOOT. The Senator from Georgia is perfectly correct in stating that many times a Senator has proceeded with his speech after the unfinished business has been laid before the Senate, but in order that he may proceed he must address the Chair and be recognized by the Chair.

Mr. SMITH of Georgia. He has at least the same right to be recognized as anyone else.

Mr. SMOOT. That is true.

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gallinger	Perkins	Smith, Md.
Borah	Hitchcock	Pittman	Smoot
Brady	Hollis	Poindexter	Sterling
Brandegee	Jones	Pomerene	Stone
Bristow	Kern	Ransdell	Thomas
Bryan	Lea, Tenn.	Reed	Tillman
Burton	Lee, Md.	Robinson	Townsend
Catron	Lippitt	Root	Vardaman
Chilton	McCumber	Saulsbury	Walsh
Clark, Wyo.	McLean	Shafroth	Warren
Clarke, Ark.	Nelson	Sheppard	Weeks
Cummins	Oliver	Simmons	West
Dillingham	Overman	Smith, Ariz.	Works
Fall	Page	Smith, Ga.	

Mr. SHEPPARD. I was requested to announce that the Senator from Oregon [Mr. LANE], the Senator from Wisconsin [Mr. LA FOLLETTE], and the Senator from Minnesota [Mr. CLAPP] are necessarily absent on business of the Senate. I also announce that my colleague [Mr. CULBERSON] is necessarily absent.

Mr. HOLLIS. The senior Senator from Virginia [Mr. MARTIN] is absent on official business of the Senate.

Mr. WEEKS. My colleague [Mr. LODGE] is absent on account of an important engagement.

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Kentucky [Mr. BRADLEY]. He has a general pair with the junior Senator from Indiana [Mr. KERN].

I wish also to announce the absence of the junior Senator from Wisconsin [Mr. STEPHENSON], who has a general pair with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. WALSH. I announce the absence of my colleague [Mr. MYERS], due to his continued illness.

Mr. SHEPPARD. I wish also to announce that the Senator from Illinois [Mr. LEWIS] is unavoidably detained from the Senate.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. A quorum is present.

FOREIGN BOUNTY-PAID VESSELS AND THE PANAMA CANAL.

Mr. GALLINGER. Mr. President, I do not felicitate myself that the quorum which has just been secured will long remain, because it is a matter of common knowledge that there perhaps never has been a time in the history of our country when less attention was given to the transaction of public business.

Mr. President, were it not for the fact that I am about to leave the city this afternoon, I would not further disturb the continuity of the discussion on the grain-inspection bill by addressing myself to a different subject. On the 20th day of this month I offered a resolution which went over under the rule, and because the morning hour has been devoted day after day to the discussion of matters not strictly morning business, I have been unable to have the resolution laid before the Senate. I now ask that the resolution may be read from the desk.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read Senate resolution 342, submitted by Mr. GALLINGER on the 20th instant, as follows:

Whereas all nations largely engaged in commerce now pay either indirectly or specifically the tolls of their principal national lines of steamships passing through the Suez Canal and are preparing to make the same provisions for payment out of the national treasuries of tolls for their vessels which may seek to pass through the Panama Canal; and

Whereas the Congress of the United States, acting on the urgent recommendation of the President, is now legislating with a view to provide that tolls shall be paid in full by all American ships which may be engaged in both the coastwise and foreign trade at Panama, so that American ships will probably be the only ships which will be required to pay tolls for the use of this great waterway, built by the United States Government at a cost of nearly $400,000,000 of the money of the American people: Therefore be it

Resolved, That, in the event of the free-tolls provision of the Panama Canal act being repealed, in order to establish equality between American and foreign ships in the matter of the payment of tolls, no vessel of foreign register, whose owner or owners receive a subsidy or bounty of any kind whatsoever in connection with tolls for the use of the Panama Canal, shall be permitted to enter or pass through said canal.

Mr. GALLINGER. Mr. President, I beg the indulgence of the Senator for a few minutes while I discuss the resolution that has just been read.

The annual report of the United States Commissioner of Navigation for the fiscal year 1911 states, under the heading "Suez Canal Tolls," on page 15:

Whether other nations shall see fit to appropriate money from their treasuries to pay Panama tolls on merchant vessels under their respective flags is a matter for them to determine. If they do so, they will be well within their treaty rights, as it is well within ours to provide a permanent annual appropriation from the Treasury to pay the tolls on all American ships. To hold otherwise is to assert that we have bound ourselves to do nothing to promote our own shipping, in the full knowledge that foreign nations will pay, directly or indirectly, Panama tolls as they already pay part of the Suez tolls on their respective mercantile fleets.

And again, on page 16 of the annual report for 1911, the Commissioner of Navigation states:

The total tonnage passing through the Suez Canal in 1910 was 16,581,900 net tons. The fleet of the British Peninsular & Oriental Steamship Co. is the largest using the canal, its tonnage aggregating 1,214,200 net tons. Its last printed report shows that its Suez Canal dues on ships and passengers in 1910 were £357,989 4s. 7d. and its subsidies £297,143 6s. 8d. The subsidy is paid to its mail steamers, but it operates slower boats. The principal German passenger steamship line to the Orient is the North German Lloyd, which has an annual subsidy of 5,280,000 marks ($1,385,160) for its mail steamers to Asia and Australia. In 1910 the company's fleet made 94 Suez voyages, for which the subsidy would have sufficed to pay all the tolls and leave a handsome margin.

A Japanese subsidy of $1,336,947 was paid to the Nippon Yusen Kaisha for its steamers through Suez to Europe, aggregating 326,000 tons. In 1908 the Messageries Maritimes, the largest French company using the canal, was paid for its lines to China, Japan, Australia, and Madagascar $2,145,232 in subsidies, and its canal tonnage in 1909 was 565,200 net tons.

The actual payments by foreign Governments of specific Suez Canal tolls on merchant vessels under their respective flags is illustrated by the following documents.

In the case of Russia, the American embassy at St. Petersburg, under date of September 3, 1908, wrote:

"I have the honor to state that the ministry for commerce and industry has given me the following information: * * *

"'The only appropriation which has been fixed for navigation bounties for the current year is the sum of 650,000 rubles set aside for the purpose of repaying from the public moneys the dues exacted of Russian vessels passing through Suez Canal to and from Russian ports.'"

In the case of Austria, the Emperor Franz Joseph, at Vienna, on February 23, 1907, signed a law of the Austrian Reichsrath ratifying the subsidy and mail contract of the Austrian Government with the Austrian Lloyd Steamship Co. After providing an annual subsidy of 4,700,000 crowns for the company, the contract ratified by the Reichsrath contains the following article—

The article is written in German, and as I am not a German scholar and the distinguished senior Senator from Mississippi [Mr. WILLIAMS], who was partly educated at Heidelberg, is not here to read it for me, I will pass it over without reading.

"Der Gesellschaft werden auch die für die Durchfahrt des Suezkanals auf den Linien 9, 10, 11 und 12 bezahlten Gebühren gegen Vorlage der bezüglichen Rechnungen rückersetzt."

Of course, this means—

I am still quoting from the report of the Commissioner of Navigation—

that the Austrian treasury, besides the subsidies, will pay annually the tolls on the following Austrian merchant voyages through the Suez Canal: From Trieste, 12 voyages to Bombay, 13-knot steamers; 6 to Bombay, 10-knot steamers; 12 to Calcutta, 10-knot steamers; and 12 to Kobe, 10-knot steamers. The law and contract were printed in the Reichsgesetzblatt (Official Gazette) of February 28, 1907, part 22, page 284, filed in this bureau.

In the case of Sweden, the Swedish royal foreign office on May 26, 1908, advised the American minister at Stockholm:

"The Maritime Navigation Co. (Svenska Ostasiatiska Kompaniet) received from the State for the years 1907–11 a subvention of 1,850,000 crowns to insure a regular service between Sweden and the ports of the extreme Orient. This subvention has been calculated, in a manner, to represent the amount of the tolls paid by the ships of the company for passing the Suez Canal."

The international rule against discrimination for the Panama Canal is in the same words as for the Suez Canal.

FRENCH SUEZ CANAL TOLL REFUND.

The French Government a little more than a year ago arranged to repay the bulk of the tolls on its principal line of steamships through the Suez Canal, making allowance for these tolls in addition to the regular subsidies.

On July 22, 1912, the new 25-year ocean-mail contract (expiring November 30, 1937) between the French Government and the Messageries Maritime Steamship Co. went into effect.

Article 3 of the contract reads:

ART. 3. The tolls based on tonnage for transit through the Suez Canal paid by the company on its subsidized ships shall be reimbursed to the company in addition to the subsidy, according to the provisions of article 96 of the schedule of charges and obligations: *Provided*, That during the temporary period covered by that schedule the expenses of passing through the Suez Canal of ships on the route to Haiphong shall be paid by the company.

Article 96, referred to in article 3, reads:

ART. 96. * * * The amount of reimbursement of the special navigation toll on tonnage through the Suez Canal is payable monthly at the end of the month at the same time as the subvention according to the estimates of expenses based on the figures for the previous year, with the reservation of adjustment of balances at the end of the business year based on tolls actually paid.

During the calendar year 1911 the voyages of the steamers of the Messageries Maritimes through the Suez Canal numbered 172; tonnage, 603,400; so the Suez tolls amounted to about $850,000. The toll rate for 1912 is 50 centimes (9¼ cents) less than in 1911, or on the same tonnage the tolls will be about $750,000. The contract calls for 156 Suez-Canal-toll-refunded voyages annually, the toll to be refunded amounting to about $680,000. The 26 voyages to Haiphong on which temporarily there is no refund are not included.

FRANCE AND THE PANAMA CANAL.

In the Daily Consular and Trade Reports for Monday, April 13, 1914, page 219, there is the following report from Mr. John Ball Osborne, American consul at Havre:

At a meeting on March 17, 1914, the Chamber of Commerce of Havre discussed a report of its committee on the marine in relation to the utilization of the Panama Canal by the merchant marine of France and adopted the following recommendations to the Government:

"That the public powers make haste to conclude an amendment to the postal convention of 1911 with the Compagnie Generale Trans-Atlantique (French line) to the effect that the lines from Havre-Bordeaux to Colon and from St. Nazaire to Colon shall be extended through the Panama Canal to Valparaiso, and that the construction of the steamers intended for this service shall be begun without delay.

"That as soon as the conditions of utilizing the canal are better known attention shall be given to the prolongation to California and Canada of one of the lines having Havre as the point of departure."

There can be no doubt that the French Government will adopt in regard to this proposed line through the Panama Canal exactly the same plan of granting a subsidy to repay the tolls that has been adopted at Suez.

JAPAN AT THE PANAMA CANAL.

In the same issue of the Daily Consular and Trade Reports for April 13, 1914, on the same page, is a report from Mr. George H. Scidmore, the American consul general at Yokohama, quoting the Tokyo newspaper, the Asahi, to the effect that—

It is an open secret that before long the Government will introduce a bill to the Diet proposing a subsidy for the new Panama Canal service, and that simultaneously with the abandonment of the Seattle Line by the Nippon Yusen Kaisha the contract for the new Panama service will be let to the Nippon Yusen Kaisha.

The department of communications intended to open the Panama Canal route some time after the canal was opened and free passage of vessels was assured.

CANADIAN SUSIDIZED LINE TO THE WEST INDIES, WITH THROUGH RATES TO SOUTH AMERICA.

The Daily Consular and Trade Reports of May 24, 1913, stated that the Dominion Government had entered into a contract with the firm of Pickford & Black, of Halifax, for a 12-day ship service between Halifax and the West Indies. "The entire subsidy," it was stated, "will be paid by the Canadian Government. The boats are to ply directly between Canadian ports and the West Indies without the right to call at American ports."

The Daily Consular and Trade Reports for October 14, 1913, said, in a report from Consul General John G. Foster, at Ottawa:

Superseding the Government contract of last spring, reported in Daily Consular and Trade Reports for May 24, 1913, the Canadian minister of trade and commerce has closed a five-year contract with the Royal Mail Steam Packet Co. for a fortnightly service from Halifax, Nova Scotia, to the West Indies, sailings to begin November 1, 1913.

The contract requires four vessels, each with a freight capacity of 5,000 tons and a speed of 11 or 12 knots at sea and suitable passenger accommodation. They are to sail from Halifax to the West Indies, returning via St. John, New Brunswick.

An arrangement has been made whereby perishable cargo will be taken from St. John to Halifax without increased cost. It is stated that the company has connections on both coasts of South America, so that through freight rates may be made on Canadian goods to ports other than those included in the trade agreement. Through rates for freight and bills of lading will be arranged from the principal commercial centers of eastern and central Canada.

The subsidy granted is £70,000 ($340,655) per annum and is contributed for the present by Canada alone, although it is anticipated that the West Indies will later on pay a portion of this subsidy.

Now, Mr. President, if the American Congress imposes full tolls on all American ships at Panama, both in the coastwise and in the foreign trade, why should not the American Congress bar from the canal foreign ships whose tolls are paid in subsidy from foreign Governments? Only by this course can the semblance of "entire equality" be secured for American ships.

Mr. President, it will be a cruel discrimination against American ships in the coastwise trade to require them to pay tolls through the Panama Canal when the ships of other nations will have their tolls paid by their respective Governments; but this is not all there is to this question. There is an avowed purpose in the minds of some public men to absolutely strike down the law which has been in operation for nearly 100 years prohibit-

ing foreign ships from engaging in our coastwise trade. Several bills have recently been introduced into Congress with that end in view, and various utterances in the Senate along that line have been anything but encouraging to the friends of American shipping. In addition to these bills, the chairman of the Committee on Rules in another body has offered a resolution instructing the Interstate Commerce Commission to show how much more cheaply British tramp steamers, manned by lascars and Chinese, can carry freight between our Atlantic and Pacific ports than can New England ships, manned by New England seamen. This appears to be a deliberate effort to prejudice the case against American shipping in favor of foreign shipping, and is one reason why in the past few days certain Republican Senators are asking themselves the question whether this is not another attempt to precipitate a clear-cut issue of protection or free trade between our ships and the ships of other nations, with the tremendous disadvantage on our part because of governmental aid in various forms that are given to foreign ships. In this connection a colloquy that occurred in the Senate on Thursday, April 9, 1914, is of interest. The Senator from Colorado [Mr. THOMAS] in making an address was interrupted by the Senator from Missouri [Mr. REED], who said:

I agree with the Senator as to the great benefits coming from commerce and as to the desirability of cheap water rates between our two coasts, but if these great benefits come from commerce, why should we not permit the vessels of other nations going through the canal to carry goods from one American port to the other?

Mr. THOMAS. There is no reason in the world which appeals to my judgment.

Mr. REED. I introduced a proposition of that kind. I simply wanted to get the Senator's opinion upon it. I think by letting all vessels engage in our coastwise trade, fixing a minimum charge, a small charge, we can solve this difficulty.

Mr. THOMAS. The policy for which I am contending, Mr. President, is entirely consistent with the purpose to be subserved by the bill which the Senator has introduced, and which, I believe, would result in an enormous benefit to the consumers of this country, so vast as to make the supposed benefit resulting from the present restriction of this coast trade to American-made and American-owned vessels wholly insignificant.

That language is clear and unmistakable, and leaves no room for doubt what the purpose of some men in public life is in regard to continuing the protection to our coastwise shipping granted by existing laws of the United States. The Senator from Missouri [Mr. REED] has to-day in debate again declared that he is in favor of repealing our coastwise laws, a most startling declaration. The simple fact is that if the free-tolls provision is to be repealed no subsidized ships, either domestic or foreign, should be allowed to pass through the Panama Canal. The Senator from Oklahoma [Mr. OWEN] manifestly agrees to that proposition, for on the 27th day of March, in answer to a question that I propounded to that Senator, he promptly replied:

I can not agree to a subsidy through the Panama Canal to any ship, either American or British, and subsidized ships should not be permitted to go through the canal.

As before suggested, if the free-tolls provision is to be repealed and unsubsidized American ships are to be put in competition with subsidized ships of foreign governments, then legislation along the line suggested by the Senator from Oklahoma will be insisted upon by some of us.

If, Mr. President, on the plea that the language of article 3 of the Hay-Pauncefote treaty, which provides that terms of "entire equality" shall be granted to all nations, the free-tolls clause of the Panama Canal act is to be repealed, then it is but reasonable to suppose that Congress will find a way to secure approximate equality for American ships by either granting from the Public Treasury a sum equivalent to the tolls on such ships, or else by legislating to absolutely prohibit all subsidized ships, foreign and domestic, from using the canal. Why should not that be done?

Mr. President, through commercial agreements in the nature of treaties, our merchant marine engaged in the foreign trade has been reduced to a mere shadow of what it was in the early days of the Republic, and it behooves us all to exercise the greatest possible care in the matter of legislation to see to it that our coastwise shipping does not meet with the same disastrous consequences. At the present time our coastwise fleet challenges comparison with that of any other country, and it will be the part of wisdom for Congress to continue to give it adequate protection and encouragement.

And in this connection it is pertinent and proper to ask what the effect upon public sentiment in this country will be if upon the opening of the Panama Canal full tolls are exacted from American ships, while their chief competitors are exempted by the subsidy and bounty of their Governments? The American people will not be slow to discover the discrimination against their own ships involved in a policy of that kind, and while it may be imposed upon them for a time they will not permanently rest content with it. A wave of wrath will inevitably follow any such grave discrimination against the American flag in an American canal, and the people of the United States will feel that they have been betrayed in the house of their friends.

During Mr. GALLINGER's speech,

Mr. SIMMONS. Would it interrupt the Senator from New Hampshire if I were to inquire whether he desires to ask for a vote on the resolution this afternoon?

Mr. GALLINGER. I do not.

Mr. SIMMONS. I must be away, and I wished to ascertain that fact.

Mr. GALLINGER. I apprehend the resolution will either go to the calendar or lie over, as I know one other Senator at least desires to speak upon it.

Mr. SIMMONS. Then I have the assurance that the Senator will not ask for a vote, but will let it lie on the table.

Mr. GALLINGER. I will do so; certainly.

After the conclusion of Mr. GALLINGER's speech,

Mr. BURTON. Mr. President, in view of the fact that the Senator from New Hampshire [Mr. GALLINGER] states that he will not seek a vote upon his resolution this afternoon, I shall say but a few words. I desire, however, to call attention to the very great importance of his resolution. It should not be acted upon without elaborate and careful consideration; it should be referred to a committee for a report. It seeks, in a word, to exclude certain classes of vessels from the use of the Panama Canal, raising thereby a very important international question and substantially restricting the commerce which would be benefited by the opening of that great waterway.

I think the statements made in the preamble are not characterized by the accuracy usually employed by the Senator from New Hampshire. He states that—

Whereas all nations largely engaged in commerce now pay either indirectly or specifically the tolls of their principal national lines of steamships passing through the Suez Canal.

Mr. President, there are but three countries which specifically rebate tolls paid on vessels going through the Suez Canal. Those countries are Russia, Austria-Hungary, and Sweden. Other countries grant subsidies, as France; other countries, as Great Britain and Germany, pay very considerable compensation for the carriage of mail. In some instances such payment is less than the tolls and in others it is more.

We should consider the question of subsidy and the relation of ships which receive mail pay and subsidies passing through the Panama Canal separately from the main question which is soon to be before the Senate. That question, the repeal of the exemption from tolls granted to coastwise ships of the United States by the act of 1912, involves treaty engagements and international obligations. The other question of subsidy granted is one of domestic policy for each country. I would say that it would be best to dispose of the bill for the repeal of the exemption clause of the canal act and then to take up this resolution afterwards; but, in any event, the resolution should first be referred to a committee and careful consideration given to it.

The PRESIDENT pro tempore. The resolution will lie on the table and be printed.

PERSONAL EXPLANATION.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. REED. Mr. President, I rise to a question of personal privilege.

The PRESIDENT pro tempore. The Senator will state it.

Mr. REED. This morning when the Senator from Washington [Mr. POINDEXTER] was delivering his address he made a remark which I did not distinctly hear, but from which I inferred that he was discussing, at least incidentally, the question of our coastwise vessels and the fact that they were to some extent in combination. Believing it to be pertinent to the subject of his remarks, I inquired, in substance, whether the Senator did not agree with the proposition that our coastwise business might be open to the ships of all nations. The Senator's reply is immaterial to the present matter. Immediately the Senator from Michigan [Mr. SMITH] interrupted, as he had a right to do, with some remarks pertinent to the remarks I had made. The result was a colloquy carried on with the full consent of the Senator from Washington [Mr. POINDEXTER]. It reached the point, however, when the Senator from Washington declined to yield further, but shortly thereafter he did yield to the senior Senator from Washington [Mr. JONES], who directly replied to some remarks I had made during the colloquy, reading from a report which, apparently, was in conflict with what I had just said. Thereupon the following proceedings took place:

Mr. REED. Mr. President——

Mr. POINDEXTER. I decline to yield further.

Mr. REED. Whether the Senator is willing to yield or is not willing to yield, there is reply to the statement that is so plain and simple——

I want to say that when I was making these remarks I was addressing myself to the Senator who had the floor and was proffering to him a request to kindly yield me a moment to make a statement. My sentence was interrupted by the President pro tempore.

The PRESIDENT pro tempore. The Senator from Washington declines to yield.

Mr. REED. I am appealing to the Senator, not to the Chair.

The PRESIDENT pro tempore. The Senator from Missouri is out of order.

Mr. REED. I am not asking the Senator to yield, and I shall assert my right as a Senator——

The PRESIDENT pro tempore. The Senator is out of order, and the Chair will direct the Sergeant at Arms that—

And this copy is here incorrect—"to seat the Senator," was the conclusion of the remark. Immediately after, when the Senator from Washington understood my request, he did yield. Then this appears:

Mr. REED. Very well. I will ask the Senator to yield until I finish my sentence.

Mr. POINDEXTER. I yield.

The PRESIDENT pro tempore. The Senator is out of order, and in defiance of the rules of the Senate.

That was said after the Senator had yielded.

The PRESIDENT pro tempore. The Reporter got that wrong. The Chair intended to make no such statement. There was confusion as to what was transpiring at that time. The Chair only desired to call the attention of the Senator from Missouri to the fact that the Senator from Washington had declined to yield.

Mr. REED. It was made at that time, exactly as it is transcribed.

Mr. REED. The Senator from Washington yielded.

The PRESIDENT pro tempore. The Senator from Washington declined to yield.

Mr. POINDEXTER. I said I declined to yield; but I now yield to the Senator to finish his sentence.

The PRESIDENT pro tempore. The Senator may proceed.

The PRESIDENT pro tempore. There is some confusion there, and the Chair would like to have the Senator from Missouri allow the Chair an opportunity to clear it up. The Senator from Missouri did not understand the Chair. At the time the Chair said the Senator was out of order and in defiance of the rules the Chair did not understand that the Senator from Washington had reconsidered or changed his refusal to yield. If that took place, it took place out of the hearing of the Chair.

Mr. REED. Mr. President, I practiced law pretty actively for over a quarter of a century. No judge of a court ever had to call me to order, much less direct a sheriff to seat me. I have been a Member of this body a short time, comparatively—some three years—and I have never violated a rule of the Senate, to my knowledge. I think I know the rules of debate and the courtesies of debate, and I resent the action of the Chair in threatening to have the Sergeant at Arms seat me.

It happens every day upon the floor of the Senate—not once, but repeatedly—that a Senator will state that he declines to yield and that his fellow Senators will appeal to him directly, then, for the opportunity to say something, although there has been a declination. The request is proffered to his generosity and to his sense of fairness, and frequently it is granted. It was while I was doing that identical thing that is done upon the floor of the Senate scores of times in every week that the Chair proposed to have the Sergeant at Arms seat me.

I regard a statement of that kind from the Chair as personal to the last degree; I regard it as offensive to the last degree; I regard it as uncalled for and unnecessary; and I am making this statement now in order that the facts and circumstances under which this unpleasant incident occurred may appear in the RECORD.

The PRESIDENT pro tempore. The Chair merely desires to say a word. There is nobody on the floor of the Senate with whom the Chair has established more pleasant relations than with the Senator from Missouri. It was not within the remotest purpose of the Chair to do anything that was offensive, and he now disclaims any such purpose. The Chair did not quite catch the purport of the remarks of the Senator, and he treated the whole statement as out of order. It appeared to the Chair that the Senator from Missouri was persisting in arguing the matter after the Senator from Washington had declined to yield, and under the specific terms of our rules it was the duty of the Chair to enforce that rule, and he proceeded to do so. The Senator from Missouri appeared to persist, although the Chair did not hear exactly what he said, although the Chair understood the Senator to say he was not addressing the Chair, or something of that sort; but it was the duty of the Chair to enforce the rules, and the Chair had no disposition to evade that duty or responsibility, notwithstanding it might bring him into unpleasant relations with one of the Senators on the floor.

With that explanation the Chair trusts the Senator from Missouri will consider it from that standpoint and then reach whatever conclusion may suit him. The Chair certainly had not any intention of being offensive to the Senator any further than the rules required him to enforce them.

Mr. REED. I simply make this final remark, that it occurs to me that the Chair might give to a Senator upon the floor the credit for knowing enough about the rules of proper procedure to allow him at least to conclude a sentence, which was denied me, as the RECORD shows, and it was followed afterwards. I do not care to prolong the matter; it will do no good; and if the Chair has made all the statement he desires to make about it, I am content to let it rest right there.

The PRESIDENT pro tempore. The Chair is, of course, content to let it rest, because he has to do that; there must be an end to these things; but the Chair understood his duty to be to enforce that rule, and that is what he did.

PANAMA CANAL TOLLS.

Mr. POINDEXTER. Mr. President, referring a little further to the document from which I was reading when we reached the unfinished business, I quote as follows:

The railroads persist in their effort to throttle water competition, desperately and despite successive reverses, because it is their policy to resist, desperately if need be.

The battle has simply shifted. Now the talk is of honor and of treaty interpretation. But it is the same fight, a little more tense, a little better disguised, because the railroads have been worsted on the open field, and they have learned some lessons from their defeats.

I will say, interpolating here, that as I read that it refers to the railroads as continuing a fight, and that it does not refer—I do not read it as referring—to any Senator, but I agree with the statement as it applies to the railroad interests. Proceeding further, the letter states:

With all the ramifying influences which are always at the service of a great material interest—and the railroads are the largest material interest in the country—the latter are egging on the people to this hysterical surrender of conceded rights, urging us to repent where we have not erred, to relinquish what is clearly ours, and to submit our untarnished honor to self-defamation, for the reason, and for the sole reason, that the long-enjoyed monopoly of the railroads may not be impaired.

BAINBRIDGE COLBY.

Now, Mr. President, I withdraw the offer which I made on yesterday of a certain letter.

The PRESIDENT pro tempore. Does the Senator from Washington request unanimous consent to withdraw the letter which he presented on yesterday?

Mr POINDEXTER. I withdraw it.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent at this time to withdraw the letter presented by him on yesterday. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMOOT. Mr. President, I rise for the purpose of dissenting from the ruling of the Chair yesterday, not that it will affect anything at this time, but for future reference only.

Yesterday the Senator from Washington [Mr. POINDEXTER] presented to the Senate a letter from the chairman of the committee for the preservation of American rights in the Panama Canal, and asked unanimous consent that it be read by the Secretary. The President pro tempore of the Senate made this statement:

The Senator from Washington asks unanimous consent that the letter presented by him may be read. Is there objection? The Chair hears none. The Secretary will read it.

The Secretary proceeded to read the letter.

Mr. President, after the letter was read there arose a question as to whether it should not be stricken from the RECORD. I shall not take the time of the Senate to rehearse what happened, but simply call attention to the ruling of the Chair.

The PRESIDENT pro tempore. It would be well to call attention to the fact that the junior Senator from Utah [Mr. SUTHERLAND] made a motion to expunge the letter from the RECORD because it was offensive to a Senator now sitting on the floor.

Mr. SMOOT. That is perfectly true, Mr. President, and that will be a part of the RECORD, which I take it for granted will be examined by all Senators who may refer to the case hereafter. But the President pro tempore made this statement in his ruling:

The Chair will take the responsibility of saying that the document shall not go into the RECORD until the motion is disposed of.

Mr. President, in looking over the RECORD this morning I find that not only is the letter withheld from the RECORD, but I notice that whenever a Senator spoke yesterday and quoted in any way from that letter the quotation has also been excluded from the RECORD. Now, I want simply to say that if that is to be a precedent to be followed hereafter by the Senate, in my opinion

it is a most dangerous one, and all I desire at this time is to call the attention of the Senate to it, not for present action but for the RECORD only. As I said in the beginning, it will do no good now in the situation as it has developed, the Senator from Washington having withdrawn the letter by unanimous consent.

I want the Chair to understand that I have not the least feeling in the matter. If I had had an opportunity to vote on the motion made by my colleague, I would have voted for it, but I do believe that the ruling of the Chair yesterday is a most dangerous precedent to establish in the Senate.

The PRESIDENT pro tempore. It may be appropriate at this time for the Chair to say that the ruling made on that occasion was limited to the facts and circumstances of that particular case. Here was a matter challenged as being offensive to a Senator on this floor; the hour of adjournment had arrived; the matter had been inadvertently admitted to the RECORD, and to have permitted the matter to remain in the RECORD and to be printed and sent out as part of the RECORD would have defeated the very object the motion then pending had in view. To preserve the status quo and to give to the Senate the benefit of its action when it should take it, if it did take affirmative action in that behalf, was the purpose that moved the Chair to make that ruling, and nothing short of that, in the opinion of the Chair, would have accomplished that purpose.

Mr. SMOOT. Mr. President, I was fully aware of the purpose of the Chair, and I only want to say to the Chair that the permanent RECORD, if the Senate by vote to-day decided to expunge the letter, would never have included the letter. It would have gone to the country in the RECORD as published this morning, but it would not appear in the permanent RECORD.

The PRESIDENT pro tempore. There may have been various alternative ways in which the same object could have been accomplished, but the Chair preferred to take the one that he took on that occasion.

INSPECTION AND GRADING OF GRAIN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 120) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes.

Mr. NELSON. Mr. President, when this bill was under discussion the other day I called attention to the fact that Mr. Culver, of Toledo, Ohio, president of an association of grain inspectors, a voluntary association, testified that the association had been engaged for a number of years in determining what would be a proper classification of grades of wheat and other cereals. I refer to this matter for the purpose of disabusing Senators of the idea that it is as simple a thing to grade wheat as it is corn. That is, you can not establish two or three grades, as in case of corn, and cover the whole country with it.

This association, after meeting several years, and after discussing the subject for a good many years, finally came to the conclusion that the following classes of grades for wheat were needed. I want to call the attention of the Senators to these grades in order that you may see the variety and number of grades of wheat that are required for the entire country.

Mr. McCUMBER. Mr. President, will the Senator allow me for a moment?

Mr. NELSON. For a question. I do not want any argument. I am anxious to get through.

Mr. McCUMBER. Does the Senator know of any bill or any proposition that proposes to have one uniform grade that will apply to all the species of grain?

Mr. NELSON. At the risk of being somewhat tedious in the matter, I desire to call attention to the different grades as formulated and proposed by the association of inspectors of which Mr. Culver was president. I read from the exhibit presented to the committee by Mr. Culver:

WHITE WINTER WHEAT.

No. 1 white winter wheat shall include all varieties of pure, soft, white winter wheat, sound, plump, dry, sweet, and clean, and weigh not less than 58 pounds to the measured bushel.

No. 2 white winter wheat shall include all varieties of soft, white winter wheat, dry, sound, and clean, and shall not contain more than 8 per cent of soft, red winter wheat, and weigh not less than 56 pounds to the measured bushel.

No. 3 white winter wheat shall include all varieties of soft, white winter wheat. It may contain 5 per cent of damaged grains other than skin-burnt wheat, and may contain 10 per cent of soft, red winter wheat, and weigh not less than 53 pounds to the measured bushel.

No. 4 white winter wheat shall include all varieties of soft, white winter wheat not fit for a higher grade in consequence of being poor quality, damp, musty, or dirty, and shall not contain more than 10 per cent of soft, red winter wheat and weigh not less than 50 pounds to the measured bushel.

RED WINTER WHEAT.

No. 1 red winter wheat shall be pure, soft, red winter wheat of both light and dark colors, sound, sweet, plump, and well cleaned, and weigh not less than 60 pounds to the measured bushel.

No. 2 red winter wheat shall be soft, red winter wheat of both light and dark colors, sound, sweet, and clean, shall not contain more than 5 per cent of white winter wheat, and weigh not less than 58 pounds to the measured bushel.

No. 3 red winter wheat shall be sound soft red winter wheat not clean or plump enough for No. 2, shall not contain more than 8 per cent of white winter wheat, and weigh not less than 55 pounds to the measured bushel.

No. 4 red winter wheat shall be soft red winter wheat, shall contain not more than 8 per cent of white winter wheat. It may be damp, musty, or dirty, but must be cool and weigh not less than 50 pounds to the measured bushel.

HARD WINTER WHEAT.

No. 1 hard winter wheat shall include all varieties of pure, hard winter wheat, sound, plump, dry, sweet, and well cleaned, and weigh not less than 61 pounds to the measured bushel.

No. 2 hard winter wheat shall include all varieties of hard winter wheat of both light and dark colors, dry, sound, sweet, and clean, and weigh not less than 59 pounds to the measured bushel.

No. 3 hard winter wheat shall include all varieties of hard winter wheat of both light and dark colors not clean or plump enough for No. 2, and weigh not less than 56 pounds to the measured bushel.

No. 4 hard winter wheat shall include all varieties of hard winter wheat of both light and dark colors. It may be damp, musty, or dirty, and weigh not less than 50 pounds to the measured bushel.

Next comes a classification under which the wheat of Minnesota, North and South Dakota, and Canadian wheat would come. It is known as No. 1 northern spring wheat, and is as follows:

NORTHERN SPRING WHEAT.

No. 1 hard spring wheat shall be sound, bright, sweet, clean, and consist of over 50 per cent of the hard Scotch fife, and weigh not less than 58 pounds to the measured bushel.

No. 1 northern spring wheat must be northern-grown spring wheat, sound, clean, and of good milling quality, and must contain not less than 50 per cent of the hard varieties of spring wheat, and weigh not less than 57 pounds to the measured bushel.

No. 2 northern spring wheat shall be northern-grown spring wheat, not clean enough or sound enough for No. 1, and must contain not less than 50 per cent of the hard varieties of spring wheat, and must weigh not less than 56 pounds to the measured bushel.

No. 3 northern spring wheat shall be composed of inferior shrunken northern-grown spring wheat, and weigh not less than 54 pounds to the measured bushel, and must contain not less than 50 per cent of the hard varieties of spring wheat.

No. 4 northern spring wheat shall include all inferior northern-grown spring wheat that is badly shrunken or damaged, and must contain not less than 50 per cent of the hard varieties of spring wheat, and shall weigh not less than 49 pounds to the measured bushel.

SPRING WHEAT.

No. 1 spring wheat shall be sound, plump, and well cleaned, and weigh not less than 59 pounds to the measured bushel.

No. 2 spring wheat shall be sound, clean, of a good milling quality, and weigh not less than 57½ pounds to the measured bushel.

No. 3 spring wheat shall include all inferior, shrunken, or dirty spring wheat, and weigh not less than 53 pounds to the measured bushel.

No. 4 spring wheat shall include all spring wheat damp, musty, grown, badly bleached, or from any cause which renders it unfit for No. 3, and weigh not less than 49 pounds to the measured bushel.

WHITE SPRING WHEAT.

The grades of Nos. 1, 2, 3, and 4 white spring wheat shall correspond with the grades of Nos. 1, 2, 3, and 4 spring wheat, except that they shall be of the white variety.

It appears from this that we have here three kinds of spring wheat, Northern spring wheat with four grades, ordinary spring wheat with four grades, and white spring wheat with four grades. Then we have macaroni or durum wheat, which is in a class by itself. There are four grades of that—No. 1 durum, No. 2, No. 3, and No. 4. In addition to this we have another variety of spring wheat, distinct from durum wheat, which is called velvet chaff, and there are four grades of that, too.

These varieties, durham wheat and velvet chaff, are varieties that have been introduced in recent years. Durum wheat was introduced quite a number of years ago and brought to this country for the purpose of raising crops to advantage in arid or semiarid belts. It was supposed that it could stand the drought better than the ordinary kinds of blue-stem and Scotch fife. The velvet chaff is a later introduction.

When you come to the Pacific coast and mountain sections they make still other grades.

PACIFIC COAST WHEAT.

No. 1 Pacific coast red wheat shall be dry, sound, clean, and free from smut and weigh not less than 59 pounds to the measured bushel.

No. 2 Pacific coast red wheat shall be dry, sound, clean, and only slightly tainted with smut and alkali and weigh not less than 58 pounds to the measured bushel.

No. 3 Pacific coast red wheat shall include all other Pacific coast red wheat. It may be smutty or musty, or from any other reason unfit for flouring purposes, and weigh not less than 54 pounds to the measured bushel.

In addition to this, it prescribes another class of Pacific coast wheat termed "Pacific coast white wheat":

Pacific coast white wheat shall be graded according to the rules for Pacific coast red wheat. In case of a mixture of Pacific coast wheat with our home-grown wheat, red or white, such mixture shall be graded "Pacific coast mixed wheat."

The grades of Pacific white and Pacific red wheat are to include all such wheats as are grown in the extreme Northwest and on the Pacific slope from either spring or winter seeding.

Then, they have another grade, which they call mixed wheat:

MIXED WHEAT.

In case of any appreciable mixture of hard and soft wheat, red and white wheat (except as provided in the rule of red winter, white winter, and northern spring wheat), durum, and spring wheat, any of them with each other, it shall be graded according to the quality thereof; and the kind of wheat predominating shall be classed as No. 1, 2, 3, and 4 mixed wheat, and the inspector shall make notation describing its character.

Since this testimony was given before the committee our farmers in the Northwest have introduced still another variety of spring wheat which they call Marquis wheat; and that has 3 or 4 grades, too.

It will be found, then, if we include Marquis wheat with these others, that there are at least 12, if not more, different classes of grades of wheat in the country, and this owing to the variety of our soil and climate, and owing to the fact that our farmers are constantly experimenting to secure new varieties of seed that will fit the climatic conditions and give a better yield.

Mr. WEST. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. Yes, sir.

Mr. WEST. I should like to ask the Senator from Minnesota whether wheat deteriorates from being continuously grown on the same soil year after year? In other words, does it "run out," so to speak?

Mr. NELSON. To some extent the farmers seem to be of that opinion. I base the statement upon the fact of their continually changing their seed. When I was a young boy, at my old Wisconsin home, the favorite variety of spring wheat was Canadian club. It was raised for a great many years. By and by the farmers thought it deteriorated, or, to use the expression of the Senator from Georgia, that it "ran out," as it were. Then they took up Scotch fife, and that was the leading crop when I moved to Minnesota in 1871. They had other varieties, but that was considered the best variety; and Scotch fife was a standby for a great many years. By and by, however, the farmers got the impression that they could raise more wheat by getting other varieties; and the next variety that they took up in our country was what they called blue-stem. At first the millers did not consider that equal to the Scotch fife. That is, they did not consider it of as high a quality for milling purposes. In other words, they did not call it hard wheat. After a while, however, after some years, the blue-stem seemed to improve, or the millers seemed to change their minds, and they regarded good blue-stem as equivalent to Scotch fife. Then, by and by, durum or macaroni wheat was introduced, because it was said to be a good yielder and especially because it was understood to stand the drought better than the other varieties of wheat. It became a great favorite in North Dakota, and to some extent in Minnesota and South Dakota. Durum was succeeded by velvet chaff, and this in its turn by marquis wheat.

Mr. WEST. Mr. President, right there I should like to ask another question. I do it because I know this is done with cotton and other crops. Do they ever take an equal quantity of two or three different kinds of wheat and sow it, making a hybrid, in order to get an improvement?

Mr. NELSON. I am not aware of that; I have never known farmers to mix different varieties of wheat and sow them together; but I have known farmers to sow oats and wheat together, and they claim that the oats they get in such case is of a better quality, and also the wheat; and where they have the right kind of fanning mills the oats can be readily separated from the wheat. Mr. Culver, in the report from which I have quoted, lays down three general rules:

All wheat, barley, oats, rye, and corn that is in a heated condition, souring, or too damp to be safe for warehousing, or that is badly bin burnt, fire burnt, fire smoked, or badly damaged, mixed with garlic, onions, or containing live weevil, exceedingly dirty, or where different kinds of grain are badly mixed with one another, shall be classed as "sample grade," and the inspector shall make notations as to quality and condition.

The word "new" shall be inserted in each certificate of inspection of a newly-harvested crop of oats until the 15th day of August; of rye, until the 1st day of September; of wheat, until the 1st day of November; and of barley, until the 1st day of November of each year.

And those are the rules laid down for testing the grain.

MANNER OF TESTING GRAIN WITH A TESTING KETTLE.

Place the kettle where it can not be jarred or shaken. Pour from a scoop, bag, or pan, held 2 inches from the top of the kettle, into the middle of the kettle at a moderate speed until running over. Strike off in a zigzag manner with the edge of the beam held horizontally.

Recommended by the Chief Grain Inspectors National Association.

E. H. CULVER, *President.*

After Mr. Culver had filed this statement as to grades, the following took place before the committee:

The CHAIRMAN. There are how many of those?

Mr. REYNOLDS. There are 30. This list comprises the different markets, agricultural colleges, and institutions of that kind that have adopted the above as their standard of grades. We ask that this be filed.

In other words, 30 institutions, agricultural colleges, and State inspection systems have adopted it.

Senator GRONNA. Did I understand you to say colleges?

Mr. REYNOLDS. Agricultural colleges in the different States that adopted the uniform phraseology.

Senator GRONNA. But none of those—

Here is what Senator GRONNA says:

But none of those are boards of trade.

Mr. CULVER. There are 23 boards of trade, 4 agricultural departments in the different States, and 7 of the national organizations of millers.

And so forth.

And here follows a list of the colleges, State inspection departments, and board-of-trade inspection departments that have adopted these rules for inspection. Among others are the Minnesota grain-inspection department, the Missouri State grain inspection, the Kansas City grain inspection, the Illinois grain inspection. This was away back in 1908 or 1907.

Senator GRONNA then asked this question:

Has it been adopted by the Minneapolis and Duluth Boards of Trade?

Mr. CULVER. Yes, sir; our spring wheat rules, I will say, are identical in all the markets of the United States.

Senator GRONNA. I mean your rules that you have referred to—have they been adopted?

Mr. CULVER. Yes, sir; the spring wheat rules of all the markets in the United States have been longer than any grade of wheat that is in vogue in the grading books, and it is brought about to simplify and to show that the inspection departments of the country are working hard and strenuously, not only with themselves, but with the Agricultural Department. We are furnishing all the data that comes within our power. We are furnishing every facility that we can get to them to simplify this matter of grading of grain so as to lift anything that there is, or any objection there is, to the present system under the exchanges, and, too, the Grain Dealers' National Association.

Senator GRONNA. I want to ask you a few questions. From your statement I can see that you are trying to better the conditions in order to standardize grain or to grade grain. Why are you opposed to the Government doing this or to help you do it?

Mr. Culver replied as follows:

I will answer you just as plainly and just as fairly as I can. Politics and the grain business do not mix in our experience.

Senator GRONNA. Well, that is hardly an answer to my question.

Senator MCCUMBER. That is the reason for this bill, because we do not intend that they shall mix.

Mr. CULVER. Well, Senator McCumber, we have tried strenuously to keep them out in the different States and to keep politics out of the different States and out of the different State departments, but it is almost impossible.

Then further on Senator GRONNA asked this question:

Is it not true that you dock for the wild oats?

Mr. CULVER. No, sir; when we get the wheat—

That refers to other markets besides the Minnesota market—

Mr. CULVER. No, sir; when we get the wheat it is supposed to be furnished by Duluth or Superior by water.

The wheat that is furnished by Duluth and Superior has passed through the elevators and has been cleaned—the oats and foul seed have been taken out of it.

Senator GRONNA. Do you mean the grain that you buy; you buy it without any dockage whatever?

Mr. CULVER. There is no dockage whatever in our shipments of grain by vessels that we get out of Duluth and Superior—it comes on straight.

As I said, those vessels are loaded from the terminal elevators where the wheat has been cleaned and conditioned before it is put into the vessel.

Senator MCCUMBER. There is dockage as it is taken from the car, is there not, in both Duluth and Superior and Minneapolis?

Mr. CULVER. There is dockage in both. There is only one State in the United States that docks grain and that is the State of Minnesota, which is done under their State laws.

Senator MCCUMBER. While they do not dock it, they make allowance in another way, do they not?

Mr. CULVER. I do not know how they could do it. It would be utterly impossible.

The following is the statement of the Senator from North Dakota [Mr. MCCUMBER] as it is printed here in the hearings:

Senator MCCUMBER. It will be observed that the Minneapolis markets are, perhaps, for the same kind of grain—Minneapolis and Duluth—the best markets in the United States for a generally higher price for the same kind of grain.

There the Senator from North Dakota for the first time gives the State of Minnesota credit for our system of grain inspection. The truth of it is that the grain market—the cash market of Minneapolis—is the very best grain market in the entire United States. There is no place where the farmer can get so big a price for his grain as at that market. That is largely owing to the fact that Minneapolis is first a great milling center and, in the next place, because we have a thorough and fair system of inspection, and also because our farmers raise a high quality of grain.

If Senators will take the pains to compare the quotations of the different markets—St. Louis, Chicago, Toledo, Buffalo, Milwaukee, or any of those grain markets—with Minneapolis, they will find that the cash price for spring wheat is higher in that market than in any other market in the country.

As I said in my discussion heretofore, we northwestern Senators who were so strongly opposed to Canadian reciprocity when Canadian reciprocity legislation was pending here during the last year of President Taft's administration were glad of the fact that we could quote from 10 to 15 cents per bushel in favor of Minneapolis between the price at Minneapolis and the price at Winnipeg, which meant the price at Port Arthur or Fort William on Lake Superior, for be it known that when wheat reaches Port Arthur or Fort William at the upper end of Lake Superior it is practically as near Buffalo and New York as wheat is in Chicago in the matter of distance, with the same kind of transportation—water transportation. I did not quite finish Senator McCUMBER's statement, and I read further as follows:

Senator McCUMBER. It will be observed that the Minneapolis markets are, perhaps, for the same kind of grain—Minneapolis and Duluth—the best markets in the United States for a generally higher price of the same kind of grain.

Mr. CULVER. For the scarcity of foreign wheat——

Senator McCUMBER. And because they base their price upon the wheat as it should be when it is clean, making their allowance for dockage.

Mr. CULVER. Well, it has only been in the last two years that we have been able to utterly get out the oats from spring wheat, and we have got it to such a small quantity now that we hope in a very short period to complete a machine that will take them all out, and take them out at a reasonable cost. The machine that we have now we can only use in the mills not to exceed from 350 to 450 bushels an hour.

The oats that are referred to here are manifestly wild oats, which have been a great pest in the Northwest. This wild oats came into our wheat some years ago. I never heard from what source it came originally, but it has been one of the worst pests for our wheat. It has affected our wheat in two ways, when thick it lodges the wheat and prevents it from ripening properly. When the growing wheat lodges, it is unable to ripen as does standing grain. Then when you thrash the wheat you have all that quantity of wild oats in the grain, for which dockage is made, and which must be separated from the wheat before it is made into flour.

Mr. WEST. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. I do.

Mr. WEST. The Senator does not know anything of the oats which grow wild in the South?

Mr. NELSON. I do not know anything about that.

Mr. WEST. There is an oats down there that grows wild, and the stock do not like to eat it. I did not know whether it was that oats that had become incorporated into wheat in the Senator's State or not.

Mr. NELSON. It is not that kind of oats. As to this wild oats with us, the straw grows up something resembling other oats, and is quite tall and the oat itself is a very long, thin, sharp berry. The oats is mixed with other screenings, and is used for hog and cattle feed.

Mr. President, I have been compelled to go into great detail about this matter of grain inspection, more than I would like to have done under ordinary circumstances. I have felt that we have in the State of Minnesota a grain-inspection system second to none in the country. We have been from 28 to 29 years engaged in building up and perfecting that system. We began in 1885 to provide for the regulation of what we call terminal elevators, the elevators at the cities of Minneapolis and Duluth. We placed them under our board of railroad and warehouse commissioners and we established a system of grain inspection for those terminal elevators. The service was divided into two classes of employees, weighers and inspectors. The system worked fairly well. But our farmers complained that they were not justly treated by the local elevators—the country elevators—of which we have a great number. Every railroad station has from one to two, three, or four. We have, perhaps, from 1,500 to 2,000 such elevators in the State. North Dakota has, perhaps, as many. Our farmers felt that the local elevator men did not deal justly with them; did not always give them fair and just weights and fair and just grades, and docked them too much, and oftentimes did not allow them the price they ought to have received for their grain.

We had a good deal of complaint about the local elevator men. They were, as I said the other day, of three classes. There were what we call the line elevators, which belonged to and were appurtenant to the big terminal elevators. A terminal elevator company with two or three big terminal warehouses or elevators for the sake of getting plenty of grain to store and handle and securing the profit out of the storage would build local elevators at different railroad stations and send out buyers who would buy from the farmers and send the grain to these terminal elevators. We call that class of elevators line elevators.

Then we have another class of elevators that we call independent elevators, which are not connected with any terminal elevator. They were usually elevator associations or companies formed by the local merchants and business men in the different towns and villages for the purpose of keeping up the grain market in those localities. These independent elevators buy the wheat from the farmer and ship it to a commission man at Minneapolis or Duluth. Sometimes the commission man advances money to the local elevator for buying the wheat. The commission man sells the wheat by sample on the board of trade or grain exchange and accounts for the proceeds.

Then, we had another class of elevators that have sprung up in Minnesota and, I think, to some extent in North Dakota. We call them farmers' elevators because they are built and operated by associations of farmers. The farmers operate these elevators not so much for the profit of the elevators as to make and keep up a good local market for their grain. These farmers' elevators not only give the farmer the best grade and price they can afford, but also compel the other elevators to keep the same pace in order to do business.

In order to reach and cure the evils complained of in respect to our local elevators, the legislature of Minnesota in 1893 passed what we call the country elevator law or the local elevator law, requiring all country elevators to take out a State license and to be subject to the regulation and control of the railroad and warehouse commission.

Next, in 1899 we went a step further; and in order to further regulate and control this matter of inspection, we established a board of grain appeals consisting of six members appointed by the governor and sitting in two sections, one section of three sitting constantly at Minneapolis, the other section of three at Duluth. Since we have completed our system in the manner indicated there has been little or no complaint among the farmers of Minnesota. Of course there have been cases of reinspection and appeals. I have not had any complaint from the farmers of Minnesota for years, and I think my intimacy and association with the farmers of our State have been of such a character that if they had had any complaint to make they would surely have written me about it; and I have heard none of them advocate national inspection.

So far as I know, there has not been in recent years any serious complaints against our grain-inspection system. The complaint has not been against our grain-inspection service; it has been against the grain exchanges at Minneapolis and Duluth. The complaint comes from certain commission men, who can not get along with the grain exchange, and the complaint of these men is not against the grain-inspection service, but against the board of trade or grain exchange and its methods, a matter not involved in the proposed legislation.

Now, what does this bill propose to do? If the bill becomes a law, it will utterly break up all State inspection systems, whether they are inspection systems established under boards of trade or inspection systems established by the States themselves. There are eight of the great wheat States that have already established good State systems, and in the other States the inspection system has grown up under the various boards of trade, working well, and, on the whole, giving fair satisfaction.

I will now call the attention of the Senate to section 2 of the bill:

That said Secretary shall also appoint, in accordance with the rules of the civil service, at each of the following cities, to wit, Portland, Me.; Boston; New York; Philadelphia; Baltimore; Chicago; Minneapolis; Duluth; Superior; Kansas City, Missouri; Saint Louis; New Orleans; Seattle; Tacoma; and San Francisco; and at such other important centers of interstate trade and commerce in grain as he may consider necessary or proper for carrying out the provisions of this act, one chief grain inspector and such assistants as may be required to inspect and grade grains as herein provided.

There would undoubtedly be a much greater number of inspection points than the cities named should this bill become a law.

These men are to be under the civil service. If you carry out this system it will add from one thousand to fifteen hundred men to our civil service, including the men in the bureau here at Washington, and I do not think that under the civil service you can get as good a lot of men as under the State systems that we now have in force.

If the bill were confined to sections 5, 6, and 7, providing for national standardization, and nothing more, it would be un-

objectionable and would accomplish all that is necessary and proper. I call attention to those sections:

SEC. 5. That said Secretary of Agriculture be, and he is hereby, authorized and required, as soon as may be after the enactment hereof, to determine and fix, according to such standards as he may provide, such classifications and grading of wheat, flax, corn, rye, oats, barley, and other grains as in his judgment the usages of trade may warrant and permit. In the inauguration of the work herein provided he may, if in his judgment the best interests of trade and commerce in said grains require it, adopt the standards of classification and grades now recognized by commercial usages or established by the laws of any State or by boards of trade or chambers of commerce, and may modify or change such classifications or grades from time to time as in his judgment shall be for the best interests of interstate and export grain trade.

SEC. 6. That when such standards are fixed and the classification and grades determined upon the same shall be made matter of permanent record in the Agricultural Department, and public notice thereof shall be given in such manner as the Secretary shall direct, and thereafter such classification and grades shall be known as the United States standard.

SEC. 7. That from and after 30 days after such classifications and grades have been determined upon and fixed, and duly placed on record as hereinafter provided, such classification and grading shall be taken and held to be the standard in all interstate commerce in grain.

If you take those three sections and limit the bill to them you get national standards for the whole country established by the Federal Government that will be the standards for all interstate commerce. If you stop there you leave the inspection force of each State to live up to those standards. To say that we are not capable in Minnesota or that they are not capable in Missouri or in Illinois to live up to the Federal standards is to say that the employees of the State are not as competent and as honest as they would be if they were Federal employees and wore Uncle Sam's livery.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER (Mr. WEST in the chair.) Will the Senator from Minnesota permit an interruption by the Senator from South Dakota?

Mr. NELSON. I will.

Mr. STERLING. If the Senator will permit me, I wish to ask if it is not likely that under this system of Federal inspection competent inspectors now in service under the State systems would be employed under the Federal system?

Mr. NELSON. It is possible the Federal Government might employ them; I do not see how they could get them from any other source; but if they are competent and good employees, why do these men become better men when you put them under Uncle Sam? Why is the man better because he wears Uncle Sam's livery and is in the employ of the Federal Government instead of operating under a State government?

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from South Dakota?

Mr. NELSON. Does the Senator from South Dakota claim that State officials in South Dakota become better men when they become Federal employees? Now, I yield to the Senator from South Dakota.

Mr. STERLING. My question, addressed to the Senator from Minnesota, assumes that there are a great number of competent men now engaged in the State inspection service and that they should be appointed.

Mr. NELSON. Then, why does the Senator want to break up that system?

Mr. STERLING. Because we want a uniform system throughout the country.

Mr. NELSON. You get a uniform system of grades.

Mr. STERLING. The Senator from Minnesota is referring to the one State of Minnesota, where they now have such an efficient inspection system. We would like to have that efficient system of inspection throughout the whole country. That is why we want Federal inspection.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. NELSON. I do.

Mr. SHERMAN. I should like to inquire of the Senator from South Dakota if the existing system in Missouri, Illinois, and in several of the other States which have such a system, outside of Minnesota, is inefficient?

Mr. STERLING. Mr. President, in answer to the Senator from Illinois, I will state that I am not now saying that they are inefficient, but I think that the State system can be improved, perhaps in several of the States anyway, where they have a State inspection system.

I further think that great advantage will accrue from having a uniform system throughout all the States. As I understand now, there are other States that have the State inspection system like Minnesota, Illinois, Missouri, and two or three other States. Then, there are other States where inspection depends upon the rules of chambers of commerce and boards of trade, and there are different grades because of these different State inspection systems and the fact that there are chambers of commerce and boards of trade in some States under whose supervision inspection is made.

Mr. NELSON. The Senator is utterly mistaken in saying that we have different grades because of these different inspection systems. I call attention to the fact that we have different grades because there are different kinds of wheat raised in different parts of the country. That is why we have different grades. In one part of the country they raise a certain quality of winter wheat—red winter wheat; in another part of the country they raise white winter wheat, and in another part they raise hard winter wheat. We have different grades for these different kinds of wheat, not because the systems are not good, but because the crops are different.

I want to ask the Senator another question, though it may be personal. Is the Senator more conscientious, more honest, more trustworthy and reliable, more likely to perform his official duties, more perfect, because he is a United States Senator, instead of being an officer of the State of South Dakota?

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield further to the Senator from South Dakota?

Mr. NELSON. Certainly.

Mr. STERLING. Mr. President, I am not assuming, of course, that I am more careful of my duties or more diligent in seeking to perform them because I am a United States Senator than I would be if I held some other and some subordinate position in the State of South Dakota; but that is not the question, Mr. President. The question at the bottom of this whole discussion is, as to having a uniform system throughout the whole country, which will be in the interests of the producers of grain.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. NELSON. I yield to the Senator from Illinois.

Mr. SHERMAN. Mr. President, I wish to inquire of the Senator from South Dakota [Mr. STERLING] if there are any primary markets where the surplus grain from a State is not consumed for domestic purposes inside of that State? Aside from the eight inspection States, that produce 95 per cent of our grain, are there any markets outside of those States that have inspection systems?

Mr. STERLING. Mr. President, I am not quite able to answer that question. I think it is not probable that there are many such, or, if there are any, there are not many primary markets outside of the States that have a grain-inspection system. Still, that does not go to the question. If those States are the only States that have the great terminal markets they vary more or less, our contention is, in their system of inspection and grading of grain.

Mr. SHERMAN. Let me make a further inquiry, Mr. President, of the Senator as to whether there is any difference in the grades of northern spring wheat in the United States at the present time?

Mr. STERLING. Mr. President, in answer to that I will say there is a difference in northern spring wheat, and we have different grades; we have No. 1 northern, No. 2 northern, and No. 3 northern. That is my understanding of it.

Mr. SHERMAN. The Senator did not understand the question quite widely enough as I aimed to convey it. Is there any difference in the grading of northern spring wheat in different points in the United States?

Mr. McCUMBER. Will the Senator allow me to answer that question?

Mr. SHERMAN. I will.

Mr. McCUMBER. I will say that, unless there has been a change in the last one or two years, there has been a difference in all of them; and if it has been changed it is a change that is not fixed by law, and can be changed back again. When the testimony was taken which I have here there were no two of them which graded the same, though it was wheat raised at the same point in the same way.

Mr. SHERMAN. I wish to say further, then, that the northern spring wheat is graded at Minneapolis and Duluth or at Superior, in Wisconsin, and the grades are adjusted to the character of wheat that is milled in that part of the country. There is no grading of northern spring wheat in Kansas City, because we do not raise it in that portion of the country. It comes down from their portion of the country to Chicago.

Mr. NELSON. Nor do you have it in Chicago.

Mr. SHERMAN. No, sir.

Mr. McCUMBER. Mr. President, I beg to differ with Senators. I do not think any North Dakota or South Dakota wheat

is shipped to Chicago the same as at Minneapolis, but you do get the same grades.

Mr. NELSON. You do not have the same grades in Chicago of No. 1 hard wheat, as I understand.

Mr. STERLING. Mr. President, all this simply corroborates what the Senator from North Dakota [Mr. McCUMBER] said in regard to the points to which wheat from the Dakotas is shipped. I know very well that considerable wheat from South Dakota goes to Chicago.

Mr. SHERMAN. I wish to inquire what is the difference in grade between the small portion of the northern wheat that goes to Chicago and that which goes to Minneapolis and Duluth?

Mr. STERLING. If the question is addressed to me, I will say that I am unable to state now, but I think it quite well established by the evidence taken at the hearings before the Senate and House committees that there is a difference in the grading between Chicago and Minneapolis and a difference in the grading between Chicago and Kansas City of the same kind of wheat.

Mr. NELSON. Does not the Senator know why? It is because most of the wheat in Kansas City is winter wheat, or it is a hard variety of spring wheat; it is different. The spring wheat tributary to Chicago, raised in northern Illinois, in Iowa, and in Wisconsin is a softer variety of spring wheat than that raised in North Dakota, in Minnesota, and in the Canadian Provinces.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from South Dakota?

Mr. NELSON. Certainly.

Mr. STERLING. The Senator from Minnesota suggests the question as to whether I do not know how that difference in grading comes about.

Mr. NELSON. Does the Senator not know that it is a fact?

Mr. STERLING. I think the fact exists in regard to the difference in grading and the different qualities of wheat, but, Mr. President, if we had one uniform system of inspection there would not be that difference and No. 1 northern would grade No. 1 northern in any place.

Mr. NELSON. Could the Senator get a uniform quality for all these varieties of wheat?

Mr. STERLING. If it graded No. 1 northern or No. 2 northern at Minneapolis or at Chicago, it would grade No. 1 or No. 2 northern at St. Louis or Kansas City.

Mr. NELSON. There is none of it marketed at those places.

Mr. McCUMBER. If the Senator will pardon me, the Senator from South Dakota was speaking of the same kind and quality of wheat raised at the same place; for instance, if one carload of wheat raised upon a farm in South Dakota is shipped to Minneapolis and another carload of the same wheat is shipped to Chicago, they both ought to be graded the same under the same system.

Mr. NELSON. Well, they do not.

Mr. McCUMBER. The Senator from South Dakota was speaking of the identical grain.

Mr. NELSON. They do not, because in Chicago they do not have the No. 1 hard grade, and they never have had it, as I understand.

Mr. McCUMBER. They have their grades of this northern wheat. Their contract grades are always of the red variety, and upon what are known as the contract grades they have the same grades. I have, although it is not at hand at this moment, data concerning that matter.

Mr. SHERMAN. Mr. President, if there are any grades known in the Minneapolis or in the Duluth market as northern spring wheat, they are sold in those grades at those points.

Mr. NELSON. Of course.

Mr. SHERMAN. We have no No. 1 or No. 2 northern spring wheat in Chicago. That grade is taken entirely from the system of inspection in Minnesota or in whatever area northern spring wheat will grow. There is no such grade in Chicago.

Mr. NELSON. If the Senator will allow me, when our Minnesota wheat that is graded No. 1 northern comes to Chicago it is sold as No. 1 northern.

Mr. SHERMAN. Yes, sir.

Mr. NELSON. And not according to the Chicago grade.

Mr. SHERMAN. I wish to say further in answer to the inquiry of the Senator from South Dakota (Mr. STERLING) that whenever grain is graded it is at the primary market in the area of production. The National Association of Grain Inspectors, from whose report the Senator from Minnesota has read, have provided in substance in documentary form for the grades of grain that fit the different areas of production throughout the United States. I wish to state to both the Senator from North Dakota and the Senator from South Dakota that if the bill proposed here should be enacted into law it would only adopt what is now being done by every one of the inspection systems found in the eight primary markets of the United States. The grades fixed by these inspection systems correspond to the grain produced in those areas of production. The men in Minneapolis who understand grading grain there, in that area of northern spring wheat, as it is known, could not grade the Oklahoma or Kansas product, which is a different production altogether. They are skilled in that line; each one of them belongs to his own locality; and if United States authority took over that inspection system it would not change a particle any of these grades; it would only adopt the grades which have been developed through a long series of years, as is the case in Minnesota.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Michigan?

Mr. NELSON. Certainly.

Mr. SMITH of Michigan. I should like to ask the Senator from Illinois, if that is true, who is to grade the Canadian grain that comes in? What standard of quality is to be imposed upon that grain, and by whom?

Mr. NELSON. The standard of the place where it is sold.

Mr. SMITH of Michigan. That is what I desire to know, whether it is graded at the point of destination or elsewhere.

Mr. NELSON. If the Canadian grain is shipped to Minneapolis or Duluth it is graded like any other wheat that comes by rail to those points. Most of the Canadian wheat that is shipped is shipped in bond. The Canadian railroads have not been able always to take care of the crop and they ship some of it through our country on the Canadian Northern in bond. It comes down to Duluth, being shipped in bond, especially during the winter season when navigation is closed. Of course, when it gets east, it depends on where the wheat goes. If it goes through in bond and is shipped to England or to other countries in Europe, it goes through on the Canadian inspection.

Mr. SMITH of Michigan. On the Canadian certificate.

Mr. NELSON. In England they buy by sample; they do not buy the wheat as we do here. They have no grain exchanges there, such as we have in this country.

Mr. SMITH of Michigan. Then, a national law would confer no additional safeguard or power in the inspection of foreign grain that is not now enjoyed under the State law?

Mr. NELSON. No. The Canadian wheat and Minnesota wheat, known as Duluth wheat, are well known in Europe. They are accepted there as of a higher and more valuable grade than other kinds of wheat. The Winnipeg grades and the Duluth grades are well known in London and in Liverpool, and that wheat commands a higher price than other spring wheat.

But I want to call the attention of the Senate to the fact that under no State system of which I know, either where it is conducted by the State or through boards of trade, is it compulsory. In Minnesota, under our system, my grain can be shipped from Alexandria, where I live, to Minneapolis or Duluth or to any other point within or without the State without being inspected by the State at all; but under this bill, the Senator from South Dakota could not ship a bushel of grain from his State into another State, to a mill in Iowa, for instance, or to a mill in Minnesota or to a mill in Illinois without Federal inspection; he could not ship a carload of grain of his own without having it inspected by the Federal authorities. This bill makes such inspection absolutely compulsory. I want to call the attention of the Senator to its language.

Mr. McCUMBER. Mr. President——

Mr. NELSON. I ask the Senator to wait until I finish my statement.

Mr. McCUMBER. The bill contains no such provision.

Mr. NELSON. I will first read section 8, and in connection with that I will read other sections:

SEC. 8. That it shall be the duty of any railroad company, steamship company, or other firm or corporation or private individual engaged in the transportation of grain destined to any State, Territory, or country other than that in which it is received for inspection, or received from any other State, Territory, or country than that to which it is consigned, to notify the chief grain inspector at the place of destination of any consignment of grain, within 24 hours after its arrival, that a shipment, cargo, or load of grain is in its, theirs, or his hands and the place of destination of said grain.

But note this language:

That it shall be unlawful for any person herein named to willfully unload or otherwise discharge any load, cargo, or consignment of grain which has been at any time during the period of its transit an article of interstate commerce and which has not been inspected in accordance with the provisions of this act, until the same has been inspected as provided herein.

In other words, if I ship wheat by rail from Minnesota to another State, whereby it becomes an "article of interstate

commerce," it can not be unloaded until it has been inspected by Federal officials. In other words, the wheat is held up till there has been such inspection.

Now I will read the next section, which illustrates still further my contention:

SEC. 9. That it shall be the duty of said inspectors to inspect and grade all grain * * * which at the time of inspecting and grading of the same has been shipped from any other State, Territory, or country than the State, Territory, or country in which the same is inspected, or is intended for shipment into any other State, Territory, or foreign country before the same is unloaded from the car, vessel, or other vehicle in which the same was or is being transported.

In other words, all grain has got to be inspected; no man can ship grain from one State into another in interstate commerce without having it inspected by the national inspectors before unloaded from the cars. If I ship a carload of wheat from my home at Alexandria to Minneapolis, Chicago, Buffalo, Toledo, Cleveland, New York, or Boston it is the duty of the railroad company to notify the inspection department; and that wheat can not be unloaded and delivered from the car until it is inspected. The bill in this respect imposes a complete embargo on interstate commerce.

Mr. SMITH of Michigan. Mr. President, that is a most interesting statement.

Mr. NELSON. I ask Senators to read the bill.

Mr. SMITH of Michigan. I am very much impressed with it; and it recalls to my mind the argument that was made in favor of the denatured alcohol industry, where we required an inspector to be right on hand before any denatured alcohol could be perfected. The result was that there were not inspectors enough, and the industry languished because of a lack of supervision which the law imposed upon the industry.

Mr. NELSON. And the denatured alcohol law, which everybody supposed was to be such a great help to the country, turned out to be what might be called in common parlance practically a "fizzle," did it not?

Mr. SMITH of Michigan. It was a failure, in my judgment, because the machinery with which to put it in motion was not available at the places of production. They could not have the inspectors running in all directions; they could not go over counties and States in droves in order to ascertain who was producing denatured alcohol.

Mr. NELSON. Did not that enlarge the civil service? Is it not true that the more employees you get in the civil service the better for the service? If you get a couple of thousand more men in the civil service, would not that be a great advantage to the service?

Mr. SMITH of Michigan. I am not very fond of the civil service, I will say to the Senator from Minnesota. I think we have got altogether too much of it now.

Mr. NELSON. The inspection service is put under the civil-service law by this bill.

Mr. SMITH of Michigan. By and by the civil service will run the Government entirely, if we keep on.

Mr. NELSON. I will read these sections again; they are very drastic and binding when you take them together.

SEC. 8. That it shall be the duty of any railroad company, steamship company, or other firm or corporation or private individual engaged in the transportation of grain destined to any State, Territory, or country other than that in which it is received for inspection, or received from any other State, Territory, or country than that to which it is consigned, to notify the chief grain inspector at the place of destination of any consignment of grain, within 24 hours after its arrival, that a shipment, cargo, or load of grain is in its, their, or his hands and the place of destination of said grain.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from South Dakota?

Mr. NELSON. I will ask the Senator to wait until I get through; then he can ask me any question he desires. Section 8 continues:

That it shall be unlawful for any person herein named to willfully unload or otherwise discharge any load, cargo, or consignment of grain which has been at any time during the period of its transit an article of interstate commerce and which has not been inspected in accordance with the provisions of this act, until the same has been inspected as provided herein.

If you read that in connection with section 9, you will see that it puts an embargo on all grain that is shipped from one State into another State.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from South Dakota?

Mr. NELSON. I will ask the Senator to wait until I quote section 9. I read from section 9 as follows:

SEC. 9. That it shall be the duty of said inspectors to inspect and grade all grains which at the time of inspecting and grading of the same has been shipped from any other State, Territory, or country than the State, Territory, or country in which the same is inspected, or is intended for shipment into any other State, Territory, or foreign country before the same is unloaded from the car, vessel, or other vehicle in which the same was or is being transported.

In this connection I call your attention to part of section 13, which reads as follows:

SEC. 13. That the shipment or consignment of any grain aforesaid from any of the places mentioned herein to another State or foreign country without the same being inspected and graded as herein provided is hereby prohibited.

In other words, it actually prohibits the shipment of grain from one State into another State unless it has been inspected. It is an absolute veto—a prohibition.

In connection with that provision I read section 15, a penal section, which is as follows:

SEC. 15. That any person or corporation who willfully does any act prohibited herein or who willfully refuses or neglects to do or perform the things required of him under the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in a sum not to exceed $5,000.

This bill, then, requires that the railroad over which the grain is shipped must notify the inspector at the place of destination, within 24 hours after arrival, of the fact that it is carrying certain grain, and the railroad is forbidden to unload the grain at the point of destination unless the grain has been first inspected; and the shipment of grain from any of the places mentioned in the bill to another State or foreign country without its being inspected and graded as provided in the bill is prohibited.

In other words, Mr. President, if you take this bill in its entirety you find that it is absolutely compulsory and prohibitory. It puts interstate trade in grain into a legislative strait-jacket. No matter how good my grain may be, if I ship that grain to a point outside of my own State for sale, to any point where there is inspection, the railroad company has no right to unload it from the car until it has been inspected; I have no right to sell it until it has been inspected; and if I do, I am violating the law and am subject to a heavy penalty.

There is no compulsion in any of the State systems, so far as I know. There is none in Minnesota, none in the State of Illinois, none in the State of Missouri, I understand. I do not know of a single State where there is anything compulsory about it, or anything forbidding the shipment of grain without inspection. It so happens that most of the grain that is shipped to Duluth from interior points in Minnesota has to go through a small corner of Wisconsin to get to the terminal at Duluth, and that immediately makes it an article of interstate commerce. Under this proposed Federal law I can not ship any wheat to Duluth or Superior unless there is Federal inspection of it. If I violate the law, I am subject to a penalty. If the railroad company unloads it without inspection, it is subject to a penalty.

In other words, the railroad carrier is forbidden to deliver the grain out of the car until it has been inspected, and the penalty clause would apply not only to the owner of the grain who failed to have it inspected, but to the railroad company. It would apply also to the mill or elevator which received it without inspection.

But, in any event, inspection at the terminal points would not give the farmers much relief. When the wheat reaches those terminal points—Minneapolis, Duluth, Chicago, Superior, Kansas City, or St. Louis—it is no longer the wheat of the farmer. The farmer disposes of his wheat at the local elevator. When he arrives at the local elevator with his load of wheat he either sells the wheat or stores it, and he is in either case to a large extent at the mercy of the local elevator men. This bill makes no provision for the regulation of the local elevators. Unless the farmer is accorded fair and honest treatment at his local elevator, he does not get much help from terminal inspection. Terminal inspection benefits the middleman, the dealer, rather than the farmer. The chief complaint of the North Dakota farmers is against their local elevators. They have suffered more from the exactions of these than from any other cause.

I am opposed to this plan of grain inspection. I am opposed to it because, as I have shown, it is in its essence arbitrary, compulsory, and prohibitory. It makes it mandatory to inspect and grade wheat shipped in interstate commerce whether such inspection is desired or not. I am opposed to it because it would tend to destroy and break up the good State inspection systems that are now efficient and giving satisfaction. I am opposed to it because it affords the farmer no protection against the local elevator man. Our Minnesota system is a good system. Under it the markets at Minneapolis and Duluth are the best in the entire country. So far as prices are concerned, the cash markets for spring wheat at Duluth and Minneapolis are ahead of all the other cash markets in the country, and have been for many years. For many years our market has been better than

the market at Chicago. The Duluth wheat, like the Winnipeg wheat, has a high reputation abroad. That reputation it has acquired under our system of State inspection. By adopting a national system you would destroy that reputation, and I venture to predict that if a system is adopted such as is provided in this bill the farmers of Minnesota would get from 5 to 10 cents a bushel less than they are getting now or would get under our State system.

I concede that the Senator from North Dakota is acting in the utmost good faith. I do not want him for a moment to understand that I am criticising his motives. We are all subject to our environment and surroundings, and to the claims of our constituents. I think, however, that when we come to consider this question calmly, when we divorce it from the pressure that oftentimes is put on us by political farmers, and put the case on its merits, we will come to the conclusion that this proposed legislation will not bring relief. What the farmers of North Dakota need most of all is a strict regulation of their local elevators. They need protection against the exactions of those elevators. If full protection were given them in this behalf, there would be little fault found with terminal inspection.

It is a most gratifying matter that I have not had for many years any complaint from any source in Minnesota against our grain inspection. I have never during this session of Congress had a letter favoring this legislation, and no one has written to me to oppose it. No one has urged me to support it. I have not heard a word from our own grain-inspection service in Minnesota on the subject. I was obliged to write to them in order to have them send me the pamphlets from which I have quoted. They did not even send them to me until I wrote for them. There is no pressure from the chambers of commerce. I am simply acting in this matter on my own judgment, based on my own experience and knowledge, the knowledge I acquired as a farmer, the knowledge I acquired when I was the head of our State government and had something to do with our State grain-inspection service.

It is for the reasons I have given and not because of any pressure from any source that I am opposing this bill. I am opposing it because I believe it is intrinsically a bad bill, a bill that will put the grain service of this country in a strait-jacket, that will be hurtful in the long run to the farmers and producers of this country.

Wheat produced, exported, and retained for consumption, and area and world production.

Calendar year.	Area.	Production.	Exports (domestic), fiscal year.	Retained for consumption (domestic), fiscal year.	World production.
	Acres.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
1903	49,464,967	637,821,835	202,905,598	467,157,410	3,189,813,000
1904	44,074,875	552,399,517	120,727,613	517,094,222	3,163,542,000
1905	47,854,079	692,979,489	44,112,910	508,286,607	3,327,084,000
1906	47,305,829	735,260,970	97,609,007	595,370,482	3,434,354,000
1907	45,211,000	634,087,000	146,700,425	588,560,545	3,133,965,000
1908	47,557,000	664,602,000	163,043,669	471,043,331	3,182,105,000
1909	46,723,000	737,189,000	114,268,468	550,333,532	3,581,519,000
1910	45,681,000	635,121,000	87,364,318	649,824,682	3,575,055,000
1911	49,543,000	621,338,000	69,311,760	565,809,240	3,540,717,000
1912	45,814,000	730,267,000	79,689,404	541,648,596	3,759,533,000
1913	50,184,000	763,380,000	142,879,597	587,387,403	

Spring wheat production, 1903 to 1913, by States.

	1903		1904	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
Maine	8,132	207,366	7,725	179,992
Vermont	1,708	35,697	1,606	40,311
Wisconsin	403,805	5,895,553	367,463	5,438,452
Minnesota	5,393,328	70,652,597	5,339,395	68,344,256
Iowa	930,316	11,256,824	911,710	10,393,494
Kansas	230,030	3,933,513	241,532	3,647,133
Nebraska	503,830	6,348,258	433,294	4,376,269
South Dakota	3,424,130	47,252,994	3,287,165	31,556,784
North Dakota	4,349,652	55,240,580	4,567,135	53,892,193
Montana	98,735	2,784,327	108,608	2,596,731
Wyoming	22,667	473,740	23,574	520,985
Colorado	279,082	7,423,581	259,546	5,917,649
New Mexico	44,712	822,701	34,428	440,678
Arizona	19,129	483,964	13,964	356,082
Utah	183,897	4,156,072	180,219	4,793,825
Nevada	21,426	591,358	25,283	662,415
Idaho	114,791	2,445,048	143,137	3,378,033
Washington	608,252	12,469,166	925,282	17,487,830
Oregon	316,835	5,481,246	337,954	5,441,059
Total	16,954,457	237,954,585	17,209,020	219,464,171

Spring wheat production, 1903 to 1913, by States—Continued.

	1905		1906	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
Maine	7,880	181,240	8,038	199,342
Vermont	1,461	27,467	1,388	30,952
Wisconsin	356,439	5,631,736	225,600	3,541,920
Minnesota	5,446,183	72,434,234	5,119,412	55,801,591
Iowa	902,593	12,455,783	520,000	7,748,000
Kansas	246,363	3,473,718	290,708	3,314,071
Nebraska	381,299	5,338,186	335,000	4,924,500
South Dakota	3,221,422	44,133,481	3,131,000	41,955,400
North Dakota	5,401,646	75,623,044	5,992,000	77,896,000
Montana	119,469	2,843,362	137,389	3,297,336
Wyoming	29,468	748,487	30,352	871,102
Colorado	254,355	6,358,875	254,355	8,266,538
New Mexico	42,691	947,740	44,826	1,120,650
Arizona	14,802	331,565	15,542	391,658
Utah	178,417	4,710,209	178,417	4,888,626
Nevada	26,800	723,600	27,604	869,526
Idaho	170,900	4,067,420	169,191	3,975,988
Washington	843,160	18,971,100	876,886	17,186,966
Oregon	344,713	5,515,408	348,160	6,092,800
Total	17,990,061	264,516,655	17,705,868	242,372,966

	1907		1908	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
Maine	8,000	210,000	8,000	188,000
Vermont	1,000	23,000	1,000	23,000
Wisconsin	150,000	2,025,000	120,000	2,100,000
Minnesota	5,200,000	67,600,000	5,356,000	68,557,000
Iowa	504,000	6,451,000	320,000	4,960,000
Kansas	314,000	1,821,000	200,000	1,100,000
Nebraska	322,000	3,864,000	306,000	3,978,000
South Dakota	2,900,000	32,480,000	2,958,000	37,862,000
North Dakota	5,513,000	55,130,000	5,899,000	68,428,000
Montana	139,000	4,003,000	153,000	3,703,000
Wyoming	30,000	855,000	50,000	1,275,000
Colorado	293,000	8,497,000	293,000	6,153,000
New Mexico	46,000	1,104,000	41,000	1,025,000
Arizona	15,000	388,000	15,000	400,000
Utah	161,000	4,637,000	170,000	4,675,000
Nevada	30,000	960,000	33,000	990,000
Idaho	169,000	4,141,000	155,000	3,937,000
Washington	950,000	23,275,000	870,000	13,050,000
Oregon	334,000	7,181,000	260,000	4,290,000
Total	17,079,000	224,645,000	17,208,000	226,694,000

	1909		1910	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
Maine	9,000	230,000	9,000	267,000
Vermont	1,000	25,000	1,000	29,000
Wisconsin	120,000	2,280,000	124,000	2,319,000
Minnesota	5,600,000	94,080,000	5,880,000	94,080,000
Iowa	295,000	4,336,000	350,000	7,315,000
Kansas	150,000	1,725,000	120,000	1,008,000
Nebraska	290,000	4,060,000	350,000	4,865,000
South Dakota	3,375,000	47,588,000	3,650,000	46,720,000
North Dakota	6,625,000	90,762,000	7,221,000	36,105,000
Montana	165,000	4,752,000	195,000	4,290,000
Wyoming	55,000	1,485,000	65,000	1,625,000
Colorado	275,000	8,085,000	289,000	6,329,000
New Mexico	41,000	1,004,000	43,000	860,000
Arizona	16,000	400,000	17,000	379,000
Utah	100,000	2,850,000	100,000	2,530,000
Nevada	36,000	1,033,000	40,000	1,160,000
Idaho	205,000	5,330,000	217,000	4,427,000
Washington	760,000	15,656,000	810,000	11,745,000
Oregon	275,000	5,142,000	297,000	5,346,000
Total	18,393,000	290,823,000	19,778,000	231,399,000

	1911		1912	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
Maine	3,000	63,000	3,000	70,000
Vermont	1,000	28,000	1,000	25,000
Wisconsin	105,000	1,522,000	101,000	1,868,000
Minnesota	4,350,000	43,935,000	4,325,000	67,038,000
Iowa	300,000	4,968,000	350,000	5,950,000
Kansas	85,000	357,000	56,000	840,000
Nebraska	310,000	3,100,000	298,000	4,202,000
South Dakota	3,700,000	14,800,000	3,675,000	52,185,000
North Dakota	9,150,000	73,200,000	7,990,000	43,820,000
Montana	200,000	5,040,000	328,000	7,708,000

Spring wheat production, 1903 to 1913, by States—Continued.

	1911		1912	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
Wyoming	45,000	1,170,000	44,000	1,285,000
Colorado	260,000	5,070,000	260,000	6,240,000
New Mexico	25,000	512,000	26,000	572,000
Arizona	2,000	50,000	2,000	56,000
Utah	75,000	2,025,000	76,000	2,219,000
Nevada	20,000	650,000	24,000	725,000
Idaho	170,000	4,930,000	175,000	4,952,000
Washington	1,310,000	25,545,000	1,297,000	26,459,000
Oregon	210,000	3,717,000	212,000	4,134,000
Total	20,381,000	190,682,000	19,243,000	330,348,000

	1913	
	Area.	Production.
	Acres.	*Bushels.*
Maine	3,000	76,000
Vermont	1,000	24,000
Wisconsin	103,000	1,916,000
Minnesota	4,150,000	67,230,000
Iowa	345,000	5,865,000
Kansas	55,000	468,000
Nebraska	350,000	4,200,000
South Dakota	3,675,000	33,075,000
North Dakota	7,510,000	78,855,000
Montana	390,000	8,385,000
Wyoming	50,000	1,250,000
Colorado	260,000	5,460,000
New Mexico	30,000	570,000
Arizona		
Utah	65,000	1,820,000
Nevada	23,000	713,000
Idaho	200,000	5,600,000
Washington	1,100,000	20,900,000
Oregon	175,000	3,412,000
Total	18,485,000	239,819,000

Winter wheat production by States, 1903 to 1913.

	1903		1904	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
New York	544,039	9,683,894	474,572	5,362,664
New Jersey	113,456	1,588,384	104,673	1,392,151
Pennsylvania	1,669,131	26,038,444	1,550,210	21,857,961
Delaware	114,489	1,167,788	112,537	1,676,801
Maryland	809,667	10,120,838	770,710	10,327,514
Virginia	804,557	6,999,646	711,477	7,257,065
North Carolina	633,060	3,228,606	571,228	4,912,561
South Carolina	270,261	1,756,696	279,926	2,267,401
Georgia	299,958	1,859,740	291,370	2,564,056
Alabama	112,133	1,020,410	102,926	1,060,138
Mississippi	3,569	28,552	2,909	25,599
Texas	1,483,595	19,889,173	1,166,688	12,483,562
Arkansas	274,654	1,922,578	217,674	2,198,507
Tennessee	1,083,531	7,693,079	808,558	9,298,417
West Virginia	404,785	4,128,807	312,755	3,158,826
Kentucky	920,028	7,728,235	644,678	7,349,329
Ohio	2,065,950	48,303,517	1,527,259	17,563,478
Michigan	1,001,604	15,524,862	701,327	6,873,005
Indiana	2,399,403	23,994,030	1,361,521	12,525,998
Illinois	1,972,850	16,571,940	1,561,045	21,542,421
Wisconsin	132,784	2,469,782	115,543	2,045,111
Iowa	80,156	1,274,480	55,944	872,726
Missouri	2,551,105	22,194,614	2,321,636	27,163,141
Kansas	5,951,146	83,316,044	4,989,621	61,372,338
Nebraska	2,183,494	35,809,302	1,880,394	27,077,674
Idaho	127,759	2,682,939	154,919	3,454,694
Washington	373,989	7,517,179	521,451	14,652,773
Oregon	368,126	6,957,581	402,296	8,609,134
California	1,808,410	20,926,192	1,618,043	17,474,864
Oklahoma	1,643,130	24,482,637	1,285,527	15,040,666
Indian Territory	249,691	2,996,992	246,438	3,474,776
Total	32,510,510	399,867,250	26,865,855	332,935,346

	1905		1906	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
New York	490,521	10,300,941	467,509	9,350,180
New Jersey	110,075	1,805,230	111,093	2,033,002
Pennsylvania	1,629,279	27,860,671	1,642,553	29,073,188
Delaware	121,001	1,669,814	121,745	1,947,920
Maryland	809,619	13,196,790	806,401	12,902,416

Winter wheat production, by States, 1903 to 1913—Continued.

	1905		1906	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
Virginia	738,480	8,418,672	744,546	9,306,825
North Carolina	593,325	3,975,278	582,091	5,297,028
South Carolina	318,419	1,942,356	318,284	2,960,041
Georgia	305,298	2,106,556	316,107	3,161,070
Alabama	108,436	1,041,082	98,639	1,085,029
Mississippi	2,619	28,285	1,761	17,610
Texas	1,249,207	11,117,942	1,228,364	14,126,186
Arkansas	198,077	1,564,808	177,338	1,915,250
Tennessee	881,750	6,348,600	871,418	10,892,725
West Virginia	355,535	4,373,080	384,241	4,879,861
Kentucky	779,642	8,809,955	818,624	11,542,598
Ohio	1,882,907	32,197,710	2,117,750	43,202,100
Michigan	1,427,204	19,003,274	1,041,600	13,644,960
Indiana	1,931,774	35,351,464	2,322,750	48,080,925
Illinois	1,871,974	29,951,584	1,976,200	38,535,900
Wisconsin	117,794	2,261,645	62,440	1,148,896
Iowa	61,361	1,227,220	65,660	1,464,218
Missouri	2,259,866	28,022,338	2,144,250	31,734,900
Kansas	5,289,740	73,527,386	5,131,800	78,516,540
Nebraska	2,091,393	42,664,417	2,041,560	47,364,192
Idaho	196,060	6,274,112	167,545	4,255,643
Washington	478,648	13,545,710	327,315	7,888,292
Oregon	372,852	7,867,177	364,251	8,122,797
California	1,886,238	17,542,013	1,572,144	26,883,662
Oklahoma	1,434,648	11,764,114	1,333,133	18,663,862
Indian Territory	270,261	2,702,610	240,849	2,890,188
Total	29,864,018	428,462,834	29,599,961	492,888,004

	1907		1908	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
New York	416,000	7,197,000	443,000	7,752,000
New Jersey	108,000	1,998,000	108,000	1,868,000
Pennsylvania	1,618,000	30,095,000	1,590,000	29,415,000
Delaware	120,000	2,460,000	115,000	1,725,000
Maryland	777,000	14,763,000	765,000	12,546,000
Virginia	655,000	8,188,000	780,000	8,892,000
North Carolina	560,000	5,320,000	568,000	5,680,000
South Carolina	314,000	2,669,000	315,000	2,835,000
Georgia	297,000	2,673,000	240,000	2,208,000
Alabama	89,000	890,000	95,000	1,092,000
Mississippi	2,000	22,000	1,000	14,000
Texas	380,000	2,812,000	924,000	10,164,000
Arkansas	154,000	1,463,000	162,000	1,620,000
Tennessee	779,000	7,400,000	819,000	8,190,000
West Virginia	367,000	4,477,000	361,000	4,693,000
Kentucky	734,000	8,808,000	758,000	8,793,000
Ohio	1,882,000	30,677,000	2,083,000	33,328,000
Michigan	878,000	12,731,000	874,000	15,732,000
Indiana	2,362,000	34,013,000	2,721,000	45,169,000
Illinois	2,228,000	40,104,000	2,324,000	30,212,000
Wisconsin	60,000	930,000	63,000	1,228,000
Iowa	65,000	1,202,000	148,000	3,108,000
Missouri	2,213,000	29,212,000	2,220,000	22,200,000
Kansas	5,645,000	63,788,000	6,108,000	78,182,000
Nebraska	2,213,000	42,047,000	2,265,000	40,317,000
Idaho	173,000	4,498,000	232,000	6,960,000
Washington	399,000	11,770,000	576,000	14,112,000
Oregon	317,000	8,084,000	468,000	10,858,000
California	1,368,000	20,520,000	800,000	11,680,000
Oklahoma	959,000	8,631,000	1,347,000	15,625,000
Wyoming			20,000	500,000
Utah			50,000	1,150,000
Total	28,132,000	409,442,000	30,349,000	437,908,000

	1909		1910	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
New York	420,000	8,820,000	444,000	10,523,000
New Jersey	110,000	1,969,000	111,000	2,053,000
Pennsylvania	1,545,000	26,265,000	1,556,000	27,697,000
Delaware	118,000	1,652,000	122,000	2,074,000
Maryland	770,000	11,165,000	794,000	13,816,000
Virginia	790,000	8,848,000	795,000	10,176,000
North Carolina	570,000	5,415,000	652,000	7,433,000
South Carolina	381,000	3,810,000	453,000	4,983,000
Georgia	245,000	2,450,000	260,000	2,730,000
Alabama	98,000	1,029,000	130,000	1,560,000
Mississippi	1,000	11,000	5,000	70,000
Texas	555,000	5,050,000	1,252,000	18,780,000
Arkansas	151,000	1,721,000	195,000	2,710,000
Tennessee	800,000	8,320,000	910,000	10,647,000
West Virginia	370,000	4,810,000	410,000	5,125,000
Kentucky	670,000	7,906,000	750,000	9,600,000
Ohio	1,480,000	23,532,000	1,944,000	31,493,000
Michigan	775,000	14,570,000	869,000	15,642,000
Indiana	2,165,000	33,124,000	2,627,000	40,981,000
Illinois	1,810,000	31,494,000	2,100,000	31,500,000
Wisconsin	59,000	1,204,000	67,000	1,340,000

Winter wheat production, by States, 1903 to 1913—Continued.

	1909		1910	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
Iowa	144,000	3,110,000	180,000	3,816,000
Missouri	1,943,000	28,562,000	1,821,000	25,130,000
Kansas	5,895,000	85,478,000	4,300,000	61,060,000
Nebraska	2,350,000	45,590,000	2,100,000	34,650,000
Idaho	315,000	9,135,000	345,000	8,176,000
Washington	780,000	20,124,000	676,000	13,858,000
Oregon	535,000	11,235,000	467,000	11,068,000
California	825,000	1,155,000	950,000	17,100,000
Oklahoma	1,225,000	15,680,000	1,556,000	25,363,000
Wyoming	25,000	812,000	42,000	1,050,000
Utah	135,000	3,240,000	155,000	3,178,000
Montana	185,000	6,012,000	285,000	6,270,000
Colorado	90,000	2,673,000	104,000	2,392,000
Total	28,330,000	446,366,000	29,427,000	464,044,000

	1911		1912	
	Area.	Production.	Area.	Production.
	Acres.	*Bushels.*	*Acres.*	*Bushels.*
New York	345,000	6,728,000	335,000	5,360,000
New Jersey	840,000	1,462,000	79,000	1,462,000
Pennsylvania	1,289,000	17,402,000	1,240,000	22,320,000
Delaware	113,000	1,887,000	111,000	1,942,000
Maryland	605,000	9,378,000	599,000	8,985,000
Virginia	750,000	9,000,000	741,000	6,596,000
North Carolina	626,000	6,636,000	598,000	5,322,000
South Carolina	83,000	946,000	79,000	727,000
Georgia	145,000	1,740,000	132,000	1,228,000
Alabama	30,000	345,000	30,000	318,000
Mississippi	9,000	108,000	8,000	96,000
Texas	700,000	6,580,000	735,000	11,025,000
Arkansas	96,000	1,008,000	94,000	940,000
Tennessee	720,000	8,280,000	674,000	7,077,000
West Virginia	238,000	2,737,000	233,000	3,378,000
Kentucky	780,000	9,906,000	686,000	6,860,000
Ohio	2,265,000	36,240,000	1,220,000	9,760,000
Michigan	1,625,000	18,450,000	700,000	7,000,000
Indiana	2,337,000	34,354,000	1,260,000	10,080,000
Illinois	2,625,000	42,000,000	1,183,000	9,819,000
Wisconsin	90,000	1,575,000	87,000	1,696,000
Iowa	287,000	5,654,400	300,000	6,900,000
Missouri	2,300,000	36,110,000	1,900,000	23,750,000
Kansas	4,725,000	51,030,000	5,900,000	91,450,000
Nebraska	2,788,000	38,474,000	2,825,000	50,850,000
Idaho	347,000	10,930,000	335,000	9,614,000
Washington	920,000	25,116,000	988,000	27,269,000
Oregon	586,000	13,099,000	630,000	16,884,000
California	480,000	8,640,000	370,000	6,290,000
Oklahoma	1,122,000	8,976,000	1,570,000	20,096,000
Wyoming	24,000	624,000	32,000	896,000
Utah	150,000	3,000,000	160,000	3,840,000
Montana	229,000	7,259,000	475,000	11,638,000
Colorado	178,000	3,204,000	193,000	4,728,000
New Mexico	30,000	750,000	33,000	660,000
Arizona	25,000	750,000	21,000	651,000
Nevada	16,000	368,000	15,000	412,000
Total	29,162,000	430,656,000	26,571,000	399,919,000

	1913	
	Area.	Production
	Acres.	*Bushels.*
New York	340,000	6,800,000
New Jersey	80,000	1,408,000
Pennsylvania	1,286,000	21,862,000
Delaware	113,000	1,638,000
Maryland	610,000	8,113,000
Virginia	780,000	10,608,000
North Carolina	605,000	7,078,000
South Carolina	79,000	972,000
Georgia	140,000	1,708,000
Alabama	32,000	374,000
Mississippi	1,000	14,000
Texas	780,000	13,650,000
Arkansas	101,000	1,313,000
Tennessee	700,000	8,400,000
West Virginia	235,000	3,055,000
Kentucky	725,000	9,860,000
Ohio	1,950,000	35,100,000
Michigan	835,000	12,776,000
Indiana	2,150,000	39,775,000
Illinois	2,240,000	41,888,000
Wisconsin	87,000	1,749,000
Iowa	480,000	10,530,000
Missouri	2,315,000	39,586,000
Kansas	6,655,000	86,515,000
Nebraska	3,125,000	58,125,000
Idaho	310,000	8,494,000

Winter wheat production, by States, 1903 to 1913—Continued.

	1913	
	Area.	Production.
	Acres.	*Bushels.*
Washington	1,200,000	32,400,000
Oregon	575,000	12,305,000
California	300,000	4,200,000
Oklahoma	1,750,000	17,500,000
Wyoming	40,000	1,000,000
Utah	200,000	4,600,000
Montana	480,000	12,288,000
Colorado	200,000	4,220,000
New Mexico	35,000	651,000
Arizona	29,000	928,000
Nevada	16,000	368,000
Minnesota	50,000	810,000
South Dakota	100,000	900,000
Total	31,699,000	523,561,000

Mr. McCUMBER. Mr. President, I have listened with interest to and have made a note of every important statement made by the Senator from Minnesota [Mr. NELSON], for the purpose of answering it in due time, after the arguments upon the other side have been closed. I shall do that after other speakers have answered my first address.

At this time I wish to pause only long enough to correct an error the Senator from Minnesota ought to have seen when he read the bill and made his assertion that under its terms it would be necessary to inspect every load of grain that passed across a State border. The whole bill shows that that was not its intent and that it could not possibly be so construed. I have argued over and over again that that was not the purpose of the bill.

Section 8, of which the Senator complains, provided for the duty of inspection, and the duty to notify the chief grain inspector at the place of destination of the arrival of any consignment of grain within 24 hours. It provided where the chief inspector should be located, and that a consignment of grain arriving at that particular great terminal place should receive an inspection. Others have thought, however, upon reading the bill, the same as the Senator from Minnesota claimed, that it was not sufficiently explicit. To make absolutely clear the intent and purpose of the bill, therefore, I offered as an amendment the following, and had the bill printed with that proposed amendment:

Where an inspector is located at such place.

Section 9, as the bill was introduced, read:

That it shall be the duty of said inspectors to inspect and grade all grain which at the time of inspecting and grading of the same has been shipped from any other State—

And so forth.

While that applies only to the great terminals, to make it absolutely certain and beyond question I have asked to amend the bill by inserting these words:

Arriving or collected at any of the aforesaid grain centers and.

So, whatever criticism may have been aimed at the bill in respect to the requirement of inspection at any other place, and its not being certain on that point, I wish to say that it was so intended; and to make it doubly certain that it should not apply to any other place I have offered those amendments.

I only wish to say in addition, at this time, concerning the complaint made by the Senator as to the notification and the unloading, that before drafting the bill I examined the systems in many of the States in reference to requiring notice to be given and in reference to the unloading. I regarded that in the State of Minnesota as the best, and I therefore followed the Minnesota law word for word in reference to the notification and the unloading of grain and its inspection before it could be unloaded. That is the Minnesota law, which the Senator has stated is such a good law.

I think, Mr. President, if we will all give the bill our serious attention, in order to reach just the things that we want to correct, and will be perfectly fair in the discussion, we will not be very far apart in the end.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until Monday, April 27, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 25, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, we find ourselves involved in a grave and complicated problem which must be solved in the light of advancing civilization and in the interests of peace, hence we seek Thy favor that we may be guided by the light of heaven and quit ourselves like men. "With malice toward none and charity for all," in the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

LOAN OF EQUIPMENT TO AMERICAN NATIONAL RED CROSS.

Mr. AVIS. Mr. Speaker, I ask unanimous consent to take up for immediate consideration House joint resolution 242, authorizing the Secretary of War and the Secretary of the Navy to loan equipment for the purpose of instruction and training, to sanitary organizations of the American National Red Cross.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. FITZGERALD. Let us have it read.

Mr. MANN. Reserving the right to object, let us have the resolution reported.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the Secretary of War and the Secretary of the Navy be, and are hereby, authorized to issue, each at his discretion and under proper regulations to be prescribed by him, out of equipment for medical and other establishments on hand, belonging to the Government and which can be temporarily spared, such articles as may appear to be required for instruction and practice by organizations formed by the American National Red Cross, for the purpose of rendering aid to the Army and Navy in war.

SEC. 2. That the regulations prescribed by the Secretary of War or by the Secretary of the Navy, in pursuance of the authority granted by section 1, shall provide for the immediate return of the articles of equipment loaned the American National Red Cross when called for by the authority which issued them; and the said Secretaries shall require a bond in each case, in double the value of the property, for the care and safe-keeping thereof and for the return of the same when required.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, from what committee does this come?

Mr. AVIS. From the Committee on Military Affairs.

Mr. HAY. It comes from the Committee on Military Affairs.

Mr. GARRETT of Tennessee. Is it unanimously reported by the committee?

Mr. HAY. It is.

The SPEAKER. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. AVIS. Certainly.

Mr. STAFFORD. I notice in the second section provision is made for a bond to be given in double the amount of the value of the articles that may be loaned to the Red Cross. I assume from that provision that the society will give that bond, and are in a position to give the bond, for the return of these various articles.

Mr. AVIS. I assume that unless it gives such bond as is required by the Secretary of War and Secretary of the Navy, respectively, it can not get them. The equipment to be loaned is for temporary use.

Mr. STAFFORD. Does not the gentleman think that a mere agreement on the part of the American Society of the National Red Cross for the return of these articles will be sufficient, without putting them to the expense of giving bond in double the value of the articles furnished to them?

Mr. AVIS. I will say to the gentleman that the American National Red Cross is willing to give the bond.

Mr. STAFFORD. If they are willing and in a position to do so, I have no objection. I thought perhaps it might be a hardship on the society to give a bond in double the value.

Mr. MURDOCK. Does the gentleman know the value of these articles that will be loaned?

Mr. AVIS. No. The resolution provides merely for the loaning and use of the equipment and articles that the Army and Navy have, in order that the Red Cross volunteers may familiarize themselves with the use of such equipment and articles in time of war or threatened war.

Mr. MURDOCK. The equipment is not very expensive, is it?

Mr. AVIS. Oh, no; ambulances, litters, and other equipment that will instruct the Red Cross members in the use of such equipment and how to care for the sick and wounded, to remove the wounded and sick from the field, to transport them, and to do the other sanitary work which they may be called upon to do in the performance of their duties in time of war. The equipment desired is such as the Navy and Army have at their disposal.

Mr. MANN. As I understand, this is called up as an emergency matter.

Mr. AVIS. It is called up at this time as an emergency matter.

Mr. MANN. Because of our present situation?

Mr. AVIS. Because of the present situation, and because of the fact that a large number of men and women are now volunteering for the work of the Red Cross. They are enrolled for this service for specified terms, just as men are enlisted in the Army and Navy; and in order to train them for the sanitary and other service, which they may be called upon to render immediately, in the field, in hospitals, and on the hospital ships, the immediate use of this equipment is desired by the committee in charge of the work.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. AVIS, a motion to reconsider the last vote was laid on the table.

INVALID PENSIONS.

Mr. RUSSELL. Mr. Speaker, I desire to call up the conference report on the bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war. I ask that the report be read. It is brief.

The SPEAKER. The Clerk will read the report.

The Clerk read the conference report as follows:

CONFERENCE REPORT (NO. 576).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11269) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 12, 13, 14, 20, 21, 29, 30, 38, and 41.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 4½, 6, 7, 8, 9, 10, 11, 15, 16, 17, 19, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 39, 40, 42, and 43, and agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40"; and the Senate agree to the same.

JOE J. RUSSELL,
J. A. M. ADAIR,
J. N. LANGHAM,
Managers on the part of the House.

THOMAS STERLING,
BENJ. F. SHIVELY,
Managers on the part of the Senate.

Mr. RUSSELL. I move that the conference report be agreed to.

The conference report was agreed to.

NAVAL STATION AT NEW ORLEANS, LA.

Mr. PADGETT. Mr. Speaker, I call up House joint resolution 253 reappropriating funds for expenditure at the naval station at New Orleans, La., with a Senate amendment to the title, and I move that the House agree to the Senate amendment.

The SPEAKER. The gentleman from Tennessee calls up House joint resolution 253, of which the Clerk will report the title.

The Clerk read as follows:

H. J. Res. 253. Joint resolution reappropriating funds for expenditure at the naval station at New Orleans, La.

With a Senate amendment amending the title so as to read: "A joint resolution reappropriating certain funds for expenditure at the naval station at New Orleans, La."

Mr. FITZGERALD. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. FITZGERALD. Mr. Speaker, this resolution appropriates the unobligated and unexpended balances of certain appropriations made since July 1, 1904. Two years ago Congress passed a law which covered into the Treasury all unexpended and unobligated balances that were being carried to the credit of certain appropriations made prior to 1904. This resolution reappropriates, to be expended for any purpose, all the unobli-

gated and unexpended balances since that date for the New Orleans Navy Yard. It seems to me that, under the situation which exists to-day, whatever money is required by the various departments to carry on military operations can be had very readily if the departments comply with the law and submit estimates to Congress for its consideration. I believe that it is not wise simply upon the communication of the department to a Member of the House to pass legislation of this character. I propose to object to such resolutions in the future.

Mr. MURDOCK. Will the gentleman from New York yield?

Mr. FITZGERALD. Yes.

Mr. MURDOCK. This matter was up yesterday. Here is an unexpended balance amounting to $234,000, and I want to know where the money that is unexpended is.

Mr. FITZGERALD. It is all in the Treasury.

Mr. MURDOCK. And not in the hands of any disbursing officer?

Mr. FITZGERALD. Oh, no; it is a paper account. The sum of $10,000 was appropriated down there for fencing the grounds, and it took less than $3,000 to do it. The money has never been drawn out of the Treasury, and it is an illusion to imagine that we are not by this resolution appropriating money, because we are.

Mr. MURDOCK. When are the unexpended balances covered back into the Treasury?

Mr. FITZGERALD. Except in the case of appropriations which are permanent appropriations, or made available until used, all appropriations are covered back into the Treasury within two years after the end of the fiscal year for which the appropriation is made. This is the dream of some one in the department that because certain sums are appropriated and not all used no money is appropriated by reappropriating the unexpended balances.

Mr. MURDOCK. The gentleman from New York thinks this is bad practice?

Mr. FITZGERALD. It is not only bad but indefensible and ought not to be done. If the Navy Department needs any money for these yards, it ought to estimate for them and ask for it; then we will have some way of keeping track of what this situation is going to cost us in money.

Mr. PADGETT. Mr. Speaker, this resolution has passed the House and the Senate, and this is simply a question of amending the title.

The SPEAKER. The question is on the motion of the gentleman from Tennessee to agree to the Senate amendment.

The motion was agreed to.

On motion of Mr. PADGETT, a motion to reconsider the vote whereby the Senate amendment was agreed to was laid on the table.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 14034) making appropriations for the naval service for the fiscal year ending June 30, 1915, and for other purposes.

Mr. PADGETT. Mr. Chairman, I will ask the gentleman from Pennsylvania [Mr. BUTLER] to use his 10 minutes that he reserved.

Mr. BUTLER. I reserved 12 minutes; the balance I yielded to the chairman of the committee.

Mr. CAMPBELL. How much time, Mr. Chairman, remains for general debate?

Mr. PADGETT. I understand about an hour and thirty-eight minutes.

Mr. CAMPBELL. Altogether?

The CHAIRMAN. One hour and fifty-one minutes.

Mr. STAFFORD. How is that time controlled?

The CHAIRMAN. The gentleman from Massachusetts [Mr. ROBERTS] has 40 minutes, the gentleman from California [Mr. STEPHENS] has 38 minutes, and the gentleman from Tennessee [Mr. PADGETT] 33 minutes.

Mr. BUTLER. Mr. Chairman, I yield 12 minutes to the gentleman from Pennsylvania [Mr. FARR].

Mr. FARR. Mr. Chairman, I have listened with considerable interest to the allotment of homes and farms and other valuable things which the gentlemen who represent the small-Navy side on this question would give to the American people with the money the Government spends to develop and maintain our Navy; but I have not heard one of them intimate how many homes or farms could be given to the people, did we have the vast wealth represented in the great cost of wars that have occurred because of our lack of preparation.

During the history of this country from 1775 to the present time, more than 50 years of that period have been taken up in warfare. Authorities contend that, had we been properly prepared on the sea, the War of 1812 would not have taken place, and the war with France, that with Tripoli, and one or two other belligerent affairs which we have engaged in would not have taken place. Even the Civil War could have been averted; if not prevented, authorities agree that it would have been limited to a six months' conflict, by blockades of the seaboards of the South, which we could not do because of lack of ships. That war, including the public debt incurred, when the last pension shall have been paid, will have cost this country $10,000,000,000, without counting the tremendous cost of property destroyed.

I am pleased to say, Mr. Chairman, that my constituency is in favor of a strong Navy—one that conforms not only to the present needs, but with thought for the future, and the twists and turns of history, accentuated by the present intense and great rivalry among the nations.

That feeling indicates their intelligence and practical, patriotic view on this question. It is the humane view. They do not want war.

It is the masses that furnish the fighting, protecting forces of the Nation. They come from the mine, the mill, the factory, and the business places. They are the rank and file of the people. Do you suppose the mothers, fathers, brothers, sisters, and sweethearts and wives of the splendid young men now risking their lives for their country are quarreling with the Nation for the expenditures that give better facilities and greater safety to their dear ones? The American people want the best in naval advantages, and they are willing to pay for them. Never before in our history was there a greater need of a powerful Navy. Every indication points to such a necessity. More and more the Monroe doctrine is pressing its responsibility. It has led to the present Mexican complications. We are now in a war with Mexico that will likely continue for several years. As the South American Republics develop their great resources and foreign nations struggle for trade there this doctrine grows in acuteness and adds to American responsibilities. Shall we maintain the doctrine? Dare we abandon it? Can you realize the trouble, turmoil, and tragic history that would follow our surrender of this policy? Who shall judge of the requirements of the Navy? The men who have given their lives to the naval service of the country, who have knowledge of every need, who know the progress of naval improvement—able men, patriotic citizens, courageous men, with love of country permeating heart and mind; the men who know how to use battleships and other instruments of naval warfare and are capable of giving us sound advice and are conscientious enough to give us honest advice.

I would rather be responsible for building one more ship than is necessary than one less than we need, with the increased danger to our fighting heroes and greater death losses.

The Representatives in Congress who were responsible for the no Navy or the weak Navy of our past history carried with them to their graves a tremendous responsibility in the loss of life and cost in treasure.

Unpreparedness in the past has been the most costly part of American military history. Admiral Vreeland, in answer to a question asked by me at a meeting of the Committee on Naval Affairs, said that five American wars could have been averted if we had had adequate naval facilities. He afterwards modified this statement by saying it would apply to four wars and to the shortening of the Civil War. It is difficult to conceive of the significance of a statement like this. Nearly 800,000 people lost their lives in that dreadful conflict.

Thanks to the good sense and patriotism of our people and the energy and determination of their Representatives in Congress, we now have the best-equipped Navy in our history, and it is our duty, in the interest of peace and protection, to maintain a high standard and be equipped for any emergency.

As sad and distracting and terrible as are the conditions of war, nothing more comforted our people than the statement "we are ready" by Admiral Badger on his way to the Mexican waters. I sincerely wish that we were as well equipped at Vera Cruz with land forces as we are with those of the sea. The sooner we mass large military forces there the more certain the safety of our brave men, the quicker the results, the less loss of life, and the more complete the settlement of the Mexican trouble. The valor of the bluejackets and marines under the leadership of their capable and intrepid officers at Vera Cruz command the admiration of the American people. We know they

will undergo every sacrifice to do their duty; but are they protected against the possible onslaught of overwhelming numbers?

What a splendid object lesson do the naval forces at Vera Cruz afford as to the need and importance of this mighty fighting arm.

Yet as comparatively well equipped as is the Navy to-day, we shall have to charter many ships to convey food supplies, munitions of war, and so forth, to our troops.

We need many colliers to carry the fuel for our ships.

Who would desire a repetition of the humiliation we felt when our fleet went around the world to learn that our Government was compelled to charter 49 colliers at a cost of a million dollars?

The *Solace* is the only hospital ship we have. I fear we shall require more.

Nobody wants war. It is too awful in its consequence to home and country. But peace is as yet a theory. As much as we desire harmony among nations, conditions point to war. Permanent peace throughout the world requires the elimination of the human element. Until the day of perfection, misunderstandings, disagreements will arise among nations as well as among individuals, and will result in trouble. As costly as battleships are, they are more humane and cheaper than battles. The man able to defend himself has less occasion to use his physical power. The better prepared a nation, the fewer conflicts it has. Germany's long peace in fighting trim is evidence of that fact.

The menace of Japan is due to the fact that she demonstrated fighting ability. She was prepared, and she defeated China. She was prepared, and she conquered Russia. It was after these victories that Japan loomed up as a world figure, and it is her ability to fight that makes that nation a possible menace to us on the Pacific coast. No one who knows human nature and who has followed the teachings of history believes that the California discrimination against that people is a closed incident. The unfriendliness of Japan's newspapers in this crucial period indicates that.

I shall vote with pleasure for the committee's bill and with particular satisfaction for the two dreadnaughts. [Applause.]

I append the following statement of the wars waged by the United States and the warship tonnage of the principal naval powers:

Wars waged by United States and number of troops engaged.

War of the Revolution, 1775–1783	309,781
Northwestern Indian wars, 1790–1795	8,983
War with France, 1789–1800	4,593
War with Tripoli, 1801–1805	3,330
Creek Indian War, 1813–1814	13,781
War of 1812, 1812–1815	576,622
Seminole Indian War, 1817–1818	7,911
Black Hawk Indian War, 1831–1832	6,465
Cherokee disturbance, 1836–1837	9,494
Creek Indian War, 1836–1837	13,418
Florida Indian War, 1835–1843	41,122
Aroostook disturbance, 1838–1839	1,500
War with Mexico (of this number 30,954 were regulars and the remainder militia and volunteers. War began April 24, 1846; ended July 4, 1848). 1846–1848	112,230
Apache-Navajo and Utah War, 1849–1855	2,501
Seminole Indian War, 1856–1858	3,687
Civil War, 1861–1865	2,772,408
Spanish-American War, April–December, 1898	274,717
Philippine insurrection, 1899–1900	60,000

Warship tonnage of the principal naval powers.

NUMBER AND DISPLACEMENT OF WARSHIPS, BUILT AND BUILDING, OF 1,500 OR MORE TONS, AND OF TORPEDO CRAFT OF MORE THAN 50 TONS.

(Corrected Dec. 1, 1913.)

Type of vessel.	Great Britain.				Germany.				United States.				France.			
	Built.		Building.		Built.		Building.		Built.		Building.		Built.		Building.	
	No.	Tons.	No.	Tons (estimated).	No.	Tons.	No.	Tons (estimated).	No.	Tons.	No.	Tons. (estimated).	No.	Tons.	No.	Tons (estimated).
Battleships (dreadnaught type)[1]	18	373,350	14	367,500	13	285,670	6	162,300	7	162,650	5	144,800	2	46,184	9	214,100
Battleship (predreadnaught)[2]	40	589,385	.....	.....	20	242,800	.....	.....	24	335,284	.....	.....	18	262,675	.....	.....
Coast-defense vessels[3]	.....	.....	.....	.....	2	8,168	.....	.....	4	12,900	.....	.....	1	8,800	.....	.....
Battle cruisers[4]	9	187,800	1	28,500	4	88,974	3	84,000	.....	.....	.....	.....	.....	.....	.....	.....
Armored cruisers	34	406,800	.....	.....	9	94,245	.....	.....	11	149,295	.....	.....	20	201,724	.....	.....
Cruisers[5]	72	371,715	20	79,320	40	145,847	4	21,886	14	66,410	.....	.....	10	49,978	.....	.....
Torpedo-boat destroyers	143	104,985	44	42,865	130	67,094	12	7,200	46	29,862	16	17,042	81	34,386	5	3,974
Torpedo boats	49	11,488	.....	.....	.....	.....	.....	.....	18	3,601	.....	.....	139	13,920	.....	.....
Submarines	72	27,188	22	20,395	24	10,540	12	9,484	25	.....	[7] 26	.....	75	28,224	18	12,190
Total tons built and total tons building	.....	2,072,711	.....	538,580	.....	943,338	.....	284,870	.....	760,002	.....	161,842	.....	645,891	.....	230,264
Total tons built and building.		2,611,291				1,228,208				921,844				876,155		

Type of vessel.	Japan.				Russia.				Italy.				Austria.			
	Built.		Building.		Built.		Building.		Built.		Building.		Built.		Building.	
	No.	Tons.	No.	Tons (estimated).	No.	Tons.	No.	Tons (estimated).	No.	Tons.	No.	Tons (estimated).	No.	Tons.	No.	Tons (estimated).
Battleships (dreadnaught type)[1]	2	41,600	4	120,000	.....	.....	7	159,305	2	40,940	7	172,760	2	40,020	2	40,020
Battleships (predreadnaught)[2]	13	191,380	.....	.....	8	112,050	.....	.....	8	96,100	.....	.....	6	74,613	.....	.....
Coast-defense vessels[3]	2	9,086	.....	.....	2	10,380	.....	.....	.....	.....	.....	.....	6	41,700	.....	.....
Battle cruisers[4]	1	27,500	3	82,500	.....	.....	4	128,000	.....	.....	.....	.....	.....	.....	.....	.....
Armored cruisers	13	138,483	.....	.....	6	63,500	.....	.....	9	74,020	.....	.....	2	13,380	.....	.....
Cruisers[5]	14	60,995	.....	.....	9	52,845	8	45,000	7	20,030	3	6,223	5	13,815	2	6,966
Torpedo-boat destroyers	54	22,356	2	1,200	93	36,145	45	54,810	28	10,987	19	13,730	15	7,089	3	2,361
Torpedo boats	28	3,127	.....	.....	14	2,132	.....	.....	68	11,584	2	240	36	6,048	27	6,642
Submarines	13	2,672	2	1,200	30	6,629	25	14,577	19	5,475	.....	.....	6	1,686	8	4,400
Total tons built and total tons building	.....	497,199	.....	204,900	.....	283,681	.....	401,692	.....	259,136	.....	192,953	.....	198,351	.....	60,389
Total tons built and building		702,099				685,373				452,089				258,740		

[1] Battleships having a main battery of all big guns. (11 inches or more in caliber.)
[2] Battleships of (about) 10,000 or more tons displacement, whose main batteries are of more than 1 caliber.
[3] Includes smaller battleships and monitors.
[4] Armored cruisers having guns of largest caliber in main battery and capable of taking their place in line of battle with the battleships. They have an increase of speed at the expense of carrying fewer guns in main battery and a decrease in armor protection.
[5] All unarmored warships of more than 1,500 tons are classed as cruisers. Scouts are considered as cruisers in which battery and protection have been sacrificed to secure extreme speed. The word "protected" has been omitted because all cruisers except the smallest and oldest now have protective decks.
[6] Colonial vessels included.
[7] Includes 4 submarines authorized in 1913, contracts for which will not be awarded until latter part of December, 1913.

The following vessels are not included in the tables: Ships over 20 years old from date of launch, unless they have been reconstructed and rearmed within 5 years. Torpedo craft over 15 years old. Those not actually begun or ordered, although authorized. Transports, colliers, repair ships, torpedo depot ships, or other auxiliaries. Vessels of less than 1,500 tons, except torpedo craft. Torpedo craft of less than 50 tons. Vessels undergoing trials are considered as completed.

Relative order of warship tonnage.

Present order (tonnage completed).		As would be the case if vessels now building were completed.	
Nation.	Tonnage.	Nation.	Tonnage.
Great Britain	2,072,711	Great Britain	2,611,291
Germany	943,338	Germany	1,228,208
United States	760,002	United States	921,844
France	645,891	France	876,155
Japan	497,199	Japan	702,099
Russia	283,681	Russia	685,373
Italy	259,136	Italy	452,089
Austria	198,351	Austria	258,740

Mr. BUTLER. Mr. Chairman, I understand that on this side we have remaining 32 minutes.

The CHAIRMAN. That is correct.

Mr. BUTLER. Mr. Chairman, I yield that time to the chairman of the committee.

Mr. PADGETT. Mr. Chairman, I will now ask the gentleman from California [Mr. STEPHENS] to use some of his time.

Mr. STEPHENS of California. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MACDONALD].

Mr. MACDONALD. Mr. Chairman, we find ourselves in a situation in the Gulf of Mexico that brings clearly to our minds that in our much-vaunted civilization force is still the final arbitrament of our national troubles. We may have dreamed of universal peace and thought that we saw in immediate prospect the settlement of our troubles in a parliament of the world, but we still find that when our difficulties are brought immediately home to us we are obliged by the condition of our present civilization still to settle them by brute force. We little thought a month ago that our Nation would be in the situation we find it in this morning, and that situation has come, too, when we have, as our Chief Executive and as his chief adviser, two men who, I believe, have as thorough distaste of war as any men you could find in the world. It simply shows that however willing men may be to avoid difficulties of this kind, events and conditions of civilization are greater than men themselves.

Mr. Chairman, I am greatly concerned about this condition, as we all are, but I am not so greatly concerned about it as I am about our own internal affairs, and I believe that it is not of as great concern to the Nation, serious as it is, as is the condition of these internal matters. I do not presume academically to inform this House or the Members thereof, but we learn by bitter experience, and I have personally gone through an experience in the past few months that has taught me something in regard to our domestic situation which I believe is worthy of earnest consideration. We have had in my home district, and we are having to-day in the State of Colorado, and have had in the State of West Virginia, situations that are of far more dangerous portent to the people of this country than is the possible war with Mexico. They are more dangerous, because they involve the very life of the institutions upon which this country has been founded.

I listened the other day to the eloquent gentleman from Alabama [Mr. HOBSON] detail how the wars of this country had been fought for the most part to sustain principle. I believe that is true. I am proud to believe that it is true—that we have fought our wars to sustain principle rather than for mere selfish reasons of conquest. If we are going to preserve ourselves, we must turn our attention to the difficulties involving vital principles that confront us in our affairs at home. Conditions are changing. Not very many years ago the large, selfish, special-privileged interests of this country were satisfied to obtain what they could and to maintain what they had by their dominant control of the peaceful forces of society, the press, and those whom they could influence and control politically.

As these forces began to weaken and began to lose their control politically, as is shown by conditions in many places in this country to-day, those directing the activities of intrenched special privilege have actually turned to the idea of maintaining their position by arms in the hands of paid mercenaries who turn their guns upon our people. The conditions in my district, in Colorado, and in West Virginia are all the same. On one side you will find the owners of great industrial property insisting upon absolute autocratic control of their property. They say, "It is ours. We will brook no interference from any official of the State or National Government, no matter how high, nor from any other source. It is ours; it is our pocketbook. We will do as we please with it." Under cover of this statement they import an army, a private army. They arm them, and they turn them over ostensibly to guard what they say is theirs, their property, but as a matter of fact they go further, and this is the danger. They are not even satisfied to rest upon that proposition, which in the case of large national-resource industry is not a fair statement, because it is not theirs alone, but it belongs not only to the private owners, but it belongs to the public who is interested in it as well. But they go further than that, and in every one of these cataclysms, every one of these breakdowns of society in these States where this thing occurs, you will find that these men who use these forces have not been content to protect what they claim to be their property, but they have used their armed forces for the committing of brutal outrages and in many cases murder upon our citizens for the purpose of driving those citizens back to work and not for the purpose of protecting their property.

Mr. MURDOCK. Will the gentleman yield?

Mr. MACDONALD. I yield to the gentleman.

Mr. MURDOCK. Is it not fair, in connection with what the gentleman has said, to say that there are establishments in the United States which furnish for hire armed men to commit violence?

Mr. MACDONALD. I think that the records of West Virginia——

Mr. MURDOCK. Mr. Chairman, I ask for order.

The CHAIRMAN. The Chair thinks the committee is in fairly good order.

Mr. MURDOCK. There has not been order; there have been repeated interruptions.

Mr. PAYNE. Who is presiding here?

Mr. MURDOCK. We have a right to have order, and I do not think we have had it.

The CHAIRMAN. The committee will be in order.

Mr. MACDONALD. I think, Mr. Chairman, that the records of West Virginia, of Colorado, and of the Michigan strike situation will show that the statement involved in the question of the gentleman from Kansas is true. Strange as it may seem the absolute sworn testimony in many of these investigations shows that there are organizations of such a class of men, mercenary, so-called guards, in this country, who have been willing to do anything that their employers might want them to do, and they are even willing to boast that their instructions before they reach the ground are to do those very things.

Now, the conditions surrounding these places are bad enough; we all know that; there is no argument about it, but the thing I want to impress upon the membership of this committee, if I can, is that the things that bring these conditions about are fundamental things. Opposed to this autocratic idea of ownership, opposed to this autocratic, stubborn, fierce, bourbon spirit of these men, determined to maintain their autocratic control of the people and over what they call their propert is simply this fundamental idea that is growing among the people that in large industries of this kind their own protection, their own welfare, makes it necessary that they should have some force to contend with the overpowering forces of the owners of the property; and that has driven them to the only conclusion to which they could be driven, and that is that they must have an organization of some kind so they may treat on somewhat more equal basis with the forces that are opposed to them. And I believe it has come to the point where it is agreed by all honest students of this question that in these large industries, involving the welfare of hundreds of thousands of people, that the working forces of these industries have a right to have some say in the administration of the industry——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MACDONALD. Mr. Chairman, I ask for five minutes more.

Mr. STEPHENS of California. Mr. Chairman, I yield five minutes additional to the gentleman.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman permit?

Mr. MACDONALD. In one moment—that they should have some say in the administration of the industry as to the hours

of labor, wages, and grievances which they should have redressed. Now I yield to my colleague.

Mr. KELLEY of Michigan. Assuming that capital on one side may properly organize and labor on the other side may properly organize, what does the gentleman think as to the propriety of compulsory arbitration as between those two organized forces, or does the gentleman think they ought to be permitted to fight this thing out in their own way?

Mr. MACDONALD. I think that between organized labor and organized capital engaged in a struggle the interests of the public are, after all, the predominant interests.

Mr. KELLEY of Michigan. That means there should be arbitration?

Mr. MACDONALD (continuing). And that we should have some law, some power, in this country that is above the demands of either of the opposing forces that can bring about a settlement on some basis, and that is the point I want to come to.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. MACDONALD. I will yield.

Mr. HAMILTON of Michigan. Has the commission which was appointed upon the gentleman's resolution made a report as yet?

Mr. MACDONALD. The committee?

Mr. HAMILTON of Michigan. Yes.

Mr. MACDONALD. It has not.

Mr. HAMILTON of Michigan. I thought the gentleman made reference to that committee during his opening remarks, but I was not sure.

Mr. MACDONALD. I may have referred to the hearings and the testimony taken before the committee.

Mr. FARR. Will the gentleman yield?

Mr. MACDONALD. I will.

Mr. FARR. I am in receipt of a number of resolutions condemning the outrages there and asking for Federal intervention. Has the gentleman any suggestion to make as to how to prevent bloodshed now in Colorado?

Mr. MACDONALD. Yes. It is my purpose in discussing this matter to do it with all the earnestness that I have at my command and to call the attention of the membership of this House to the seriousness of this problem which is before us. We are in a position, as the lawmaking body of this country, where we must find some remedy for these conditions.

Mr. ALLEN. Will the gentleman yield?

Mr. MACDONALD. The executive part of the Government is not able, under existing laws, to furnish a remedy. Now I yield to the gentleman from Ohio [Mr. ALLEN].

Mr. ALLEN. Does not the gentleman think it would be a good idea for the committee that has been appointed and has the power to investigate the Colorado mine trouble to return there? It seems to me that while they were there there was peace on both sides.

Mr. MACDONALD. I think, in answer to the gentleman's question, that the testimony which has been taken by the committee of this House in Colorado will amply show to the House what the trouble is. To go back and take more testimony would simply be piling up testimony of the same kind. It would not tend to open up any new problem. The problem is there, just the same. The problem is that these men of large wealth who control these interests have taken to arms in the hands of paid mercenaries and are going to keep their domination of these matters by arms; and they have been and are killing men, women, and children, our citizens and our people, in that process. The report of the committee which was sent to Colorado will show that, and the report of the committee sent to Michigan will show the same.

Now, I want, in conclusion, here to bring up this idea for consideration in the minds of the individual Members of this House, that this problem is before you now. It demands your earnest consideration, because the people in no uncertain terms are going to demand that you find a settlement so that these conditions can not continue. I want to say, further, in conclusion, that overhanging all discussions of matters of this kind there is an atmosphere of fear, try to disguise it as we will. Gentlemen have a very strong distaste for discussions of this kind because of one reason, and one reason alone, when you get down to its final essence, and that is the fear, the unholy fear, of these great and powerful interests that are profiting by existing conditions to-day. And I say it will avail us not to be afraid, because the people are not going to permit us to cower in fear before these problems. They must be met, and met honestly. [Applause.]

Mr. STEPHENS of California. Mr. Chairman, I favor the bill which the Committee on Naval Affairs, of which I am a member, has reported to the House and which is being considered at this time. I favor authorizing the building of two battleships at this time. I favor and would like to vote for three or even four. I hope they may never be needed, but because of possibilities it would be suicidal on our part not to be prepared.

Mr. Chairman, I have faith in the enlisted men of the Navy, and I have faith in the officers of our Navy. They are loyal and true, and I am glad to pay my tribute at this time to their efficiency and to their honest and unselfish service. Mr. Chairman, our flag has never been lowered at sea, and for such a glorious record we are largely indebted to the officers and enlisted men of the American Navy.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 22 minutes remaining.

Mr. STEPHENS of California. I yield one minute to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Chairman, I desire to read into the RECORD a letter I have just received, addressed to me:

BREMERTON, WASH., *April 20, 1914.*

Hon. J. W. BRYAN, *Washington, D. C.*

DEAR SIR AND FRIEND: I have been instructed by Charleston Camp of Spanish War Veterans to "tender through you to the President of the United States of America their services in case of war or other serious difficulty between this country and Mexico."

I am able to assure you that on very short notice I can place a company of good fighting men at the disposal of the War Department.

In case of difficulties between the two countries I do not want to be left behind, having served during the Spanish War as a sergeant of Engineers.

Hoping that you can put us in the field if we are needed, I am,

Most respectfully, yours, in F., L., and T.,

D. C. MATTESON,
Commander of Charleston Camp, No. 8,
United Spanish War Veterans, Bremerton, Wash.

N. B.—I have been mail carrier No. 1 for nearly four years now; you can recall me now.

MATTESON.

I want to say, Mr. Chairman, that I know personally these Spanish-American War veterans who reside in the vicinity of the Puget Sound Naval Station, and I declare on my responsibility as a Member of this House that there are no better fighters, more worthy friends, or more splendid soldiers in the world than the men who compose that Charleston Camp of Spanish-American War Veterans.

They are good, everyday fighters. I have felt the steel of their blades in more than one local combat.

They are worthy friends. I have colabored with them and shared in well-earned victories over a common enemy.

They are splendid soldiers. Their records show it. Their hearts are right. They are ready again to fight in defense of American ideals.

Mr. STEPHENS of California. Mr. Chairman, I yield the balance of my time to the chairman of the committee, Mr. PADGETT.

The CHAIRMAN. Twenty-one minutes are yielded by the gentleman from California to the gentleman from Tennessee [Mr. PADGETT]. [Applause.]

Mr. PADGETT. Mr. Chairman and gentlemen, I wish to ask your careful consideration to the debate on this question. It has been in many respects a very unique one. Statements have been made that I regret have been made. Charges and insinuations and inuendos of bad faith and bad purpose have been made against the administration and the officers of the Navy.

I wish at the outset to say that there is not one particle of basis for criticism of the Department of the Navy. I said in my opening remarks that the Secretary of the Navy had given his personal attention to the administration of his office, and that he had submitted estimates this year $24,000,000 less than the estimates submitted a year ago. These gentlemen who, in their minority report and one of them upon the floor of this House, characterized it as "inexcusable extravagance and criminal waste of the public money," exuberantly praised the Navy Department for its economy and its wise and judicious administration, and yet the present Secretary had submitted estimates $24,000,000 less. And this bill with two battleships is carrying $836,000 less than the law of last year with one battleship, and these same gentlemen charge the present committee and the present administration with "inexcusable extravagance and a criminal waste of the public moneys."

Again, as I stated a moment ago, they say by innuendo and by insinuation, and by the use of such words as "grafters" and similar terms, that the officers of the Navy are disregarding the true interests and welfare of the Navy; that they are forgetful of the high trust imposed upon them and are recommending the construction of ships that are not needed for the purpose of affording an opportunity to the trusts and combinations in this country to sell steel and other articles to the Navy.

I want to say to you gentlemen that there is absolutely no foundation for that charge and insinuation, and it is a slander upon as honorable, as noble, and as patriotic a band of officers as ever dedicated their lives to the service of their country and who are willing to write their own epitaphs in their own blood for their country's honor. [Applause.] I stand here to repel these insinuations, and I propose to show you before I

finish that there is more misstatement comprised in the printed speeches and uttered upon this floor than was ever before embraced in the same length of time or in the same printed space upon any other document.

Who are these officers, my friends? Are they not the men that the President of the United States and the Senators and the Representatives have selected as boys from all over the country and sent to Annapolis and had them trained? Were they not taken from our best families? Have they not been trained under the best influences? Have they not been surrounded with the most inspiriting and patriotic environments?

Have we not committed to them the honor of our country? Have we not placed in their hands the flag of our country, the emblem of our sovereignty, and the symbol of our power? We can trust them to go to foreign courts and represent us; we can trust them to deal with diplomatic questions abroad as our representatives; we can trust them to carry the flag of our country, and we can look to them to hold it untarnished, unblemished, and unsullied. In the face of the enemy's guns we are willing to place them and believe that they will cherish and maintain and protect the honor and the good name of the American people. And yet when we come to the little question of how many ships we may have, to the question of what is needed in the way of new construction, their motives are to be questioned, their honor is to be torn down, and they are to be branded as men moved by an unholy purpose and conspirators in an unholy cause. I repudiate it [applause] and bear my testimony to the men who protect our flag. [Applause.]

Mr. BUCHANAN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. The gentleman will pardon me. I have so many things here that I can not submit to an interruption.

Now, my good friend the gentleman from Missouri [Mr. HENSLEY] paid me the compliment and did me the pleasure of quoting very largely from a speech that I made in this House in 1910, and when he had finished, or near the close of his speech, very pathetically he said, "I beseech the gentleman to tell me why he has changed." And some Member upon the floor arose and said, ironically, "Can't you tell us why the chairman has changed?"

Let me say, gentlemen, that the chairman has not changed his purposes and his ideas. In the preparation of this bill I had before me the same general purposes, wisely and judiciously, patriotically and honestly to administer the trust committed to me, bearing in mind the environments by which we were surrounded, the circumstances in which we were placed, and the developments that have taken place, to deal with the honor, the welfare, and the protection of the country, and a wise distribution of the money of the people, that I had in 1910.

Why, in 1910, if you please, the Post Office appropriation was $234,692,370. I voted for that. The Post Office appropriation bill that we passed a few days ago was $313,364,367, an increase of $89,000,000. But I would not have voted for this last one in 1910.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. No; I can not yield. I must go ahead.

Why did I vote for $313,000,000 a few days ago? Because the conditions had changed. We have made additions to the service that made it necessary. A few days ago I voted for a resolution to justify the President of the United States in certain actions relative to the Republic of Mexico. In 1910, under the conditions then existing, I would not have voted for any such resolution. Why the change? The environment and the conditions. Times change, and we change with them. Conditions alter, and we adjust our actions to them, and that I have done.

I have got a lot of big books here, but I am not going to take but a moment or two in making references to them. Here, if you please, is the statement with respect to the Navy in 1908, November 1. At that time Great Britain had built a tonnage of 1,669,005 tons, the United States had 685,426, France had 628,880, and Germany had 524,573 tons built. England was first, the United States was second, France was third, and Germany was fourth.

In 1909 Great Britain had built 1,758,350 tons; the United States, second, had 685,706 tons; Germany, 609,700 tons; France, 602,907 tons. The United States was still second.

In 1910, December 1, Great Britain had built 1,859,168 tons; the United States, 717,702; Germany, 666,035; France, 556,306. The United States was still second.

In 1911 Great Britain had 1,896,149 tons; the United States, 757,711; Germany, 749,699; France, 630,705. The United States was still second.

In 1912 Germany had 837,982 and the United States 773,107 tons built. Germany passed us in 1912, and conditions changed.

Mr. HENSLEY. Mr. Chairman, will the gentleman yield right there?

Mr. PADGETT. No; I can not yield.

Mr. HENSLEY. Will not the gentleman yield at that point?

Mr. PADGETT. No. The other records are here, but I can not take up too much time.

Mr. HENSLEY. I yielded to the gentleman.

Mr. PADGETT. No; I did not interrupt anybody.

Now, then, gentlemen, what are the facts? These records, these ratings, were made by the United States naval officials. The same ratings were made by every naval authority in the world. England made the same; Germany made the same; France made the same.

Now, then, we come to the present time. The same ratings are made, but what is our present condition? Here is the last statement that is made: Great Britain at the present time has completed 2,072,711 tons; Germany has 943,338 tons; the United States, 760,002 tons; France, 645,891 tons. That is, built. How would it be if you took in what is building? How would it be when the present program is completed? Great Britain will have 2,611,291 tons; Germany, 1,228,208; the United States, 921,844; France, 876,155.

Those same ratings, those same figures, are made by the naval authorities of all the world. They are not questioned. They are not disputed.

Now, then, they say that we do not compare the navies in a fair way. Let me call attention to the comparison; and right here I want to pay my respects to those gentlemen who have come before the House and have referred to the Navy Yearbook and have criticized it for leaving out things. The effect of their arguments was to leave the impression on the minds of the membership of this House that the Navy Department officials were improperly withholding information and "juggling the figures," as they said. After they have made all of these insinuations I call your attention to the fact that this book is not published by the Navy Department. It is a Senate document. It is compiled by the clerk of the Committee on Naval Affairs of the Senate. And yet I want to say to you, gentlemen, that every statement in that book, as far as I have been able to find, is absolutely true, and the criticisms that are made upon it are without basis, as I will show you a little later on when I come to deal with these specific matters.

Gentlemen came before you and said that the Navy Department had violated the law in building ships larger than authorized. We appropriated so much money to them, and said to them, "Build a ship and make the armor as thick and the armament as heavy within the limits of this cost as any ship of its kind." These gentlemen say that we did not have a ship of that kind in our Navy at that time, and therefore they had no right to go beyond what we had, although the navies of other countries were building ships of that kind. At the very time they complain of, when the *Pennsylvania* and *No. 39* were planned, in accordance with this appropriation, Japan had laid down and was building the *Fuso*, a ship of 30,000 tons, and Germany was putting upon her ships armor of 13½ inches thickness, and yet gentlemen complain that we put 13½-inch armor upon ours. The department is to be commended and congratulated that it could get so large and good a ship for the money that we appropriated. [Applause.]

Now, I want to call your attention to another matter. They speak of the broadside fire of the guns and they speak about the weight of metal. Now, what is the broadside fire of our guns in weight of metal? That of the United States battleships and dreadnaughts combined is 175,780 pounds and that of the German battleships and dreadnaughts combined is 176,732 pounds, a slight difference in favor of Germany in weight. But let us come to the energy in foot-tons. The energy in foot-tons of the United States is 8,507,548 foot-tons and that of Germany 11,209,657 foot-tons, or 11 to 8. What does that difference in muzzle energy mean? I do not know of any better illustration than to compare the old muskets that we used in the Civil War with the rifles that are being used in our Army at the present time.

The rifle of 1861 was .58 caliber, the weight of the bullet was 480 grains, and the weight of the charge was 60 grains of powder. The danger space was 100 yards, the muzzle velocity was 800 feet a second, and the extreme range was 2,100 yards.

The modern rifle is .30 caliber; the bullet weighs 160 grains, or just one-third the weight of the old Minié ball; the weight of the powder is 48 to 50 grains; the danger space is 587 yards; muzzle velocity, 2,700 feet to the second; extreme range, 6,160 yards.

When we take the German ships, with their muzzle energy of 11 to 8, there is no comparison in the destructive force.

Mr. STAFFORD. Mr. Chairman, does the gentleman mean that the German efficiency is greater than that of the United States in muzzle energy?

Mr. PADGETT. As shown by the figures which I have just read, it is 11,000,000 foot-tons as compared to 8,000,000 foot-tons.

The statement was made here yesterday by the gentleman from Mississippi [Mr. WITHERSPOON] in criticizing this author that he had left out ten 14-inch guns, and that he had left out so many 12-inch guns, and he says why was it? He says if there had been only one instance it might be an oversight; but he says that we have sixty-four 14-inch guns, while they give a less number of 54 guns. Now, gentlemen, what are the facts? He turned to the page that gives the ships that have or ought to have 14-inch guns upon them. Of those six ships only two have been completed, and only two have guns upon them. They are the *New York* and the *Texas*, and they were completed and went into commission after this book was printed. Now, the other four, the *Oklahoma*, the *Nevada*, the *Pennsylvania*, and *No. 39* have not yet been completed. The keel of *No. 39* was laid since the 1st day of January, after this book was printed.

Instead of having 64 guns, as a matter of fact we have only 46 completed. We have 80 authorized. Some of the number are in course of construction. The others have not yet been begun.

Then he says armament of battleships and armored cruisers of the great naval powers—the United States, 14-inch guns, total 54. But what does it say? It says built and building. The others have not been built. We have 46 that are built, but as a matter of fact we have 80 authorized.

Now, let us come again. He said that they report three hundred and twenty 12-inch guns, and that we have a much larger number than that. I do not remember the number he gave. It is not necessary. He said, "Why do they leave out those?" and intimates it is to mislead.

Gentlemen, what are the facts? Why did he not read it all? Here is the statement right on the page that he referred to: "Armament on battleships and armored cruisers of the great naval powers." He says, "12-inch guns, United States, built, 148." Where are the others? They are on the monitors and the armored cruisers. This book does not purport to give on this page those on the armored cruisers and monitors. They are given on other pages. And yet gentlemen would impugn the veracity and destroy the character and undermine the faith and confidence of the American people in our officers of the Navy upon so slim an investigation that upon its very face shows that the insinuation is false. [Applause.] Why did he not read the caption on the very page of the book showing that the statement is limited to battleships and armored cruisers? Yet the gentleman calls your attention, in the minority report and in his speech, time and again to the monitors and cruisers that have these 12-inch guns upon them. Yet he tries to make this House believe that these men have misrepresented things.

Now, gentlemen, let us go to another matter. I want to call your attention to a very remarkable statement. The gentleman from Mississippi had been discussing the old *Oregon*, a battleship deserving of honor and fame in her day. But what does he say? He says:

But in point of weight of the metal in a broadside, in point of the muzzle energy, in point of protection by their armor, in point of the destructive force of the gun, there is not a battleship in the German line that is nearly equal to the *Oregon*. [Applause.] The truth of the business is, if the *Oregon* was in a battle with any six German battleships, it would destroy every one of them before they would get close enough for their guns to penetrate its armor. [Applause.]

That is the most remarkable statement that I have ever seen put upon a printed page. Now what is the fact? The old *Oregon* is a small battleship of about 10,000 tons displacement, and has on it four 13-inch guns, 35 calibers—that is, the length 35 times the diameter. The present length of our 12-inch guns is 50 calibers. At 9,000 yards the penetration of the guns of the *Oregon* would be 8.1 inches. The penetration of our modern 12-inch guns at 9,000 yards is 16.4 inches, or more than double.

Another matter to which I wish to call your attention right here is the fact that I wrote Admiral Dewey a letter, and submitted to him six questions. I said to him first: What is the military value and fighting efficiency of the U. S. S. *Oregon*, *Indiana*, and *Massachusetts*? They are the same class of ships and built near the same time. I shall not read all of his reply, but he says:

The empirical military value of the *Oregon*, *Indiana*, and *Massachusetts*, as compared with the *Delaware* as the standard of 100, is 13.13. Their actual military value against a line of battle composed of dreadnaughts is nil.

I want to put this statement of Admiral Dewey alongside the statement of the gentleman from Mississippi in his speech:

My own opinion is that they have all three passed their limit of usefulness, and are obsolete in guns, construction, and speed, and that they should be stricken from the list, as their military value does not compensate for the loss to the fleet that would be entailed by their manning and maintenance.

And yet the gentleman from Mississippi comes here and makes the statement that they could destroy any six battleships in the German Navy.

The Admiral goes on with the statement. He puts the *Oregon* at 13.13 per cent of value compared with the standard of 100 of the *Delaware*. The *Kaiser*, the German ship, is 13.60. That is the lowest in the German Navy, and the *Oregon*, *Indiana*, and *Massachusetts* are the lowest in our Navy. Then the list runs up and shows the utter uselessness of the *Oregon*.

Now, let me call your attention to another matter. The *Oregon*, *Indiana*, and *Massachusetts* were originally built as coast-defense vessels. They had armor of 150 feet along the center, and the armor was constructed to come 3 feet above the water line. Preceding the troubles of the Spanish War it was planned to change the *Oregon*, *Indiana*, and *Massachusetts* and make them seagoing battleships. In making the change they added to the weight so that the battleship tips down in its draft until to-day, with a load upon it, its armor plate is 4½ inches below the water line. Every inch of the *Oregon* above the water line is exposed in shooting at it, without armor. The armor is all below the water line when loaded.

Another thing, it has unbalanced turrets. It has four big guns in the turret, and if you turn the four guns on the same side in order to fire a broadside, it lists or heels to that side 7 degrees. So that it puts the armor belt still lower and turns the exposed part of the ship as a target for the enemy to shoot it, and yet they tell us that it is a ship that can destroy any six battleships in the German Navy.

Then the bow or front of the ship and the stern or hind end of the ship has thin armor protection for something like 75 feet. I have a letter from Admiral Watt, Chief Constructor, stating that if a shell were fired into either end of it, and let the water in to flood the ends, that the ship would sink.

Now then, gentlemen, I want to call your attention to another matter with reference to our Navy. I want to say that this is not a criticism of construction; it is simply evidence of the process of development that has been made in the construction of ships. At the time our ships were built they were as fine as the world afforded. But here is the fact. Take the *Alabama*, the *Illinois*, the *Indiana*, the *Kearsarge*, *Kentucky*, *Massachusetts*, *Oregon*, and *Wisconsin*—eight ships have each four 13-inch guns, and those guns only have a penetration of 8.1 inches into armor at a range of 9,000 yards, whereas the modern 12-inch guns have a penetration of 16.4 inches at the same distance. Would not an admiral or a Secretary of the Navy be subject to impeachment and removal who would send these ships, with men upon them, with human souls, against the modern guns?

Take, if you please, the *Iowa*, which has four 12-inch 35-caliber guns at 9,000 yards, and their penetration is 7.2 inches as against 16.4 inches for the modern 12-inch gun.

Take, if you please, the *Georgia*, the *Maine*, the *Missouri*, the *Nebraska*, the *New Jersey*, the *Ohio*, the *Rhode Island*, and the *Virginia*—eight more, in all. They have each four 12-inch 40-caliber guns that are inferior to the later guns.

Now, I submitted a question to Admiral Dewey, and I said:

In case of a war with a naval power, would the battleships of either of said classes—

Those are the ones that I have just read—

be placed in the first line of battle; and if not, why not?

Admiral Dewey said:

In case of war with a naval power none of the ships discussed in questions 1 and 2 would be placed in the first line of battle. Their speeds would hamper the fleet's movement, their guns lack range and penetration, and would be useless at battle ranges of ships armed with modern high-power guns.

Their construction is inferior in kind and distribution of armor and interior construction. To place them in line of battle against modern ships armed with modern guns would be to put them up to be sunk at ranges where their own guns would not reach and would not penetrate, and if they did it would be a useless sacrifice of the ships, with the lives of all the people on board.

To quote the Secretary of the Navy in the hearings before the committee:

I think a Secretary of the Navy who would send them into a line of battle should be impeached.

And then he adds:

And any admiral who would do so, except in the case of the utmost desperation, should be court-martialed and deprived of his commission.

I have a letter from Admiral Fiske, another distinguished admiral of the Navy, in which he said these questions had been submitted to him and had been studied by him, and that he indorsed and made this his own statement. Yet the opponents come before us and make these statements about the efficiency of the *Oregon* and these other ships. There are 17 of our battleships that are in this condition. I make these statements not in criticism of them when they were constructed, but because

the development and progress of naval construction has gone beyond them.

Let me illustrate to you now what I mean. I call your attention to the fact that on a standard of 100 the *Oregon* stands 13.13, and the *New York* and the *Texas* represent 157.65. Think of a comparison between battleships where one represents a percentage of 13 and the other a percentage of 157 of military value and efficiency.

Mr. Chairman, I pass on now to another matter. The gentleman from Mississippi [Mr. WITHERSPOON] spoke about the battle cruisers. We have not any battle cruisers in our Navy. What is a battle cruiser? It is simply a battleship of 27,000 or 28,000 tons, with 11 and 12 inch guns upon it. The gentleman said derisively that they are made to run, that they are not made to fight, that they are little thin things without any protection. I submitted this question to Admiral Dewey. I wrote to him, "Are the battle cruisers such as are built and building in the German Navy classed as fighting ships in the first line of battle?" He answered, "Yes." These battleship cruisers are ships of 27,000, 28,000, or 29,000 tons displacement. They have upon them guns of 11 and 12 inch caliber, the modern improved guns.

The gentleman from Mississippi [Mr. WITHERSPOON] said they are little thin things without protection. What is the fact? The first ones that were built had 7 inches of armor, the next ones that were built had 8½ inches of armor, and the last ones that were authorized and are now building have 11 inches of armor. Let me call your attention to the fact that the United States battleship *Idaho* has only 12 inches of armor, and the *Michigan* and *South Carolina*, about which you have heard so much, and about which I will talk in a few minutes, have only 11 inches of armor. Many others have only 11 inches. These ships, to which I called attention a while ago, that go into the second line of battle, have only 9 inches of armor. Yet the gentleman could not find language adequate to express his appreciation and his admiration of the fighting qualities of these battleships with 9 inches of armor, notwithstanding the fact that these German battleship cruisers have 8½ and 11 inches of armor and have better and newer guns. But he says they are simply made to run away and not to fight.

I desire now to call attention to another statement. It will be remembered that he made great to do about the fact that we had left out 10 monitors and 14 armored cruisers. I want to say that in not a single publication has any ship been omitted that has been authorized by Congress since 1883. The report of the committee, the publications of the Navy Department, and this book, the Yearbook, that he attempted to criticize, all contain every ship that is in the American Navy, and they all give the date of its authorization and its launching and its completion, its armor and armament.

The *Indiana*, *Oregon*, and *Massachusetts* are not classed among the available fighting ships, and the gentleman says that there is a great wrong done in not classing these three ships among the available fighting ships and that there is no justification or reason for it. He tried to burlesque it and to ridicule it and to insinuate that the Navy Department left out these three battleships without any cause or excuse. Why did he not tell you that the same rule that left out these three ships in our fighting list left out from the German list two battleships just as good—the *Worth* and *Brandenburg*. He comes here and calls attention to the fact that we have 10 monitors, and he says that they have been left out; that they are not counted in the fighting force. No; they are not worth a copper for first-line fighting. I asked Admiral Dewey about that, and I will read what he said. The gentleman says they ought to be counted. If you count them, why did he not tell you to count the 8 coast-defense battleships of the *Oden* class in the German Navy that are coast harbor-defense vessels, just the same as our monitors? He does not tell you anything about that. He criticizes everything, and yet every one of those ships is set out—name, date, armor, and armament—and everything specified, but they are not classed among our available fighting ships. I asked Admiral Dewey a question about that. I wrote to him, "Are any of the armored cruisers or protected cruisers or monitors of the American Navy classed as fighting ships of the first line of battle, or would they be placed in the first line of battle; and if not, why not?" His answer was, "No; they are lacking in all of the characteristics of ships intended to lie in the first line of battle, having neither powers of offense nor defense as against first-line ships. These cruisers will have their own place in war; but to place them in the first line of battle is to uselessly sacrifice them and their personnel without adding any strength to the line. For the monitors, I see no place of any kind in the active fleet at any time. They may be made of some use in harbor-defense work in war; but to attach them to the active fleet or line of battle, with their low speeds, unstable platforms, general poor seaworthiness, poor maneuvering qualities, and weak gun power, would be suicidal." Yet the gentleman comes here criticizing the committee and the administration and the Secretary of the Navy because we decline to state that such ships as that should go into the first line of battle and because they set them out on other pages of the Yearbook either in the second line of battle or for coast defense.

Admiral Dewey submits this statement: The grand total for the United States, total percentage, comparison of their fighting ships, is 18.61, and the grand total for Germany, including the ones building and built and the two lately authorized, is 26.35, so that it is a statement, if you please, of 26 in favor of Germany and 18 in favor of the United States.

My friend, Mr. HENSLEY, read a portion of my speech that I made in 1910. Let me read it:

> The Reichstag a few years ago fixed by law a definite program authorizing the construction of 16 battleships between 1907 and 1917. Up to the present time, of those 16 she has 8 building that constitute a part of her 30, so that in 1917, if she builds the other 8, she will have 38 battleships, and if we only build 1 a year from now until 1917, added to the 33 we have got, we will have 40 first-class battleships as against her 38.

What are the facts? I said conditions change and vary. At the present time, counting her battleships and dreadnaughts, beiause they are simply different types of the same thing, and the battle cruisers and the *Worth* and the *Brandenburg* that have been eliminated from the fighting line, she has 48 to-day. What has the United States, including, if you please, the three that have been eliminated and they have been complaining about? We have 39——

Mr. HENSLEY. Will the gentleman yield right there?

Mr. PADGETT. No; I can not yield. I told the gentleman I was going on with my speech.

Mr. HENSLEY. In the face of the fact——

The CHAIRMAN. The gentleman from Tennessee declines to yield.

Mr. PADGETT. As it is, I shall not begin to finish, as I have so many things to take up. Now, then, gentlemen, another matter. They speak about the guns upon the ships, and Mr. HUMPHREYS of Mississippi asked Mr. WITHERSPOON a question with reference to those old 13-inch guns:

> Mr. HUMPHREYS of Mississippi. Is there any reason why they could not put these new guns they claim are better than the old ones on the old ships?
>
> Mr. WITHERSPOON. None in the world. I was going to discuss that if I had the time. The very fact that they do not do that shows, to my mind, that they are not working to increase the efficiency of the Navy. They are working to squander the public funds.

Now, gentlemen, I asked Admiral Strauss, Chief of the Bureau of Ordnance, in reference to this matter, and he said:

> On page 7411, in answer to a question by Mr. HUMPHREYS of Mississippi, inquiring, "Is there any reason why they could not put these new guns they claim are better than the old ones on the old ships?" Mr. WITHERSPOON replies, "None in the world."
>
> As a matter of fact, such a substitution could be made only at a tremendous cost, and the final result would not be a ship that could be utilized in battle.
>
> The *Indiana*, *Massachusetts*, and *Oregon* were appropriated for in 1890 as "seagoing, coast-line battleships," and in consequence of this wording the designs omitted certain qualities, the most important one of which is freeboard. Since that time various alterations and additions made with an attempt to keep these vessels abreast of the times have further decreased this freeboard, so that to-day, when these ships proceed to sea fully loaded with coal, stores, and provisions, the top of the armor belt is 4½ inches below the level of the sea, a fatal defect only to be met by reducing the coal supply; and this, together with their greatly inferior speed (15 knots), renders it impossible for these vessels to keep up with more modern ships or to proceed with them to a common destination.
>
> On the *Oregon* the distance between the water line and the bottom of the 13-inch gun port at deep load is a little over 12 feet. This distance on the predreadnaughts is 22 feet, and on the *Texas*, our latest ship, it varies between 36 feet 7 inches for the highest and 22 feet 9 inches for the lowest. Modern battleships are constructed with high freeboard in order that they may be able to fight the enemy no matter where encountered; and a fleet that is not prevented from fighting by the state of the sea has a distinct advantage. The *Oregon* could not conduct an engagement in any but a fairly smooth sea without having her turrets flooded.

Now, gentlemen, why was it, when the question was asked by the gentleman upon the floor of the House if there was any reason why you could not substitute modern guns upon a ship of this kind, that it became necessary to impugn the motives and discredit the honor and integrity of our officials? Why could not they get a legitimate and proper answer? Ah, gentlemen, it has been with me all my lifetime, and I am proud of it, never to impute to any man an improper or dishonorable motive or purpose as long as his conduct is susceptible of an honorable interpretation. [Applause.] And that old maxim—I may not quote it in French style—"Honi soit qui mal y pense" [applause] bears upon a criticism of this kind—"Shame be it to him who evil thinks." Now, then, another thing right here in that same connection. I want to call attention, if you please,

to another statement in the speech of the gentleman, on page 7407. He says:

Mr. WITHERSPOON. Mr. Chairman, I want to compare these navies. In our Navy we have 39 battleships, we have 15 armored cruisers, we have 10 monitors, making 64 armored ships in all. Germany has 20 battleships, 13 dreadnaughts, and the same—well, the same number of battleships, 39; and then she has 16 cruisers, making 55 armored ships that Germany has. In other words, we have 9 more armored ships than Germany. Do not understand me to say that that proves that our Navy is superior to Germany's navy. It does not prove anything of the kind.

Then, on page 7410, he says:

Now, I want to show you how they do. You take the Naval Yearbook and you will find that in order to compare a part of our Navy with the entire German Navy the two navies are divided up into three classes—first, battleships; second, dreadnaughts; third, cruisers. Then they give, on page 832, a list of the German battleships, German dreadnaughts, and the German cruisers, and on the other page, 833, they give a list of ours. There they stand side by side. The way they have done that is that they leave out 17 of our armored ships. They leave out 3 of our battleships, they leave out 4 of our armored cruisers, and they leave out all 10 of the monitors—17 armored ships do not appear in the comparison at all.

As I stated to you a moment ago, on page 832 is a statement of the battleships, the dreadnaughts, and the cruisers.

On page 833 there appears the statement of the battleships, the dreadnaughts built and building, and the armored cruisers. Now, then, that is all that either one of those statements proposed to give. On other pages are given the other ships. These pages to which I refer state only these classes of ships. But he claimed they left out four, but in his speech he corrected that and made it three. He says:

The *Charleston*, the *Milwaukee*, and the *St. Louis* are classed as protected cruisers.

And he argues that the Navy Department is attempting to practice a great fraud upon us. Now, right here there are the armored cruisers and there are the protected cruisers, one following the other right along, and the only difference is that the total of the armored cruisers is given, and then following immediately, on same page, the three protected cruisers. Now what? These protected cruisers were authorized as such; they were named as such in the law, and in the classification it was entirely proper that they should be classified as they were authorized, designated, and named in the law. The others were authorized, designated, and named as armored cruisers, and they are so designated, and they are put right there together. Now, he insinuates they wanted to practice a deception upon the Government; but right there in that very line what does it say? There is a notation which says:

Officially the three ships are protected cruisers.
They are actually armored cruisers, and they are so treated by standard foreign publications. If included in the above table, they would give a grand total of 14 armored cruisers of 178,395 tons.

And that is within a half inch of the space where the statement of the armored cruisers and the cruisers is given; and in order that there might be no misunderstanding, that there might be no misinterpretation, that nothing might be hid or held back, the author put that note there showing that they were the same in effect, but that the law had designated them by different names. And yet the opponents intimate deception upon the officers of the Navy.

Gentlemen, let me ask you in all seriousness and earnestness, would you as honorable men, who esteem your own integrity of purpose and honesty of thought, attribute improper and dishonorable motives and purposes to other men that stand honorably in the country upon any such presentation of the case as that? [Applause.]

Now, then, another thing. The question was asked Mr. WITHERSPOON about the 13-inch guns. We have 32 of them on 8 battleships; their muzzle velocity is 2,000 foot-seconds; and the 9.4-inch guns in the German Navy have 2,625 foot-seconds. But Mr. WITHERSPOON said they only put 185 pounds of powder in the 13-inch guns, and if they would put a full charge of powder in the 13-inch guns that they would have as much muzzle energy as the others. And he intimated that they were putting a reduced charge in there in order to discredit the guns. Now, what are the facts, gentlemen? I have the letters here, the official documents. These 13-inch guns were built at the time we were using the old brown powder, and the gun was made for the use of this brown powder. But when we changed from brown powder to smokeless powder, which has so much more energy and power, it was found that you could not put in these guns more than 185 pounds of the smokeless powder unless you ran the risk of bursting the gun. Now, is it not just as easy to explain a matter along fair and just lines as it is to impute bad motives to good men? These are the facts. And yet, gentlemen, the opponents come here and say that the Navy is trying to practice concealment and is juggling with figures and dealing with misrepresentation. Let me repeat again, gentlemen, that in my experience of nine years of service upon this committee, having numbers and numbers of officers before us, I have never yet seen one instance or one suspicion of an instance where any naval officer ever appeared before our committee and gave any intimation whatever of a desire or purpose either to suppress the truth or to suggest a falsehood. [Applause.] They have dealt with the committee with the utmost frankness and the fullest freedom of expressing absolutely the truth as they saw it and believed it.

Now, then, there were some questions asked on the floor here the other day about the hearings before the committee, and it was stated that in the hearings there were certain things that were kept out. Yes; certainly there are. Do you suppose that it would be proper for us to publish to the world everything—the secrets of the Navy, or the Army, or of the State Department? Would we tell how much powder we have on hand and its exact character; how many torpedoes we have on hand, and their size and shape and quality, and all of these things? The committee gets such information, but we say to them that these are executive matters.

Mr. HUMPHREY of Washington. Will the gentleman yield a moment?

Mr. PADGETT. I have declined to yield to gentlemen all along, and I must treat everybody alike. I have not time to yield.

But, gentlemen, everything that takes place in the committee is brought here before the House and the public, except those executive confidential matters which relate to a solemn public policy of the country.

Now, gentlemen, I want to say another thing for our committee that can not be said for every committee of this House. Some have one policy and some another, but we have always adopted a policy that just as soon as we have our hearings we publish them and make them available to the world. They are open to the world the very moment the published document reaches our committee room. Some of the committees do not make them public until the bill is presented to the House. We put our bill upon the calendar on the 28th day of last February, and we had made the hearings that were taken before that time public, and they were available to everybody who wanted to get them.

Now, gentlemen, I want to call your attention to the *South Carolina* and the *Michigan*. A great deal has been said by the gentlemen in reference to these two ships. I want to say that every publication that is made by the Navy Department gives those two ships, gives their date, their construction, their size, the armor that is upon them, and the armament. Just a question of classification. These ships are low-speed ships. They are about 16,000-ton ships. Every ship that is in the German Navy that is classed as a dreadnaught is at least 18,000 tons. I believe the smallest one is 18,600 tons. They run up to the building of 29,000 tons for battleship cruisers. The *South Carolina* and the *Michigan* are 16,000-ton ships. They have a speed of 18.79 and 18.86 knots per hour. The slowest speed of any of the German dreadnaughts is 20 knots. Now, the department saw fit, in its judgment, to class the *South Carolina* and the *Michigan* in the first line of battle, classed as battleships.

The gentlemen of the minority complain that they are not named as dreadnaughts, but for the sake of this argument I will call them dreadnaughts. Then what is the status? We have 7 dreadnaughts, and the *South Carolina* and the *Michigan* will make 10 that are built, and we have 4 building at this time. But the *New York* has just gone into commission. We have 12 dreadnaughts built and building, and, counting the *South Carolina* and the *Michigan*, we have 14 first-class fighting ships built and building. Germany has 13 dreadnaughts built and 6 building, making 19. She has 4 of those large battle cruisers built and 3 building, making 26 first-class, high-powered, big-gun battleships. Give them, if you please, the full advantage of the inclusion of the *South Carolina* and the *Michigan* in the dreadnaught class and the comparison stands 14 in the Navy of the United States and 26 in the German Navy.

Now, then, gentlemen, in 1910 I stated that our Navy as it then existed was superior to the German Navy as it then existed. I say so now. It was a fact that our Navy as it existed at that time was superior to the German Navy, and every authority so placed it, and not until 1912 did the authorities place the German Navy, built, as stronger than the Navy of the United States, built.

Is it not a little singular, gentlemen, that every naval authority in the world, I care not who they are or where they come from—German, English, French, Austro-Hungarian—agrees with the Navy Department of the United States and places the same estimate of the relative value and standing of the German Navy and the Navy of the United States absolutely as the Navy Department here places them, and only these gen-

tlemen disagree who have signed this minority report, who argue here by the hour on the floor of this House and consume pages in their minority report to overturn the unanimous opinion of all the naval experts and all the naval authorities in the world?

Now, then, in order to do that they come and impugn and impeach the motives and the purposes of our own authorities. Suppose I were to concede and to grant that there was an improper purpose and an improper motive on the part of our own officers to depreciate and belittle our own Navy and its standing. Where is the purpose or the motive on the part of the naval authorities and experts of England and Germany and France and Austro-Hungary to do the same thing? Is it not a little singular that all the naval experts and authorities of the whole world would be false, and that among them all there could not be found one honest man to tell the truth?

Gentlemen, the more you think of these things the more preposterous it becomes, and the more it is to be regretted that men will so forget themselves in their exuberant enthusiasm for their preconceived notions and ideas as to tear down the character and destroy the confidence of the American people in the integrity and high character and standing of the very men in whose hands we place the flag of our country, the emblem of our sovereignty, the symbol of our honor, the sign of our greatness and our power. This very day and the recent days of the past week, while men were standing upon this floor impeaching the integrity and impugning the motives and seeking to undermine—thank God, they can not do it—the confidence of our people in the naval officers of this country, those very officers had been sent by the President of the United States as the trusted, honored servants and agents of our people with the flag of the country in their hands and floating at the mastheads of the ships, commissioned to maintain the honor and the integrity of our country. I thank you, gentlemen. [Prolonged applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired. All time has expired.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ANSBERRY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14034, the naval appropriation bill, and had come to no resolution thereon.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 253. Joint resolution reappropriating certain funds for expenditure at the naval station at New Orleans, La.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3403. An act to abolish the office of receiver of public moneys at Springfield, Mo., and for other purposes.

CHANGE OF REFERENCE.

By unanimous consent, reference of House joint resolution 241, for the appointment of the Board of Managers of the National Home for Disabled Volunteer Soldiers, was changed from the Private Calendar to the House Calendar.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House do now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14034, the naval appropriation bill, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

Mr. PADGETT. Mr. Chairman, general debate having been exhausted, I will ask for the reading of the bill.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

PAY, MISCELLANEOUS.

The Secretary of the Navy shall send to Congress at the beginning of its next regular session a complete schedule or list showing the amount of money of all pay under the provisions of this act and for all allowances for each grade of officers in the Navy, including retired officers, and for all officers included in this act and for all enlisted men so included.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. This provision, I believe, was carried in the current law?

Mr. PADGETT. Yes.

Mr. MANN. I do not know how they construe it. Of course this appropriation bill does not provide for the expenditure of money until the 1st of July.

Mr. PADGETT. Not until the beginning of the fiscal year.

Mr. MANN. Do they make returns for the fiscal year or for the time between July 1 and September 1?

Mr. PADGETT. I understand the returns are made for the fiscal year at the beginning of each session of Congress in December, covering the fiscal year preceding, which ended the 30th of June.

Mr. MANN. Of course that is not the way the law reads.

Mr. PADGETT. That is my understanding of it, but I have not looked into it carefully.

Mr. MANN. The paragraph says:

Showing the amount of money of all pay under the provisions of this act.

Mr. PADGETT. This is for the fiscal year. The act begins on the 1st of July and ends on the 30th of June following.

Mr. MANN. This says:

The Secretary of the Navy shall send to Congress at the beginning of its next regular session—

And so forth. The next regular session begins in December, and this paragraph requires a report to be made then under this act.

Mr. PADGETT. Yes; I see the point of the gentleman now. I think they make the report in the regular Book of Estimates, which is submitted at the beginning of a session.

Mr. MANN. Would it not be better to be accurate and strike out the words "under the provisions of this act" and require the report to be made at each regular session of Congress as to the items enumerated, regardless of the provisions of this act? I suppose what you want in December is the expenditures under the current law for the fiscal year which ends June 30.

Mr. PADGETT. Yes. I think the suggestion of the gentleman would improve it, to strike out, beginning with the word "under," in line 1, page 2, and including the word "and," in line 2.

Mr. MANN. You do not want to strike out the word "and."

Mr. PADGETT. Strike out—

Under the provisions of this act.

Mr. MANN. Yes. Strike out—

Under the provisions of this act.

Mr. PADGETT. Will the gentleman offer the motion, or shall I?

Mr. MANN. Let the gentleman offer it.

Mr. PADGETT. I move to strike out, in lines 1 and 2, page 2, the words "under the provisions of this act."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, lines 1 and 2, strike out "under the provisions of this act."

The amendment was agreed to.

Mr. HENSLEY. Mr. Chairman, I move to strike out the last two words. I listened to the speech made by the gentleman from Tennessee [Mr. PADGETT], the chairman of this committee, and I was considerably surprised to hear him declare that the members signing the minority report had branded the other members of the Naval Affairs Committee, as well as naval officers, as being grafters. I want to say here and now, Mr. Chairman, that I do not believe the chairman of this committee believed that statement when he uttered it. No man who has heard the speeches made heretofore in this House by the gentleman from Mississippi [Mr. WITHERSPOON]—the speech upon the flag, the speech upon the naval appropriation bill in the last Congress, or any speech made by myself—can, as it occurs to me, afford to stand upon the floor of this House and declare that we referred to members of the Naval Affairs Committee or officers of the Navy as being grafters. I say to you, Mr. Chairman, and I say to the Members of this House, in all seriousness that I do not know of any specific instances of graft on the part of men in the Navy Department; but if I were in possession of facts that would warrant me in stating it upon the floor of this House, by the eternal I think I have the courage to do so; and I say, Mr. Chairman, that I do not set any class of men upon a pedestal to worship. I do not propose to deify any set of men. But let us get at the facts. Whatever

construction our report may bear, how does that explain the change in the attitude of the gentleman from Tennessee? Let us look at some of the statements made by the chairman of this committee when the Democrats were in the minority on the floor here. Of course, as he stated in his speech a few moments ago, conditions have changed with respect to his environment. There is no sort of question about that; and when I undertook to inquire of him concerning that proposition, he refused to yield.

In his former speech in 1910 he compared the Navy of the United States with the Navy of Germany, and carried the comparison forward to 1917. He took the program laid down by Germany, and said on March 31, 1910, that if we should authorize one battleship then and one battleship in each Congress thereafter, in 1917 we would have a Navy superior to that of Germany. Yet when I desired to inquire of him in what, if any, particular that program had been changed on the part of Germany, he refused to yield. We want the facts so that we may act intelligently upon the subject. Why did he not explain to this House whether or not Germany had made a change in her program?

Of course, I say, Mr. Chairman, conditions have changed. As he said, his environment has changed. As long as I remain on the Naval Affairs Committee, I say to you and to this House, I am going to do my duty as I see it.

A Republican made a speech a few days ago upon the floor of this House and presented some facts to which I desire to call your attention. I refer you to the speech made by the gentleman from Nebraska [Mr. BARTON]. He explained to you the many influences brought to bear by the great concerns of this country to bring about extensions and increases. He took up the Navy League and went over the personnel, and explained their connections with some of the great supply companies, the great corporations of this country. He not only did that, but he took a specific instance here and read the record to show where the Carnegie concern was fined $500,000. And that was after committees of the Navy Department had made an examination, and had inquired into all the facts, pronounced everything regular, and declared the contract with this particular concern in every way to be all right.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENSLEY. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HENSLEY. Now, let me read you just a little from this speech of the gentleman from Nebraska [Mr. BARTON]. I desire to congratulate the gentleman from Nebraska upon having the courage and manhood to stand upon the floor of this House and present facts such as his speech contains. I warn him, however, that he may expect criticism from these interests effected. He said:

In Pearson's Magazine of November, 1913, it states:

"The next time the Government wanted armor plate the price from the plant for which it had already paid rose to $646 a ton, and continued at or near these figures until an odd event brought it down. Some workman in the employ of the philanthropist, meaning Mr. Carnegie, made known the fact that the Carnegie Co. was swindling the Government it had already gouged. It was furnishing to that Government fraudulent armor—armor so badly made, so soft and spongy in spots, that if a shell ever hit one of these spots it would slip through like a knife cutting cheese."

At this charge a chorus of most indignant denials filled the air. Would a company composed of our very best citizens and pillars of society and commerce stoop to such detestable things? No, indeed. But the persistent slanders persisted, nevertheless, and low demagogues in Congress and elsewhere made an unseemly clamor, whereupon the Navy Department, just to show how baseless were these stories, ordered reports from the naval officers stationed as inspectors at the various armor-plate mills. These usually found the stories about defective armor to be baseless. But even this distinguished body failed to silence calumniators of true philanthropy——

Mr. YOUNG of North Dakota. What year was that?

Mr. BARTON. I have not the date at hand. Therefore investigation was undertaken by a competent commission, which found that the charges were perfectly true. On 11 counts the committee found the Carnegie Co. guilty of repeatedly swindling the Government by palming off worthless armor for good.

It found, for instance, that worthless plate had been accepted, paid for, and placed on war vessels as follows:

"On the *Amphitrite*, 4 plates; on the *Terror*, 3 plates; on the *Oregon*, 3 plates; on the *Monterey*, 3 plates; on the *Monadnock*, 6 plates; on the *New York*, 8 plates; on the *Olympic*, 3 plates; on the *Indiana*, 6 plates; on the *Massachusetts*, 4 plates."

When the truth could be no longer concealed Mr. Carnegie's company was hauled up and fined $500,000 for fraud. Then the same subtle and tremendous power that has so often appeared in these matters was exerted, and President Cleveland, a short time before he went out of office, reduced the fine to $120,000.

Mr. DICKINSON. Will the gentleman give me the page of the RECORD from which he is reading?

Mr. HENSLEY. Page 7021. Now, Mr. Chairman, this is an important proposition. What have the Members signing the minority report in this instance to gain by a fight of this kind? Do we get the purring and patting upon the back? Do we get the encouragement that others do? No. We are criticized, we are abused. What is the inducement, if it is not the simple fact, that we are trying to do our duty as Members of this Congress in the interest of the great body of citizens upon whom rests the burden of taxation.

Mr. CALLAWAY. Why not read the Secretary's statement?

Mr. HENSLEY. I will not have time in five minutes to read the Secretary's statement. I have made no charges of graft against the Secretary of the Navy. I think the Secretary of the Navy should be commended for his efforts to reduce expenses in that department. But I can not agree with him, and have told him that I can not agree with him, upon certain recommendations which he has made; but my difference with the Secretary is an honest difference. I do not question his motives.

But let us go back and talk about these young men. They are appointed to Annapolis at an early age, and it costs the Government of the United States something like $18,000 or more to give them four years' schooling. What do we find? When a class is graduated from this great school these young men go out and take their places. In the past, when special ability has been recognized in any of these young men, frequently we find the great armor-plate concerns offered them such salaries that many of these young men did not care to decline the offers. They get a young man to resign from the service and he enters their employment. Throughout life we find such a relationship existing between men in charge of these great supply companies and men who are the trusted agents of this Nation. That condition should not exist, and you gentlemen know it. Let us be candid about it. [Applause.] Let us be candid about this proposition.

I say again, as long as I stay upon this committee I am going to do my duty as I see it, and in spite of all the disparaging things said by the gentleman from Tennessee [Mr. PADGETT] who has just taken his seat, I will continue to do so. What did he say in that great speech delivered in 1910? I say to every Member of this House, go and read that speech. You will find it in the RECORD of March 31, 1910. Read it in its entirety and see what it means. Get the whole sense of it. Here is one of his statements:

I desire here and now, in behalf of the American people, as far as I am able to speak for them, and in my own behalf as a Member of Congress, to enter a solemn and vigorous protest against the spirit that would seek to impugn and destroy a nation's confidence in order to further naval hysteria in this country.

The statements made by the gentleman from Tennessee in that speech were as severe as any statements that have been made in the course of this debate. Yet he would undertake to say now that we have indiscriminately branded everybody as rascals and grafters. I say that the gentleman from Tennessee [Mr. PADGETT] knew when he uttered that statement that the gentleman from Mississippi [Mr. WITHERSPOON] never meant anything of the sort, nor will the language bear that sort of construction.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GRAY. Mr. Chairman, in view of some of the spirit manifested in this debate, I am constrained to define my attitude and state of mind toward the members of this committee. I wish to express my confidence in respect for and good will toward all the members of the committee, especially the 17 members who have signed the majority report. I am impressed that they are all honest, loyal, patriotic, conscientious men, actuated only from the highest motives. I am impressed that they actually believe what they are contending for. I am impressed that these 17 men actually believe that the whole enlightened world, all the great nations of Europe, are lying in wait only for this Nation to lag in naval construction when they will invade our shores, level to the ground our cities, destroy our institutions, and obliterate the very evidences of our civilization.

While this does not appeal to me as well founded, I am convinced that these men actually believe it. They are honest. I am impressed that the gentleman from Alabama [Mr. HOBSON] actually believes all he is contending for.

I am impressed that he actually believes that the best way to destroy militarism is to build more battleships, and build on and on until we exhaust the resources of the world, and then, and not until then, will come peace and end the wars. While I regard this as ridiculous, I am convinced that he actually believes it. I am impressed that he actually believes that our industrial system is based on military supremacy; that there is not enough room in this world for all, and that men must fight, kill, and destroy each other for a chance to labor and live. While this is monstrous and absurd to me, I am con-

vinced that the gentleman from Alabama is honest and actually believes this is the solution of our industrial problems.

I am impressed that he has actually believed during all these years he has been warning the country against Japan that the Japs were coming, that he has been looking out over the seas to discern the mastheads of the ships appear on the horizon, and that he still believes they will come, and an opportunity will yet be afforded for brave men to die in the glories of war, human carnage, and mortal combat.

I am convinced that these men actually believe all this. I want to give them due credit for honesty. It has been said that honesty covers a multitude of sins, and I hope that it does. [Applause.]

And I especially want to express my respect, confidence, and admiration for our worthy chairman, Mr. PADGETT. I have only been a member of this committee for a few months, but during that time I have been impressed that he is a most able, learned, and lovable man. He has been so kind and so courteous and so considerate that it is hard for me to realize that I differ with him upon any matter. I am willing to follow him to the ends of the earth except upon one proposition. [Laughter.] We have to-day not only the most powerful Navy in all our history, but the completion of the Panama Canal will more than double our naval power, as was claimed for its construction. We are at peace with all the naval powers of the world. The nations have created a high court of arbitration, which is sitting at The Hague for the settlement of international disputes to prevent war. The nations are everywhere joining with us in peace pacts to avert war. The civilization of the world is awakening and revolting against the awful horrors and atrocities of war. Society is everywhere organizing to preserve peace and to prevent war. There is a stronger sentiment for peace and there are greater precautions and safeguards to prevent war than ever before. England, the greatest naval power in the world, is pleading with the nations to stop the vain and useless building of the warship as a policy to obviate war. Our example before the world is vital in this great international movement and may turn the balance either to or from war. Among the great civilized and enlightened nations of the world the signs of the times point more unerringly than ever before to the triumph of judicial settlement over war.

I can not follow him and ignore all this, disregard all this, resist all this, turn a deaf ear to all this, stand blind before all this—defying civilization, God, and man—to increase our navies and armies greater and faster than ever before in all our history.

The taxpayers of the world are groaning under the pressing burdens of war debts. The navies of the world are all building up together, without change of relative position or gain of advantage one over another. The increase of one navy is only a signal for a like increase of every other navy, and is without other effect than to increase the burdens upon the people of all nations. I can not follow him in a still further increase of our Navy and in piling still higher the burden of war taxes upon the people. It is more than useless extravagance; it is more than criminal waste. It is an unjustifiable encroachment upon the tax-paying masses of the whole civilized world.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. PADGETT. Mr. Chairman, I desire to express personally and as a member of the committee and a Member of this House my great pleasure and gratification that the gentleman from Missouri [Mr. HENSLEY] made the disclaimer which he did a moment ago. This House is not ignorant of what has been said. In the minority views this language appears on page 48:

> We regard the amount as inexcusably extravagant and a criminal waste of the public funds.

And then, further down on the same page, it uses this language:

> The Navy Department did seek at first to increase at the present session of Congress this criminal waste of the public funds more than $7,000,000; but after the committee had spent months investigating the matter and after the facts had been fully developed and the danger of a failure to secure the authorization of two more battleships had become apparent, then the department reduced its estimates about $8,000,000, and for this reason the bill now carries $836,309.92 less than the last appropriation bill.

I presume that these gentlemen understood the meaning of the English language and of words, and that when they said "inexcusable extravagance" and "criminal waste" they knew what those words meant. I believe three of them are lawyers, and that they knew the meaning of the word "criminal." And then, in the speech of the gentleman from Mississippi [Mr. WITHERSPOON] he repeated this language, and reaffirmed it after I had called attention to it in my opening remarks, and then, later on, in answer to the question of the gentleman from Mississippi [Mr. HUMPHREYS] relative to replacing old guns with new in the old ships, he said that there was no reason in the world why they could not be replaced except that it would not afford any profit in making guns at the gun factory. And in another place he used the word "graft," and imputed motives of criminal waste and a desire to secure battleships, and I thought it was necessary upon this floor to call attention to the fact that the men of the Navy were honorable men, and that in all my experience I had never seen any evidence or heard any intimation of anything improper on their part.

I am glad the gentlemen of the minority feel the same way. We have now made it unanimous. We can all agree that the recommendations of the department and of all the officers of the Navy are made in good faith as honorable men and pass judgment upon it as a question of wisdom or unwisdom, and of the necessity for it, without imputing any improper motives to anyone.

I want to say further, that I entertain for all the gentlemen who signed the minority report the highest esteem, and nothing but confidence in their integrity and honesty of purpose; but I do think—and I have expressed it—that they were wide of the mark in the correct understanding of what the true naval situation is.

The Clerk read as follows:

> For commissions and interest; transportation of funds; exchange; mileage to officers while traveling under orders in the United States, and for actual personal expenses of officers while traveling abroad under orders, and for traveling expenses of civilian employees, and for actual and necessary traveling expenses of midshipmen while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen; for actual traveling expenses of female nurses; actual expenses of officers while on shore patrol duty; for rent of buildings and offices not in navy yards, including the rental of offices in the District of Columbia; expenses of courts-martial, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks' and witnesses' fees, and traveling expenses and costs; stationery and recording; religious books; expenses of purchasing paymasters' offices of the various cities, including clerks, furniture, fuel, stationery, and incidental expenses; newspapers and periodicals for the naval service; all advertising for the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); copying; care of library, including the purchase of books, photographs, prints, manuscripts, and periodicals; ferriage; tolls; costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction at home and abroad, including maintenance of students and attachés; information from abroad, and the collection and classification thereof; all charges pertaining to the Navy Department and its bureaus for ice for the cooling of drinking water on shore (except at naval hospitals), telephone rentals and tolls, telegrams, cablegrams, and postage, foreign and domestic, and post-office box rentals; and other necessary and incidental expenses: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards, naval stations, and purchasing pay offices for the fiscal year ending June 30, 1915, shall not exceed $280,000; in all, $1,000,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I believe the language in line 14, page 2, providing for actual expenses of officers while on shore patrol is new to this bill.

Mr. PADGETT. Mr. Chairman, it is new language, but it is not a new expense. It is put in the bill in order to make it explicit, so that it would not be a matter of interpretation. That has been paid out of this fund heretofore, and the amount last year was $169, all told.

Mr. STAFFORD. And there is not much prospect of its increasing very rapidly?

Mr. PADGETT. I think not.

Mr. STAFFORD. I thought possibly it was some new idea of naval officers to have some entertainment on shore.

Mr. PADGETT. Not at all. It is to pay the patrolmen who go ashore when shore leave is granted to men while abroad in foreign cities. It is a kind of police force. The whole amount of it last year was $169.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

Mr. MURRAY of Massachusetts. I notice in the last part of the paragraph, in the proviso, there is reference made to "clerical, inspection, and messenger service in the navy yards." May I ask how the amount of $280,000 is intended to be expended?

Mr. PADGETT. Just as it has always been—to pay clerical, inspection, and messenger service, and so forth. That has been carried for years that way in the bill.

Mr. MURRAY of Massachusetts. How does the amount compare with the appropriations of previous years?

Mr. PADGETT. It is just the same.

Mr. MURRAY of Massachusetts. Then it is not meant for the messenger service and clerical forces of every sort?

Mr. PADGETT. Oh, no; but just for this purpose in this bureau.

Mr. MURRAY of Massachusetts. So that this would not be the proper place to discuss the suggested wage increase which has been recommended?

Mr. PADGETT. I should think not.

Mr. MOSS of West Virginia. Mr. Chairman, it is not my purpose to discuss at any length the main features of the bill that is before the House, but the presence of the specter of war leads me to believe that at this present time we should consider that which to my mind will be one of the most valuable assets to this country in time of war, namely, the Panama Canal. It seems to me that we are now confronted with the proposition of whether or not the Panama Canal is to be used by the United States as its waterway for its warships or whether it is simply to be a convenient passageway for an enemy's ships to go from one of our coasts to the other in order that they may attack that other coast. I recognize the fact that the nation which now threatens war with us does not possess such a navy as to constitute a menace, but history shows that the time when one country is at war with another is often seized upon by an unfriendly third power to bring to an issue those questions which have been pending between them, and it is not beyond the range of possibilities that one or more of the naval powers may seize this present opportunity to present demands concerning grave controversies which are pending between them and the United States. So I say it seems to me that the status of the Panama Canal is at this moment an exceedingly important question, and I desire to devote a few moments to a serious discussion of what should be done, not next year—not some time in the future—but now, as to that canal.

It will be remembered when this question was pending in the House I urged that this House should in some way express its opinion as to the construction of that treaty or at least that it should not let the plain repeal embodied in the Sims bill go without some saving clause to show that we were not waiving our rights under that treaty. Therefore at that time I introduced what is known as House resolution 457, which, after reciting the fact that Great Britain had protested against our exemption clause and our desire to negotiate concerning it, contained the following resolution:

Resolved, That it is the sense of the House of Representatives of the United States that the enactment by it of the said Sims bill, and the repeal by it of the said clause granting such exemption, are in furtherance of the desire of the United States to facilitate such negotiations between said two Governments, and are in no sense to be construed as waiving or denying any right possessed by the United States to grant exemption from tolls to her vessels of war and commerce.

Mr. Chairman, I made my decision upon the toll question from a consideration of this principle of international law, which is found in the third volume of the American Journal of International Law, at page 55.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. BUTLER. Mr. Chairman, the gentleman from West Virginia appealed to me for time under general debate. I regretted very much that I could not yield it to him. I now ask unanimous consent that he may proceed for five minutes additional time, and I will state that I will have no other similar request to make.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOSS of West Virginia. The principle to which I refer is as follows:

If, for example, it should appear that it would have been unreasonable, if not inconceivable, for a contracting state to agree to any but a particular signification of certain terms employed, the necessary inference that such state had acted reasonably, if not wisely, will prevail, although such a signification may be at variance with the literal sense of the words of the compact.

Mr. Chairman, as I say, a consideration of that principle is what brought me to the conclusion that the United States could never have been foolish enough to have intended to agree in the Hay-Pauncefote treaty that we would virtually deprive ourselves in time of war of the use of our own canal. We are entitled to the inference before quoted, that we "acted reasonably." Again, I was absolutely opposed to an unqualified repeal of a solemn law that had been passed by the Congress of the United States, because that unqualified repeal, under the principles of international law, must be taken, when any question comes up in the future respecting it, as admitting that we were wrong when we granted that exemption in the first place. And in that regard, Mr. Chairman, I desire to quote further from the same authority on international law, page 52:

Declarations made by the negotiators of a treaty at the time of exchange of ratification, *or subsequent thereto*, concerning the sense in which it was understood that certain terms were employed are of value as sources of interpretation and should not be disregarded.

As the sense which contracting states have attached to the terms of their agreement is controlling in the estimation of those to whom are intrusted the duty of interpreting treaties, *as all circumstances* probative of that fact are admissible for the purpose of its establishment, the formation of rules of interpretation can hardly serve a useful purpose.

And on that same question I desire to also cite Vattel's Law of Nations, page 227, an authority dating back to 1793. The first authority that I have cited was a recent authority.

Now, Mr. Chairman, the question is, What are we going to do before it is too late? I am not taking the position that we should now say that we have the right or have not the right to exempt our coastwise ships, but I am taking the position that there is no justification for voluntarily surrendering without negotiation the rights we do have under the treaty. There is no man anywhere who can logically contend that we have not the right to exempt our ships from tolls unless he claims that we come under clause 1 of article 3 of the Hay-Pauncefote treaty, which says, "The Canal shall be free and open to the vessels of commerce and of war of all nations observing these rules," and if he says we come under that clause then he must admit it applies in time of war as well as in time of peace, because those rules expressly refer to belligerents, and belligerents do not exist without war. Now, I want to know whether the Congress of the United States, confronted as we are with war to-day, is ready to say that our ships of war come within these rules of the treaty, which I now quote:

The canal shall never be blockaded, nor shall any right of war nor any act of hostility be committed within it.

Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary, and the transit of such vessels through the canal shall be effected with the least possible delay in accordance with the regulations in force,

And so forth.

No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal,

And so forth.

And further:

The provisions of this article shall apply to waters adjacent to the canal within 3 marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than 24 hours at any one time except in case of distress, and in such case shall depart as soon as possible.

Now, Mr. Chairman, it is no reply to this argument to say that in time of war we will sweep away this treaty and disregard the terms of it. You can not claim under a treaty and at the same time nullify a treaty. If this treaty means anything, it means that we are obliged to obey it in time of war as well as in time of peace, and we can not say we will observe it as long as it suits us, but when the critical time comes we will disregard it. And therefore I say, Mr. Chairman, that while we still have the opportunity, while we can do so without giving offense to any nation, while this question is still pending in the Senate of the United States, this House ought to adopt a resolution of this kind, or a similar resolution, so that in the event that this war does become a greater danger to the United States than it now appears to be, and other nations become involved in it, we ought at least to have the use of our own canal for our own ships, we ought at least to exercise sovereignty over our own territory, we should at the least be permitted to prevent our enemy from dedicating this great waterway, constructed by American genius and paid for by American dollars, to the destruction of the Nation that created it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Contingent, Navy: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department, or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, $46,000: *Provided*, That the accounting officers of the Treasury are hereby authorized and directed to allow, in the settlement of accounts of disbursing officers involved, payments made under the appropriation "Contingent, Navy," to civilian employees appointed by the Navy Department for duty in and serving at naval stations maintained in the island possessions during the fiscal year 1915: *Provided further*, That the sum of $104,000, or so much thereof as may be necessary, be expended, on the approval and authority of the Secretary of the Navy, for entertaining the officers and crews of foreign fleets which may be sent to attend and participate in the Panama-Pacific International Exposition in consequence of the invitation of the President of the United States, extended in pursuance of the authority contained in the joint resolution of Congress approved February 15, 1911, and of the authority contained in the act making appropriations for the naval service for the fiscal year ending June 30, 1912, and for other purposes, approved March 4, 1911, and for defraying such other expenses incident to the visit of the said foreign fleets as the Secretary of the Navy may deem proper, and the said sum shall be available until November 15, 1915.

Mr. MANN and Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. MANN. In the first place, I would like to ask the gentleman if it is intended by the committee to appropriate $104,000?

Mr. PADGETT. Yes, sir. The original amount carried under the contingent of the Navy was $46,000. We make it $150,000 and provide that $104,000.

Mr. MANN. Where is that made $150,000? The gentleman need not look at the bill, because it is not in the bill.

Mr. PADGETT. The gentleman is right. It ought to be $150,000 where $46,000 appears. That is a misprint, and I shall ask to amend that by making it $150,000.

Mr. MANN. Who made the estimate for $104,000 for entertainment?

Mr. PADGETT. The Secretary of the Navy and the department submitted it in the regular estimates through the Secretary of the Treasury.

Mr. MANN. It is intended to let the naval officers spend $104,000 in entertainment?

Mr. PADGETT. Yes; $104,000.

Mr. MANN. What is the expense since wines and champagne have been cut out?

Mr. PADGETT. I am not prepared to speak authoritatively on that specific phase of it at this time.

Mr. GARNER. If they have cut out wines and champagne and other luxuries, you may possibly reduce this appropriation.

Mr. STAFFORD. This estimate did not contemplate the grape-juice program of the administration?

Mr. MURDOCK. May I ask the gentleman a question?

Mr. PADGETT. I am not prepared——

Mr. MURDOCK. Did the Government on previous occasions appropriate for the purchase of wines?

Mr. PADGETT. No, sir.

Mr. MURDOCK. That has always come out of the private purse of the officers?

Mr. PADGETT. Yes, sir.

Mr. MANN. The officers furnish their own mess and, where they entertain, they furnish their own champagne.

Mr. PADGETT. And pay their own expenses of entertainment.

Mr. MURDOCK. So it would not come out of the $104,000, even if the Secretary of the Navy had not issued the order?

Mr. MANN. Certainly it would; that is what the $104,000 was for to begin with. Since that estimate was made the Secretary has cut out wine in the Navy. Before that the burden of entertaining foreign officers fell upon the American officers.

Mr. MURDOCK. And was not paid out of Government appropriations?

Mr. MANN. And was not paid out of Government appropriations, but paid out of the private funds of the officers.

Mr. MURDOCK. Then my understanding about the matter is it would not come out of the $104,000.

Mr. MANN. That is why this item is provided, because this would authorize the payment of these bills out of this item.

Mr. PADGETT. That is correct. This is intended for the purpose of the entertainment of the foreign navies that come here as guests of the Government upon the invitation of the President under the resolution heretofore adopted by Congress.

Mr. MADDEN. Is there any itemized statement of what this expense would consist?

Mr. PADGETT. I do not think there is.

Mr. MADDEN. How did they reach the conclusion that it would cost $104,000?

Mr. PADGETT. The statements were that it would take just that amount.

Mr. MADDEN. Somebody ought to know.

Mr. PADGETT. It was sent down just that amount through the estimates.

Mr. MANN. My recollection is that when we passed the resolution authorizing the President to invite the foreign navies to meet at Hampton Roads and go around the statement was made that there would be no additional expense to the Government outside of the coaling expense and things of that sort, and that the expenses would be met by the exposition people. Does the gentleman know whether such information was referred to in his committee?

Mr. PADGETT. No, sir; we have no information of that kind. This is to entertain them when they come here to Hampton Roads to the maneuver grounds preparatory to starting on the trip through the canal, and they come here as the guests of the Government.

Mr. GARNER. May I interrupt the gentleman?

Mr. PADGETT. Yes.

Mr. GARNER. It is not in the spirit of criticism, but I think it is a rather anomalous statement, it seems to me, for the chairman of the committee to say that you are appropriating $104,000 without the slightest information as to what it is to be used for. They sent in a mere estimate, and you give them the full amount without inquiry as to the purposes for which it is to be used.

Mr. PADGETT. It is for the entertainment, whatever that might consist of, of the fleets of foreign countries that may participate in this exposition and this trip. And if they do not expend that much, the balance will be returned to the Treasury.

Mr. GARNER. I presume, then, upon that theory if they had asked for $640,000, the committee would have given them that much on the theory that if they did not use it they would turn it back into the Treasury?

Mr. PADGETT. No, sir; I think not; because I think $104,000 for the entertainment of the fleets of all the navies that have been invited—and a number have accepted—would be near this amount; but $640,000 would be entirely extravagant and above the amount that could be expended.

Mr. GARNER. How did the gentleman arrive at the thought that $104,000 would be the amount that would be necessary?

Mr. PADGETT. Because it was stated by the Secretary that the amount was the amount estimated, and because in the exercise of my judgment I thought it was a reasonable amount to be set apart for the entertainment of such a vast number as will be there.

Mr. MURDOCK. About how many foreign crews will be here?

Mr. PADGETT. I do not know; but I thought I saw some time ago in the paper that some 15 nations had accepted up to that time.

Mr. MURDOCK. Will it reach 25,000 to 30,000 men?

Mr. PADGETT. I should say much more than that.

Mr. MADDEN. The men will not get that.

Mr. MURDOCK. This is for the entertainment of the men as well as the officers.

Mr. MOORE. Will this entertainment be according to foreign custom or will it be according to the American custom as recently established by regulation?

Mr. PADGETT. As I stated a while ago, I do not know what it would be. I do not know whether the order recently issued by the Secretary relative to intoxicating drinks will be modified for this occasion or maintained. That order was made after the hearings were had and after the bill was reported and was upon the calendar.

Mr. MOORE. Since foreign officers are to be entertained, it is highly probable, if the entertainment is to be creditable to the American Nation, that it should be somewhat after the foreign style and in accordance with the tastes of the foreign officers.

Mr. PADGETT. As to whether they would prefer to be entertained according to foreign style or according to American style as it formerly existed or American style as it now exists is a question of taste that I am not prepared to answer.

Mr. MOORE. The department will determine that later on in spite of the regulation.

Mr. PADGETT. I presume so.

Mr. FOWLER. Will the gentleman yield for one moment?

Mr. PADGETT. Yes, sir.

Mr. FOWLER. Would $104,000 go far toward entertaining this vast number of officers and crews according to oriental custom?

Mr. PADGETT. I am not prepared to set any measurement as to the amount the Secretary has stated. I have confidence in his judgment and that he has figured it carefully and conscientiously. It is not an extravagant amount.

Mr. FOWLER. You think it will be conducted, then, on an American democratic plan?

Mr. PADGETT. I think so.

Mr. BRITTEN. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. BRITTEN. I would like to ask the chairman of the committee if he knows whether or not the Turkish Government has accepted our invitation to be present?

Mr. PADGETT. I do not. I thought the gentleman had inquisitiveness enough about him to find that out for himself.

Mr. MANN. Does the gentleman recall when the fleets are to meet at Hampton Roads?

Mr. PADGETT. It is to be next February, I think.

Mr. MANN. Then they are to sail down through the canal and out to the Pacific coast?

Mr. PADGETT. Yes, sir.

Mr. MANN. And we are to entertain them all the way along?

Mr. PADGETT. Yes. There is a convoy that goes; but I think the principal entertainment is to be at Hampton Roads, and then the sailing will be continuous. We pass through the canal, and then there will be, perhaps, an entertainment at the terminus on the Pacific side, but I do not know.

Mr. MANN. The bill evidently contemplates that, because it makes the sum available until November 15, 1915.

Mr. PADGETT. Yes, sir. And you will notice that the other sections also provide for maritime police regulations in Hampton Roads and also on the Pacific side.

Mr. STAFFORD. As I take it from this language, it is to cover the complete cost of the entertainment of all the fleets that assemble here in response to the invitation of the President in honor of the opening of the Panama Canal from the time of their reception until the time they leave San Francisco?

Mr. PADGETT. That is my understanding, and that is the purpose, as I understood it, of the committee and also of the department.

Mr. STAFFORD. Can the gentleman give the committee any information as to the expenses at some similar entertainments when we have invited ships in celebration of any event or when they have come here in honor of any event, like the centennial celebration at Philadelphia or some of those other large national celebrations?

Mr. PADGETT. I think we never had anything that in any way has any comparison with or similarity to this entertainment or its magnitude.

Mr. STAFFORD. I recall, but my memory does not serve me very well, that some years ago the President entertained some visitors here in Washington, for which the Government appropriated, if I am not mistaken, about $25,000. I can not recall the precise occasion. Perhaps the gentleman from Tennessee may recollect it.

Mr. PADGETT. Was it in honor of Prince Henry of Prussia?

Mr. TALBOTT of Maryland rose.

Mr. STAFFORD. Very likely it was the entertainment for the brother of Emperor William. I see the gentleman from Maryland [Mr. TALBOTT] has some reminiscence that he is ready to give us.

Mr. TALBOTT of Maryland. I was one of the commission that laid the cornerstone of the Yorktown Monument, away back more than 20 years ago. I think we were allowed $150,000 with which to entertain the French and Germans and English, and I am quite sure we had a shortage, and we were charged on the floor of the House with extravagance.

Mr. STAFFORD. You entertained them, I assume, in royal style, becoming the occasion?

Mr. TALBOTT of Maryland. We entertained them in good shape. It was a fine occasion and it was done right, I can assure the gentleman. [Laughter.]

Mr. STAFFORD. At that time you did have the authorization of Congress for their entertainment?

Mr. TALBOTT of Maryland. Yes; the money was appropriated. But we had a great deal of trouble, as I remember, because it was not long after the Franco-Prussian War, and we found it was very hard to mix the French and the Dutch. [Laughter.]

Mr. STEPHENS of California. Mr. Chairman, I will say to the House that I have information to the effect that something like 85 foreign ships have tentatively accepted the invitation to be present on that occasion, and it is expected that more than 100 ships will be at Hampton Roads at that time, somewhere near the 20th of February, and will proceed, after their entertainment here, to the Panama Canal, arriving there about the 1st of March.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS of California. Yes.

Mr. STAFFORD. Knowing that the gentleman from California takes a great interest in the Panama-Pacific Exposition, can he inform the House whether the exposition authorities have provided any fund for the entertainment of these representatives of foreign countries?

Mr. STEPHENS of California. I have no doubt but that they have provided a fund for their entertainment at San Francisco.

Mr. STAFFORD. The gentleman can not give us any definite information? It is just a surmise on his part?

Mr. STEPHENS of California. I have no definite information, but I have no question in my own mind but that they have.

The CHAIRMAN. Without objection, the point of order is withdrawn.

Mr. MANN. Mr. Chairman, I am inclined to think that it would be perfectly proper for us to provide some sum of money for the entertainment of these foreign guests, if they are guests. We pass a resolution here every few days, and probably will continue to do so, inviting people, with a provision that we shall not be at any expense caused by the invitation. [Laughter.] Now, I think we ought to know more about it. There is plenty of time to get the information and make the appropriation before next February. Apparently no one knows anything about it at the present time. They have not figured it out yet.

We have an entirely different situation in the Navy now, so far as the expense of entertainment is concerned, from what it was when this estimate was made, and I make a point of order against the proviso, beginning on line 8 of page 4.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

That the tolls that have been or may be prescribed by the President, in pursuance of the authority contained in the Panama Canal act, approved August 24, 1912, to be levied by the Government of the United States for the use of the Panama Canal shall not be assessed against nor collected from any foreign vessel which may pass through the Panama Canal en route to or in returning from the Panama-Pacific International Exposition: *Provided*, That such vessel has been sent by its Government to attend and participate in the said exposition in consequence of the invitation of the President of the United States, extended in pursuance of the authority contained in the joint resolution of Congress approved February 15, 1911, and of the authority contained in the act making appropriations for the naval service for the fiscal year ending June 30, 1912, and for other purposes, approved March 4, 1911.

Mr. WITHERSPOON rose.

The CHAIRMAN. The gentleman from Mississippi.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] reserves a point of order on the paragraph.

Mr. WITHERSPOON. Mr. Chairman, I will yield to the gentleman from Illinois. I was going to move to strike out the last word.

Mr. MANN. I am going to make a point of order on the paragraph unless somebody will point out why this is not a palpable violation of the Hay-Pauncefote treaty.

Mr. PADGETT. This provision puts them all on an equality.

Mr. STAFFORD. Does this extend to the nations not "observing these rules" under the Hay-Pauncefote treaty?

Mr. PADGETT. Those that do not come will not pass through the canal. Those that come will all be passed through on an equality.

Mr. MANN. Mr. Chairman, I contend that this would be a direct violation of the provisions of the Hay-Pauncefote treaty. If a vessel passes through the canal for a particular purpose it is provided here it shall not pay tolls. If it passes through for another purpose it must pay tolls. For instance, if a vessel comes from Europe, bound to the west coast of America, to Alaska, for example, it shall not pay tolls, but other vessels shall pay. Here is a provision saying that vessels bound from Hampton Roads to San Francisco shall not pay tolls.

Mr. PADGETT. It puts all nations on an equality who go through for this purpose.

Mr. McKENZIE. Mr. Chairman, will my colleague yield?

Mr. MANN. Yes.

Mr. McKENZIE. Is not the invitation here extended to all of the nations of the earth? Is it not a general invitation?

Mr. PADGETT. Yes; it is a general invitation.

Mr. MANN. It would not make any difference whether it was or not, according to my point of view. The question is whether you can say that a war vessel for a particular purpose shall not pay the tolls and another war vessel for another purpose shall pay tolls. That is a plain violation of the treaty.

Mr. McKENZIE. If the exemption is extended to the vessels of all nations on terms of exact equality, to my mind, it would not be a violation of the treaty.

Mr. MANN. It is not extended to all vessels of all nations on an equality at all.

Mr. PADGETT. But it is extended to all vessels of all nations that come under the provision, so that all are treated exactly alike.

Mr. MANN. But you might say, under that, that vessels painted red should pass through the canal free and vessels painted green should not.

Mr. PADGETT. If it extended it to all nations upon an equality, it would not violate the treaty or establish any inequality.

Mr. MANN. I think it would.

Mr. PADGETT. The treaty provides that the Government of the United States will not discriminate against other nations, and shall treat all alike, and this would be treating all alike, even if they were green vessels.

Mr. MANN. Suppose we should say that all vessels bound for San Francisco shall be exempt from the payment of tolls, does the gentleman think that would be in order under the treaty?

Mr. PADGETT. If that was put as a general proposition, and was extended to all nations, there would be no discrimination, but there would be absolute equality.

Mr. MANN. And yet the gentleman and many people claim, with a good deal of justice perhaps, that you can not exempt a vessel bound from New York to San Francisco; but the gentleman says you could exempt all vessels bound to San Francisco.

Mr. PADGETT. No——

Mr. MANN. If you can not do one, you can not do the other.

Mr. PADGETT. The gentleman has changed his premise. His first one was that all vessels of a certain character, of all nations, could go through, and I said yes. Then in the gentleman's second proposition he limited it to vessels in the coastwise trade of the United States.

Mr. MANN. I did not say anything about the coastwise trade.

Mr. PADGETT. I know the gentleman did not use those words.

Mr. MANN. I said vessels bound for San Francisco.

Mr. PADGETT. If it was the vessels of all nations——

Mr. MANN. Make it all vessels of all nations bound from New York to San Francisco.

Mr. PADGETT. If they were all treated alike, it would not be a violation of the treaty.

Mr. MANN. I do not think it would, but the gentleman voted that he thought it would.

Mr. PADGETT. No.

Mr. MADDEN. Mr. Chairman, it seems to me that this paragraph distinctly discriminates. It provides that the ships of the nations invited to attend the exposition may pass through the canal free. It prevents the merchant ships of our own nation passing through the canal free, although they may want to go to San Francisco. It would prevent the ships of any other nation, except particular war ships, from going through the canal free. If there is any way on earth in which you could discriminate, this paragraph does it.

Mr. PADGETT. It simply permits all ships that come under the invitation and are sent by their governments in response to and in recognition of that invitation, and that puts all of them on an equality.

Mr. MADDEN. When you invite particular ships of particular nations to come to the exposition, you certainly do not invite all ships owned by American citizens flying the American flag doing an oversea business, or our own coastwise ships, to participate in this celebration; and you do not, according to the interpretation of the House, permit those ships to go through the canal free.

Mr. PADGETT. This does not relate to the private ships of any nation.

Mr. MADDEN. If it does not relate to private ships, it must discriminate.

Mr. PADGETT. No; it relates to vessels owned by a government and sent by a government in response to the invitation.

Mr. MADDEN. I do not see any reason on earth why we should do for the Government ships what we do not do for private ships.

Mr. PADGETT. There is a vast difference between inviting a government and entertaining its representaives and entertaining individuals of all the world. There is no similarity between the two.

Mr. McKENZIE. Will the gentleman from Illinois yield?

Mr. MADDEN. I do not know that I have the floor.

Mr. PADGETT. I yield.

Mr. McKENZIE. Is not the reasoning of my colleague [Mr. MADDEN] along the line that he would invite a guest to his home to partake of his hospitality and then afterwards charge him for it? We are inviting these ships to come here to participate in this invitation. They are to be our guests. To turn around and charge them for it seems to me a little inconsistent.

Mr. MANN. Is it any more inconsistent than to charge our own vessels?

Mr. MADDEN. There is this difference, that I, in my own house, have no treaty obligations with anybody on earth as to how I shall run the house, and if I invite anybody to my house I can do as I please as to the manner in which I entertain them.

Mr. MURDOCK. Within the law.

Mr. MADDEN. But we have here a treaty obligation that many of us believe we are bound by; and if we are bound by it in one particular case, we are bound by it in every case. There is no way in which you can maintain a law and live up to our obligations under that law except by its enforcement as to everybody alike. That is the contention I make.

Mr. PADGETT. This puts it alike to everybody.

Mr. MADDEN. No; it does not.

Mr. PADGETT. So far as paying our own tolls, we do not have to do that. That would be simply a matter of bookkeeping.

Mr. MURDOCK. If this paragraph becomes a law, does the gentleman from Illinois contend that all foreign vessels which make up this parade from Hampton Roads to San Francisco would not pay tolls, but that the American war vessels would?

Mr. MADDEN. Of course, not only American war vessels but American merchant vessels that might want to participate in this celebration would have to pay tolls. We are not inviting anybody except foreign nations, and we are only inviting them to come here with their warships. We do not invite their merchant ships. We are discriminating against the foreign nations themselves and their citizens.

Mr. MURDOCK. If the gentleman believes that under this provision American war vessels would pay tolls, does he not believe we would pay them back?

Mr. MADDEN. I do not believe we would have to pay tolls on our warships anyway. I never did believe that. I never believed that there was any sense in the contention that the Government that owned the canal and owned the ships would have to pay tolls on its own ships. I make a distinction between the ships owned by the United States and the ships owned by citizens of the United States engaged in business for profit.

Mr. PADGETT. Ships owned by individuals of any nation, operating for profit, are not included. This relates to Government ships.

Mr. MADDEN. That is a discrimination.

Mr. PADGETT. This relates to Government ships of all nations.

Mr. MADDEN. Then you discriminate.

Mr. PADGETT. Not at all. We are not discriminating between any Governments. We are treating all Governments absolutely the same.

Mr. SAUNDERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SAUNDERS. Was the point of order made or reserved?

The CHAIRMAN. It was reserved.

Mr. SAUNDERS. I call for the regular order. This discussion is not directed to the point of order.

Mr. MANN. I make the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. BRYAN. Mr. Speaker, I move to strike out the last word of the paragraph.

Mr. PADGETT. There is no last word.

The CHAIRMAN. All the words have gone out and there is no last word. The Clerk will read.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. HARDY having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives, by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

April 22, 1914:

H. J. Res. 251. Joint resolution justifying the employment by the President of the armed forces of the United States.

April 24, 1914:

H. R. 10138. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

April 24, 1914:

H. R. 15906. An act providing an appropriation for the relief and transportation of American citizens in Mexico.

April 24, 1914:

S. 4980. An act to amend an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes," approved March 9, 1914.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

The Secretary of the Navy is hereby authorized and empowered to define and establish suitable anchorage grounds in Hampton Roads, Va., and the adjacent waters, for the combined fleets of the United States and foreign Governments which may rendezvous there prior to proceeding to the Panama-Pacific International Exposition, to be held at the city and county of San Francisco, Cal., in the year 1915, as well as to define and establish suitable anchorage grounds in the Bay of San Francisco and the approaches and waters adjacent thereto during the continuance of the said Panama-Pacific International Exposition, and the Secretary of the Navy is hereby further authorized to make such rules and regulations regarding the movements of all vessels in all of the waters named as may be necessary in order to insure the proper and orderly conduct of such features as may be planned for the combined fleets and to provide for the safety of the vessels participating therein; and such rules and regulations when so issued and published shall have the force and effect of law.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. My recollection is that the Secretary of Commerce now has the authority that you propose to confer by this paragraph. Heretofore, where such action has been taken by Congress, it has always been taken by giving the authority to the Secretary of Commerce, if there was one, and before that to the Secretary of the Treasury. We passed recently, in this House at least, a general provision authorizing the Secretary of

Commerce to establish anchorage grounds and regulations anywhere in the United States. This provision is sure to make a conflict between the two Secretaries. The Revenue-Cutter Service, under the supervision of the Secretary of the Treasury, enforces the regulations established by the Secretary of Commerce. Is there any occasion for changing that and giving this power to the Secretary of the Navy, where he might absolutely cut out the commercial vessels in the Bay of San Francisco?

Mr. PADGETT. I do not think there is any possibility of that whatever. In reference to Pearl Harbor, Congress several years ago passed a law giving the Secretary of the Navy the right to establish anchorage grounds there.

Mr. MANN. But there is no commerce there, and that is a different proposition. It has heretofore been the policy of the Government to have other departments attend to this matter.

Mr. PADGETT. In this matter we have to entertain the naval fleets of the world, and I think it would be proper for the Secretary of the Navy to have control of it on this occasion and for this purpose.

Mr. MANN. The gentleman knows that there is a great commerce at Hampton Roads and also at San Francisco. Now, the Secretary of Commerce can just as well provide anchorage grounds for the Navy as the Secretary of the Navy can, while, on the other hand, the Secretary of the Navy, influenced by naval officers, in my judgment, is much less likely to take care of the marine interests and much more likely to take care of the selfish interests—and I use the word without any reflection on the naval officers—with reference to anchorage grounds.

Mr. PAYNE. And it might lead to a conflict of authority between the two.

Mr. MANN. It is almost sure to lead to a row.

Mr. PADGETT. Oh, well, that is merely a matter of opinion.

Mr. McKENZIE. Will the gentleman yield?

Mr. MANN. Yes.

Mr. McKENZIE. Who has control of Hampton Roads now, as far as the anchorage grounds are concerned?

Mr. MANN. I do not know whether the Secretary of Commerce has any regulations there or not. The Secretary of Commerce has charge of the harbor of the city of New York, and a few years ago, when they had a great naval parade in New York, the Secretary of Commerce made the regulations and the Revenue-Cutter Service enforced them, and there was no difficulty at all. We passed a bill recently in the House giving the Secretary of Commerce the authority to establish anchorage grounds in any harbor in the United States. I am not sure whether that bill passed the Senate or not.

Mr. PADGETT. I do not know myself.

Mr. MANN. I make the point of order. I do not think there is any difficulty about it.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

Care of lepers, islands of Guam and Culion naval station, island of Guam: Maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the island of Culion, in the Philippines, and their maintenance, $14,000.

Mr. WITHERSPOON. Mr. Chairman, I move to strike out the last word. Complaints have been made by the gentleman from Tennessee [Mr. PADGETT] that I and other members of the minority have used language both in the report we made to the House and in our speeches that are not justified by the facts.

The gentleman from Tennessee complains especially that we characterize the expenditure of the public funds provided in this bill as a criminal waste, and also he was especially grieved at the use of the word "grafter" in the speech I made in this House last Saturday.

I think, Mr. Chairman, the gentleman from Tennessee and some other members of the majority of this committee are the last ones to complain of harsh language. We have spent four months in very hard labor trying to develop the facts about this Navy and to equip ourselves to show this House the truth about it, and our efforts have aroused these gentlemen to make it exceedingly hot for us in the committee, as they are trying to do here in the House.

In the committee an effort was made to put into the record a number of misstatements of facts which it was claimed that I had made. This debate was opened by the gentleman from Tennessee [Mr. PADGETT] by trying to convince this House that in a number of particulars which he specified the minority members of this committee had misrepresented the facts of the case. That has been followed up by other speeches. I do not know which is the worse, to charge a man with being a grafter or to charge him with misrepresenting the facts.

In the charges made against us, Mr. Chairman, there was no uncertainty as to the persons referred to, because our names were read out as the persons who had misrepresented the facts.

Now, I have never said that any Member of this House or anybody else was a grafter; but I want to say this, and I want to say it now, that in this bill there is a large amount of graft. And I want it clearly understood that I make no disclaimer for anything I have said heretofore, either in the minority report or in my speeches in this House.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WITHERSPOON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. WITHERSPOON. Mr. Chairman, I have tried to demonstrate to this House that there is no earthly use for the construction of two more battleships, and I believe that the expenditure of $30,000,000 for useless and unnecessary ships is the worst kind of graft.

Of course gentlemen who think that we need the ships, that they are necessary, would have a different view about it. I expect to show, when we reach the items in the bill, that this bill carries an appropriation for the purchase of four and one-half million pounds of powder, which, under the facts developed at the hearings, we do not need; that the only effect of that waste of the public funds is to fill the coffers of the Powder Trust.

But the gentleman from Tennessee, in his speech in opening this debate, and the gentleman from Massachusetts [Mr. MURRAY] on yesterday enumerated the number of articles, among others specially treated steel, which is largely used in the construction of battleships, and they stated as an evidence of economy that the Secretary of the Navy had reduced the price of these articles to such an extent as to reduce the cost of one battleship, or to save in one battleship, about $800,000. I want to give you the facts about that. That is exactly true, so far as it goes, but it does not state all of the truth. The Secretary of the Navy told your committee this. He said that heretofore these articles on which so much has been saved and armor plate have been let out to the lowest bidder on bids that would require the bidders to bid for all of them or none, and that the result of that was the only three concerns in the United States that can construct armor plate are in a trust with foreign corporations, that the terms of that trust are such that the world is divided, as he said, into three parts, just as Cæsar divided Gaul into three parts, to use his own language, under an agreement that these foreign members of the trust will not bid on armor plate and these other articles in America in consideration of the fact that our American trust will not bid for the same articles in foreign countries. He said that when all of these articles were put up in a bid in such a way that no man could bid for one unless he was able to construct them all, it resulted in giving this trust the entire thing, and that they fleeced and robbed the American people to such an extent that when the price was brought down by competition to what it ought to be he claims to be able to save $800,000 on each battleship. But he says that as to armor plate that is impossible, because nobody else can make it except the trusts; that he can not get any bids in foreign countries on armor plate for the reason that the trusts forbid that, and so the Secretary says, "I am helpless; I am powerless; I have to pay their price." He said that the three members of this Armor Plate Trust had been sending in their bids for years on this armor plate, the bids being identical to a cent, and that when he became Secretary of the Navy they sent in bids for the armor plate that we want to purchase now, and that all three of the bids were identical to a cent. He sent for them and charged them with being in a trust. He charged they could not have bid identically the same amount unless it was done by agreement. They acknowledged it, and he rejected the bids and advertised again.

The result was that while we have been paying $454 a ton, when the Secretary rejected their first bid, because they were identical, they came along and bid $440. He saved $14 a ton on the armor plate. He has had a very thorough investigation of the cost of manufacturing armor plate made, and the experts report that we can manufacture our own armor plate for $279 a ton. Yet we are bound to pay this trust $440 for a thing that is worth $279. That is the statement of the Secretary of the Navy. If we authorize these two battleships, we have got to purchase 16,000 tons of this armor plate at the price this trust says we must pay for it, and the Secretary acknowledges that he is helpless. I asked him, "Mr. Secretary, rather than submit to that outrage, rather than submit to having the American

people robbed and forced to pay $440 for a thing that would cost only $279, do you not think that we would better postpone the construction of these battleships until we can erect a factory and make our own armor plate?" He said no; that he thought we better submit to it.

Mr. Chairman, that is the testimony of the Secretary of the Navy. I mildly called that graft, but I now call it rascality, oppression, and robbery, and that is what it is. [Applause.]

Mr. BRYAN. Mr. Chairman, will the gentleman yield?

Mr. WITHERSPOON. Yes.

Mr. BRYAN. The gentleman speaks of the high charge and then he speaks of the yielding Secretary. Wherein is the graft, in the yielding or in the charge?

Mr. WITHERSPOON. Oh, yielding and charging is not grafting. It is building these battleships and submitting to the extortions of this trust that is trying to rob us by making us pay $440 a ton for a thing that is worth $279. It is a mild use of language to call that graft. A Member of the House may advocate it, a Member of the House may vote for it, and I do not say that that makes him a grafter.

Mr. FOWLER. Mr. Chairman, will the gentleman yield?

Mr. WITHERSPOON. Yes.

Mr. FOWLER. Where is the power lodged to change this condition?

Mr. WITHERSPOON. The power is lodged right in this House and can be exercised by striking these two battleships out of this bill. [Applause.] That is the only way you can do it. I started to say that it was not my duty, that it is not my province, nor is it my pleasure to characterize any of my colleagues who may advocate that or who may vote for it; but I do say that you can not vote for these two battleships wihout voting for graft, and then I submit it to your own conscience as to whether a grafter is a man who advocates it and votes for it or a man who merely receives the money. I express no opinion upon that subject.

The CHAIRMAN. The time of the gntleman from Mississippi has expired.

Mr. HENSLEY. Mr. Chairman, I move to strike out the last two words. It is impossible for me to say in the limited time under the five-minute rule just what I would like to say. The chairman of this committee, as the gentleman from Mississippi [Mr. WITHERSPOON] has so accurately stated, began when he presented this bill to the House by using language concerning the members who had signed the minority views, which certainly was a challenge. As he expressed himself a few moments ago in reply to what I said, he also must understand the use of language. The gentleman from Tennessee [Mr. PADGETT] has been upon this committee for a number of years, as he has stated to you, and in answering what I said a few moments ago the gentleman read portions of the report which we, who signed the minority views, submitted, and he then quoted from a speech made by the gentleman from Mississippi. He points out certain language contained in the minority views and certain language contained in the speech, and says that the gentleman must have known what this language meant. I say to the gentleman from Tennessee that when he delivered his speech on the 31st of March, 1910, he must have known precisely what he intended to convey to the House when he used the following language:

> Now, my countrymen, I appeal to your patriotism and your sense of fairness. Is it right, is it patriotic, that we should use such a nightmare to stimulate the growth of naval hysteria in this country in order to foster the propaganda that I believe is set afoot and maintained by the beneficiary interests in this country that profit out of the spending of thirty or forty million dollars a year out of the naval program of this country?

To whom did the gentleman refer when he used this language in his speech? What did he mean for Congress to understand when he said this? Did he hope that the men who understand the use of language would understand that he, the gentleman from Tennessee, who also understands the use of language, meant nothing more nor less than grafters? Tell me that the great corporations of this country that profit by these increases were not referred to as specifically by the gentleman from Tennessee as we referred to them.

Mr. MURRAY of Massachusetts. Will the gentleman yield?

Mr. HENSLEY. Yes; certainly.

Mr. MURRAY of Massachusetts. Is it not a fact the Secretary of the Navy has a real anxiety to change this condition of affairs?

Mr. HENSLEY. I will answer my friend from Massachusetts. In my judgment there is no question about it, but we are in the grasp of that tremendous institution, the Armor Trust concern, and we have been in the grasp of it for many years. As the gentleman from Nebraska stated on the floor of the House only a few days ago, that institution was fined $500,000 for perpetrating fraud upon the American Government, and yet we continued to contract with this same company.

Mr. MURRAY of Massachusetts. And has not the Secretary of the Navy, Mr. Chairman, recommended the establishment of an armor-plate factory to be owned and operated by the Govment of the United States?

Mr. HENSLEY. Mr. Chairman, I can say I make no charge against the Secretary of the Navy——

Mr. MURRAY of Massachusetts. Is it not true?

Mr. HENSLEY. I have no doubt in my mind of an honest desire on his part to reduce these expenses. I differ from him when he comes before us and says we need two battleships and that we should further submit to this sort of an outrage. There is an honest difference of opinion on that proposition, but I make no charge against the integrity of the Secretary of the Navy. I entertain no such feeling for or opinion of the Secretary of the Navy.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURRAY of Massachusetts. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended. Does the gentleman desire 5 or 10 minutes?

Mr. HENSLEY. Five minutes will be sufficient.

Mr. MURRAY of Massachusetts. For five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the time of the gentleman from Missour be extended for five minutes. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. CALLAWAY. Will the gentleman yield?

Mr. HENSLEY. I will.

Mr. CALLAWAY. What does the gentleman think about the heads of the departments of the Government who come here and advise that we surrender to these combinations and pay them $450 a ton for armor plate that only costs $279 a ton to produce? Is not that advising this Congress that we surrender to the combinations of this country?

Mr. HENSLEY. Well, I would say to my friend from Texas that I can hardly take that position. He may think the needs of the country are such that we should have these additional battleships, and that because of that fact we should submit to this sort of outrage. But I do not believe it is necessary. I said the other day in my speech upon the floor of this House that if the needs of this Government are 10 battleships a year for the national defense, the American people are ready to submit to the tax burden; but if we find they do not require one additional battleship, then why submit to that sort of a proposition?

Mr. CALLAWAY. Mr. Chairman, when the Mexican Government or Huerta would not salute our flag, we will call every American capable of bearing arms and spend every dollar we have got to maintain our dignity; but when the trusts demand that we surrender our rights and pay them tribute almost twice as much as armor plate is worth to build battleships we get down on our bellies and crawl. We are a lion in the face of Mexico, but sheep to be led to the shambles when confronted by the Steel Trust. [Applause.]

Mr. ADAIR. Will the gentleman yield?

Mr. HENSLEY. Yes; I yield.

Mr. ADAIR. I would like to ask the gentleman if he is going to offer an amendment to this bill providing for an appropriation sufficient for the Government to construct a plant in which it may build its armor plate, or if he himself has taken any step looking to that end?

Mr. HENSLEY. The bill under discussion contains an item looking toward that end.

Mr. ADAIR. Does not the gentleman believe it would be well for this House to take some step to that end, rather than to criticize the administration for asking for battleships which the administration seems to think are needed? Does not the gentleman think it would be better to take some action in that matter?

Mr. HENSLEY. I will say to the gentleman from Indiana we can not do all of these things at once. I have made a careful study of the subject, and I am giving you my views upon it, without any criticism of those who honestly differ from me.

Mr. MURRAY of Massachusetts. Neither can the Secretary of the Navy do all these things at once.

Mr. ADAIR. The Secretary of the Navy can not do all these things at once.

Mr. HENSLEY. Would the gentleman suggest we exercise no judgment at all with respect to these matters?

Mr. ADAIR. I would suggest if it is necessary to construct these battleships we procure the armor plate to construct them, regardless of where we are compelled to get it.

Mr. HENSLEY. I maintain it is not necessary and there is no occasion for it and that we should construct an armor-plate concern in order to meet the needs of this Government.

Mr. ADAIR. That is a difference of opinion, as a matter of course, between the gentleman and myself.

Mr. BUCHANAN of Illinois. Will the gentleman yield for a question?

Mr. HENSLEY. Certainly.

Mr. BUCHANAN of Illinois. Is it not a fact that some years ago an appropriation was made for the purpose of constructing an armor-plate plant, and through some influence from some source or other it was never utilized for that purpose? I think there were some $4,000,000 appropriated for that purpose.

Mr. HENSLEY. Yes; such an appropriation was made.

Mr. BUCHANAN of Illinois. It was through influence from somewhere, I do not believe it was exercised here, or anything like that, but from some place or other influence was exercised to stop the Government from protecting itself against these abnormally high prices for armor plate.

Mr. HENSLEY. Now, Mr. Chairman, I desire to submit the only sane and sensible reason suggested as to why we should submit to these increases, and this is from the speech made at a meeting of the American Academy of Social and Political Science in the city of Philadelphia, April 4, as follows:

Rear Admiral Richard Wainwright, speaking on the part of American interests in the Pacific, said he believed that some of the misunderstandings in that part of the world were due to untrained diplomats, and made a plea for the better training of such officers. Referring directly to Japan, the admiral said there was "no present reason, no chance, one might also say, of war with Japan." He knew most of the elder statesmen in that country, he said, and felt sure they would never consent to a conflict without justification. "But," added the speaker, "it is folly to be weak when we have the power to be strong."

The gentleman from Alabama [Mr. HOBSON] appealed to the House the other day in behalf of the Navy. He declared that the Navy was being criticized, and in glowing language appealed to this Congress to treat it fairly. Now, Mr. Chairman, let us inquire into these matters——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HENSLEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes longer.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for five minutes longer. Is there objection? [After a pause.] The Chair hears none.

Mr. HENSLEY. These boys at Annapolis—and I do not at this time or at any time propose to cast any strictures upon those young fellows—if they are able to avoid the plucking board, are able to pass the examinations, the law promotes them right along until they reach their retirement. In the last Congress I introduced an amendment to the bill to cut out the four years' time these boys are attending school, which costs the Government of the United States something like $18,000, all charges included, for the education and training of each one of them for service in the Navy of the United States, instead of counting this time as services rendered in computing their retirement periods, as was done previous thereto. The chairman of the committee opposed my amendment, when it effected a saving of over $300,000 annually, but by the support of Members on both sides of this Chamber we put the amendment through.

"It is folly for us to be weak when we possess the power to be strong," says the admiral. Yes; we have something like 150 rear admirals on the retired list here in the District of Columbia and elsewhere in this country, drawing something like $1,000,000 a year or more in pensions, as against 25 rear admirals in the active service. The burden is not sufficient. The taxpayers of this Nation can stand it a little further, and therefore "it is folly for us to be weak when we possess the power to be strong." We have increased the appropriations going to this department 400 per cent in the last 15 years. Yet this is not sufficient.

Mr. HOBSON. Will the gentleman yield for a question?

Mr. HENSLEY. In just a second. We find the rear admirals who are retired on big pay going over the country, at the instance of the Navy League or for other reasons, making speeches and stirring up the people for the purpose of bringing about further increases. And, gentlemen, let me say to you that the same influences that are at work here all the time stirring us up to make extensions and pointing to Japan, Germany, and other countries as probable foes of our country are present in those countries stirring up the people against the United States for the same purpose; that is, to bring about larger appropriations. In Germany only recently they prosecuted and convicted some of the parties engaged in this sort of business. The press has contained dispatches from Tokyo to the effect that the Japanese people were rioting and were ready to mob some of their people who were responsible for increases in the navy.

Mr. HOBSON. I merely wish to ask the gentleman if he intends to vote with us in the committee when we endeavor to try to reorganize the personnel so as to not turn out officers to the retired list, except only at the top of the grade?

Mr. HENSLEY. I will say to the gentleman that I will consider the matter very carefully when presented to me and then vote as my best judgment directs.

Mr. CARTER. Will the gentleman yield?

Mr. HENSLEY. Yes; I will yield.

Mr. CARTER. I am very much interested in what the gentleman says about this extortion being practiced on the United States Government by the Steel Trust, and I want to ask if there is any way on earth that we can prevent the Steel Trust from taking advantage of the United States Government except by refusing to carry out the naval program of the Secretary of the Navy?

Mr. HENSLEY. As I understand, I will say to my friend from Oklahoma, we can authorize the building of a plant that will enable us to manufacture our own armor plate and prevent this sort of gouging, but you will find in the future, as in the past, that the fellows who are the beneficiaries will crowd around and do everything in their power to prevent this Congress from doing that sort of thing. Let us be candid with ourselves at any rate.

Mr. CARTER. Mr. Chairman, I have not decided just how I shall vote on this two-battleship proposition, but——

Mr. HENSLEY. I have, I will say to the gentleman from Oklahoma.

Mr. CARTER. It is not difficult for an honest man to decide how he should vote on the armor-plate proposition that the gentleman presents to the House. But does not the gentleman, when he calls upon us to vote against two battleships simply to avoid this extortion, understand that he places us in about the same attitude as a man who might be called upon to fight a duel, and because there is only one gun store in the town, and because that store charges an extravagant price for a gun, he goes out and faces the other fellow's shotgun with bare knuckles?

Mr. HENSLEY. I will say to the gentleman that your case is not on all fours at all with this, for the reason we have your man loaded down with armament to such an extent that he can not use that that he already has. [Laughter.] So there is no occasion for going further.

Mr. GREENE of Massachusetts. I would like to ask the gentleman why it is that the administration, with the Attorney General, does not immediately prosecute this trust? What are they waiting for?

Mr. HENSLEY. I will say to the gentleman from Massachusetts that he will have to get an answer from those gentlemen.

Mr. GREENE of Massachusetts. No. I will not be able to get an answer. I do not represent the administration. But you have 161 majority here——

Mr. HENSLEY. I did not yield for a speech from the gentleman from Massachusetts.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. MURRAY of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MURRAY] asks unanimous consent that the gentleman from Missouri [Mr. HENSLEY] may proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. HENSLEY. I might retort, Mr. Chairman, to the gentleman from Massachusetts [Mr. GREENE], if I wanted to play politics upon the floor of this House, that for 16 long years your party was in power and at a time when they were authorizing sometimes as many as four battleships a year and why did you not rout these great trusts, as you were in a position to do so all this time?

Mr. GREENE of Massachusetts. I asked you that question because you have the trusts in your charge now, and, inasmuch as you have been trying to get at them for the last 16 years, now that you have a chance why do you not do it?

Mr. HENSLEY. I will say to the gentleman that the administration will probably reach the trust question before some people desire it.

Mr. MURRAY of Massachusetts. May I ask the attention of my colleague from Missouri [Mr. HENSLEY] to the provision on page 55 of the pending bill authorizing the Secretary of the Navy and directing him to investigate and report at the next

regular session of Congress upon the selection of a suitable site for the erection of an armor plant to enable the United States to manufacture its own armor plate and special-treatment steel capable of standing all tests required for use in vessels of the Navy?

May I ask the gentleman to direct his attention to that feature of this bill?

Mr. HENSLEY. I shall be glad to. I am very glad my friend has asked the question.

As I understand it, for a number of years past these preliminary steps have not only been taken, but definite sums have been appropriated looking to the erection of an armor-plate factory in order to get ourselves out of the grasp of this institution. If I have not said it so that it could be understood, I say now that I sympathize with the Secretary in his efforts to reduce these expenses, although I have not agreed with him on some of the propositions. I have said it to him, and I shall not dodge it here. I have my views and judgment to direct me, and I do not propose to yield to the suggestions of others when they do not in any sense correspond with my views. [Applause.]

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Indiana?

Mr. HENSLEY. Yes.

Mr. ADAIR. The gentleman has left the impression, with me at least, from the language which he used, that, in his judgment, it would be scarcely possible for the Government to construct an armor-plate plant and manufacture armor plate because of the opposition that would come from the trust. The gentleman does not want to cast that sort of a reflection upon the party in power, does he? We know that the gentleman——

Mr. HENSLEY. Oh, if the gentleman has gotten that idea from what I have said—that I intended to convey that sort of an impression—then I have been very unfortunate, I must say, in the language I have used.

Mr. ADAIR. I do not think the gentleman intended to convey the impression; but, really, the language used by him a few moments ago would convey the impression that the gentleman doubted whether or not the administration could carry out that idea because of the opposition that heretofore had been made and would again be made by the trust.

Mr. HENSLEY. Not in the least, let me say to my friend from Indiana; but beyond doubt the effort will be made by these great concerns to prevent us from taking these steps. He is a business man, as I understand it. He was for some years the head of a banking institution. Would a private institution in this country, however profitable their business might be, enter into a contract wherein the concern would suffer a loss of two or three million dollars on an investment of thirty millions when it could save that amount? Should we do it unless there is pressing need at this time for additional battleships?

Mr. ADAIR. I am in sympathy with many of the remarks the gentleman is making, but I do not believe he wanted the impression to go out that this administration was in the control of a trust and could not break away from it even if it tried to do it.

Mr. HENSLEY. Oh, no. I did not intend that that impression should be conveyed.

Mr. ADAIR. I asked the gentleman the question I propounded in justice to the gentleman himself. I did not think he would like that impression to go out.

Mr. HENSLEY. I thank the gentleman. I love the flag as much as anybody does. I know our history. I know the cost of that flag. It has been purchased by the blood and lives of millions of men who were ready to go on the field of battle and fight for it. It has been sanctified by the tears and the prayers of the mothers throughout the ages, and I am just as slow to give up any rights or liberties which that flag is intended to represent as any man on the floor of this House. But I submit, my friends, in view of conditions, that there is no need of any additional battleships at this time; and for that reason I stand upon this floor and am willing to submit to all the belittling things that may be said about me in the press, by the chairman, or by anybody else, in order to represent my honest convictions upon the proposition. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. PADGETT. Mr. Chairman, I want to say very clearly and very distinctly that I have not said at any time anything belittling of the gentleman from Missouri or anyone else. I have stated that I never resort to anything of that kind, and I must disclaim that part of the gentleman's remarks.

I rose for the purpose of calling attention to the statement made by the gentleman from Mississippi [Mr. WITHERSPOON] relative to the statement about the cost of armor under Government manufacture. The statement of the gentleman, I am sure, was made inadvertently when he said that the Secretary stated that it could be made at $179 a ton in a Government plant. On page 623 of the hearings of the Secretary this statement was made, speaking of the manufacture of armor, and so forth:

> Mr. WITHERSPOON. My recollection is that Admiral Strauss stated that the Navy Department had found out that they could manufacture their own armor plate for $187 a ton.
> The CHAIRMAN. About $280 a ton, varying in price according to the capacity and amount that was made.

Then, turning to the testimony of Admiral Strauss, as it appears on page 531 of the hearings, I read from the tables there that in a factory with a capacity of 20,000 tons a year—manufacturing 20,000 tons—the cost would be $279 a ton; manufacturing 10,000 tons a year the estimated cost would be $349 per ton, and manufacturing 5,000 tons the estimated cost is $400 a ton. In a factory with a capacity of 10,000 tons, manufacturing 10,000 tons, the estimated cost is $314 per ton; manufacturing 5,000 tons the estimated cost is $394 per ton. In a factory with a capacity of 5,000 tons, manufacturing 5,000 tons, the estimated cost is $354 per ton.

I simply wanted to say in addition, however, that these estimates are very largely made without that acute investigation that should be made to authorize the Government to go into an expenditure of a great many million dollars in a class of manufacture that is hazardous; and until we get the detailed information the committee thought that we should authorize and direct the Secretary to investigate and report to the next Congress the cost of a plant, the location of a plant, the cost of the manufacture, and all the detailed information that would be essential to enable the committee and the Congress to reach a clear and intelligent opinion.

Mr. COX. Mr. Chairman, will the gentleman yield right at that point?

Mr. PADGETT. And we have included that in the bill.

Mr. COX. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. COX. Supposing that the Government would build two dreadnaughts, as set forth in your bill here, how many tons of armor plate would the Government require for use in a year?

Mr. PADGETT. About 16,000 tons; about 8,000 tons to a dreadnaught.

Mr. BUCHANAN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. What I was going to say is that it takes from 32 to 36 months to build one of these dreadnaughts, and that expense would be distributed. But assuming that two should be authorized each year, that would be the equivalent of two constructed each year.

Mr. COX. Yes; or 16,000 tons each year.

Mr. PADGETT. Yes.

Mr. WINGO. If the gentleman will yield, what is the estimated cost of a 10,000-ton capacity plant?

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. I ask that my time be extended five minutes, so that I may answer these questions.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WINGO. Or what is the estimated cost of a 20,000-ton plant? I understand that would be more practical.

Mr. PADGETT. I do not have the figures in my mind just at this moment, but we have it stated in the hearings.

Mr. WINGO. Does the gentleman remember the cost approximately?

Mr. PADGETT. My recollection offhand is that it is something more than $10,000,000.

Mr. WINGO. For the 20,000-ton plant?

Mr. PADGETT. Yes. The figures are set out in detail in the hearings.

Mr. STAFFORD. On pages 512–516 of the hearings the gentleman will find the total cost stated at $15,327,000.

Mr. PADGETT. On page 516 the total cost of a plant of that kind is estimated at $15,327,000.

Mr. WINGO. Have you anything to indicate what is the probable life of a plant of that type?

Mr. PADGETT. It was estimated that it would have to be renewed at something like 10 per cent a year.

Mr. WINGO. Ten per cent a year depreciation?

Mr. PADGETT. Yes; about that sum. As I stated, these figures are not in as minute and accurate detail as we would like to have them.

Mr. HENSLEY. Will the gentleman yield right there?

Mr. PADGETT. Yes.

Mr. HENSLEY. I desire to ask the gentleman if it is not true that in the price set out in the hearings, Admiral Strauss explained that he had figured in the interest on the investment, overhead charges, and all of those things that any private institution would have to take into account.

Mr. PADGETT. I do not know that he said he had included all of them. I think he said he had included many of them. I do not think he said all. For instance, I do not think he figured anything for taxes. I do not think he included anything for the salaries of what are known as the administrative officers. I do not think he figured in anything for insurance, because the Government does not insure. That is my recollection. I have not looked it up for some time.

Mr. HENSLEY. Does it not represent a saving of $161 per ton, the difference between $440 a ton and $279 a ton?

Mr. PADGETT. That would be a matter of subtraction.

Mr. HENSLEY. A matter of calculation?

Mr. PADGETT. Yes.

Mr. HENSLEY. On two battleships, what will that represent per year?

Mr. PADGETT. I have not made the computation. There is no dispute that if the Government can manufacture armor plate at $279 a ton and has to pay $440 a ton for the purchase of either 8,000 or 16,000 tons a year, there would be a saving. But, as I stated a moment ago, this is a hazardous manufacture. Take a plate that is 20 feet long and 10 feet wide, the size of one of the armor plates, that represents an immense amount of money in the tonnage in the plate at any price. The spoiling of that plate represents a large loss. The Government in experimenting with this thing, in educating and training its men, might lose a very large sum of money; that would add to the cost of the material that was manufactured in perfection.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. BUCHANAN of Illinois. Does not the gentleman think the Government could employ experts, the same as private manufacturers, to manufacture this armor plate?

Mr. PADGETT. Yes.

Mr. BUCHANAN of Illinois. If the Government was to manufacture its own armor plate, it would mean no private manufacture of it, and the experts in that line could be employed to do the work for the Government.

Mr. PADGETT. That is true. They could be employed; but my information is that some of the experts in the manufacture of this armor plate are paid at the rate of $10,000, $15,000, or $20,000 a year. The Government does not pay salaries of that kind.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. In order to answer this question, I will ask for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PADGETT. I do not want to be put in the position of appearing to be opposed to this matter. I am only saying that the committee has instituted a proceeding by which we feel that the Government will get the necessary information for intelligent action upon the matter.

Mr. LEVY. Does the gentleman know what it costs foreign governments for armor plate?

Mr. PADGETT. They pay more than we do, with the exception of one government, I believe.

Mr. BROWNING. Is it not true that these plants that are manufacturing armor plate did so only at the solicitation of the Government, because they were requested to make it for the Government?

Mr. PADGETT. The Government is their only customer, of course.

Mr. BROWNING. They enlarged their plants to make armor plate because the Government wanted them to?

Mr. PADGETT. And I suppose also because they saw a profit in it.

Mr. BROWNING. I presume so. Most people are in business for profit.

Mr. BARTON. And I will say that the Government let contracts enough, with margin enough of profit, to pay for the building of the plants.

Mr. PADGETT. I do not know about that. I will state, though, that the records show that we have paid less for armor in this country than any foreign country, with one exception.

The CHAIRMAN. The time of the gentleman has expired. If there be no objection the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

BUREAU OF NAVIGATION.

Transportation: For transportation of recruits for the naval service; for travel allowance of enlisted men discharged on account of expiration of enlistment; transportation of enlisted men and apprentice seamen at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their homes, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfer en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen to hospitals, with subsistence and transfers en route, or cash in lieu thereof; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation, $850,000.

Mr. PADGETT. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 6, line 19, by striking out the words "for transportation of recruits for the naval service"; page 6, line 22, after the word "seamen" and before the word "at," insert the words "and applicants for enlistment."

The CHAIRMAN. The question is on agreeing to the amendment. Those in favor of the amendment will say "aye"; those opposed will say "no." No one voting, the amendment appears to be lost.

Mr. PADGETT. I voted for it, Mr. Chairman.

Mr. BUCHANAN of Illinois. I voted, Mr. Chairman.

The CHAIRMAN. The Chair did not hear anyone vote for it.

Mr PADGETT. I ask for a division.

The committee divided; and there were—ayes 34, noes 3.

Accordingly the amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I move to strike out the last word, for the purpose of making a statement. I stated a moment ago that on page 516 of the hearings it appeared that the cost of a Government armor plant was $15,327,371. I wish to state now that that embraces a gun-forging plant in connection with the armor plant. On page 510, with reference to an armor-plate factory, for a 20,000-ton factory the cost of the establishment would be $11,288,421. For a 10,000-ton factory it would be $8,466,000. For a 5,000-ton factory the cost would be $6,300,000. I wanted to put that correction in because the other estimate that I gave embraced the factory and a gun-forging plant.

Mr. J. M. C. SMITH. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. J. M. C. SMITH. I understood the gentleman to say that we paid less for armor plate than any other nation in the world except one.

Mr. PADGETT. That is what the report says.

Mr. J. M. C. SMITH. What nation manufactures its own armor plate?

Mr. PADGETT. France, I think, is the only European nation that manufactures its armor plate. As to Japan, we have never been able to ascertain whether she manufactures hers or not.

Mr. LEVY. I think we supply Japan with armor plate.

Mr. J. M. C. SMITH. Does the gentleman know what it costs France to manufacture her armor plate?

Mr. PADGETT. No; I do not.

Mr. MOORE. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. MOORE. In regard to the alleged trust to control armor plate, does the gentleman know, or has he had any information as to an international combination on that proposition?

Mr. PADGETT. The Secretary of the Navy stated that he was of the opinion that there existed an agreement or understanding among the manufacturers of different nations in which they had parceled out the territory, and that they did not bid against each other.

Mr. MOORE. We might call it a charge, but I do not want to call it by so harsh a term. Still the gentlemen advocating a small Navy have indicated several times that there was an international trust or such a combination, for instance, as to force the maintenance of high prices in armor plate throughout the world. Is there anything in the hearings bearing on that question that would justify that allegation?

Mr. PADGETT. The Secretary of the Navy said that it was his opinion that there did exist an agreement or cooperation of some kind by which the manufacturers of Europe would not come into this territory to bid in competition with the manufacturers of this country, and that the manufacturers in this country would not bid in opposition to the European manufacturers in their country.

Mr. MOORE. And, therefore, any relief that the United States might desire as against exorbitant prices would be found in the construction of an independent armor-plate factory?

Mr. PADGETT. That was his statement.

Mr. WITHERSPOON. Will the gentleman from Tennessee yield for me to ask the gentleman from Pennsylvania a question?

Mr. PADGETT. Yes.

Mr. WITHERSPOON. I understood the gentleman from Pennsylvania to allude to the advocates of a small Navy. Did the gentleman mean to include me?

Mr. MOORE. I did not mean to include the gentleman invidiously at all.

Mr. WITHERSPOON. That is not what I want to know. Did the gentleman refer to me as an advocate of a small Navy?

Mr. MOORE. The gentleman from Mississippi has made two eloquent speeches on the subject which would lead us all to believe that he was in favor of a small Navy, and it is constantly in the newspapers, from which, under this administration, we get a great deal of information, that the gentleman from Mississippi is one of the advocates of what is called a small Navy.

Mr. WITHERSPOON. I know my friend from Pennsylvania did not intend to misrepresent me. When the newspapers say that I advocate a small Navy, that is the most conclusive evidence that I advocate a big Navy, because they do not tell the truth about me at any time. [Laughter.] Now the gentleman refers to me and others as advocates of a small Navy. If I have not made myself understood, I would like to say now that I think we have the most powerful Navy on earth, and that I advocate it. I want to improve it, and when you refer to me as advocating a small Navy you put me in an attitude I do not think I ought to be put in.

Mr. MOORE. I wish to say to the gentleman, if the gentleman from Tennessee will permit me——

Mr. PADGETT. The gentleman can take the floor in his own time; I have finished.

Mr. MOORE (continuing). That no one in this House, I am sure, having heard the gentleman on more than one occasion would question his patriotism, his desire to maintain the honor of his country, the upholding of the flag concerning which no man has spoken more forcefully than he, but it would appear from the gentleman's persistence in leading a small body of Representatives in this House against the construction of battleships that he was not wholly in sympathy with the majority of the House on either side in the policy of maintaining a Navy sufficient to meet our needs in case of war.

I would not for a moment have the gentleman misunderstand anything I have said, but it does appear that the gentleman has been opposed to the construction of battleships of a size and of an effectiveness, as we understand it from experts, which would place the United States in the third or fourth place among the great powers of the world with respect to the strength of the Navy.

I do not believe the gentleman would like to have the United States so placed. He claims that the United States is strong as it is, and uses the illustration of the battleship *Oregon* as indicating that battleships of that class are sufficient to meet upon the high seas and successfully defeat battleships of greater power and greater strength. In that he differs from those who have expert knowledge, and particularly the Secretary of the Navy.

Now, Mr. Chairman, is it in order to move to strike out the last word?

The CHAIRMAN. The gentleman from Pennsylvania has been proceeding in his own time.

Mr. MOORE. Mr. Chairman, I understood I was using the time of the gentleman from Tennessee. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman still has three and a half minutes left.

Mr. MOORE. I thank the Chair. I think I can finish in that time.

Mr. SAUNDERS. Mr. Chairman, may I interrupt the gentleman?

Mr. MOORE. Certainly.

Mr. SAUNDERS. Mr. Chairman, I think the gentleman fails to understand either the gentleman from Mississippi [Mr. WITHERSPOON], or any of the gentlemen who are in sympathy with his stand for a sufficient Navy; not one of us has ever undertaken to say that the *Oregon* could defeat ships of superior strength and power. Such a contention would place us in an absurd and ridiculous attitude, and I do not think that the men who are in favor of a moderate but sufficient Navy, are either absurd, or ridiculous. The gentleman from Mississippi [Mr. WITHERSPOON] essayed to demonstrate, and no one has undertaken to reply to the figures which he presented, that comparing the *Oregon* with ships of the same age and type in Germany, the *Oregon* was superior to them, and, therefore, could demolish them. The gentleman from Alabama [Mr. HOBSON] imputed to the gentleman from Mississippi [Mr. WITHERSPOON] the statement that the *Oregon* could defeat six German dreadnaughts, but that statement was not made on the floor of this House. The gentleman from Mississippi made no such statement.

Mr. MOORE. Mr. Chairman, surely the gentleman heard the statement made by the chairman of the committee a little while ago, that the gentleman from Mississippi [Mr. WITHERSPOON] undertook in his speech to say that the *Oregon* could meet and outclass six of the best of the German ships.

Mr. PADGETT. Not the best.

Mr. SAUNDERS. I did not hear any of that statement, but even if the gentleman from Tennessee [Mr. PADGETT] had made the statement there was no occasion for me to rise and correct it. As a matter of fact, the gentleman from Mississippi never compared the *Oregon* with the German dreadnaughts. The RECORD shows what he did say. He took up the German battleships for the purpose of comparison. These were ships of the age and type of the *Oregon*, and upon the comparison he very clearly demonstrated that the *Oregon* was superior to her hypothetical German adversaries. This was all he ever undertook to do.

Mr. MOORE. I think I am entirely accurate in saying that both the gentleman from Alabama [Mr. HOBSON] and the gentleman from Tennessee [Mr. PADGETT], the chairman of the committee, have said in addresses on the floor of the House——

Mr. SAUNDERS. Oh, the gentleman from Alabama declared the gentleman from Mississippi had stated that the *Oregon* could defeat six German dreadnaughts. That does appear in the speech of the gentleman from Alabama, but no one can find such a statement in the speech of the gentleman from Mississippi.

Mr. MOORE. I surely do not want to misrepresent the gentleman from Mississippi, because I esteem him too highly, as he knows; but it has been said here, and much of the argument has been based on the statement, that the gentleman from Mississippi did state that the *Oregon* was sufficient in her power to meet and defeat six vessels of the German Navy.

Mr. SAUNDERS. This discussion shows how much time is consumed in combating men of straw that our adversaries erect for the purpose of triumphantly overthrowing them. The statement imputed to the gentleman from Mississippi was never made.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. MOORE. Certainly.

Mr. PADGETT. Mr. Chairman, the gentleman from Tennessee read into the RECORD the statement made by the gentleman from Mississippi [Mr. WITHERSPOON]. He did not use the exact language that the gentleman from Pennsylvania attributed to him, and so that there may be no misunderstanding about the matter I will again read what the gentleman from Mississippi said. It is as follows:

> So in point of weight of the metal in a broadside, in point of the muzzle energy, in point of protection by their armor, in point of the destructive forces of the gun, there is not a battleship in the German line that is near equal to the *Oregon*. [Applause.] The truth of the business is if the *Oregon* was in a battle with any six German battleships it would destroy every one of them before they would get close enough for their guns to penetrate its armor. [Prolonged applause.]

Mr. MOORE. Mr. Chairman, will the gentleman from Tennessee kindly answer me a question? Is there anything that goes along with the equipment of a fighting ship like the *Oregon*, as described by the gentleman from Mississippi, that is needed to make a vessel more effective?

Mr. PADGETT. Oh, yes; there are many things; but I do not want to take up the time now to discuss them. There is the question of speed, belt armor, and a multitude of things that have been discussed time and again.

Mr. WITHERSPOON. Mr. Chairman, will the gentleman yield.

Mr. MOORE. I yield.

Mr. WITHERSPOON. I would like for my friend from Pennsylvania to understand exactly what I intended to say.

Mr. MOORE. It is very clear now from what the gentleman from Tennessee has read.

Mr. WITHERSPOON. I think that my language is accurate, but it seems to be misunderstood by the gentleman from Penn-

sylvania, and I would like to just recall what I said in a few sentences. I stated that the German Navy was divided in our Navy Yearbook into three classes—battleships, dreadnaughts, and cruisers; that there were 20 battleships. I used the word "battleships" there to distinguish those 20 battleships from the dreadnaughts. Then I took up the first 5 of those 20 battleships and compared them with the *Oregon*, and then the second 5 which are a little different from the first 5, and then the last 10 which are different from the others, and compared the 20 battleships with the *Oregon* as distinguished from dreadnaughts, and my statement there is that the *Oregon* is more powerful than any one of those battleships. Sometimes the word "battleship" is used in the sense of all battleships, including dreadnaughts, but the connection there shows that I was using it to distinguish that class of ships from dreadnaughts. It seems that I can not say anything in this House that somebody does not misunderstand.

Mr. MOORE. I am very glad the gentleman makes this statement, and I am quite sure I want to understand him and I hope others do, but the difficulty is this: Listening to the gentleman, as I have tried to do, and I am always interested in what he says, and having listened to the interpretations of at least two Members from his own side in regard to what he said, I would say that the lay mind, apart from the expert, the man of technique, would be apt to take the gentleman from Mississippi to mean that the American Navy with a few ships like the *Oregon* would be fully able to meet any great nation on the high seas. I think the impression left by the gentleman, whether it may be unfortunate or not, is that with a few more *Oregons* we would have all the navy necessary to meet the navy of Germany, or of Japan, or of Great Britain, which has the strongest navy of all the nations. Therefore I am glad the gentleman has made the statement.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOWLER. Mr. Chairman, I desire to speak in opposition to the amendment of the gentleman from Pennsylvania. Mr. Chairman, I would not have said anything in this discussion had it not been for the reference made by the distinguished chairman of the committee as to the question of the price of armor in America and abroad, and I desire to have his attention, because I probably will want to ask him some questions. I have no fault to find with his statement in any way whatever. As I recall, he made this statement, in substance: That in America we pay less for armor than is paid by any other country in the world except one. Now, if I have not correctly quoted him, I will be glad to have him correct me.

Mr. PADGETT. I think that was the substance of what I said.

Mr. FOWLER. I think his statement is practically true as to present prices, as far as I have been able to ascertain, and I have gone into the question with some degree of care; but I desire to call his attention to this: That prior to 1894 America had been paying enormous prices for armor, all the way from $500 a ton to $725 a ton. During that year the Bethlehem Co. entered into a contract to furnish Russia with a sufficient amount of armor for one battleship at $249 per ton, with a provision to furnish enough for two more battleships if required by Russia at the same price. I now desire to ask the gentleman if it is not a fact that that was the beginning of a reduction of the price of armor plate not only in America but in other countries, and if soon thereafter, in order to prevent reasonable prices and at the same time affording reasonable profits, the representatives of the armor-making plants of the world did not meet in Paris and have a tentative agreement, which is sometimes called a "gentleman's agreement," that the plants that made armor and armament and other munitions of war would not compete with each other or send bids to the individual countries where such plants existed? I want to know if it is not a fact that Secretary Herbert, when he came into office as Secretary of the Navy, did not institute an investigation for the purpose of reaching the question of the fraud that had been and was then being perpetrated upon America by those high-price companies?

And did they not practically admit that they were then in a conspiracy against the people of this country to defraud us by extortionate prices, and if through that investigation and the investigations following by the House and the Senate the price of armor was not reduced from $600 and more to the price of $411, and if that was not the fixed price thereafter for some time, and did it not result in a saving to the American people of $24,000,000?

Mr. TAVENNER. Will the gentleman yield?

Mr. FOWLER. Yes.

Mr. TAVENNER. I would like to call the attention of the gentleman to the statement of Secretary of the Navy Daniels to the effect that while the Armor Trust was selling armor to Russia at $249 a ton they were at the same time charging the United States $616.14.

Mr. FOWLER. That is true, Mr. Chairman, and that is the very point I am trying to make, that when there was an effort on the part of the American manufacturer of munitions of war to extend our trade into foreign countries it was done at the expense of the foreign manufacturers, and they pretended to do it at the same time——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FOWLER. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. FOWLER. At the same time they were charging the American people $600 a ton in round numbers for the identical character of armor that the Bethlehem Co. was selling to Russia for $249 per ton.

Mr. LEVY. Will my colleague allow me? Did not the United States drive the Bethlehem Co. out of business in manufacturing armor?

Mr. FOWLER. The Bethlehem, like other corporations of this country, was able to take care of itself. And soon thereafter it entered into an agreement with the other two plants that manufactured armor and armament in America, and when the three have submitted prices for American armor and armament it has been for almost identically the same price—to a cent in some instances. In one instance in 1906 their price differed 6 cents a ton, and in another instance 11 cents a ton. And that is how near they were in a trust, and that is how able they were to take care of themselves—Oh, Bethlehem!

Mr. LEVY. I understand that the Bethlehem Co. is out of business, so far as armor plate is concerned.

Mr. FOWLER. But the Bethlehem is not out of business.

Mr. LEVY. Oh, no; as I understand, the company no longer manufactures armor plate.

Mr. FOWLER. Oh, but Bethlehem has been in what they call a "gentleman's agreement" in America, and that is to divide the profit no matter who gets the business.

Mr. LEVY. As I understand, the United States first persuaded them to go into the business and then failed to give them very little, if any, business, and it drove them out of competition.

Mr. FOWLER. But at the same time I want to tell the gentleman that the Illinois Steel Co. was not in the deal——

Mr. LEVY. I do not know anything about that.

Mr. FOWLER. And that that company proposed that if the United States would give her the business of furnishing armor for 20 years she would manufacture it and furnish it for $240 a ton. [Applause.]

Mr. WITHERSPOON. Will the gentleman yield?

Mr. FOWLER. I will.

Mr. WITHERSPOON. The gentleman stated the trust was selling to our Government at $616 at the same time it was selling to foreign governments at $249?

Mr. FOWLER. It was the Bethlehem Co. that did that.

Mr. LEVY. And the Russian contract was the cause of the company becoming a competitor in the manufacture of armor plate.

Mr. FOWLER. The Bethlehem Co. has never complained that she did not make a reasonable profit on the 1,500 tons of armor which she furnished to Russia.

Mr. WITHERSPOON. I would like to ask the gentleman if, according to his ideas, that would be graft? If not, what would it be?

Mr. FOWLER. With all deference to the distinguished gentleman from Mississippi [Mr. WITHERSPOON]—and I regard him as one of the ablest men on the floor of this House—I do not know that I have the same idea of graft that he has or that other men have. My definition of graft is a liberal one. [Laughter.] Whenever by force of circumstances there is an agreement to destroy competition for the purpose of increasing the price of the commodity or lowering the quality of the commodity by the makers thereof it is graft. I do not care where it is or who is engaged in it.

Mr. MOORE. Now, Mr. Chairman, will the gentleman yield?

Mr. FOWLER. Yes; I will yield to the gentleman.

Mr. MOORE. The gentleman believes there is an international trust to manufacture armor plate, does he not?

Mr. FOWLER. Yes.

Mr. MOORE. Does the gentleman know of any lawful agency in the United States Government by which such a trust could be prosecuted?

Mr. FOWLER. In the United States?

Mr. MOORE. Yes.

Mr. FOWLER. Oh, I do not know, except in so far as the American end of the game is concerned.

Mr. MOORE. If there is an international trust and some one in the United States participates in that trust, there must be a United States branch of it, subject to the laws of the United States?

Mr. FOWLER. I presume, as I said, that the agents of the three armor-producing plants in America had entered into a secret deal with the armor-producing plants of foreign countries.

Mr. MOORE. A reprehensible and unlawful deal, as the gentleman believes?

Mr. FOWLER. Yes; reprehensible and obnoxious in the extreme.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MOORE. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MOORE. Does the gentleman know what agency of the Government is charged to prosecute such an unlawful deal?

Mr. FOWLER. I know the agency through which prosecutions are carried on in America for the violation of Federal statutes.

Mr. MOORE. Does the gentleman know who is in control of the Government of the United States now; who has the power to direct the agency that has the power to prosecute an illegal trust? Can the gentleman tell us who is in control of the administration now?

Mr. FOWLER. Certainly. Every schoolboy knows that. [Laughter.]

Mr. MOORE. Then why does it not act against this illegal trust?

Mr. FOWLER. For 16 long years your party was in power, when this trust grew to its greatest power of oppression. [Applause on the Democratic side.] During that time, in 1900, through the influence of Democratic agitation, a provision was carried on the naval appropriation bill for $4,000,000 to build a United States plant for manufacturing armor and armament in America, and for some reason, unknown to me, and I presume probably to the gentleman from Pennsylvania——

Mr. MOORE. No; I disown it. I do not know it——

Mr. FOWLER. That $4,000,000 evaporated like the children of the mist, and we never heard of it any more.

Mr. MOORE. Mr. Chairman, will the gentleman yield further?

Mr. FOWLER. The gentleman from Pennsylvania represents a State where the greatest amount of armor and armament is manufactured, and I have no doubt but what he is exceedingly anxious to throw his strong arm, as a Member of this great body, around those plants to protect them in their business.

Mr. MOORE. If they exist in Pennsylvania and are illegal they ought to be prosecuted, and you have the power.

Mr. FOWLER. Yet I do not think for one moment the gentleman, honest, true, and honorable as he is, would think of protecting them in an unlawful and unwarranted combination against the American people. [Laughter.]

Mr. MOORE. Will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. FOWLER. Yes.

Mr. MOORE. If there was an unlawful trust, say one of the tentacles of the "octopus" in the State of Illinois, which the gentleman represents, would not the gentleman be in favor of having the Attorney General of the United States proceed against that unlawful arm?

Mr. FOWLER. I would furnish the Attorney General all the convicting evidence at my command. Would the gentleman do it in his State? [Applause on the Democratic side.]

Mr. MOORE. Of course I would. [Applause on the Republican side.]

Mr. FOWLER. The gentleman has a great big job on his hands, because the evidence is plentiful in his State, as I am advised.

Mr. MOORE. That is your job. You say we had 16 years in which to do it. Did your Attorney General under Grover Cleveland, the last Democratic President, hold the antitrust laws of this country to be effective in cases of this kind?

Mr. FOWLER. He convicted Andrew Carnegie, and a judgment was rendered against him for his unlawful conduct, and the gentleman from Pennsylvania is familiar with it.

Mr. MOORE. Why, Andrew Carnegie walks the streets today in safety and sanctity, I will say to the gentleman, preaching peace and supported by the gentleman's administration. [Laughter on the Republican side.]

Mr. FOWLER. The gentleman from Pennsylvania has never attained the arts of Andrew Carnegie. He is always with the administration, regardless of its politics. [Laughter.]

Mr. MOORE. I have learned the art of practicing what Mr. Carnegie preaches, which preaching the administration pretends to practice. When the administration gets to practicing what it preaches, then I may go along with the gentleman on that proposition. [Applause on the Republican side.]

Mr. FOWLER. Oh, the administartion has started in, I warn the gentleman from Pennsylvania, and this administration does not intend to look back.

Mr. MOORE. Against the Steel Trust has it started in yet, may I ask the gentleman?

Mr. FOWLER. Your party looked back, and has been turned into a pillar of salt. [Laughter.]

Mr. MOORE. When the Attorney General of the gentleman's administration gets busy with the Tobacco Trust and the Steel Trust and other trusts of which the gentlemen on that side of the House complain it will be time to judge.

Now, I would like to ask the gentleman another question.

Mr. FOWLER. I yield to the gentleman.

Mr. MOORE. I want to ask the gentleman, since he thinks there is an international trust and that it is raising prices against the American Government in the construction of battleships, why in the tariff bill passed by the gentleman's party and signed by President Wilson no longer ago than October last the duties upon the goods manufactured by this international trust were so lowered that the trust prices have continued to go up?

Mr. FOWLER. Oh, they are treated just as other men are.

Mr. MOORE. Yes; but if they were trust products, why were they so treated?

Mr. FOWLER. The Democratic Party is in favor of equality among men, and it tries to practice that; but whenever the Democratic Party finds men guilty of crime it stands for the enforcement of the law; and I warn the gentleman that his State had better take care of its lawbreakers if he expects them to escape Federal prosecution. Our party is not against the lawful use of big capital, but it is opposed to the unlawful combination of such capital for monopoly and in restraint of trade.

Mr. MOORE. We were told that last year and we have been waiting ever since, to the great annoyance of legitimate business.

Mr. FOWLER. That is the familiar cry of the trusts whenever their illegal and unrighteous methods are exposed.

Mr. PADGETT. Mr. Chairman, I do not care to take up the varied and diverse discussion that has just taken place. I want to read the latest prices paid by naval powers for armor: Japan, turret armor, $490 a ton; Krupp side armor, $490 a ton. Austria, $729 for turret armor, and for Krupp side armor $511. Italy, $444 for turret armor, and for Krupp side armor, $405. Germany, for Krupp side armor, $490. France, for turret armor, $598; Krupp side armor, $460. England, turret armor, $691; Krupp side armor, $503. Russia, turret armor, $510; Krupp side armor, $368. United States, turret armor, $518; Krupp side armor, $454.

Mr. MURDOCK. Will the gentleman explain why Austria pays so much more than anyone else?

Mr. PADGETT. I do not know. Now, I want to read a statement that appears upon page 507 of the hearings, in the statement of Admiral Strauss, of the cost per ton of armor to the Government of the United States, beginning with 1887 and continuing down each year to 1913:

Cost per ton to Government.

1887	$615.24
1890	599.04
1893	657.93
1896	590.12
1898	410.52
1899	410.25
1900	420.00
1903	420.00
1903	398.00
1904	420.00
1905	420.00
1905	398.00
1906	346.00
1907	420.00
1908	420.00
1909	420.00
1910	420.00

1911	$420.00
1913	454.00
1913	440.00

Now, Mr. Chairman, this is Saturday afternoon and past 5 o'clock. Down in the Southland there is a tradition and a practice to suspend a little bit earlier on Saturday afternoon, and I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BORLAND having taken the chair as Speaker pro tempore, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14034) making appropriations for the naval service for the fiscal year ending June 30, 1915, and for other purposes, and had come to no resolution thereon.

SIXTH INTERNATIONAL COMMERCIAL CONGRESS (H. DOC. NO. 928).

The SPEAKER pro tempore laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

In view of a provision contained in the deficiency act approved March 4, 1913, that "Hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event without first having specific authority of law," I transmit herewith, for the consideration of the Congress and for its determination whether it will authorize the acceptance of the invitation and the appropriation necessary to defray the expenses incident thereto, a report from the Secretary of State, with accompanying papers, being an invitation from the Government of the French Republic to that of the United States to send delegates to the Sixth International Congress of Chambers of Commerce and Commercial and Industrial Associations, to be held at Paris from the 8th to the 10th of June, 1914, and a letter from the Department of Commerce showing the favor with which that department views the proposed gathering, and recommending an appropriation of not to exceed $2,000 to defray the expenses of participation by the United States.

WOODROW WILSON.

THE WHITE HOUSE, *April 25, 1914.*

The message, with accompanying documents, was ordered to be printed and referred to the Committee on Foreign Affairs.

LEAVE TO EXTEND REMARKS.

Mr. LEVY. Mr. Speaker, I ask unanimous consent to extend my remarks in relation to a question of a privileged resolution and to insert a few letters and telegrams.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BUCHANAN of Illinois. On what subject?

Mr. LEVY. On a question of privileged resolution—a privileged question.

Mr. BUCHANAN of Illinois. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill and joint resolution:

H. R. 7138. An act to provide for raising the volunteer forces of the United States in time of actual or threatened war; and

H. J. Res. 253. Joint resolution reappropriating certain funds for expenditure at the naval station at New Orleans, La.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. J. Res. 142. Joint resolution authorizing the Vocational Education Commission to employ such stenographic and clerical assistants as may be necessary, etc.; to the Committee on Education.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until Monday, April 27, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of War submitting a supplemental estimate of appropriation in the sum of $50,000 required by the War Department and its bureaus for public printing and binding for the fiscal year ending June 30, 1914 (H. Doc. No. 926); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of War submitting an estimate of deficiency in the appropriation for mileage to officers and contract surgeons in the sum of $50,000 required by the War Department for the fiscal year ending June 30, 1914 (H. Doc. No. 925); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of Commerce, submitting draft of a bill to facilitate the procurement of statistics of the coastwise trade of the United States passing through the Panama Canal (H. Doc. No. 927); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. TALCOTT of New York, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution (S. J. Res. 29) authorizing the President to appoint a member of the New Jersey and New York Joint Harbor Line Commission, reported the same with amendment, accompanied by a report (No. 581), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. J. R. KNOWLAND, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 1186) for the relief of Luke Rattigan, reported the same with amendment, accompanied by a report (No. 580), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 16020) to create a bureau for the deaf and dumb in the Department of Labor, and prescribing the duties thereof; to the Committee on Education.

Also, a bill (H. R. 16021) to provide for summer residence homesteads, and for other purposes; to the Committee on the Public Lands.

By Mr. WHALEY: A bill (H. R. 16022) for the establishment of a drainage fund for the construction of drainage works to reclaim wet, overflowed, and swamp lands in the United States, in promotion of the general welfare, and to prevent the dissemination of malaria and other diseases among the several States; to the Committee on Agriculture.

By Mr. CLAYTON: A bill (H. R. 16023) authorizing J. W. Freeman to erect a dam on Pea River, in Geneva County, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. FRENCH: A bill (H. R. 16024) to amend the pure food and drugs act of June 30, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. MORGAN of Oklahoma: A bill (H. R. 16025) authorizing the Secretary of War to donate to Enid Post, Grand Army of the Republic, Department of Oklahoma, Enid, Okla., two cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. ALLEN: A bill (H. R. 16026) to provide two customs collection districts for the State of Ohio; to the Committee on Ways and Means.

By Mr. TRIBBLE: A bill (H. R. 16027) providing for the disposition of the tax on cotton collected during the fiscal years ended June 30, 1863, to June 30, 1868; to the Committee on War Claims.

By Mr. AIKEN: A bill (H. R. 16028) to establish a system through which national banks may make loans on agricultural lands in aid of agriculture; to the Committee on Banking and Currency.

By Mr. RAKER: A bill (H. R. 16029) to authorize the Secretary of the Interior to set aside certain public lands to be used as national sanitariums by fraternal organizations, and for other purposes; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 16030) granting a pension to Julia A. Robinson; to the Committee on Pensions.

By Mr. ANTHONY: A bill (H. R. 16031) granting a pension to William M. Hiett; to the Committee on Pensions.

Also, a bill (H. R. 16032) granting a pension to Elmira L. Stiles; to the Committee on Invalid Pensions.

By Mr. BROCKSON: A bill (H. R. 16033) for the relief of the United States Drainage & Irrigation Co.; to the Committee on Claims.

By Mr. BURKE of Wisconsin: A bill (H. R. 16034) granting an increase of pension to Lucretia J. Loomis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16035) granting an increase of pension to Evoline A. Sanderson; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 16036) granting an increase of pension to Albison Shaw; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 16037) to correct the military record of William Smith; to the Committee on Military Affairs.

By Mr. DERSHEM: A bill (H. R. 16038) for the relief of John W. Grayham; to the Committee on Military Affairs.

Also, a bill (H. R. 16039) for the relief of Cyrus Kennedy; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 16040) granting a pension to Elizabeth Boxley; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 16041) granting a pension to Henry S. Corp; to the Committee on Pensions.

By Mr. GOEKE: A bill (H. R. 16042) granting an increase of pension to Theodore P. TouVelle; to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 16043) granting an increase of pension to William C. Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16044) granting an increase of pension to David W. Aldrich; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 16045) granting an increase of pension to Robert H. Boon; to the Committee on Invalid Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 16046) granting an increase of pension to George W. Lavery; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 16047) granting a pension to Daniel P. Gill; to the Committee on Invalid Pensions.

By Mr. STAFFORD: A bill (H. R. 16048) granting a pension to Katharina Bamberg; to the Committee on Pensions.

By Mr. TAGGART: A bill (H. R. 16049) granting an increase of pension to David M. Ferguson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16050) granting an increase of pension to Elizabeth Hemmann; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 16051) granting an increase of pension to George W. Isham; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of sundry citizens of Indiana, Texas, Michigan, and Maine, protesting against polygamy in the United States; to the Committee on the Judiciary.

Also (by request), resolution of the First Baptist Church of Saginaw, Mich., and of the Diocesan Social Service Committee, of Junction City, Kans., favoring amendment to the Constitution; to the Committee on the Judiciary.

Also (by request), resolution of the Haines (Alaska) Democratic Club, requesting that the question as to whether or not there shall be intoxicating liquors sold or manufactured in Alaska be submitted to a vote of the people of Alaska; to the Committee on the Judiciary.

By Mr. ADAIR: Petition of sundry citizens of Madison County, Ind., favoring passage of House bill 12928, retaining section 6; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Madison County, Ind., protesting against passage of the Sunday-observance bill; to the Committee on the District of Columbia.

By Mr. AINEY: Petition of 36 citizens of Wayne County, Pa., protesting against national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. ALLEN: Petition of sundry firemen and engineers, favoring bill regulating hours of labor in continuous working plants of the United States; to the Committee on Labor.

Also, petition of 105 citizens of Cincinnati, Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the Chamber of Commerce of Cincinnati, Ohio, protesting against extension of parcel post; to the Committee on the Post Office and Post Roads.

Also, memorial of the Ohio Valley Druggists' Association, favoring the price-maintenance bill; to the Committee on Interstate and Foreign Commerce.

Also, petitions of 40 citizens of Cincinnati, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petition of M. J. Gunder, Frank Langer, Raimond Freiwald, W. Thomson, Frank Steven, William Hofmann, and Karl Schwarz, all of Johnstown, Pa., protesting against passage of House joint resolution 168 relative to national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of D. T. Detwiler, N. S. Kagarise, S. S. Baker, L. F. Holsinger, Jacob W. Snyder, D. L. Kring, W. H. Mentzer, Charles F. Furry, E. T. Furry, I. B. Replogle, Rufus M. Replogle, Z. F. Brumbaugh, Aaron Teeter, S. T. Stuckey, M. R. Stiffler, John Snoberger, A. S. Replogle, all of New Enterprise, Pa., for passage of House joint resolution 168 relative to national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of sundry citizens of Altoona and Juniata, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of various voters of the nineteenth congressional district of Pennsylvania, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Samuel Calvin Smith, of Hollidaysburg, Pa., protesting against Nelson amendment to House bill 6282; to the Committee on Ways and Means.

Also (by request), petition of 27 members of the Woman's Christian Temperance Union of Hollidaysburg, Pa., for passage of House joint resolution 168, relative to national prohibition; to the Committee on the Judiciary.

Also (by request), petitions of D. W. Cathcart, H. T. Wagner, P. H. Crawford, Joseph E. Swartz, J. C. Barger, E. L. Lowden, all of Altoona, Pa., for passage of House joint resolution 168; to the Committee on the Judiciary.

By Mr. BAKER: Petition of the Shiloh Seventh-day Baptist Church, of Shiloh, N. J., in favor of national prohibition; to the Committee on the Judiciary.

By Mr. BALTZ: Petition of A. F. Sthupe, of Dupo, Ill., relative to an investigation of the right to use the rates of second-class mail matter for a certain publication; to the Committee on the Post Office and Post Roads.

By Mr. BEAKES: Petitions of 28 dairymen of Inkster, 34 dairymen of Denton, 32 dairymen of Belleville, 49 dairymen of Plymouth, 41 dairymen of Salem, and 112 dairymen of Ypsilanti, all of the State of Michigan, in opposition to the removal of the tax on oleomargarine colored to imitate butter; to the Committee on Ways and Means.

Also, petitions of 489 professors and students of the University of Michigan, of Ann Arbor, Mich., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 305 voters of Jackson County, Mich., in opposition to national prohibition; to the Committee on the Judiciary.

By Mr. BORCHERS: Petition of 45 citizens of the nineteenth congressional district of Illinois, protesting against the adoption of a resolution for national prohibition; to the Committee on the Judiciary.

Also, petitions of Chapter No. 287, Epworth League, of the First Methodist Episcopal Church of Champaign; of the Adult Men's Bible Class of the Presbyterian Church of Monticello; of the official board of the Church of the United Brethren in Christ of Long View; of the Presbyterian Church of Tolono; of the Methodist Episcopal Church of Cerro Gordo; of the Church of the Brethren of Cerro Gordo; of the First Brethren Church of Cerro Gordo; of the First Baptist Church of Urbana; of sundry citizens of Charleston; of the Presbyterian Sunday School of Ashmore; and of sundry citizens of Macon, all of the State of Illinois, in favor of national prohibition; to the Committee on the Judiciary.

By Mr. BROWN of New York: Petition of 1,400 voters of the first congressional district of the State of New York and resolutions of Nord-Oestlicher Sängerbund von Amerika, against national prohibition; to the Committee on the Judiciary.

By Mr. CONRY: Petition of 90 voters of New York, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Women's Trade Union League of New York against sending Federal troops to Colorado; to the Committee on Labor.

Also, petition of 900 voters of the fifteenth New York congressional district against passage of Hobson-Sheppard-Works resolutions; to the Committee on the Judiciary.

By Mr. DALE: Petition of Thomas Campbell against national prohibition; to the Committee on the Judiciary.

Also, petition of M. W. Plummer, of New York, favoring bill appropriating $165,000 for the children's bureau; to the Committee on Labor.

Also, petition of 340 voters of the fourth New York congressional district against passage of Hobson-Sheppard-Works resolutions; to the Committee on the Judiciary.

Also, petition of 39 citizens of the fourth New York congressional district against national prohibition; to the Committee on the Judiciary.

By Mr. DANFORTH. Petition of 21 residents of Rochester, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of Inez G. Stone, of Oxbow, N. Y., and 21 other residents of New York State, against the passage of House bill 7826, to provide for the closing of barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

Also, petition of 24 citizens of Waterport, 38 citizens of Gainesville, 25 citizens of Linden, and 252 citizens of Perry Center, all of the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DEITRICK: Petition of the board of aldermen of Somerville, Mass., favoring passage of the Hamill bill, relative to aged Government employees; to the Committee on Reform in the Civil Service.

By Mr. DOOLITTLE: Petition of sundry citizens of the State of Kansas, favoring establishment of bureau of farm loans in the Treasury of the United States; to the Committee on Banking and Currency.

By Mr. DYER: Petition of C. F. Wenneker, R. T. Kayser, R. S. Colnon, Joseph D. Bascom, George W. Stamm, Ernest W. Stix, Col. Moses Shoenberg, Joseph Fruend, George D. Markham, Lungstras Dyeing & Cleaning Co., Theodore Lange, George H. Saltzgeber, O. L. Leiber, and S. B. Sheldon, all of St. Louis, Mo., against prohibition; to the Committee on the Judiciary.

Also, petition of Edward C. Allen, of St. Louis; Charles A. Bull, of St. Louis; Phillips & Lloyd, of Bevier; F. O. De Long, of Bevier; Frederick Bros., of Bevier; C. W. Hopkins, of St. Louis; F. C. Little, of St. Louis, F. W. Buch, of St. Louis, William J. Phelan, of St. Louis; D. Gillson, of Appleton City; F. D. Jones, of Bevier, all in the State of Missouri, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ESCH: Petition of the First Presbyterian Church of Reedsburg, Wis., and the German Baptist Church of North Freedom, Wis., in favor of national prohibition; to the Committee on the Judiciary.

By Mr. FERGUSSON: Petition of the Woman's Christian Temperance Union of Obar, N. Mex., signed by its president, Mrs. A. M. Durham, and other officials, and 74 citizens, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Deming, N. Mex., signed by 112 citizens, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Solano, N. Mex., by its president, Mrs. A. A. Blickenstaff, and other officials, and 34 citizens of Solano and Mora, N. Mex., for national prohibition; to the Committee on the Judiciary.

Also, petition of the Baptist Church of Farmington, N. Mex., signed by its pastor, Rev. E. G. Stout, and 11 members, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Presbyterian Church of Farmington, N. Mex., by its pastor, Rev. R. C. Jackson, and 33 members, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FORDNEY: Petitions of various voters of Saginaw County, Mich., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GILMORE: Petition of the Men's Club of Holbrook, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GREGG: Petitions of various voters of the seventh congressional district of Texas, favoring the machinists' wage bill (H. R. 12740); to the Committee on Labor.

By Mr. HAYES: Petition of C. Stader and Anna Stader, against national prohibition; to the Committee on the Judiciary.

Also, petition of Mary A. Haney, of New Monterey, Cal., favoring equal suffrage to the adult population of the United States; to the Committee on the Judiciary.

Also, petition of J. P. Avington, of Betteravia, Cal., favoring resolutions adopted by Victor Valley Chamber of Commerce, for the development of the water and power in the watershed of the Mojave River and their distribution upon such lands in Victor Valley as may be feasible and practicable; to the Committee on Appropriations.

By Mr. HELVERING: Petitions of W. J. Meyer and 61 citizens of Miltonvale, Kans., and Rev. A. C. Tunnell and 31 citizens of Woodbine, Kans., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HOUSTON: Petitions of 64 citizens of Unionville, Tenn., and 14 citizens of Petersburg, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. HULINGS: Petitions of 136 voters of Warren County, Pa., favoring national prohibition amendment; to the Committee on the Judiciary.

By Mr. KEISTER: Petition of the Methodist Episcopal Church of Alverton, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of 50 citizens of Westmoreland County, Pa., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Petition of citizens of Pawtucket, R. I., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Cumberland, R. I., and 27 voters of Central Falls, R. I., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KINKEAD of New Jersey: Petition of the First Methodist Episcopal Church and sundry citizens of Bayonne, N. J., and the Bergen Baptist Church, of Jersey City, N. J., favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEVY: Petition of John R. O. Connor, of New York, against national prohibition; to the Committee on the Judiciary.

Also, resolution of the United Societies for Local Self-Government, of Chicago, Ill., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Ligonier (Pa.) Diamond Coal & Coke Co., protesting against the passage of House bill 9996; to the Committee on Interstate and Foreign Commerce.

Also, petition of Henry C. Maine, of Rochester, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. LIEB: Petitions of the Bayard Park Methodist Episcopal Church, by Rev. L. T. Freeland, of Evansville; the Simpson Methodist Episcopal Church, by Rev. J. Thomas Bean, of Evansville; the First Methodist Episcopal Church, by Rev. Clarence Shake, of Hatfield; the Main Street Methodist Episcopal Church, by Rev. D. P. Holt, of Boonville; also Rev. J. R. Edwards and J. N. Howard and 44 other citizens and other members of the General Baptist Church, of Boonville, and the General Baptist Church, of Velpen; also Rev. L. T. Freeland and 35 other citizens of Evansville, all in the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Vanderburg County Medical Society, of Evansville, Ind., Dr. G. C. Johnson, president, and Dr. C. A. Hartley, secretary, protesting against the Nelson amendment of House bill 6282, known as the Harrison narcotic bill; to the Committee on Ways and Means.

By Mr. LOBECK: Memorial of the Ministerial Union of Omaha and other citizens of Nebraska, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of 76 representatives of the Nebraska delegation to the Denver Irrigation Conference, favoring Senate joint resolution 117; to the Committee on the Judiciary.

Also, petitions of the Nebraska Retail Hardware Association and the Nebraka Association of Letter Carriers, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, memorial of the Nebraska Retail Hardware Association, favoring legislation for flood control along the Mississippi River; to the Committee on Rivers and Harbors.

Also, memorial of the Nebraska Retail Jewelers' Association, favoring legislation relative to frauds in gold-filled watchcases; to the Committee on Interstate and Foreign Commerce.

By Mr. MAPES: Petitions of sundry citizens of Byron Center, 187 citizens of Lake Odessa, and 100 citizens of Lowell, all in the State of Michigan, favoring national prohibition; to the Committee on the Judiciary.

By Mr. METZ: Petition of sundry citizens of Greater New York, N. Y., protesting against pending prohibition legislation; to the Committee on the Judiciary.

By Mr. MORGAN of Oklahoma: Resolutions of the First Methodist Episcopal Church of El Reno, representing 300 people; the Methodist Episcopal Sunday School and Church of Ingersoll, representing 135 people; the Methodist Episcopal Church of Hinton, representing 200 people; the Frances E. Willard memorial meeting, of Oklahoma City, representing 60 people; the Christian Endeavor Society of the First Christian Church, of Oklahoma City, representing 90 people; the Intermediate Christian Endeavor Society, of Oklahoma City, representing 60 people; the Union Prayer Meeting, of Arapaho, representing 34 people; the Woman's Federated Clubs of Alva, representing 100 people; the Altruist Club, of Arapaho, representing 21 people; and the Methodist Episcopal Sunday School of Arnett, representing 250 people, all in the State of Oklahoma, favoring a national prohibition amendment; to the Committee on the Judiciary.

Also, petitions of S. A. Walton and 35 other citizens of Major County, W. G. Shaw and 23 other citizens of Alfalfa County, J. M. Strong and 24 other citizens of Alfalfa County, F. M. Gustin and 24 other citizens of Alfalfa County, J. R. Crumley and 24 other citizens of Cherokee County, S. H. Corriher and 24 other citizens of Alfalfa County, and P. W. Cloyd and 29 other citizens of Driftwood, all in the State of Oklahoma, favoring the passage of a national prohibition amendment; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Kay County and Blaine County, Okla., against Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. J. I. NOLAN: Memorial of the Riverside (Cal.) Chamber of Commerce, favoring passage of House bill 12292, relative to child labor; to the Committee on Labor.

By Mr. O'LEARY: Petition of 62 citizens of the second congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. PAIGE of Massachusetts: Petitions of sundry citizens of the State of Massachusetts, protesting against the passage of the Sunday-observance bill; to the Committee on the District of Columbia.

By Mr. PAYNE: Petition of various voters of the thirty-sixth New York congressional district, against passage of Hobson-Sheppard-Works resolutions; to the Committee on the Judiciary.

Also, petition of sundry citizens of the thirty-sixth New York district, against national prohibition; to the Committee on the Judiciary.

By Mr. PETERS of Massachusetts: Petition of the Massachusetts Federation of Churches, protesting against war with Mexico; to the Committee on Foreign Affairs.

By Mr. RAKER: Resolution of the United Societies for Local Self-government, of Chicago, Ill., protesting against House joint resolution 168; to the Committee on the Judiciary.

Also, petition of the faculty of the State Normal School, at San Jose, Cal., and the Friday Morning Club, of Los Angeles, Cal., favoring House bill 12292; to the Committee on Labor.

By Mr. REILLY of Connecticut: Petitions of sundry citizens of New Haven and Meriden, Conn., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. ROGERS: Petition of 44 citizens of Bolton, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RUSSELL: Petition of 12 citizens of Butler County, Mo., against House bill 12928; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Poplar Bluff, Mo., against the passage of House bill 7826; to the Committee on the District of Columbia.

By Mr. SINNOTT: Petition of sundry citizens of Oregon, against national prohibition; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Petition of Detroit Post, No. 384, Department of Michigan, Grand Army of the Republic, favoring bill now before Congress to appropriate funds for the purchase of battle field of Franklin, Tenn.; to the Committee on Appropriations.

Also, protest of 702 citizens of Battle Creek and Calhoun County, Mich., against Hobson, Sheppard, and Works resolutions for national prohibition; to the Committee on the Judiciary.

By Mr. STAFFORD: Petition of various voters of the fifth district of Wisconsin, protesting against passage of House bill 1298 retaining section 6; to the Committee on the Post Office and Post Roads.

By Mr. TAYLOR of Arkansas (by request): Petition of B. Gordon, of Malvern, Ark., and J. Jones, of Pine Bluff, Ark., against national prohibition; to the Committee on the Judiciary.

By Mr. TAYLOR of Colorado: Petition from sundry citizens of Basalt, Colo., protesting against the passage of any national constitutional amendment; to the Committee on the Judiciary.

Also, 242 individual petitions from citizens of the State of Colorado, protesting against the passage of all nation-wide prohibition bills now pending before Congress; to the Committee on the Judiciary.

Also, individual petitions from citizens of Alamosa, Ouray, Trinidad, Colorado Springs, Cripple Creek, Oak Creek, Idaho Springs, Eagle, Leadville, Walsenburg, Pueblo, Aspen, 308 individual petitions from citizens of Denver, and 238 citizens of the State of Colorado, against national prohibition; to the Committee on the Judiciary.

Also, petitions of 75 citizens of Berthoud, 105 citizens of Denver, and 280 citizens of Hotchkiss, all in the State of Colorado, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Sedgwick Post No. 2, Grand Army of the Republic of Colorado and Wyoming, of Durango, Colo., protesting against any change in the American flag; to the Committee on the Judiciary.

Also, memorial of Maj. McConnville Camp, No. 6, United Spanish War Veterans of Trinidad, Colo., favoring passage of House bill 13044, the widows' and orphans' pension bill; to the Committee on Pensions.

Also, memorial of the United Spanish War Veterans, of Pueblo, Colo., protesting against the "One hundred years' peace celebration"; to the Committee on Foreign Affairs.

Also, memorial of Byron L. Carr Post, No. 14, Grand Army of the Republic of Colorado, protesting against any change in the American flag; to the Committee on the Judiciary.

Also, petition of the United Presbyterian Church, of Montrose, Colo., protesting against passage of the Sunday observance bill; to the Committee on the District of Columbia.

By Mr. TAYLOR of New York: Petition of 13 citizens of Spring Valley, 515 citizens of West Haverstraw, 40 citizens of Suffern, 262 citizens of Mount Vernon, and 53 citizens of Katonah, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of the United Societies for Local Self-Government of Chicago, Ill., and sundry citizens of the fourteenth congressional district of New York protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 1,880 citizens of the twenty-fifth congressional district of New York, against national prohibition; to the Committee on the Judiciary.

By Mr. TEMPLE: Petition of Harry Hattenbaugh, of New Castle, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TEN EYCK (by request): Petitions of Louis L. Price; Eugene N. Tobler; Chauncey Lansing, jr.; W. M. Collins; Robert I. Mason; J. H. Lynch; B. G. Hamilton; Henry Housen; M. H. Collins; and S. S. Giles, all voters in the city of Troy, N. Y., against the Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

Also (by request), petition of Peter J. Kohns and others of the twenty-eighth congressional district of New York, protesting against the Hobson-Sheppard-Works bill relative to national prohibition; to the Committee on the Judiciary.

By Mr. TRIBBLE: Petition of J. M. Turner and members of R. E. Lee Camp, United Confederate Veterans, of Walton

County, Ga., requesting Congress to return cotton tax illegally collected; to the Committee on War Claims.

By Mr. VOLLMER: Petition of S. M. Kirk and 39 others, protesting against House bill 9674, being a bill preventing labor on buildings, etc., in the District of Columbia on the Sabbath day, or any other like religious measure; to the Committee on the District of Columbia.

Also, petition of F. L. Smith and 8 others in favor of House bill 12928, permitting the opening of post offices on Sunday; to the Committee on the Post Office and Post Roads.

Also, petition of F. L. Smith and 8 others, protesting against House bill 7826, providing for the closing of barber shops in the District of Columbia on Sunday, or any other like religious measure; to the Committee on the District of Columbia.

By Mr. WALLIN: Petitions of various church members of the thirtieth New York district, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of the Ohio Retail Jewelers' Association of Ohio, in favor of House bill 2972, prohibiting the fraudulent sale of gold-filled watchcases; to the Committee on Interstate and Foreign Commerce.

By Mr. WOODS: Petition of sundry citizens of the tenth congressional district of Iowa, favoring national prohibition; to the Committee on the Judiciary.